

1 **SEC. 14. Publication clause.** This act is deemed of immediate im-
 2 portance and shall take effect from and after its publication in two (2)
 3 newspapers of this state as provided by law.

Approved March 26, A. D. 1925.

I hereby certify that the foregoing act was published in the Eldora Herald April 2,
 1925, and Des Moines Plain Talk April 2, 1925.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 119

CITIES AND TOWNS—ART GALLERIES

H. F. 42

AN ACT authorizing the establishment of municipal art galleries in cities having a population of fifty thousand (50,000) or more, including cities acting under special charter, providing for the appointment of a board of art trustees for the management of such art galleries, and fixing the duties, powers and responsibilities of such board.

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

1 **SECTION 1. Establishment authorized.** Cities having a population
 2 of fifty thousand (50,000) or more, including cities acting under spe-
 3 cial charter, may provide for the establishment and maintenance of a
 4 municipal art gallery which, under proper regulations, shall be open
 5 to the use of the public, and may purchase, erect, or rent buildings or
 6 rooms or use any available property belonging to such city, suitable
 7 for this purpose, and provide for the compensation of necessary em-
 8 ployees.

1 **SEC. 2. Board of trustees.** In any city in which a municipal art
 2 gallery has been established, there shall be a board of art trustees
 3 consisting of five, seven, or nine members to be appointed by the
 4 mayor, by and with the approval of the city council, which shall also
 5 establish by ordinance the number to be appointed.

1 **SEC. 3. Tenure.** Of such trustees so appointed on boards to con-
 2 sist of nine members, three shall hold office for two years, three for
 3 four years, and three for six years; on boards to consist of seven
 4 members, two shall hold office for two years, two for four years, and
 5 three for six years; and on boards to consist of five members, one
 6 shall hold office for two years, two for four years and two for six
 7 years, from the first day of July following their appointment in each
 8 case. At their first meeting they shall cast lots for their respective
 9 terms and report the result of such lot to the council. All subsequent
 10 appointments, whatever the size of the board, shall be for terms of
 11 six years each, except to fill vacancies.

1 **SEC. 4. Qualification.** Only bona fide citizens and residents of the
 2 city or town, male or female, over the age of twenty-one years, shall
 3 be eligible to membership.

1 **SEC. 5. Vacancy.** The removal of any trustee permanently from

2 the city, or his absence from six consecutive regular meetings of the
3 board, except in case of sickness or temporary absence from the city,
4 without due explanation of absence, shall render his office as trustee
5 vacant.

1 **SEC. 6. Mayor to appoint to fill vacancy.** Vacancies in the board
2 shall be filled by appointment by the mayor, by and with approval of
3 the city council, such appointees to fill out the unexpired term for
4 which the appointment is made.

1 **SEC. 7. Compensation.** Members of said board shall receive no
2 compensation for their services.

1 **SEC. 8. Use of art galleries.** In any such city where there is an
2 art institute or art school or other organization whose purpose is the
3 teaching of art or the promotion and development of public interest
4 in art, the board of trustees may make any contracts with such insti-
5 tutions for the special use of such art gallery or for the joint care of
6 same as may in any lawful manner be mutually agreed upon between
7 them; but no such city shall contribute any money for the support
8 of any such private institution and no officer or employee of such
9 private institution shall be a member of such board.

1 **SEC. 9. Powers of board.** Such board of art trustees shall have
2 and exercise the following powers:

3 1. To meet and organize by the election of one of their number
4 as president of the board, and by the election of a secretary and such
5 other officers and committees as the board may deem necessary.

6 2. To have charge, control and supervision of the public art gal-
7 lery, its works of art, appurtenances, fixtures and buildings or rooms
8 containing the same, directing and controlling all the affairs of such
9 art gallery.

10 3. To employ a director and such assistants and employees as may
11 be necessary for the management of said art gallery and fix their
12 compensation; but, prior to such employment, the compensation of
13 such supervisor, assistants and employees, shall be fixed for the term
14 of employment by a majority vote of such board of art trustees and
15 such compensation shall not be increased during such period of em-
16 ployment.

17 4. To remove such director, assistants or employees by a vote of
18 two-thirds of such boards for misdemeanor, incompetency or inatten-
19 tion to the duties of such employment.

20 5. To accept on behalf of the city, gifts or works of art; to select
21 and make purchases of pictures, portraits, paintings, statuary and
22 relics, and other objects of art, in the original and in replicas or copies,
23 books, periodicals, papers and journals on the subject of art, furniture,
24 fixtures, stationery, and supplies for such art gallery.

25 6. To receive, hold and dispose of all gifts, donations, devises and
26 bequests that may be made to the city for the purpose of establishing,
27 increasing, or improving such art gallery; but when any such gift,
28 donation, devise or bequest shall be conditioned upon any act of the
29 city, the city council must first determine whether such condition can
30 or shall be complied with.

31 7. To make and adopt, amend, modify, or repeal by-laws, rules,
32 regulations, not inconsistent with law, for the care, use, government,

33 and management of such art gallery and the business of said board,
34 fixing and enforcing penalties for the violation thereof.

35 8. To have exclusive control of the expenditures of all taxes levied
36 for the purposes, as provided by law, and of the expenditure of all
37 moneys available by gift, or otherwise for the erection of art buildings
38 or for the promotion of such art galleries and of all other money
39 belonging to the art gallery fund.

40 Said board shall keep a record of all of its proceedings.

1 **SEC. 10. Funds for maintenance.** The city council may appropriate
2 each year not to exceed five per cent (5%) of the general fund for the
3 purpose of maintaining and enlarging such art gallery and for defray-
4 ing the necessary expenses connected therewith, including the main-
5 tenance of the building in which such gallery is housed, water, light,
6 heat and power and the salary of the director and his assistants.

1 **SEC. 11. Separate funds.** All moneys received and set apart for
2 the maintenance of such art gallery shall be deposited in the treasury
3 of such city to the credit of the art gallery fund and shall be kept by
4 the treasurer separate and apart from all other moneys and paid out
5 upon the orders of the board of art trustees signed by its president.

1 **SEC. 12. Report.** Each year the board of art trustees shall make
2 to the council a report for the year ending December 31st, containing
3 a statement of the condition of the art gallery, the number of pictures,
4 portraits, paintings, statuary or relics contained in the gallery, and
5 all additions thereto, the amounts of fines collected, the amount of
6 donations, devises and bequests received during the year and the
7 amount of money expended in the maintenance of such art gallery,
8 together with such further information as may be deemed important.

1 **SEC. 13. Publication clause.** This act being deemed of immediate
2 importance shall be in full force and effect from and after its passage
3 and publication in the Des Moines Register at Des Moines, Iowa, and
4 in the Daily Times at Davenport, Iowa, without expense to the state.

Approved February 13, A. D. 1925.

I hereby certify that the foregoing act was published in the Des Moines Register
February 16, 1925, and in the Davenport Daily Times February 17, 1925.

W. C. RAMSAY, *Secretary of State.*

See chapter 128.