

## EDUCATIONAL INSTITUTIONS.

# A BILL

FOR AN ACT TO CREATE A BOARD OF REGENTS FOR THE STATE UNIVERSITY, THE COLLEGE OF AGRICULTURE AND MECHANIC ARTS AND THE NORMAL SCHOOL AND TO PRESCRIBE ITS DUTIES AND TO PROVIDE FOR THE MANAGEMENT AND CONTROL OF THE STATE UNIVERSITY, THE COLLEGE OF AGRICULTURE AND MECHANIC ARTS AND THE NORMAL SCHOOL, TO MAKE APPROPRIATIONS THEREFOR AND TO DEFINE CERTAIN OFFENSES AND PROVIDE PENALTIES THEREFOR, AND TO REPEAL SECTIONS TWO THOUSAND SIX HUNDRED SEVENTEEN (2617), TWO THOUSAND SIX HUNDRED EIGHTEEN (2618), TWO THOUSAND SIX HUNDRED NINETEEN (2619), TWO THOUSAND SIX HUNDRED TWENTY (2620), TWO THOUSAND SIX HUNDRED THIRTY-FIVE (2635), TWO THOUSAND SIX HUNDRED THIRTY-SIX (2636), TWO THOUSAND SIX HUNDRED FORTY-TWO (2642), TWO THOUSAND SIX HUNDRED FORTY-SIX (2646), TWO THOUSAND SIX HUNDRED FORTY SEVEN (2647), TWO THOUSAND SIX HUNDRED FIFTY (2650), TWO THOUSAND SIX HUNDRED FIFTY-ONE (2651), TWO THOUSAND SIX HUNDRED FIFTY-TWO (2652), TWO THOUSAND SIX HUNDRED FIFTY-THREE (2653), TWO THOUSAND SIX HUNDRED SIXTY-EIGHT (2668), TWO THOUSAND SIX HUNDRED SIXTY-NINE (2669), TWO THOUSAND SIX HUNDRED SEVENTY (2670), TWO THOUSAND SIX HUNDRED EIGHTY-ONE (2681) OF THE CODE AND THE LAW AS IT APPEARS IN SECTIONS TWO THOUSAND SEVEN HUNDRED TWENTY SEVEN-A FIFTY-THREE (2727-A-53), TWO THOUSAND SEVEN HUNDRED TWENTY-SEVEN-A-FIFTY-FOUR (2727-A-54), TWO THOUSAND SEVEN HUNDRED TWENTY-SEVEN-A FIFTY-FIVE (2727-A 55), TWO THOUSAND SEVEN HUNDRED TWENTY-SEVEN-A FIFTY-SIX (2727-A 56), OF THE SUPPLEMENT OF THE CODE, AND TO REPEAL ALL ACTS AND PARTS OF ACTS INCONSISTENT WITH THIS ACT.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:**

Section 1. The State University, the College of Agriculture and Mechanic Arts, including  
2 the Agricultural Experiment Station and the Normal School at Cedar Falls, shall be governed  
3 by a Board of Regents consisting of fifteen members and not more than nine of the members

4 shall be of the same political party.

Sec. 2. The Governor shall, prior to the adjournment of the Thirty-first General Assembly,  
2 nominate, and with the consent of two-thirds of the members of the Senate in executive session,  
3 appoint one regent from each congressional district and four from the State at large. No  
4 nomination shall be considered by the Senate until the same shall have been referred to a  
5 committee of five, not more than three of whom shall belong to the same political party, to  
6 be appointed by the president of the Senate without the formality of a motion, which committee  
7 shall report to the Senate in executive session, which report shall be made at any time when  
8 called for by the Senate. The consideration of nominations, by the Senate, shall not be had  
9 on the same legislative day that the nominations are so referred. Five of the members of  
10 said Board of Regents shall hold office, as designated by the Governor, for two years, five for  
11 four years and five for six years. Subsequent appointments shall be made as above provided  
12 and, except to fill vacancies, shall be for a period of six years. The Governor may, by and  
13 with the consent of the Senate, during a session of the General Assembly, remove any member  
14 of the board for malfeasance in office, or for any cause that renders him ineligible to appoint-  
15 ment, or incapable or unfit to discharge the duties of his office, and his removal when so made  
16 shall be final. When the General Assembly is not in session the Governor may suspend any  
17 member so disqualified, and shall appoint another to fill the vacancy, thus created, subject,  
18 however, to the approval or disapproval of the Senate when next in session. All vacancies on  
19 said Board that may occur while the General Assembly is not in session shall be filled by  
20 appointment by the Governor, which appointment shall expire at the end of thirty days from  
21 the time the General Assembly next convenes, and vacancies occurring during a session of  
22 the General Assembly shall be filled as regular appointments are made and before the end of  
23 said session.

Sec. 3. The Board shall meet four times a year. One of said meetings shall be at the State  
2 Capitol, one at the State University and one at the College of Agriculture and Mechanic Arts  
3 and one at the Normal School. Special meetings may be called by the Board, by the president  
4 of the Board, or they may be called by the secretary of the Board upon the written request of  
5 any five members thereof.

Sec. 4. The Board of Regents shall have power to elect a chairman from their number, also  
2 a president and treasurer for each of said educational institutions, and professors, instructors,  
3 officers and employees; to fix the compensation to be paid to such officers and employees, at  
4 any time, when in its judgment it seems best so to do; to make rules and regulations for the  
5 government of said schools, not inconsistent with the laws of the State, to manage and control  
6 the property, both real and personal, belonging to said educational institutions, to direct the  
7 expenditure of all the appropriations the General Assembly shall from time to time make to  
8 said institutions and to do such other acts as are necessary and proper for the execution of the

9 powers and duties conferred upon them by law. Within ten days after the appointment and  
10 qualification of the members of the Board, it shall organize and prepare to assume the duties  
11 to be vested in said Board, but shall not exercise control of said institutions until the first day  
12 of July, A. D. one thousand nine hundred six (1906.)

Sec. 5. The Board of Regents and the Boards of Trustees now charged with the government  
2 of the State University, the College of Agriculture and Mechanic Arts and the Normal School,  
3 shall cease to exist on the first day of July, A. D. 1906, and on the same date full power to  
4 manage said institutions, as herein provided shall vest in the said Board of Regents. The  
5 duties imposed on the Executive Council by statute, to establish a uniform system of books  
6 and accounts for State Institutions and to cause the same to be examined annually by a  
7 skilled accountant and to annually require a settlement with the officers of such State  
8 Institution, are transferred from said council to the Board of Regents as to the institutions  
9 herein named. Nothing herein contained shall limit the general supervision or examining  
10 powers vested in the Governor by the laws or Constitution of the State, or that are vested in  
11 him by any committee appointed by him.

Sec. 6. The Board of Regents shall appoint an Executive Committee of three from outside  
2 of its membership, which shall select one of its number as chairman, and one as secretary.  
3 The secretary of this committee shall also act as Secretary of the Board of Regents and shall  
4 keep a record of the proceedings of the Board and carefully preserve all its books and papers.  
5 All acts of the Board relating to the management, disposition or use of lands or other  
6 property of said educational institutions shall be entered of record, and shall show how each  
7 member voted upon each proposition. He shall do and perform such other duties as may be  
8 required of him by law or the rules and regulations of said Board. Not more than two members  
9 of this committee shall be of the same political party, and its members shall hold office during  
10 the pleasure of the Board.

Sec. 7. Each Regent and each member of the Executive Committee shall take the oath,  
2 and qualify, as required by section one hundred and seventy-nine (179) of the Code. The  
3 members of the Executive Committee, before entering upon their official duties, shall each  
4 give an official bond in the sum of twenty-five thousand dollars (\$25,000), conditioned as  
5 provided by law, signed by sureties to be approved by the Governor, and when so approved  
6 said bonds shall be filed in the office of the Secretary of State.

Sec. 8. The Board and the Executive Committee shall be provided by the proper authorities  
2 with suitably furnished offices at the seat of government, and shall be also furnished with all  
3 necessary books, blanks, stationery, printing, postage stamps, and such other office supplies as  
4 are furnished other state officers. The Board may hire a stenographer and such other employees  
5 as may be necessary to assist the said Executive Committee in the performance of its duties,  
6 and the Board shall present to each General Assembly an itemized account of the expenditures

7 of said committee.

Sec. 9. There is hereby appropriated from any funds in the state treasury not otherwise  
2 appropriated sufficient thereof to pay the salaries and expenses herein authorized.

Sec. 10. Each Regent shall be allowed four dollars for each day actually and necessarily  
2 engaged in the performance of official duties, not exceeding forty days in any one year, and  
3 mileage at the rate of three cents per mile, by the nearest traveled and practicable route, in  
4 going from their homes to the different institutions, or to other places in the State, and in  
5 returning to their homes when on official business. Members of the Executive Committee  
6 shall devote their entire time to the work of said institutions and shall each receive a salary of  
7 three thousand dollars (\$3,000) a year. The members of the Executive Committee and their  
8 employees, shall be entitled to the necessary traveling expenses, by the nearest traveled and  
9 practicable route, incurred in visiting the different institutions, or other places in the State  
10 and returning therefrom when on official business. No expenditure for traveling expenses  
11 to other states shall be made by the Board of Regents, by the Executive Committee, or by any  
12 officer, employe or agent of any of said institutions, unless the authority to make said trip is  
13 granted at a meeting of the Board of Regents, upon a written resolution, adopted by the  
14 Board, which shall state the purpose of such trip, and the reason the same is deemed necessary.

Sec. 11. All claims of members of the Board of Regents for attendance upon meetings of  
2 the Board for time actually and necessarily spent in official duties shall be itemized, showing  
3 the date of such service and the nature thereof, and shall be sworn to by the president and  
4 secretary of the Board. It shall then be filed with the Auditor of State, who shall compute  
5 the mileage due each claimant by the nearest traveled and practicable route from his home  
6 to the place of meeting and return, and shall enter such mileage on the claim, and, if it be in  
7 due form of law, the auditor shall draw his warrant upon the Treasurer of State for the  
8 amount of said attendance and mileage. No compensation shall be allowed any member of  
9 such Board except as provided herein.

Sec. 12. The Secretary of State shall, upon request, furnish, proper blanks prepared in  
2 accordance with the preceding section for the purpose of making claims by the members of  
3 such Board.

Sec. 13. Before any expenses of the members of the Executive Committee, or other person  
2 employed to assist such committee in the performance of its duties, under the direction of the  
3 Board, shall be paid, a minutely itemized statement of every item of expenditure, duly verified  
4 and sworn to by the claimant and certified to by the president and secretary of the Board,  
5 shall be filed with the Auditor of State. The verification shall show that the expense bill is  
6 just, accurate and true, and is claimed for cash expenditures or cash disbursements, truly and  
7 actually made and paid to the parties named, as shown by said statement. Unless the state-  
8 ment is so verified, certified and duly audited, payment thereof shall not be made. The

9 expense bills of the members of the Executive Committee and of the other officers and  
10 employees named in this section, when so verified and certified, shall be presented to the  
11 Governor for his written audit, before payment is made. The salaries and such actual expenses  
12 of the Executive Committee and of the officers and other employees named in this section shall  
13 be paid monthly by the Treasurer of State upon the warrant of the Auditor of State.

Sec. 14. The Auditor shall include in his report to the Governor the amount paid for such  
2 services, expenses and mileage, and to whom paid.

Sec. 15. The office of the Financial Agent of the College of Agriculture and Mechanic Arts  
2 shall cease to exist on the first day of July, A. D. one thousand nine hundred six (1906), and  
3 on said date the said Financial Agent shall deliver to the Executive Committee of the Board  
4 of Regents all books, papers and other property belonging to the State and then in his hands.

Sec. 16. On the first day of July A. D. one thousand nine hundred and six (1906), the  
12 treasurer of the State University shall account to the Treasurer of the State for the permanent  
3 endowment fund belonging to said institution and shall at that time deliver to the Treasurer  
4 of State all bonds of the United States or of this State, all notes, mortgages, abstracts of title  
5 or other papers in any way relating to loans and investments made from said fund.

Sec. 17. The Executive Committee shall manage and invest the endowment funds belong-  
2 ing to the State University and the College of Agriculture and Mechanic Arts, which invest  
3 ment may be made in bonds of the United States or of this State, or in some safe bonds yield-  
4 ing not less than five per cent on the par value thereof, but the proposed investment shall be  
5 submitted to and approved by the Executive Council before being consummated.

Sec. 18. The Executive Committee may loan said funds upon approved real estate security,  
2 subject to the following regulations:

3 1. Each loan shall be for a term not exceeding ten years, at a rate of interest to be fixed by  
4 said Board, payable annually;

5 2. Each loan shall be secured, by a mortgage paramount to all other liens upon improved  
6 farm lands in this State, the loan not to exceed fifty per cent of the cash value thereof,  
7 exclusive of buildings;

8 3. Principal and interest shall be payable to the order of the Board at the office of the  
9 Treasurer of State, the notes and mortgages to provide for the payment by the borrower of all  
10 expenses, attorney's fees and costs incurred in collecting the same;

11 4. A register containing a complete abstract of each loan, and showing its actual condition,  
12 shall be kept by the secretary of said Board, and be at all times open to inspection. The  
13 Attorney General, under the direction of the Executive Council, shall prepare the necessary  
14 blanks, forms and instructions to carry into effect the provisions of this section and to keep  
15 such loans secure and unimpaired.

Sec. 19. The Executive Committee of the Board shall negotiate loans in accordance

2 with the provisions of the preceding sections, and shall take charge of the foreclosure of  
3 mortgages and collections from delinquent debtors to said fund. The foreclosure of any  
4 mortgage belonging to the State University or to the College of Agriculture and Mechanic  
5 Arts may be made in the name of the Board of Regents for the use and benefit of the insti-  
6 tution to which it belongs, and in case of a sale upon execution under foreclosure, the premises  
7 may be bid off in the name of the Board of Regents for the benefit of the institution to which  
8 it belongs, and if a deed therefor is executed, the premises shall be held for the benefit of such  
9 institution, and such lands will be subject to lease or sale the same as its other lands.

Sec. 20. Money collected from delinquents shall at once be paid into the State Treasury,  
2 the principal of the fund to be there kept and drawn out for the purpose of investment as  
3 above provided, subject to such restrictions as may be imposed by the Executive Council.  
4 The State Treasury shall make monthly reports to the Secretary of the Board of Regents,  
5 showing all payments of principal and interest made. All interest in his hands, as shown by  
6 such report shall be loaned as other funds, or used to defray the expenses of such institution.

Sec. 21. All money collected from sources other than those mentioned in the preceding  
2 sections shall likewise be paid at once into the State treasury for the benefit of the institution  
3 or institutions to which it belongs.

Sec. 22. It shall be the duty of one or more of the Executive Committee to visit and inspect,  
2 at least once one of said institutions each week, and investigate the financial condition and  
3 management of such institutions, and in aid of any investigation the Board or the Executive  
4 Committee, shall have the power to summon and compel the attendance of witnesses; to  
5 examine the same under oath, which any member thereof shall have the power to administer;  
6 and shall have access to all books, papers and property material to such investigation, and  
7 may order the production of any other books or papers material thereto. Witnesses other  
8 than those in the employ of the State shall be entitled to the same fees as in civil cases in the  
9 district court. The claim that any testimony or evidence sought to be elicited or produced  
10 on such examination may tend to criminate the person giving or producing it, or expose him  
11 to public ignominy, shall not excuse him from testifying or producing evidence, documentary or  
12 otherwise; but no person shall be prosecuted or subject to any penalty or forfeiture for and on  
13 account of any matter or thing concerning which he may testify or produce such evidence,  
14 provided that he shall not be exempted from prosecution and punishment for perjury com-  
15 mitted in so testifying. And it shall be the duty of the Board or Executive Committee to  
16 cause the testimony so taken to be transcribed and filed in the office of the secretary of the  
17 Board at the seat of government within ten days after the same is taken, or as soon thereafter  
18 as practicable and when so filed the same shall be open for the inspection of any person. If  
19 charges or abuse or wrongs are investigated, the Board shall report to the Governor the  
20 charges, the evidence and its conclusions. Any person failing or refusing to obey the orders

21 of the Board or of the Executive Committee issued under the provisions of this section, or to  
22 give or produce evidence when required, shall be reported by the Board or Executive Committee  
23 to the district court having jurisdiction thereof or to any Judge, or such court, and shall be  
24 dealt with by the court or Judge as for a contempt of court.

Sec. 23. The Executive Committee shall make to the Board at each of its regular meetings,  
2 a written and concise report of the work done by it, with a statement of its observations and  
3 conclusions respecting each of the institutions named.

Sec. 24. The Board shall make reports to the Governor and Legislature of its observations  
2 and conclusions respecting each and every one of the institutions named, including the  
3 regular biennial report to the Legislature, covering the biennial period ending June 30th,  
4 preceding the regular session of the General Assembly. Said biennial report shall be made  
5 not later than November 15th in the year preceding the meeting of the General Assembly,  
6 and shall also contain the reports which the executive officers of the several institutions are  
7 now or may be by the Board required to make, and also a statement of visitations to the  
8 several institutions and when and by whom made.

Sec. 25. The board shall keep at its office in Des Moines, a proper and complete system  
2 of books and accounts with each institution, which shall show every expenditure authorized  
3 and made thereat, and said books shall exhibit an account of each extraordinary or special  
4 appropriation made by the Legislature, with every item of expenditure thereof. The biennial  
5 report shall show the name and salary of each officer and employee of the Board, and the name  
6 and salary of each officer and employee of the several institutions under its control. It shall  
7 be the duty of the Board to require the proper officer of each institution to keep in a book  
8 prepared for that purpose a daily record, to be made each day, of the time and number of  
9 hours of service of each officer and employee, except members of the faculty, and the monthly  
10 pay roll of such officers and employees shall be made from such time book and shall be in  
11 accord therewith.

Sec. 26. The Board shall prescribe the form of records and kind and system of accounts to  
2 be made and kept by the institutions heretofore specified. In providing for the books of  
3 accounts, the Board shall establish as uniform a system as possible for all the institutions and  
4 shall institute and require the keeping of a perfected system of accounts, and requisitions  
5 showing the purchase, storing and consumption of supplies for various purposes. For the  
6 purpose of establishing such system of accounts the Board is authorized to employ competent  
7 and expert help, and to inaugurate in the institutions aforesaid on the first day of July, A. D.  
8 1906 the best and most complete method of accounts practicable.

Sec. 27. The Board shall prepare for the use of the Legislature, biennial estimates of  
2 appropriations necessary and proper to be made for the support of the said several institutions,  
3 and for the extraordinary and special expenditures for buildings, betterments and other

4 improvements. The members of the Board or the Executive Committee and its secretary, shall,  
5 on request, attend the meeting of the legislative committees and furnish such committees  
6 with such information in regard to the doings of the Board and the Executive Committee and  
7 the conduct and needs of the institutions, as the committee shall require.

Sec. 28. When an appropriation for an improvement or building exceeding one thousand  
2 dollars (\$1,000) has been made, it shall not be expended until the Board has secured suitable  
3 plans and specifications, prepared by a competent architect, accompanied by a detailed  
4 statement showing the probable cost; and no plans shall be adopted, and no betterments,  
5 improvements or buildings constructed, that contemplate the expenditure of more money for  
6 completion than the amount appropriated by the Legislature therefor, unless exempted from  
7 the provisions of this section by the act making such appropriation. In no event shall the  
8 Board direct or permit an expenditure for any purpose in excess of the amount appropriated  
9 by law, or contemplated by the statute, and the members of the Board its officers and agents  
10 are subject to the provisions of sections one hundred seventy-eight (178), one hundred eighty-  
11 two (182), one hundred eighty-four (184), one hundred eighty-five (185), one hundred eighty-six  
12 (186), one hundred eighty-seven (187), one hundred eighty-nine (189) of the Code, to the same  
13 extent as if said named officers and regents were particularly specified in said sections. The  
14 violation of any of the provisions of either of the sections of the Code above named by any of  
15 such named officers or agents, shall be deemed a misdemeanor, and on conviction the offender  
16 shall be fined in any sum not less than two hundred dollars (\$200) nor more than five thousand  
17 (\$5,000), or imprisoned in the county jail not exceeding one year, or by both such fine and  
18 imprisonment, in the discretion of the court.

Sec. 29. The Executive Committee or any member thereof shall, from time to time, inspect  
2 every part of each institution and all the places, buildings and grounds belonging thereto or used  
3 in connection therewith, and the various stores and supplies of the institution.

Sec. 30. It shall be the duty of the Board to promote, as best it can, the purposes for which  
2 each of the institutions under its control is maintained. Conference of the Board with the  
3 president, deans, and heads of departments of the institutions under its control may be held,  
4 from time to time, whenever it shall deem such conference important.

Sec. 31. The Board may employ an architect who shall be skilled in the most improved  
2 methods of sanitation and competent to prepare plans, specifications, estimates and details  
3 for the buildings, betterments and every item of equipment which may be necessary in any  
4 of the institutions. His duties shall be to perform the work usually done by architects in  
5 preparing plans and specifications, and supervising work of construction on all buildings,  
6 betterments and improvements done at the institutions under the control of the Board. Said  
7 architect shall also perform such other labor as may be designated by the Board, and shall  
8 receive a compensation to be fixed by the Board not to exceed three thousand dollars (\$3,000)

9 per annum and the necessary traveling expenses. The Board may, for building of exceptional  
10 importance, procure plans and specifications from other architects, or may secure the advice  
11 of a consulting architect, or other skilled assistance when needed, but the expense thereof shall  
12 not exceed fifteen hundred dollars (\$1,500) in any one year, exclusive of such traveling expenses.  
13 Assistant draftsmen may be employed when in the opinion of the Board it seems necessary.

Sec. 32. The Board shall, from time to time, by resolution duly made of record, designate  
2 one of its members to act as chairman in case of the absence or disability of the chairman, and  
3 a person to act as secretary in case of the absence or the disability of its secretary. The  
4 Board shall in like manner designate a member of the faculty of each institution to act for the  
5 president in case of his absence or disability, in matters in which action is required of such  
6 officers, or either of them, by this act. Officers so acting shall use the titles of their respective  
7 principals, prefixing thereto the word "Acting."

Sec. 33. Eight members of the Board shall constitute a quorum for the transaction of busi-  
2 ness, but no person shall be appointed president of any of said institutions unless he shall  
3 receive the affirmative vote of ten of the members. No member of a faculty nor any officer  
4 shall be appointed, or removed, nor their salary fixed, except by the affirmative vote of eight or  
5 more members of the Board. No land or other property shall be leased or sold, no action at law or  
6 in equity shall be commenced, (except as herein otherwise provided), no policy, plan or action of  
7 any kind affecting the general interests of any said institutions shall be adopted, changed or  
8 abandoned and no money shall be appropriated for any department, building, or other perma-  
9 nent improvement, except by the affirmative vote of eight or more members of the Board, and  
10 all votes for the purpose enumerated shall be entered in a permanent record of the Board.

Sec. 34. It shall be the duty of the Board of Regents to require its secretary and each  
2 officer and employee of said Board and of every institution under its control who may be  
3 charged with the custody or control of any money or property belonging to the State, and who  
4 is not now required by statute to give bond, to give official bond, properly conditioned, and  
5 signed by sufficient sureties, in a sum to be fixed by the Board, which bond shall be approved  
6 by the Board, and filed in the office of the Secretary of State.

Sec. 35. The Board shall, within thirty (30) days after its organization, require the president  
2 of each institution under its charge to make a complete, minute and accurate inventory of the  
3 stock and supplies on hand and the amount and value thereof. A like inventory shall be sub-  
4 mitted to the Board with each biennial report of the president of each institution.

Sec. 36. No member of the Board or officer, agent or employee thereof, and no president,  
2 officer, manager or employee of any of the said institutions, shall directly or indirectly, for  
3 himself or any other person or for any of said institutions, receive or accept any gift or  
4 gratuity from any person or persons, firm or corporation who are dealers in goods, merchandise  
5 or supplies which may be used in any of said institutions, or from any employee, servant or

6 agent of such person or persons, firm or corporation. Any person violating the provisions of  
7 this section shall be deemed guilty of a misdemeanor and upon conviction be punished as  
8 provided in section four thousand nine hundred four (4904) of the Code and such violation  
9 shall be cause for his removal from office.

Sec. 37. The duties devolved upon the secretary of the State University by section two  
2 thousand six hundred thirty-six (2636) of the Code, and upon the secretary of the college of  
3 Agriculture and Mechanic Arts by section two thousand six hundred fifty-two (2652) of the  
4 Code, shall on and after the first day of July, A. D. 1906, be performed by the secretary of the  
5 Board; and the records of the Board of Regents and the Boards of Trustees kept by the secre-  
6 taries of said institutions, and of the Normal School, including all records and papers  
7 pertaining to leases and sales of lands and loans of money shall be delivered to the Board of  
8 Regents on the date last specified; and after said date the office of secretary of each of said  
9 institutions may be continued or discontinued in the discretion of the Board.

Sec. 38. The office of treasurer of the State University, that of the College of Agriculture  
2 and Mechanic Arts and that of the Normal School shall terminate on the first day of July, A.  
3 D. 1906, and the persons holding such offices shall account to the proper authorities for all  
4 moneys, books, records, vouchers and other evidences of property belonging to their offices  
5 and in their possession. And it shall be the duty of the State Treasurer to receive all moneys,  
6 evidences of indebtedness, securities and documents relating thereto, theretofore held by the  
7 treasurers of said institutions, and the duties theretofore required of the treasurer of the State  
8 University by section two thousand six hundred thirty-seven (2637) of the Code, and of the  
9 treasurer of the College of Agriculture and Mechanic Arts by section two thousand six hundred  
10 fifty-four (2654) of the Code and of the treasurer of the Normal School, shall be performed by  
11 the Treasurer of State except as herein otherwise provided. All money belonging to the  
12 State, derived from any source at any of said institutions shall be, by proper officer, accounted  
13 for and remitted to the State Treasurer on the first day of each month, and all funds for the  
14 necessary expenditures of such institutions shall be drawn from the State treasury as provided  
15 by this act.

Sec. 39. The president, or other officer acting for him, shall, on or before the fifteenth (15th)  
2 day of each month, cause to be prepared triplicate estimates in minute detail, including estimat-  
3 ed cost of each item, of all the expenditures required for the institution for the ensuing month.  
4 Such estimate shall also include a statement of the source and amount of all the revenues  
5 received by the said institution and accounted for to the State Treasurer on the first day of  
6 each month. Two of said triplicate estimates shall be sent to the Executive Committee at the  
7 office of the Board, in Des Moines, and the third shall be kept by said president. When the  
8 said estimates have been examined, approved and certified, a copy shall be sent to the  
9 institution, and another copy retained by the Board. When the certified copy shall have been

10 received by the institution, the management thereof may purchase the supplies enumerated  
11 in said estimate, at prices not to exceed those therein named, and not otherwise.

Sec. 40. A monthly statement of purchases to be approved by the president, shall be forwarded  
2 to the Executive Committee together with the original invoices of the purchases and a com-  
3 plete and itemized statement of every expense of said institution including the receipted pay roll,  
4 for the examination and audit of the committee, which committee shall fix a regular time for  
5 the auditing of the accounts of the institution for the preceding month. The monthly pay  
6 roll of each institution shall show the name of each officer and employee, when first employed,  
7 the monthly pay, time paid for, the amount of pay, and any deductions for the careless loss or  
8 destruction of property. This requirement shall be observed in all cases, and in no event shall  
9 a substitute be permitted to receive compensation in the name of the employee for whom  
10 he is acting. When the said accounts are audited, the secretary of the said committee shall  
11 prepare in triplicate an abstract showing the name, residence and amount due each claimant  
12 and the instruction and the fund thereof on account of which the payment is made, which,  
13 abstract shall also be certified by at least one member of the Executive Committee. He shall  
14 deliver one copy thereof to the Auditor of State, another to the Treasurer of State; and the  
15 third shall be retained in the office of the Board at Des Moines. Upon such certificate the  
16 Auditor of State shall, if the institution named has sufficient funds, issue his warrant upon the  
17 Treasurer of State for the gross amount as shown by such certified abstract. Said last  
18 named officer, upon being furnished by the Board with a certified copy of such abstract as  
19 herein provided, shall send checks of the Treasurer of State to the several persons for the  
20 amounts of their respective claims, as certified by the Executive Committee. The Treasurer  
21 of State shall preserve in his books a record of each check and remittance in the proper  
22 manner, showing the date of the issuance of each check, the name of the person to whom it  
23 was made payable, and such other data as may be evidence for the State, showing the pay-  
24 ment of such indebtedness.

Sec. 41. The board may permit a contingent fund, not to exceed the sum of two hundred  
2 and fifty dollars (\$250), to remain in the hands of the president of each institution, from  
3 which expenditures may be made in case of actual emergency requiring immediate action to  
4 prevent loss or danger to the institution, and for the purchase of articles of small cost the need  
5 of which was not known when the regular estimates were made. A full, minute, and itemized  
6 statement of every expenditure made during the month from such fund, shall be submitted  
7 by the proper officer of said institution to the Executive Committee, under such rules and  
8 regulations as may be by the board established. If necessary, the Executive Committee shall  
9 make proper requisition upon the Auditor of State for a warrant on the State Treasurer to  
10 secure the said contingent fund for each institution.

Sec. 42. The Board shall formulate and furnish to such institution proper blanks and

2 forms for all statements and accounts necessary to furnish the information required of such  
3 institution.

Sec. 43. The steward of each institution shall have charge of, and be accountable for, all  
2 the supplies and stores of such institution, and shall be charged therewith at their invoice  
3 value, and shall in conjunction with the president of each institution make or direct all pur-  
4 chases for such institution as may be ordered by the Board, under the estimates as hereinbe-  
5 fore provided. Such officer shall issue all the stores upon requisition approved by the presi-  
6 dent which shall be his voucher therefor. He shall quarterly take an account of supplies and  
7 stock in his possession and under his control, and transmit a copy of such invoice, duly verified,  
8 to the Executive Committee; and at the close of the biennial period he shall make a consoli-  
9 dated report of all purchases, and all other transactions of his department, to the Executive  
10 Committee. If it shall appear that there is any shortage in the stores of the institution the  
11 Executive Committee shall investigate the cause thereof, and if it shall appear that the said  
12 shortage resulted from unavoidable loss, without the negligence of such steward, he shall be  
13 charged with the amount thereof, and shall be required to pay the same into the State  
14 treasury within sixty days after the determination of the loss. If default shall be made in  
15 said payment, he shall forfeit his office, and suit shall be instituted upon his official bond to  
16 recover the same.

Sec. 44. It shall be the duty of the Board to make general rules and regulations respecting  
2 the manner in which supplies shall be purchased and contracts made for the several  
3 institutions, so as to insure the competition and publicity necessary to secure the economical  
4 management of each institution. Jobbers, or others desirous of selling supplies to an  
5 institution, by filing with the Secretary of the Board, a memorandum showing their address  
6 and business, shall be afforded an opportunity to compete for the furnishing of the supplies  
7 under such general limitations and rules as the Board may prescribe.

Sec. 45. Contracts for an erection, repair or improvement of buildings, grounds, or  
2 properties of the institutions under charge of the Board, and for which appropriations have  
3 been, or may be, made by the General Assembly, must be let for the whole or for any part of  
4 the work to be performed, by the Executive Committee under such rules and regulations as  
5 may be prescribed by the Board. The Board shall determine to what extent and for what  
6 length of time and by what means advertisements are to be inserted in newspapers for  
7 proposals for the said erections, repairs or improvements. All contracts shall be awarded to  
8 the lowest responsible bidder, subject to the approval of the Board, prior to the execution of  
9 the contract. The Board shall reserve the right to reject any and all bids, and to readvertise  
10 for bids. A preliminary deposit of money or certified check upon a solvent bank in such  
11 amount as the Board may prescribe may be required as an evidence of good faith, upon all  
12 proposals for the construction of said buildings, repairs and improvements, which deposit or

13 certified check shall be held by the management of the institution under the direction of the  
14 Board. No payment shall be authorized for construction purposes until satisfactory proof has  
15 been furnished to the Board by the proper officer or supervising architect, that the contract  
16 has been complied with by the parties, but if the probable cost of any repairs, buildings or  
17 other improvements shall not exceed the sum of five thousand dollars (\$5,000) the Board may  
18 authorize the Executive Committee to purchase the necessary materials and make the repairs  
19 or construct the buildings or other improvements without competitive bidding, if satisfied that  
20 such a course is for the best interests of the State. And if it appear to be for the interest of  
21 the state to let contracts for different portions of any work of repairing, or for any building or  
22 other improvement to different contractors, that may be done. All payments shall be made  
23 in a manner similar to that in which the current expenses of the institutions are paid.

Sec. 46. Sections two thousand six hundred seventeen (2617), two thousand six hundred  
2 eighteen (2618), two thousand six hundred nineteen (2619), two thousand six hundred twenty  
3 (2620), two thousand six hundred thirty-five (2635), two thousand six hundred thirty-six  
4 (2636), two thousand six hundred forty-two (2642), two thousand six hundred forty-six (2646),  
5 two thousand six hundred forty-seven (2647), two thousand six hundred fifty (2650), two thous-  
6 and six hundred fifty-one (2651), two thousand six hundred fifty-two (2652), two thousand six  
7 hundred fifty-three (2653) two thousand six hundred sixty-eight (2668), two thousand six  
8 hundred sixty-nine (2669), two thousand six hundred seventy (2670), two thousand six hundred  
9 eighty-one (2681), of the Code and the law as it appears in sections two thousand seven hundred  
10 twenty-seven-a fifty-three (2727-a 53), two thousand seven hundred twenty-seven-a fifty-four  
11 (2727-a 54), two thousand seven hundred twenty-seven-a fifty-five (2727-a 55), two thousand  
12 seven hundred twenty-seven-a fifty-six (2727-a 56), of the Supplement of the Code and all acts  
13 and parts of acts inconsistent with this act are hereby repealed.

Sec. 48. This act being deemed of immediate importance shall take effect and be in force  
2 from and after its publication in the Register and Leader and the Des Moines Daily Capital,  
3 newspapers published in Des Moines Iowa.