

(\$25.00) nor more than one hundred dollars (\$100.00) or to imprisonment in the county jail not exceeding thirty days, or both fine and imprisonment.

SEC. 5. **Sales after destruction or treatment—penalty.** Any person whose bees have been destroyed or treated for "foul brood" who sells or offers for sale any bees, hives or appurtenances, after such destruction or treatment, without being authorized by the inspector to do so, or expose in his apiary or elsewhere any infected honey, or other infected thing, or conceal the fact that said disease exists, shall be deemed guilty of a misdemeanor and on conviction thereof shall be liable to a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) or imprisonment in the county jail not exceeding thirty days.

SEC. 6. **Failure to comply—resistance—penalty.** Any owner or possessor of bees who disobeys the directions of the inspector, or offers resistance, or obstructs said inspector in the performance of his duties shall be deemed guilty of a misdemeanor and upon conviction thereof before any justice of the peace of the county, shall be fined not exceeding the sum of fifty dollars (\$50.00) or by imprisonment in the county jail not exceeding thirty days.

SEC. 7. **Compensation and expenses.** Such inspector shall receive as compensation the sum of three dollars (\$3.00) per day for each day actually and necessarily employed in the discharge of the duties as herein provided, together with his expenses actually incurred while so employed, provided, that the amount to be paid on account of such expenses shall in no event exceed the sum of one thousand dollars (\$1,000) for any one year, including salary and expenses of deputies.

Approved April 12, A. D. 1909.

CHAPTER 170.

STATE BOARD OF EDUCATION.

S. F. 198.

AN ACT to create a state board of education 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 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-seven (2647), 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 six hundred forty-six (2646), two thousand six hundred fifty (2650), two thousand seven hundred twenty-seven-a fifty-three (2727-a53), two thousand seven hundred twenty-seven-a fifty-four (2727-a54), two thousand seven hundred twenty-seven-a fifty-five (2727-a55), two thousand seven hundred twenty-seven-a fifty-six (2727-a56), of the supplement to the code, 1907, 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. **State board of education.** The state university, the college of agriculture and mechanic arts, including the agricultural experiment station, and the normal school at Cedar Falls shall be governed by a state board of education consisting of nine members and not more than five of the members shall be of the same political party. Not more than three alumni of the above institutions and but one alumnus from each institution may be members of this board at one time.

SEC. 2. Appointment—approval—terms—removal. The governor shall, prior to the adjournment of the thirty-third general assembly, nominate, and, with the consent of two-thirds of the members of the senate in executive session, appoint nine persons from the state at large, and they shall be selected solely with regard to their qualifications and fitness to discharge the duties of their position. No nominations shall be considered by the senate until the same shall have been referred to a committee of five, not more than three of whom shall belong to the same political party, to be appointed by the president of the senate without the formality of a motion, which committee shall report to the senate in executive session, which report shall be made at any time when called for by the senate. The consideration of nominations, by the senate, shall not be had on the same legislative day that the nominations are so referred. Three of the members of said board of education shall hold office as designated by the governor for two years, three for four years and three for six years. Subsequent appointments shall be made as above provided, and, except to fill vacancies, shall be for a period of six years. The governor may, by and with the consent of a majority of the senate, during a session of the general assembly, remove any member of the board for malfeasance in office, or for any cause that renders him ineligible to appointment, or incapable or unfit to discharge the duties of his office, and his removal, when so made, shall be final. When the general assembly is not in session, the governor may suspend any member so disqualified and shall appoint another to fill the vacancy, thus created, subject, however, to the approval or disapproval of the senate when next in session. All vacancies on said board that may occur while the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty days from the time the general assembly next convenes, and vacancies occurring during a session of the general assembly shall be filled as regular appointments are made and before the end of said session.

SEC. 3. Meetings. The board shall meet four times a year. Special meetings may be called by the board, by the president of the board, or they may be called by the secretary of the board, upon the written request of any five members thereof.

SEC. 4. Powers and duties—organization. The state board of education shall have power to elect a president from their number; a president and treasurer for each of said educational institutions, and professors, instructors, officers, and employes; to fix the compensation to be paid to such officers and employes; to make rules and regulations for the government of said schools, not inconsistent with the laws of the state; to manage and control the property, both real and personal, belonging to said educational institutions; to execute trusts or other obligations now or hereafter committed to the institutions; to direct the expenditure of all appropriations the general assembly shall, from time to time, make to said institutions, and the expenditure of any other moneys; and to do such other acts as are necessary and proper for the execution of the powers and duties conferred upon them by law. Within ten days after the appointment and qualification of the members of the board, it shall organize and prepare to assume the duties to be vested in said board, but shall not exercise control of said institutions until the first day of July, A. D. one thousand nine hundred nine (1909).

SEC. 5. Board of regents and boards of trustees abolished. The board of regents and the boards of trustees now charged with the government of the state university, the college of agriculture and mechanic arts, and the normal school, shall cease to exist on the first day of July, A. D. 1909, and, on the same date, full power to manage said institutions, as herein provided, shall vest in the said state board of education. Nothing herein contained

shall limit the general supervision or examining powers vested in the governor by the laws or constitution of the state.

SEC. 6. Finance committee — officers — duties — term. The said board of education shall appoint a finance committee of three from outside of its membership, and shall designate one of such committee as president and one as secretary. The secretary of this committee shall also act as secretary of the board of education and shall keep a record of the proceedings of the board and of the committee and carefully preserve all their books and papers. All acts of the board relating to the management, purchase, disposition, or use of lands or other property of said educational institutions shall be entered of record, and shall show who are present and how each member voted upon each proposition when a roll call is demanded. He shall do and perform such other duties as may be required of him by law or the rules and regulations of said board. Not more than two members of this committee shall be of the same political party, and its members shall hold office for a term of three years unless sooner removed by a vote of two-thirds of the members of the state board of education.

SEC. 7. Qualification. Each member of the board and each member of the finance committee shall take oath and qualify, as required by section one hundred seventy-nine (179) of the code. The members of the finance committee, before entering upon their official duties, shall each give an official bond in the sum of twenty-five thousand dollars (\$25,000), conditioned as provided by law, signed by sureties approved by the governor and, when so given, said bonds shall be filed in the office of the secretary of state.

SEC. 8. Offices and supplies. The board and the finance committee shall be provided by the executive council with suitably furnished offices, at the seat of government, and shall be also furnished with all necessary books, blanks, stationery, printing, postage, stamps and such other office supplies as are furnished other state officers.

SEC. 9. Business office—employees—monthly visitation. A business office shall also be maintained at each of the three educational institutions, and the board may hire such employees as may be necessary to assist the said finance committee in the performance of its duties, and shall present to each general assembly an itemized account of the expenditures of said committee. The members of the finance committee shall, once each month, attend each of the institutions named for the purpose of familiarizing themselves with the work being done, and transacting any business that may properly be brought before them as a committee.

SEC. 10. Appropriation. There is hereby appropriated from any funds in the state treasury not otherwise appropriated, sufficient thereof to pay the salaries and expenses of the board and the finance committee, including the salaries and expenses of their assistants.

SEC. 11. Compensation—expenses. Each member of the board shall be allowed seven dollars for each day that he is actually and necessarily engaged in the performance of official duties, not exceeding sixty days in any one year, and mileage at the rate of two cents per mile, by the nearest traveled and practicable route, in going from his home, to the different institutions, or to other places, and in returning to his home when on official business. Members of the finance committee shall devote their entire time to the work of said institutions and shall each receive a salary of three thousand five hundred dollars, (\$3,500), a year. The members of the finance committee and other employees shall be entitled to the necessary traveling expenses by the nearest traveled and practicable route, incurred in visiting the different institutions, or other places in the state, and returning therefrom when on official business.

SEC. 12. **Claims itemized—mileage.** All claims of members of the said board of education for attendance upon meetings of the board for time actually and necessarily spent in official duties, shall be itemized, showing the date of such service and the nature thereof and shall be sworn to by such member and certified by the secretary of the board. It shall then be filed with the auditor of state, who shall compute the mileage due such claimant by the nearest traveled and practicable route from his home to the place of meeting and return, and shall enter such mileage on the claim; and, if it be in due form of law, the auditor shall draw his warrant upon the treasurer of state for the amount of said attendance and mileage. No compensation shall be allowed any member of such board except as provided herein.

SEC. 13. **Secretary of executive council to furnish blanks.** The secretary of the executive council shall, upon request, furnish proper blanks prepared in accordance with the preceding section for the purpose of making claims by the members of such board.

SEC. 14. **Itemized statements of expenditures.** Before any expenses of the members of the finance committee, or other person employed to assist such committee in the performance of its duties, under the direction of the board, shall be paid, a minutely itemized statement of every item of expenditure, duly verified and sworn to by the claimant and certified to by the secretary of the board, shall be filed with the auditor of state. The verification shall show that the expense bill is just, accurate, and true, and is claimed for cash expenditures or cash disbursements, truly and actually made and paid to the parties named, as shown by said statement. Unless the statement is so verified, and duly audited, payment thereof shall not be made.

SEC. 15. **List of expenditures included in auditor's report.** The auditor shall include in his report to the governor the amount paid for such services, expenses, and mileage, and to whom paid.

SEC. 16. **Office of financial agent abolished.** The office of the financial agent of the college of agriculture and mechanic arts shall cease to exist on the first day of July, A. D. one thousand nine hundred and nine (1909); and, on said date, the said financial agent shall deliver to the finance committee of the board of education all books, papers, and other property belonging to the state and then in his hands.

SEC. 17. **Finance committee to loan funds—conditions.** The finance committee may loan said funds upon approved real estate security, subject to the following regulations:

1. Each loan shall be for a term not exceeding ten years, at a rate of interest to be fixed by said board, payable annually, and the borrower shall have the privilege of paying one hundred dollars (\$100) or any multiple thereof on any interest pay day.

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

3. A register containing a complete abstract of each loan and showing its actual condition shall be kept by the secretary of said board and be at all times open to inspection.

SEC. 18. **Foreclosures of mortgages—lands bid in.** The finance committee of the board shall negotiate loans in accordance with the provisions of the preceding sections and shall take charge of the foreclosure of mortgages and collections from delinquent debtors to said fund. The foreclosure of any mortgage belonging to the state university or to the college of agriculture and mechanic arts shall be made in the name of the state board of education for the use and benefit of the institution to which it belongs; and, in case of a sale upon execution under foreclosure, the premises may be bid off in the

name of the board of education for the benefit of the institution to which it belongs; and, if a deed therefor is executed, the premises shall be held for the benefit of such institution, and such lands shall be subject to lease or sale, the same as its other lands.

SEC. 19. Biennial report. The board shall make reports to the governor and legislature of its observations and conclusions respecting each and every one of the institutions named, including the regular biennial report to the legislature covering the biennial period ending June 30th, preceding the regular session of the general assembly. Said biennial report shall be made not later than October 1st. in the year preceding the meeting of the general assembly, and shall also contain the reports which the executive officers of the several institutions are now or may be by the board required to make, including, for the use of the legislature, biennial estimates of appropriations necessary and proper to be made for the support of the said several institutions and for the extraordinary and special expenditures for buildings, betterments and other improvements.

SEC. 20. 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-seven (2647), 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 six hundred and forty-six (2646), two thousand six hundred fifty (2650), 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 to the code, 1907, and all acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 21. In effect. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved March 29, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital March 31, A. D. 1909.

W. C. HAYWARD,
Secretary of State.

CHAPTER 171.

CHANGING NAME OF STATE NORMAL SCHOOL TO STATE TEACHERS COLLEGE.

S. F. 99.

AN ACT to amend section twenty-six hundred seventy-five (2675) of the code relating to the normal school at Cedar Falls.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. State teachers college. That section twenty-six hundred seventy-five (2675) of the code is hereby amended by striking out the comma after the word "schools" in line three (3) thereof and by inserting in lieu thereof the following: "shall be officially designated and known as the Iowa state teachers college and".

Approved April 6. A. D. 1909.