

Cap 2

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University of Montana Bulletin

GENERAL SERIES

NUMBER EIGHTEEN

THE UNIVERSITY CODE



SUPPLEMENT TO PART I.

Additional State Statutes

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The purpose of this bulletin is to bring down to date Part I of the University Code, published in 1919, by including the acts adopted by the Legislative Assembly and the popular initiative since that date which particularly concern the University of Montana. Pertinent portions are also included of three acts inadvertently omitted from the earlier publication.

The paging in the original Code and this supplement is continuous, and the index appended hereto covers both volumes.

EDWARD C. ELLIOTT,
Chancellor.

February 1, 1922.

LAWS REPEALED.

The following sections of the Revised Codes of 1907, printed in Part I of this Code, were repealed by Chapter 109 of the Session Laws of 1921, relating to the codification and general revision of the Laws of Montana:

- 667. Control and supervision of the University of Montana.
- 669. The University of Montana established.
- 670. Government of the University of Montana.
- 671. Duty of the State Board of Education.
- 690. Control and management of the State School of Mines.
- 691. School of Mines established.
- 696. Object of the School of Mines.
- 702. Location of School Lands.
- 706. Debt of School of Mines prohibited.
- 730. Agricultural College established.
- 731. Control and management of the Agricultural College.
- 734. Control of the College.
- 770. State Normal School established.
- 771. Control and management of the State Normal School.
- 774. Control and supervision of the State Normal School.
- 777. Limitation of act.

The following statutes, printed in Part I of this Code, were repealed by the Legislative Assembly of 1921:

Chapter 54, Laws of 1917, relating to grain inspection.

Chapter 199, Laws of 1919, relating to dairy commissioner.

LAWS AMENDED.

The following laws, printed in Part I of this Code, have been amended by the acts indicated below:

Section 666 of the Revised Codes of 1907, by Chapter 10, below.

Chapter 8 of the Laws of 1909, relating to farmers' institutes, by Chapter 133, below.

Section 2 of Chapter 61 of the Laws of 1913, relating to insect pests, by Chapter 89, below.

Section 5 of Chapter 205 of the Laws of 1919, relating to the budget, by Chapter 163, below.

LAWS OF 1909.**Chapter 147.**

An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the state of Montana, including the sale and rental thereof, and the management, protection, and disposition of the timber growing thereon and the coal, oil, and minerals therein; provided for the management and control of the funds realized from the sale and rental of state lands and the products thereof; naming and providing for certain officers subordinate to the state board of land commissioners and prescribing their duties and compensation; providing for the acquisition of water-rights for use upon state lands; and defining and providing for the punishment of certain offenses for violating the provisions of this act.

Be It Enacted by the Legislative Assembly of the State of Montana:

* * * * *

Section 23. The salary of the register of state lands and his deputy, of the state land agent, and his assistants, the state forester, and his assistant, the clerk of the state board of land commissioners, together with the pay of all the assistants and clerks in the state land office, shall be paid out of the moneys in the several land grant income funds, and shall be apportioned among the several funds in proportion to the amount of land in each of the land grants from which

the several funds are derived. All such salaries shall be paid monthly out of the land grant income funds, and apportioned in December of each year among the several funds by an order of the state board of land commissioners, directed to the state auditor and to the state treasurer.

* * * * *

Section 93. The expenses of collecting, platting, leasing and selling of all state lands and all expenses connected with the preservation or sale of timber thereon, shall be paid by the treasurer, on warrants issued by the auditor, on vouchers certified by the state board of examiners, that the said expenses were necessary and actually incurred in the selection, location, appraising, classifying, platting, leasing or selling of state lands, or in the preservation or sale of timber thereon, and shall be paid out of the money in the several income funds, and the state board of examiners, in approving the same, shall designate the particular fund out of which said expenses shall be paid; provided, that no money shall be expended for the benefit of any lands other than those in the land grant from which the particular income fund has been derived.

* * * * *

Approved March 19, 1909.

LAWS OF 1911.

Chapter 118.

An Act to amend Sections 8, 10, 22, 53, 54, 55, 56, 57 and 61 of Chapter 147 of the Montana Session Laws of 1909.

Be It Enacted by the Legislative Assembly of the State of Montana:

* * * * *

Section 2. That Section 10 of Chapter 147 of the Laws of 1909, be amended so as to read as follows:

"Section 10. The state forester shall * * * * * deliver a course of at least six lectures on practical forestry to the students attending the State University, the State Agricultural College, and the State Normal School, during each school year."

* * * * *

Section 10. This act shall take effect and be in force from and after its passage and approval.

Approved March 7, 1911.

LAWS OF 1915.

Chapter 18.

An Act to amend Section 6382 of the Revised Codes of the state of Montana of 1907 relating to the qualifications for admission to practice law.

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 6382 of the Revised Codes of the State of Montana of 1907 be and the same is hereby amended so as to read as follows:

"Section 6382. Qualifications, Examination and Admission.—Every applicant for admission as an attorney and counselor must produce satisfactory testimonials of good moral character and a certificate of one or more reputable counselors at law that he has been engaged in the study of law for two successive years prior to the making of such application, and undergo a strict examination as to his qualifications by any one or more of the justices of the Supreme Court. The form and manner of the examination shall be as the justices may, from time to time, determine; provided, however, that a diploma from

the department of law of the University of Montana at Missoula, or evidence of having completed the course in law of three years of said department, shall entitle the holder to a license to practice law in all the courts of this state, subject to the right of the chief justice of the Supreme Court of the state to order an examination as in ordinary cases of applicants without such diploma or evidence."

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Section 3. This act shall be in full force and effect from and after its passage and approval.

Approved February 18, 1915.

LAWS OF 1919.

Chapter 196.

(Additional Section)

Section 26. That Section 908 of Chapter 76 of Session Laws of the Thirteenth Legislative Assembly, relating to university credits acknowledged, be and is hereby amended to read as follows:

"908. University Credits Acknowledged. Any applicant for any grade of certificate who has completed at any of the institutions of the University of Montana any branch for such certificate, shall upon filing with the state board of educational examiners a statement from the president of said institution to that effect, have such grade credited without examination on such certificate."

LAWS OF 1921.

Chapter 10.

An Act amending Section 666 of the Revised Codes of Montana of 1907, relating to the University of Montana.

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 666 of the Revised Codes of Montana of 1907 be and the same is hereby amended to read as follows:

"Section 666. Establishment and Purpose of the State University. —The state educational institution located at Missoula and heretofore designated as the University of Montana shall hereafter be known and designated as the state university and shall constitute one of the component institutions of the University of Montana. The state university has for its object, instruction of young men and women on equal terms in all the departments of science, in literature, the arts and industrial and professional education."

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Approved January 26, 1921.

Chapter 11.

An Act amending Section 790 of the Revised Codes of Montana of 1907, relating to the payment for securities purchased with State Normal School Funds.

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 790 of the Revised Codes of Montana of 1907 be and the same is hereby amended to read as follows:

"Section 790. Securities, How Paid for.—Whenever any securities are purchased with state normal school funds and the same are duly executed and delivered to the president of the state board of land commissioners the board shall direct the state auditor to draw his warrant upon the state treasurer for the amount thereof, specifying the fund upon which, and the person in whose favor the said warrant

shall be drawn, whereupon the state auditor shall draw a warrant upon the state treasurer accordingly, which warrant shall be delivered to the president of the state board of land commissioners, and shall be paid by the state treasurer upon the delivery to him of the purchased securities; provided, that the state treasurer shall purchase interest-bearing warrants issued against any fund whenever ordered so to do by the state board of land commissioners."

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Approved January 26, 1921.

Chapter 73.

An Act to amend Section 2594 of the Revised Codes of Montana of 1907, relating to the date of state and county fiscal year.

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 2594 of the Revised Codes of the State of Montana for the year 1907 be and it is hereby amended so as to read as follows:

"Fiscal Year.—The fiscal year for state purposes commences on the first day of July of each year, and ends on the last day of June of each year. The fiscal year for county purposes commences on the first day of July of each year and ends on the last day of June of each year."

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Section 3. This act shall be in full force and effect from and after its passage and approval.

Approved February 7, 1921.

Chapter 83.

An Act providing for the investment of the state educational bond sinking and interest fund.

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. Whenever there are any funds in the state educational bond sinking and interest fund over and above the sum of two thousand dollars (\$2,000.00) in excess of the amount required to pay the next succeeding semi-annual installment of interest on all outstanding bonds, according to their tenor, it shall be the duty of the state board of land commissioners to invest such excess funds in the manner set forth and provided in Section 2 of this act, and the amount so invested shall constitute a permanent fund to pay the principal of said bonds; but all interest or profit from such investments shall be paid into the said state educational bond sinking and interest fund, and the principal and interest of the said bonds shall be first lien upon said funds.

Section 2. The state board of land commissioners is hereby authorized and directed to invest the permanent fund provided for in Section 1 of this act:

1st. In the state educational bonds, provided that they can be purchased at a price not exceeding their par value and accrued interest.

2nd. In interest bearing warrants of the general fund of the state.

3rd. In any legally issued bonds of any county, city, town or school district of the state of Montana, provided that they can be purchased at a price not exceeding their par value and accrued interest.

In investing such permanent fund the state board of land commissioners shall give preference to warrants upon the general fund of the state of Montana, if purchasable.

Section 3. This act shall be in full force and effect from and after its passage and approval.

Approved February 14, 1921.

Chapter 89.

An Act to amend Section 2, Chapter 61, of the Laws of the Thirteenth Legislative Assembly of Montana of 1913, relating to quarantine against insect pests and plant diseases.

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 2 of Chapter 61 of the Laws of the Thirteenth Legislative Assembly of Montana of 1913 be amended to read as follows:

"Section 2. Whenever the governor of this state has good reason to believe that any pest, gypsy moth, brown tail moth, potato wart, potato canker, black scab, potato ell-worm, pea weevil, alfalfa weevil, alfalfa blight, flax canker, flax wilt or other plant disease or insect pest, dangerous or inimical to the agricultural or horticultural industry, exists within any county or locality within the state, it shall be specifically understood that he has authority to quarantine any county, district, locality or ranch and it shall be his duty to prescribe and enforce such rules and regulations as may be necessary to prevent the movement of any designated articles or materials whatever across the boundaries of such quarantined counties, districts, localities or ranches, and for the control or eradication of such pests or diseases."

Section 2. All acts and parts of acts in conflict with this amendment are hereby repealed.

Section 3. This act shall be in full force and effect after its passage and approval by the governor.

Approved February 14, 1921.

Chapter 112.

An Act regulating the custody of moneys and securities of the state, designating the state treasurer, the treasurer of every state board, commission, bureau, department, and state institution, and providing for the deposit of all state moneys, securities, and evidences of indebtedness with the state treasurer twice monthly; and providing the method and manner of keeping state funds and of paying out same; and providing for revolving funds at state institutions.

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. The state treasurer is hereby designated the treasurer of each and every state board, commission, bureau, department and state institution, now existing or hereafter to be created or established. On the tenth and twenty-fifth days of each calendar month every state officer and every other employe or agent of the state of Montana must deposit with the state treasurer all moneys, securities or other evidences of indebtedness, except such securities or other evidences of indebtedness as covered under Chapter 96, Session Laws 1915 as amended,* coming into his possession or under his control since the date of his last preceding remittance, save as hereinafter provided. The state treasurer shall issue his official receipt for each and every such payment, and shall deposit such payments by him received in the respective funds for and on account of which the same were collected and received.

Section 2. That no moneys received by the state treasurer shall be paid out by him except upon state warrant issued by the state auditor, and the state auditor shall not issue his warrant upon the state treasurer save by virtue of unexhausted appropriation therefor made by the legislative assembly, and after the presentation to him of a claim duly approved by the state board of examiners, save and except for salaries and compensation of officers fixed by law; provided, however, that nothing in this act contained shall require

*Workmen's Compensation Act.

an appropriation by the legislature for the administering of any specific trust funds administered by any state board, commission or department.

Section 3. For the support and endowment of each and every of the state institutions of the state of Montana now existing or hereafter to be created there is annually and perpetually appropriated respectively:

1. The income from all permanent funds and endowments, and from all land grants as provided by law;

2. All fees and earnings of each and every of such state institutions, from whatsoever source they may be derived;

3. All such contributions as may be derived from public or private bounty.

The entire income from all such permanent funds and endowments and from all land grants, and all contributions from public and private bounty, shall be kept by the state treasurer in specific fund accounts, so entitled as to indicate clearly their purposes and sources. All income from fees and earnings of each and every of such state institutions, from whatsoever source they may be derived, other than as hereinbefore specified, shall be deposited by the state treasurer to the credit of the general fund, but the state auditor shall keep upon his books such separate accounts with each and every of such institutions as may be required by the state board of examiners, and shall exhibit in each of said accounts all receipts and payments into and from each of said accounts. Said accounts shall be entitled "Revolving Appropriations," preceded by the name of the institution to which they pertain, and with such other descriptive titles as may be necessary to designate them clearly and unmistakably.

Section 4. The state board of examiners may, in its discretion, by resolution duly adopted and entered upon the minutes of said board, authorize the establishment and maintenance at any and all of the state institutions, or in any of the departments, boards or commissioners, of Montana of contingent revolving accounts, transferring in trust to the business offices of said institutions such sums of money as may appear necessary, to be used by said institutions for the payment of demands requiring immediate cash payment, under specific regulations to be established by said board of examiners. But each and every state institution granted a contingent revolving account shall report to the state board of examiners monthly all transactions involving such contingent revolving accounts, with proper vouchers for every payment made therefrom. The state board of examiners may cancel such authorizations and recall such funds at pleasure.

Section 5. The state board of examiners may in its discretion, by resolution duly adopted and entered upon the minutes of said board, permit any state institution to retain its possession, under such conditions as the board may prescribe, incomes from dormitories conducted by state institutions, and moneys deposited in trust by students, members, inmates or other persons, which may be subject to refund to the depositors on demand or otherwise. The state board of examiners may cancel such permission and require the deposit of any or all such funds with the state treasurer at its pleasure.

Section 6. Any state officer or other employe or agent of the state who violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum not exceeding five hundred dollars (\$500.00) for each and every offense.

Section 7. All acts and parts of acts in conflict herewith are hereby repealed.

Section 8. This act shall take effect and be in full force and effect from and after its passage and approval.

Approved February 25, 1921.

Chapter 133.

An Act to amend Section 1306 of the Revised Codes of Montana of 1907 as amended by Chapter 8 of the Session Laws of 1909, relating to farmers' institutes.

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 1306 of the Revised Codes of Montana of 1907, as amended by Chapter 8 of the Session Laws of 1909, be, and the same is hereby amended to read as follows:

"Section 1306. The board of administration of the farmers' institute as provided for in this act, shall consist as follows: the governor of the state, the president of the Montana State College of Agriculture and the commissioner of agriculture, labor and industry of the state of Montana, all of whom shall be ex-officio members. Members of such board of administration shall be designated the "Directors of the Montana Farmers' Institute," and shall be authorized to hold institutes for the instruction of the citizens of this state in the various branches of farming and farm life, and shall prescribe such rules and regulations as they may deem best for organizing and conducting the same. Such institutes shall be held at such times and places as the directors may designate; provided the requirements of the board of administration have been complied with, such as county institute or local organizations providing a suitable hall, lighting and heating the same, and bearing the necessary advertising expense. The directors may employ an agent or agents to perform such work in organizing and conducting said institutes as they may deem best."

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Section 3. This act shall take effect and be in full force from and after April 1st, 1921.

Approved March 1, 1921.

Chapter 163.

An Act to amend Section 5, of Chapter 205, Session Laws of the Sixteenth Legislative Assembly, the same being, "An Act to provide a budget system for the control of all expenditures of state money."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 5, of Chapter 205, Session Laws of the Sixteenth Legislative Assembly be, and the same is hereby amended so as to read as follows:

"Section 5. The legislative assembly shall not appropriate any money out of the state treasury except in accordance with the following provisions:

(a) Every appropriation bill shall be either a "Budget Bill," or a "Supplementary Appropriation Bill," as hereinafter mentioned.

(b) Budget.—Within ten days after the convening of the state legislative assembly, the state board of examiners shall submit to the house of representatives and to the senate, a budget which shall contain a statement showing:

1. The total revenues and expenditures of the state for the preceding biennial period, and the estimated revenues and expenditures for the succeeding biennial period.

2. The current assets and liabilities, reserves, and surplus or deficit of the state.

3. All debts, and the amount of all moneys in the state treasury to the credit of each fund.

4. The revenues, expeditures, and balances for the preceding biennial period and the estimated revenues and expenditures for the succeeding biennial period; also the amounts which the board of examiners recommend, item for item, with columns, showing whether the recommended allowances are equal to, above or below the amounts of the preceding biennial period, for each office or department, with explanatory statements from each office or department, showing their reasons for any requested increase, and statements from the board of examiners giving their reasons for recommending the allowances or disallowances. Such budget shall be printed with the recommendations and reasons for recommendations, and the record of the vote upon such recommendations, where such vote is not unanimous.

(c) The budget shall be divided into two parts, and the first part shall be designated "Governmental Appropriations" and shall embrace an itemized estimate of the appropriations for each of the two ensuing fiscal years: (1) For the legislative assembly showing the amounts necessary to pay the mileage and per diem of each member and officers and attaches, and the several items for necessary incidental expenses; (2) For the executive department, as provided by law; (3) For the judiciary department, as certified to by the clerk of the supreme court, herein provided, and as provided by law; (4) To pay and discharge the principal and interest of any bonded indebtedness of the state of Montana; (5) For the salaries payable by the state under the constitution and laws of the state; (6) For the establishment and maintenance throughout the state of a thorough and efficient system of public schools, so far as the same may be necessary, in conformity with the constitution and laws of the state; (7) For such other purposes as are set forth in the constitution of the state.

(d) The second part of the budget shall be designated "General Appropriations," and shall include all other estimates and appropriations.

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Section 3. This act shall be in full force and effect from and after its passage and approval.

Approved March 5, 1921.

Chapter 197.

An Act to create a state purchasing department, to define the authority, powers, and duties thereof; to provide for the appointment of and to define the authority, powers and duties and to fix the compensation of the officers and employes thereof, and to repeal all acts or parts of acts in conflict with the provisions of this act, and appropriating money for the carrying out of the provisions thereof.

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. There is hereby created, of and for the state of Montana, a department to be known as the state purchasing department. Said department shall be in charge of a state officer to be known as the state purchasing agent. He shall be appointed by the governor and shall hold office at the pleasure of the governor. He shall be a civil executive officer. He shall execute to the state of Montana a bond in the penal sum of ten thousand dollars (\$10,000.00) for the faithful discharge of the duties of his office. He shall receive a salary of five thousand (\$5,000.00) per annum, and all necessary traveling expenses to be paid upon proper vouchers.

Section 2. The state purchasing agent shall, under the restrictions of this act, have full and sole power and authority and it shall be his duty upon approval of the state board of examiners to contract for and purchase or direct and supervise the purchase and

sale of all supplies of whatever nature necessary for the proper transaction of the business of each and every state department, commission, board, institution, or official. For the purpose of making such purchases and contracts the state purchasing agent shall be and is hereby made the purchasing agent of and for each and every state department, commission, board, institution and official. Provided, the state board of examiners may provide a contingent fund for each state department, commission, board, institution or official, in a sum to be fixed by the state board of examiners, to be used in the payment of urgent contingent expenses that may be necessary for the conduct of the business of such department, commission, board, institution or official, such expenditures to be thereafter examined and approved by the state board of examiners.

Section 3. The state purchasing agent shall have the power and authority, subject to the approval of the state board of examiners, to maintain warehouses and to rent or lease, or construct the same, and to issue such rules and regulations as may be necessary for the proper and economical conduct of the business of the state purchasing agent, provided such contract and such purchase shall have first met the approval of the state board of examiners before being made

Section 4. An estimate or requisition approved by the department, commission, board or state official in control of the appropriation or fund against which such contract and purchase is to be charged shall be full authority for any contract and any purchase made by the state purchasing department.

Section 5. All valid claims on account of such contract and purchases negotiated by the state purchasing agent shall be audited and paid from the sums severally set aside for the use of the state purchasing department by the contract and purchase estimate or requisition upon the sworn statement of the executive officer of the department, commission, board, or institution, or the state official in control of the appropriation or fund, together with the sworn statements of the state purchasing department, and said sworn statements of said executive officer and state purchasing department, after approval by the state board of examiners shall be full and sufficient authority for the state auditor to draw his warrant and the treasurer to pay the same against any appropriation or fund in the treasury available for the purpose of any such contract and purchase.

Section 6. The state purchasing agent shall have exclusive power, subject to the consent and approval of the state board of examiners, to contract for all printing and to purchase, sell or otherwise dispose of, or to authorize, regulate and control the purchase, sale or other disposition of, all materials and supplies, service, equipment, and other physical property of every kind, required by any state institution or by any department of the state government; and to purchase or cause to be purchased all needed commissary supplies, and all raw materials and tools necessary for any manufacturing carried on at any of said institutions; and to sell all manufactured articles, and collect the money for the same, and generally to regulate and control all purchases by any department of the state government, or by any state institution; and also to furnish, repair and maintain the executive residence for the governor. The state purchasing agent shall remit to the state treasurer all moneys received from the sale of property belonging to the state of Montana, said moneys to be by the treasurer credited to the general fund.

Section 7. The state purchasing agent shall have the power, with the approval of the state board of examiners, to appoint and fix the compensation and amount of bonds of such additional employes as the proper economical conduct of the business of the state purchasing department may demand.

Section 8. The state purchasing agent shall have the authority to require any department of the state of Montana or of any of the educational institutions of the state to perform any tests as may be required by the state purchasing department for the better information of the state purchasing agent in determining the character and quality of the articles and commodities to be purchased and used by the state.

Section 9. All stationery, printing, paper, fuel and lights used in the legislative and other departments of government, shall be furnished, and the printing, and binding and distribution of the laws, journals, and department reports and other printing and binding and the repairing and furnishing the halls and rooms used for the meeting of the legislative assembly and its committees, shall be performed under contract, to be given to the lowest responsible bidder; and all such contracts shall be let by the state purchasing agent, but shall be subject to the approval of the board of examiners. Before any such contract is let the state purchasing agent must advertise in such manner and for such time as he deems proper for sealed proposals to furnish any and all supplies mentioned in this section. The state purchasing agent must specify in the advertisement the amount and kind of each article required. The proposals received must be directed to the state purchasing agent, who must, unless he rejects all bids, award the contract for furnishing such supplies, or any of them, to the lowest responsible bidder.

Section 10. The state purchasing agent shall supervise and attend to all public printing and shall prevent duplication and unnecessary printing; all forms, blanks, and documents printed for distribution to the departments of the state government or state institution shall be serially numbered and indexed by the state purchasing agent and sample copies of each thereof permanently retained in his library; and the state purchasing agent shall from time to time furnish to the public general information as to the nature, description, and official numbers of such reports as are available for public distribution.

Section 11. There is hereby appropriated any money in the treasury of the state of Montana, not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000.00), or so much thereof as may be necessary for the payment of salaries and all necessary expenses incurred hereunder, for the year 1921, and a like sum for the year 1922.

Section 12. That all acts and parts of acts in conflict herewith are hereby repealed.

Approved March 5, 1921.

Chapter 216.

An Act creating a department of agriculture, labor and industry and defining its powers and duties, designating a commissioner of agriculture, labor and industry as the chief executive officer of said department, and defining his compensation, powers, and duties, etc.

Be It Enacted by the Legislative Assembly of the State of Montana:

* * * * *

Section 7. The Department of Agriculture, Labor and Industry shall have power and it shall be its duty:

* * * * *

9. To cooperate with the state college of agriculture, the agricultural experiment stations and the federal government to the end that all available agencies may be employed, to the best advantage, for the betterment of the agricultural industries of the state, for the improvement of country life and for promoting equality of opportunity for the farmers of the state.

* * * * *

Section 14. The department of agriculture, labor and industry, through the division of farming and dairying, shall have general regulation of the industry of dairying in the state of Montana save and except as to the sanitary inspection of dairies, creameries, butter and cheese factories, and receiving stations, which said duties shall be administered by the livestock sanitary board. It shall be the duty of the department of agriculture, labor and industry to compile and publish statistics concerning all phases of the dairy industry in the state, and to encourage and advertise said industry in every possible manner; to carry on a campaign of education in conjunction with the extension work of the College of Agriculture and Mechanic Arts of Montana for the purpose of encouraging interest in the dairy industry and of furnishing scientific and practical information concerning the same.

* * * * *

Section 71. The following acts and parts of acts of the state of Montana are hereby repealed: Section 1, 2, 3 * * * * * of Chapter 199 of the Laws of the Sixteenth Legislative Assembly of 1919; * * *

Approved March 5, 1921.

Chapter 233.

An Act to provide for the formation of cooperative agricultural or horticultural associations, instituted for the purposes of mutual help and not conducted for profit, and for other purposes.

Be It Enacted by the Legislative Assembly of the State of Montana:

* * * * *

Section 5. Every group of persons contemplating the organization of an association under this act, is urged to communicate with the dean of the state agricultural college, who will inform it whatever survey of the marketing conditions affecting the commodities to be handled by the proposed association indicates regarding probable success.

* * * * *

Approved March 5, 1921.

Chapter 240.

An Act amending Section 807 and 1300 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the state of Montana relating to the observing of legal holidays in the schools of this state; prescribing on which holidays school shall not be held; prescribing the rights and duties of teachers on such holidays; and repealing all acts and parts of acts in conflict therewith.

Be It Enacted by the Legislative Assembly of the State of Montana:

* * * * *

Section 2. That Section 133 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the state of Montana be and hereby is amended to read as follows:

"1300. Legal Holiday. No school shall be in session on the following holidays: New Years Day, Memorial Day (May 30th), Independence Day (July 4th), Labor Day (First Monday in September), Thanksgiving Day, or Christmas Day, provided, however, that in school districts where the school building must be used for election purposes, state and national election day shall be deemed a legal holiday under the provisions of this act. No school shall be dismissed on the following holidays, but appropriate exercises as a part of the day's program, shall be held in each school when school is in session, on each of the said holidays, and where such holidays fall on Saturday or Sunday such exercises shall be conducted on the Friday preceding such holiday: Lincoln's Birthday (February 12th), Washington's Birthday (February 22nd), Arbor Day (second Tuesday of May), Flag Day (June 14th), Columbus Day (October 12th), Pioneer Day (Novem-

ber 1st), Armistice Day (November 11th), and such other days as may hereafter be designated as legal holidays by the legislature or governor."

* * * * *

Approved March 8, 1921.

Chapter 241.

An Act forbidding the payment of the traveling and other expenses of state, county, city and school district officers or employes of the state, or of any county or city, or of any school district, when in attendance upon any convention, meeting or gathering other than such as they may be required by law to attend.

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. Hereafter no state, county, city or school district officer or employee of the state, or of any county or city, or of any school district, shall receive payment from any public funds for traveling expenses or other expenses of any sort or kind for attendance upon any convention, meeting or other gathering of public officers, save and except for attendance upon such conventions, meetings or other gatherings as said officer may by virtue of his office be required by law to attend. Provided, that nothing herein shall prohibit the state board of examiners from authorizing the payment of the necessary traveling expenses of any state officer or employee, whenever in the judgment of said board public interest requires, and provided further that the board of trustees of any county high school or of any school district may by resolution adopted by a majority of the entire board authorize any employee of such board to attend meetings called for the express purpose of considering educational matters.

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 8, 1921.

INITIATIVE MEASURES OF 1920.

Number 18.

"A Bill to enact by the initiative a law to increase the rate of taxation on real and personal property for state purposes one and one-half ($1\frac{1}{2}$) mills on each dollar of valuation for a period of ten years, beginning with the year 1921, and to authorize and empower the legislative assembly to levy a tax for each year during such period of not exceeding three and one-half ($3\frac{1}{2}$) mills on each dollar of valuation, and to appropriate the money derived from one and one-half ($1\frac{1}{2}$) mills of such levy for each year during such period for the support, maintenance and improvement of the institutions now comprised in the University of Montana."

Be it enacted by the People of Montana:

Section 1. That the rate of taxation on real and personal property for state purposes for each year for a period of ten (10) years, beginning with the year 1921, shall be increased one and one-half ($1\frac{1}{2}$) mills on each dollar of valuation, and the legislative assembly is authorized and empowered to levy a tax for state purposes for each of said years of not exceeding three and one-half ($3\frac{1}{2}$) mills on each dollar of valuation for state purposes, and all money derived from one and one-half ($1\frac{1}{2}$) mills of such levy for each of such years shall be appropriated by the legislative assembly for the support, maintenance and improvement of the State University at Missoula, the State College of Agriculture and Mechanic Arts at Bozeman, the Montana State School of Mines at Butte, and the Montana State Normal College at Dillon, now comprised in the University of Montana.

Section 2. This act shall be in full force and effect from and after its approval, and proclamation, as provided by law.

Proclaimed December 6, 1920.

Number 19.

"A Bill to enact by the initiative a law to authorize the state of Montana to become indebted in the sum of five million dollars (\$5,000,000) in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the state of Montana is now obligated, for the construction, repair, and equipment of necessary buildings at the several educational institutions of the state of Montana now under the control of the state board of education, and consisting of the State University at Missoula, the State College of Agriculture and Mechanic Arts at Bozeman, the Montana State School of Mines at Butte and the Montana State Normal College at Dillon comprised in the University of Montana, and the State Orphans' Home at Twin Bridges, the Montana School for the Deaf and Blind at Boulder, the Montana State Industrial School at Miles City, and the State Vocational School for Girls at Helena; providing for the issuance of bonds in the name of the state of Montana as evidence of such indebtedness and for the sale thereof; prescribing the form of such bonds; and providing for the levying of an annual tax sufficient to pay the principal thereof and the interest accruing thereon."

Be it enacted by the People of Montana:

Section 1. That the state board of examiners of the state of Montana is hereby authorized, empowered and directed to issue bonds in the name of the state of Montana, in an amount not exceeding five million dollars (\$5,000,000), in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the state of Montana is now obligated, the money derived from the sale of said bonds, to be used for the purpose of constructing, repairing, and equipping necessary buildings at the several educational institutions of the state of Montana now under the control of the state board of education, and consisting of the State University at Missoula, the State College of Agriculture and Mechanic Arts at Bozeman, the Montana State School of Mines at Butte and the Montana State Normal College at Dillon, now comprised in the University of Montana, and the State Orphans' Home at Twin Bridges, the Montana School for the Deaf and Blind at Boulder, the Montana State Industrial School at Miles City, and the State Vocational School for Girls at Helena.

Section 2. Such bonds shall be issued in series from time to time, and at such times and in such amounts as may appear to said board of examiners, in the exercise of its judgment and discretion, to be for the best interests of the state and necessary for the erection, repair, and equipment of necessary buildings at the institutions under the control of the state board of education; provided, however, that no series of said bonds shall be issued or sold by the state board of examiners unless the state board of education shall have first determined the necessity therefor and the amount thereof and requested the state board of examiners to issue and sell the same.

Section 3. Each series of bonds provided for in this act shall be issued in such denominations as may be determined by the state board of examiners at the time the same are authorized to be issued under the provisions of this act, shall bear date as of the day of issuance thereof, shall become due and payable twenty (20) years from their date and be redeemable at the option of the state board of examiners at any time after ten (10) years from their date at any interest paying period, and shall bear interest at the rate of not exceeding five and one-half per centum ($5\frac{1}{2}\%$) per annum, payable semi-annually, on such dates as may be determined and fixed by the state board of examiners, at the office of the state treasurer of the state of Montana; provided, however, that for each series of said bonds issued after the issuance of the first series thereof, the state board of examiners shall so fix the interest paying dates that the interest thereon will become due and payable on the same dates as the interest on such first series of bonds shall become due and pay-

able, and in order so to do the state board of examiners may provide that the first interest shall be due and payable at a date less than six months after the date of the issuance of such series.

Section 4. The state board of examiners shall prescribe the form of such bonds, and the bonds of each series shall bear upon their face the words "Educational Bonds of the State of Montana," with a letter or figure to designate the series thereof, and shall be signed by the members of the state board of examiners, and the great seal of the state of Montana shall be affixed to each bond, and the bonds shall be registered in the office of the state treasurer. Said bonds shall have interest coupons attached thereto covering the interest due semi-annually, which coupons shall be executed with facsimile signatures of all the members of the state board of examiners, and the signing of said coupons with said facsimile signatures shall be recognized as sufficient execution of said coupons on behalf of the state of Montana.

Section 5. The bonds provided for in this act shall be disposed of by the state board of examiners in such a manner as they shall deem for the best interests of the state in carrying out the provisions of this act, provided, that no bond shall be disposed of for less than its par value.

Section 6. All moneys derived from the issuance and sale of the bonds authorized by this act shall be paid into the state treasury, and shall constitute a special fund for the construction, repair, and equipment of necessary buildings at the State University, the State College of Agriculture and Mechanic Arts, the Montana State School of Mines, and the Montana State Normal College, now comprised in the University of Montana, and at the State Orphans' Home, the Montana School for the Deaf and Blind, the Montana State Industrial School, and the State Vocational School for Girls, and shall be expended only for the construction, repair, and equipment of necessary buildings at said institutions, and shall be disbursed by the state treasurer on warrants properly drawn against such fund by the state auditor pursuant to the orders of the state board of examiners. Provided, however, that from the moneys derived from the sale of all of said bonds not more than three million seven hundred and fifty thousand dollars (3,750,000) shall be expended for the construction, repair, and equipment of buildings at the several institutions now comprised in the University of Montana, and not more than one million two hundred and fifty thousand dollars (\$1,250,000) thereof shall be expended for the construction, repair, and equipment of necessary buildings at the State Orphans' Home, the Montana School for the Deaf and Blind, the Montana State Industrial School, and the State Vocational School for Girls; provided, further, that the money derived from the issuance and sale of any one series of said bonds may be applied wholly to the construction, repair, and equipment of buildings at the institutions now comprised in the University of Montana, or to the construction, repair, and equipment of buildings at the State Orphans' Home, the Montana School for the Deaf and Blind, the Montana State Industrial School and the State Vocational School for Girls, or the money derived from any one series of said bonds may be apportioned and part thereof applied to the construction, repair, and equipment of the buildings at the institutions now comprised in the University of Montana, and part thereof applied to the construction, repair, and equipment of buildings at said other educational institutions, it being intended that the money derived from the issuance and sale of said bonds shall be expended for the construction, repair, and equipment of necessary buildings at the aforesaid institutions at such times, and in such amounts as the state board of education shall deem necessary, but that when the whole of said amount shall have been expended not more than three mil-

lion seven hundred and fifty thousand dollars (\$3,750,000) thereof shall have been expended for the construction, repair, and equipment of buildings at the several institutions now comprised in the University of Montana, and not more than one million two hundred and fifty thousand dollars (\$1,250,000) thereof for the construction, repair, and equipment of buildings at the State Orphans' Home, the Montana School for the Deaf and Blind, the Montana State Industrial School and the State Vocational School for Girls.

Section 7. That there shall be and there is hereby levied annually upon all property in the state of Montana subject to taxation, an ad valorem tax of ten-twelfths ($10/12$ ths) of one (1) mill on each dollar of the assessed valuation of such property, which tax when collected by the county treasurers of the several counties of the state, shall be by them accounted to and paid into the state treasury of the state of Montana and by the state treasurer placed in the state educational bond sinking and interest fund, which fund shall be used exclusively for the payment of the principal of, and the interest accruing on, said bonds.

Section 8. This act shall be in full force and effect from and after its approval and proclamation, as provided by law.

Proclaimed December 6, 1920.

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