

Sec. 3. **How paid and collected.**—All taxes levied under the provisions of this act, when collected and paid into the state treasury, shall be placed to the credit of the general revenue fund only.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 24, 1913.

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CHAPTER 500—S. F. No. 103.

*An Act to enable a county or counties to establish and maintain tuberculosis sanatoria.*

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

Section 1. **Sanatorium for care and treatment of tuberculosis cases.**—The board of county commissioners of any county in this state or the boards of county commissioners in any group of counties in this state shall have and are hereby granted and given power with the advice and approval of the advisory commission of the Minnesota Sanatorium for Consumptives to establish and maintain as hereinafter provided, a sanatorium for the treatment and care of persons affected with tuberculosis, provided that said power so granted shall be exercised as follows:

a. Such sanatorium may be established by a majority vote of the commissioners of such county or a majority vote of the commissioners of each such group of counties whenever and in cases where the amount of the cost of construction to be paid by such county or group of counties shall not exceed such sum as may be raised by a tax levy of not to exceed one mill on the dollar of the taxable property of any such county or group of counties.

b. When the cost of constructing said sanatorium shall exceed the amount specified in sub-division "a" hereof or whenever it is necessary to issue the bonds of such county or any county in any such group of counties to defray the cost which such county or any of such counties are required to pay under the terms of this act, then and in all such cases the question of (1) whether such sanatorium shall be established (and when necessary) (2) whether such bonds shall be issued to defray any county's portion of the cost thereof, shall be submitted to the voters of such county or, if more than one, to the voters of each of such counties requiring a bond issue, and the sanatorium shall not be established or bonds issued therefor unless a majority of the voters of such county, or, if more than one, of each such county voting thereon shall vote in favor of each proposition submitted to it or to them.

c. The board of county commissioners of any such county, or, if more than one, the board of county commissioners of any such counties shall have the power and authority in any case to submit the question to the voters of any such county or counties in the way and manner provided in this act and in the event that the cost which the county, or, if more than one, the counties will be required to pay for the erection of such sanatorium under this act shall be less than an amount equal to the amount which can be raised in any such county or counties by a tax levy of one mill on the dollar of the taxable property of each such county or group of counties and the commissioners of any such county or counties shall decide not to construct the same under the power herein contained, on a petition of not less than 5 per cent of the freeholders of such county or counties, such question shall be submitted to the voters of such county or group of counties and if a majority of the voters of such county or a majority of the voters of each county of such group of counties voting thereon vote in favor thereof then such sanatorium shall be erected hereunder and a tax levied if necessary to pay the cost which such county or counties are required to pay under this act, which tax shall be extended and collected as herein provided.

Provided, that any county or group of counties which has heretofore commenced proceedings to erect a sanatorium or taken any steps preliminary thereto may be a resolution of the board of county commissioners thereof, adopted by a majority vote of said board of county commissioners or each board of county commissioners, as the case may be, determine to proceed under the provisions of this act and may continue hereunder and complete such sanatorium and be entitled to all the provisions and benefits provided for in this act.

Provided, however, that the said sanatorium when so constructed shall in all respects conform to the requirements of this act.

The board of county commissioners of any such county, or the board of county commissioners of each of such group of counties, if more than one, erecting such sanatorium under the provisions of this act, may, by resolution, create a fund to be known as the "Sanatorium Fund"; and such funds may be raised by taxation at the time of deciding to erect such sanatorium under this act or at any time subsequent thereto, or if submitted to the people at the first meeting of the board of county commissioners, after the people of said county or counties shall have voted to erect the same, and the amount so determined by said board to be raised by taxation shall be levied by the county auditor in addition to all other taxes authorized by law, and shall be extended on the tax lists and collected as other county taxes; and

this provision shall be construed to vest in the county commissioners of such county or counties, as the case may be, power to levy a tax to pay interest and principal of any bonds authorized hereunder as the same shall come due and become payable, and the said tax shall be levied, extended and collected in the same way and manner as other county taxes are levied, extended and collected, and shall be used for no other purpose, provided that no institution established under this act shall have less than twenty beds.

The question as to the establishment and maintenance of the sanatorium, or issuance of bonds therefor, may be submitted at a general or special election; if at the general election the notices of such election shall state that the questions will be voted upon and the provisions for taking such votes shall be made upon the blue ballots furnished therefor, as in the case of other questions, and the result shall be canvassed and returned in like manner; if at a special election, such election shall be ordered by resolution of the county board and the procedure for, at and after such election shall be substantially and as far as applicable the same as provided for in Sections 399 to 403 inclusive, of the Revised Laws of 1905, and the county auditor upon the passage of the necessary resolution, shall proceed as in said sections provided. If the proposition is to affect more than one county, then the necessary action shall be taken by the county board and county auditor of each county affected. If funds are to be borrowed from the state, the procedure outlined herein shall be sufficient for that purpose, instead of those provided for in Chapter 122, General Laws of 1907.

If the bonding proposition should carry at any such election at which both propositions are voted upon, and the other proposition should fail to carry, no bonds shall be issued to provide money for the establishment or maintaining of a sanatorium until at some future election at which the question is properly submitted, and a majority of the votes cast upon the question shall have been in favor of the establishing and maintaining of such sanatorium. Where more than one county is involved the result of the vote on the question or questions submitted in each of said counties, shall be certified by the county auditor thereof to the county auditors of the other counties interested.

The amount of taxes to be raised in any one county for the construction of any such sanatorium hereunder, shall never exceed an amount equal to the amount which may be raised by a tax levy of one mill on the dollar of taxable property in such county.

**Sec. 2. Commission of three members to be appointed—Duties.**—Upon the decision to establish and maintain a tuberculosis sanatorium under this act, the county commissioners of

any county shall appoint a commission consisting of three members, residents of the county, at least one of whom shall be a licensed physician. These members shall be chosen with reference to their special fitness for such office and the appointment of said licensed physician before becoming effective shall be approved by the state board of health. Under the first appointment one member shall be chosen to hold office for one year, one for two years and one for three years, all from the first Monday of the next July following such appointment, and thereafter one member shall be chosen each year to serve for a period of three years commencing with the first Monday in July in each year respectively, and each appointee shall hold office until his successor is appointed and had qualified. This commission shall be known as the county sanatorium commission. Its members shall serve without compensation but shall be entitled to re-imbursement for all necessary expenses incurred by them in connection with their official duties.

Said county sanatorium commission shall have full charge and control, except as hereinafter provided, of all moneys received for the credit of the tuberculosis sanatorium fund hereinafter described and full charge and control of the location, establishing, and maintenance of any sanatorium building constructed under this act and shall make such regulations concerning the same as may seem to it advisable, but no site shall be secured and no buildings erected or equipped without the approval and consent of the advisory commission of the Minnesota Sanatorium for Consumptives, and before final action is taken the plans and specifications shall be submitted to the state board of health for approval as provided by Section 2131, Revised Laws of 1905. The state board of control, shall have full power and control over the construction and equipment of any such sanatorium whose establishment has been determined upon by said county sanatorium commission as hereinafter provided.

Said county sanatorium commission may when deemed necessary appoint and employ with the approval and consent of the advisory commission of the Minnesota Sanatorium for Consumptives a competent superintendent who shall employ other necessary help at a compensation to be determined by the county sanatorium commission. Said superintendent shall be the executive officer of the sanatorium and he shall act as secretary of the county sanatorium commission. One member of said commission shall be elected annually by the commission as its president.

**Sec. 3. Counties may unite for the purpose.**—Two or more counties may unite in acquiring, establishing, equipping and maintaining such sanatorium and in such case said commission shall be composed of three members chosen from the county in which said sanatorium is to be located, as provided for in Section

2, and two members shall be chosen from each of the other counties interested by the county commissioners of each such county; under the first appointment one member shall be chosen to hold office for one year and one for two years from the first Monday of the next July following such appointment and thereafter one member shall be chosen each year to serve for a period of two years, commencing with the first Monday in July in each year and each appointee provided for in this section shall hold office until his successor is appointed and qualified.

**Sec. 4. Proceedings for co-operation between counties.**—A county or group of counties wishing to establish a sanatorium as indicated in Section one shall through the board or boards of county commissioners appropriate one-half the necessary funds in apportioned amounts as hereafter provided for the establishment, construction and equipment of the same and may issue bonds therefor in the manner provided by law for the issuance by counties of bonds for other purposes. The state treasurer shall pay out of the funds hereafter provided under this act one-half the cost of the erection and equipment of each such sanatorium including cost of site, which payment shall be made in the manner provided by law for the payment of expense incurred by the state board of control in the erection and equipment of public buildings; provided, that the amount contributed by the state towards the cost of the erection and equipment of each of such sanatorium including cost of site shall not exceed fifty thousand dollars (\$50,000.00). Whenever any such sanatorium has been erected and equipped said county sanatorium commission shall have full charge and control of the maintenance of the same, but may confer with the state board of control with reference thereto or respecting the purchase of supplies therefor whenever it desires so to do, and said state board of control shall aid in the securing of favorable contracts for the purchase of supplies when so called upon. Said county sanatorium commission shall determine by resolution each year prior to July 1st, the amount of money necessary for the maintenance of such sanatorium during the following year and a certified copy of such resolution shall be forthwith forwarded to the board or boards of county commissioners, and such board or boards may in their discretion at the regular meeting in July include the properly approved and apportioned amount in the annual levy of county taxes. In no case shall the amount of such levy in any one year exceed one mill on the dollar of assessed valuation. For the maintenance of each free patient treated in the sanatorium, the sum of five dollars (\$5.00) per week shall be paid to said county or group of counties by the state treasurer out of funds appropriated under this act, which payments shall be made monthly upon warrants of the state auditor, drawn upon the state treas-

urer, provided that the president and executive secretary of the advisory commission of the Minnesota Sanatorium for Consumptives certify that the institution has been properly conducted. In case two or more counties unite in a decision to establish a sanatorium, the county sanatorium commission shall apportion by resolution one-half the estimated total cost of site, erection and equipment and the estimated total cost of maintenance for the ensuing year between or among said counties, and designate the amount to be raised by each county, which said apportionment shall be based approximately upon the respective population of said counties as determined by the last previous federal or state census. When so apportioned said commission shall forward to the board of county commissioners of each county a certified copy of such resolution, and each county board shall then proceed to pay if it has funds available for that purpose or to make a tax levy for the amount apportioned to its county. All moneys collected or received for such sanatorium purposes except cost of site, erection and equipment shall be deposited in the treasury of said county or counties to the credit of the tuberculosis sanatorium funds, and shall not be used for any other purpose and shall be paid out in a manner provided by law for other county expenses by the proper officers of said county or counties upon the properly authenticated vouchers of the county sanatorium commission signed by the president and secretary thereof and all moneys collected or received to be used toward the payment of the cost of site, erection and equipment of such sanatorium shall be sent by each county treasurer to the state treasurer to be placed to the credit of said sanatorium and shall be paid out in the manner as in this section provided for other payments toward cost of site, erection and equipment of said sanatorium.

**Sec. 5. Report to be filed with state auditor.**—Such county sanatorium commission shall file monthly on or before the fifteenth (15th) of each month with the state auditor reports of all its financial transactions for the preceding month and the public examiner shall examine all the books and accounts of said county sanatorium commission pertaining to its financial transaction, at least twice a year and make report thereof to the Governor.

**Sec. 6. Commission to fix amount to be charged.**—The county sanatorium commission shall fix the amount to be charged for the care, treatment and maintenance of each patient.

When a patient is unable to pay said charges and has no kindred legally liable therefor from whom payment can be secured, said patient may be admitted without charge or a patient by whom or for whom continued payments cannot be made may become a free patient. Any individual, resident of the state, residing outside of a county or counties maintaining a tuberculosis

sanatorium, may apply for treatment in any sanatorium established under this act, or any city, village, town or county may so apply on behalf of any of its charges, and such patient may be cared for therein upon payment of a weekly sum to be fixed by the county sanatorium commission, provided that the advisory commission of the Minnesota Sanatorium for Consumptives shall approve of the admission of such patient and the sum so fixed.

**Sec. 7. Application for admission.**—Any resident of a county or counties maintaining a tuberculosis sanatorium, who is afflicted with pulmonary tuberculosis, whether in the incipient or advanced stage, is eligible for care in such sanatorium and may apply for admission thereto, or anyone may apply on behalf of any such individual, and the superintendent shall when conditions so warrant admit said person to such sanatorium for care and treatment, it being the intention that applications for residents of a county or counties where a sanatorium is located shall have precedence over applications for non-residents, but preference shall always be given to patients in the most advanced stages of the disease. The superintendent of each county sanatorium shall keep lists of applications (resident and non-resident) numbered respectively in the order in which they are received. When the conditions warrant the admission of another patient, the superintendent shall give to the applicant who is first upon the resident list, or if there be no resident list then to the applicant who is first upon the non-resident list, an order for examination, directed to one of the county examiners of the state sanatorium to determine that said applicant is afflicted with tuberculosis. The fee for each examination by an examining physician shall be three dollars (\$3.00) payable out of the funds of the sanatorium for which the examination is made.

**Sec. 8. May accept trusts and gifts.**—The county sanatorium commission is empowered to accept as a trust any gift, donation or funds from any source, whether subject to the special provisions of the donors or not, and such gifts, donations or funds, shall be placed to the credit of the tuberculosis sanatorium fund in the treasury of the county in which the sanatorium is located, and shall be disbursed as provided for under Section 4.

**Sec. 9. May employ executive secretary.**—The advisory commission of the Minnesota Sanatorium for Consumptives is authorized to employ in connection with the carrying out of the purposes of this act, an executive secretary, and such other assistants and office help as may be necessary. It shall fix their compensation, which together with the necessary office and traveling expenses, not to exceed ten thousand dollars (\$10,000.00) per annum, shall be paid by the state treasurer out of funds appropriated under this act by the warrant of the state auditor.

**Sec. 10. Sanatoriums previously established may come under provisions of this act.**—Any county which has hitherto established, built and equipped or let the contract for building a sanatorium under the provisions of Chapter 347, Laws of 1909, may by resolution of its county commissioners make application to come under the provisions of this act and when the institution and the manner in which it is conducted meet with the approval of the advisory commission of the Minnesota Sanatorium for Consumptives the state auditor shall draw his warrants upon the state treasurer in favor of such county in the sum equal to five hundred dollars (\$500.00) for each bed provided for a patient in such sanatorium at the time such application is made and the state treasurer shall pay such warrant out of the funds in the state treasury provided for in this act.

**Sec. 11. Amount to be forwarded to state treasurer.**—Any county or group of counties that has heretofore under Chapter 347, General Laws of 1909, levied a tax or otherwise provided for the establishment of a sanatorium which has not been built and equipped may by resolution of the proper board or boards of county commissioners come under the provisions of this act and receive the state aid herein provided for a county or counties that may hereafter comply with the provisions hereof by depositing in the state treasury for the credit of its county sanatorium one-half of the estimated cost of the site, erection and equipment thereof and the county treasurer or treasurers upon the adoption of such resolution shall forthwith forward such amounts to the state treasurer.

**Sec. 12. Boards of control to constitute commission.**—In all counties of this state now or hereafter having a board of control of hospital and charitable funds, the members of such board of control shall constitute such commission, and shall perform the duties prescribed by this act, as part of their duties as members of such board of control and without additional compensation. In such counties, the superintendent shall not be secretary of said board or commission, but the secretary of such board of control shall perform the duties imposed by this act upon the secretary of the county sanatorium commission without additional compensation.

**Sec. 13. Application of term.**—Wherever in this act the words "sanatorium," "county sanatorium" or "county sanatorium commission" are used, the same shall apply to a sanatorium or commission whether the sanatorium in question is one for a county or a group of counties. Each member of a county sanatorium commission shall before entering upon his duties take the oath provided by law and give a bond to be approved by the board of county commissioners of the county wherein such



member resides in the sum of five thousand dollars (\$5,000.00) to the State of Minnesota, conditioned as provided for in Chapter 107, General Laws of 1909, which said bond shall be filed with the board of county commissioners of such county.

Sec. 14. **Inconsistent acts repealed.**—All acts and parts of acts inconsistent with this act are hereby repealed, provided, however, that any county or counties that have heretofore established, built and equipped or contracted for building a sanatorium under the provisions of Chapter 347, General Laws of 1909, shall continue under said law until the provisions of Section ten (10) hereof have been complied with.

Approved April 25, 1913.

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CHAPTER 501—S. F. No. 130.

*An Act to amend Section 1550 of the Revised Laws of 1905, relating to unlicensed public drinking places.*

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

Section 1. **Penalty for keeping, aiding or abetting the keeping of an unlicensed drinking place.**—That Section 1550 of the Revised Laws of 1905, be amended, so as to read as follows:

“Section 1550. Every person who, directly, by himself or by combining with others, shall keep an unlicensed drinking place, or in any way aid or abet in keeping any such place, shall for the first and second offenses be guilty of a misdemeanor, and shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) or imprisonment in the county jail for not less than thirty (30) days nor more than ninety (90) days; and shall for every succeeding offense be guilty of a gross misdemeanor and be punished by a fine not less than one hundred fifty dollars (\$150.00) nor more than one thousand dollars (\$1,000.00) or by imprisonment in the county jail for not less than ninety (90) days or more than one year.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 25, 1913.

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CHAPTER 502—S. F. No. 252.

*An Act to amend Section 2917, Revised Laws of Minnesota for the year 1905, granting to foreign and domestic railway corporations the power to acquire property by purchase or condemnation.*

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

Section 1. **Foreign and domestic railroad given right to acquire property.**—That Section 2916, Revised Laws of Minnesota for the year 1905, be and the same is hereby amended so as to read as follows: