

Section 6-a. *In counties having over 200,000 and not to exceed 330,000 population the judge of the juvenile court may appoint one or more persons for the investigation of application for allowances under this act, whose duty it shall be to visit the homes of the applicants and ascertain all the relevant facts and circumstances including the facts specified in the preceding section and make report in such form as the court may require. Each person so appointed shall receive a salary of \$1,200 per annum, to be paid in monthly installments out of the county treasury, together with all actual expenses certified by the judge to have been necessarily incurred by them in the performance of their duties; provided, however, that the judge may designate by order one investigator to have general charge of the work of all persons so appointed, which person shall receive a salary of \$1,500 per annum, together with necessary expenses, to be paid as aforesaid.*

Sec. 2. This act shall take effect and be in force from and after May 1, 1919.

Approved April 21, 1919.

CHAPTER 334—H. F. No. 19.

An act to establish a department of education, to create a state board of education, to define the powers and duties of such board, to abolish certain boards and offices.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **State board of education.**—A state department of education is hereby created, which shall be maintained under the direction of a state board of education composed of five representative citizens of the state. The members of the state board of education shall be appointed by the governor, by and with the approval of the senate, for a term of five years, and shall hold office until their successors are qualified. The first members of the said board shall be appointed as soon as practicable as follows: One for a term ending January 1, 1920, two for a term ending January 1, 1922, and two for a term ending January 1, 1924; all vacancies in the said board shall be filled for unexpired terms by appointments by the governor. The members of said board shall receive as compensation for their services the sum of ten dollars (\$10) per day for each day actually spent in the performance of their duties and in addition thereto they shall be reimbursed in manner according to law for all necessary expenses incurred in the performance of their duties as members of the board. The first president of the said board shall be the member whose term of the office shall first expire, and the president thereafter shall be chosen annually by the members of the board, but no member of the board shall serve as president longer than two years during a term in office. The first

meeting of the said board shall be held at the state capitol, at the call of the president, within thirty (30) days of the appointment of the members of the board; the said board shall hold an annual meeting at the state capitol on the first Tuesday in the month of August, and in addition to the annual meeting the board shall hold quarterly meetings, and may hold special meetings, on such dates and at such places as the board shall designate. Provided: That no member of the board shall hold any other office elective or appointive under the state "except a notary public," or be employed in any state institution.

Sec. 2. Oath and contracts.—Before entering upon the duties of his office each member of the state board of education shall take an oath of office which shall be filed with the secretary of state. All contracts made by the said board shall be in writing and shall be signed by its president and attested by its secretary.

Sec. 3. Organization and rules.—The state board of education is authorized to make complete organization of the department of education, as created by this act, and to adopt all necessary rules, not in conflict with the provisions of law, for the conduct of its affairs; the said board shall have authority, also, to define the duties of appointees and employes to the end that the educational and business activities of the department of education shall be conducted under reasonable and effective regulations which shall promote the educational interest of the state and safeguard the finances appropriated for the support thereof.

Sec. 4. Officers, assistants and compensation.—The state board of education shall be provided with suitable offices at the seat of government and the said board may provide all records, files and office supplies required in the transaction of its business. The board shall have power to appoint a commissioner of education at a salary not to exceed \$5,000 per annum; a deputy commissioner of education at a salary not to exceed \$3,500 per annum; one head of department at a salary not to exceed \$4,000 per annum; four heads of departments, each at a salary not to exceed \$3,500 per annum; five heads of departments or assistants, each at a salary not to exceed \$3,000 per annum; four assistants, each at a salary not to exceed \$2,500 per annum; two assistants, each at a salary not to exceed \$1,500 per annum and clerks and stenographers at salaries not to exceed in the aggregate the amount appropriated by the legislature for that purpose. The board shall designate the official title of all of its employes except that of the commissioner of education and fix their salaries subject to the limitations above state provided that the total amount paid for salaries shall not in any year exceed the amount appropriated for that purpose by the legislature.

Sec. 5. State commissioner of education.—The state board of education, at its first meeting, shall proceed to elect a state commissioner of education who shall be the executive officer and secretary of the said board and whose term of office shall be six years. The commissioner of education shall be a person who possesses educational attainment and breadth of experience in the administration of public education and of the finances pertaining thereto commensurate with the spirit and intent of this act. The term of service of the first commissioner of education shall begin August 1st, 1919. The commissioner of education shall have authority to nominate, for approval by the state board of education, such officials and employes as may be necessary to perfect and to maintain the organization of the department of education as recommended by the commissioner of education and as adopted by the state board of education. The commissioner of education shall perform the duties heretofore required by law of the state superintendent of education as exofficio member of all official boards and such other duties and functions heretofore vested in the state superintendent of education as the law and the rules of the state board of education may provide, and he shall be held responsible for the efficient administration and discipline of the various offices and divisions in the organization of the department of education; the said commissioner of education shall be required to make recommendations to the state board of education which shall facilitate all of the work of the said board, and he shall be charged, furthermore, with the execution of powers and duties which the state board of education may prescribe, from time to time, to promote public education in the state, to safeguard the finances pertaining thereto, and to enable the said board to carry out, conclusively, the provisions of this act.

Sec. 6. Functions, powers and duties.—All the functions, powers and duties which are now by law vested in, or by law exercised by, the state superintendent of education and his appointees, the state high school board and its appointees, and the state library commission and its appointees, shall be and the same are hereby vested in, and shall be exercised by the state board of education according to the provisions of this act. The said state board of education shall administer all laws relating to state superintendent of public schools, libraries and other public educational institutions, except such laws as may relate to the state university and to the state normal schools. In order that the provisions of this act may be carried out, the state high school board, the state library commission and the office of the state superintendent of education shall terminate July 31st, 1919.

Sec. 7. Report of state board of education.—On or before November 15 of each even numbered year, the state board of ed-

ucation shall make a report to the governor, which shall cover the biennial period ending July 31 preceding; the said report shall contain a copy of all rules of said board in force during the biennial period, the name and salary of each officer or employe in the department of education, a summary of the financial affairs of said department, and such other matters as it may seem advisable to include in such report, or as shall be required by the governor.

Sec. 8. State aid to public schools and budget.—The state board of education shall cause to be made under its direction studies of and investigations relating to the administration of funds appropriated by the legislature for public school aid; such studies and investigations shall be exhaustive and shall contain constructive suggestions and recommendations to the governor, and shall be transmitted by him to the legislature, the same to be embodied in and to be a part of the first biennial report of the state board of education, which shall be submitted to the governor as required by the provisions of section 7 of this act. The state board of education shall recommend to the governor and legislature such modification and unification of laws relating to the state system of education as shall make those laws more readily understood and more effective in execution; and the state board of education shall prepare a biennial education budget which shall be submitted to the governor and legislature, according to the provisions of law, such budget to contain a complete statement of finances pertaining to the maintenance of the department of education and to the distribution of state aid to public schools.

Sec. 9. Conflict of powers.—In case of any apparent conflict between powers, duties and functions conferred by law upon any educational officer, or person, or board, or commission named in section 6 of this act and those conferred by this act on the state board of education, it shall be conclusively presumed that such powers, duties and functions belong to the state board of education to be exercised by it under the law and rules of said board.

Sec. 10. Officers and employes to give bonds.—The state board of education shall require all officers and employes under its control, who may be charged with any money or property belonging to the state, to give bond to the state in such sum and with such conditions as the said board by its rules may direct, and each bond shall be approved by the board.

Sec. 11. State university and state normal schools.—Nothing in this act contained shall be held to apply to the University of Minnesota, or to the state normal schools, or to the powers, functions and duties vested by law in the board of regents of said university, or in the state normal schools board.

Sec. 12. Inconsistent acts.—Any person officially connected with or employed by the department of education who shall be

found inefficient or guilty of any acts inconsistent with the duties of his office shall be removed from office by the authority which appointed him.

Sec. 13. Meetings of board prior to August 1, 1919.—The state board of education is authorized to hold necessary meetings, prior to August 1, 1919 for the transaction of business in accordance with the provisions of this act, and any action taken by the said board at such preliminary meetings shall be legal.

Sec. 14. When duties of appointees begin.—The powers and duties of the appointees hereunder shall not begin until August 1st, 1919, except as herein above provided.

Sec. 15. Acts repealed.—All acts and parts of acts not consistent with this act are hereby repealed.

Sec. 16. This act shall take effect and be in force on and after its passage.

Approved April 21, 1919.

CHAPTER 335—H. F. No. 135.

An act requiring railroads to provide drinking water and individual sanitary drinking cups on passenger cars and prescribing a punishment for a violation of this act.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Common carriers required to furnish water and sanitary drinking cups.—Every person, company, corporation or receiver thereof, operating any railroad in the state of Minnesota is hereby required to provide and furnish upon every car used for the transportation of passengers within the state of Minnesota, without charge to the passengers, a suitable quantity of pure drinking water and a sufficient number of individual sanitary drinking cups or fountain and to provide one cup for each passenger so carried; provided, this act shall not apply to electric suburban cars running on city streets; provided, this act shall not apply to suburban electric cars running in part on city streets.

Sec. 2. How cups shall be contained.—Such cups shall be contained in a suitable holder or receptacle, which shall be placed in a convenient location in each car, and shall be kept in a sanitary condition.

Sec. 3. Violation a misdemeanor.—Any person, company, corporation or receiver thereof, operating any railroad in the state of Minnesota violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more