

copy of such charges and thirty days' notice of the hearing of the same having been personally served upon the holder of such certificate. Said board shall be authorized to furnish a list of the names and addresses of those whose certificates have been revoked to the board of examiners of other states upon the written request of such board.

§ 19. PENALTY FOR VIOLATION.] Any person violating any of the provisions of this Act, or who shall willfully make a false representation to the Board of Examiners in applying for a certificate shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred dollars (\$100) and not less than ten dollars (\$10).

Approved, March 9, 1915.

STATE BOARD OF REGENTS

CHAPTER 237.

[H. B. No. 361—Committee on Education.]

CREATING A BOARD OF REGENTS.

AN ACT Creating a Board of Regents for the State University, the State Agricultural College, the Normal Schools, the School of Science, the Normal and Industrial School, the School of Forestry, and such State Educational Institutions as may be Hereafter Established, to Prescribe its Powers and Duties, to Provide for the Management and Control of the State Educational Institutions, to Provide an Appropriation to Carry out the Purposes of the Act, and Repealing all Acts or Parts of Acts in Conflict or Inconsistent Therewith.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. STATE BOARD OF REGENTS, INSTITUTIONS UNDER ITS CONTROL.] A Board of Regents of state educational institutions, to be officially known as the State Board of Regents, consisting of five members, is hereby created for the general control and administration of the following state educational institutions:

1. The State University and School of Mines, at Grand Forks, with their sub-stations.
2. The State Agricultural College and Experiment Station, at Fargo, with their sub-stations.
3. The School of Science, at Wahpeton.
4. The State Normal Schools at Valley City, Mayville and Minot.
5. The Normal and Industrial School, at Ellendale.
6. The School of Forestry, at Bottineau.

7. And such other state educational institutions as may be hereafter established.

§ 2. BOARD, HOW APPOINTED. QUALIFICATIONS. TERM OF OFFICE.] The State Board of Regents shall consist of five members, all of whom shall be qualified electors and tax payers of the state, appointed for their fitness, and ability to efficiently serve the people of the state in such capacity, and one member and not more than two of such board shall be appointed from each congressional district, and not more than one member shall be appointed from any one county. No more than one person who is an alumnus of any of the institutions under the control of such board shall be a member thereof at the same time, and any person who has been connected with any of such institutions, either as a member of any normal board of control, or board of trustees, or as an officer or instructor, shall be eligible to appointment as a member of such board within two years after such connection with such institution has been terminated.

The Governor is empowered, and it is hereby made his duty, on or before the 2nd day of March, A. D. 1915, to nominate, and with the consent of the majority of the members of the Senate in executive session, to appoint as such State Board of Regents two members thereof whose term of office shall be two years commencing with the first day of July, A. D. 1915, two members thereof whose term of office shall be for four years commencing with the first day of July, A. D. 1915, and one member thereof whose term of office shall be for six years, commencing with the first day of July, A. D. 1915, and thereafter and during the session of the legislative assembly, and prior to the 15th day of January in each year in which the term of office of any member so appointed shall expire, he shall in like manner nominate, and subject to such consent of a majority of the Senate, appoint a successor or successors to such member or members of said board whose term will expire with July 1st of that year, which said appointee shall hold office for the full term of six years from and after the expiration of the full term of office for which such predecessor or predecessors were appointed.

In event any nomination made by the Governor to such board is not consented to and confirmed by the Senate as hereinbefore provided, the Governor shall again nominate a candidate or candidates for such office at any time while the legislative assembly is in session.

The members of the board first so appointed shall meet at the seat of government on the first Tuesday in April, 1915, and shall organize and elect one of their members as president of such board for a term of one year. They shall also elect a competent man as secretary who shall receive not to exceed \$2,500.00 per annum, and who shall reside during his term of office in the City of Bismarck.

§ 3. REMOVAL OF MEMBER. VACANCY. HOW FILLED.] The Governor may remove any member of the board so appointed for

incompetency, neglect of duty, immorality, malfeasance in office, or for other good cause, and in case of a vacancy in the membership of the board so appointed by the Governor or his predecessor in office, whether occurring by reason of removal or otherwise, may declare the office vacant and fill the same by appointment until the convening of the next session of the legislative assembly, when he shall nominate some qualified person as a member of such board for the balance of such unexpired term and upon the consent of the Senate as hereinbefore provided, shall appoint said nominee as a member of such board.

§ 4. MEMBERS TO TAKE OATH. BOND.] Each member of the board shall take oath and qualify in the manner as provided by Section 661 of the Compiled Laws of North Dakota of 1913 and before entering upon his official duties give an official bond, either personal or surety, in the sum of ten thousand dollars (\$10,000.00) and running to the State of North Dakota, conditioned as provided by law, signed by sureties approved by the Governor, and the premium upon such bond, if a surety bond, shall be paid out of the state treasury, and such bond shall be filed in the office of the Secretary of State.

§ 5. COMPENSATION OF MEMBERS.] The appointive members of the State Board of Regents shall receive seven dollars (\$7.00) per day and their necessary traveling expenses while attending meetings or in the performance of such special duties as the board may direct.

§ 6. OFFICE. OFFICE HELP AND SUPPLIES.] The board shall be provided with suitable offices in the State Capitol building at Bismarck and shall provide necessary office furnishings, books, stationery, printing, postage stamps, and such other supplies as are necessary, and shall employ such clerical assistance as in their opinion is required.

§ 7. POWERS AND DUTIES OF BOARD.] The State Board of Regents shall, upon being established as provided herein, assume all the powers and perform all the duties now exercised or performed by the normal board of control and the several boards of trustees of the institutions by this Act placed under the control of the State Board of Regents July 1st, 1915. The existing normal board of control and the boards of trustees of the institutions enumerated in this Act, except as hereinafter provided, shall immediately upon the organization of the State Board of Regents as hereinbefore provided in this Act, surrender and transfer to the State Board of Regents, all duties, rights and powers and immunities granted them under existing laws of this state, together with all property, deeds, records, reports and appurtenances of every kind, now held by the normal board of control and boards of trustees of the institutions enumerated in Section 1 hereof. Such normal board of control and boards of trustees shall thereupon cease to exist, and the State Board of Regents shall succeed to all the rights,

duties, powers and immunities belonging to the normal board of control and boards of trustees and shall assume full control of all property, deeds, records, reports and appurtenances aforesaid, until otherwise prescribed by law.

The State Board of Regents shall make all necessary rules and regulations for its own official procedure and for the efficient management and control of the educational institutions and of their various departments.

The State Board of Regents first appointed shall, as soon as practical after having organized, procure to be made by a competent expert, or experts, from without the state, an educational survey of all institutions under its control for the purpose of ascertaining wherein the efficiency of the state educational institutions can be best served and economy in conducting the same best practiced.

Upon the completion of such educational survey the State Board of Regents shall appoint from without the state a State Commissioner of Education who shall be a graduate of some reputable college or university, who must have made a special study of educational problems and have had at least three years' experience in educational administrative work. Such Commissioner of Education shall perform such duties of examination, inspection and visitation as the board may direct, and shall advise the board on all matters pertaining to the curricula, co-ordination and correlating of work in the institutions under the control of such board and he shall make a special study of the particular needs and requirements of each institution and shall report thereon to the board at such time as they shall direct.

Such Commissioner of Education shall receive a salary of not to exceed five thousand dollars (\$5,000.00) per annum, to be fixed by the board, with his actual and necessary traveling expenses while attending meetings of the board and in visitation, inspection and examination of institutions under the control of said board.

The State Board of Regents shall have the power to elect a president and treasurer for each of the said educational institutions, professors, instructors, officers and employees and shall fix the compensation paid them.

The board shall act in consultation with the president of each institution, in order the more efficiently to administer to the needs and proper development of each institution in harmony with the best interests of the people of the state, and for the up-building of higher and technical education in North Dakota.

The State Board of Regents shall co-ordinate and correlate the work in the different institutions so as to prevent wasteful duplication and to develop co-operation among such institutions in the exchange of instructors and students, and shall fix a tuition to be paid in such institutions or any department thereof when not provided by law. It shall make recommendations in regard to

needed legislation for the institutions under its control, and it shall, prior to each meeting of the state legislature and in ample time for due consideration by the legislative assembly, prepare a budget setting forth the financial needs of all state educational institutions under its supervision and control for the period for which an appropriation is made.

It shall submit with such budget plans for all betterments and improvements or buildings costing more than five thousand dollars (\$5,000.00) for which it may recommend an appropriation. But when an appropriation for any amount has been made, there shall be no expenditures thereof until the board has secured suitable plans and specifications prepared by a competent architect, and accompanied by a detailed statement of the amount, quality and description of all material and labor required for the completion of said structure; and no plan or plans shall be adopted, and no betterments, improvements or buildings constructed, that contemplate the expenditure of more money for completion than the amount appropriated by the legislature therefor, unless exempted from the provisions of this Section by the Act making such appropriation. In no event shall the board direct or permit an expenditure for any purpose in excess of the amount appropriated by law, or contemplated by the statute, and the members of said board, its officers and agents, are not subject to the provisions of Sections 9827, 9828, 9829 and 9830 of the Compiled Laws of North Dakota of 1913, but any violation of the provisions of either of the said Sections of the Code above named by any member of said board, its officers or agents, shall be deemed a misdemeanor and on conviction the offender shall be fined in any sum not less than two hundred dollars (\$200.00) nor more than five thousand dollars (\$5,000.00) in the discretion of the court, or imprisoned in the county jail not exceeding one year, or by both such fine and imprisonment.

This budget shall be transmitted in separate form to the Governor and legislative assembly at the same time as its biennial report is transmitted as hereafter required. The board shall have general supervision, direction and control of the expenditures of the funds for, or belonging to, or at the disposal of, the various state educational institutions.

In order to effect the greatest economy, efficiency, and facility in providing for the needs and work of the various institutions the president of each institution shall submit to the State Board of Regents, at least once each year, a budget showing the needs and amounts recommended for the work of the various departments of the institutions, and for improvements, repairs, miscellaneous items of maintenance and such other items as shall seem expedient. When this budget has been approved by the Board of Regents, it shall form the basis of expenditures for the institutions during the period designated and the president of the institution, and the business of-

rice thereof, shall conform to this budget in the expenditures made for carrying on the work of the institution as provided for in this budget. No change in, or departure from, the expenditures outlined and provided for in the budget, shall be made except when emergency requires, when the approval of such change or departure by the State Board of Regents must first be had.

The State Board of Regents shall install a system of accounting which shall be uniform as far as practicable, for all the institutions under its control. The board shall submit a biennial report to the Governor not later than the first day of September next preceding the legislative session. The report herein required, shall contain a detailed financial statement showing fully the items of income from every source and expenditures of every nature, of the institutions under the control of the board for the period covered by the report.

The report first made after the organization of the State Board of Regents as provided in this Act, shall set forth in detail, what has been accomplished by the board in co-ordinating and correlating the work of the several institutions.

§ 8. MEETINGS. QUORUM.] The board shall hold an annual meeting at its office in the City of Bismarck on the first Tuesday in July of each year. It shall hold quarterly meetings, if practicable, at one of the institutions under its control, but only one quarterly meeting shall be held at the same institution in any year. Annual and quarterly meetings may be called by the secretary. Special meetings may be held upon the call of the president or upon request of three of the members of the board, at such place and time as the members demanding such meeting request, and a majority of such board shall constitute a quorum.

§ 9. ITEMIZED STATEMENT.] Before any expenses of the members of said board, any officer, or agent, thereof, or before any expenses incurred by others under the direction of the board, or the expenses of any officer or any employee of any institution under the charge of the board, shall be paid, a minutely itemized statement of every item of expenditure shall be presented to the proper authority duly verified, which verification shall aver that the expense bill is just, accurate and true and is claimed for cash expenditures, or cash disbursements, truly and accurately made, or payment thereof shall not be made. The expense bills of the members of the board, the secretary and its other employees, when so verified, shall be presented to the State Auditing Board for their written audit, before payment is made. The salaries and such actual expenses of the board, and the secretary and other officers, and the salaries of employees, shall be paid monthly by the State Treasurer, upon the warrant of the State Auditor.

§ 10. APPROPRIATION.] There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of

eighteen thousand dollars (\$18,000.00) annually, or as much thereof as may be necessary to carry out the provisions of this Act.

§ 11. REPEAL.] Existing laws relating to the institutions referred to in this Act, which are not inconsistent with the provisions of this Act shall remain in full force, and all Acts or parts of Acts in conflict with or inconsistent with this Act are hereby repealed.

§ 12. EMERGENCY.] Whereas, an emergency exists in this, that this Act is deemed of immediate importance in order that the board hereby created may be in a position to take full control of such institutions on July 1st, A. D. 1915, therefore this Act shall be in full force and effect on and after its passage and approval.

Approved, March 4, 1915.

STATE LIBRARY COMMISSION

CHAPTER 238.

[H. B. No. 476—Lathrop Committee.]

LIBRARY COMMISSION.

AN ACT to Amend Section 1531 of the Compiled Laws of North Dakota for 1913, and to Repeal Section 1532 of the Compiled Laws of 1913, Relating to the State Library Commission, and Providing for Abolishing Such Commission in a Certain Event.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] Section 1531 of the Compiled Laws of North Dakota for 1913 is hereby amended so as to read as follows:

§ 1531. COMMISSION. BY WHOM COMPOSED. SALARY OF LIBRARIAN. ABOLISHING COMMISSION.] The Governor, State Superintendent of Public Instruction, Secretary of State, State Auditor and the Commissioner of Agriculture and Labor shall constitute the State Library Commission. The commission shall appoint an executive officer to be known as the secretary of the Library Commission, who shall receive an annual salary of eighteen hundred dollars per year, who shall have control of the work and shall be the director of the library extension, *provided*, however, that if this legislative assembly enacts a law creating a Board of Regents to control all state educational institutions, then this commission shall be abolished and such Board of Regents shall assume and take over all the duties of the commission as a part of the duties of said Board of Regents.

§ 2. That Section 1532 of the Compiled Laws of 1913 is hereby repealed.

Approved, March 9, 1915.