

Board may designate power to sell.

SEC. 21. The restrictions which the county board is by this act empowered to place on the sale of oyster lands shall obtain whether the control and sale of such lands remain with the state commissioner of public lands or shall be elsewhere vested.

Natural oysters, how lawfully gathered.

SEC. 22. It shall at all times be unlawful to gather with any tool or implement, or in any way whatever, any oysters from any natural oyster bed, except the person so gathering shall be on and working from a boat or water craft of some kind, said water craft being afloat during the time he is gathering. Any person violating any provision of this section shall, on conviction thereof, be fined in any sum not less than one hundred dollars nor more than four hundred dollars, and, at the discretion of the court, be imprisoned in the county jail not less than two months nor more than six months; one-half the aforesaid fine to be paid by the state to the informer.

Penalty for violation.

Passed the House March 6, 1897.

Passed the Senate March 11, 1897.

Approved by the Governor March 17, 1897.

CHAPTER CVIII.

[H. B. No. 364.]

CREATING A STATE BOARD OF AUDIT AND CONTROL.

AN ACT to abolish the boards of trustees, respectively, of the Washington state reform school, the Western Washington hospital for the insane, the Eastern Washington hospital for the insane, the Washington soldiers' home, and the board of directors of the state penitentiary, as now constituted, and to create a state board of audit and control for the government, control and maintenance of said institutions.

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

Certain boards abolished.

SECTION 1. The boards of trustees, respectively, of the Western Washington hospital for the insane, the Eastern Washington hospital for the insane, the Washington state

reform school, the Washington soldiers' home, and the board of directors of the state penitentiary, are hereby abolished, and the said boards of trustees and board of directors shall go out of existence and cease to discharge their respective duties on the 1st day of April, 1897.

SEC. 2. There is hereby created a state board of audit and control for the government, control and maintenance of the before mentioned institutions. Said board shall have and possess all the powers, and may exercise all the functions heretofore exercised and possessed by the boards of trustees and board of directors abolished by section one of this act, and shall be appointed as follows, to wit: The governor shall appoint, by and with the advice and consent of the Senate, five citizens of the state, as members of said board, four of whom shall serve without compensation, and the fifth shall be specially appointed and shall be known as commissioner of public institutions. The said commissioner of public institutions shall perform all the duties hereinafter prescribed in addition to those devolved on him as a member of said board, and shall receive the compensation hereinafter provided.

Board of audit and control created.

SEC. 3. The members of said state board of audit and control shall serve without compensation, except the commissioner of public institutions. The governor shall be *ex officio* chairman of the board. Said state board of audit and control shall enter upon the duties prescribed in this chapter on the 1st day of April, 1897.

Governor *ex officio* chairman.

SEC. 4. It shall be the duty of said state board of audit and control to maintain and control the Eastern Washington hospital for the insane, the Western Washington hospital for the insane, the state penitentiary, the Washington state reform school and the Washington soldiers' home. All the powers and duties now conferred by law upon the respective boards of trustees and board of directors of said institutions are hereby conferred, devolved and charged upon the board of audit and control hereby created: *Provided*, Said board shall not visit the public institutions herein placed under its charge except when necessary, but that all its inspection and examination shall be done by the

Duties board.

commissioner of public institutions hereinafter provided for. The said board shall make to the legislature, on or before the first Tuesday after the convening of each regular session of the legislature, a full report on all matters herein prescribed, showing the condition of all the said institutions, the expenses of the same, and the expenses and the work of the board.

Traveling auditor.

SEC. 5. The governor shall appoint some person, who shall be a citizen of this state, as its traveling auditor, who shall be known as commissioner of public institutions. The said commissioner of public institutions shall visit all the institutions under the control and management of said board at least once in every quarter, and as much oftener as said board by its regulations may direct. He shall at each visit to said institutions, audit the accounts of the institution, examine all books thereof and scrutinize its management. He shall act as secretary of said board, and shall be paid a compensation of fifteen hundred dollars per annum and all actual expenses incurred in the prosecution of his duties as commissioner of public institutions, which expenses not exceeding fifteen hundred dollars per annum. He shall give bond before entering upon his duties as such officer to the state in the sum of twenty thousand dollars, the same to be approved by the governor. He shall be removable at the pleasure of the said board, and shall make reports to the board of his visits, auditing and examination of accounts, books and management of the institutions herein mentioned, at least once in every quarter, and as often in addition as said board may direct.

His duties.

His compensation.

May be removed.

Offices of.

SEC. 6. The commission authorized to lease state offices by act approved March 7, 1891, shall furnish said board with office room at the state capital, and all proper furniture for office purposes, and said board of audit and control shall meet in its said office at least once in every quarter, and may meet as often otherwise as its chairman may direct.

Clerk.

SEC. 7. Said board shall have power to expend a sum not to exceed ten hundred dollars per annum for clerk hire. All bills incurred by said board in the management of public institutions under its charge shall be rendered to the

board under oath, and when allowed by the board, a list of the claims so allowed, giving the name of the claimant and for what institution the debt was incurred, shall be made out and certified under the direction of said board by its chairman or secretary, which list so certified shall be filed as often as once a quarter, and may be filed as often as once a month if the board so direct, with the state auditor, who shall audit the same according to law, and shall then draw his warrants on the state treasurer to be paid out of the proper fund in favor of each of said claimants, and deliver the same to the secretary of said board to be by him transmitted to the proper parties, and the personal expenses of the commissioner of public institutions shall be audited directly by the state auditor.

Audit of
accounts.

SEC. 8. The board of control shall require of each and every superintendent or manager of the respective institutions under the management and control of said board, an itemized statement of the receipts and disbursements for each and every month of the institution for which he is manager or superintendent; said statement must be filed with the said board on or before the 10th day of each and every month; and any superintendent, manager or officer violating this provision shall be discharged.

Report to,
by state
institutions.

SEC. 9. An emergency exists, and this act shall take effect immediately.

Passed the House March 4, 1897.

Passed the Senate March 11, 1897.

Approved by the Governor March 17, 1897.