

Comp.

State of Iowa

1960

**IOWA
DEPARTMENTAL
RULES**

**JANUARY
1960
SUPPLEMENT**

Containing

The permanent rules and regulations of general application promulgated by
the state departments from July 1, 1959 to January 1, 1960



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TABLE OF CONTENTS

	Page
Agricultural Department -----	4
Banking Department -----	7
Conservation Commission -----	9
Employment Security Commission -----	11
Health Department -----	11
Highway Commission -----	12
Labor Bureau -----	12
Merit System Council -----	13
Public Safety Department -----	13
Regents -----	13
Social Welfare Department -----	15
Treasurer of State -----	16

PREFACE

This volume is published in compliance with section 14.3(7) of the Code. The rules of the various boards and departments are arranged in alphabetical order, using the names of the departments in general use.

Not all of the rules and regulations promulgated by the state departments have been included. The Act specifies "permanent" rules of "general application." Where rules have been omitted by the editor there is a notation indicating where such rules may be obtained.

THE EDITOR

January 1960

PUBLICATION OF DEPARTMENTAL RULES

Section 14.3 of the Code, subsection 7, requires the Code Editor to:

"Prepare the manuscript copy, and cause to be printed by the state superintendent of printing in each year in which a Code is published, a volume which shall contain the permanent rules and regulations of general application, promulgated by each state board, commission, bureau, division or department, other than a court, having statewide jurisdiction and authority to make such rules. The code editor may omit from said volume all rules and regulations applying to professional and regulatory examining and licensing provisions and any rules and regulations of limited application. The code editor may make reference in the volume as to where said omitted rules and regulations may be procured.

"This volume shall be known as the Iowa departmental rules and any rule printed therein may be cited as -----I.D.R.----- giving the year of publication and the page where the particular rule, by number, may be found.

The code editor may provide cumulative, semiannual supplements for insertion in the latest published volume and a place shall be provided in the binding of said volume for insertion of such supplements."

IOWA

DEPARTMENTAL RULES

JANUARY 1960

DEPARTMENT OF AGRICULTURE

Rules and regulations governing movement of livestock (both interstate and intrastate) through livestock auction markets, marketing agencies, sale barns or sale yards; with special reference to Brucellosis requirements of cattle as applied to livestock auction markets and marketing agencies specifically approved under State-Federal agreement.

(Filed December 23, 1959)

Pursuant to the authority vested in the Department of Agriculture under Chapter 163, Code of Iowa, and in conformance with Chapter 164, Code of Iowa and Chapter 151, Acts of the Fifty-Eighth General Assembly, the Secretary of Agriculture hereby adopts the following Rules and Regulations in order to enforce the provisions of law relating to the sale and movement of livestock, and other provisions pertaining thereto. (For the purpose of following regulations — livestock markets shall be deemed to include all auction markets, marketing agencies, sales barns, sales yards or livestock dealers operating under a state permit as required.)

Section I — Permits

A. By Whom Required. Any person, partnership, firm, corporation or livestock market engaged in the business of buying, selling or assembling livestock, or receiving livestock by consignment, for the purpose of resale either interstate or intrastate, whether by private sale, public auction or on a commission basis either wholly or in part, when not under full-time federal supervision must be under state supervision and must first obtain a permit to conduct such business. A separate permit must be obtained for each separate or independent marketing unit even though operated under the same management or same person, partnership, firm, corporation or livestock market.

The foregoing provision shall not apply to authorized agents or employees of livestock markets operating under a valid state permit, provided such agent or employee is doing business in the name of such livestock market, nor shall it apply to the owner or operator of a farm or feedlot who deals only in livestock which has been kept by him, or is to be used by him, for dairy, breeding, or feeding purposes. Furthermore, this shall not apply to a com-

mission firm doing business under the rules and regulations of public stockyards company operating under federal supervision.

B. How permits will be issued. Applications for Livestock Marketing Permit shall be made to the Division of Animal Industry by the marketing unit owner or operator or the livestock dealer on a special form furnished by the department. Upon receipt of such application, an investigation will be made and the premises will be inspected by a qualified state employed inspector. A permit will then be issued or the application denied.

Section II — Animal Health and Sanitation Requirement.

A. Veterinary inspection required. All auction markets, marketing agencies, sales barns, or sales yards operating under a permit as required shall provide for veterinary inspection by a qualified veterinary inspector, approved by the Department of Agriculture, State of Iowa; who shall inspect all animals marketed, and shall require that the premises be maintained in sanitary condition at all times.

B. Who may inspect. Any accredited veterinarian, licensed to practice in the State of Iowa, and who has been approved by the Iowa Department of Agriculture, State Capitol, Des Moines 19, Iowa. In addition the veterinary inspector must be approved by the department to do Brucellosis plate testing, or shall have available approved laboratory facilities.

Section III — Duties and Responsibilities of the Livestock Market Management.

General. All livestock market owners, operators or managers shall co-operate in obtaining full compliance with all state laws, rules and regulations and with the federal regulation (Part 78, Title 9 — C.F.R.) and shall agree to:

1. Notify the Division of Animal Industry, Iowa Department of Agriculture and United States Department of Agriculture (Des Moines Branch) Animal Disease Eradication Division as to method of operation (buying, receiving and selling of livestock.) Auction markets shall furnish a schedule of regular sale dates and notify both aforementioned departments of all special sales not less than five days in advance.

2. Provide for chutes and divisions of yarding and/or pens as required to handle livestock according to their classification.

3. Furnish the name of a veterinarian who will be held primarily responsible for all inspections required to be approved as veterinary inspector.

4. Permit no animals to be sold at any time **PRIOR TO VETERINARY INSPECTION.**

5. Release only recognized beef type cattle for feeding or grazing purposes as qualify under Iowa law and federal regulations.

6. Permit no cattle under feeder quarantine in accordance with Iowa law to be sold except direct to slaughter unless permission is granted by the approved veterinary inspector, in which case they may be released for further feeding under quarantine not to exceed the unexpired time of the original quarantine.

7. Clean and disinfect all chutes, whether portable or stationary and all pens, alleyways, and scales after each sale or at anytime when ordered to do so by the approved veterinary inspector and in accordance with the procedure recommended by him.

8. Maintain accurate records, including records of origin, identification, destination or other disposition of all livestock handled at the livestock market. Such records shall be made available for inspection by an authorized state or federal inspector upon request. Such records shall be kept for a period of not less than one year.

9. Notify both state and federal offices immediately in the event of sale, transfer or ownership or change of management of the livestock marketing agency.

10. Failure to comply with any of the foregoing provisions shall be deemed sufficient reason to remove a market from the state-federal approved list and/or revoke the permit to operate as a livestock market.

In the event of termination of operation, the permit to operate must be surrendered to the State Department of Agriculture, State Capitol Building, Des Moines 19, Iowa.

Section IV — Duties and responsibilities of the livestock market veterinary inspector.

General. The livestock market veterinary inspector shall allow sufficient time to perform his duties at the livestock market and shall inspect all livestock prior to sale, whether sold by auction or private sale. In the case of auction markets he must be present during the entire time the sale is in progress. He shall have full authority to reject or detain any animal or animals at owner's expense, or any animal or animals which in his opinion is diseased or exposed in conformance with Chapter 163, 1958 Code of Iowa, which for any reason may be detrimental to the health of the animals within the state. In addition to clinical inspection on all animals, the veterinary inspector shall:

1. Permit no animal to be sold prior to test when a test is required.

2. Permit no animal to be released prior to vaccination when vaccination is required.

3. Obtain permits for movement (either interstate or intrastate) at owner's expense, when permits are required.

4. Issue all official quarantines (including feeder quarantine) or other form of releasing documents before permitting animals to be removed from the livestock market.

5. Notify the state office promptly of any transfer of ownership of feeder cattle under feeder quarantine.

6. Mail copies of all official health certificates and quarantines to the Division of Animal Industry immediately.

7. Mail copies of all test charts (both T.B. and Brucellosis) and copies of all calfhood vaccination record Form BV-1) to the United States Department of Agriculture (Des Moines Branch), Animal Disease Eradication Division.

8. Report promptly all violations or refusals to comply with state laws, rules or regulations and/or federal regulations to the proper state or federal inspectors.

9. Failure to comply with any of the foregoing provisions shall be deemed sufficient reason for disapproving the veterinary inspector.

Section V — Classification of Livestock Markets.

A. State-federal Approved Markets shall include all markets that qualify to receive cattle in conformance with state laws, rules and regulations, and federal regulations (Title 9, Part 78 — C.F.R.) They will be classified according to their physical facilities and equipment available to receive, handle and maintain the identity and the Brucellosis health status of cattle marketed. They will be designated as Class "A", those approved to receive all classes of cattle including known brucellosis reactors, and Class "B", those approved to receive only cattle not known to be brucellosis infected.

B. Nonapproved Markets shall include all markets that do not qualify under paragraph A above for state-federal approved under Title 9, Part 78 — C.F.R.

Section VI — Requirements for State-Federal (Specifically) Approved Markets.

General: Collection of Veterinary Inspection Fee: In conformance with Chapter 151, Acts of the 1958 General Assembly. The State Department of Agriculture shall collect a veterinary inspection fee agreed upon by the marketing unit operator and qualified veterinary inspector, recommend by the marketing unit operator and approved by the secretary of agriculture, plus a cost of administration not to exceed two dollars per month per marketing unit, on all animals marketed through sale yards, sale barns, auction markets, or other marketing agencies required to hold permits issued by the department. Such fees, when collected, shall be placed by the secretary in an "inspection fee revolving fund" under his jurisdiction. The department shall pay fees to each such approved veterinary inspector for inspection services in accordance with agreements between such veterinarians and the marketing units where inspections are accomplished, reduced by the allowable amounts for administration. Such fees shall be adjusted from time to time so that the amount collected will not exceed the costs of said veterinary inspections and the administration thereof. The provisions of this Act shall also apply to all sale yards, sale barns, and marketing agencies receiving livestock moved into the state of Iowa for sale through said sale yards, sale barns, and marketing agencies, except meat processing establishments or terminal markets where full-time federal inspections

are required and such requirements are complied with. Sale yards, sale barns and marketing agencies not handling livestock shipped into the state of Iowa for resale shall be exempt from the provisions of this Act, as well as livestock meeting federal and state requirements for interstate shipment as to health at the time of entry into Iowa.

A. Physical facilities and equipment necessary to qualify for Class "A" (State-Federal) Approved Market.

Class "A" Certificates of Approval will be issued to Auction Markets only; and only to those markets having facilities and equipment to receive cattle in conformance with state laws, rules and regulations and with federal regulation, (Title 9, Part 78 — C.F.R.) and will be permitted to receive all classes of cattle including known brucellosis reactors.

Class "A" State-Federal Approved Markets shall:

1. Provide a separate unloading chute and a division of yarding for handling of known brucellosis reactors, such chute and yarding shall at no time be used to hold cattle of any other class.

2. Provide sufficient run-ways or alleyways, the floors of which shall be covered with concrete or other material of an impervious nature so that reactor animals can travel from the holding pens through the sale-ring and the scale room, and be returned without leaving such floors.

3. Provide a separate unloading chute and a division of yarding for handling cattle originating in Certified Brucellosis-free herds and/or in negative herds from Modified Certified Brucellosis areas. Such chute may be used for handling cattle of unknown Brucellosis health status.

4. Provide sufficient run-ways or alleyways, the floors of which are covered with concrete or other material of an impervious nature so that animals can travel from holding pens through sale ring and scale room and be returned without leaving such floors.

B. Physical facilities and equipment necessary to qualify for Class "B" (State-Federal) Approved Markets.

Class "B" Certificates of Approval will be issued to Auction Markets meeting the same requirements as listed under Section VI, subsection (A), except items 1 and 2; and to Marketing Agencies having facilities to maintain the identity and Brucellosis health status of the various classes of cattle received.

C. Nonapproved Markets. Nonapproved markets will not be permitted to receive cattle originating outside the state of Iowa, except such cattle that have met both state and federal requirements prior to entry, but must meet the same requirements as state-federal specifically approved markets in handling and releasing cattle to move intrastate and must meet all federal regulations under 9 C.F.R., Part 78, as well as the requirements of the state of destination in releasing cattle to move interstate. Cattle from certified herds and areas passing through such markets shall be deemed to have lost their status and must meet the requirements of Section VII, 1 through 6. If brucellosis reactor animals are disclosed on tests within nonap-

proved markets, they shall be placed in a holding pen separate and apart from other cattle. Such animals must be sold or moved from the holding pen direct to slaughter.

Section VII — Requirements for sale of all bovine animals.

All animals must pass a negative test for Brucellosis unless they can be classified under one of the following exemptions:

1. Steers and spayed heifers.
2. Female calves for dairy and breeding purposes, under eight months of age.
3. Female animals and bulls of recognized beef type, sold for feeding and grazing purposes.
4. Animals consigned direct to slaughter.
5. Official vaccinates under 30 months of age if accompanied by an official vaccination certificate.
6. Cattle accompanied by test charts and identified as having passed a negative test within 30 days.
7. Cattle from Modified Certified Herds or Modified Certified Brucellosis Areas, providing they do not originate from a herd under quarantine, and further provided they are handled in accordance with Section VIA (4). If such cattle are consigned by a dealer or pass through a nonapproved market, however, they lose their identity and Brucellosis health status and just be handled according to Section VII, 1 through 6 above. Known Brucellosis reactors shall be handled in accordance with Section VI, A 1 and 2.

After the cattle are classified and identified, according to the purpose for which they are to be sold, this information shall be recorded on the check-in slip. All check-in slips, vaccination certificates, test charts, permits or other official documents shall be given to the official veterinary inspector. The veterinary inspector shall be held responsible for checking all animals and determining if the animals qualify under these exemptions. Animals that do not qualify must be tested or sold for slaughter.

Section VIII — Testing and vaccinating.

All animals classified to be tested shall be tested prior to sale. All brucellosis tests shall be reported on the regular Brucellosis test form ADE 8-28, and duplicate blood samples of all animals tested shall be forwarded to the Brucellosis Diagnostic Laboratory, Iowa State University, Ames, Iowa. All unvaccinated female calves not less than 4 months or more than 8 months to be returned to Iowa farm for dairy or breeding purposes should be vaccinated against brucellosis with Brucella Abortus vaccine strain 19 at owner's expense, before being released.

Section IX — Order of sale through auction markets.

The following order shall be maintained in the sale of the various classes of cattle through Auction Markets whenever applicable:

1. Cattle from Certified herds and Modified Certified Brucellosis Areas.
2. Animals having passed a negative test within 30 days and official vaccinates under 30 months of age.

3. Beef cattle sold for feeding and grazing.
4. Animals consigned direct to a slaughter.
5. Brucellosis reactor animals.

Section X — Releasing Cattle.

The veterinary inspector in charge of the livestock market, shall be held responsible for seeing that all animals are released in conformance with Iowa laws, rules and regulations, and federal regulation 9 C.F.R., Part 78, where interstate movement is involved. All release forms must be signed, stamped, or otherwise approved by the veterinarian or someone authorized by him to do so. Any stamp so used must be

initialed by the person by whom it is used. The livestock market management shall cooperate to see that all animals are released only on properly stamped or veterinary approved release forms.

Section XI—Movement of Cattle Into Modified Certified Brucellosis Areas Within Iowa.

Cattle moving into a Modified Certified Brucellosis Area within Iowa on a negative 30-day test only, shall be quarantined, held separate and apart from other cattle, and retested at owner's expense in not less than 30 days nor more than 60 days.

DEPARTMENT OF BANKING

(Filed September 11, 1959)

Pursuant to authority vested in the Superintendent of Banking by Section 536.21, Code of Iowa, the following rules and regulations pertaining to the Small Loan Law are hereby adopted:

1. For the purpose of administering the provisions of Section 536.2, Code 1958:

(a) Printed copies of the application for license shall be obtained from the Superintendent, Department of Banking, State of Iowa, Des Moines, Iowa. The printed application form shall be used by each applicant when applying for a license. All questions shall be answered in full and wherever space is inadequate a rider may be attached giving in full the information required.

(b) Separate checks or money orders in payment of investigation fee and annual license fee must accompany the application. Each check or money order shall be made payable to the Superintendent of Banking.

2. For the purpose of administering the provisions of Section 536.9, Code of Iowa 1958:

(a) No refund of license fee shall be made wherein a license is revoked or surrendered.

(b) In order to preclude violation of any provision of the Small Loan Act or any general rule or regulation thereunder, it shall be the responsibility of each licensee to assure that each person in charge or employed in its place of business shall be familiar with the laws and regulations relating to the business of making, servicing and collecting loans under the provisions of the Small Loan Act.

3. For the purpose of administering the provisions of Section 536.10 and 536.11, Code 1958, every licensee shall keep and maintain the following books and accounting records:

(a) A "Loan Register" or its equivalent record which shall be the book of original entry and permanent record and which shall properly identify each account by number and cite the date of the loan and the amount of the loan.

(b) An individual account ledger or card for each borrower which shall show the name and address of the borrower, the loan number, the amount and date of the loan and its maturity, rate of interest, terms of repayment, the nature of security, if any, and the dates of receipt and payment of recording fees, together with the amount of such fees. The account

ledger or card shall provide space for recording payments of principal and interest, and shall be kept in such a manner as to show clearly the balance due on principal. All payments of principal or interest shall be credited promptly upon the ledger or card. If any error should be made on the individual ledger or card, appropriate corrections shall be made without erasures.

(c) An appropriate filing system, which shall contain all current evidence of indebtedness or security which shall have been signed by the borrower, accommodation comaker or surety.

(d) The above records and any additional records as may be used by a licensee shall be made available for examination upon request by the Superintendent of Banking or his designated representatives.

4. For the purpose of administering the provisions of Section 536.11, Code 1958.

(a) An annual report shall be prepared and submitted to the Superintendent of Banking for each licensed place of business located within the state of Iowa. If a company owns and operates more than one licensed office in the state, then separate reports for each licensed office and a composite statement for all licensed offices owned and operated within the state shall be prepared and submitted to the Superintendent of Banking. Annual reports shall be made out as prescribed by the Superintendent of Banking.

5. For the purpose of administering the provisions of Section 536.12, Code of Iowa, 1958:

(a) The words "advertisement" and "advertising" as used in these regulations, shall include all material printed, published, displayed, distributed, broadcast or televised for the purpose of obtaining applications for loans.

(b) No licensee shall advertise, display or distribute mailing pieces which have a similarity or resemblance to a bank counter check, postal or express money order, U. S. currency, cash exchange certificate, cash reserve certificate, or any negotiable instrument whatsoever, or any city, county, state, or federal warrant and shall not use an envelope employing the words "Treasurer's Office" for return name and address, or which is in any manner similar to U. S. government, state, county or city envelopes used in any area.

(c) No licensee shall advertise, display, distribute, broadcast, televise, or cause or per-

mit to be advertised, displayed, distributed, broadcast, or televised, any matter whatsoever concerned with the business authorized by this chapter, which indicates that loans may be obtained in amounts greater than permitted by law.

(d) Licensees shall not use blind loan advertisements, such as displaying only telephone numbers or box addresses which do not clearly indicate the identity of the licensees.

(e) Licensees shall not feature in any advertisement such terms as "reduced rates" or "reduced payments" or similar phrases which apply only to a specific type of loan, unless such advertisement shall clearly state the type of loan to which such advertisement shall apply.

(f) Licensees shall not employ unqualified superlatives in advertising, such as "lowest rates", "lowest costs", "lowest payment plan", or "cheapest loans."

(g) For the purpose of this section any individual, partnership, association or corporation who shall advertise for, solicit, or hold himself or itself as willing to make loan transactions in the amount of or for the value of five hundred dollars or less shall be presumed to be engaged in the business provided for in Section 1 of Chapter 536, unless such individual, partnership, association or corporation shall be engaged in business under laws relating to banks, trust companies, building and loan associations, credit unions or licensed pawnbrokers, or corporation entitled to benefit under Sections 429.11 to 429.13 inclusive.

(h) No lender shall accept applications for loans or close loans at any place other than that named in the license. However, under unusual or peculiar circumstances the signature of one or more of the principal borrowers may be obtained outside of the loan office, provided that such signatures are obtained by an actual and bona fide employee of the lender, or by the spouse of the borrower.

(i) A licensee shall have authority to make and complete loans by mail from the lender's licensed office. In making such loans, the lender shall mail all necessary papers to the borrower and upon completion of such papers by the borrower, the check or money order representing proceeds of the loan shall be mailed from the licensee's office.

(j) No licensee shall permit any person other than a bona fide employee to complete its notes, security instruments or any other forms used in small loan transactions, nor shall any person other than a bona fide employee be permitted to accept payments on such loans except as delinquent loans may be referred to other parties for collection purposes.

(k) No licensee or any of its employees shall pay or cause to be paid any commissions, fees, or gratuities to dealers or to salesmen who may refer borrowers to its loan office or offices.

(l) The licensee shall explain to the borrower in general terms the contents of the note, chattel mortgage, salary assignment and any and all other papers taken in connection with the extension of a small loan. No instrument or part thereof shall be left blank for completion in the absence of and/or following signature by the borrower.

6. For the purpose of administering the provisions of Section 536.13, Code 1958:

(a) No licensee shall induce or permit any

borrower or borrowers to split or divide any loan or loans, nor shall any licensee knowingly permit any borrower, or any husband and wife, individually or jointly, to be indebted to him under more than one contract at the same time at any one or more of his licensed offices.

(b) A licensee may charge a borrower such fees as are required for filing, recording and releasing an instrument given to secure a loan only when such instrument has been filed. No fees in excess of that which is actually charged by the County Recorder's office shall be collected from the borrower. A licensee may charge a borrower such fees as are required for recording an automobile certificate of title lien with the County Treasurer's office. No fees shall be charged higher than are actually charged by the County Treasurer.

7. For the purpose of administering the provisions of Section 536.14, Code 1958:

(a) All recorded instruments, all pledges, all salary assignments and any other instruments that pertain to the loan transaction shall be returned to the borrower or borrowers marked indelibly "paid in full" within thirty days following final payment, except where existing indebtedness has been renewed or refinanced.

8. For the purpose of administering the provisions of Section 536.15, Code 1958:

(a) If the Superintendent of Banking shall grant in writing permission to a licensee to purchase sales contracts from third parties, the total indebtedness of a borrower due the licensee together with that due on contracts purchased may exceed the amount prescribed by statute provided that:

(1) The small loan and sales contracts are not made simultaneously.

(2) No licensee shall make a loan simultaneously with the purchase of a time sales contract by it or by an associate or affiliate if the debtor under both the loan and sales contracts is the same and the loan and sales contract together exceed five hundred dollars. Any loan made within fifteen days either before or after the purchase of a time sales contract to the same debtor shall be deemed to constitute a simultaneous transaction.

(3) An adequate index system shall be established and maintained by licensees for each type of business permitted in writing by the Superintendent of Banking in order that the examiner or examiners duly appointed by the Superintendent of Banking may determine that no violations of the statute exist. Such index system shall contain all current evidence of indebtedness or security which have been signed by the borrower, endorser, guarantor, or surety, except spouse as listed on the record of the borrower.

(b) It shall be considered usurious and an evasion of the Small Loan Law to permit any person as a borrower or as an endorser, guarantor or surety to owe to a licensee directly or contingently or both at any one time a sum exceeding five hundred dollars for principal, except that an endorser, guarantor, or surety for any borrower shall also be permitted to borrow not to exceed five hundred dollars if the legal instruments which the endorser, guarantor or surety signed as such are noted to read that such person "appears on this note as endorser, guarantor or surety and is responsible for the principal balance only."

CONSERVATION COMMISSION

DEPARTMENTAL RULING

(Filed September 3, 1959)

Pursuant to authority vested in this Commission by the provisions of Section 109.6, 111.47 and 107.24, Code of Iowa 1958, the following rules and regulations are hereby adopted as they apply to migratory waterfowl hunting:

All fish and game lands and waters are established as game management areas, and blinds and decoys are prohibited on all lakes and marshes now managed by the Conservation Commission between the hours of one-half (½) hour after close of hunting time and midnight each day.

ADMINISTRATIVE ORDER NO. 280

(Filed October 16, 1959)

The State Conservation Commission on its own motion does hereby order and declare under and pursuant to the power and authority of Section 111.4, Code 1958, that for the period beginning on the 1st day of November, 1959, and ending on the 20th day of February, 1960, the following rules and regulations pertaining to the building or erection of fishing shelters for noncommercial purposes shall apply to all such buildings or structures placed on or over state-owned lands or waters under the jurisdiction of the State Conservation Commission:

1. A permit, for which no charge or fee will be made, must be secured from the State Conservation Commission for the erection of all buildings or structures used as fishing shelters on or over state-owned lands or waters.

2. All such buildings must be of a type and made from materials approved by the State Conservation Commission.

3. The permit number must be painted legibly in a color contrasting to the background on all sides of the shelter in numerals at least six (6) inches high.

4. Failure to remove the building or structure and/or materials used in its construction from state-owned property on or before February 20, 1960, shall be deemed just cause for prosecution as provided for in Section 111.4, Chapter 111, Code of Iowa 1958.

5. Information containing the name and address of owner must be placed on door of shelter in a legible and durable manner.

6. Structures may not be locked when in use.

ADMINISTRATIVE ORDER NO. 281

(Filed October 16, 1959)

The State Conservation Commission, on its own motion, does hereby order and declare that under and pursuant to the power of Section 109.39, Code of Iowa 1958, that the following schedule of seasons, catch limits, bag limits, possession limits and size limits shall be in effect for the following lakes:

Little Spirit Lake	Dickinson county
Iowa Lake	Emmet county
Tuttle (Okamanpedan) Lake	Emmet county
Burt (Swag) Lake	Kossuth county
Iowa Lake	Osceola county

Kind of Fish	Open Season	Daily Catch Limit	Possession Limits*	Minimum Length
Walleyed Pike	Saturday preceeding May 15 to Feb. 15	6	6	None
Northern Pike or Pickerel	Saturday preceeding May 15 to Feb. 15	3	3	None
Sunfish	No closed season	15	30	None
White Bass	No closed season	15	30	None
Catfish	Saturday preceeding May 15 to Feb. 15	16	16	None
Small and Large Mouth Black Bass	Saturday preceeding May 30 to Nov. 30	5	5	None
Perch	No closed season	15	30	None
Crappies	No closed season	15	30	None
Bullheads, Carp, Suckers, Redhorse, Buffalo, Burbot, Dog-fish, Garfish, Quill-back, Sheepshead	No closed season	None	None	None

*Not to exceed more than thirty fish of all kinds in the aggregate except that the aggregate possession limit shall not apply to fish named in this table on which there is no daily catch limit.

This order shall become effective as of January 1, 1960 and shall be terminated January 1, 1962.

ADMINISTRATIVE ORDER NO. 282

(Filed December 14, 1959)

The State Conservation Commission, on its own motion does hereby order and declare

under and pursuant to the power and authority of Section 109.39, and 109.100, Chapter 109, Code of Iowa 1958, that all state waters shall be closed to the taking of mussels, except that mussels may be taken from the following streams during the dates designated for each stream:

Mississippi River — entire length — June 15, 1960 to June 15, 1961.

Missouri River — entire length — June 15, 1960 to June 15, 1961.

Des Moines River — entire length, except (a) that portion of the East fork from the bridge of Highway No. 3 to Dakota City to the junction known as the "Forks" in Section 19 of Beaver Township, in Humboldt county and (b) the Des Moines River from the bridge at Kalo in Section 17, Othe Township, Webster county to the bridge at Lehigh in Section 12, Burnside Township, Webster County — June 15, 1960 to November 30, 1960.

Cedar River — entire length, except (a) that portion of the river from the dam at Charles City in Floyd county to the power dam in Nashua in Chickasaw county — June 15th, 1960 to November 30, 1960.

Iowa River — entire length, except (a) that portion of the river from the dam at Steamboat Rock in Hardin county to the bridge on Highway No. 57 in Hardin county east of Eldora and (b) from the bridge on Highway No. 14 in Marshalltown to the west Tama county line — June 15, 1960 to November 30, 1960.

Wapsipinicon River — entire length, except (a) that portion of the river from the dam in

Independence in Buchanan county to the dam at Quasqueton in Buchanan county — June 15, 1960 to November 30, 1960.

Turkey River — entire length, except (a) that portion of the river from the Town of Elgin in Fayette county to the State dam at Elkader in Clayton county — June 15, 1960 to November 30, 1960.

Shellrock River — entire length, except (a) that portion of the stream from the bridge on Highway No. 14 at Greene in Butler county to the dam at Heery Woods State Park near Clarksville in Butler county — June 15, 1960 to November 30, 1960.

ADMINISTRATIVE ORDER NO. 283

(Filed January 13, 1960)

The State Conservation Commission, on its own motion does hereby order and declare under and pursuant to the power and authority of Section 109.39, Code 1958, that for the period from March 1, 1960 to March 1, 1961, the open seasons, daily catch limits and possession limits for fishes be as follows:

INLAND WATERS OF THE STATE

BOUNDARY WATERS

Kind of Fish	Open Season	Daily Catch Limit	Possession Limit	Min. Length or Weight	Mississippi and Missouri Rivers and Inland Waters of Lee County
Carp, Buffalo, Quillback, Gar, Dogfish, Gizzard, Shad, Sheepshead, Sucker, Redhorse, Chub, Sunfish, Bluegill, Bullhead, Rock Bass, Warmouth, Minnows, and Sand Sturgeon	Continuous	None	None	None	Same as inland waters
Rock Sturgeon	Closed				Closed
Paddlefish	Continuous	15	30	5 lb.	Same as inland waters
Perch, Yellow Bass, Crappie, and Silver Bass	Continuous	15	30	0	Same as inland waters except no catch or possession limits
Trout	Continuous	6	10	0	Same as inland waters
Catfish	Continuous	16	16	None	Continuous open season, no catch or possession limit.
Smallmouth Bass	May 28-Feb. 15 N. of Hwy. 30				Same as inland waters except continuous open season. Daily bag 10, possession 20
Largemouth Bass	Continuous S. of Hwy. 30	5	10	0	Continuous open season. Daily catch 10, Possession 20
Walleye and Sauger	May 14-Feb. 15 N. of Hwy. 30	5	10	None	Continuous open season. Daily catch 5, Possession 10
Northern Pike (Pickerel)	May 14-Feb. 15	3	6	None	Same as inland waters
Frogs (except Bullfrogs)	May 14-Nov. 30	4 doz.	8 doz.	0	Same as inland waters
Bullfrogs (Rana catesbeiana)	May 14-Nov. 30	1 doz.	1 doz.	0	Same as inland waters

Where waters are located within the confines of state, city, municipal parks, etc., fishing will be permitted only when such areas are open to the public.

EXCEPTIONS: On all state-owned natural lakes, all angling through ice is prohibited between the hours of 6:00 p.m. and 6:00 a.m.

In Little Spirit, Dickinson County; Iowa and Tuttle (Okamanpedan) Lakes, Emmet County;

Burt (Swag) Lake, Kossuth County; and Iowa Lake, Osceola County, the following exception apply: Walleye, daily catch limit 6, possession 6; Northern Pike, daily catch limit 3, possession limit 3; Sunfish, daily catch limit 15, possession limit 30; Catfish, open season, Saturday preceding May 15th to February 15th, daily catch limit 16, possession limit 16. Smallmouth and Largemouth Black Bass, open season, Satur-

day proceeding May 30th to November 30th, catch limit 5, possession limit 5. Bullheads, Carp, Suckers, Redhorse, Buffalo, Burbot, Dogfish, Garfish, Quillback, Sheepshead, no closed season, no daily catch, possession or size limits. The possession limit shall not exceed thirty (30)

fish of all kinds in the aggregate except that the aggregate possession limit shall not apply to fish named on which there is no daily catch limit. This order shall not apply to commercial fishing.

EMPLOYMENT SECURITY COMMISSION

(Filed December 4, 1959)

Pursuant to authority vested in this Commission by Section 96.11-2, Code of Iowa, Regulation 201-A-(2) appearing at 1958 I.D.R., page 92, and Regulation 201-D-(3) appearing at 1958 I.D.R., pages 92-93 are hereby rescinded and the following adopted in lieu thereof:

Regulation 201 — Claims for Benefits for Total and Partial Unemployment.

A. Claims and registrations for benefits for total unemployment.

(2) In order to establish eligibility for benefits or for waiting period credits for weeks of total unemployment, the claimant shall continue to file claims as directed, in person or by mail, at such intervals as may be prescribed by a representative of the Iowa Employment Security Commission.

D. Registration and Filing of Claims for Partial Unemployment.

(3) A continued claim for partial benefits filed by an individual in person or by mail pursuant to the provisions of this regulation shall constitute such individual's notice of unemployment, registration for work and claim for partial benefits or waiting period credit, with respect to each week of partial unemployment covered by the claim provided that such continued claim is filed not later than four weeks after the individual receives, through his employer or through the commission, appropriate notice of his potential eligibility for partial benefits as to any such week of partial unemployment.

(Filed December 4, 1959)

Pursuant to authority vested in this Commission by Section 96.11-2, Code of Iowa, Rule

3-A-(1) and (2) appearing at 1958 I.D.R., page 86, is hereby amended and the following adopted in lieu thereof:

Rule 3 — Appeals and Appeal Tribunals.

A-(1) A party appealing from a decision of a deputy shall file with the Iowa Employment Security Commission at the administrative office in Des Moines, or at any public employment service office, a notice of appeal in writing setting forth:

- (a) The name, address and social security number of the claimant;
- (b) A reference to the decision from which the appeal is taken;
- (c) The fact that an appeal from such decision is being made;
- (d) The grounds upon which such appeal is based.

(2) Upon the scheduling of a hearing on an appeal, notices of hearing shall be mailed to all parties interested in the decision of the deputy which is being appealed at least seven days before the date of hearing, specifying the place and time of hearing. A copy of the notice of appeal showing the ground for appeal shall also be sent to the interested party who is the respondent in the case.

(Filed September 9, 1959)

A rule relating to the determination of appeals.

1958, I.D.R. is hereby amended by striking the word "heard" which appears after the word "who" and before the word "the" in line 6 of subsection one (1) of section "E" of Rule 4 on page 87 of the 1958 I.D.R. and inserting in lieu thereof the word "reviewed."

DEPARTMENT OF HEALTH

DIVISION OF COSMETOLOGY

Pursuant to authority conferred by Section 157.9, Code 1958, 1958 I.D.R. appearing at page 41 Rule 3 subparagraph A is hereby rescinded and the following adopted in lieu thereof;

A. INSTRUCTORS in approved schools of cosmetology, in addition to being licensed in the State of Iowa as cosmetologists, to teach theory, shall:

- Be 21 years of age
- Be a graduate of an accredited high school
- Have 864 additional hours of teacher's training in cosmetology
- Obtain certification from school of training, with grades in final examination submitted with application for instructors' permit, to the Division of Cosmetology

By attending a workshop provided by the

Division of Cosmetology annually renew instructors' permit.

B. INSTRUCTORS in practical work in approved schools in addition to being licensed as cosmetologists in the State of Iowa shall:

- Be 21 years of age
- Be a graduate of an accredited high school
- Have one year's experience in the field of Cosmetology
- Have three weeks' advanced schooling, including: one week of advanced tinting, one week on advanced permanent waving or facial, one week of advanced hair styling.

The instructors' permit must be renewed each year by attending one week of advanced training in any of the above mentioned subjects, and sending proof of compliance to the Division of Cosmetology.

HIGHWAY COMMISSION

(Filed August 4, 1959)

Pursuant to authority vested in the Iowa State Highway Commission by Chapter 306A, 1958 Code of Iowa, and specifically Sections 306A.2, 306A.3, and 306A.4 thereof and Chapter 206, Section 2, Acts of the 58th General Assembly, the following rules and regulations pertaining to the Interstate Highway System are hereby adopted:

INTERSTATE HIGHWAY SYSTEM RULES AND REGULATIONS

1. Ingress and egress to the Interstate Highway System shall be by use of public road entrances and exits. No other ingress or egress shall be allowed to any person or vehicle to, from, or across the Interstate Highway right of way to or from abutting lands, except that with written approval of the Iowa State Highway Commission and the Federal Bureau of Public Roads access from abutting lands to the Interstate right of way may be made at those points needed to construct, service, and maintain necessary crossings for public utilities, drainage facilities and other public services.

2. No motor vehicles not used for necessary Interstate Highway maintenance shall be driven or stopped upon the nonsurfaced portions of the Interstate Highway System except as provided for by the regulations of the Iowa State Highway Commission.

3. No motor vehicle not used for necessary Interstate Highway maintenance shall be driven or stopped upon the surfaced shoulders of the Interstate Highway except for emergency reasons.

4. The use of Interstate Highway right of way by motor vehicles or pedestrians for the purpose of constructing or servicing utility facilities thereon is prohibited except that crossings for utility facilities may be constructed or serviced by its use in the following instances:

(a) Motor vehicles may use frontage roads thereon and the nonsurfaced portions of the right of way to construct and service necessary utility crossings of Interstate Highways provided they obtain ingress and egress thereto from other than the surfaced portions of the Interstate System and at such points and by such routes as may be specified by the Iowa State Highway Commission.

(b) In the event that it is impossible to reasonably construct and service necessary public service crossings with the motor vehicle movements herein allowed, additional use of the right of way may be allowed by permit issued by the Iowa State Highway Commission provided all reasonable provisions for the safety

of the general traveling public are incorporated therein.

(c) In disaster emergencies where such ingress or egress as outlined in 4(a) above is temporarily impossible, the surfaced area of the right of way may be used to approach the distressed lines or facilities and the surfaced shoulder may be used for temporary parking in such event provided all reasonable provisions for the safety of the general traveling public are made, including prior notification of the Iowa Highway Patrol and the Maintenance Department of the Iowa State Highway Commission.

5. No structure of any type or public utility facilities, which are not authorized by the Iowa State Highway Commission as a part of the highway design for the safety and convenience of the general traveling public using the Interstate Highway System, shall be constructed or placed thereon, except necessary public utility crossings as herein provided.

6. Designation of points of access, and routes therefrom and permits required hereunder shall be obtained by application to the Maintenance Department of the Iowa State Highway Commission at Ames, Iowa. Said application shall set forth the name of the applicant, the type of utility crossings involved, the exact location thereof, and such other information and specifications as may be required by said Maintenance Department in connection with such application.

(Filed September 1, 1959)

Pursuant to authority vested in the Iowa State Highway Commission by Chapter 306A, 1958 Code of Iowa, and specifically Section 306A.2, 306A.3, and 306A.4 thereof and Chapter 206, Section 2, Acts of the 58th General Assembly of Iowa, rules and regulations of Iowa State Highway Commission on file (August 4, 1959) in the Secretary of State Office of Des Moines, concerning the Interstate Highway System adopted July 29, 1959 consisting of six numbered divisions are hereby amended by adding to division No. 4 thereof an additional lettered section as follows:

4.(d) Where utility lines or facilities are so damaged as to constitute a danger to the life or property of the general traveling public, access to the same may be by the most expeditious route and where necessary in such event temporary parking on the surfaced Interstate shoulders will be permitted provided due care is exercised for the safety of the traveling public. Notice of such situation shall be given to the Iowa Highway Patrol and the Maintenance Department of the Iowa Highway Commission as soon as reasonably prudent under the circumstances.

BUREAU OF LABOR

(Filed July 15, 1959)

Pursuant to the powers vested in the Commissioner of Labor under Section 89.4, Chapter 89, 1958 Code of Iowa, I hereby adopt the following rules pertaining to boilers and vessels under steam pressure inspected and insured by insurance companies:

1. As of July 4, 1959 each certificate shall be issued for a period of one year and shall show an expiration date, and this expiration date shall remain the same as to day and month for this particular boiler or vessel as long as this boiler or vessel remains at the same location or is operated by the same owner or user. New installations are required to have a certificate of

inspection issued within thirty days from the date boiler or vessel is put into operation.

2. Internal inspection must be made within a sixty day period immediately prior to the expiration of the certificate.

3. Owner or user of boiler or vessel shall not be issued a notice or statement but must remit the required fee to the Bureau of Labor after inspection has been made and before the expiration date of their valid certificate. Drafts should be made payable to the Bureau of Labor.

4. Upon written request to the Bureau of Labor, showing an emergency exists, owner or user shall be granted a thirty day grace period beyond the expiration date of said certificate and during this grace period said owner or user shall not be considered by the Bureau of Labor to be in violation of Chapter 89, 1958 Code of Iowa.

5. Where owners or users have allowed cer-

tificates to become delinquent and boilers have not been in use for a period of ninety days or more, it will be necessary to establish new expiration date to correspond with the date that boiler has been reinspected and put into use.

6. Boilers or vessels inspected by insurance company inspectors that have been previously inspected by the State Boiler Inspector will be issued a certificate as of the date of inspection made by the insurance company.

7. Insurance companies shall notify the Bureau of Labor at the same time they notify owner or user of any cancellation of insurance on any boiler or pressure vessel.

8. When an insurance company insures a boiler or pressure vessel that has been previously insured by another company, the Bureau of Labor must be notified by the present underwriter within thirty days of the date that the company assumes the risk.

MERIT SYSTEM COUNCIL

(Filed December 17, 1959)

Pursuant to the personnel provisions of the State Department of Social Welfare, Section 234.6, the Employment Security Commission, Section 96.11, the State Department of Health, Sections 135.6, and 135.11, the State Services for Crippled Children, Section 263.9, and the Mental Health Authority, Chapter 353, Laws of the 52'd General Assembly of the State of Iowa, and the Standards for a Merit System of Personnel Administration issued by the Federal Social Security Board on November 1, 1939,

rules and regulations appearing at 1958 I.D.R., page 238, Article IV, Section 3, (d), paragraph 2 only, beginning after the first complete sentence, is deleted and the following substituted therefor:

"If his present salary falls within the range for his new class, and does not coincide with one of the steps of the new range, he shall be paid at the next higher rate. If his salary, following promotion, does not represent a one step of the range increase in the new class, he may be granted a regular one step advancement at the time of promotion."

PUBLIC SAFETY DEPARTMENT

(Filed October 23, 1959)

Pursuant to authority vested in this Department by Sections 321.4 and 321A.2, Code of Iowa, rules and regulations appearing at 1958 I.D.R. 370-372 (Safety Responsibility and Drivers License Division) are hereby rescinded.

DRIVERS' LICENSES

(Filed January 6, 1960)

Pursuant to the authority granted in Section 321.4, Code of Iowa, the following rules and regulations are promulgated as an interpretation of Section 321.189, Code of Iowa:

The usual signature of the licensee shall contain the surname as the last name appearing in the signature.

The full name appearing at the top of the license shall contain the Christian name in the first position and the surname in the last position.

All persons possessing a valid license who have a legal change in name shall immediately apply to the Department for a license to be issued in his or her new name.

No license shall be valid unless it bears the signature of the licensee in conformance to these rules and regulations.

BOARD OF REGENTS

(Filed September 15, 1959)

Be It Resolved by the Board of Regents that Rules and Regulations of the aforesaid Board be and are hereby amended by adding the following new rule:

All rules and regulations of the Board of Regents which refer to or by their terms applied to Iowa State College shall apply with like force and effect to Iowa State University of Science and Technology. All rules and regulations which refer to or by their terms applied to Divisions of Iowa State College are applicable to the several colleges of the Iowa State University of Science and Technology of like names as the aforesaid divisions.

(Filed October 28, 1959)

Pursuant to the authority conferred in section 262.9(3), Code of Iowa, Rules and Regulations appearing on page 13, January, 1959 Supplement to Iowa Departmental Rules, to wit: 7. College of Nursing and 8. College of Pharmacy; are rescinded effective September 1, 1960 and the following adopted in lieu thereof:

7. College of Nursing

Basic Program Leading to the Degree of Bachelor of Science in Nursing

Applicants must file with the application and official transcript a certified copy of the birth certificate. As the number of students that can be admitted is limited by laboratory and teaching facilities, the Admissions Committee will

select the applicants that appear to be best qualified for the profession of Nursing. Admission will be based upon academic achievement, performance in required examinations, the results of a required physical examination, and, if necessary, personal interviews.

All students finishing the Basic Nursing Program must have been registered in a school of nursing for at least three years, according to the statutes of Iowa.

Applicants for Nursing (Basic Degree Program) must present:

I. One year of college work in an accredited liberal arts college including satisfaction of the following minimum requirements:

A. Thirty semester hours of college level work (exclusive of credit in physical education).

1. Satisfaction of the Communication Skills requirements of the SUI College of Liberal Arts or equivalent work.

2. Satisfactory accomplishment in Mathematics Skills as required by the SUI College of Liberal Arts.

3. Two semester hours of physical education or transfer of one year in physical education activities.

4. Eight semester hours of credit in one Historical-Cultural core course or transfer of eight semester hours of equivalent courses.

5. Eight semester hours of credit in Chemistry for Nurses. Applicants from other institutions should complete only one semester of general inorganic chemistry and complete the second semester during the sophomore year at SUI.

6. Completion of three-semester-hour course Orientation to Nursing. Transfer students must arrange with College of Nursing for completion of this requirement.

7. Completion of three-semester-hour course introduction to Human Nutrition. Applicants from other institutions should complete this during the sophomore year at SUI if an equivalent course which includes one-quarter time in laboratory work is not available.

B. A grade point average of C plus (2.2) on all college work attempted.

II. Applicants are required to take the American College Testing Program tests.

III. Applicants for admission and required official transcripts must be filed before March 1 for the class to enter in September.

General Nursing Program for Registered Nurses

Admission is based upon professional credentials and references, pre-admission examinations, and personal interviews. All applicants must be registered nurses or must be eligible for licensure. A maximum of 45 semester hours of credit may be allowed for previous nursing education. As the number of applicants that can be accepted for this program is limited by laboratory and teaching facilities, the Admissions Committee will select the applicants presenting the best academic backgrounds for further work in nursing.

Practical Nursing Program

Applicants between the ages of 18 and 25 years are required to have completed a high school education or the equivalent. Applicants over 25 years of age must have completed a

tenth grade education. Admission is based upon high school records, required academic and physical examinations, and interviews. As the number of applicants that can be accepted for this program is limited, the Admissions Committee will select the applicants that appear to be the best qualified for work as practical nurses.

8. College of Pharmacy

General Basis for Admission

Fulfillment of the specific requirements for admission does not insure admission to the College of Pharmacy. From the applicants meeting the specific requirements, the Admissions Committee will select those applicants who in their judgment appear to be best qualified. Applicants for admission to Pharmacy should have graduated from an approved high school or have an equivalent amount of training.

College Work

The college work as outlined below will meet the minimum academic requirements for admission to the College of Pharmacy. The minimum should include 32 semester hours of college level work exclusive of credit in Military and Air Science and Physical Education. The 32 semester hours must include:

Communication Skills

Applicants must have demonstrated satisfactory achievement in Communication Skills according to the requirements of the College of Liberal Arts at the State University of Iowa. Applicants from other institutions may meet this requirement by presenting 6 semester hours of credit in English Composition and Rhetoric and 2 semester hours of credit in Speech or an 8-semester-hour year course in Communication Skills.

Inorganic Chemistry and Qualitative Analysis, 8 semester hours

College Mathematics, 8 semester hours

Physics or Zoology, 8 semester hours

Students from other institutions may substitute a comparable 8 semester hour course in Biology in lieu of Zoology

Military or Air Science (if available) 0-2 semester hours

Students who present minor deficiencies in meeting the above requirements may be admitted to the College of Pharmacy upon the recommendation of the Director of Admissions and the College of Pharmacy.

Scholarship and Application Deadline

To be considered for admission to the College of Pharmacy, students must have earned a 2.0 or C average on all collegiate work undertaken. The minimum grade point average of 2.0 is based on the State University of Iowa's marking system in which the grade of A is equivalent to four points. Applications for admission and the required official transcripts should be filed before March 1 for the class to enter Pharmacy in September.

Required Tests

Applicants for admission are required to take the American College Testing Program tests.

Current Requirements

Applicants who have completed work in a college of pharmacy accredited by the American Council on Pharmaceutical Education may if their college academic average is acceptable be admitted and granted advanced standing toward the degree of Bachelor of Science in Pharmacy.

DEPARTMENT OF SOCIAL WELFARE

A RULE RELATING TO THE PROGRAM FOR AID TO THE DISABLED

(Filed August 12, 1959)

The rules appearing in 1958, I.D.R., at Page 397 are hereby amended by adding at the end of column one, the following:

AID TO THE DISABLED (Chapter 9, Laws of the Fifty-Eighth General Assembly)

9.4 Disability

(a) Disability means a permanent total physical impairment of such severity that the disabled person requires assistance from another person in performing the normal activities of daily living.

(b) The determination of disability is the responsibility of the Medical Section of the State Department of Social Welfare. The physician in the Medical Section is a medical doctor employed on a part-time basis by the State Board. He is assisted by a social worker qualified by training and pertinent experience.

9.4 (2) Public Institution

(a) A medical institution is a public hospital, licensed by the State Department of Health for treatment for other than tuberculosis or mental diseases.

(b) A patient is one who is in a medical institution and is receiving planned medical care. A patient must have freedom of choice to enter and leave the medical institution, except that his choice of leaving may be limited by a requirement that medical care be completed before release.

(c) See Item 2 under "Exception", Section 249.6(5) (old-age assistance).

(d) A resident of a public institution, other than a prison, jail, State Mental Health Institute or any public reform or correctional institution, may make application for aid to the disabled. However, assistance shall not be approved until such time as the applicant has taken up residence outside the institution.

9.4 (4) Income and Resources

See a, b, c, Section 249.8 (old-age assistance).
See c, d, e, f, g, Section 241.3 (aid to the blind).

9.5 Amount of Assistance

(a) Need exists when an applicant lacks sufficient income and resources to meet his established requirements.

(b) The following consumption items, which are considered essential for all individuals, should be included as requirements in all assistance plans:

Group I (Personal and Household)	
Personal Allowances	Household Allowances
Food	Shelter
Clothing	Heating Fuel
Miscellaneous and Recreation	Lights
Personal Care and Supplies	Cooking Fuel
Health Allowance (OAA-AB)	Water
	Supplies and Replacements

Exception: Certain items mentioned above may not constitute a need in instances where the individual is in a nursing home, boarding home, or other congregate living arrangement.

Group II (Special Considerations)	
Continuous Specials	Temporary Specials
Telephone	Medical Appliances
Insurance	Special Examinations
Transportation	Dental
Education	Special Clothing
Board and Room	Needs, etc.
Nursing Care	
Restaurant Meals	
Laundry, etc.	

9.7 Applications

See a, Section 241.6 (aid to the blind).

9.8 Investigation

See a, Section 241.7 (aid to the blind).

See a, Section 241.12 (aid to the blind).

9.10 Appeals

See a, b, c, d, e, f, g, Section 249.11 (old-age assistance).

9.11 Guardian

(a) When an application is filed for a person under guardianship, the Application for Assistance, Form PA-1101-0, shall be signed by the guardian and assistance payments shall be made to such guardian. The original investigation and any subsequent reviews shall include an interview with the guardian.

9.13 Funeral Expense

(a) See a, Section 249.18 (old-age assistance).

(b) Payment by Relatives or Friends or from Estate of Deceased Recipient — Burial expenses hereunder may not exceed \$350.00 when paid from the estate of the deceased recipient or when relatives and friends of the deceased provide extraordinary expenses to supplement the usual burial expenses up to \$175.00 paid from the state old-age assistance fund.

Extraordinary expenses hereunder which may be paid by relatives, friends or the decedent's estate shall include:

1. Steel or concrete vault.
2. Oversize casket required because of the excess size or deformity of the body.
3. Transportation of the body for a distance of more than 20 miles from place of death.
4. Cremation of the body at the request of the decedent or relatives.
5. Services of a second funeral director in another community in connection with interment.

However, in computing the total burial expense limitation of \$350.00, such reasonable costs for burial lot, grave opening, clothing, transportation other than of the deceased, clergyman, music and a concrete burial box, when required by the cemetery, at the lowest cost available to meet the minimum requirements, may be paid by relatives and friends, or under arrangements previously paid for by the deceased prior to death, and same shall not be considered as usual or extraordinary expenses as hereinbefore set out.

Relatives and friends may be able to provide usual expenses for burial lot, grave opening and/or clothing in lieu of allowance of such expenses from the state old-age assistance funds. In such instance, the \$350.00 limitation on burial expenses applies only when the state pays a part of the basic burial expenses up to the amount of \$175.00 as hereinabove set out. Further, the \$350.00 limitation does not apply to such expenses as may have been paid prior to the death of the recipient provided same were disclosed to the State Welfare Department so that they might be properly considered in determining the deceased recipient's eligibility for assistance payments.

In the event any payment up to \$175.00 is allowed from the state assistance fund for usual burial expense, relatives, friends or the estate of the deceased may provide additional usual or

extraordinary expense up to a total amount of \$350.00 for burial of the deceased. This limitation includes the total funds expended, both by the state and by relatives, friends or the estate of the deceased and applies when the state has not provided any additional expense for burial lot, grave opening and/or clothing, but has provided any part or all of the usual burial expense.

In the event the deceased recipient may have assigned a life insurance policy or similar death benefit contract to the State Department in order to become or remain eligible for aid to the disabled payments from the state, such amounts payable thereunder up to \$350.00 as may be determined proper under the circumstances, may be released by the said State Department to apply toward the burial expense of such decedent.

TREASURER OF STATE

MOTOR VEHICLE FUEL TAX DIVISION

(Filed September 4, 1959)

Pursuant to authority vested in this office by Section 324.24, Code of Iowa, the following rules and regulations pertaining to special fuel are hereby adopted:

No diesel fuel shall be dispensed or delivered by an Iowa licensed special fuel dealer into the fuel supply tank of any motor vehicle, except through a State of Iowa sealed metered computing pump permanently installed at a licensed special fuel dealer's location.

(Filed December 8, 1959)

Pursuant to authority vested in this office by Section 324.58, Code of Iowa, the following rules and regulations pertaining to computing the tax due as required by the Interstate Motor Vehicle Fuel Use Law, State of Iowa are hereby adopted:

In compliance with Section 324.54 of the Iowa Motor Vehicle Fuel Tax Law (1958 Code of Iowa). A permittee has the privilege of entering or leaving this state with any amount of motor vehicle fuel. For that privilege the permittee must pay tax on all motor vehicle fuel purchased in this state, and shall pay tax on the amount consumed less the amount purchased in the month for which the report is made.

Each permittee shall file a report each month. If no travel takes place in Iowa write NONE after "Miles Traveled in Iowa".

The report must be filed with the Treasurer of State on or before the last day of the calendar

month following the month in which the fuel was imported into this state in the fuel tanks of motor vehicles. Add 10% penalty for late filing.

The operation for each month shall be separate. No credit for excessive motor vehicle fuel purchased in Iowa in one month shall be taken for any subsequent month.

The mileage shall be the actual miles traveled in Iowa and the tax shall be computed on the total amount of motor vehicle fuel consumed in this state during the month.

Each permittee must be prepared to prove by adequate records the correctness of the "Miles Traveled in Iowa" and the "Average Miles per Gallon" to the Field Auditors of this Division.

The tax shall be computed separately under each section on the total number of gallons of motor vehicle fuel consumed in the state of Iowa.

No allowance shall be made for fuel purchased in excess under one section to offset fuel purchased under the other section.

A permittee shall not deduct 20 gallons per trip.

Proof of motor vehicle fuel purchased in Iowa shall be in the form of original invoices of purchases. These invoices are not to be mailed to the state of Iowa, but are to be kept in the permit holder files except when requested.

When errors in computation result in an overpayment of taxes a credit memorandum in the amount of the overpayment will be issued and is to be used as credit on the next month's report. Credit memorandums not used within sixty days from date of issue will be cancelled.