

may pursue the means now, which may be, provided by charter or law for the levy, collection and enforcement of local improvement assessments; but the authority hereby conferred and the ways and means hereby authorized shall be considered as additional and concurrent. Nothing herein contained shall be construed as making any city liable to the holder of any local improvement bonds or warrants which are payable only from the proceeds of special assessments; and the holder of any such bonds or warrants shall look only to the fund provided by such assessment for the principal or interest of such bonds or warrants, and shall have no claim therefor against the city by which the same are issued, except from the special assessments levied for the improvement and funds thereby created.

Concurrent
authority.

City not liable.

Exception.

Passed the House February 19, 1901.

Passed the Senate March 14, 1901.

Approved by the Governor March 16, 1901.

CHAPTER CXIX.

[H. B. No. 222]

CREATING A STATE BOARD OF CONTROL AND REPEALING CONFLICTING LAWS.

AN ACT to create a State Board of Control, and to provide for the government, control and maintenance of the Western Washington Hospital for the Insane, the Eastern Washington Hospital of the Insane, the State Penitentiary, the State Reform School, the State Soldiers' Home and the State School for Defective Youth; repealing all laws in conflict with this act and declaring an emergency.

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

SECTION 1. The Governor of the state shall, by and with the advice and consent of the Senate appoint a bi-partisan board consisting of three citizens of the state, not more than two of whom shall belong to the

Governor to
appoint.

dominant political party, as members of a board to be known as the "State Board of Control." The members of said board shall hold office, as designated by the Governor, for two, four and six years respectively and be removable by the Governor in his discretion. Subsequent appointments shall be made as provided and, except to fill a vacancy shall be for a period of six years. The chairman of the board for each year shall be the member whose term of office first expires. All vacancies that may occur on said board while the Legislature is not in session shall be filled by appointment by the Governor and shall be submitted to the Senate for consideration at the next session following the appointment. Each member of the said board shall receive a salary of two thousand dollars (\$2,000) per annum, and in addition shall be paid for all actual expenses incurred in discharge of his duties, said expenses not to exceed the sum of one thousand dollars (\$1,000) per annum for each member of the said board.

Term of office.

Removal.

Subsequent appointments.

Vacancies filled by appointments by Governor.

Salary of members.

Oath of office and official bond to be filed with Secretary of State.

Quorum.

Duties of board — to assume when.

Institutions governed.

SEC. 2. Each member of the board shall, before entering upon the duties of his office, take and subscribe to an oath, before an officer qualified to administer the same, that he will faithfully perform the duties of his office according to law, and shall furnish the state an official bond in the sum of ten thousand dollars, conditioned as provided by law, said bond to be approved by the Governor and, when so approved, shall be filed in the office of the Secretary of State. Two members of the board shall constitute a quorum and shall have power to transact any business for the board.

SEC. 3. The Board of Control shall assume its duties on April 1st, 1901, and shall have full power to manage and govern the Western Washington Hospital for the Insane, Eastern Washington Hospital for the Insane, the State Penitentiary, State Reform School, the State Soldiers' Home and the State School for Defective Youth, subject only to the limitations contained in this act and other acts relating to the management of the said institutions; and the said institutions shall hereafter be known by the titles herein given. The State Board of

Audit and Control and the board of trustees now charged with the control and management of the institutions named in this section, shall, on and after April 1st, 1901, have no further legal existence and the Board of Control created by this act, is, without further process of law, authorized and directed to assume the control and management of the said institutions, subject to the provisions of this act.

SEC. 4. Immediately upon assuming control and management of the public institutions in accordance with the provisions of this act, the board shall secure suitable offices for the transaction of its business and shall employ a competent bookkeeper and accountant, who shall act as secretary of the board, also a stenographer and such additional help as might be required for the proper conduct of the work of the board. The salaries of the employees of the board shall be fixed by the board: *Provided*, That the salaries of the said employees shall not in any one year exceed the sum of two thousand dollars. The board shall cause to be kept at its office a proper and complete system of books and accounts with each institution, which shall clearly show every expenditure authorized and made thereat, the said books shall exhibit an account of all appropriations made by the Legislature, and of all other funds. It shall prescribe the form of vouchers, records and the methods of keeping accounts at and by each of the institutions under its control; said vouchers, records and methods of accounts of each of the institutions to be as nearly uniform as possible. The board, or any member of the board, shall have the power to examine and check the records of the institutions at any time. The board shall also have the power to authorize its bookkeeper and accountant, or any other employee, to proceed to any of the institutions, for the purpose of examining and checking the records, taking inventory of the property of the institution, or any department thereof, or for any other purpose that in the opinion of the board might be deemed necessary. The said employee shall, while engaged in said work, receive, in addition to his salary, pay for actual expenses in-

Present board to have no legal existence after April 1, 1901.

Offices and employes.

Bookkeeper and stenographer.

Salaries fixed by board.

Proviso.

System of accounts.

Duties of board.

Powers of board.

Extra compensation of employes.

curred in the discharge of the special duty, said expenses to be paid from the fund for the expenses of the board.

Reports to be made within ten days.

Upon the completion of any special work provided for in this section the board shall cause the employee doing the said special work, to make a full and complete report of the said work, to the board, within ten days after the completion of the same.

SEC. 5. It shall be the duty of the board to visit, at least once each four months, institutions under its control at which times meetings of the board shall be regularly held at the said institutions. During such visitations the board shall thoroughly inspect all of the departments of, and investigate the financial condition and management of the said institutions. For the purpose of aiding in any investigation, the board shall have the power to summon and compel the attendance of witnesses, to examine them under oath, which any member of the board shall have power to administer. Said board shall also have access to all books, papers and property material to any investigation, and may order the production of any books, papers or property material thereto. Witnesses, other than those employed by the state, shall be entitled to the same fees as in civil cases in a Superior Court. It shall be the duty of the board to cause the testimony so taken to be transcribed and filed in the office of the board within ten days after the same is taken, or as soon thereafter as practicable. Any person refusing or failing to obey the orders of the board issued under the provisions of this section, or to give or produce evidence when required, shall be reported by the board to the Superior Court or any judge thereof, and shall be dealt with by the court or judge as for contempt of court. It shall be the duty of the board to provide that each institution placed under the control of the said board by this act shall be visited by one member of the board each month. Each member shall alternate in said monthly visits of inspection.

Visitations by board — how often.

Inspection.

Power to summon witnesses.

Access to all books and papers.

Witnesses.

Testimony.

Refusals to obey orders.

Visits by one member each month — alternately.

Chief officer.

SEC. 6. It shall be the duty of the board to appoint a chief executive officer for each of the institutions under

its control who shall devote his entire time to the duties of his office and whose title shall be "superintendent." Said appointment shall be for a term of four years: *Provided, however,* That at any time the superintendent of an institution may be removed by the board at its discretion. The salaries to be paid to the superintendents shall be fixed by the board, and shall not exceed the amounts herein indicated. Superintendents of the hospitals for the insane, not to exceed twenty-five hundred dollars (\$2,500) per annum; superintendent of State Penitentiary, not to exceed eighteen hundred dollars (\$1,800) per annum; superintendent State Reform School, not to exceed eighteen hundred dollars (\$1,800) per annum; superintendent State Soldiers' Home, not to exceed twelve hundred and fifty dollars (\$1,250) per annum; superintendent State School for Defective Youth, not to exceed eighteen hundred dollars (\$1,800) per annum. The superintendent of each institution shall have the power to appoint all assistants and employes required for the management of the institution placed in his charge, the number of said assistants and employes to be determined and fixed by the board. The superintendent of an institution may, at his pleasure, discharge any person therein employed. It shall be the duty of the board to investigate any and all complaints made against the chief executive officer of an institution and also against any other officer or employe of an institution if the same has not been investigated and reported upon by the superintendent to the board. The board shall have the power to remove any chief officer in accordance with the provisions of this section and may after investigation, for good and sufficient reasons, order the discharge of any other officer or employe. The board shall fix the salaries of the officers and employes of institutions under its control, on or before the first day of July each year to be paid during the year commencing July 1st, and no change shall be made in the salaries to be paid, excepting at the time prescribed in this section.

Title.

Proviso.

Salaries.

Power of superintendents.

Discharge of employes.

Board may remove chief officer.

Salaries fixed by board.

Furnishing of quarters. **SEC. 7.** The superintendent of each of the institutions under the control of the board; the assistant physicians, the steward and accountant and the chief engineer of the hospitals for the insane shall be furnished with quarters, household furniture, board, fuel and lights, for themselves and their families: *Provided*, That the Board of Control may, by unanimous vote of the full board when in their opinion any public institution would be benefited by so doing, extend this privilege to an officer at any of the institutions under the control of the board.

Proviso. The word "family" or "families" used in this section shall be construed to mean only the wife and minor children of an officer. **Employes to be furnished with quarters.** Employes shall be furnished with quarters and board for themselves.

Special powers of board. **SEC. 8.** The board shall have the power to receive, hold and manage all real and personal property made over to them by gift, devise or bequest, and the proceeds and increase thereof shall be used for the benefit of the institution for which it is received.

Rules of board and power to adopt. **SEC. 9.** The board is authorized to make its own rules for the proper execution of its powers. It shall also have the power to adopt rules and regulations for the government of the institutions placed under its control and shall therein prescribe, in a manner consistent with the provisions of this act, the duties of the persons connected with the management of the institutions.

Purchase of supplies under contract when practicable. **SEC. 10.** The Board of Control is hereby empowered and required to purchase all of the supplies needed for the proper support and maintenance of the institutions placed in its charge. Said supplies to be purchased, whenever practicable, under contract, notice of the call for the same to be published in at least two newspapers of general circulation in the state for two weeks prior to the award being made. The contract shall be awarded to the lowest responsible bidder, if the price bid is a fair and reasonable one and not greater than the market value and price, and if the bid covers the kind and quality of article or articles required by the board. The board is authorized to require such security as it may deem proper to accompany the bids submitted, and

Contract to lowest bidder.

Security.

shall also fix the amount of the bond or other security that shall be furnished by the person or firm to whom the contract for supplies is awarded. The board shall have the power to reject any or all bids submitted, if for any reason it is deemed for the best interest of the state to do so and readvertise in accordance with the provisions of this section. The board shall also have the power to reject the bid of any person or firm who has had a prior contract, and who did not, in the opinion of the board, faithfully comply with the same.

Rejection of bids.

SEC 11. It shall be the duty of the superintendents of the several institutions to cause to be prepared, estimates of the supplies required for the proper conduct and maintenance of the institutions under their charge, covering the period to be fixed by the Board of Control, and to forward the same to the board in accordance with its directions. The board shall have the power to revise the estimates made, either as to quantity or quality, and shall make the call for supplies in accordance with the revised list, a copy of which shall be forwarded to the superintendent of the institution for which the call is made. The board shall purchase the supplies at such times and for such periods as in its judgment may be for the best interests of the institution, in accordance with the provisions of this act.

Duty of superintendents.

Revisions of estimates.

Quantity of supplies.

No superintendent or other officer or employee of an institution shall have the authority to purchase any article for the use of the institution of which they have charge or in which they are employed, except in case of extreme necessity, and when the superintendent shall consider such article absolutely necessary; that all supplies shall be purchased by the Board of Control in accordance with the provisions of this act. It shall be the duty of the superintendent of each institution to furnish to the board on or before the fifth day of each month a full and complete statement showing the supplies or articles purchased by him, upon his authority, without the authority of the board and to state therein the reasons for the purchases being made. No member of the Board of Control, employee in the

Superintendents, officers and employes not authorized to purchase supplies.

Statements—when to be furnished.

Persons who shall not be interested in purchase of supplies.

office of the board, or officer or employee of any institution under the control of the board, shall be directly or indirectly interested in the purchase of supplies, or any other contract entered into by and for any of the institutions under the control of the board, and if so interested he shall forfeit his office, such contract shall be void, and such person shall be liable to the state upon his official bond for all damages sustained.

Forfeiture of office.

Employment of architect.

SEC. 12. The power is also vested in the board to employ the services of competent architects for the preparation of plans and specifications for new buildings, or for repairs, changes or additions to the buildings already constructed, to employ competent persons to superintend the construction of new buildings or repairs changes or additions to the buildings already constructed, to call for bids and award contracts for the erection of new buildings, or for repairs, changes or additions to buildings already constructed: *Provided, however,* That the board shall have the right to proceed with the erection of any new building, or repairs, changes or additions to any buildings already constructed, employing thereon the labor of the inmates of the institution, when in their judgment the improvements can be made in as satisfactory a manner and at a less cost to the state by so doing. In calling for bids for improvements to be made the board shall follow the provisions of section 10 of this act, which provisions are hereby made to and shall cover all calls made and contracts awarded under this section.

Proviso.

Call for bids.

Records of board—what to contain.

SEC. 13. The board shall keep at its office, accessible only to members of the board, the secretary and proper clerks except by the consent of the board, a record showing the residence, sex, age, nativity, occupation, civil condition and date of entrance or commitment of every person, patient, inmate or convict in the several institutions governed by the board, the date of discharge of every person from the institution and whether such discharge is final: *Provided,* That in addition to this information the superintendent of the hospitals of the insane shall also state the condition of the person

Proviso.

at the time of leaving the institution. The records shall also indicate if the person is transferred from one institution to another and to what institution; and if dead, the date and cause of death. This information shall be furnished to the board by the several institutions, and also such other obtainable facts as the board may from time to time require, not later than the fifth day of each month for the month preceding, by the chief executive officer of each institution, upon blank forms which the board may prescribe.

Transfers—
record of.

SEC. 14. The Board of Control shall, on or before the first Tuesday after the convening of each regular session of the Legislature, make to the Governor and Legislature a full report of all matter herein prescribed showing the condition of all the said institutions, the cost of conducting the same during the period covered by the report, and shall also include therein a statement of the work and expenses of the board. The board shall also incorporate in its report, suggestions respecting legislation for the benefit of the several institutions under its care, and also make estimates of the appropriations that in its opinion are necessary for the maintenance of the institutions and for buildings, betterments or other improvements. The said report shall also contain the biennial report made by the chief executive officers of the several institutions to the board or so much thereof as in its opinion might be deemed proper. Also a statement showing the dates of visitations made by the board or any member thereof to the several institutions. There shall also be published in the report a full and complete list of the officers and employes of the board and of the institutions under the control of the board, showing the annual salary paid to each officer and employe.

Report to
Governor.

Report to
contain what.

To include bi-
ennial reports
of institutions.

Statements.

Publishing of
reports.

SEC. 15. Any member or officer of the board of control, or any other officer or employe of the institutions under the control of the board, who, by solicitation or otherwise, exercises his influence, directly or indirectly, to influence other officers or employes of the state to

Exercise of
influence—
politically or
otherwise.

Removal from office. adopt his political views or to favor any particular person or candidate for office, shall be removed from his office or position by the proper authorities.

Repeal. SEC. 16. Existing laws relating to the institutions referred to in this act, which are not inconsistent with the provisions of this act, shall remain in force, and all acts or parts of acts in conflict or inconsistent with this act are hereby repealed.

Emergency. SEC. 17. An emergency exists and this act shall take effect immediately.

Passed the House March 4, 1901.

Passed the Senate March 14, 1901.

Approved by the Governor, March 16, 1901.

CHAPTER CXX.

[H. B. No. 50.]

FOR THE PROTECTION OF STOCKHOLDERS.

AN ACT for the better protection of the stockholders in corporations, doing business under the laws of the State of Washington, for the purpose of carrying on and conducting the business of mining.

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

Right to enter property and make examination. SECTION 1. Any owner of stock to the amount of one thousand shares, in any corporation doing business under the laws of the State of Washington for the purposes of mining, shall, at all hours of business or labor on or about the premises or property of such corporation, have the right to enter upon such property and examine the same, either on the surface or under ground.

Duty of officers to allow examinations. And it is hereby made the duty of any and all officers, managers, agents, superintendents, or persons in charge, to allow any such stockholder to enter upon and examine any of the property of such corporation at any time during the hours of business or labor; and the presentation of certificates of stock in the corporation of the amount of one thousand shares, to the officer