

CHAPTER 91

SCHOOLS AND SCHOOL DISTRICTS

S. F. 285

AN ACT to amend section forty-two hundred sixty-eight (4268) of the code, 1924, relating to school age.

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

- 1 Section forty-two hundred sixty-eight (4268) of the code is hereby
- 2 amended by striking the period (.) after the word "age" in line
- 3 three and adding thereto the following:
- 4 "provided, however, that a board may establish and maintain eve-
- 5 ning schools for all residents of the corporation regardless of age and
- 6 for which no tuition need be charged."

Approved April 14, A. D. 1927.

CHAPTER 92

PUBLIC FUND DEPOSITS

H. F. 42

AN ACT to amend sections forty-three hundred nineteen (4319) and seventy-four hundred four (7404) of the code, and chapter one hundred seventy-three (173), acts forty-first (41) general assembly as amended by chapter one hundred seventy-four (174), acts forty-first (41) general assembly, relating to the state sinking fund for public deposits, to provide the applicability of said statutes to special charter cities, to provide for the issuance, sale, and application by the treasurer of state of warrants of indebtedness in order temporarily to replace said fund when depleted, to provide the form and amounts of said warrants, to specify the particular and exclusive funds which shall be applied in the payment of said warrants.

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

Chapter one hundred seventy-three (173), acts forty-first (41) general assembly, as amended by chapter one hundred seventy-four (174), acts forty-first (41) general assembly, is further amended by adding thereto the following, to wit:

- 1 SECTION 1. Anticipatory warrants. Whenever duly allowed and
- 2 and certified claims are on file with the treasurer of state to the
- 3 amount of fifty thousand dollars (\$50,000) or more, and the state
- 4 sinking fund for public deposits contains insufficient funds for the
- 5 immediate payment of said claims, the treasurer of state shall issue
- 6 anticipatory warrants for the purpose of raising funds for the im-
- 7 mediate payment of said claims, but said warrants, outstanding and
- 8 unpaid, shall not exceed at any one time the sum of three million
- 9 five hundred thousand dollars (\$3,500,000).

- 1 SEC. 2. Interest. Said warrants shall bear interest from date at

2 a rate not to exceed five per cent (5%), which interest shall be pay-
3 able at the end of each year, or for such shorter period as said war-
4 rants may remain unpaid.

1 **SEC. 3. Form of warrants.** Said warrants shall, subject to the
2 foregoing limitations, be issued in such individual and gross amounts
3 and in such form and at such rate of interest as the executive council
4 shall approve.

5 Each certificate or warrant issued under the provisions of this act
6 shall have printed on the face thereof the words: "This warrant is
7 an obligation of the state sinking fund for public deposits only".

1 **SEC. 4. Sale and negotiation.** Said warrants shall be sold by the
2 treasurer of state at a price not less than par plus accrued interest.
3 Preference shall be given in the sale of said warrants to individuals
4 residing in Iowa, corporations organized under the laws of this state,
5 and resident partnerships, who may file an application with the
6 treasurer of state for an allotment of a definite amount of said war-
7 rants. The treasurer of state shall then apportion to the several
8 applicants therefor such an amount of warrants as he may see fit,
9 provided that no allotment shall be made in an amount less than two
10 thousand dollars (\$2000.00).

1 **SEC. 5. Record of sales.** Said treasurer shall make and retain in
2 his office a complete record of all warrants sold to each purchaser
3 and of the postoffice address of such purchaser.

1 **SEC. 6. Change in addresses.** Purchasers of warrants may at any
2 time notify said treasurer of their postoffice addresses, or of any
3 change in said addresses, and of the warrants owned or held by them,
4 and said treasurer shall change his sale record accordingly.

1 **SEC. 7. Payment.** Said warrants and all interest thereon shall be
2 payable by the treasurer of state solely from the funds paid into said
3 state sinking fund for public deposits, and said funds are hereby
4 exclusively and irrevocably pledged to such payment in the con-
5 secutive order in which said warrants are issued.

1 **SEC. 8. Application of funds.** All funds which are derived from
2 the sale of said warrants shall be applied exclusively to the payment
3 of the allowed and certified claims on account of which such war-
4 rants were issued.

1 **SEC. 9. Termination of interest.** After the sale of any series of
2 warrants, the treasurer of state shall, at least by the twentieth (20th)
3 day of each month thereafter, if he has funds in the state sinking
4 fund for public deposits sufficient to pay one or more of said out-
5 standing warrants, mail to the purchaser or holder of said warrant
6 or warrants at his postoffice address as shown by the record of sale,
7 a notice that said warrant or warrants will be paid on presentation
8 and that interest thereon will cease after the expiration of ten (10)
9 days from the mailing of said notice. Upon the expiration of ten
10 (10) days from the mailing of said notice interest shall cease on
11 said warrant or warrants.

1 SEC. 10. **Applicability.** The nine (9) preceding sections shall
2 apply to all unpaid claims allowed and certified either before or after
3 said sections take effect.

1 SEC. 11. **Sinking fund for public deposits.** Chapter one hundred
2 seventy-three (173), acts forty-first (41) general assembly, as
3 amended by chapter one hundred seventy-four (174), acts forty-first
4 (41) general assembly, and by this act, shall be applicable to cities
5 acting under special charters.

1 SEC. 12. **Investment of sinking fund.** The governing council or
2 board who by law are authorized to direct the depositing of funds
3 shall be authorized to direct the treasurer to invest any fund not an
4 active fund needed for current use and which is being accumulated
5 as a sinking fund for a definite purpose, the interest of which is
6 used for the same purpose, in the certificates provided by this act,
7 or in United States government bonds, or in local certificates or war-
8 rants issued by any municipality or school district within the county,
9 or in municipal bonds which constitute a general liability, and the
10 treasurer when so directed shall so invest such fund.

1 SEC. 13. Section forty-three hundred nineteen (4319) of the code,
2 1924, as amended by the forty-first (41) general assembly, is hereby
3 amended by striking from lines four (4) and five (5) the words "in
4 the state" and inserting in lieu thereof the words "within the county
5 or within five (5) miles of its border within the state of Iowa".

1 SEC. 14. Section seventy-four hundred four (7404) of the code,
2 1924, is hereby amended by striking from line six (6) the word
3 "state" and inserting in lieu thereof the words "county or an ad-
4 joining county within the state of Iowa".

1 SEC. 15. Amend section five (5) of chapter one hundred seventy-
2 three (173) of the acts of the forty-first (41) general assembly, by
3 adding at the end thereof the following:

4 However, no suit shall be maintained upon any such bond if the
5 money was legally deposited by authority of the governing council
6 or board, and no premium has been paid for the bond.

7 No council or board which is by law charged with the duty of
8 selecting depository banks and fixing the limit of funds to be de-
9 posited therein, shall increase the limit for the depositing of such
10 public funds, except with the approval of the treasurer of state.

1 SEC. 16. **Publication clause.** This act is deemed of immediate
2 importance and shall take effect from and after its publication in
3 two (2) newspapers of this state as provided by law.

Approved April 14, A. D. 1927.

I hereby certify that the foregoing act was published in the Des Moines Daily Record
April 16, 1927, and the Muscatine Journal April 15, 1927.

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