

State of Iowa
1947

ACTS AND JOINT RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

Fifty-second General Assembly

OF THE

STATE OF IOWA



WAYNE A. FAUPEL
CODE EDITOR—ACTING

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CERTIFICATE

STATE OF IOWA
Office of Code Editor

I, Wayne A. Faupel, acting Editor of the Code of Iowa, do hereby certify that the acts, laws and joint resolutions and the certificates by the Secretary of State of the publication or filing thereof contained in this volume have been prepared from the original enrolled acts on file in the office of the Secretary of State and are correct copies of said acts and are published under the authority of the statutes of this state and constitute the acts, laws and joint resolutions of the Fifty-second General Assembly of the State of Iowa.



June, 1947.

Section 622.59 of the 1946 Code of Iowa is as follows:

“Printed copies of the statute laws of this or any other of the United States, or of congress, or of any foreign government, purporting or proved to have been published under the authority thereof, or proved to be commonly admitted as evidence of the existing laws in the courts of such state or government, shall be admitted in the courts of this state as presumptive evidence of such laws.”

EDITOR'S NOTE

The Acts and Resolutions of the Fifty-second General Assembly have been printed in this book exactly as they appear on file in the office of the Secretary of State. No attempt has been made to correct misspelled words or errors in punctuation, if any.

The user may be assured that the laws as reproduced herein are exact copies of the enrolled bills.

Proper editorial changes in spelling and arrangement of subjects, without altering the meaning, will appear in the final embodiment of these Acts in the Code of Iowa.

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STATE OFFICERS

STATE ROSTER

List of state officers, judges of the supreme, district, superior and municipal courts, members of the general assembly, and other state officers, commissions, boards and appointive officers of the state of Iowa, prepared and furnished by the Honorable Rollo H. Bergeson, Secretary of State, for insertion in the published volume of Session Laws for the Fifty-second General Assembly in accordance with the requirements of Code Section 14.10(3), 1946 Code of Iowa.

OFFICERS, COMMISSIONS, AND BOARDS (Complete to time of publication)

ELECTIVE OFFICERS

Name and Office	County from which originally chosen
GOVERNOR	
Robert D. Blue.....	Wright
R. E. Hill, Secretary.....	Jones
LIEUTENANT GOVERNOR	
Kenneth A. Evans.....	Mills
SECRETARY OF STATE	
Rollo H. Bergeson.....	Woodbury
Richard N. Mason, Deputy.....	Story
AUDITOR OF STATE	
Chet B. Akers.....	Wapello
Frank M. Hanson, Deputy.....	Linn
TREASURER OF STATE	
J. M. Grimes.....	Clarke
Charles H. Barber, Deputy.....	Cerro Gordo
SECRETARY OF AGRICULTURE	
Harry D. Linn.....	Polk
Clyde Spry, Deputy.....	Woodbury
ATTORNEY GENERAL	
John M. Rankin.....	Lee
James A. Lucas, First Assistant.....	Taylor
Robert L. Larson, Assistant.....	Johnson
Oscar Strauss, Assistant.....	Polk
Charles H. Scholz, Assistant.....	Chickasaw
Don Hise, Special Assistant.....	Story
T. S. Herrick, Special Assistant.....	Humboldt
Henry W. Wormley, Special Assistant.....	Plymouth
Oscar H. Rock, Special Assistant.....	Pottawattamie
SUPERINTENDENT OF PUBLIC INSTRUCTION	
Jessie M. Parker.....	Winnebago
J. P. Street, Deputy.....	Cass
COMMERCE COMMISSION	
David B. Long, Chairman.....	Polk
Carl W. Reed.....	Howard
B. M. Richardson.....	Linn
George L. McCaughan, Secretary.....	Polk
Ernest Porter, Commerce Counsel.....	Polk

STATE OFFICERS—Continued

APPOINTIVE OFFICERS

Name and Office	County from which originally chosen
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ACCOUNTANCY BOARD

Sidney G. Winter, Chairman.....	Johnson
Louis J. Muehle, Secretary.....	Polk
E. L. Stover.....	Black Hawk

ADJUTANT GENERAL

Brig. Gen. Charles H. Grahl.....	Polk
Col. Ralph A. Lancaster, Assistant.....	Scott

AERONAUTICS COMMISSION

Guy C. Richardson, Chairman.....	Greene
Harry E. Lisk, Vice-Chairman.....	Buchanan
J. "Cy" Rapp.....	Page
Robert G. Starrett.....	Clay

ARCHITECTURAL EXAMINERS

H. W. Hartupee, President.....	Polk
Charles Altfillisch, Vice-President.....	Winneshiek
William L. Perkins, Secretary.....	Lucas
Karl M. Waggoner.....	Cerro Gordo
Arthur H. Ebeling.....	Scott

BANKING SUPERINTENDENT

N. P. Black.....	Dallas
H. R. Jackson, Deputy.....	Polk

BANKING BOARD

N. P. Black.....	Dallas
A. T. Donhowe.....	Polk
W. R. Remien.....	Cass
Ray A. Nold.....	Lyon
John T. Baylor.....	Keokuk

BLIND, COMMISSION FOR

Leslie M. Hayes, President.....	Benton
C. E. Laustrup.....	Pottawattamie
Mrs. George Kraetsch.....	Polk
Mrs. Ethel Towne Holmes, Director.....	Polk

CODE EDITOR

Wayne A. Faupel, Acting Code Editor.....	Cerro Gordo
--	-------------

COMPTROLLER

C. Fred Porter.....	Polk
H. E. Croft, Assistant.....	Story
G. D. Sarsfield, Assistant.....	Clay

CONSERVATION COMMISSION

F. W. Mattes, Chairman.....	Sac
E. B. Gaunitz.....	Allamakee
Mrs. Addison Parker.....	Polk
F. J. Poyneer.....	Linn
E. G. Trost.....	Webster
Arthur C. Gingerich (July 1, 1947).....	Washington
Guy Young (July 1, 1947).....	Taylor
G. L. Ziemer, Director.....	Polk

STATE OFFICERS—Continued

Name and Office	County from which originally chosen
CONTROL BOARD	
P. F. Hopkins, Chairman (July 1, 1947)	Cerro Gordo
E. W. Carlsen	Clayton
Herbert H. Hauge	Polk
Warren L. Huebner, Secretary	Polk
COURT REPORTERS EXAMINERS	
Allan A. Herrick, Chairman	Polk
R. C. Turner, Secretary	Woodbury
Gordon L. Elliott	Polk
CUSTODIAN	
Fred Willis, Acting	Polk
EDUCATIONAL EXAMINERS	
Jessie M. Parker, President	Winnebago
Malcolm Price	Black Hawk
Earl Roadman	Woodbury
Chas. H. Tye	Sioux
Jack Logan	Black Hawk
Wayland W. Osborn, Executive Secretary	Marion
Esther Tronstrom, Assistant Director	Polk
EDUCATION, STATE BOARD	
Henry C. Shull, President	Woodbury
Mrs. George L. Kyseth	Wright
W. S. Rupe	Story
Halstead M. Carpenter	Jones
W. Earl Hall	Cerro Gordo
Lester S. Gillette	Clay
Richard H. Plock	Lee
Mrs. H. C. Houghton, Jr.	Montgomery
Roy Loudon	Jefferson
Finance Committee	
W. R. Boyd	Linn
W. G. Noth	Scott
David A. Dancer, Secretary of State Board of Education and Finance Committee	Decatur
EMPLOYMENT SECURITY COMMISSION	
Carl B. Stiger, Chairman	Tama
Joseph R. Pefferle	Polk
Claude M. Stanley	Adams
Robert O. Wynne, Secretary	Polk
ENGINEERING EXAMINERS	
Howard R. Green, Chairman	Linn
L. M. Martin, Vice-Chairman	Pottawattamie
J. S. Dodds	Story
Cecil E. Ewen	Scott
Maurice C. Miller	Polk
Henry Wichman, Secretary	Poweshiek
EXECUTIVE COUNCIL	
Robert D. Blue	Wright
Rollo H. Bergeson	Woodbury
Chet B. Akers	Wapello
J. M. Grimes	Clarke
Harry D. Linn	Polk
Henry Wichman, Secretary	Poweshiek

STATE OFFICERS—Continued

Name and Office	County from which originally chosen
FAIR BOARD	
Ex-officio Members:	
Robert D. Blue, Governor.....	Wright
Harry D. Linn, Secretary of Agriculture.....	Polk
C. E. Friley, President of Iowa State College.....	Story
Elective Members:	
J. P. Mullen, President.....	Pocahontas
W. J. Campbell, Vice-President.....	Buchanan
L. B. Cunningham, Secretary.....	Polk
N. W. McBeath, Treasurer.....	Polk
GEOLOGIST	
Arthur C. Trowbridge.....	Johnson
HEALTH DEPARTMENT	
Walter L. Bierring, M.D., Commissioner.....	Polk
Ex-officio Members	
Robert D. Blue.....	Wright
Rollo H. Bergeson.....	Woodbury
Chet B. Akers.....	Wapello
J. M. Grimes.....	Clarke
Harry D. Linn.....	Polk
Appointive Members	
E. M. Myers, M.D.....	Boone
H. E. Stroy, M.D.....	Clarke
Prince E. Sawyer, M.D.....	Woodbury
I. N. Crow, M.D.....	Jefferson
Fred Sternagel, M.D.....	Polk
Barbers Examiners	
T. F. Thompson.....	Linn
Lew W. Skinner.....	Pottawattamie
L. D. Hamilton.....	Woodbury
W. B. Wilson, Director.....	Polk
Basic Science Examiners	
H. Earl Rath, Chairman.....	Black Hawk
Ben H. Peterson, Secretary.....	Linn
Joseph H. Bodine.....	Johnson
Frederic F. Smith.....	Buena Vista
Frank G. Brooks.....	Linn
Ulrich A. Hauber.....	Scott
Chiropractic Examiners	
R. L. Sheeler, D.C.....	Pottawattamie
C. B. Kerr, D.C.....	Story
R. G. Schwendeman, D.C.....	Webster
Cosmetology Examiners	
Inga Jepson, Chairman.....	Clinton
Pearl Ambrose.....	Black Hawk
Mae Davenport.....	Carroll
Gladys Swanson, Executive Secretary.....	Polk
Dental Examiners	
Robert C. Norman, D.D.S., Chairman.....	Guthrie
Harry G. Bolks, D.D.S., Secretary.....	Woodbury
C. Herman Stewart, D.D.S.....	Fremont
John D. Hemingway, D.D.S.....	Bremer
Henry M. Willits, D.D.S.....	Dubuque

STATE OFFICERS—Continued

Name and Office	County from which originally chosen
<i>Embalmer Examiners</i>	
Paul L. McAuley, L.E., Chairman.....	Cerro Gordo
Frank J. Monohan.....	Linn
Carl E. Johnson.....	Wapello
<i>Medical Examiners</i>	
Aldis A. Johnson, M.D., Chairman.....	Pottawattamie
Arthur D. Woods, M.D., Secretary.....	Marshall
M. A. Royal, M.D.....	Polk
<i>Optometry Examiners</i>	
Alfred J. Meyer, Chairman.....	Scott
John J. Brady, Secretary.....	O'Brien
Henry W. Knutson.....	Cerro Gordo
<i>Osteopathic Examiners</i>	
W. S. Edmund, D.O.....	Montgomery
Marvin E. Green, D.O.....	Woodbury
Harold D. Meyer, D.O.....	Kossuth
<i>Podiatry Examiners</i>	
C. H. Findley, Chairman.....	Scott
Cecil L. Moon.....	Black Hawk
Harold J. Jones.....	Polk
HIGHWAY COMMISSION	
F. B. Gilbert, Chairman.....	Marshall
Sanford Zeigler, Vice-Chairman.....	Jefferson
H. J. Ahlers.....	Plymouth
S. Ray Emerson.....	Union
John J. Swaner.....	Johnson
Fred R. White, Chief Engineer.....	Story
HISTORY AND ARCHIVES DEPARTMENT	
Emory English, Acting Curator.....	Polk
INDUSTRIAL COMMISSIONER	
E. P. Corwin.....	Muscatine
Ralph Young, First Deputy.....	Polk
C. H. Greenley, Second Deputy.....	Polk
INSURANCE COMMISSIONER	
Sterling Alexander.....	Hamilton
IOWA DEVELOPMENT COMMISSION	
No legislative members have been appointed by the Governor	
Other Members	
Seth Barker.....	Wapello
Harlan W. Girton.....	Cerro Gordo
Kenneth Lindsay.....	Linn
Malcom Lomas.....	Montgomery
G. L. Weissenburger.....	Lee
William Yungclass.....	Hamilton
LABOR COMMISSIONER	
Charles W. Harness.....	Wapello

STATE OFFICERS—Continued

Name and Office	County from which originally chosen
LAW EXAMINERS	
John M. Rankin, Chairman.....	Lee
H. G. Cartwright.....	Marshall
Wilson W. Cornwall.....	Clay
R. E. Hatter.....	Iowa
Edward P. Donohue.....	Muscatine
L. W. Powers.....	Crawford
TRUSTEES OF HISTORY AND ARCHIVES AND STATE LIBRARY	
Robert D. Blue.....	Wright
T. G. Garfield.....	Story
Jessie M. Parker.....	Winnebago
LIBRARIANS	
<i>Law Librarian</i>	
Geraldine Dunham, Acting Law Librarian.....	Polk
<i>Medical Library, Librarian</i>	
Dr. Jeannette Dean Throckmorton.....	Polk
<i>Traveling Library, Librarian</i>	
Blanche A. Smith.....	Warren
LIQUOR CONTROL COMMISSION	
Dick R. Lane, Chairman.....	Scott
R. F. Swift.....	Shelby
George L. Scott.....	Fayette
W. B. Blake, Secretary.....	Fayette
MINE INSPECTORS	
E. A. Farnsworth.....	Appanoose
A. Everette Erskine.....	Wapello
J. E. Jeffreys.....	Polk
Geo. Duckworth, Secretary.....	Appanoose
MINE INSPECTORS, BOARD OF EXAMINERS	
William Anderson, President.....	Monroe
James M. Smith, Secretary.....	Monroe
J. R. Hamm.....	Appanoose
William Jervis.....	Polk
Joseph Johnson.....	Polk
NURSE EXAMINERS	
Mother M. Maura, Chairman.....	Linn
Dorothy Freriks, Vice-Chairman.....	Cherokee
Adelaide Beers.....	Des Moines
Ruth Eggers.....	Scott
Sister M. Stella.....	Pottawattamie
Vera M. Sage, Secretary.....	Polk
PAROLE BOARD	
Virginia Bedell, Chairman.....	Dickinson
W. E. Jackson.....	Des Moines
C. E. Godfrey.....	Monroe
Sam D. Woods, Secretary.....	Polk
PHARMACY EXAMINERS	
Geo. W. Gillman, Chairman.....	Webster
L. R. Henderson.....	Louisa
Paul J. Jepson.....	Jasper
J. F. Rabe, Secretary.....	Cass

STATE OFFICERS—Continued

Name and Office	County from which originally chosen
PRINTING BOARD	
C. B. Akers, Chairman.....	Wapello
Rollo H. Bergeson.....	Woodbury
John M. Rankin.....	Lee
Walter Sharp.....	Des Moines
Maurice Crabbe.....	Wright
PRINTING SUPERINTENDENT	
S. W. Needham.....	Story
C. L. Bredt, Assistant.....	Franklin
PUBLIC SAFETY DEPARTMENT	
Alfred W. Kahl, Commissioner.....	Pottawattamie
R. W. Nebergall, Chief, Bureau of Criminal Investigation.....	Story
S. N. Jespersen, Chief, State Highway Safety Patrol.....	Polk
John R. Strohm, State Fire Marshal.....	Clinton
G. H. Hesse, Superintendent, Motor Vehicle Registration.....	O'Brien
Clarence Shirer, Superintendent, Operators' and Chauffeurs' License Division.....	Butler
Dan J. Steele, Director Safety Education Division.....	Linn
C. J. Nord, Chief Engineer, Radio Communication Division.....	Cass
REAL ESTATE COMMISSION	
Rollo H. Bergeson, Chairman.....	Woodbury
Alfred Dement.....	Cass
Reuben R. Hargrove.....	Davis
Hal H. Lang.....	Woodbury
Wayne S. Raymond.....	Black Hawk
Earl A. Hart, Director.....	Pottawattamie
REPORTER OF SUPREME COURT	
Viola Bartlett, Deputy Reporter.....	Webster
SOCIAL WELFARE BOARD	
H. S. Love, Chairman.....	Adair
Mrs. Mary E. Huncke.....	Polk
H. C. Beard.....	Ringgold
E. C. Gessell, Secretary.....	Woodbury
TAX COMMISSION	
D. L. Murrow.....	Wayne
H. A. Grantham.....	Clinton
George E. Gill.....	Osceola
Elsie L. Dachroth, Secretary.....	Polk
VOCATIONAL EDUCATION AND REHABILITATION	
Jessie M. Parker, Chairman.....	Winnebago
Charles W. Harness.....	Wapello
Henry C. Shull.....	Woodbury
L. H. Wood, Vocational Education Director.....	Woodbury
Willis W. Grant, Vocational Rehabilitation Director.....	Polk
WATCHMAKING EXAMINERS	
E. L. Berner, Chairman.....	Webster
Paul Price, Secretary.....	Buena Vista
P. Berglund.....	Woodbury
E. M. Miller.....	Floyd
Ben Grismore.....	Wayne

JUDICIAL DEPARTMENT

JUDICIAL DEPARTMENT
JUDGES OF THE SUPREME COURT

Wm. L. Bliss.....	Mason City
Theodore G. Garfield.....	Ames
Oscar Hale.....	Wapello
Norman R. Hays.....	Knoxville
H. J. Mantz.....	Audubon
John E. Mulroney.....	Fort Dodge
Ralph A. Oliver.....	Sioux City
W. A. Smith.....	Dubuque
C. F. Wennerstrum.....	Chariton
Chas. W. Barlow, Clerk.....	Mason City

JUDGES OF THE DISTRICT COURT

First Judicial District	
James S. Burrows.....Keokuk	J. R. Leary.....Fort Madison
Second Judicial District	
Elmer K. Daugherty.....Ottumwa	Edward L. Simmons.....Centerville
Harold V. Levis.....Chariton	Heinrich C. Taylor.....Bloomfield
Third Judicial District	
Geo. A. Johnston.....Creston	T. W. Miles.....Corydon
Charles J. Lewis.....Mount Ayr	
Fourth Judicial District	
D. C. Browning.....Sioux City	George W. Prichard.....Onawa
L. B. Forsling.....Anthon	Ralph C. Prichard.....Sioux City
Fifth Judicial District	
Marion G. Kellam.....Greenfield	Earl W. Vincent.....Guthrie Center
S. E. Prall.....Indianola	
Sixth Judicial District	
Frank Bechly.....Montezuma	R. G. Yoder.....Sigourney
J. G. Patterson.....Oskaloosa	
Seventh Judicial District	
George Claussen.....Clinton	Wm. W. Scott.....Davenport
W. L. Keck.....Maquoketa	C. R. Stafford.....Muscatine
Glenn D. Kelly.....Davenport	
Eighth Judicial District	
Harold D. Evans.....Iowa City	James P. Gaffney.....Marengo
Ninth Judicial District	
O. S. Franklin.....Des Moines	Jos. E. Meyer.....Des Moines
Russell Jordan.....Des Moines	C. Edwin Moore.....Des Moines
Loy Ladd.....Des Moines	Tom K. Murrow.....Des Moines
Tenth Judicial District	
Shannon B. Charlton.....Manchester	Ralph W. Hasner.....Waterloo
William T. Evans.....Waterloo	
Eleventh Judicial District	
Sherwood A. Clock.....Hampton	John M. Schaupp.....Fort Dodge
H. E. Fry.....Boone	G. R. Hill.....Clarion
Twelfth Judicial District	
T. A. Beardmore.....Charles City	William P. Butler.....Mason City
Tom Boynton.....Forest City	M. H. Kepler.....Northwood

JUDICIAL DEPARTMENT—Continued

Thirteenth Judicial District			
W. H. Antes.....	West Union	G. B. Richter.....	Waukon
T. H. Goheen.....	Calmar		
Fourteenth Judicial District			
Fred M. Hudson.....	Pocahontas	Harry E. Narey.....	Spirit Lake
G. W. Stillman.....	Algona		
Fifteenth Judicial District			
Harold E. Davidson.....	Clarinda	John A. Murray.....	Logan
Vernon Johnson.....	Sidney	Chas. Roe.....	Council Bluffs
R. Kent Martin.....	Atlantic		
Sixteenth Judicial District			
F. H. Cooney.....	Carroll	Bruce M. Snell.....	Ida Grove
R. L. McCord.....	Sac City		
Seventeenth Judicial District			
B. O. Tankersley.....	Marshalltown	B. F. Thomas.....	Traer
Eighteenth Judicial District			
M. C. Hamiel.....	Tipton	Floyd Philbrick.....	Cedar Rapids
J. E. Heiserman.....	Anamcsa	G. K. Thompson.....	Cedar Rapids
Nineteenth Judicial District			
John G. Chalmers.....	Dubuque	Milton J. Glenn.....	Dubuque
Twentieth Judicial District			
Paul H. McCoid.....	Mount Pleasant	E. O. Newell.....	Burlington
Twenty-first Judicial District			
R. G. Rodman.....	Cherokee	M. D. Van Oosterhout.....	Orange City
O. S. Thomas.....	Rock Rapids		

JUDGES OF THE MUNICIPAL AND SUPERIOR COURTS

Municipal Courts

JUDGES	ADDRESS	CLERKS	REPORTERS
John Y. Luke.....	Ames.....	Loyall E. Thomas.....	Irene Sogard
W. A. McCullough.....	Clinton.....	Albert J. Meyer.....	
Allan Ardell.....	Council Bluffs.....	Lucille M. Madden.....	Kathryne A. Miller Ehelda R. Level
John P. Tinley.....	Council Bluffs.....	Lucille M. Madden.....	
Don G. Allen.....	Des Moines.....	Walter R. Priebe.....	
Chas. S. Cooter.....	Des Moines.....	Walter R. Priebe.....	
Ralph D. Moore.....	Des Moines.....	Walter R. Priebe.....	Minnie E. Grimm Richard F. Tedrow Joseph V. Hamilton
Harry B. Grund.....	Des Moines.....	Walter R. Priebe.....	
Ray P. Scott.....	Marshalltown.....	Etta Northup.....	
Berry J. Sisk.....	Sioux City.....	Harry E. Harbeck.....	
George M. Paradise.....	Sioux City.....	Harry E. Harbeck.....	
Geo. J. Sager.....	Waterloo.....	E. W. Koepke.....	
Ben. G. Howrey.....	Waterloo.....	E. W. Koepke.....	

Superior Courts

JUDGES	ADDRESS	CLERKS	REPORTERS
Harry S. Johnson.....	Cedar Rapids.....	Maude M. Krebs.....	Florence Lawther Kenneth A. Brown
J. A. Concannon.....	Keokuk.....	H. J. Finders..... J. A. Concannon.....	

GENERAL ASSEMBLY
SENATORS IN GENERAL ASSEMBLY

NAME	Address	Age	Occupation	Dist	Counties Composing District	Former Legislative Service
*Augustine, A. E. (Earl)	Oskaloosa	56	Farmer, Broker	14	Mahaska	46X 47 48 49 50 50X 51
*Barkley, J. R.	Moulton	77	Attorney	3	Appanoose, Davis	51
Bateson, R. R.	Eldora	49	Attorney	37	Hamilton, Hardin, Wright	
Bekman, E. K.	Ottumwa	46	Attorney	13	Wapello	48 49 50 50X 51
Benson, Ralph E.	Jefferson	39	Implements, Farming	48	Carroll, Greene, Sac	48 49 50 50X 51
Berg, John P.	Cedar Falls	58	Retail Merchant	38	Black Hawk, Grundy	46 46X 47 48 49 50 50X 51
*Byers, Frank C.	Cedar Rapids	63	Attorney	26	Linn	43 44 45 45X 46 46X 47 48 49 50 50X 51
*Clem, A. D.	Sioux City	49	Attorney	32	Woodbury	50 50X 51
Colburn, Jay C.	Harlan	53	Farmer	18	Cass, Shelby	49 50 50X 51
*Dewel, Duane E.	Algona	45	Newspaperman	49	Emmet, Kossuth, Palo Alto	51
*Doud, Alden L.	Douds	49	Attorney	2	Jefferson, Van Buren	50 50X 51
*Dykhouse, J. T.	Rock Rapids	57	Real Estate & Insurance	24	Lyon, Osceola, Sioux	47 48 49 50 50X 51
*Elthon, Leo	Fertile	48	Contractor & Farming	41	Mitchell, Winnebago, Worth	45 45X 46 46X 47 48 49 50 50X 51
Faul, George	Des Moines	48	Attorney	30	Polk	48 49 50 50X 51
*Findlay, C. V.	Fort Dodge	80	Former Mayor	27	Calhoun, Webster	37 38 38X 49 50 50X 51
Fishbaugh, Jr., Earl C.	Shenandoah	37	Attorney	7	Fremont, Page	46 46X 47 48 49 50 50X
Foster, Harlan C.	Mount Pleasant	60	Farmer	10	Henry, Washington	47 48 49 50 50X 51
Hart, Stanley L.	Keokuk	50	Cooperage Manufacturer	1	Lee	47 48 49 50 50X 51
*Hawkins, R. B.	Leon	61	Attorney	5	Decatur, Ringgold, Union	50 50X 51
Henningsen, O. H.	Clinton	63	Realtor and Insurance	22	Clinton	48 49 50 50X 51
*Hultman, O. N.	Stanton	59	Lumberman	8	Mills, Montgomery	45 45X 46 46X 47 48 51
*Jacobson, Arthur H.	Waukon	36	Attorney	40	Allamakee, Fayette	51
*Jones, Floyd	Osceola	47	Cafe Owner and Farmer	11	Clarke, Warren	49 50 50X 51
*Keir, Robert	Spencer	41	Farmer	47	Clay, Dickinson, O'Brien	49 50 50X 51
*Klein, Tunis H.	Pella	58	Attorney	15	Marion, Monroe	51
Kirketeg, Kathlyn M.	Bedford	43	Teacher	6	Adams, Taylor	
*Knudson, Herman M.	Mason City	59	Printing and Bookbinding			
			Executive	43	Cerro Gordo, Franklin, Hancock	46 46X 48 49 50 50X 51
Leo, Richard V.	Dysart	58	Farmer & Grain Dealer	45	Benton, Tama	45X 48 49 50 50X 51
Linnevoold, William	Decorah	69	Farmer and Insurance	42	Howard, Winneshiek	
*Long, Irving D.	Manchester	51	Attorney	33	Buchanan, Delaware	49 50 50X 51
Lord, Herman B.	Muscatine	53	Manufacturer	20	Louisa, Muscatine	
*Lucas, J. G.	Madrid	67	Publisher	31	Boone, Story	51
*Lynes, J. Kendall	Plainfield	43	Farmer	39	Bremer, Butler	49 50 50X 51
Martin, Frank D.	Davenport	62	Former Sheriff	21	Scott	48 49 50 50X 51
Maytag, Fred	Newton	35	Manufacturer	29	Jasper	
*Mercer, Leroy S.	Iowa City	57	Printing & Publishing	25	Iowa, Johnson	45 45X 46 46X 47 49 50 50X 51
*Miller, Ai	Gray	61	Farmer	17	Audubon, Dallas, Guthrie	49 50 50X 51
Miller, J. F.	Humboldt	60	Grain Dealer and Farm Operator	50	Buena Vista, Humboldt, Pocahontas	48 49 50 50X 51

SENATORS IN GENERAL ASSEMBLY—Continued

Muamaker, J. Lyle	Greenfield	48	Attorney	16	Adair, Madison	
Myrland, E. C.	Onawa	54	Gasoline & Oil, Farmer	34	Crawford, Harrison, Monona	
*Newsome, J. A.	Derby	68	Farmer	4	Lucas, Wayne	50 50X 51
Reilly, Robert C.	Dubuque	42	Sporting Goods Dealer	35	Dubuque	48 49 50 50X 51
*Ritchie, Fred J.	Marcus	68	Farmer	46	Cherokee, Ida, Plymouth	48 49 50 50X 51
*Rockhill, Robert A.	Marshalltown	51	Attorney	28	Marshall	51
*Schluter, Edwin C.	Clarence	59	Attorney	23	Cedar, Jackson, Jones	50 50X 51
*Sharp, F. E.	Elkader	52	Attorney	36	Clayton	48 49 50 50X 51
Skourup, W. N.	Burlington	54	Farmer, Service St. Garage	9	Des Moines	
Vittetoe, Luke	Sigourney	60	Druggist	12	Keokuk, Poweshiek	50 50X 51
*Watson, De Vere	Council Bluffs	53	Attorney	19	Pottawattamie	49 50 50X 51
Zastrow, Ralph W.	Charles City	57	Attorney	44	Chickasaw, Floyd	50 50X 51

*Holdover Senators.

REPRESENTATIVES IN GENERAL ASSEMBLY

NAME	Address	Age	Occupation	County	Former Legislative Service
Ainsworth, David G.	Spirit Lake	41	Farm Manager	Dickinson	
Anderson, Carl A.	Swedesburg	56	Farmer	Henry	50 50X 51
Avery, A. H.	Spencer	76	Insurance	Clay	44 45X 46 46X 48 49 50 50X 51
Baker, Oliver N.	Pomeroy	52	Farmer	Calhoun	51
Bass, Elmer A.	Emerson	58	Farmer	Montgomery	51
Beardsley, William S.	New Virginia	45	Farm Operator	Warren	45 45X 46 46X 47 48
Beman, G. A.	Delta	71	Farmer, Insurance, Live Stock	Keokuk	
Bents, W. A. (Bill)	Cresco	49	Nurseryman	Howard	51
Bloom, Amy M.	Dayton	57	Housewife	Webster	
Bockwoldt, M. F.	Ida Grove	70	Farmer and Feeder	Ida	49 50 50X 51
Boothby, Laurence M.	Cleghorn	50	Farmer	Cherokee	
Brown, Carroll L.	Rose Hill	33	Farmer	Mahaska	
Brown, Geo. L.	Onawa	49	Druggist	Monona	
Bryson, C. A.	Iowa Falls	72	Attorney	Hardin	49 50 50X 51
Burkman, Carl A.	Des Moines	54	Attorney	Polk	51
Butler, Guy G.	Rolfe	59	Farmer and Banker	Pocahontas	
Datisman, B. L.	Inwood	68	Retired Farmer	Lyon	50 50X 51
Davis, J. C.	Oelwein	67	Dentist and Farm Manager	Fayette	51
De Groot, Oliver H.	Humboldt	60	Mayor	Humboldt	
Donohue, D. A.	Tipton	35	Real Estate	Cedar	50 50X 51
Duffield, R. E.	Guthrie Center	70	Attorney	Guthrie	49 50 50X 51
Duffy, John L.	Dubuque	47	Attorney	Dubuque	
Eckels, Penn.	Britt	64	Farmer	Hancock	
Edwards, E. L.	Shannon City	61	Merchant	Union	49 50 50X 51
Fiene, George	Nashua	63	Retired Farmer	Chickasaw	
Fimmen, W. R.	Bloomfield	47	Attorney	Davis	49 50 50X 51

GENERAL ASSEMBLY—Continued

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Fletcher, Clint L.	Ocheyedan	59	Farmer	Osceola	45X 51
Frei, H. R., Jr.	Reinbeck	51	Farmer	Grundy	51
Fulk, Ed. W.	Clarinda	56	Farmer	Page	51
Gannaway, John W.	Grinnell	69	Former College Teacher	Poweshiek	
Good, C. G.	Ogden	73	Farmer and Horse Breeder	Boone	47 49 50 50X 51
Graham, Mel M.	Audubon	40	Attorney	Audubon	
Hansen, J. E.	Dedham	57	Banking	Carroll	
Hedin, Philip T.	Davenport	64	Real Estate and Broker	Scott	50 50X 51
Hendrix, W. C.	Letts	57	Farmer and Feeder	Muscatine	
Hicklin, M. F.	Wapello	38	Attorney	Louisa	50 50X 51
Hinrichs, Chris F.	Victor	54	Farmer	Iowa	
Humbert, Ernest	Corning	76	Farmer, Horse Breeder	Adams	
Huston, T. H.	Crawfordsville	65	Farmer	Washington	50 50X 51
Ingalls, Willard	Monmouth	52	Veterinarian	Jackson	
Kerr, Francis	Manilla	59	Farmer	Shelby	
Kester, George B.	Tingley	42	Farmer	Ringgold	
Kilpatrick, W. J.	Randolph	57	Farmer	Fremont	51
King, Arthur P.	Blockton	34	Farmer	Taylor	
Klemesrud, Theo.	Thompson	44	Publisher	Winnebago	50 50X 51
Knickerbocker, C. J.	Fairfax	63	Farmer	Linn	
Koch, Frank	West Bend	61	Newspaper	Palo Alto	
Kosek, Ernest	Cedar Rapids	39	Investment Banker	Linn	
Krall, Frank J.	Iowa City	62	Retired Farmer	Johnson	
Kruse, William	Charles City	56	Farmer	Floyd	48 49 50 50X 51
Kuester, G. T.	Griswold	58	Farmer	Cass	46 46X 47 48 49 50 50X 51
Landsness, J. Oliver	Sioux Rapids	68	Farmer	Buena Vista	
Langland, C. M.	Spr'g Grove Minn	76	Farmer	Winneshiek	44 51
Lawrence, Edna C.	Ottumwa	40	Housewife	Wapello	
Long, Harvey J.	Clinton	52	Wholesale Roofing	Clinton	49 50 50X 51
Loss, Casey	Algona	42	Farmer	Kossuth	
Lucken, J. Henry	Akron	50	Farmer	Plymouth	
Lundy, Hugh W.	Albia	50	Attorney	Monroe	47 48 49 50 50X
Lynes, William S.	Waverly	53	Drainage Consultant	Bremer	
McEleney, Leo P.	Clinton	53	Automobile Dealer	Clinton	51
McFarlane, Arch W.	Waterloo	61	Wholesale Fuel	Black Hawk	36 37 38 38X 39 42 42X 43 44 45 45X 46 46X 48 49 50 50X 51
Mills, Ivan R.	Adair	68	Methodist Minister	Adair	49 50 50X 51
Moore, H. A.	New Hartford	64	Farmer	Butler	51
Morrissey, Edw. J.	Valeria	58	Farmer	Jasper	48 49 50 50X 51
Neal, M. M.	Dexter	46	Farmer	Dallas	

GENERAL ASSEMBLY—Continued

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

Nelson, Harold F. (Lum)	Sioux City	42	Attorney	Woodbury	49 50 50X
Nelson, R. A.	Independence	58	Dairy Farmer	Buchanan	51
Nicholas, W. H.	Mason City	54	Turkey Farmer	Cerro Gordo	
Nielsen, Andrew J.	Council Bluffs	57	Attorney	Pottawattamie	49 50 50X 51
Noble, Walter F.	Missouri Valley	52	Farmer	Harrison	
Norland, Norman	Kensett	58	Farmer	Worth	50 50X 51
Olson, Allert G.	Osage	50	Farmer	Mitchell	51
Patrick, Russell A.	Hawarden	46	Farmer	Sioux	
Pieper, Elmer	Waukon	59	Attorney	Allamakee	48 49 50 50X
Poston, E. E. (Gene)	Corydon	63	Attorney	Wayne	49 50 50X 51
Prange, Claire G.	Pleasantville	35	Attorney	Marion	
Putney, Lawrence	Gladbrook	47	Hatchery, Feed Mfr., Farming	Tama	51
Rankin, A. E.	Hampton	58	Farm Management, Insurance	Franklin	
Redman, A. G.	Sac City	64	Farmer	Sac	51
Reed, Wilson	Fairfield	73	Tax Consultant	Jefferson	49 50 50X 51
Robb, George H.	Estherville	65	Livestock	Emmet	50 50X 51
Robinson, Glenn E.	Colesburg	42	Attorney	Delaware	50 50X 51
Saylor, E. B.	Van Wert	62	Farmer	Decatur	51
Schwengel, Fred	Davenport	39	General Agent Life Insurance	Scott	51
Scott, Leonard E.	Centerville	29	Salesman	Appanoose	
Shepard, Ray E.	Chariton	51	Skelgas Sales and Service	Lucas	51
Siefkas, Henry	Osceola	49	Farmer	Clarke	48 49 50 50X 51
Sloane, Ted	Des Moines	43	Attorney	Polk	50 50X 51
Smith, Ernest T.	Volga	59	Farmer	Clayton	51
Smith, Virgil E.	Winterset	44	Merchant and Oil Jobber	Madison	
Smith, Walden T.	Mediapolis	44	Newspaper Publisher	Des Moines	
Steinberg, Albert	Ames	56	Attorney	Story	48 49 50 50X 51
Stevens, Henry H.	Scranton	53	Farmer	Greene	51
Strawman, Clifford M.	Anamosa	57	Attorney and Farmer	Jones	51
Tesmer, Fred W.	Waterloo	50	General Insurance Agency	Black Hawk	
Troeger, Paul	Ottumwa	46	High School Teacher	Wapello	48 50 50X
Turner, Ira L.	Malvern	64	Farmer	Mills	
Utzig, Arnold	Dubuque	53	Shoe Merchant	Dubuque	50 50X 51
Van Eaton, Charles S.	Sioux City	57	Food Stores	Woodbury	51
Walker, John A.	Williams	30	Farmer	Hamilton	
Walter, H. W.	Council Bluffs	35	Attorney	Pottawattamie	48 49 50 50X 51
Walter, W. Eldon	Beaman	48	Farmer	Marshall	49 50 50X 51
Watson, Harry E.	Sanborn	40	Farmer	O'Brien	51
Weichman, Harry E.	Newhall	54	Retired Farmer and Realtor	Benton	47 48 49 50 50X 51
Weiss, Albert	Denison	61	Retired Farmer & Businessman	Crawford	
Wellington, Thomas W.	Fort Madison	71	Retired Railway Postal Clerk	Lee	49 50 50X 51
Williams, O. C.	Keosauqua	54	Merchant	Van Buren	51
Wilson, L. E.	Eagle Grove	57	Funeral Director	Wright	

OFFICERS OF THE FIFTY-SECOND GENERAL ASSEMBLY

OFFICERS OF THE HOUSE

<i>Speaker</i> —Gustav T. Kuester.....	Griswold
<i>Speaker Pro Tempore</i> —Edw. J. Morrissey.....	Valeria
<i>Chief Clerk</i> —A. C. Gustafson.....	Des Moines
<i>Assistant Chief Clerk</i> —William R. Kendrick.....	Des Moines
<i>Reading Clerk</i> —Tom Moore King.....	Lineville
<i>Special Clerk</i> —L. Viola Towle.....	Hampton
<i>Special Clerk</i> —Frances Chittenden.....	Des Moines
<i>Special Clerk</i> —Frances Stafford.....	Des Moines
<i>Journal Clerk</i> —Bess A. Okey.....	Des Moines
<i>Journal Clerk</i> —Scott Phelps.....	Sioux City
<i>Journal Clerk</i> —Josephine Baumgartner.....	Des Moines
<i>Engrossing Clerk</i> —Gretchen Stockham.....	Des Moines
<i>Enrolling Clerk</i> —Lillian Kanealy.....	Des Moines
<i>Enrolling Clerk</i> —Madeleine M. Burrows.....	Des Moines
<i>Clerk of Enrolled Bills</i> —Geraldine Jones.....	Des Moines
<i>Speakers Clerk</i> —Shirley Kuester.....	Griswold
<i>Payroll Clerk</i> —Madge Clark.....	Des Moines
<i>General Clerk</i> —Vera Bradshaw.....	Des Moines
<i>Clerk</i> —Georgia Shair.....	Des Moines
<i>File Clerk</i> —Joseph J. Banning.....	Des Moines
<i>File Clerk</i> —Claude Smith.....	Des Moines
<i>Bill Clerk</i> —Edwin Getz.....	Des Moines
<i>Bill Clerk</i> —Alvin Crail.....	Des Moines
<i>Bill Clerk</i> —John R. James.....	Gladbrook
<i>Supply Clerk</i> —Mary Freels.....	Clinton
<i>Supply Clerk</i> —Jessie Walker.....	Marshalltown
<i>Postmistress</i> —Marie Jones.....	Bussey
<i>Postmistress</i> —Gladys Black.....	Des Moines
<i>Sergeant-at-Arms</i> —William Cree.....	Bloomfield
<i>Assistant Sergeant-at-Arms</i> —Walter R. Cook.....	Wadena
<i>Assistant Sergeant-at-Arms</i> —Walter Homeyer.....	Davenport
<i>Chief Doorkeeper</i> —Charles A. Gardner.....	Murray

OFFICERS OF THE SENATE

<i>President</i> —Kenneth A. Evans.....	Emerson
<i>President Pro Tempore</i> —Richard V. Leo.....	Dysart
<i>Secretary</i> —W. J. Scarborough.....	Des Moines
<i>Assistant Secretary</i> —Henry F. Reed.....	Cresco
<i>Journal Clerk</i> —Edna Gillespie.....	Des Moines
<i>Assistant Journal Clerk</i> —Leona Story.....	Des Moines
<i>Engrossing Clerk</i> —Marie Spencer.....	Des Moines
<i>Enrolling Clerk</i> —Dorothy Johnson.....	Des Moines
<i>Enrolling Clerk</i> —Maretta Blanchard.....	Des Moines
<i>Special Clerk</i> —Nora Littlewood.....	West Point
<i>Special Clerk</i> —Ruth Wilson Patty.....	Shenandoah
<i>Special Clerk</i> —Rita Moylan.....	Bayard
<i>General Clerk</i> —Hazel Carmean.....	Leon
<i>Supply Clerk</i> —Frank Sacco.....	Des Moines
<i>Secretary's Stenographer</i> —Irene Jacobs.....	Des Moines
<i>Secretary's Clerk</i> —Eleanor Heywood.....	Des Moines
<i>Lieutenant Governor's Clerk</i> —Eleanor Lundberg.....	Des Moines
<i>Sergeant-at-Arms</i> —Frank Buck.....	Ames
<i>Assistant Sergeant-at-Arms</i> —Ben Beck.....	Marcus
<i>Assistant Sergeant-at-Arms</i> —Ed Kopp.....	Cedar Rapids
<i>Chief Doorkeeper</i> —Charles Dickson.....	Des Moines
<i>Postmistress</i> —Elsie Kent.....	Des Moines
<i>Postmistress</i> —Linnie M. Fiero.....	Des Moines
<i>File Clerk</i> —W. F. Griner.....	Clinton
<i>Assistant File Clerk</i> —Douglas I. Pitchforth.....	Des Moines
<i>Bill Clerk</i> —Bernard Black.....	Ottumwa

CONDITION OF STATE TREASURY

Statement of the receipts and expenditures of the public money for the biennial fiscal period beginning July 1, 1944, and ending June 30, 1946, as prepared and furnished by C. Fred Porter, State Comptroller, for publication with the laws of the Fifty-second General Assembly in accordance with the requirements of Section 18, Article III, of the Constitution of the State of Iowa and section 14.10 of the Code.

STATEMENT OF THE CONDITION OF THE TREASURY

Receipts, Disbursements and Balances in the Several Funds
for Each Year of the Biennial Period Ending June 30, 1946

Fiscal Year Ending June 30, 1945					
	Balance July 1, 1944	Total Receipts and Transfers	Total Available	Total Warrants Redeemed and Transfers	Balance June 30, 1945
General Revenue.....	\$ 5,374,567.03	\$ 29,592,629.32	\$ 34,967,196.35	\$ 28,305,024.54	\$ 3,275,915.28
Transfers				3,386,256.53	
Trust Funds	9,821,208.69	73,531,453.14	83,352,661.83	69,764,960.16	13,015,192.95
Transfers (Net).....				572,508.72	
Special Funds	31,576,250.34	61,662,930.12	93,239,180.46	24,784,839.80	40,950,544.09
Transfers				27,503,796.57	
Federal Funds	1,233,685.41	11,096,626.15	12,330,311.56	10,867,909.36	1,462,402.20
TOTAL	\$48,005,711.47	\$175,883,638.73	\$223,889,350.20	\$165,185,295.68	\$58,704,054.52
Balance July 1, 1944.....	\$ 48,005,711.47				
Receipts and Transfers		175,883,638.73			
TOTAL.....			\$223,889,350.20		
Disbursements and Transfers.....			165,185,295.68		
Balance June 30, 1945.....					\$ 58,704,054.52

Fiscal Year Ending June 30, 1946					
	Balance July 1, 1945	Total Receipts and Transfers	Total Available	Total Warrants Redeemed and Transfers	Balance June 30, 1946
General Revenue.....	\$ 3,275,915.28	\$ 43,639,674.79	\$ 46,915,590.07	\$ 24,506,169.14	\$ 7,003,834.46
Transfers				15,405,586.47	
Trust Funds	13,015,192.95	91,186,444.87	104,200,717.90	88,513,743.11	15,569,053.11
Correction for error		80.08			
Transfers				117,921.68	
Special Funds	40,950,544.09	90,878,191.26	131,828,735.35	41,128,042.70	41,377,555.20
Transfers				49,323,137.45	
Federal Funds	1,462,402.20	10,142,687.68	11,605,039.88	10,892,833.37	712,206.51
TOTAL	\$58,704,054.52	\$235,846,028.68	\$294,550,083.20	\$229,887,433.92	\$64,662,649.28
Balance July 1, 1945.....	\$ 58,704,054.52				
Receipts and Transfers		235,846,028.68			
TOTAL.....			\$294,550,083.20		
Disbursements and Transfers.....			229,887,433.92		
Balance June 30, 1946.....					\$ 64,662,649.28

APPROPRIATIONS TO STATE DEPARTMENTS

The following table is inserted to facilitate reference to the state departmental appropriations in Chapter 1.

DEPARTMENT	SECTION	DEPARTMENT	SECTION
Adjutant General	31	Insurance Commission	26
Agricultural Societies	43	Iowa Development	27
Agriculture Department	14	Labor Bureau	5
Attorney General	1	Library Commission	28
Auditor of State.....	2	Mine Examiners	29
Blind, Commission for	8	Mine Inspectors	30
Code Editor	36	National Guard	31
Commerce Commission	7	Parole, Board of	4
Comptroller	10	Pharmacy Board	32
Conservation Commission	11	Pioneer Lawmakers	33
Council of State Government.....	12	Printing Board	34
Custodian	13	Printing Restrictions	34, 52
District Court	17	Public Instruction Department.....	16
Education, Board of	3	Public Safety	35
Employment Security		Secretary of State.....	37
Employment Service	42	Social Welfare Board.....	38
Employment Security		Soldiers Bonus Board	39
Retirement System	41	Spanish-American Veterans	40
Executive Council	18	State Guard	31
Fair Board, State.....	44	Supreme Court	46
Fairs, County	43	Supreme Court Clerk	6
Geological Survey	19	Supreme Court Reporter	36
Governor	20	Tax Commission	45
Grand Army	21	Treasurer of State.....	47
Health Department	15	Uniform Laws Commission.....	9
Historical Society	23	Vocational Education	48
History and Archives.....	24	Vocational Rehabilitation	49
Hoover Birthplace Society.....	22	World War Orphans Aid.....	39
Industrial Commission	25		

LAWS

OF THE

Fifty-second General Assembly

OF THE

STATE OF IOWA

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE
CAPITAL OF THE STATE, BEGUN ON THE THIRTEENTH DAY OF
JANUARY, AND ENDED ON THE TWENTY-FIFTH DAY
OF APRIL, A. D. 1947, IN THE ONE HUNDRED
AND FIRST YEAR OF THE STATE

APPROPRIATIONS

CHAPTER 1

DEPARTMENTAL APPROPRIATIONS

H. F. 521

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1947, and ending June 30, 1949, funds for various departments and various divisions thereof, of the state of Iowa, for the purposes provided by law.

Be It Enacted by the General Assembly of the State of Iowa:

ATTORNEY GENERAL

1 SECTION 1. For the office of attorney general there is hereby
2 appropriated from the general fund of the state for each year of
3 the biennium beginning July 1, 1947, and ending June 30, 1949, the
4 sum of forty-three thousand dollars (\$43,000.00) or so much thereof
5 as may be necessary to be used in the following manner:
6 For salary of attorney general.....\$ 7,000.00
7 For salaries, support, maintenance and miscellaneous
8 purposes 36,000.00
9 Grand total of all appropriations for all purposes for
10 each year of the biennium for the office of attorney
11 general\$ 43,000.00

AUDITOR OF STATE

1	SEC. 2. For the office of auditor of state there is hereby appro-	
2	priated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the	
4	sum of one hundred seventeen thousand five hundred sixty dollars	
5	(\$117,560.00) or so much thereof as may be necessary to be used in	
6	the following manner:	
7	For salary of state auditor.....	\$ 6,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	104,000.00
		<hr/>
10		\$ 110,000.00
11	BUILDING AND LOAN DIVISION	
12	For salary of supervisor of savings and loan associa-	
13	tion as fixed by section five hundred thirty-four point	
14	fifty-three (534.53) Code, 1946, and for salaries,	
15	support, maintenance and miscellaneous purposes.....	\$ 7,560.00
		<hr/>
16		\$ 7,560
17	Grand total of all appropriations for all purposes	
18	for each year of the biennium for the office of auditor	
19	of state.....	\$ 117,560.00

BOARD OF EDUCATION

1	SEC. 3. For the office of the board of education there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the sum	
4	of fifty thousand six hundred dollars (\$50,600.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 50,600.00
		<hr/>
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the office of board of	
10	education	\$ 50,600.00

BOARD OF PAROLE

1	SEC. 4. For the office of board of parole there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1947, and ending June 30, 1949, the sum of forty-five	
4	thousand four hundred sixty dollars (\$45,460.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	Board of Parole salaries (3 heads) @ \$3600.00 each..	\$ 10,800.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	34,660.00
		<hr/>
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the board of parole.....	\$ 45,460.00

BUREAU OF LABOR

1	SEC. 5. For the bureau of labor there is hereby appropriated from	
2	the general fund of the state for each year of the biennium beginning	
3	July 1, 1947, and ending June 30, 1949, the sum of thirty eight	
4	thousand dollars (\$38,000.00) * or so much thereof as may be necessary	
5	to be used in the following manner:	
6	Salary for commissioner of bureau of labor.....\$	4,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	34,400.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the bureau of labor.....\$	38,400.00*

CLERK OF SUPREME COURT

1	SEC. 6. For the office of clerk of supreme court there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium the sum of eleven thousand nine hundred sixty-six dollars	
4	(\$11,966.00) or so much thereof as may be necessary to be used in	
5	the following manner:	
6	For salary of chief clerk.....\$	4,200.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	7,766.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of the clerk	
11	of the supreme court.....\$	11,966.00

COMMERCE COMMISSION

1	SEC. 7. For the department of the commerce commission there	
2	is hereby appropriated from the general fund of the state for each	
3	year of the biennium beginning July 1, 1947, and ending June 30, 1949,	
4	the sum of one hundred eighty-two thousand five hundred dollars	
5	(\$182,500.00) or so much thereof as may be necessary to be used	
6	in the following manner:	
7	GENERAL ADMINISTRATION	
8	For salaries of commissioners (3 at \$4,800.00 each) ..\$	14,400.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes	79,600.00
11	Total for general administration of the commerce	
12	commission	\$ 94,000.00
13	CLASS RATE CASES	
14	For salaries, support, maintenance and miscellaneous	
15	purposes	\$ 5,000.00
16	MOTOR TRANSPORTATION DIVISION	
17	For salaries, support, maintenance and miscellaneous	
18	purposes	\$ 65,000.00

*According to enrolled act.

19	WAREHOUSE DIVISION	
20	For salaries, support, maintenance and miscellaneous	
21	purposes	\$ 18,500.00
22	Grand total of all appropriations for all purposes for	
23	each year of the biennium for the department of the	
24	commerce commission	\$ 182,500.00

COMMISSION FOR THE BLIND

1	SEC. 8. For the office of the commission for the blind there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1947, and ending June 30, 1949,	
4	the sum of twenty-five thousand dollars (\$25,000.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of director.....	\$ 3,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	22,000.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of the com-	
11	mission for the blind.....	\$ 25,000.00

COMMISSION ON UNIFORM LAWS

1	SEC. 9. For the commission on uniform laws there is hereby	
2	appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1947, and ending June 30, 1949, the	
4	sum of eight hundred dollars (\$800.00) or so much thereof as may	
5	be necessary to be used in the following manner:	
6	For support of the conference of commissioners on	
7	Uniform State Laws.....	\$ 300.00
8	For traveling expenses of members of the commission	
9	on uniform laws.....	500.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the commission on	
12	uniform laws.....	\$ 800.00

STATE COMPTROLLER

1	SEC. 10. For the office of state comptroller there is hereby appro-	
2	riated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the sum	
4	of sixty-eight thousand dollars (\$68,000.00) or so much thereof as	
5	may be necessary to be used in the following manner:	
6	For state comptroller salary.....	\$ 6,000.00
7	For assistant local budget supervisor to state	
8	comptroller	2,400.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes	59,600.00
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for the office of state	
13	comptroller	\$ 68,000.00

CONSERVATION COMMISSION

1 SEC. 11. For the office of the conservation commission there is
 2 hereby appropriated from the general fund of the state for each
 3 year of the biennium beginning July 1, 1947, and ending June 30,
 4 1949, the sum of four hundred thousand dollars (\$400,000.00) or so
 5 much thereof as may be necessary to be used in the following
 6 manner:

7 For salaries, support, maintenance and miscellaneous
 8 purposes of the office and maintenance of state parks,
 9 purchase of land and general improvements and for
 10 the construction and improvements of roads and high-
 11 ways in said parks.....\$ 400,000.00

12 Grand total of all appropriations for all purposes for
 13 each year of the biennium for the conservation com-
 14 mission\$ 400,000.00

COUNCIL OF STATE GOVERNMENT

1 SEC. 12. For the council of state government there is hereby
 2 appropriated from the general fund of the state for each year of
 3 the biennium beginning July 1, 1947, and ending June 30, 1949,
 4 the sum of four thousand dollars (\$4,000.00) or so much thereof as
 5 may be necessary to be used in the following manner:

6 For the support of the council of state government...\$ 4,000.00

7 Grand total of all appropriations for all purposes
 8 for each year of the biennium for the council of state
 9 government\$ 4,000.00

CUSTODIAN

1 SEC. 13. For the office of the custodian there is hereby appropriated
 2 from the general fund of the state for each year of the biennium
 3 beginning July 1, 1947, and ending June 30, 1949, the sum of one
 4 hundred seventeen thousand dollars (\$117,000.00) or so much thereof
 5 as may be necessary to be used in the following manner:

6 For salary custodian.....\$ 3,300.00

7 For salaries, support, maintenance and miscellaneous
 8 purposes 113,700.00

9 Grand total of all appropriations for all purposes for
 10 each year of the biennium for the office of the custo-
 11 dian\$ 117,000.00

DEPARTMENT OF AGRICULTURE

1 SEC. 14. For the department of agriculture there is hereby appro-
 2 priated from the general fund of the state for each year of the biennium
 3 beginning July 1, 1947, and ending June 30, 1949, the sum of five
 4 hundred sixty-one thousand nine hundred ten dollars (\$561,910.00)
 5 or so much thereof as may be necessary to be used in the following
 6 manner:

7	MAIN OFFICE	
8	For salary of secretary of agriculture.....	\$ 6,000.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes	158,700.00
11	Total for main office.....	\$ 164,700.00
12	(1) AGRICULTURAL STATISTICS	
13	For state aid.....	12,000.00
14	(2) ANIMAL HEALTH AND VETERINARY	
15	For control and eradication of contagious and in-	
16	fectious livestock diseases including Bang's Disease,	
17	salaries and traveling expenses; assistant state veteri-	
18	narians (per diem and expenses), indemnities and	
19	miscellaneous purposes.....	\$ 162,000.00
20	(3) BARBERRY ERADICATION	
21	For state aid.....	\$ 5,000.00
22	(4) BEE INSPECTION	
23	For state aid.....	10,000.00
24	(5) BEEF PRODUCERS' ASSOCIATION	
25	For state aid.....	7,500.00
26	(6) CORN AND SMALL GRAIN GROWERS' ASSOCIATION	
27	For state aid.....	2,750.00
28	(7) CROP PEST	
29	For state aid.....	25,000.00
30	(8) DAIRY ASSOCIATION	
31	For state aid.....	7,500.00
32	(9) DAIRY CALF CLUB	
33	For state aid.....	2,000.00
34	(10) DAIRY SPECIALIST AND BACTERIOLOGIST	
35	For salaries, support, maintenance and miscellaneous	
36	purposes	30,000.00
37	(11) ENTOMOLOGY	
38	For salaries, support, maintenance and miscellaneous	
39	purposes	12,500.00
40	(12) HATCHERY INSPECTION	
41	For state hatchery inspection.....	10,000.00
42	(13) HORSE BREEDERS' ASSOCIATION	
43	For state aid.....	7,500.00
44	(14) HORTICULTURAL SOCIETIES	
45	For state aid.....	8,000.00
46	(15) VEGETABLE GROWERS' ASSOCIATION	
47	For state aid.....	4,500.00
48	(16) POULTRY ASSOCIATIONS, SHORT COURSES AND	
49	ACHIEVEMENT SHOWS	
50	For state aid.....	18,000.00
51	(17) SHEEP BREEDERS' ASSOCIATION	
52	For state aid.....	7,500.00
53	(18) SOIL CONSERVATION	
54	For salaries, support and miscellaneous purposes.....	31,600.00

CH. 1] LAWS OF THE FIFTY-SECOND GENERAL ASSEMBLY

55	(19) SWINE BREEDERS' ASSOCIATION	
56	For state aid.....	\$ 7,500.00
57	(20) VETERINARY EXAMINERS	
58	For per diem and expense.....	360.00
59	(21) WEATHER BUREAU	
60	For state aid.....	6,000.00
61	(22) RESTAURANT HOTEL INSPECTION	
62	For additional inspection of hotels and restaurants..	20,000.00
63	Grand total of all appropriations for all purposes for	
64	each year of the biennium for the department of	
65	agriculture and divisions thereof.....	\$ 561,910.00

DEPARTMENT OF HEALTH

1	SEC. 15. For the department of health there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1947, and ending June 30, 1949, the sum of three	
4	hundred twenty-five thousand dollars (\$325,000.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	GENERAL OFFICE (Central Admr.)	
7	For salary of commissioner.....	\$ 6,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	52,653.40
10	Total for general office.....	\$ 58,653.40
11	(1) PUBLIC HEALTH NURSING	
12	For salaries, support, maintenance and miscellaneous	
13	purposes	8,500.00
14	(2) MATERNAL AND CHILD HEALTH	
15	For salaries, support, maintenance and miscellaneous	
16	purposes	7,351.80
17	(3) DENTAL HYGIENE	
18	For salaries, support, maintenance and miscellaneous	
19	purposes	3,000.00
20	(4) VITAL STATISTICS	
21	For salaries, support, maintenance and miscellaneous	
22	purposes	60,000.00
23	(5) PUBLIC HEALTH ENGINEERING AND INDUSTRIAL	
24	HYGIENE	
25	For salaries, support, maintenance and miscellaneous	
26	purposes	\$ 50,000.00
27	(6) PREVENTABLE DISEASES, BLOOD BANK, & SERUM	
28	CENTER	
29	For salaries, support, maintenance and miscellaneous	
30	purposes	20,000.00
31	(7) TUBERCULOSIS CONTROL	
32	For salaries, support, maintenance and miscellaneous	
33	purposes	12,500.00

34	(8) CANCER CONTROL	
35	For salaries, support, maintenance and miscellaneous	
36	purposes	10,000.00
37	(9) VENEREAL DISEASE CONTROL	
38	For salaries, support, maintenance and miscellaneous	
39	purposes	15,000.00
40	(10) HOSPITAL SURVEY AND PLANNING	
41	For salaries, support, maintenance and miscellaneous	
42	purposes	20,000.00
43	Sub-total for public health administrative activities..\$	265,005.20
44	LICENSURE AND REGISTRATION	
45	(11) BARBER EXAMINERS	
46	For compensation, support, maintenance, and miscel-	
47	laneous purposes.....	\$ 21,203.00
48	(12) CHIROPRACTIC EXAMINERS	
49	For compensation, support, maintenance and miscel-	
50	laneous purposes.....	2,000.00
51	(13) COSMETOLOGY EXAMINERS	
52	For compensation, support, maintenance and miscel-	
53	laneous purposes.....	19,701.00
54	(14) DENTAL EXAMINERS	
55	For compensation, support, maintenance and miscel-	
56	laneous purposes.....	2,195.00
57	(15) EMBALMERS EXAMINERS	
58	For compensation, support, maintenance and miscel-	
59	laneous purposes.....	\$ 1,850.00
60	(16) MEDICAL EXAMINERS	
61	For compensation, support, maintenance and miscel-	
62	laneous purposes.....	1,600.00
63	(17) OPTOMETRY EXAMINERS	
64	For compensation, support, maintenance and miscel-	
65	laneous purposes.....	1,250.00
66	(18) OSTEOPATHY EXAMINERS	
67	For compensation, support, maintenance and miscel-	
68	laneous purposes.....	1,795.80
69	(19) PODIATRY EXAMINERS	
70	For compensation, support, maintenance and miscel-	
71	laneous purposes.....	400.00
72	(20) LICENSURE AND REGISTRATION	
73	(Central Administration)	
74	For salaries, support, maintenance and miscel-	
75	laneous purposes.....	8,000.00
76	Sub-total for Division of Licensure and Registration..\$	59,994.80
77	Grand total of all appropriations for all purposes	
78	for each year of the biennium for the department of	
79	health and the various divisions thereof.....	\$ 325,000.00

DEPARTMENT OF PUBLIC INSTRUCTION

1	SEC. 16. For the department of public instruction there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the	
4	sum of two hundred five thousand seven hundred twenty dollars	
5	(\$205,720.00) or so much thereof as may be necessary to be used	
6	in the following manner:	
7	MAIN OFFICE	
8	For salary of superintendent of public instruction.....\$	6,000.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes	\$ 72,720.00
11	Total main office.....	\$ 78,720.00
12	SCHOOL LUNCH PROGRAM	
13	For salaries, support, maintenance and miscellaneous	
14	purposes . . (Should Federal appropriation be stopped	
15	for public school lunches then this money should revert	
16	to the general fund).....	37,000.00
17	Total for school lunches.....	\$ 37,000.00
18	VETERANS EDUCATION PROGRAM	
19	General office communications and supplies.....	2,500.00
20	Revolving Fund.....	87,500.00
21	Total for veterans education fund.....	\$ 90,000.00
22	Grand total of all appropriations for all purposes	
23	for each year of the biennium for the department of	
24	public instruction.....	\$ 205,720.00

DISTRICT COURT

1	SEC. 17. For the judges of the district court there is hereby	
2	appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1947, and ending June 30, 1949, the	
4	sum of four hundred forty-four thousand dollars (\$444,000.00) or	
5	so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salaries of the judges of the district courts of	
8	Iowa (70 judges).....	\$ 414,000.00
9	For traveling expenses of judges and court reporters	
10	in and out of districts.....	30,000.00
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for district court judges	
13	and reporters.....	\$ 444,000.00

EXECUTIVE COUNCIL

1	SEC. 18. For the office of the executive council there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the sum	

4	of three hundred thousand dollars (\$300,000.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salary of secretary.....	\$ 3,250.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	296,750.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of the executive	
11	council	\$ 300,000.00

GEOLOGICAL SURVEY

1	SEC. 19. For the office of geological survey there is hereby appro-	
2	priated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the sum	
4	of fifty thousand dollars (\$50,000.00) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 38,000.00
8	Stream gauging and siltation.....	12,000.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for geological survey.....	\$ 50,000.00

GOVERNOR

1	SEC. 20. For the office of the governor there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1947, and ending June 30, 1949, the sum of twenty-	
4	nine thousand five hundred dollars (\$29,500.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salary of governor.....	\$ 12,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	17,500.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the office of governor..	\$ 29,500.00

GRAND ARMY OF THE REPUBLIC

1	SEC. 21. For the department of the grand army of the republic	
2	there is hereby appropriated from the general fund of the state for	
3	each year of the biennium beginning July 1, 1947, and ending June	
4	30, 1949, the sum of three thousand seven hundred dollars (\$3,700.00)	
5	or so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 3,700.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the department of the	
11	grand army of the republic.....	\$ 3,700.00

HERBERT HOOVER BIRTHPLACE SOCIETY

1 SEC. 22. For the Herbert Hoover birthplace society there is hereby
 2 appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1947, and ending June 30, 1949, the sum
 4 of one thousand six hundred dollars (\$1,600.00) or so much thereof
 5 as may be necessary to be used in the following manner:

6 For salaries, support, maintenance and miscellaneous
 7 purposes\$ 1,600.00

8 Grand total of all appropriations for all purposes for
 9 each year of the biennium for the Herbert Hoover
 10 birthplace society.....\$ 1,600.00

HISTORICAL SOCIETY

IOWA CITY

1 SEC. 23. For the historical society at Iowa City there is hereby
 2 appropriated from the general fund of the state for each year of
 3 the biennium beginning July 1, 1947, and ending June 30, 1949, the
 4 sum of forty-five thousand dollars (\$45,000.00) or so much thereof
 5 as may be necessary to be used in the following manner:

6 For salaries, support, maintenance and miscellaneous
 7 purposes\$ 45,000.00

8 Grand total of all appropriations for all purposes
 9 for each year of the biennium for the historical society
 10 at Iowa City.....\$ 45,000.00

DEPARTMENT OF HISTORY AND ARCHIVES

1 SEC. 24. For the department of history and archives there is
 2 hereby appropriated from the general fund of the state for each
 3 year of the biennium beginning July 1, 1947, and ending June 30, 1949,
 4 the sum of fifty-five thousand dollars (\$55,000.00) or so much thereof
 5 as may be necessary to be used in the following manner:

6 For salary of curator.....\$ 3,600.00

7 For salaries, support, maintenance and miscellaneous
 8 purposes 51,400.00

9 Grand total of all appropriations for all purposes for
 10 each year of the biennium for the department of history
 11 and archives.....\$ 55,000.00

INDUSTRIAL COMMISSION

1 SEC. 25. For the industrial commission there is hereby appropriated
 2 from the general fund of the state for each year of the biennium
 3 beginning July 1, 1947, and ending June 30, 1949, the sum of forty-
 4 seven thousand eighty dollars (\$47,080.00) or so much thereof as may
 5 be necessary to be used in the following manner:

6 For salary of commissioner.....\$ 4,500.00

7	For salaries, support, maintenance and miscellaneous	
8	purposes	42,580.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the industrial com-	
11	mission	\$ 47,080.00

INSURANCE COMMISSION

1	SEC. 26. For the office of the insurance commission there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the sum	
4	of sixty thousand dollars (\$60,000) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For salary of commissioner.....	\$ 6,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	54,000.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the office of the	
11	insurance commission.....	\$ 60,000.00

IOWA DEVELOPMENT COMMISSION

1	SEC. 27. For the Iowa development commission there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the	
4	sum of eighty thousand dollars (\$80,000.00) or so much thereof as	
5	may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 80,000.00
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the Iowa development	
10	commission	\$ 80,000.00

LIBRARY COMMISSION

1	SEC. 28. For the library commission there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1947, and ending June 30, 1949, the sum of eighty-	
4	nine thousand eight hundred nineteen dollars (\$89,819.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	LAW DIVISION	
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 23,819.00
9	Total for law division.....	\$ 23,819.00
10	MEDICAL DIVISION	
11	For salary of librarian.....	\$ 3,600.00
12	For salaries, support, maintenance and miscellaneous	
13	purposes	14,400.00
14	Total for medical division.....	\$ 18,000.00

CH. 1] LAWS OF THE FIFTY-SECOND GENERAL ASSEMBLY

15	TRAVELING DIVISION	
16	For salary of librarian.....	\$ 3,160.00
17	For salaries, support, maintenance and miscellaneous	
18	purposes	44,840.00
19	Total for traveling division.....	\$ 48,000.00
20	Grand total of all appropriations for all purposes for	
21	each year of the biennium for the library commission....	\$ 89,819.00

MINE EXAMINING BOARD

1	SEC. 29. For the mine examining board there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1947, and ending June 30, 1949, the sum of three	
4	thousand dollars (\$3,000.00) or so much thereof as may be necessary	
5	to be used in the following manner:	
6	For per diem and expenses.....	\$ 3,000.00
7	Grand total of all appropriations for all purposes	
8	for each year of the biennium for the mine examining	
9	board	\$ 3,000.00

MINE INSPECTORS

1	SEC. 30. For the department of mine inspectors there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the sum	
4	of nineteen thousand dollars (\$19,000) or so much thereof as may	
5	be necessary to be used in the following manner:	
6	For salary of three mine inspectors @ \$3,600.00	
7	each	\$ 10,800.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	8,200.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the department	
12	of mine inspectors.....	\$ 19,000.00

NATIONAL GUARD AND STATE GUARD

1	SEC. 31. For the national guard and the state guard there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the sum	
4	of six hundred thousand dollars (\$600,000.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salary of adjutant general.....	\$ 6,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	594,000.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the national guard and	
11	state guard.....	\$ 600,000.00

PHARMACY EXAMINING BOARD

1	SEC. 32. For the pharmacy examining board there is hereby appro-	
2	priated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1947, and ending June 30, 1949, the sum of twenty-	
4	six thousand nine hundred thirty-five dollars (\$26,935.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	Salary of managing secretary.....	\$ 3,600.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	13,900.00
9	Total	\$ 17,500.00
10	UNIFORM NARCOTICS LAW DIVISION	
11	Bd.* member travel and state retirement system.....	\$ 3,000.00
12	For salaries, support, maintenance and miscellaneous	
13	purposes in making investigations of illegal sales.....	6,435.00
14	Total	\$ 9,435.00
15	Grand total of all appropriations for all purposes for	
16	each year of the biennium for the pharmacy examining	
17	board	\$ 26,935.00

PIONEER LAWMAKERS

1	SEC. 33. For the pioneer lawmakers there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1947, and ending June 30, 1949, the sum of fifty	
4	dollars (\$50.00) or so much thereof as may be necessary to be used	
5	in the following manner:	
6	For miscellaneous purposes.....	\$ 50.00
7	Grand total of all appropriations for all purposes	
8	for each year of the biennium for the pioneer law-	
9	makers	\$ 50.00

STATE PRINTING BOARD

1	SEC. 34. For the state printing board there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1947, and ending June 30, 1949, the sum of two	
4	hundred sixty-eight thousand five hundred dollars (\$268,500.00)	
5	or so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salary of superintendent.....	\$ 4,500.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	19,900.00
10	For necessary printing and binding authorized by	
11	law for the general assembly and for all state depart-	
12	ments that have not been provided for in department	
13	appropriations	244,100.00

*According to enrolled act.

14 Grand total of all appropriations for all purposes
 15 for each year of the biennium for the state printing
 16 board\$ 268,500.00

17 This section is not to be construed or interpreted to include
 18 the expense of any printing for any of the following departments,
 19 bureaus, boards or associations:

20 Agricultural societies; animal health and veterinary division of
 21 agricultural department for elimination of bovine tuberculosis and
 22 brucellosis; board of accountancy; architectural examiners; banking
 23 department including receivership division; basic science board of
 24 examiners; board of control institutions; board of education institu-
 25 tions; board of educational examiners; board of engineering
 26 examiners; board of nurse examiners; conservation commission;
 27 cosmetology division of department of health; farmers' institutes;
 28 indigent hospital; hotel and restaurant fund; Iowa beef producers
 29 association; Iowa corn and small grain growers' association; Iowa
 30 department of the Grand Army of the Republic; Iowa state poultry
 31 breeders' association; Iowa swine breeders' association; Iowa liquor
 32 control commission; Iowa unemployment compensation commission;
 33 motor vehicle fuel tax division; psychopathic hospital; short course;
 34 state board of vocational education; state library and all divisions
 35 thereof; state permit board; truck operators division; and any and
 36 every agency, activity, and undertaking that has a fund for general
 37 support.

38 Providing that funds appropriated by this section, in the discretion
 39 of the printing board, may be used in supplying paper stock, multigraph
 40 or mimeograph work for any of the foregoing departments, bureaus,
 41 associations and institutions, any sum so used for supplying multigraph
 42 or mimeograph work to be refunded to the printing board and returned
 43 to the credit of the appropriation made for printing board general
 44 office expense; any sum so used for supplying paper stock to be
 45 refunded to the printing board and returned to the credit of the
 46 appropriation made by this section. These payments shall be made
 47 to the printing board in the same manner as other claims against
 48 such departments are paid, and the printing board shall remit the
 49 proceeds to the treasurer of state on the first secular day of each
 50 calendar month, taking the treasurer's receipt therefor, showing
 51 the same properly credited to the respective appropriations.

52 The following departments are hereby limited to their demands
 53 for printing during the biennial period beginning July 1, 1947, and
 54 ending June 30, 1949, to an amount not to exceed the following:

55 Academy of science, \$4,300.00; adjutant general, \$4,800.00; depart-
 56 ment of agriculture, \$30,000.00; attorney general, \$4,000.00; auditor
 57 of state \$8,000.00; commerce commission, \$7,000.00; comptroller,
 58 \$18,000.00; board of control, \$2,000.00; custodian, \$50.00; board of
 59 education, \$3,000.00; executive council, \$1,000.00; fair board,
 60 \$1,000.00; geological survey, \$10,000.00; governor \$4,000.00; health,
 61 \$15,000.00; historical, \$4,000.00; horticulture, \$3,400.00; industrial
 62 commission, \$2,500.00; public instruction, \$55,000.00; insurance,
 63 \$7,500.00; labor, \$2,000.00; mine, \$500.00; parole, \$500.00; pharmacy,
 64 \$1,000.00; real estate commission, \$1,000.00; secretary of state,
 65 \$5,000.00; clerk of supreme court, \$2,300.00; supreme court, \$200.00;

66 supreme court reporter, \$10,000.00; tax commission, \$12,000.00;
 67 treasurer, \$10,000.00; it is however, provided that in case of emergency,
 68 the retrenchment and reform committee may authorize increased
 69 amounts where necessary.

PUBLIC SAFETY

1 SEC. 35. For the department of public safety there is hereby
 2 appropriated from the general fund of the state for each year of
 3 the biennium beginning July 1, 1947, and ending June 30, 1949, the
 4 sum of one million seven hundred twenty-three thousand nine hundred
 5 dollars (\$1,723,900.00) or so much thereof as may be necessary to
 6 be used in the following manner:

7	(1) DIVISION OF ADMINISTRATION	
8	For salary of commissioner.....	\$ 5,000.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes	18,506.00
		<hr/>
11		\$ 23,506.00
12	(2) DIVISION OF ACCIDENT, STATISTICS	
13	AND PUBLIC LIABILITY	
14	For salaries, support, maintenance and miscellaneous	
15	purposes	\$ 110,000.00
16	(3) DIVISION OF HIGHWAY PATROL	
17	For salary of chief of patrol.....	\$ 4,000.00
18	For salaries, support, maintenance and miscellaneous	
19	purposes	819,576.00
		<hr/>
20	Total for division of Highway Patrol.....	\$ 823,576.00
21	(4) DIVISION OF OPERATORS AND	
22	CHAUFFEURS LICENSE	
23	For salaries, support, maintenance and miscellaneous	
24	purposes	\$ 198,190.00
25	(5) DIVISION OF MOTOR REGISTRATION	
26	For salary of superintendent.....	\$ 3,800.00
27	For salaries, support, maintenance and miscellaneous	
28	purposes	270,348.00
		<hr/>
29	Total for division of motor registration.....	\$ 274,148.00
30	(6) DIVISION OF CRIMINAL INVESTIGATION	
31	For salary of chief of bureau of investigation.....	\$ 4,500.00
32	For salaries, support, maintenance and miscellaneous	
33	purposes	105,000.00
		<hr/>
34	Total for division of criminal investigation.....	\$ 109,500.00
35	(7) DIVISION OF RADIO COMMUNICATIONS	
36	For salary of superintendent.....	\$ 3,600.00
37	For laboratory equipment and supplies.....	11,000.00
38	For salaries, support, maintenance and miscellaneous	
39	purposes	85,216.00
		<hr/>
40	Total for division of radio communications.....	\$ 99,816.00

41	(8) DIVISION OF FIRE MARSHAL	
42	For salary of fire marshal.....	\$ 3,800.00
43	For salaries, support, maintenance and miscellaneous	
44	purposes	33,100.00
		<hr/>
45	Total for division of fire marshal.....	\$ 36,900.00
46	(9) DIVISION OF SAFETY EDUCATION	
47	For salaries, support, maintenance and miscellaneous	
48	purposes	\$ 48,264.00
49	Grand total of all appropriations for all purposes	
50	for each year of the biennium for the department of	
51	public safety and all divisions thereof.....	\$1,723,900.00

REPORTER OF SUPREME COURT AND CODE EDITOR

1	SEC. 36. For the department of the reporter of the supreme court	
2	and code editor there is hereby appropriated from the general fund	
3	of the state for each year of the biennium beginning July 1, 1947, and	
4	ending June 30, 1949, the sum of eighteen thousand five hundred	
5	dollars (\$18,500.00) or so much thereof as may be necessary to be	
6	used in the following manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 18,500.00
		<hr/>
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the department of	
11	supreme court and code editor.....	\$ 18,500.00

SECRETARY OF STATE

1	SEC. 37. For the office of secretary of state there is hereby appro-	
2	riated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the	
4	sum of twenty-nine thousand seventy-two dollars (\$29,072.00) or	
5	so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salary of secretary of state.....	\$ 6,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	23,072.00
		<hr/>
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the office of secretary	
12	of state.....	\$ 29,072.00

SOCIAL WELFARE BOARD

1	SEC. 38. For the department of social welfare there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the	
4	sum of two million seven hundred ninety-five thousand dollars	
5	\$2,795,000.00) or so much thereof as may be necessary to be used in	
6	the following manner:	

7	For old age assistance (In addition to ten million	
8	dollars (\$10,000,000.00) appropriated for this purpose	
9	by House File 502) *.....	\$2,000,000.00
10	For child welfare.....	120,000.00
11	For aid to dependent children.....	375,000.00
12	For aid to blind.....	300,000.00
		<hr/>
13	Grand total of all appropriations for all purposes	
14	for each year of the biennium for the social welfare	
15	board	\$2,795,000.00

**SOLDIERS' BONUS BOARD
WORLD WAR ORPHANS' EDUCATION AID**

1	SEC. 39. For the Iowa soldiers' bonus board there is hereby	
2	appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1947, and ending June 30, 1949, the	
4	sum of four thousand dollars (\$4,000.00) or so much thereof as may	
5	be necessary to be used in the following manner:	
6	For the purpose of administration and aiding in	
7	the education of children of honorably discharged	
8	soldiers, sailors, marines, nurses or other component	
9	part of the military forces of this state or nation.....	\$ 4,000.00
		<hr/>
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the soldiers' bonus	
12	board	\$ 4,000.00

SPANISH-AMERICAN WAR VETERANS

1	SEC. 40. For the Spanish-American war veterans there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the	
4	sum of two thousand five hundred dollars (\$2,500.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 2,500.00
		<hr/>
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the Spanish-American	
10	war veterans.....	\$ 2,500.00

**STATE EMPLOYMENT SECURITY COMMISSION
STATE EMPLOYEES RETIREMENT SYSTEM ADMINISTRATION**

1	SEC. 41. For the state employment security commission (state	
2	employees retirement system administration) there is hereby appro-	
3	priated from the general fund of the state for each year of the	
4	biennium beginning July 1, 1947, and ending June 30, 1949, the sum	
5	of fifty thousand dollars (\$50,000.00) or so much thereof as may be	
6	necessary to be used in the following manner:	

*Chapter 230.

7	For salaries, support, maintenance and miscellaneous	
8	expenses in administration of state employees retire-	
9	ment system.....	\$ 50,000.00
<hr/>		
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the administration of	
12	state employees retirement system.....	\$ 50,000.00

STATE EMPLOYMENT SECURITY COMMISSION
EMPLOYMENT SERVICE

1 SEC. 42. For the state employment security commission there is
2 hereby appropriated from the general fund of the state for each year
3 of the biennium beginning July 1, 1947, and ending June 30, 1949,
4 the sum of sixty-five thousand dollars (\$65,000.00) or so much thereof
5 as may be necessary to be used in the following manner: Provided
6 that this appropriation shall not be expended or made available
7 for expenditure in any manner which would permit its substitution
8 for or a corresponding reduction in federal fund which in the absence
9 of this appropriation would be available to finance the expenditures
10 for the administration of the Iowa employment security commission.
11 Provided further that no funds so appropriated shall be used for
12 teachers employment service.

13	For salaries, support, maintenance and miscellaneous	
14	purposes	\$ 65,000.00
<hr/>		
15	Grand total of all appropriations for all purposes	
16	for each year of the biennium for the Iowa employment	
17	security commission.....	\$ 65,000.00

AGRICULTURAL SOCIETIES

1 SEC. 43. For the agricultural societies there is hereby appro-
2 priated from the general fund of the state for each year of the biennium
3 beginning July 1, 1947, and ending June 30, 1949, the sum of one
4 hundred seventy-five thousand dollars (\$175,000.00) or so much
5 thereof as may be necessary to be used in the following manner:

6	For state aid to county fairs.....	\$ 175,000.00
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7 The foregoing appropriation for state aid to county fairs shall be
8 deemed conditional on full compliance with all other statutes which
9 regulate and prescribe the conditions under which such aid is payable.
10 In no case shall any county receive more than two thousand dollars
11 (\$2,000.00). In counties having more than one fair entitled to state
12 aid, the state aid available for the county shall be pro-rated to said
13 fairs on the basis of cash premiums paid by said fairs.

STATE FAIR BOARD

1 SEC. 44. For the state fair board there is hereby appropriated from
2 the general fund of the state for each year of the biennium beginning
3 July 1, 1947, and ending June 30, 1949, the sum of fifty thousand dollars
4 (\$50,000.00) or so much as may be necessary to be used in the
5 following manner:

6	For maintenance, insurance and operating expenses..\$	40,000.00
7	For premiums.....	10,000.00
8	Grand total of all appropriations for all purposes	
9	for each year of the biennium for the state fair board...\$	50,000.00

STATE TAX COMMISSION

1 SEC. 45. For the general office, the public utility division, the
 2 property division, the cigarette tax division, the inheritance tax
 3 division and the chain store tax division of the state tax commission
 4 there is hereby appropriated from the general fund of the state for
 5 each year of the biennium beginning July 1, 1947, and ending June
 6 30, 1949, the sum of two hundred thirty-four thousand four hundred
 7 seventy dollars (\$234,470.00) or so much thereof as may be necessary
 8 to be used in the following manner:

9	For salary of commissioners (3 persons at \$5,000.00	
10	each)	\$ 15,000.00
11	For salaries, support, maintenance and miscellaneous	
12	purposes	219,470.00
13	Grand total of all appropriations for all purposes	
14	for each year of the biennium for the general office, the	
15	public utility division, the property division, the	
16	cigarette tax division, the inheritance tax division and	
17	the chain store tax division of the state tax commission..\$	234,470.00

SUPREME COURT

1 SEC. 46. For the supreme court there is hereby appropriated from
 2 the general fund of the state for each year of the biennium beginning
 3 July 1, 1947, and ending June 30, 1949, the sum of ninety-six thousand
 4 two hundred eighty dollars (\$96,280.00) or so much thereof as may
 5 be necessary to be used in the following manner:

6	For salaries of judges as provided by section 684.17	
7	of the code as amended.....\$	71,250.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	24,780.00
10	Rules of procedure.....	250.00
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for the supreme	
13	court	\$ 96,280.00

TREASURER OF STATE

1 SEC. 47. For the department of treasurer of state there is hereby
 2 appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1947, and ending June 30, 1949, the sum
 4 of fifty thousand six hundred dollars (\$50,600.00) or so much thereof
 5 as may be necessary to be used in the following manner:

6	For salary of treasurer.....\$	6,000.00
---	--------------------------------	----------

7	For salaries, support, maintenance and miscellaneous	
8	purposes	44,600.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the department of	
11	treasurer of state.....	\$ 50,600.00

VOCATIONAL EDUCATION

1	SEC. 48. For the department of vocational education there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1947, and ending June 30, 1949,	
4	the sum of forty thousand dollars (\$40,000.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salary of the director.....	\$ 2,750.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	37,250.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the department of	
11	vocational education.....	\$ 40,000.00

VOCATIONAL REHABILITATION

1	SEC. 49. For the department of vocational rehabilitation there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1947, and ending June 30, 1949,	
4	the sum of forty-six thousand dollars (\$46,000.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 46,000.00
8	Grand total of all appropriations for all purposes	
9	for each year of the biennium for the department of	
10	vocational rehabilitation.....	\$ 46,000.00

1 SEC. 50. All salaries provided for in this act are in lieu of all
 2 existing statutory salaries, for the positions provided herein, and
 3 shall be payable in equal monthly or semi-monthly installments, and
 4 shall be in full compensation for all services except as otherwise
 5 expressly provided.

1 SEC. 51. Where any provisions of the laws of this state are in
 2 conflict with this act the provisions of this act shall govern for the
 3 biennium.

1 SEC. 52. No department or commission of state shall expend any
 2 funds for the publication or distribution of books or pamphlets or
 3 reports unless the publication thereof be expressly required by law
 4 or approved by the committee on retrenchment and reform.

Approved May 19, 1947.

CHAPTER 2

DEFICIENCY APPROPRIATION TO PUBLIC SAFETY DEPARTMENT

S. F. 220

AN ACT to appropriate from the general fund of the state of Iowa for the period beginning March 15, 1947, and ending June 30, 1947, emergency funds for the department of public safety of the state of Iowa for the divisions of highway safety patrol, operators and chauffeurs license and motor vehicle accident statistics.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. An act to appropriate from the general fund of the
2 state of Iowa for the period beginning March 15, 1947, and ending
3 June 30, 1947, emergency funds for the department of public safety
4 of the State of Iowa for the purpose of salaries, support, maintenance
5 and miscellaneous purposes of the divisions of highway safety patrol,
6 operators and chauffeurs license and motor vehicle accident statistics
7 under the department of public safety, the sum of two hundred
8 thousand dollars (\$200,000.00).

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect on its publication in the Sumner Gazette, a
3 newspaper published at Sumner, Iowa, and in the Spencer Times, a
4 newspaper published at Spencer, Iowa.

Approved February 18, 1947.

I hereby certify that the foregoing act was published in the Sumner Gazette, February 27, 1947, and the Spencer Times, February 20, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 3

COSMETOLOGY EXAMINERS

H. F. 525

AN ACT to appropriate from the general fund of the state to the cosmetology examiners for operating deficiency to June 30, 1947.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the state to the cosmetology examiners for the period ending June
3 30, 1947, the sum of two thousand twenty-five dollars and twenty-four
4 cents (\$2,025.24) or so much thereof as may be necessary for operating
5 deficits to-wit:

6 For salaries, support, maintenancē
7 and miscellaneous purposes.....\$2,025.24

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Herald
3 Observer, a newspaper published at Logan, Iowa, and the Woodbine
4 Twiner, a newspaper published at Woodbine, Iowa.

Approved April 24, 1947.

I hereby certify that the foregoing act was published in the Herald Observer, May 1, 1947, and the Woodbine Twiner, May 15, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 4

COMMISSION FOR THE BLIND APPROPRIATION

S. F. 351

AN ACT to provide a deficiency appropriation for salary, support and maintenance for the commission for the blind.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That there is hereby appropriated from the general
2 fund of the state the sum of fifteen thousand nine hundred nine
3 dollars and eleven cents (\$15,909.11) or so much thereof as may be
4 necessary to the commission for the blind to meet any deficit which
5 may arise in the salaries, support and maintenance of said commission
6 during the period commencing January 1, 1947, and ending June 30,
7 1947.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Emmets-
3 burg Democrat, a newspaper published at Emmetsburg, Iowa, and
4 in the Estherville Daily News, a newspaper published at Estherville,
5 Iowa.

Approved March 19, 1947.

I hereby certify that the foregoing act was published in the Emmetsburg Democrat, March 27, 1947, and the Estherville Daily News, March 22, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 5

NATIONAL GUARD APPROPRIATION

H. F. 168

AN ACT to make an appropriation to the National Guard and the State Guard.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the state the sum of one hundred sixteen thousand eight hundred
3 dollars (\$116,800.00), or so much thereof as may be necessary, for
4 salaries, support, maintenance, and miscellaneous expenses of the
5 national guard and the state guard of Iowa to June 30, 1947.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after publication in Plain Talk, a
3 newspaper published at Des Moines, Iowa, and the Ida County Pioneer
4 Record, a newspaper published at Ida Grove, Iowa.

Approved March 12, 1947.

I hereby certify that the foregoing act was published in the Plain Talk, March 20, 1947, and the Ida County Pioneer Record, March 20, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 6

TAX COMMISSION APPROPRIATION

H. F. 524

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1947, and ending June 30, 1949, to the state tax commission for salaries, support and maintenance of the personal and corporation income, sales and use tax divisions.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. For the personal and corporation income, sales and
 2 use tax divisions of the state tax commission there is hereby ap-
 3 propriated from the general fund of the state for each year of the
 4 biennium beginning July 1, 1947, and ending June 30, 1949, the sum
 5 of five hundred ninety-two thousand five hundred dollars (\$592,500.00)
 6 or so much thereof as may be necessary to be used in the following
 7 manner:

8 For salaries, support, maintenance and miscellaneous pur-
 9 poses.....five hundred ninety-
 10 two thousand five hundred dollars (\$592,500.00).

1 SEC. 2. For the year beginning July 1, 1947, and ending June 30,
 2 1948, there is hereby appropriated from the general fund of the state
 3 the sum of thirty-five thousand dollars (\$35,000.00) or so much there-
 4 of as may be necessary for equipment for the personal and corporation
 5 income, sales and use tax divisions of the state tax commission.

Approved April 22, 1947.

CHAPTER 7

HIGHWAY COMMISSION EXPENSE

H. F. 517

AN ACT authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1947, and ending June 30, 1949.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The state highway commission is hereby authorized
 2 to expend from the primary road fund for each year of the biennium
 3 beginning July 1, 1947, and ending June 30, 1949, not to exceed
 4 seven million three hundred fifty-four thousand six hundred dollars
 5 (\$7,354,600.00) or so much thereof as may be necessary to be used
 6 in the following manner:

7 For support of the state highway commission,
 8 engineering, inspection and administration of
 9 highway work and inspection and testing mate-
 10 rials for secondary road work.....\$1,150,000.00
 11 For maintenance of primary road system.....\$6,204,600.00

1 SEC. 2. The state highway commission is further authorized to
 2 expend under the supervision and direction of the attorney general
 3 from the primary road fund for each year of the biennium beginning

4 July 1, 1947, and ending June 30, 1949, not to exceed fifteen thousand
 5 dollars (\$15,000.00) or so much thereof as may be necessary for
 6 the purpose of paying costs and expenses of litigation arising from
 7 or pertaining to primary roads. Any balance unused during the first
 8 fiscal year of the biennium shall be carried over and augment the
 9 amount authorized for the second year of the biennium, and at the
 10 end of the biennium any balance shall revert to the primary road fund.

Approved April 18, 1947.

CHAPTER 8

PRIMARY ROAD EXTENSIONS

H. F. 540

AN ACT to transfer funds from the use tax fund of the state of Iowa to the primary road fund to enable the state highway commission to match the federal aid road funds allotted or to be allotted to the state of Iowa under existing federal law for primary roads and the extensions of primary roads through cities and towns.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby transferred from the Use Tax fund
 2 of the State of Iowa, to the primary road fund, the sum of three
 3 million seven hundred thirty-six thousand dollars (\$3,736,000.00) to
 4 be used by the State Highway Commission, in the same manner as
 5 other primary road funds, in the matching of Federal aid road funds
 6 allotted or to be allotted to the State of Iowa under existing Federal
 7 law, for the improvement of primary roads and extensions of primary
 8 roads in cities and towns.

1 SEC. 2. Section three hundred ten point thirty-one (310.31), Code
 2 1946, shall not apply to the Use Tax funds transferred to the primary
 3 road fund under this Act.

1 SEC. 3. The treasurer of the state of Iowa is hereby empowered
 2 to invest any of the funds appropriated by this act in bonds of the
 3 United States Government.

1 SEC. 4. The appropriation made by this act is deemed to be an
 2 advancement for the purpose of matching of federal aid road funds
 3 allotted or to be allotted to the state of Iowa under existing federal
 4 law, for the improvement of primary roads and extensions of primary
 5 roads in cities and towns, and a sum equal to the appropriation pro-
 6 vided by this act may at any time, if so directed by the General
 7 Assembly, be transferred from the primary road fund to the general
 8 fund.

1 SEC. 5. This Act, being deemed of immediate importance, shall
 2 be in full force and effect from and after its passage and publication
 3 in *The Malvern Leader*, a newspaper published at Malvern, Iowa, and
 4 the *Davis County Republican*, a newspaper published at Bloomfield,
 5 Iowa.

Approved April 28, 1947.

I hereby certify that the foregoing act was published in *The Malvern Leader*, May 1, 1947, and the *Davis County Republican*, May 6, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 9

DEFICIENCY APPROPRIATIONS TO BOARD OF CONTROL

H. F. 383

AN ACT to appropriate from the general fund of the state of Iowa to the state board of control fund for operating deficits.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated and set out of the
2 general fund of the state board of control the sum of eight hundred
3 thirty-seven thousand six hundred seventy-seven dollars (\$837,677.00)
4 or so much thereof as may be necessary for operating deficits for
5 institutions under the jurisdiction of the board of control, the same
6 being allocated in the following amounts:

7	1. Cherokee State Hospital.....	\$ 90,000.00
8	2. Clarinda State Hospital.....	50,000.00
9	3. Soldiers' Orphans' Home.....	75,000.00
10	4. Training School for Boys.....	75,000.00
11	5. Glenwood State School.....	75,000.00
12	6. Independence State Hospital.....	50,000.00
13	7. Iowa Soldiers' Home.....	45,000.00
14	8. Training School for Girls.....	11,000.00
15	9. Mt. Pleasant State Hospital.....	125,000.00
16	10. State Sanatorium.....	82,000.00
17	11. State Juvenile Home.....	10,000.00
18	12. Woodward State Hospital.....	142,000.00
19	13. Administration	7,677.00

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Perry Daily Chief, a newspaper published at Perry, Iowa, and in
4 the Des Moines Daily Record, a newspaper published at Des Moines,
5 Iowa.

Approved April 3, 1947.

I hereby certify that the foregoing act was published in the Perry Daily Chief, April 5, 1947, and the Des Moines Daily Record, April 7, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 10

BOARD OF CONTROL APPROPRIATION

H. F. 484

AN ACT to appropriate from the general fund of the state of Iowa for each year of the biennium beginning July 1, 1947, and ending June 30, 1949, a fund for the office of the board of control.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated from the general fund
2 of the state of Iowa to the office of the Board of Control the sum of
3 two hundred eight thousand six hundred dollars (\$208,600.00) for
4 each year of the biennium beginning July 1, 1947, and ending June 30,

5	1949 or so much thereof as may be necessary to be used in the fol-	
6	lowing manner:	
7	For salaries, support, maintenance and miscellane-	
8	ous purposes, including salaries for three (3)	
9	board members at \$5,000.00 each.....	\$208,600.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the Board of	
12	Control	\$208,600.00

Approved April 22, 1947.

CHAPTER 11

STATE INSTITUTIONAL ROADS

H. F. 485

AN ACT to appropriate from the general fund of the state of Iowa for each year of the biennium beginning July 1, 1947, and ending June 30, 1949, a fund for the board of control institutional state roads.

Be It Enacted by the General Assembly of the State of Iowa:

1	SECTION 1. There is hereby appropriated from the general fund	
2	of the state of Iowa to the board of control for institutional state roads	
3	the sum of ten thousand dollars (\$10,000.00) for each year of the	
4	biennium beginning July 1, 1947, and ending June 30, 1949, or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For institutional state roads.....	\$10,000.00
7	Grand total of all appropriations for all purposes for each	
8	year of the biennium for institutional state roads.....	\$10,000.00

Approved April 3, 1947.

CHAPTER 12

BOARD OF CONTROL APPROPRIATION

H. F. 542

AN ACT to appropriate from the general fund of the state for the biennium beginning July 1, 1947, and ending June 30, 1949, funds for the institutions under the control of the state board of control.

Be It Enacted by the General Assembly of the State of Iowa:

1	SECTION 1. For the institutions under the control of the state	
2	board of control there is appropriated from the general fund of the	
3	state for the biennium beginning July 1, 1947, and ending June 30,	
4	1949, the sum of four million dollars (\$4,000,000.00) or so much	
5	thereof as may be necessary to be used in the following manner to-wit:	
6	To supplement any of the appropriations for capital items included	
7	in chapter three (3) Acts of the 49th General Assembly, and any of	
8	the appropriation included in chapter three (3), Acts of the 51st	

9 General Assembly, or for any other capital expenditure the board of
10 control may deem necessary for the proper and necessary function of
11 any institution under its control.

1 SEC. 2. Before any of the fund herein appropriated shall be
2 expended it shall be determined by the state board of control with the
3 approval of the joint legislative committee on retrenchment and
4 reform that the expenditure shall be for the best interests of the state.

1 SEC. 3. The treasurer of the state of Iowa, with the approval of
2 the state board of control, is hereby empowered to invest any of the
3 fund appropriated by the provisions of section one (1) of this act
4 in securities of the United States Government.

1 SEC. 4. When contracts, plans and specifications for improvements
2 for which this fund is herein appropriated have been accepted by the
3 state board of control and approved and certified by the joint legisla-
4 tive committee on retrenchment and reform of the state of Iowa, the
5 state treasurer is authorized and directed to sell sufficient securities
6 herein provided in section three (3) of this act to cover the cost of
7 said improvement.

Approved April 24, 1947.

CHAPTER 13

INSTITUTIONAL APPROPRIATIONS

H. F. 483

AN ACT to appropriate from the general fund and from institutional industries fund of the state of Iowa for the biennium beginning July 1, 1947, and ending June 30, 1949, to the board of control for support of the institutions under said board of control and to the board of education for support of the state sanatorium at Oakdale, Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated from the general fund
2 of the state and from institutional industries fund of the state of
3 Iowa for each year of the biennium beginning July 1, 1947, and ending
4 June 30, 1949, for the board of control of state institutions for
5 salaries, support, maintenance, repairs, replacements or alterations
6 and miscellaneous purposes for all institutions under the control of
7 said board the sum of seven million nine hundred forty-eight thousand
8 six hundred sixty dollars (\$7,948,660.00) from the general fund and
9 one hundred thousand dollars (\$100,000.00) from the industries fund
10 or so much thereof as may be necessary to be used for the following
11 purposes to-wit:

STATE HOSPITAL FOR INSANE Cherokee

1 SEC. 2. For the state hospital for insane at Cherokee, Iowa, there
2 is hereby appropriated from the general fund of the state for each
3 year of the biennium beginning July 1, 1947, and ending June 30,

4 1949, the sum of eight hundred eighty-six thousand one hundred
5 dollars (\$886,100.00) or so much thereof as may be necessary to be
6 used in the following manner:

7 For salaries, support and maintenance.....\$ 871,100.00
8 For repairs, replacements or alterations..... 15,000.00

9 Total for state hospital for insane, Cherokee.....\$ 886,100.00

STATE HOSPITAL FOR INSANE
Clarinda

1 SEC. 3. For the state hospital for insane at Clarinda, Iowa, there
2 is appropriated from the general fund of the state for each year of
3 the biennium beginning July 1, 1947, and ending June 30, 1949, the
4 sum of eight hundred fifty-eight thousand nine hundred dollars
5 (\$858,900.00) or so much thereof as may be necessary to be used
6 in the following manner:

7 For salaries, support and maintenance.....\$ 843,900.00
8 For repairs, replacements or alterations..... 15,000.00

9 Total for state hospital for insane, Clarinda.....\$ 858,900.00

GLENWOOD STATE SCHOOL
Glenwood

1 SEC. 4. For the Glenwood state school at Glenwood, Iowa, there
2 is hereby appropriated from the general fund of the state for the
3 biennium beginning July 1, 1947, and ending June 30, 1949, the
4 sum of eight hundred forty-six thousand nine hundred dollars
5 (\$846,900.00) or so much thereof as may be necessary to be used
6 in the following manner:

7 For salaries, support and maintenance.....\$ 831,900.00
8 For repairs, replacements or alterations..... 15,000.00

9 Total for Glenwood state school, Glenwood, Iowa.....\$ 846,900.00

STATE HOSPITAL FOR INSANE
Independence

1 SEC. 5. For the state hospital for insane at Independence, Iowa,
2 there is hereby appropriated from the general fund of the state for
3 each year of the biennium beginning July 1, 1947, and ending June
4 30, 1949, the sum of eight hundred eighty thousand four hundred
5 dollars (\$880,400.00) or so much thereof as may be necessary to be
6 used in the following manner:

7 For salaries, support and maintenance.....\$ 865,400.00
8 For repairs, replacements or alterations..... 15,000.00

9 Total for state hospital for insane, Independence,
10 Iowa\$ 880,400.00

STATE HOSPITAL FOR INSANE
Mt. Pleasant

1 SEC. 6. For the state hospital for insane at Mt. Pleasant, Iowa,
2 there is hereby appropriated from the general fund of the state for

3 each year of the biennium beginning July 1, 1947, and ending June
 4 30, 1949, the sum of eight hundred sixty-four thousand eight hundred
 5 fifty dollars (\$864,850.00) or so much thereof as may be necessary
 6 to be used in the following manner:

7	For salaries, support and maintenance.....	\$ 849,850.00
8	For repairs, replacements or alterations.....	15,000.00
		<hr/>
9	Total for state hospital for insane, Mt. Pleasant,	
10	Iowa	\$ 864,850.00

STATE HOSPITAL FOR EPILEPTICS AND FEEBLEMINDED
 Woodward

1 SEC. 7. For the state hospital for epileptics and feeble-minded
 2 at Woodward, Iowa, there is hereby appropriated from the general
 3 fund of the state for each year of the biennium beginning July 1,
 4 1947, and ending June 30, 1949, the sum of eight hundred thirty
 5 thousand nine hundred dollars (\$830,900.00) or so much thereof as
 6 may be necessary to be used in the following manner:

7	For salaries, support and maintenance.....	\$ 815,900.00
8	For repairs, replacements or alterations.....	15,000.00
		<hr/>
9	Total for state hospital for epileptics and feeble-	
10	minded, Woodward, Iowa.....	\$ 830,900.00

SOLDIERS' ORPHANS' HOME
 Davenport

1 SEC. 8. For the soldiers' orphans' home, Davenport, Iowa, there
 2 is hereby appropriated from the general fund of the state for each
 3 year of the biennium beginning July 1, 1947, and ending June 30,
 4 1949, the sum of three hundred eight thousand, five hundred eighty-
 5 five dollars (\$308,585.00) or so much thereof as may be necessary
 6 to be used in the following manner:

7	For salaries, support and maintenance.....	\$ 302,585.00
8	For repairs, replacements or alterations.....	6,000.00
		<hr/>
9	Total for soldiers' orphans' home, Davenport, Iowa....	\$ 308,585.00

IOWA SOLDIERS' HOME
 Marshalltown

1 SEC. 9. For the Iowa soldiers' home at Marshalltown, Iowa, there
 2 is hereby appropriated from the general fund of the state for each
 3 year of the biennium beginning July 1, 1947, and ending June 30,
 4 1949, the sum of two hundred seventy thousand dollars (\$270,000.00)
 5 or so much thereof as may be necessary to be used in the following
 6 manner:

7	For salaries, support and maintenance.....	\$ 260,000.00
8	For repairs, replacements or alterations.....	10,000.00
		<hr/>
9	Total for Iowa Soldiers' home at Marshalltown,	
10	Iowa	\$ 270,000.00

STATE SANATORIUM

Oakdale

1 SEC. 10. For the state sanatorium at Oakdale, Iowa, there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1947, and ending June 30, 1949,
 4 the sum of five hundred thirty-three thousand nine hundred dollars
 5 (\$533,900.00) or so much thereof as may be necessary to be used
 6 in the following manner:

7	For salaries, support and maintenance.....	\$ 521,000.00
8	For repairs, replacements or alterations.....	12,000.00

9	Total for the state sanatorium, Oakdale, Iowa.....	\$ 533,900.00
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10 The appropriation for the state sanatorium at Oakdale, Iowa,
 11 shall be to the Board of Education in conformance with the provisions
 12 of Senate File 70,* Acts of the Fifty-Second General Assembly.

MEN'S REFORMATORY

Anamosa

1 SEC. 11. For the men's reformatory at Anamosa, Iowa, there is
 2 hereby appropriated for each year of the biennium beginning July 1,
 3 1947, and ending June 30, 1949, the sum of five hundred five thousand
 4 eight hundred fifty dollars (\$505,850.00) from the following funds:
 5 four hundred fifty-five thousand eight hundred fifty dollars (\$455,-
 6 850.00) from the general fund of the state of Iowa, and fifty thousand
 7 dollars (\$50,000.00) from the industry funds of said institution
 8 which is hereby transferred to the salaries, support and maintenance,
 9 or to the repair, replacement or alteration funds of the institution,
 10 or so much thereof as may be necessary to be used in the following
 11 manner:

12	For salaries, support and maintenance.....	\$ 493,850.00
13	For repairs, replacements or alterations.....	12,000.00

14	Total for men's reformatory, Anamosa, Iowa.....	\$ 505,850.00
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TRAINING SCHOOL FOR BOYS

Eldora

1 SEC. 12. For training school for boys at Eldora, Iowa, there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1947, and ending June 30, 1949,
 4 the sum of three hundred thirty-two thousand dollars (\$332,000.00)
 5 or so much thereof as may be necessary to be used in the following
 6 manner:

7	For salaries, support and maintenance.....	\$ 322,000.00
8	For repairs, replacements or alterations.....	10,000.00

9	Total for training school for boys Eldora, Iowa.....	\$ 332,000.00
---	--	---------------

*Chapter 110.

PENITENTIARY

Ft. Madison

1 SEC. 13. For the state penitentiary at Ft. Madison, Iowa, there
 2 is hereby appropriated for each year of the biennium beginning July
 3 1, 1947, and ending June 30, 1949, the sum of five hundred forty-eight
 4 thousand two hundred dollars (\$548,200.00) from the following
 5 funds: \$498,200.00 from the general fund of the state of Iowa,
 6 and \$50,000.00 from the industry funds of said institution, which sum
 7 is hereby transferred to the salary, support and maintenance fund
 8 or to the repairs, replacements or alterations fund of said institution,
 9 or so much thereof as may be necessary to be used in the following
 10 manner:

11	For salaries, support and maintenance.....	\$ 536,200.00
12	For repairs, replacements or alterations.....	12,000.00
13	Total for penitentiary, Fort Madison, Iowa.....	\$ 548,200.00

TRAINING SCHOOL FOR GIRLS

Mitchellville

1 SEC. 14. For the training school for girls at Mitchellville, Iowa,
 2 there is hereby appropriated from the general fund of the state for
 3 each year of the biennium beginning July 1, 1947, and ending June
 4 30, 1949, the sum of one hundred fifty-two thousand four hundred
 5 fifty dollars (\$152,450.00) or so much thereof as may be necessary
 6 to be used in the following manner:

7	For salaries, support and maintenance.....	\$ 147,450.00
8	For repairs, replacements or alterations.....	5,000.00
9	Total for training school for girls at Mitchellville, 10 Iowa	\$ 152,450.00

WOMEN'S REFORMATORY

Rockwell City

1 SEC. 15. For the women's reformatory at Rockwell City, Iowa,
 2 there is hereby appropriated from the general fund of the state
 3 for each year of the biennium beginning July 1, 1947, and ending
 4 June 30, 1949, the sum of fifty-six thousand six hundred dollars
 5 (\$56,600.00) or so much thereof as may be necessary to be used in
 6 the following manner:

7	For salaries, support and maintenance.....	\$ 51,600.00
8	For repairs, replacements or alterations.....	5,000.00
9	Total for Women's reformatory, Rockwell City, 10 Iowa	\$ 56,600.00

STATE JUVENILE HOME

Toledo

1 SEC. 16. For the state juvenile home at Toledo, Iowa, there is
 2 hereby appropriated from the general fund of the state for each year

3 of the biennium beginning July 1, 1947, and ending June 30, 1949,
 4 the sum of one hundred seventy-three thousand twenty-five dollars
 5 (\$173,025.00) or so much thereof as may be necessary to be used in
 6 the following manner:

7	For salaries, support and maintenance.....	\$ 168,025.00
8	For repairs, replacements or alterations.....	5,000.00
9	Total for state juvenile home at Toledo, Iowa.....	\$ 173,025.00

Approved May 19, 1947.

CHAPTER 14

SANATORIUM APPROPRIATION TRANSFER

H. F. 543

AN ACT to transfer the control of funds heretofore appropriated and set aside for use at the state sanatorium at Oakdale.

WHEREAS, the 49th General Assembly in chapter three (3) appropriated the sum of twenty-two thousand five hundred dollars (\$22,500.00) to the board of control for improvements and equipment at the state sanatorium at Oakdale, Iowa; and,

WHEREAS, chapter three (3), Acts of the 51st General Assembly, appropriated to the board of control for the construction of new buildings, repairs, improvements, replacements or alterations, the sum of seven hundred thousand dollars (\$700,000.00) to be used at the state sanatorium at Oakdale, Iowa; and,

WHEREAS, due to conditions beyond the control of the board of control and the committee on retrenchment and reform, said funds have not been expended; and,

WHEREAS, Senate File 70, Acts of the 52nd General Assembly was enacted by the legislature and approved by the governor on March 27, 1947; and,

WHEREAS, the supervision of the state sanatorium at Oakdale was, by the provisions of Senate File 70, transferred from the board of control to the board of education; and,

WHEREAS, it is deemed necessary and proper to transfer said sums or the balance thereof to the board of education in order to carry out the intent of the legislature and the purposes for which said sums were appropriated; Now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The twenty-two thousand five hundred dollars (\$22,-
 2 500.00), or the balance thereof, appropriated by chapter three (3),
 3 Acts of the 49th General Assembly to the state sanatorium at Oak-
 4 dale for improvements and equipment and the sum of seven hundred
 5 thousand dollars (\$700,000.00), or the balance thereof, appropriated
 6 by chapter three (3), Acts of the 51st General Assembly, for the
 7 construction of new buildings, repairs, improvements, replacements

8 or alterations at the state sanatorium at Oakdale, Iowa, be and the
9 same are hereby appropriated, set aside and ordered to be turned over
10 to the board of education of the state.

1 SEC. 2. Said funds so appropriated and set aside, and transferred
2 to the board of education, shall be invested and disbursed in the
3 manner provided by said Acts of the 49th General Assembly and the
4 51st General Assembly and nothing herein contained shall be construed
5 so as to revert said funds or any unexpended balance thereof to the
6 general fund of the state.

1 SEC. 3. The provisions of all acts or statutes in conflict or incon-
2 sistent with the provisions of this act are hereby repealed.

Approved April 28, 1947.

CHAPTER 15

BOARD OF EDUCATION DEFICIENCY

H. F. 169

AN ACT to make an emergency appropriation to the state board of education for salaries, support, and maintenance of the University Hospital, Iowa City, Iowa, the Bacteriological Laboratory, Iowa City, Iowa, the Iowa State Teachers College, Cedar Falls, Iowa, and the Iowa School for the Blind at Vinton, Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of any money in the
2 state treasury, not otherwise appropriated, the sum of four hundred
3 thirty-one thousand two hundred sixty dollars (\$431,260.00) as an
4 emergency appropriation, or as much thereof as may be necessary, for
5 the remainder of the fiscal year 1946-1947, to be used in the following
6 manner and for the following purposes, to wit:

MEDICAL AND SURGICAL TREATMENT OF INDIGENT PERSONS, STATE UNIVERSITY HOSPITAL

7 1. For the purpose of carrying out the provisions of chapter two
8 hundred fifty-five (255), Code 1946, there is hereby appropriated out
9 of any money in the state treasury, not otherwise appropriated, the
10 sum of two hundred ninety-four thousand dollars (\$294,000.00) as
11 an emergency appropriation, or as much thereof as may be necessary,
12 to be used in the manner and under the authority provided in said
13 chapter for the remainder of the fiscal year 1946-1947.

BACTERIOLOGICAL LABORATORY

14 2. For the Bacteriological Laboratory at Iowa City, Iowa, for the
15 remainder of the fiscal year 1946-1947, there is hereby appropriated
16 out of any money in the state treasury, not otherwise appropriated,
17 the sum of two thousand five hundred sixty dollars (\$2,560.00) as an
18 emergency appropriation, or as much thereof as may be necessary,
19 to be used in the manner and under the authority provided in chapter
20 two hundred sixty-three (263), Code 1946.

IOWA STATE TEACHERS COLLEGE

21 3. For the salaries, support and maintenance of the Iowa State
 22 Teachers College, Cedar Falls, Iowa, there is hereby appropriated out
 23 of any money in the state treasury, not otherwise appropriated, the
 24 sum of one hundred thirty-one thousand two hundred dollars
 25 (\$131,200.00) as an emergency appropriation, or as much thereof
 26 as may be necessary, for the remainder of the fiscal year 1946-1947.

IOWA SCHOOL FOR THE BLIND

27 4. For the salaries, support and maintenance of the Iowa School for
 28 the Blind, Vinton, Iowa, there is hereby appropriated out of any money
 29 in the state treasury, not otherwise appropriated, the sum of three
 30 thousand five hundred dollars (\$3,500.00) as an emergency appropria-
 31 tion, or as much thereof as may be necessary, for the remainder of
 32 the fiscal year 1946-1947.

33 Grand total of all appropriations for all purposes for the remainder
 34 of the fiscal year 1946-1947 for institutions under the state board of
 35 education..... \$431,260.00

1 SEC. 2. The appropriations provided for in this act shall be ex-
 2 pended under the direction of the state board of education.

1 SEC. 3. The appropriations provided for in this act, shall be
 2 available on March 1, 1947, at any time thereafter, and shall be paid
 3 on the order of the state board of education.

1 SEC. 4. This act being deemed of immediate importance shall take
 2 effect from and after the publication in the Cedar Valley Daily Times,
 3 a newspaper published at Vinton, Iowa, and in the Mount Pleasant
 4 News, a newspaper published at Mt. Pleasant, Iowa.

Approved February 11, 1947.

I hereby certify that the foregoing act was published in the Cedar Valley Daily Times,
 February 21, 1947, and the Mount Pleasant News, February 14, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 16

BOARD OF EDUCATION APPROPRIATION

H. F. 511

AN ACT to appropriate from the general fund of the state of Iowa for the biennium
 beginning July 1, 1947, and ending June 30, 1949, to the board of education for the
 support, maintenance, repairs, replacements or alterations of institutions under
 said board of education.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated from the general fund
 2 of the state for each year of the biennium beginning July 1, 1947,
 3 and ending June 30, 1949, for the support, maintenance, repairs,
 4 replacements or alterations of all institutions under the control of
 5 said board, the sum of twelve million twelve thousand five hundred
 6 dollars (\$12,012,500) or so much thereof as may be necessary, and
 7 for the following purposes to-wit:

STATE UNIVERSITY OF IOWA
Iowa City

1	SEC. 2. For the state university of Iowa there is hereby appro-	
2	priated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1947, and ending June 30, 1949, the sum	
4	of three million eight hundred ninety-six thousand dollars (\$3,896,-	
5	000.00) or so much thereof as may be necessary to be used in the	
6	following manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$3,600,000.00
9	For repairs, replacements or alterations.....	296,000.00
10	Total for the state university of Iowa.....	<u>\$3,896,000.00</u>

MEDICAL AND SURGICAL TREATMENT
OF INDIGENT PATIENTS
UNIVERSITY HOSPITAL

1	SEC. 3. For the purpose of carrying out the purpose of chapter	
2	two hundred fifty-five (255), Code, 1946, there is hereby appropriated	
3	from the general fund of the state for each year of the biennium begin-	
4	ning July 1, 1947, and ending June 30, 1949, the sum of two million two	
5	hundred seventy-eight thousand five hundred dollars (\$2,278,500.00)	
6	or so much thereof as may be necessary to be used in the following	
7	manner under the authority provided in said chapter:	
8	For salaries, support, maintenance and for medical	
9	and surgical treatment of indigent patients at the uni-	
10	versity hospital	\$2,278,500.00
11	Total for the University hospital.....	<u>\$2,278,500.00</u>

PSYCHOPATHIC HOSPITAL

1	SEC. 4. For the psychopathic hospital, there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1947, and ending June 30, 1949, the sum of two	
4	hundred sixty thousand dollars (\$260,000.00) or so much thereof	
5	as may be necessary to expend in the manner and under the authority	
6	provided in chapter two hundred twenty-five (225), Code, 1946,	
7	provided however the amounts shall be available in monthly install-	
8	ments not exceeding twenty-one thousand six hundred sixty-six dollars	
9	(\$21,666.00) and that said installments shall be expended only upon	
10	submission of bills in the manner provided in section two hundred	
11	twenty-five point twenty-eight (225.28) of said chapter:	
12	For salaries, support, maintenance and for the care,	
13	treatment and maintenance of committed and voluntary	
14	public patients therein.....	\$260,000.00
15	Total for the psychopathic hospital.....	<u>\$260,000.00</u>

BACTERIOLOGICAL LABORATORY

1 SEC. 5. For the bacteriological laboratory there is hereby appro-
 2 priated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1947, and ending June 30, 1949, the sum
 4 of one hundred five thousand dollars (\$105,000.00) or so much thereof
 5 as may be necessary to be used in the manner and under the authority
 6 provided in chapter two hundred sixty-three (263), Code, 1946:

7 For salaries, support, maintenance and miscellaneous
 8 purposes\$105,000.00
 9 Total for bacteriological laboratory.....\$105,000.00

IOWA STATE COLLEGE OF AGRICULTURE AND
MECHANIC ARTS

Ames

1 SEC. 6. For the Iowa state college of agriculture and mechanic
 2 arts there is hereby appropriated from the general fund of the state
 3 for each year of the biennium beginning July 1, 1947, and ending
 4 June 30, 1949, the sum of three million seven hundred fifty thousand
 5 dollars (\$3,750,000.00) or so much thereof as may be necessary to be
 6 used in the following manner:

7 For salaries, support, maintenance and miscellaneous
 8 purposes\$3,500,000.00
 9 For repairs, replacements or alterations..... 250,000.00
 10 Total for the Iowa state college of agriculture and
 11 mechanic arts\$3,750,000.00

IOWA STATE TEACHERS COLLEGE
Cedar Falls

1 SEC. 7. For the Iowa state teachers college there is hereby appro-
 2 priated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1947, and ending June 30, 1949, the sum
 4 of one million two hundred thirty-three thousand dollars (\$1,233,000)
 5 or so much thereof as may be necessary to be used in the following
 6 manner:

7 For salaries, support, maintenance and miscellaneous
 8 purposes\$1,157,000.00
 9 For repairs, replacements or alterations..... 76,000.00
 10 Total for the Iowa state teachers college.....\$1,233,000.00

IOWA SCHOOL FOR DEAF
Council Bluffs

1 SEC. 8. For the Iowa school for deaf there is hereby appropriated
 2 from the general fund of the state for each year of the biennium be-
 3 ginning July 1, 1947, and ending June 30, 1949, the sum of two hun-
 4 dred ninety-seven thousand five hundred dollars (\$297,500.00) or so

5	much thereof as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$290,000.00
8	For repairs, replacements or alterations.....	7,500.00
9	Total for the Iowa school for deaf.....	\$297,500.00

IOWA SCHOOL FOR BLIND
Vinton

1	SEC. 9. For the Iowa school for blind there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1947, and ending June 30, 1949, the sum of one	
4	hundred ninety-two thousand five hundred dollars (\$192,500.00) or	
5	so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$180,000.00
9	For repairs, replacements or alterations.....	12,500.00
10	Total for the Iowa school for blind.....	\$192,500.00
11	Grand total of all appropriations to the board of	
12	education for all purposes for all institutions under	
13	said board of education.....	\$12,012,500.00

Approved April 23, 1947.

CHAPTER 17

BOARD OF EDUCATION FUNDS

S. F. 503

AN ACT to appropriate from the general fund of the state funds for the institutions under the control of the state board of education.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. For the institutions under the control of the state board
2 of education there is appropriated from the general fund of the state
3 the sum of two million seven hundred eighty thousand dollars
4 (\$2,780,000) or so much thereof as may be necessary to be used in
5 the following manner, to wit: To supplement any of the appropriations
6 for capital items included in chapters seventeen (17) and thirty-
7 seven (37), acts of the 49th General Assembly, and any of the ap-
8 propriations included in chapter five (5), acts of the 51st General
9 Assembly, or for any other capital expenditure the board of education
10 may deem necessary for the proper and necessary function of any
11 institution under its control.

1 SEC. 2. Before any of the fund herein appropriated shall be
2 expended it shall be determined by the state board of education with
3 the approval of the joint legislative committee on retrenchment and
4 reform that the expenditure shall be for the best interests of the
5 state.

1 SEC. 3. The treasurer of state, with the approval of the state board
2 of education is hereby empowered to invest any of the funds ap-
3 propriated by the provisions of section one (1) of this act in securities
4 of the United States government.

1 SEC. 4. When contracts, plans and specifications for improvements
2 for which this fund is herein appropriated have been accepted by the
3 state board of education, and approved and certified by the joint
4 legislative committee on retrenchment and reform, the state treasurer
5 is authorized and directed to sell sufficient securities herein provided
6 in section three (3) of this act to cover the cost of said improvement.

1 SEC. 5. The board of education and the joint legislative committee
2 on retrenchment and reform are hereby authorized to obtain federal
3 grants to the state to be used in connection with the funds above
4 appropriated or diverted for such construction purpose.

1 SEC. 6. In the event that federal appropriations are made available
2 to institutions under the board of education for the construction of
3 educational facilities required in the education and training of war
4 veterans, the board of education and the joint legislative committee
5 on retrenchment and reform are hereby authorized to obtain federal
6 grants to the state to be used in connection with any fund appropriated
7 or diverted to the institutions of higher learning under said board
8 by acts of the 49th General Assembly, the 51st General Assembly, and
9 the 52nd General Assembly, for construction purposes, and the monies
10 so appropriated by said general assemblies and obtained by said
11 federal grants may be used for the construction purposes provided for
12 in the several appropriation acts of said general assemblies, and, in
13 addition thereto, for such other construction purposes as in the judg-
14 ment of said board and said joint legislative committee on retrench-
15 ment and reform are necessary or proper for the education and
16 training of war veterans.

1 SEC. 7. The provisions of all acts or statutes in conflict or in-
2 consistent with the provisions of this act are hereby repealed.

1 SEC. 8. If any section, subsection, paragraph, sentence, clause or
2 phrase of this act is for any reason held to be unconstitutional or
3 invalid, such unconstitutionality or invalidity shall not affect the
4 constitutionality or validity of the remaining portions of this act.
5 The general assembly hereby declares that it would have passed this
6 act and each section, subsection, paragraph, sentence, clause or phrase
7 hereof irrespective of whether any one or more of the sections,
8 paragraphs, sentences, clauses or phrases be declared unconstitutional.

Approved May 19, 1947.

CHAPTER 18

WORKMEN'S COMPENSATION OF HIGHWAY EMPLOYEES

H. F. 518

AN ACT to appropriate funds from the primary road fund to the industrial commissioner for payment of workmen's compensation claims of employees of the state highway commission.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated to the industrial com-
 2 missioner from the primary road fund for each year of the biennium
 3 beginning July 1, 1947, and ending June 30, 1949, the sum of forty
 4 thousand dollars (\$40,000.00) or so much thereof as may be necessary
 5 for the purpose of paying properly established claims of or on behalf
 6 of employees or dependents of employees of the state highway com-
 7 mission who are injured or killed while on duty as provided by chapter
 8 85, code, 1946.

Approved April 24, 1947.

CHAPTER 19

WORKMEN'S COMPENSATION CLAIMS

S. F. 448

AN ACT to make appropriation from liquor control fund to the industrial commissioner for the payment of workmen's compensation claims of employees of the liquor control commission.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated to the industrial com-
 2 missioner from the liquor control fund for each year of the biennium
 3 beginning July 1, 1947, and ending June 30, 1949, the sum of five
 4 thousand dollars (\$5,000.00) or so much thereof as may be necessary
 5 for the purpose of paying properly established claims of or on behalf
 6 of employees or dependents of employees of the liquor control com-
 7 mission who are injured or killed while on duty as provided by
 8 chapter 85, Code, 1946.

Approved April 8, 1947.

CHAPTER 20

LIQUOR CONTROL APPROPRIATION

S. F. 449

AN ACT to appropriate from liquor control act fund to the department of public safety for use of bureau of investigation in liquor control enforcement.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated from the liquor control
 2 act fund for each year of the biennium beginning July 1, 1947, and
 3 ending June 30, 1949, to the department of public safety the sum of

4 twenty-six thousand dollars (\$26,000.00) or so much thereof as may
5 be necessary for use of the bureau of investigation in liquor enforce-
6 ment.

Approved April 8, 1947.

CHAPTER 21

MOTOR VEHICLE FUEL TAX REFUNDS

H. F. 516

AN ACT to appropriate to the state comptroller from the motor vehicle fuel tax fund
Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated to the state comptroller
2 from motor vehicle fuel tax fund for each year of the biennium
3 beginning July 1, 1947, and ending June 30, 1949, the sum of four
4 thousand dollars (\$4000.00) or so much thereof as may be necessary
5 for use in employing help and defraying other expenses in writing
6 motor vehicle fuel tax refund warrants and keeping necessary records.

Approved April 18, 1947.

CHAPTER 22

INAUGURAL EXPENSE APPROPRIATION

H. F. 299

AN ACT making appropriation to defray expense of inaugural ceremonies.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of funds of the
2 state treasury, not otherwise appropriated, the sum of six hundred
3 ninety-two dollars and forty cents (\$692.40), or so much thereof as
4 may be necessary, to pay the expenses incurred on account of the
5 inaugural ceremonies and reception. Warrants shall be drawn upon
6 the treasury for the sum herein appropriated in favor of the Adjutant
7 General upon the filing of vouchers therefor with State Comptroller.

1 SEC. 2. This act being deemed of immediate importance, shall take
2 effect and be in force from and after its passage and publication in
3 the Belle Plaine Union, a newspaper published in the city of Belle
4 Plaine, Iowa, and the Cedar Valley Daily Times, a newspaper published
5 in the city of Vinton, Iowa.

Approved March 26, 1947.

I hereby certify that the foregoing act was published in the Belle Plaine Union, April 3, 1947, and the Cedar Valley Daily Times, March 29, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 23

GENERAL ASSEMBLY EXPENSE

H. F. 544

AN ACT making appropriations for payment of miscellaneous expenses of the Fifty-second General Assembly.

Be It Enacted by the General Assembly of the State of Iowa:

1	SECTION 1. There is hereby appropriated out of any funds in the	
2	state treasury, not otherwise appropriated, the following sums,	
3	or so much thereof as may be necessary in payment of miscellaneous	
4	expenses of the Fifty-second General Assembly:	
5	Lillian Leffert for special services rendered for the	
6	Fifty-second General Assembly.....	\$ 150.00
7	Robert Sandler, for pre-session bill drafting.....	55.00
8	A. C. Gustafson, for services rendered subsequent to	
9	adjournment of the Fifty-first General Assembly	
10	and prior to the pre-session services of the Fifty-	
11	second General Assembly.....	750.00
12	American Signal Corporation for special terminals and	
13	key tags for voting machine.....	61.96
14	A. C. Gustafson, chief clerk of the house, for postage	
15	and miscellaneous expenses after adjournment.	
16	(This shall be in addition to postage left over in	
17	House post office after session has adjourned.).....	150.00
18	W. J. Scarborough, secretary of the senate, for postage	
19	and miscellaneous expenses after adjournment.	
20	(This shall be in addition to postage left over in	
21	the senate post office after the session has ad-	
22	journed.)	100.00
23	Executive council for telephone, telegraph, supplies,	
24	postage and miscellaneous expense of the General	
25	Assembly	6,000.00

1 SEC. 2. There is hereby appropriated a sum sufficient to pay the
 2 per diem compensation made necessary by House Concurrent Resolu-
 3 tion 22 for services required of officers and employees of the Fifty-
 4 second General Assembly after final adjournment.

1 SEC. 3. There is hereby appropriated to the Executive Council
 2 the sum of six thousand seven hundred thirty-four dollars and thirty-
 3 two cents (\$6,734.32) for legislative supplies and equipment purchased
 4 for the Fifty-second General Assembly.

1 SEC. 4. There is hereby appropriated to the Executive Council the
 2 sum of two thousand seven hundred dollars (\$2,700.00) for the cost
 3 of legislative supplies purchased from the Klipto Company of Mason
 4 City, Iowa.

1 SEC. 5. There is hereby appropriated to the Executive Council
 2 a sum sufficient to defray the expenses of wiring necessary for the
 3 temporary lighting and loud speaker system used during the Fifty-
 4 second General Assembly but said funds appropriated by this act
 5 shall not be expended until approved by the joint legislative committee
 6 on retrenchment and reform.

1 SEC. 6. There is hereby appropriated the sum of thirty thousand
2 dollars (\$30,000.00) or so much thereof as may be necessary for the
3 payment of the cost of printing for the Fifty-second General Assembly,
4 and the state comptroller is hereby authorized to issue warrants
5 against said appropriation upon requisition by the superintendent of
6 printing.

1 SEC. 7. There is hereby appropriated to the Executive Council
2 an amount necessary to cover the cost of the installation of the loud
3 speaker system, a permanent lighting system, carpeting of the
4 floor of the House, the reconstruction of windows in the House
5 chamber and a miniature voting machine board on the desk of the
6 chief clerk. All funds hereunder appropriated shall be expended only
7 for the purposes herein set out and upon the compliance with the
8 following directions. The plans and expenditure for the improvement
9 and equipment shall first, before any work has been done, have the
10 express approval of the joint legislative committee on retrenchment
11 and reform.

1 SEC. 8. This act being deemed of immediate importance shall be
2 in full force and effect after its passage and publication in the Cedar
3 Valley Daily Times, a newspaper published at Vinton, Iowa, and the
4 Spencer Daily Reporter, a newspaper published at Spencer, Iowa.

Approved April 28, 1947.

I hereby certify that the foregoing act was published in the Cedar Valley Daily
Times, May 1, 1947, and the Spencer Daily Reporter, May 2, 1947.
ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 24

CAPITOL MAINTENANCE

H. F. 494

AN ACT to appropriate from the general fund of the state of Iowa for biennium
beginning July 1, 1947, and ending June 30, 1949, for maintenance and up-keep
on buildings of the state capitol.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the state of Iowa, the sum of forty-nine thousand seven hundred
3 twenty-three dollars (\$49,723.00) to the custodian of the capitol
4 building and grounds, to be expended under the authority of the
5 executive council for the following purposes in the respective amounts:

6	Carpeting and Linoleum.....	\$ 2,000.00
7	Painting and decorating.....	4,000.00
8	Repair of stonework and sidewalks.....	2,500.00
9	Repair to heating system.....	3,000.00
10	Windows and doors.....	3,000.00
11	Electric wiring and material.....	3,000.00
12	Replacement of woodwork and hardware.....	2,500.00
13	Replacement of lawnmowers and repairs.....	1,500.00

14	New furniture for legislative	
15	committee rooms.....	6,000.00
16	Repair of old tunnel from the state	
17	house to the heating plant.....	10,000.00
18	New roof on the historical building.....	12,223.00
		\$49,723.00
19	Total for state capitol building repairs.....	

Approved April 16, 1947.

CHAPTER 25

COURT AVENUE VIADUCT REPAIR

S. F. 489

AN ACT to make an appropriation from the general fund of the state of Iowa to the executive council to cover the costs of repairing the Court Avenue viaduct, Capitol grounds, Des Moines.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated and set out of the general
2 fund of the State, the sum of \$16,000.00 or so much thereof as may
3 be necessary to the executive council to be used in repairing the Court
4 Avenue Viaduct, Capitol grounds, Des Moines.

1 SEC. 2. This act being deemed of immediate importance, shall be
2 in full force and effect from and after its publication in the Madrid
3 Register-News, a newspaper published in Madrid, Iowa, and in the
4 Clinton Herald, a newspaper published in Clinton, Iowa.

Approved April 29, 1947.

I hereby certify that the foregoing act was published in the Madrid Register-News, May 1, 1947, and the Clinton Herald, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 26

SQUAW CREEK BRIDGE

H. F. 49

AN ACT to appropriate funds, from the general fund of the state, to build a bridge over Squaw Creek on the thirteenth street road between the city of Ames and Iowa state college, on land owned by the state of Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated, from the general fund
2 of the state, not otherwise appropriated, the sum of seventy-five
3 thousand dollars (\$75,000.00), or so much thereof as may be necessary,
4 for the construction of a bridge over Squaw Creek on the Thirteenth
5 Street Road, between the city of Ames and Iowa State College. Said
6 bridge shall be constructed in conformance with the standard plans
7 and specifications of the state highway commission for such structures,

8 and under the supervision of the chief engineer of the highway com-
 9 mission in his capacity as general supervisor of state park and institu-
 10 tional roads.

Approved April 14, 1947.

CHAPTER 27

DAVENPORT PAVING APPROPRIATION

H. F. 269

AN ACT to appropriate not to exceed the sum of fourteen thousand six hundred thirty-five dollars (\$14,635) for the purpose of paying the cost of grading and construction of paving of east twenty-ninth street between the right-of-way of the Chicago, Milwaukee and St. Paul and Pacific Railway Company and Eastern avenue in the city of Davenport, Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated from the State Treasury,
 2 out of any funds not otherwise appropriated, the sum of fourteen
 3 thousand six hundred thirty-five dollars (\$14,635) for the purpose of
 4 paying the cost of grading and construction of paving of east twenty-
 5 ninth street between the right-of-way of the Chicago, Milwaukee and
 6 St. Paul and Pacific Railway company and Eastern avenue in the
 7 city of Davenport, Iowa.

1 SEC. 2. This Act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 The Daily Times and The Democrat and Leader, newspapers published
 4 in the city of Davenport, Iowa, such publication to be without expense
 5 to the State.

Approved April 17, 1947.

I hereby certify that the foregoing act was published in The Daily Times, April 19, 1947, and The Democrat and Leader, April 21, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 28

UPPER PINE LAKE APPROPRIATION

S. F. 294

AN ACT to appropriate from the general fund of the state of Iowa for the period from the effective date of this act and ending June 30, 1949, the sum of seven thousand five hundred dollars (\$7,500) for the purpose of making repairs to the spillway of Upper Pine Lake, Hardin County, Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated from the general fund of
 2 the state of Iowa for the period from the effective date of this Act and
 3 ending June 30, 1949, the sum of seven thousand five hundred dollars
 4 (\$7,500), or so much as may be necessary, for the state conservation

5 commission to be used by said commission for necessary repairs to the
6 spillway of Upper Pine Lake, Hardin County, Iowa.

1 SEC. 2. This Act shall be in full force and effect from and after its
2 passage and publication in The Daily Freeman Journal, a newspaper
3 published at Webster City, Iowa, and The Eldora Herald-Ledger, a
4 newspaper published at Eldora, Iowa.

Approved March 28, 1947.

I hereby certify that the foregoing act was published in The Daily Freeman Journal,
April 1, 1947, and The Eldora Herald-Ledger, April 3, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 29

LANDS AND WATERS DEVELOPMENT

S. F. 389

AN ACT to appropriate from the general fund of the state of Iowa to the state conser-
vation commission funds for acquisition, construction and development of lands
and waters.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated and set out of the general
2 fund of the state to the state conservation commission the sum of
3 two million seven hundred thirteen thousand one hundred dollars
4 (\$2,713,100.00) or so much thereof as may be necessary for construc-
5 tion, acquisition, replacements, alterations for state parks and re-
6 serves, state forests, state waters, for dredging, for artificial lake
7 development, for erosion control, for streams and lake access, for
8 land acquisition and for design and investigation, the same being
9 allotted in the following amounts:

10	1. State parks and reserves.....	\$ 451,600.00
11	2. State forests.....	35,000.00
12	3. State waters.....	71,500.00
13	4. Dredging	600,000.00
14	5. Artificial lake development.....	1,272,000.00
15	6. Erosion control.....	77,000.00
16	7. Stream and lake access.....	50,000.00
17	8. Land acquisition	67,000.00
18	9. Design and investigation	89,000.00

19 but said funds appropriated and set aside by this act shall not be
20 expended until it shall be determined by the conservation commission
21 with approval of the joint legislative committee on retrenchment and
22 reform that its expenditures shall be for the best interests of the
23 state. Provided however that the conservation commission shall, in
24 artificial lake development, acquire and hold for the benefit of the
25 state of Iowa, a strip of at least three hundred (300) feet back from
26 the high water mark of any such created lake, unless the said com-
27 mission finds, with the approval of the joint legislative committee
28 on retrenchment and reform, that a lesser sized strip, or none at all,
29 is more practical and feasible.

1 SEC. 2. The treasurer of the state of Iowa is hereby empowered
2 to invest any of the funds so appropriated and set aside by the
3 provisions of section one (1) of this act in securities of the United
4 States government.

1 SEC. 3. When contracts, plans and specifications for improvements
2 or purchase of real estate for which funds are herein appropriated
3 have been accepted by the Conservation Commission, and approved
4 and certified by the joint legislative committee on retrenchment and
5 reform of the state of Iowa, the state treasurer is authorized and
6 directed to sell sufficient securities herein provided in section two (2)
7 of this act to cover the cost of said improvement.

1 SEC. 4. The provisions of all acts or statutes in conflict or incon-
2 sistent with the provisions of this act are hereby repealed.

1 SEC. 5. If any section, subsection, paragraph, sentence, clause,
2 or phrase of this act is for any reason held to be unconstitutional or
3 invalid, such unconstitutionality or invalidity shall not affect the
4 constitutionality or validity of the remaining portions of this act.
5 The General Assembly hereby declares that it would have passed this
6 act and each section, subsection, paragraph, sentence, clause, or phrase
7 hereof irrespective of whether any one or more of the sections, para-
8 graphs, sentences, clauses or phrases be declared unconstitutional.

1 SEC. 6. This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in
3 the Newton Daily News, a newspaper published at Newton, Iowa,
4 and in The Citizen, a newspaper published at Monroe, Iowa.

Approved April 22, 1947.

I hereby certify that the foregoing act was published in the Newton Daily News, April
25, 1947, and The Citizen, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 30

TAXATION STUDY APPROPRIATION

S. F. 422

AN ACT to make appropriations to Arch W. McFarlane, Waterloo, Iowa; A. J. Redman, Sac City, Iowa; Harry Cox, Fort Dodge, Iowa; Robert Keir, Spencer, Iowa; Fred Cromwell, Burlington, Iowa, and Frank C. Byers, Cedar Rapids, Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the state of Iowa, to Arch W. McFarlane, Waterloo, Iowa, the sum
3 of three hundred forty dollars (\$340.00) in full settlement of all claims
4 which he may have against the state of Iowa on account of services
5 rendered as member of the Iowa Postwar Taxation Study Committee.

1 SEC. 2. There is hereby appropriated out of the general fund of the
2 state of Iowa, to Harry Cox, Fort Dodge, Iowa, the sum of three hun-
3 dred dollars (\$300.00) in full settlement of all claims which he may

4 have against the state of Iowa on account of services rendered as mem-
5 ber of the Iowa Postwar Taxation Study Committee.

1 SEC. 3. There is hereby appropriated out of the general fund of the
2 state of Iowa, to A. J. Redman, Sac City, Iowa, the sum of three hun-
3 dred ten dollars (\$310.00) in full settlement of all claims which he may
4 have against the state of Iowa on account of services rendered as mem-
5 ber of the Iowa Postwar Taxation Study Committee.

1 SEC. 4. There is hereby appropriated out of the general fund of
2 the state of Iowa, to Robert Keir, Spencer, Iowa, the sum of three hun-
3 dred dollars (\$300.00) in full settlement of all claims which he may
4 have against the state of Iowa, on account of services rendered as
5 member of the Iowa Postwar Taxation Study Committee.

1 SEC. 5. There is hereby appropriated out of the general fund of
2 the state of Iowa, to Fred Cromwell, Burlington, Iowa, the sum of one
3 hundred thirty dollars (\$130.00) in settlement of all claims which he
4 may have against the state of Iowa on account of services rendered
5 as member of the Iowa Postwar Taxation Study Committee.

1 SEC. 6. There is appropriated out of the general fund of the state
2 of Iowa, to Frank C. Byers, Cedar Rapids, Iowa, the sum of three
3 hundred seventy dollars (\$370.00) in full settlement of all claims which
4 he may have against the state of Iowa on account of services rendered
5 as member of the Iowa Postwar Taxation Study Committee.

1 SEC. 7. The state comptroller is hereby authorized to issue warrants
2 to the above named parties in the amounts stated, and the state
3 treasurer is hereby directed to pay the same from the general fund
4 of the state of Iowa.

1 SEC. 8. The acceptance of said amounts by the above named parties
2 shall be in full settlement of all claims against the state of Iowa growing
3 out of the above described claims.

1 SEC. 9. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its passage and publication in
3 the Pierson Progress, a newspaper published in Pierson, Iowa, and in
4 the Ida County Pioneer Record, a newspaper published in Ida Grove,
5 Iowa.

Approved March 31, 1947.

I hereby certify that the foregoing act was published in the Pierson Progress, April
10, 1947, and the Ida County Pioneer Record, April 10, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 31

MENTAL HOSPITAL SURVEY APPROPRIATION

S. F. 421

AN ACT to make appropriations to H. M. Knudson, Mason City, Iowa, Alden L. Doud, Douds, Iowa, John R. Gardner, Lisbon, Iowa, and John S. Heffner, Webster City, Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of the general fund of
2 the State of Iowa, to H. M. Knudson, Mason City, Iowa, the sum of
3 seven hundred and twenty dollars (\$720.00) in full settlement of all
4 claims which he may have against the State of Iowa on account of
5 services rendered as a member of the Mental Hospital Survey Com-
6 mittee.

1 SEC. 2. There is hereby appropriated out of the general fund of the
2 State of Iowa, to Alden L. Doud, Douds, Iowa, the sum of five hundred
3 dollars (\$500.00) in full settlement of all claims which he may have
4 against the State of Iowa on account of services rendered as a member
5 of the Mental Hospital Survey Committee.

1 SEC. 3. There is hereby appropriated out of the general fund of the
2 State of Iowa, to John R. Gardner, Lisbon, Iowa, the sum of four hun-
3 dred and ninety dollars (\$490.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of services rendered
5 as a member of the Mental Hospital Survey Committee.

1 SEC. 4. There is hereby appropriated out of the general fund of the
2 State of Iowa, to John S. Heffner, Webster City, Iowa, the sum of four
3 hundred and ten dollars (\$410.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of services rendered
5 as a member of the Mental Hospital Survey Committee.

1 SEC. 5. The State Comptroller is hereby authorized to issue
2 warrants to the above named parties in the amounts stated, and the
3 State Treasurer is hereby directed to pay the same from the general
4 fund of the State of Iowa.

1 SEC. 6. The acceptance of said amounts by the above named parties
2 shall be in full settlement of all claims against the State of Iowa
3 growing out of the above described claims.

1 SEC. 7. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its passage and publication
3 in the Buffalo Center Tribune, a newspaper published in Buffalo Center,
4 Iowa, and in the Cedar Falls Daily Record, a newspaper published in
5 Cedar Falls, Iowa.

Approved March 31, 1947.

I hereby certify that the foregoing act was published in the Buffalo Center Tribune, April 10, 1947, and the Cedar Falls Daily Record, April 4, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 32

CLAIMS APPROPRIATIONS

S. F. 504

AN ACT to make appropriations to L. E. Ellis & Co., Des Moines, Iowa; Louis & Gertrude Hangartner, Postville, Iowa; Cynthia & Fred Baltz, Postville, Iowa; Howard County Treasurer, Cresco, Iowa; Hotel President, Waterloo, Iowa; Clyde Van Dusen, Sioux City, Iowa; Mrs. Johanna Kallemeyne, Princeton, Missouri; Margaret Hadsell, Waterloo, Iowa; W. C. Stewart, Waterloo, Iowa; Ankeny consolidated school district, Ankeny, Iowa; Alva Carlson, Ankeny, Iowa; Cass county treasurer, Atlantic, Iowa; C. M. Hanson, Des Moines, Iowa; John E. Spencer, Des Moines, Iowa; Mrs. Charles R. Sexton, administratrix, Altoona, Iowa; Mrs. Venus Willcoxson, administratrix, Bloomfield, Iowa; Hancock county, Garner, Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of the General Fund
2 of the State of Iowa to L. E. Ellis & Company, Des Moines, Iowa, the
3 sum of twenty dollars (\$20.00) in full settlement of all claims which
4 it may have against the State of Iowa, on account of check to notary
5 department for issuance of four notary bonds later discovered not
6 needed.

1 SEC. 2. There is hereby appropriated out of the General Fund of
2 the State of Iowa to Louis & Gertrude Hangartner, Postville, Iowa,
3 the sum of three hundred eighteen and 23/100 dollars (\$318.23) in
4 full settlement of all claims which they may have against the State
5 of Iowa, on account of damage to clothing, furnishings and furniture
6 and cost of transportation and board for children incurred because of
7 acts of state peace officers.

1 SEC. 3. There is hereby appropriated out of the General Fund of
2 the State of Iowa to Cynthia and Fred Baltz, Postville, Iowa, the sum
3 of one hundred seventy-eight and 16/100 dollars (\$178.16) in full
4 settlement of all claims which they may have against the State of Iowa,
5 on account of damage to building and loss of rent caused by state
6 peace officers in performance of duties.

1 SEC. 4. There is hereby appropriated out of the General Fund of
2 the State of Iowa to Howard County Treasurer, Cresco, Iowa, the sum
3 of forty-two and 90/100 dollars (\$42.90) in full settlement of all claims
4 which he may have against the State of Iowa, on account of taxes
5 due on land held by the State Conservation Commission.

1 SEC. 5. There is hereby appropriated out of the General Fund of
2 the State of Iowa to the Hotel President, Waterloo, Iowa, the sum of
3 ninety-three and 50/100 dollars (\$93.50) in full settlement of all
4 claims which it may have against the State of Iowa on account of
5 lodging charges against nine Iowa State Highway Patrolmen incurred
6 in 1945.

1 SEC. 6. There is hereby appropriated out of the General Fund of
2 the State of Iowa to Clyde Van Dusen, Sioux City, Iowa, the sum of
3 seven hundred fifty dollars (\$750.00) in full settlement of all claims
4 which he may have against the State of Iowa, on account of doctor and
5 nursing expense and loss of time arising from an old operation per-
6 formed at State Hospital at Independence, Iowa.

1 SEC. 7. There is hereby appropriated out of the General Fund of
2 the State of Iowa to Mrs. Johanna Kallemeyne, Princeton, Missouri,
3 the sum of one thousand two hundred fifty dollars (\$1250.00) in full
4 settlement of all claims which she may have against the State of Iowa,
5 on account of damages, personal injuries while a patient at State
6 Hospital for Insane, Mt. Pleasant, Iowa.

1 SEC. 8. There is hereby appropriated out of the General Fund of
2 the State of Iowa to Margaret Hadsell, Waterloo, Iowa, the sum of
3 eighty dollars (\$80.00) in full settlement of all claims which she may
4 have against the State of Iowa, on account of damage to personal
5 belongings arising out of an accident with Conservation Commission
6 vehicle.

1 SEC. 9. There is hereby appropriated out of the General Fund of
2 the State of Iowa to W. G. Stewart, Waterloo, Iowa, the sum of two
3 hundred thirty and 54/100 dollars (\$230.54) in full settlement of all
4 claims which he may have against the State of Iowa, on account of
5 damage to automobile and personal belongings in accident with Conser-
6 vation Commission vehicle.

1 SEC. 10. There is hereby appropriated out of the General Fund
2 of the State of Iowa to Ankeny Consolidated School District, Ankeny,
3 Iowa, the sum of five hundred thirteen dollars (\$513.00) in full settle-
4 ment of its portion of the claim filed against the State of Iowa by
5 Ralph C. Norris, County Superintendent of Schools, Polk County,
6 Iowa, for tuition of the five Carlson children for the school year of
7 1946-1947.

1 SEC. 11. There is hereby appropriated out of the General Fund of
2 the State of Iowa to Alva Carlson, Ankeny, Iowa, the sum of one
3 hundred sixty-seven dollars (\$167.00) in full settlement of his portion
4 of the claim filed against the State of Iowa by Ralph C. Norris, County
5 Superintendent of Schools, Polk County, Iowa, for transportation of
6 the five Carlson children for the school year of 1946-1947.

1 SEC. 12. There is hereby appropriated out of the General Fund of
2 the State of Iowa to the Cass County Treasurer, Atlantic, Iowa, the
3 sum of fifty and 64/100 dollars (\$50.64) in full settlement of all claims
4 which they may have against the State of Iowa, because of assessment
5 for maintenance in drainage district.

1 SEC. 13. There is hereby appropriated out of the General Fund of
2 the State of Iowa to C. M. Hanson, Des Moines, Iowa, the sum of
3 eighteen and 35/100 dollars (\$18.35) in full settlement of all claims
4 which he may have against the State of Iowa for expense account.

1 SEC. 14. There is hereby appropriated out of the General Fund of
2 the State of Iowa to John E. Spencer, Des Moines, Iowa, the sum of
3 twenty-two dollars (\$22.00) in full settlement of all claims which
4 he may have against the State of Iowa for expense account.

1 SEC. 15. There is hereby appropriated out of the General Fund of
2 the State of Iowa to Mrs. Charles R. Sexton, administratrix of the
3 estate of Charles R. Sexton, deceased, Altoona, Iowa, the sum of five
4 thousand five hundred fifty dollars (\$5550.00) in full settlement of all

5 claims which she as administratrix of said estate may have against
6 the State of Iowa, on account of the death of Charles R. Sexton re-
7 sulting from an accident with an Iowa official car recklessly operated
8 by a state employee, in which Iowa official car the said Charles R.
9 Sexton was riding as a guest.

1 SEC. 16. There is hereby appropriated out of the General Fund of
2 the State of Iowa to Mrs. Venus Willcoxson, administratrix of the
3 estate of Paul Willcoxson, deceased, Bloomfield, Iowa, the sum of six
4 thousand fifty dollars (\$6050.00) in full settlement of all claims which
5 she as administratrix of said estate may have against the State of
6 Iowa, on account of the death of Paul Willcoxson resulting from an
7 accident with an Iowa official car recklessly operated by a State em-
8 ployee.

1 SEC. 17. There is hereby appropriated out of the General Fund of
2 the State of Iowa to Hancock County, Garner, Iowa, the sum of one
3 hundred nine and 2/100 dollars (\$109.02) in full settlement of all
4 claims which it may have against the State of Iowa in correction of
5 error in claim before the Claims Committee in 1945 and 1947 Drainage
6 Assessment.

1 SEC. 18. The State Comptroller is hereby authorized to issue
2 warrants to the above named parties in the amounts stated, and the
3 State Treasurer is hereby directed to pay the same from the general
4 fund of the State of Iowa.

1 SEC. 19. The acceptance of said amounts by the above named parties
2 shall be in full settlement of all claims against the State of Iowa
3 growing out of the above described claims.

Approved April 29, 1947.

CHAPTER 33

CLAIMS AGAINST STATE

S. F. 491

AN ACT to make appropriations to Christine M. Mitchell, Reinbeck, Iowa; Alfred Wrieden, Fort Madison, Iowa; Page County, Clarinda, Iowa; Grant Shade, Des Moines, Iowa; J. A. Strand and Ruth Andersen Strand, Dayton, Iowa; Tri City Delivery Service, Davenport, Iowa; Mrs. Clara B. Noble, Des Moines, Iowa; Muscatine County, Muscatine, Iowa; Robert P. Bell, Cedar Rapids, Iowa; Harold W. Miller, Chariton, Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the State of Iowa to Christine M. Mitchell, Reinbeck, Iowa, the
3 sum of one thousand two hundred ninety-five and 72/100 dollars
4 (\$1295.72) in full settlement of all claims she may have against the
5 State of Iowa for personal injuries as a result of an accident at
6 Eldora Training School while claimant was employed there.

1 SEC. 2. There is hereby appropriated out of the general fund of
2 the State of Iowa to Alfred Wrieden, Fort Madison, Iowa, the sum

3 of four hundred dollars (\$400.00) in full settlement of all claims
4 he may have against the State of Iowa for personal injuries arising
5 out of fall from cell house while washing windows at State Peniten-
6 tiary.

1 SEC. 3. There is hereby appropriated out of the general fund of
2 the State of Iowa to Page County, Clarinda, Iowa, the sum of four
3 thousand two hundred ninety-four and 55/100 dollars (\$4294.55) in
4 full settlement of all claims it may have against the State of Iowa
5 for erroneous payment of care and keep of Frank Fetty and Alice
6 Searcy, insane, at Clarinda State Hospital.

1 SEC. 4. There is hereby appropriated out of the general fund of
2 the State of Iowa to Grant Shade, Des Moines, Iowa, the sum of one
3 thousand dollars (\$1000) in full settlement of all claims he may
4 have against the State of Iowa for personal injuries to eye while an
5 inmate of Ft. Madison State Penitentiary.

1 SEC. 5. There is hereby appropriated out of the general fund
2 of the State of Iowa to J. A. Strand and Ruth Andersen Strand,
3 Dayton, Iowa, the sum of seven hundred fifty dollars (\$750) in full
4 settlement of all claims which they may have against the State of
5 Iowa on account of injuries and property damage and other expense
6 incurred by reason of an accident with a truck owned by the State
7 of Iowa and operated by an employee of the State Conservation
8 Commission.

1 SEC. 6. There is hereby appropriated out of the general fund of
2 the State of Iowa to Tri City Delivery Service, Davenport, Iowa, the
3 sum of three hundred seventy-one and 23/100 dollars (\$371.23) in
4 full settlement of all claims which it may have against the State of
5 Iowa for damage to truck and loss of use of truck by reason of
6 accident with State owned jeep.

1 SEC. 7. There is hereby appropriated out of the general fund of
2 the State of Iowa to Mrs. Clara B. Noble, Des Moines, Iowa, the sum
3 of thirty-seven and 50/100 dollars (\$37.50) in full settlement of all
4 claims which she may have against the State of Iowa on account of
5 a refund of the unexpired portion of the license fee issued to Nobles
6 Employment Service.

1 SEC. 8. There is hereby appropriated out of the general fund of
2 the State of Iowa to Muscatine County, Muscatine, Iowa, the sum of
3 two thousand four hundred seven and 94/100 dollars (\$2407.94) in
4 full settlement of assessment against State owned lands in Drainage
5 District Number 13, Muscatine County, Iowa, taxes payable 1946
6 and 1947.

1 SEC. 9. There is hereby appropriated out of the general fund of
2 the State of Iowa to Robert P. Bell, Cedar Rapids, Iowa, the sum of
3 one hundred twenty-four and 20/100 dollars (\$124.20) in full settle-
4 ment of all claims he may have against the State of Iowa because
5 of an accident with a car owned by the State of Iowa and operated
6 by the State Commerce Commission.

1 SEC. 10. There is hereby appropriated out of the general fund of
 2 the State of Iowa to Harold W. Miller, Chariton, Iowa, the sum of
 3 four hundred twenty-nine and 85/100 dollars (\$429.85) in full settle-
 4 ment of all claims he may have against the State of Iowa because
 5 of the death of Ronald LeRoy Miller at Boys Training School, Eldora,
 6 Iowa.

1 SEC. 11. The State Comptroller is hereby authorized to issue
 2 warrants to the above named parties in the amounts stated, and the
 3 State Treasurer is hereby directed to pay the same from the general
 4 fund of the State of Iowa.

1 SEC. 12. The acceptance of said amounts by the above named parties
 2 shall be in full settlement of all claims against the State of Iowa
 3 growing out of the above described claims.

Approved April 24, 1947.

CHAPTER 34

CLAIMS AGAINST STATE

S. F. 488

AN ACT to make appropriations to Nobles County Cooperative Oil Company, Worthington, Minnesota; Mervin Wogen, Albert Lea, Minnesota; Elmer Jensen, Independence, Iowa; Dessa G. Vanderwilt, Knoxville, Iowa; W. E. Bohl, Buffalo Center, Iowa; R. C. Drake, Crystal Lake, Iowa; J. E. Campbell, Harlan, Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of the motor vehicle
 2 fuel tax refund fund of the State of Iowa to Nobles County Cooperative
 3 Oil Company, Worthington, Minnesota, the sum of three thousand one
 4 hundred twenty-seven and 92/100 dollars (\$3127.92) in full settle-
 5 ment of all claims it may have against the State of Iowa on account
 6 of refund of motor fuel tax on gasoline sold to Iowa customers.

1 SEC. 2. There is hereby appropriated out of the motor vehicle fuel
 2 tax refund fund of the State of Iowa to Mervin Wogen, Albert Lea,
 3 Minnesota, the sum of six dollars (\$6.00) in full settlement of all
 4 claims he may have against the State of Iowa on account of refund on
 5 plates, which claim was filed too late for payment under statute.

1 SEC. 3. There is hereby appropriated out of the motor vehicle fuel
 2 tax refund fund of the State of Iowa to Elmer Jensen, Independence,
 3 Iowa, the sum of one hundred eighteen and 12/100 dollars (\$118.12)
 4 in full settlement of all claims he may have against the State of Iowa
 5 on account of refund of motor registration fee on truck.

1 SEC. 4. There is hereby appropriated out of the motor vehicle fuel
 2 tax refund fund of the State of Iowa to Dessa G. Vanderwilt, Knox-
 3 ville, Iowa, the sum of four dollars (\$4.00) in full settlement of all
 4 claims he may have against the State of Iowa on account of motor
 5 vehicle registration refund filed too late for payment under statute.

1 SEC. 5. There is hereby appropriated out of the motor vehicle fuel
 2 tax refund fund of the State of Iowa to W. E. Bohl, Buffalo Center,

3 Iowa, the sum of two dollars (\$2.00) in full settlement of all claims
4 he may have against the State of Iowa on account of motor vehicle
5 registration refund filed too late for payment under statute.

1 SEC. 6. There is hereby appropriated out of the motor vehicle fuel
2 tax refund fund of the State of Iowa to R. C. Drake, Crystal Lake, Iowa,
3 the sum of one dollar (\$1.00) in full settlement of all claims he may
4 have against the State of Iowa on account of motor vehicle registration
5 refund filed too late for payment under statute.

1 SEC. 7. There is hereby appropriated out of the motor vehicle fuel
2 tax refund fund of the State of Iowa to J. E. Campbell, Harlan, Iowa,
3 the sum of four dollars (\$4.00) in full settlement of all claims he may
4 have against the State of Iowa for refund on motor vehicle registra-
5 tion for years 1941, 1942, 1943 and 1945.

1 SEC. 8. The State Comptroller is hereby authorized to issue his
2 warrant to the above named parties in the amounts stated, and the
3 State Treasurer is hereby directed to pay the same from the motor
4 vehicle fuel tax refund fund of the State of Iowa.

1 SEC. 9. The acceptance of said sum by the above named parties
2 shall be in full settlement of all claims against the State of Iowa grow-
3 ing out of the above described claims.

Approved April 24, 1947.

CHAPTER 35

CLAIMS AGAINST STATE

S. F. 486

AN ACT to make appropriations to Burlington Transportation Company, Galesburg, Illinois; Western Transportation Company, Des Moines, Iowa; Bessie Groves, Des Moines, Iowa; Calhoun County, Rockwell City, Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of the Social Welfare
2 Administration Fund of the State of Iowa to the Burlington Trans-
3 portation Company, Galesburg, Illinois, the sum of eighty-eight cents
4 (\$.88) in full settlement of freight bill covering the shipment of
5 miscellaneous commodities for the Department of Social Welfare
6 of the State of Iowa.

1 SEC. 2. There is hereby appropriated out of the Social Welfare
2 Administration Fund of the State of Iowa to the Western Transporta-
3 tion Company, Des Moines, Iowa, the sum of three dollars and nine
4 cents (\$3.09) in full settlement of freight bill covering the shipment
5 of miscellaneous commodities for the Department of Social Welfare
6 of the State of Iowa.

1 SEC. 3. There is hereby appropriated out of the Iowa Liquor
2 Control Fund of the State of Iowa to Bessie Groves, Des Moines, Iowa
3 the sum of one thousand two hundred fifty dollars (\$1250.00) in full
4 settlement of all claims which she may have against the state because

5 of medical expense and doctor bills as a result of injury received in
6 an accident with an Iowa Official Car.

1 SEC. 4. There is hereby appropriated out of the State Sinking Fund
2 of the State of Iowa to Calhoun County, Rockwell City, Iowa, the sum
3 of six thousand four hundred sixty-seven dollars and ninety cents
4 (\$6467.90) in full settlement of all claims which it may have against
5 the State of Iowa because of loss of balance of county funds deposited
6 in the Farmers' Bank of Yetter, Iowa, which was named a depository
7 for county funds.

1 SEC. 5. The State Comptroller is hereby authorized to issue his
2 warrant to the above named parties in the amounts stated, and the
3 State Treasurer is hereby directed to pay the same from the respective
4 funds above specified.

1 SEC. 6. The acceptance of said sum by the above named parties shall
2 be in full settlement of all claims against the State of Iowa growing
3 out of the above described claims.

Approved April 29, 1947.

CHAPTER 36

CLAIMS AGAINST STATE

S. F. 464

AN ACT to make appropriations to John H. Woodman, Martin Funeral Service, Suthpen Funeral Home, Brimhall-West Company, Larkin-Knutson Funeral Home, Claude W. Smith, Paul S. Fry, Olerich Funeral Home, Woodring Funeral Home, Clarence N. Cooper Mortuary, Geo. J. Brosh, White Funeral Home, Carson-Balster Funeral Home, C. E. Wagler, Blust Funeral Service, Mrs. Alice Tracy.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of the Old Age
2 Assistance Fund of the State of Iowa, to John H. Woodman, Russell,
3 Iowa, the sum of seventy-five dollars (\$75.00) in full settlement of
4 all claims which he may have against the State of Iowa on account
5 of funeral expenses for burial of Aaron W. Dyer, deceased, recipient
6 of Old Age Assistance.

1 SEC. 2. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to Martin Funeral Service, Graettinger,
3 Iowa, the sum of one hundred dollars (\$100.00) in full settlement
4 of all claims which it may have against the State of Iowa on account
5 of funeral expenses for burial of Charles H. Brown, deceased, recipient
6 of Old Age Assistance.

1 SEC. 3. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to Suthpen Funeral Home, Villisca, Iowa,
3 the sum of one hundred dollars (\$100.00) in full settlement of all
4 claims which it may have against the State of Iowa on account of
5 funeral expenses for burial of Minnie E. Ellis, deceased, recipient
6 of Old Age Assistance.

1 SEC. 4. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to Brimhall-West Company, State Center,
3 Iowa, the sum of one hundred dollars (\$100.00) in full settlement of
4 all claims which it may have against the State of Iowa on account
5 of funeral expenses for burial of Ethel Woolston, deceased, recipient
6 of Old Age Assistance.

1 SEC. 5. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to Larkin-Knutson Funeral Service, New
3 Hampton, Iowa, the sum of one hundred dollars (\$100.00) in full
4 settlement of all claims which it may have against the State of Iowa
5 on account of funeral expenses for burial of Mathias Schmidt, deceased,
6 recipient of Old Age Assistance.

1 SEC. 6. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to Claude W. Smith, Story City, Iowa, the
3 sum of eight hundred dollars (\$800.00) in full settlement of all claims
4 which he may have against the State of Iowa on account of funeral
5 expenses for burial of Ole G. Hendrickson, deceased, Jacob Anderson,
6 deceased, William Harris, deceased, Lew Carr, deceased, Minnie
7 Nichols, deceased, Samuel Frette, deceased, Jane Amdall, deceased,
8 Marte Hendrickson, deceased, recipients of Old Age Assistance.

1 SEC. 7. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to Paul S. Fry, Mediapolis, Iowa, the sum
3 of one hundred dollars (\$100.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of funeral expenses
5 for burial of Ida M. Carlson, deceased, recipient of Old Age Assistance.

1 SEC. 8. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to Olerich Funeral Home, Carroll, Iowa,
3 the sum of one hundred dollars (\$100.00) in full settlement of all
4 claims which it may have against the State of Iowa on account of
5 funeral expenses for burial of Joseph Steininger, deceased, recipient
6 of Old Age Assistance.

1 SEC. 9. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to Woodring Funeral Home, Council Bluffs,
3 Iowa, the sum of one hundred dollars (\$100.00) in full settlement of
4 all claims which it may have against the State of Iowa on account of
5 funeral expenses for burial of Jennie Huffaker, deceased, recipient
6 of Old Age Assistance.

1 SEC. 10. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to Clarence N. Cooper Mortuary, Oakland,
3 California, the sum of one hundred dollars (\$100.00) in full settlement
4 of all claims which it may have against the State of Iowa on account
5 of funeral expenses for burial of Frances Montgomery, deceased,
6 recipient of Old Age Assistance.

1 SEC. 11. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to Geo. J. Brosh, Norway, Iowa, the sum
3 of one hundred dollars (\$100.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of funeral expenses
5 for burial of Thomas Britt, deceased, recipient of Old Age Assistance.

1 SEC. 12. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to White Funeral Home, Des Moines, Iowa,
3 the sum of one hundred dollars (\$100.00) in full settlement of all
4 claims which it may have against the State of Iowa on account of
5 funeral expenses for burial of Luella Mae Scott, deceased, recipient
6 of Old Age Assistance.

1 SEC. 13. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to Carson-Balster Funeral Home,
3 Maquoketa, Iowa, the sum of six hundred dollars (\$600.00) in full
4 settlement of all claims which it may have against the State of Iowa
5 on account of funeral expenses for burials of Matilda Hardin, deceased,
6 Carrie Mae Halley, deceased, Ollo M. Breeden, deceased, Mrs. Jerry
7 Merrick, deceased, Mary B. King, deceased, Matt Hoist, deceased,
8 recipients of Old Age Assistance.

1 SEC. 14. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to C. E. Wagler, Bloomfield, Iowa, the sum
3 of one hundred dollars (\$100.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of funeral expenses
5 for burial of Millie Daniels, deceased, recipient of Old Age Assistance.

1 SEC. 15. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to Blust Funeral Home, Avoca, Iowa, the
3 sum of one hundred dollars (\$100.00) in full settlement of all claims
4 which it may have against the State of Iowa on account of funeral
5 expenses for burial of Leslie Donahue, deceased, recipient of Old Age
6 Assistance.

1 SEC. 16. There is hereby appropriated out of the Old Age Assistance
2 Fund of the State of Iowa, to Mrs. Alice Tracy, Des Moines, Iowa,
3 the sum of thirty-six and 80/100 dollars (\$36.80) in full settlement of
4 all claims which she may have against the State of Iowa on account
5 of cancelled assistance warrant issued to Dora A. Watts, deceased,
6 recipient of Old Age Assistance.

1 SEC. 17. The State Comptroller is hereby authorized to issue
2 warrants to the above named parties in the amounts stated, and the
3 State Treasurer is hereby directed to pay the same from the Old Age
4 Assistance Fund of the State of Iowa.

1 SEC. 18. The acceptance of said amounts by the above named
2 parties shall be in full settlement of all claims against the State of
3 Iowa growing out of the above described claims.

Approved April 18, 1947.

	Claimant	Address	Claim Number	Nature of Claim	Amount
44	Iowa Mutual Liability	Cedar Rapids,	H-28	Damage to	
45	Insurance Company	Iowa		auto	\$ 42.40
46	Glen Phelps	Atalissa, Iowa	H-29	Damage to	
47				auto	\$ 40.00
48	Town of Woodward	Woodward,	H-30	Storm Sew-	
49		Iowa		er Intake	\$ 12.62
50	F. H. Jeffrey, Treas-	Chicago, Illinois	H-32	Electric	
51	urer, CMStP&P RR Co.			Crossing	
52				Signal	\$ 68.63
53	Ruse Paint & Supply	Humboldt, Iowa	H-33	Broken	
54	Store			window	\$ 8.90
55	Fay McConnell	Prole, Iowa	H-34	Damage to	
56				truck	\$107.98
57	Minneapolis & St.	Minneapolis,	H-35	Electric	
58	Louis Ry. Company	Minnesota		Flasher	
59				Signal	\$ 37.40
60	Fred Breithbarth	Akron, Iowa	H-37	Damage to	
61				auto	\$185.73
62	Donald M. Walker	Des Moines, Iowa	H-39	Damage to	
63				auto	\$ 54.61
64	H. F. Graepler	Dows, Iowa	H-45	Damage to	
65				auto	\$ 25.05
66	S. Leonard Johnson	Boone, Iowa	H-48	Damage to	
67				auto	\$ 63.00
68	H. M. Phillips	Mt. Pleasant,	H-51	Damage to	
69		Iowa		auto	\$ 7.00
70	Roy Berner	Deloit, Iowa	H-54	Damage to	
71				truck	\$ 7.50
72	W. J. Waggoner	Sutherland,	H-60	Death of	
73		Iowa		dog	\$ 35.00
74	Harvey Thompson	Van Horne, Iowa	H-61	Damage to	
75				truck	\$112.48
76	Denison Independent	Denison, Iowa	H-62	Damage to	
77	School			school bus	\$181.50
78	Ross Comly	Iowa Falls,	H-63	Damage to	
79		Iowa		auto	\$303.47
80	F. J. Eckels	Oakland, Iowa	H-64	Damage to	
81				auto	\$ 99.65

1 SEC. 2. The State Comptroller is hereby authorized and directed
2 to issue his warrants to the above named persons in the amounts set
3 opposite their names, respectively, and the Treasurer of the State is
4 hereby authorized and directed to pay the same from the General Fund
5 of the State of Iowa.

1 SEC. 3. Receipt of said sums by said persons respectively, shall be
2 in full settlement of all claims they may hold against the State of Iowa,
3 the Iowa State Highway Commission, on account of damages as above
4 indicated, claims for which were presented to the Joint Claims Com-
5 mittee of the Fifty-second General Assembly.

Approved March 31, 1947.

CHAPTER 38
CLAIMS AGAINST STATE
S. F. 487

AN ACT to make appropriations to certain named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with state highway equipment, or on account of acts of commission or omission by the state highway commission or its employees.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of the General Fund
2 of the State of Iowa to the following named persons the amounts set
3 opposite their respective names, to-wit:

4	5	6	7	8	9
Claimant	Address	Claim Number	Nature of Claim	Amount	
6 Charles W. Taylor	Winterset, Iowa	H-66	Death of pig	\$ 10.00	
8 Wayne F. Ohrtman	Jolley, Iowa	H-67	Damage to auto	47.00	
10 Gerald Lenten	Blairstown, Iowa	H-68	Damage to auto	113.39	
12 Leo Barrett	Dedham, Iowa	H-69	Damage to auto	209.06	
14 Isaac Boon	Rock Rapids, Iowa	H-71	Damage to alfalfa	22.66	
16 Standard Oil Company	Des Moines, Iowa	H-72	Damage to gasoline unloading pipe and fittings	51.62	
21 Joseph P. Swehla	Spillville, Iowa	H-75	Damage to auto	67.10	
23 H. S. Holtze	Sioux City, Iowa	H-79	Damage to auto	27.56	
25 Leonard E. Goff	Manchester, Iowa	H-81	Damage to auto	25.06	
27 Doris Hindman	Albia, Iowa	H-86a	Medical expense	190.00	
29 Doris Hindman, Guardian for Larry Hindman, minor child	Albia, Iowa	H-86b	Personal injuries	750.00	
32 Doris Hindman, Guardian for Jack Hindman, minor child	Albia, Iowa	H-86c	Personal injuries	2500.00	

1 SEC. 2. The State Comptroller is hereby authorized and directed
2 to issue his warrants to the above named persons in the amounts
3 set opposite their names, respectively, and the Treasurer of State
4 is hereby authorized and directed to pay the same from the General
5 Fund of the State of Iowa.

1 SEC. 3. Receipt of said sums by said persons respectively shall be
2 in full settlement of all claims they may hold against the State of

3 Iowa or the Iowa State Highway Commission on account of damages
 4 as above indicated, claims for which were presented to the Joint
 5 Claims Committee of the Fifty-second General Assembly.

Approved April 24, 1947.

CHAPTER 39

SCHOOL LUNCH APPROPRIATION

S. F. 460

AN ACT to provide for an emergency appropriation for the state superintendent of public instruction, Iowa school lunch division, to permit the Iowa school lunch program to function during the remainder of the biennium.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated to the State Superintend-
 2 ent of Public Instruction from the general fund of the state not
 3 otherwise appropriated, the sum of eight thousand dollars (\$8,000.00)
 4 for operating deficiency of the Iowa School Lunch Program and to be
 5 used for the following purposes:
 6 Salaries and travel and miscellaneous expenses \$8,000.00.

1 SEC. 2. This Act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 the Spencer Times, a newspaper published at Spencer, Iowa, and The
 4 Sheldon Mail, a newspaper published at Sheldon, Iowa.

Approved April 9, 1947.

I hereby certify that the foregoing act was published in the Spencer Times, April 17, 1947, and The Sheldon Mail, April 16, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 40

EMERGENCY GENERAL AID TO SCHOOLS

S. F. 497

AN ACT to appropriate five million dollars (\$5,000,000.00) for emergency aid to the public schools of Iowa, for each year of the biennium, beginning July 1, 1947, and ending June 30, 1949, and providing for the distribution thereof.

WHEREAS, as a result of World War II and the unbalanced economic conditions arising therefrom, an inflation has occurred throughout the United States, and the state of Iowa, and

WHEREAS, the cost of education for the local public school districts of the state of Iowa has been increased together with the cost of city, county, and state government because of such inflation, and

WHEREAS, the present inflation seems now to be at or near its peak, and a recession is generally accepted as the resulting consequence of such inflation, and

WHEREAS, an emergency is now declared to exist and it seems proper to grant emergency aid to the public schools of Iowa, Now Therefore

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated for each year of the
2 biennium beginning July 1, 1947, and ending June 30, 1949, the sum
3 of five million dollars (\$5,000,000.00) for emergency aid to the public
4 schools of the State of Iowa.

1 SEC. 2. The funds hereby appropriated shall be apportioned in
2 the same manner as is provided for the distribution of general school
3 aid under the provisions of House File 93* as enacted by the Fifty-
4 Second General Assembly of Iowa. For the purposes of carrying out
5 the provisions of this act for the distribution of general aid herein
6 appropriated, the funds of each school district, except school house
7 funds, shall be designated as a general fund and a special courses
8 fund.

9 All monies distributed to a public school district from the appropria-
10 tions provided by this act shall be placed by said school district in
11 the said general fund of said district which fund shall be used only
12 for the following purposes:

13 The cost of operating and maintaining the school and the cost of
14 instruction and supervision occasioned by the teaching of the basic
15 curriculum hereinafter described.

16 The special courses fund shall consist of monies raised by levy
17 against the taxable property of the school district for the cost of
18 instruction and supervision in teaching courses other than those
19 included in the basic curriculum.

20 For the purposes of this Act, there is hereby established in each
21 public school a basic curriculum which shall consist of the following
22 subjects:

23 a. In the elementary school, the following: kindergarten courses,
24 reading, writing, arithmetic, spelling, grammar including written
25 and oral language and speech, geography, United States history,
26 history of Iowa, elementary principles of American government, music,
27 health and sanitation, physiology and hygiene including the teaching
28 of the effects of alcohol, narcotics and poisons upon the human
29 system, physical education, elementary sciences including conserva-
30 tion, art and other courses expressly authorized by law.

31 b. In the junior and senior high school, the following: principles
32 of American government, Constitutions of the United States and
33 Iowa, history, economics, sociology, physical education, music, indus-
34 trial arts, English, mathematics, science, language, business education,
35 home economics, agriculture, vocational education and other courses
36 expressly authorized by law.

37 The board of directors of each school district shall prepare a
38 budget as required by law setting out the amount of money proposed
39 to be expended from the general fund and from the special courses
40 fund. The board shall include all state funds distributed to the
41 district under the provisions of this Act in the anticipated income
42 to be received by the general fund, and the amount to be raised
43 by taxation for general fund purposes shall be fixed after deducting

*Chapter 152.

44 the amount to be received from the appropriations in this Act and
 45 any other funds received from the state of Iowa, from the budget
 46 requirements. The board shall include in its budget as a separate
 47 item, any proposed expenditures from the special courses fund and
 48 the amount to be raised by taxation for such purposes shall be a
 49 separate item and the levy made therefor shall be separate and distinct
 50 from the levy for general fund purposes.

51 No transfer of funds shall be made to the special courses fund from
 52 the general fund, any provision of the law to the contrary notwith-
 53 standing.

1 SEC. 3. This act being deemed of immediate importance shall
 2 become effective upon publication in the Bedford Times Press, a
 3 newspaper published at Bedford, Iowa, and the Public Opinion, a
 4 newspaper published at Decorah, Iowa.

Approved May 1, 1947.

I hereby certify that the foregoing act was published in the Bedford Times Press,
 May 8, 1947, and the Public Opinion, May 7, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 41

GENERAL CONTINGENT FUND

H. F. 526

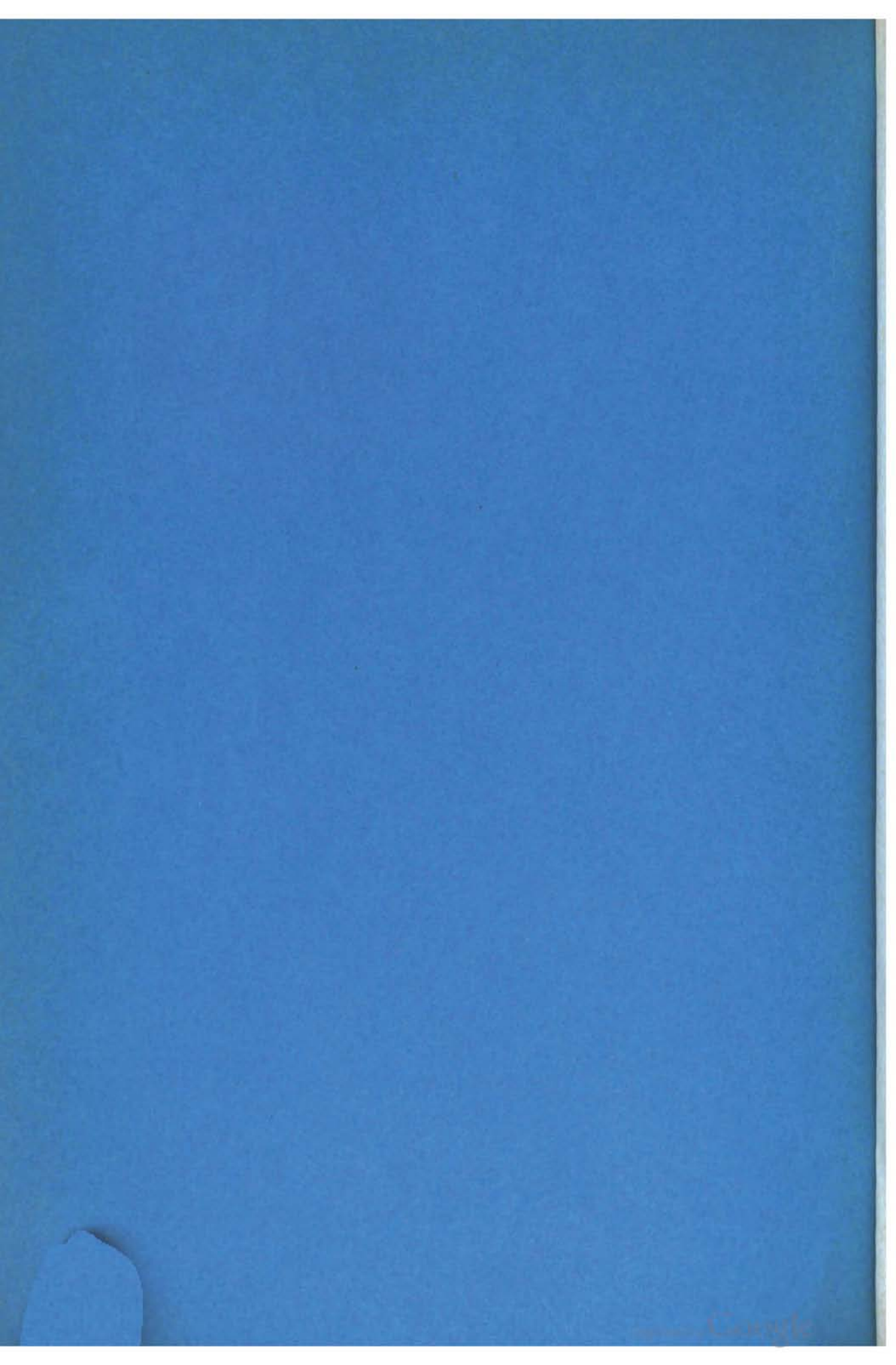
AN ACT creating the general contingent fund of the state for the ensuing biennium
 and providing for the administration of said fund.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The general contingent fund of the state for the
 2 biennium beginning July 1, 1947, and ending June 30, 1949, is hereby
 3 created and said fund shall consist of the sum of one million dollars
 4 (\$1,000,000) hereby appropriated thereto from the general fund of
 5 the state. Said contingent fund shall be administered by the joint
 6 committee on retrenchment and reform and allocations therefrom may
 7 be made only for contingencies arising during the biennium which are
 8 legally payable from the funds of the state. No allocation from said
 9 fund shall be made for the administration of, or carrying out, the
 10 provisions of any act passed by the 52d General Assembly which does
 11 not contain an appropriation. Nor shall the committee on retrench-
 12 ment and reform allocate any funds for any purpose or project
 13 which was, or should have been, presented to the general assembly
 14 by way of a bill and which failed to become enacted into law. A report
 15 of the dispositions made of the fund during the first eighteen months
 16 of the biennium shall be made by the committee on retrenchment and
 17 reform to the state comptroller prior to the convening of the 53d
 18 General Assembly and by him included in the printed budget. Any
 19 balance in said contingent fund as of June 30, 1949, shall revert to
 20 the general fund of the state.

Approved April 24, 1947.

GENERAL LAWS



GENERAL LAWS

(TEMPORARY)

CHAPTER 42

STATE EMPLOYEES COMPENSATION

S. F. 484

AN ACT relating to the approval of compensation of employees of the state during the biennial fiscal period beginning July 1, 1947, and ending June 30, 1949.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. During the biennium beginning July 1, 1947 and
- 2 ending June 30, 1949, the compensation paid employees of the State
- 3 from appropriations made by the General Assembly, except employees
- 4 of elected state officials and of institutions under the State Board of
- 5 Education, and except salaries specifically provided for by statute or
- 6 appropriation act, shall be subject to the approval of the Comptroller
- 7 and the Executive Council.

Approved May 19, 1947.

CHAPTER 43

ABSENT VOTING BY ARMED FORCES

H. F. 404

AN ACT relating to absent voting by members of the armed forces.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Chapter thirty-six (36) Acts of the Fifty-first (51st)
- 2 General Assembly is hereby repealed.

Approved April 10, 1947.

CHAPTER 44

VETERANS INFORMATION CENTERS

S. F. 428

AN ACT to authorize county boards of supervisors in counties having a city having a population of one hundred twenty-five thousand (125,000) or more, or cities having a population of one hundred twenty-five thousand (125,000) or more, or such counties and cities by united action, to appropriate money for information centers for returned veterans.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Any county in which there is a city having a population
- 2 of one hundred twenty-five thousand (125,000) or more, or any city
- 3 having a population of one hundred twenty-five thousand (125,000)

4 or more, or any such above described county and city by united action,
 5 may expend and appropriate at the discretion of the city council of
 6 such city or Board of Supervisors of such county, or both, such sums
 7 as are necessary to pay the costs and expenses of continuing and main-
 8 taining information centers for returned veterans.

1 SEC. 2. This act shall terminate on April 1, 1949.

1 SEC. 3. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its publication in the Plain Talk,
 3 a newspaper published at Des Moines, Iowa, and in the American
 4 Citizen, a newspaper published at Des Moines, Iowa.

Approved April 3, 1947.

I hereby certify that the foregoing act was published in the Plain Talk, April 10, 1947,
 and the American Citizen, April 11, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 45

VETERANS' LICENSE REFUNDS

S. F. 20

AN ACT to amend chapter one hundred forty-seven (147), code 1946, relating to the
 refund of license fees paid by persons who served with the armed forces of the
 United States during World War II, and who were honorably discharged therefrom.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter one hundred forty-seven (147), Code 1946,
 2 is hereby amended by inserting as a new section thereof the following:
 3 "Any license fee imposed under the provisions of this chapter, and
 4 paid by a person who, during the entire period for which said license
 5 fee was imposed, has served in the armed forces of the United States
 6 during World War II and who has been honorably discharged
 7 therefrom, shall be refunded to said person, provided application
 8 therefor, supported by his affidavit and a certified copy of his discharge
 9 certificate showing period of service in accordance with said applica-
 10 tion, is made by such person. In case renewals have not been paid,
 11 they shall be cancelled. Where the application involves fees paid for
 12 a license to practice pharmacy the application shall be made to the
 13 secretary of the board of pharmacy examiners, and where it involves
 14 fees paid for a license to practice nursing the application shall be
 15 made to the secretary of the board of nurse examiners. In all other
 16 cases the application shall be made to the state department of health.
 17 Upon approval thereof, and a certification of the amount of refund
 18 due thereunder, either by the commissioner of public health, or by
 19 the secretary of the board of pharmacy or nurse examiners, as the
 20 case may be, to the state comptroller, the said comptroller shall pay
 21 said amount due from the general fund, and there is hereby appropri-
 22 ated annually out of the general fund not otherwise appropriated
 23 such amounts as may be necessary to pay said refunds. No license
 24 fees paid prior to the effective date of this Act shall be refunded unless
 25 application therefor is filed with said department prior to July 1,

26 1950, and no license fees paid subsequent to the effective date of this
 27 Act shall be refunded unless application therefor be filed with said
 28 department within six (6) months after the date of the honorable
 29 discharge of said applicant. No additional fees paid in connection
 30 with the renewal of a license to practice pharmacy, under the pro-
 31 visions of section one hundred forty-seven point one hundred
 32 (147.100), or in connection with the renewal of a license to practice
 33 embalming, under the provisions of section one hundred forty-seven
 34 point one hundred one (147.101), shall be refunded under the pro-
 35 visions hereof".

Approved February 26, 1947.

CHAPTER 46
 INCOME TAX
 S. F. 37

AN ACT to amend chapter four hundred twenty-two (422), code 1946, relating to the rates, credits and returns provided for in the administration of the Iowa state income tax laws, and amending sections* four hundred twenty-two point five (422.5); so as to provide for a fifty per cent (50%) credit to the taxpayer on the income tax imposed under the provisions of said section and section four hundred twenty-two point twenty-four (422.24) so as to provide that the tax to be paid may be made in the same installments as provided by said section; further providing to include returns on a fiscal year basis where any portion of the taxable year of 1946 is included therein; further providing a section for publication clause.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. In payment of the income tax imposed under the
 2 provisions of section four hundred twenty-two point five (422.5), Code
 3 1946, for the year nineteen hundred forty-six (1946), and payable in
 4 nineteen hundred forty-seven (1947), fifty per cent (50%) of the tax
 5 imposed shall be credited to the taxpayer and fifty per cent (50%)
 6 of the tax imposed shall be accepted in full of the tax liability for the
 7 year nineteen hundred forty-six (1946).

1 SEC. 2. The fifty per cent (50%) of the tax provided in section
 2 one (1) of this act to be accepted in full of the tax liability shall be
 3 payable in the same installments as provided for in section four
 4 hundred twenty-two point twenty-four (422.24), Code 1946, but in
 5 any case where the entire amount of tax due for the year nineteen
 6 hundred forty-six (1946) and payable in the year nineteen hundred
 7 forty-seven (1947) is ten dollars or less after the fifty per cent (50%)
 8 reduction has been made, the tax shall be paid in full in one payment
 9 within ninety days after the expiration of the tax year of nineteen
 10 hundred forty-six (1946).

1 SEC. 3. The provisions of this act shall be applicable to individual
 2 income tax payers making a return on a fiscal year basis, which fiscal
 3 year must include some portion of the taxable year of nineteen hundred
 4 forty-six (1946).

*According to enrolled act.

1 SEC. 4. This act being deemed of immediate importance, shall be
 2 in full force and effect from and after its passage and publication in
 3 Postville Herald, a newspaper published at Postville, Iowa and in the
 4 Marshalltown Times Republican, a newspaper published at Marshall-
 5 town, Iowa.

This bill, having remained with the governor three days, the general assembly being in session, has become a law this 15th day of February, 1947 as provided by Section 16, Article III of the Constitution.

ROLLO H. BERGESON, *Secretary of State.*

I hereby certify that the foregoing act was published in the Postville Herald, February 26, 1947, and the Marshalltown Times Republican, February 19, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 47

INCOME TAX REFUNDS

H. F. 420

AN ACT to provide for refunds where tax payers have remitted more than 50% of the state income tax due and payable for the year 1946.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. In all cases where payments are, or have been made,
 2 of an amount in excess of 50% of the state income tax properly due
 3 and payable for the year 1946, the state tax commission shall make
 4 refunds to such taxpayers, and no application for such refunds shall
 5 be necessary by the taxpayer and said commission shall certify the
 6 amount of the refund to the state comptroller who shall issue a
 7 warrant therefor.

1 SEC. 2. This act, being deemed of immediate importance, shall be
 2 in full force and effect from and after its publication in The Radcliffe
 3 Signal, a newspaper published at Radcliffe, Iowa, and in The World
 4 Journal, a newspaper published at Ackley, Iowa.

Approved April 14, 1947.

I hereby certify that the foregoing act was published in The Radcliffe Signal, April 24, 1947, and The World Journal, April 24, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 48

VETERANS' TAX PAYMENTS LEGALIZED

H. F. 1

AN ACT to amend section four hundred forty-five point thirty-nine (445.39), code 1946, relating to interest and penalty on delinquent taxes levied on property of persons serving in the armed forces of the United States, legalizing the acceptance of said taxes on the part of county treasurers without the payment of interest and penalty, and providing for a refund of such interest and penalty to such persons where the same were paid on taxes due and payable in the years 1945 and 1946.

WHEREAS, the Fiftieth General Assembly of Iowa enacted chapter two hundred twenty-one (221) providing that interest and penalties should

not be charged on any taxes due and payable in the years 1943 and 1944 when the same were levied on the property of persons serving in the armed forces of the United States, and

WHEREAS, by the enactment of said chapter two hundred twenty-one (221) the policy of the state of Iowa with respect to the subject matter thereof was declared of record, and

WHEREAS, through apparent inadvertence, the statute embraced by said chapter was not re-enacted by the Fifty-first General Assembly of Iowa, and

WHEREAS, various county treasurers have accepted from persons in the armed forces of the United States taxes payable in the years 1945 and 1946 without requiring the payment of interest and penalties, and some county treasurers have required from such persons the payment of interest and penalties on taxes payable in the years 1945 and 1946, and

WHEREAS, it is believed that the policy established by the Fiftieth General Assembly of Iowa should have been continued through the years 1945 and 1946 and thus the acts of county treasurers in accepting taxes from such persons for said years without the payment of interest and penalties should now be legalized and a refund provided in all instances where county treasurers have required the payment of interest and penalties on taxes levied on the property of such persons, which taxes were due and payable in the years 1945 and 1946,

NOW, THEREFORE,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred forty-five point thirty-nine
2 (445.39), Code 1946, is amended by adding thereto the following:
3 "No interest and penalties shall be charged on any such taxes due
4 and payable in the years 1945 and 1946 when the same are levied on
5 the property of a person serving in the armed forces of the United
6 States."

1 SEC. 2. Section four hundred forty-five point thirty-nine (445.39),
2 Code 1946, is further amended by adding thereto the following: "In
3 all instances in which county treasurers have collected such taxes
4 without the payment of interest and penalties on the part of such
5 persons serving in the armed forces of the United States during the
6 years 1945 and 1946, such acts on the part of the county treasurers are
7 hereby legalized and validated and the payment of such taxes without
8 interest and penalties thereon is hereby declared to be in full payment
9 and discharge thereof."

1 SEC. 3. Section four hundred forty-five point thirty-nine (445.39),
2 Code 1946, is further amended by adding thereto the following: "In
3 all instances in which county treasurers have accepted or collected
4 interest and penalties on such taxes from any person serving in the
5 armed forces of the United States during the years 1945 and 1946, the
6 amount of such interest and penalties so collected by the county
7 treasurers shall, upon application be refunded to him by the county
8 treasurer to whom the same has been paid."

Approved February 7, 1947.



GENERAL LAWS**(PERMANENT)****CHAPTER 49****GENERAL ASSEMBLY EXPENSE**

H. F. 8

AN ACT to amend section two point twenty (2.20), code 1946, relating to current expenses of the general assembly.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two point twenty (2.20), Code 1946, is hereby
2 amended by adding at the end of the first paragraph of said section
3 the following: "Provided, however, that any interim expenses au-
4 thorized by either branch of the general assembly shall be paid upon
5 requisition to the state comptroller signed by the presiding officer of
6 the legislative branch authorizing the same."

Approved May 1, 1947.

CHAPTER 50**PUBLICATION RATES FOR ACTS**

S. F. 158

AN ACT to amend section three point sixteen (3.16), code 1946, relating to the cost of publishing the laws of the General Assembly.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three point sixteen (3.16), Code 1946, is hereby
2 amended by striking the word "one" from line five (5) and by striking
3 the word "third" from line six (6).

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Madrid Register-News, a newspaper published at Madrid, Iowa,
4 and in Kossuth County Advance, a newspaper published at Algona,
5 Iowa.

Approved February 14, 1947.

I hereby certify that the foregoing act was published in the Madrid Register-News, February 20, 1947, and the Kossuth County Advance, February 18, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 51

SALARY OF GOVERNOR

S. F. 105

AN ACT relating to the annual salary of the governor of the state of Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter seven (7), Code 1946, is amended by adding
2 thereto the following: "The salary of the Governor shall be twelve
3 thousand (\$12,000.00) dollars per annum".

1 SEC. 2. This act shall become effective upon the inauguration of
2 the Governor in January, 1949.

This bill, having remained with the governor three days (Sunday excepted), the general assembly being in session, has become a law this 12th day of April, 1947, as provided by Section 16, Article III, of the Constitution.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 52

HIGHWAY COMMISSION AUDIT

S. F. 154

AN ACT to amend section eleven point three (11.3), code 1946, relating to the audit of accounts of state highway commission.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section eleven point three (11.3), Code 1946, be
2 and is hereby amended:

3 1. By striking from lines four (4) and five (5) thereof the follow-
4 ing: "in connection with a certified public accountant".

5 2. By striking from lines eight (8) and nine (9) of the said section:
6 "compensation of such certified public accountant" and inserting in
7 lieu thereof the following: "cost of the audit".

Approved February 14, 1947.

CHAPTER 53

SCHOOL EXAMINERS' COMPENSATION

H. F. 54

AN ACT relating to the compensation and expenses of county, municipal and school examiners and their assistants, and providing payment therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section eleven point eight (11.8) Code 1946, be
2 amended by striking from said section all of the said section after the
3 word "auditor" in line four (4) thereof.

1 SEC. 2. County, Municipal and School Examiners and their assist-
2 ants shall be paid a per diem of not to exceed ten dollars each for

3 each day they actually work, and their actual and necessary expenses.
 4 Said payment shall be made from the General Fund on Certification
 5 of the Auditor of State, and the General Fund shall be reimbursed
 6 as provided in Sections eleven point twenty (11.20) and eleven point
 7 twenty-one (11.21), Code 1946.

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 the Davis County Republican, a newspaper published at Bloomfield,
 4 Iowa, and in the Chariton Herald-Patriot, a newspaper published at
 5 Chariton, Iowa.

Approved April 23, 1947.

I hereby certify that the foregoing act was published in the Davis County Republican,
 April 29, 1947, and the Chariton Herald-Patriot, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 54

LEGISLATIVE JOURNALS AND BILLS

H. F. 36

AN ACT to amend section sixteen point thirty (16.30), code 1946, relating to the cost
 of legislative journals and bills.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section sixteen point thirty (16.30), Code 1946, is
 2 amended by striking the sentence commencing with the word "The"
 3 in line five (5) and ending with the word "dollars." in line seven (7)
 4 and inserting in lieu thereof the following: "The journals and bills
 5 for both houses for any one session may be purchased for such sum
 6 as is fixed by the state printing board."

Approved February 26, 1947.

CHAPTER 55

LIQUOR REVENUE IN BUDGET

S. F. 494

AN ACT to amend section twenty-four point fourteen (24.14), code of Iowa, 1946
 relating to the local budget law and the expenditure of funds thereunder.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The provisions of section twenty-four point fourteen
 2 (24.14), Code 1946, shall not be applicable to money now on hand or
 3 any received by counties prior to and including the thirty-first day of
 4 December 1947, or by cities and towns prior to and including the first
 5 day of April, 1948, from the one cent gasoline tax provided by section
 6 three hundred twenty-four point sixty-three, (324.63), Code of 1946,
 7 or out of funds to be received by cities and towns from the sales of
 8 liquor as provided by Senate File forty-one, (41),* Fifty-second Gen-

*Chapter 88.

9 eral Assembly, up to and including April 1, 1948, and these funds may
 10 be expended by the municipalities for the purposes prescribed by the
 11 legislature in the foregoing enactments, prior to said dates. However,
 12 all budgets which are hereafter set up in accordance with the statutes
 13 in the year 1947 and ensuing years shall take such funds into account,
 14 and all such funds, regardless of their source, shall be considered in
 15 preparing the budget, all as is provided in Chapter twenty-four, (24),
 16 Code of 1946.

1 SEC. 2. This act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in the Reinbeck
 3 Courier, a newspaper published in the City of Reinbeck, Iowa and in
 4 the Grundy Register, a newspaper published in Grundy Center, Iowa,
 5 all without expense to the state.

Approved April 30, 1947.

I hereby certify that the foregoing act was published in the Reinbeck Courier, May 8,
 1947, and the Grundy Register, May 8, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 56

MILITARY CODE

H. F. 19

AN ACT to amend the military code of Iowa (code 1946).

Re It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section twenty-nine point two, (29.2), Code 1946,
 2 is hereby amended by striking from line seventeen (17) thereof, the
 3 word "flight" and inserting in lieu thereof the word "squadron".

4 Said section is hereby further amended by inserting in line twenty-
 5 three (23) thereof, following the word "an" the word "group".

1 SEC. 2. Section twenty-nine point twenty-one, (29.21), Code 1946,
 2 is hereby amended by inserting after the word "received" in line
 3 seventeen (17) thereof the following: "or as a result of illness or
 4 disease contracted".

1 SEC. 3: Section twenty-nine point twenty-three, (29.23), Code
 2 1946, is hereby amended by striking the words "state staff corps and
 3 detachment" wherever they appear in this section, and inserting in
 4 lieu thereof the words "state headquarters and headquarters detach-
 5 ment".

1 SEC. 4. Section twenty-nine point thirty-one, (29.31), Code 1946,
 2 is hereby amended by striking all of said section after the word
 3 "compensation" appearing in line three (3) thereof and inserting in
 4 lieu thereof the following: "of officers and enlisted men and expenses
 5 of the national guard and claims for death, injury and illness of the
 6 members thereof, incurred in line of duty, shall be paid out of any
 7 funds in the state treasury not otherwise appropriated."

1 SEC. 5. Section twenty-nine point forty-five, (29.45), Code 1946,
2 is hereby amended by inserting in line seven (7) thereof following the
3 word "land" the word "equipment,".

4 Said section is hereby further amended by inserting in line nine (9)
5 thereof following the word "purchased" the words "or leased, and for
6 the maintenance thereof".

7 Said section is hereby further amended by inserting in line eleven
8 (11) thereof following the word "purchased" the words "or leased".

9 Said section is hereby further amended by inserting in line thirteen
10 (13) thereof following the word "buildings" the words ", equipment,
11 maintenance,".

1 SEC. 6. Section twenty-nine point forty-six, (29.46), Code 1946,
2 is hereby amended by striking from line four (4) thereof the words
3 "The net proceeds therefrom" and inserting in lieu thereof the words
4 "Any revenue or income derived from the operation of the swimming
5 pool or other sources or facilities at Camp Dodge".

6 Section twenty-nine point forty-six (29.46), Code 1946, is hereby
7 amended by adding after the word "pool" in line three (3) the words
8 "and other sources or facilities".

1 SEC. 7. Section twenty-nine point fifty-three, (29.53), Code 1946,
2 is hereby amended by striking from said section all of the first para-
3 graph thereof and inserting in lieu thereof the following:

4 "The governor may order the national guard into camp for field
5 training for such period or periods as he may direct. He may, in his
6 discretion, order such organizations or personnel of the National Guard,
7 as he may deem proper, to active service, or duty, or to assemble for
8 purposes of drill, instruction, parade, ceremonies, guard and escort
9 duty, and schools of instruction, and prescribe all regulations and re-
10 quirements therefor."

1 SEC. 8. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 The Times-Republican, a newspaper published at Corydon, Iowa, and
4 in the Spencer Times, a newspaper published at Spencer, Iowa.

Approved April 28, 1947.

I hereby certify that the foregoing was published in The Times-Republican, May 8,
1947, and the Spencer Times, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 57

ARMORY BOARD

H. F. 192

AN ACT to amend section twenty-nine point forty-nine (29.49), code 1946, relating to armory board.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section twenty-nine point forty-nine (29.49), Code
2 1946, is hereby amended by striking all of lines one (1) to eighteen
3 (18), inclusive, and by inserting in lieu thereof the following:

4 "The governor shall appoint an armory board which shall consist
5 of the adjutant general, two officers from the active commissioned
6 personnel of the national guard, and two other persons, who are
7 citizens of the state of Iowa, of good moral character, one of whom
8 shall have had at least five years actual experience in the investment
9 banking business, and one of whom shall have had at least five years
10 experience in the building construction trade. The board shall meet
11 at such times and places as are ordered by the governor. The four
12 members, so appointed, shall serve at the pleasure of the governor.
13 The two civilian members of the board shall receive compensation
14 of ten dollars and actual expenses for each day actually employed
15 under the provisions of this act.

16 "Armory board—general powers. The board shall be empowered
17 to acquire land or real estate by purchase, contract for purchase,
18 gift, bequests or condemnation and to acquire, own, contract for the
19 construction of, erect, purchase, maintain, alter, operate, and repair
20 armories when funds for the same are made available by the federal
21 government, the state of Iowa, municipalities, corporations or in-
22 dividuals. The title to such property so acquired shall be taken
23 in the name of the state of Iowa and such real estate may be sold by
24 the executive council, upon recommendation of the board, when no
25 longer needed for the purpose for which it was acquired.

26 "The armory board as lessee, may lease property to be used for
27 armory purposes; said lease to extend for any period but not to
28 exceed twenty (20) years.

29 "The board shall fix the rental allowance for each unit of the
30 national guard to be paid by the state for other than state owned
31 armories; such rental to be paid from funds appropriated for the
32 support and maintenance of the national guard.

33 "Financing new armories—self-liquidating provisions for financing
34 new armories. In carrying out the provisions of this act, the armory
35 board may:

36 (1) borrow money.

37 (2) mortgage any real estate acquired and the improvements
38 erected thereon when purchasing or improving the same, in order to
39 secure necessary loans.

40 (3) pledge the rents, profits, and income received from any such
41 property for the discharge of obligations executed.

42 "No obligation created hereunder shall ever be or become a charge
43 against the state of Iowa, but all such obligations, including principal
44 and interest, shall be payable solely:

45 (1) from the net rents, profits, and income arising from the
46 property so pledged or mortgaged.

47 (2) from the net rents, profits, and income which have not been
48 pledged for other purposes arising from any other armory or like
49 improvement under the control and management of said board, or,

50 (3) from the income derived from gifts and bequests for armory
51 purposes under the control of the armory board.

52 "All property, real or personal, acquired by, and all bonds, debentures
53 or other written evidences of indebtedness, given as security by said
54 board, shall be exempt from taxation.

55 "When property acquired by the armory board, under the provisions

56 of this law, shall be free and clear of all indebtedness, the title of
57 such property shall pass to the state of Iowa.

58 "All action of the armory board in connection with the acquiring
59 of land or real estate, or improvements thereon, or the disposal of
60 same, or the creation of any indebtedness, shall be with the approval
61 of the state executive council.

62 "There shall be no liability to the State of Iowa under the provisions
63 of this Act. No member of the armory board and no member of
64 the state executive council shall be held to any personal or individual
65 liability for any action taken by them under the provisions of this
66 law."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication
3 in the Correctionville News, a newspaper published at Correctionville,
4 Iowa, and in the Marion County News, a newspaper published at
5 Pleasantville, Iowa.

Approved April 16, 1947.

I hereby certify that the foregoing act was published in the Correctionville News,
April 24, 1947, and the Marion County News, April 24, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 58

SOLDIERS' ORPHANS AID

S. F. 2

AN ACT to amend section thirty-five point seven (35.7) and to repeal sections thirty-five point eight (35.8) and thirty-five point nine (35.9), and enacting substitutes therefor, and to amend section thirty-five point ten (35.10), code 1946, relating to soldiers' orphans' educational aid fund, and providing for the expenditures from said fund by the state bonus board and the amount of such aid.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section thirty-five point seven (35.7), Code 1946, is
2 amended by striking from line three (3) thereof the word "world".

1 SEC. 2. Section thirty-five point eight (35.8), Code 1946, is repealed
2 and the following enacted in lieu thereof:

3 "Any money hereafter appropriated for the purpose of aiding in
4 the education of children of honorably discharged men or women who
5 served in the military or naval forces of the United States in World
6 War I or World War II, as provided by this act, shall be known as
7 the war orphans' educational aid fund."

1 SEC. 3. Section thirty-five point nine (35.9), Code 1946, is repealed,
2 and the following enacted in lieu thereof:

3 "Said bonus board is authorized to expend not to exceed three
4 hundred dollars per year for any one child who shall have lived in the
5 state of Iowa for two years preceding application for aid hereunder,
6 and who is the child of a man or woman who died during World War I
7 between the dates of April 6, 1917 and June 2, 1921, or during World
8 War II between the dates of September 16, 1940 and the date which

9 shall be officially designated by the government of the United States
 10 as the termination of World War II, while serving in the military or
 11 naval forces of the United States, or as a result of such service, to
 12 defray the expenses of tuition, matriculation, laboratory and similar
 13 fees, books and supplies, board, lodging, and any other reasonably
 14 necessary expense for such child or children incident to attendance at
 15 any educational or training institution of college grade, or in any
 16 business or vocational training school of standards approved by said
 17 bonus board, said educational institutions to be located within the
 18 state of Iowa."

1 SEC. 4. Section thirty-five point ten (35.10), Code 1946, is amended
 2 by striking from lines seventeen (17) and eighteen (18) the words
 3 "one hundred fifty" and substituting therefor the words "three
 4 hundred".

Approved March 27, 1947.

CHAPTER 59

SOLDIERS BONUS

S. F. 492

AN ACT authorizing the state of Iowa to become indebted in the amount of eighty-five million dollars (\$85,000,000) and providing for the issue and sale of bonds of said state in evidence thereof, to procure funds for and pay service compensation to persons who served in the armed forces of the United States at any time between the sixteenth day of September, 1940, and the second day of September, 1945, both inclusive or their successors in interest, providing for a board to administer such payments, providing for additional compensation to persons under disability, providing for the imposition, levy and collection of a direct annual tax sufficient to pay the principal and interest on said bonds, and providing penalties for the violation of the provisions of this act; providing for the application of any surplus to the retirement of the indebtedness herein created; and providing for submission of this act to the people to be voted upon at the general election to be held in the year 1948.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The state of Iowa is hereby authorized to become in-
 2 debted in the amount of eighty-five million dollars (\$85,000,000) and
 3 in evidence thereof there shall be issued and sold negotiable coupon
 4 bonds of said state as hereinafter provided, and the proceeds thereof
 5 shall be paid into the treasury of the state to be expended for the pay-
 6 ment of service compensation to the persons defined in section four (4)
 7 of this act, or for the benefit of such persons as prescribed by section
 8 four (4) and ten (10) of this act, and for expenses incurred in carrying
 9 out the provisions of this act.

1 SEC. 2. The treasurer of the state is hereby directed to cause to be
 2 prepared negotiable coupon bonds of this state in the amount of
 3 eighty-five million dollars (\$85,000,000), such bonds to bear interest
 4 at the rate of not to exceed two and one-half percent (2½%) per
 5 annum which interest shall be paid semi-annually. Such bonds shall
 6 be issued so that said indebtedness shall be payable in twenty (20)
 7 equal annual installments, the last of which shall be within twenty

8 (20) years from the date of issue, bonds to be callable in numerical
9 order on six (6) months notice at one hundred one and one-half per-
10 cent (101½%) of the par value. Said bonds shall be signed by the
11 governor under the great seal of said state, attested by the secretary
12 of state and countersigned by the treasurer of state, and the full faith,
13 credit and resources of the state of Iowa shall be pledged for the pay-
14 ment thereof. The interest coupons attached to said bonds shall bear
15 the lithographed facsimile signatures of said officials. The treasurer
16 of state shall sell said bonds to obtain funds to carry out the provisions
17 of this act, and to make the payments hereinafter provided. Such
18 bonds shall be sold at not less than the par value thereof and accrued
19 interest thereon to the highest and most responsible bidder after
20 advertising for a period of twenty consecutive days, Sundays excepted,
21 in at least two daily newspapers printed in the state of Iowa. Ad-
22 vertisements of sale shall recite that the treasurer of state, in his
23 discretion, may reject any or all bids received and, in such event, he
24 shall readvertise for bids in the form and manner above described as
25 many times as in his judgment may be necessary to effect a satis-
26 factory sale. If any of said bonds are not presented for payment with-
27 in ten (10) years after maturity they shall be barred.

1 SEC. 3. The proceeds of such bonds so paid into the treasury of
2 state shall constitute a service compensation fund and shall be dis-
3 tributed to the persons entitled thereto as hereinafter prescribed.
4 Said eighty-five million dollars (\$85,000,000) is hereby appropriated
5 out of said service compensation fund for the purpose of carrying out
6 the provisions of this act.

1 SEC. 4. Every person, male or female, who served on active duty, in
2 the armed forces of the United States, at any time between September
3 16, 1940, and September 2, 1945, both dates inclusive, and who at
4 the time of entering into such service was a legal resident of the state
5 of Iowa, and who had maintained such residence for a period of at
6 least six (6) months immediately prior thereto, and was honorably
7 separated or discharged from such service, or is still in active service in
8 an honorable status, or has been retired, or has been furloughed to a
9 reserve, or has been placed on inactive status, shall be entitled to re-
10 ceive from the service compensation fund ten dollars (\$10.00) for each
11 month that such person was in active domestic service and twelve
12 and one-half dollars (\$12.50) for each month that such person was
13 in active foreign service, all prior to December 31, 1946, not to exceed
14 a total sum of five hundred dollars (\$500.00), provided that such per-
15 son served for a period of not less than one hundred twenty (120)
16 days prior to December 31, 1946. Compensation for a fraction of a
17 month shall not be considered unless it be sixteen days or more in
18 which event it shall be computed as a full month. No person shall
19 be entitled to such compensation who received a bonus or compensa-
20 tion of like nature, as provided in this act, from another state. No
21 person shall be entitled to such compensation who being in the service
22 of the armed forces of the United States, subsequent to September 16,
23 1940, refused on conscientious, political, religious, or other grounds to
24 subject himself or herself to military discipline. Service in the
25 merchant marine shall not be considered for the purposes of this act.
26 The surviving unremarried widow or widower, child or children, step-

27 child or stepchildren, mother, father, or person standing in loco
28 parentis, in the order named and none other, of any deceased person,
29 shall be paid the compensation that such deceased person would be
30 entitled to under this act, if living; but, if any person has heretofore
31 died or shall hereafter die, from service connected causes incurred
32 between September 16, 1940, and December 31, 1946, the first of
33 survivors as hereinbefore designated and in the order named, shall
34 be paid five hundred dollars (\$500.00), regardless of the length of
35 such service.

1 SEC. 5. Active duty in the armed forces of the United States shall
2 include all time for which credit is received in the computation of
3 terminal leave, including such leave time as provided for by federal
4 statutes, including Armed Forces Leave Act of 1946,* and attendance
5 at an armed forces school including such schools conducted at a college,
6 university, or similar institution of learning, but shall exclude time
7 pursuing a course of instruction in a college, university, or other
8 institution of learning as a duly enrolled student.

1 SEC. 6. There is hereby created a board to be known as the "World
2 War II Service Compensation Board" to consist of the state auditor,
3 state treasurer, the adjutant general and two veterans of World War
4 II, which two veterans shall be appointed by the governor and serve
5 at his pleasure. The World War II members of the board shall receive
6 compensation of ten dollars (\$10.00) a day and actual expenses for
7 each day of actual service in the administration of the provisions of
8 this act. The board shall maintain its office at the seat of government
9 in Des Moines, Iowa.

1 SEC. 7. Duties. It shall be the duty of the said board to administer
2 the provisions of this act, to examine all applications and approve
3 or disapprove the same and make any investigation necessary to
4 establish facts. In the event an application is disapproved by the
5 board, the claimant shall have the right of appeal to the district court
6 of the state of Iowa in and for the county of his legal residence within
7 a period of thirty days from date of mailing by registered mail of
8 notice of such disapproval. The appeal shall be perfected by filing
9 in the office of the board, a written notice of appeal setting forth the
10 order or finding appealed from and the grounds of the appeal. Within
11 thirty (30) days after the filing of such notice of appeal the board
12 shall make, certify and file in the office of the clerk of the district
13 court to which the appeal is taken, a full and complete transcript
14 of all documents in the proceeding, including any depositions, a
15 transcript or certification of the evidence, if reported, including
16 the notice of appeal. The clerk shall forthwith docket such appeal.
17 The appeal shall be heard in such district court as in equity de novo.
18 Appeal may be taken to the Supreme court from any final order or
19 judgment or decree of the district court. When any application has
20 been approved by the board, payment shall be made to the applicant
21 in accordance with the provisions of this act. It shall be the duty of
22 the board to prepare vouchers and transmit the same to the state
23 comptroller in payment of the bonus claims provided for herein and

*60 Stat. L.—.

24 other necessary administrative expenses; said state comptroller shall
25 issue a warrant for the amount stated therein and the state treasurer
26 shall pay such warrants out of said bonus fund. The board is hereby
27 empowered to employ such assistants and incur such other expenses
28 as may be necessary for such administration and carrying out of the
29 provisions of this act, and the funds necessary for such administration
30 and carrying out the provisions of this act shall be expended from
31 said compensation fund; such assistants as said board may determine
32 shall give bond in such amount as may be fixed by said board, and
33 shall, whenever practicable, be persons within the classes as defined
34 in section four (4) of this act. The board is hereby empowered to
35 make, adopt and promulgate such rules and regulations for the
36 carrying out of the provisions of this act as it deems necessary and
37 expedient and which are not inconsistent with any provisions of this
38 act.

1 SEC. 8. Before receiving any compensation under the provisions
2 of this act, the claimant, or his successor in interest, shall file with
3 the service compensation board, application on forms provided by said
4 board; such application must be so filed on or before December 31,
5 1950. Such application shall state facts sufficient to establish the
6 status of such applicant within a class as defined in section four (4)
7 of this act, and shall be duly verified.

1 SEC. 9. Whoever knowingly makes a false statement, oral or
2 written, relating to a material fact in supporting a claim under the
3 provisions of this act, shall be punished by a fine of not more than
4 one thousand dollars (\$1,000.00) or be imprisoned for not more than
5 one year, or both, and shall forfeit all benefits he or she might have
6 been entitled to under this act.

1 SEC. 10. After payment of all of the above claims and expenses
2 of administration of the board herein created, all funds up to and
3 including three million dollars (\$3,000,000) remaining in the hands
4 of World War II service compensation board shall constitute an
5 additional compensation fund to be administered by the said board
6 for the amelioration of the condition of residents of this state within
7 the classes defined in section four (4) of this act who suffer from
8 disability. The cost of the administration of such additional compensa-
9 tion fund shall be paid from such fund. After the payment of all of
10 said claims and expenses of administration of the board herein
11 created all funds remaining in the hands of World War II service
12 compensation board in excess of three million dollars (\$3,000,000) shall
13 revert to and become a part of the permanent school fund of the
14 state.

1 SEC. 11. All payments and allowances made under this act shall be
2 exempt from taxation and from levy and sale on execution and all
3 bonds issued hereunder shall be exempt from taxation.

1 SEC. 12. To provide for the payment of the principal of said bonds
2 so issued and sold and the interest thereon as the same become due
3 and mature, there is hereby imposed and levied upon all of the taxable
4 property within the state of Iowa in addition to all other taxes, a
5 direct annual tax for each of the years said bonds are outstanding

6 sufficient in amount for the payment of principal of said bonds as it
 7 shall become due, and sufficient in amount to produce additional sums
 8 as may be needed to pay the interest on said bonds each year for twenty
 9 (20) years. The treasurer of the state shall annually certify to the
 10 state tax commission prior to the time for levy of general state taxes
 11 the amount of money required to be raised to pay the principal and
 12 interest on such bonds maturing in the ensuing year, and said state tax
 13 commission shall annually fix the rate percentum necessary to be
 14 levied and assessed upon the valuation of the taxable property within
 15 this state to produce funds sufficient to pay the principal of and interest
 16 upon such bonds as the same become payable, and such additional
 17 annual direct tax shall be levied, certified, assessed and collected at the
 18 same time and in the same manner as are taxes for general state pur-
 19 poses.

1 SEC. 13. If any clause, sentence, paragraph, or part of this act
 2 shall for any reason be adjudged by any court of competent jurisdiction
 3 to be invalid, such judgment shall not affect, impair or invalidate the
 4 remainder of the act, but shall be confined in its operation to the clause,
 5 sentence, paragraph, or part thereof directly involved in the contro-
 6 versy in which such judgment has been rendered.

1 SEC. 14. This law, after legal publication shall be submitted to the
 2 people of this state at the general election to be held in November,
 3 nineteen hundred forty-eight, and shall not take effect unless at such
 4 election it shall receive a majority of all votes cast for and against it.
 5 Separate ballots shall be provided for the electors which shall be in
 6 substantially the following form:

7 (Notice to voters: For an affirmative vote upon any question sub-
 8 mitted upon this ballot, mark a cross mark in the square after the
 9 word "Yes". For a negative vote, make a similar mark in the square
 10 following the word "No".)

11 "Shall the following public measure, being an act of .Yes
 12 the 52nd General Assembly, be adopted and approved?" .No
 13 (Here insert in full this law)

1 SEC. 15. This act shall take effect immediately upon its adoption
 2 and approval at such election.

Approved May 19, 1947.

CHAPTER 60

COMMISSIONER OF PUBLIC SAFETY

S. F. 471

AN ACT to amend chapter eighty (80), code 1946, relating to the salary of the commissioner of the department of public safety.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section eighty point two (80.2), Code 1946,
 2 by striking from line twenty-five (25) the following: "four thousand

3 dollars" (\$4000.00) and enacting in lieu thereof the following: "five
4 thousand dollars" (\$5000.00).

Approved April 14, 1947.

CHAPTER 61

HIGHWAY PATROL COMPENSATION

H. F. 316

AN ACT to amend section eighty point eight (80.8), code 1946, relating to the compensation of members of the highway patrol.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section eighty point eight (80.8), Code 1946,
2 by adding the following sentence after the word "governor." in line
3 twenty-six (26): "While on active duty each patrolman shall also
4 receive a flat daily sum as fixed by the commissioner with the approval
5 of the governor for meals while away from home and within his
6 district."

Approved April 22, 1947.

CHAPTER 62

LICENSING PRIVATE DETECTIVES

H. F. 481

AN ACT relating to the licensing and regulation of private detectives and private detective agencies.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Definitions. The following words and phrases when
2 used in this act shall for the purposes of this act have the meanings
3 respectively ascribed to them, the singular to include the plural and
4 the masculine gender to include the feminine gender:
5 (a) "*Private detective business or profession*" shall mean and
6 include the business of making for hire, reward or gratis an investiga-
7 tion or investigations for the purpose of obtaining information with
8 reference to any of the following matters: Crimes against a common-
9 wealth or wrongs done or threatened; the habits, conduct, movement,
10 whereabouts, associations, transactions, reputation or character of
11 any person, firm or corporation; the credibility of witnesses or
12 other persons; the location or recovery of lost or stolen property;
13 the causes, origin of or responsibility for fires or accidents or injuries
14 or damages to persons or to real or personal property; or concerning
15 the truth or falsity of any statement or representation; or the business
16 of securing for hire, reward, or gratis evidence to be used before
17 investigation committees, boards of award or arbitration, or in the
18 trial of civil or criminal cases, or the business of furnishing for
19 hire, reward, or gratis guards or other persons to protect persons

20 or property; or to prevent the theft or the unlawful taking or use
21 of real or personal property, or the business of performing the services
22 of such guard or other person for any of said purposes.

23 (b) "*Detective agency*" shall mean and include any person, firm
24 or corporation engaged in the private detective business who adver-
25 tises as such or employs one or more detective agents in conducting
26 such business.

27 (c) "*Private detective*" shall mean and include any person who
28 advertises himself as such or who singly conducts a private detective
29 business without the assistance of any other detective agents other
30 than those employed as such on a part time basis only and who do not
31 make such an occupation their principal business or means of liveli-
32 hood.

33 (d) "*Detective Agent*" shall mean any person or operative employed
34 by a detective agency or private detective and engaging in any of
35 the activities of the private detective business or profession as defined
36 in this section.

37 (e) "*Commissioner*" or "*commissioner of public safety*" shall mean
38 the commissioner of public safety of the state of Iowa.

1 SEC. 2. The provisions of this act shall not apply to any detective
2 or officer belonging to and on the payroll of the police force of the
3 United States, or of any state, or of any county, city, town or village
4 thereof, appointed or elected by due authority of law; nor to any
5 person in the employ of the police force or police department or law
6 enforcement agency of any state, or of any county, city, town or
7 village thereof in the performance of his official duties; nor to any
8 county attorney; nor to any attorneys-at-law in the regular practice
9 of their profession; nor to any person, firm or corporation whose
10 business is solely the making of investigations and adjustments for
11 insurance companies or the furnishing of information with respect
12 to the business and financial standing and credit of persons, firms or
13 corporations; nor to any person making any investigation of any
14 matter in which such person or the person, firm or corporation by
15 whom such person is solely employed is interested or involved, nor
16 to any person making any investigation for any person, firm or corpora-
17 tion engaged in the business of transporting persons or property
18 in interstate commerce, nor to any person or persons, firm or corpora-
19 tion while engaged in the collection, editing or dissemination of news
20 for or on behalf of any newspaper, magazine, radio broadcasting
21 station or press or wire news services.

1 SEC. 3. It shall be unlawful for any person to engage in or attempt
2 to engage in business as a private detective without first obtaining
3 a license therefor issued by the commissioner of public safety.

1 SEC. 4. It shall be unlawful for any person, firm or corporation
2 to conduct or engage in business as a detective agency or to employ
3 persons to act as detective agents in the conduct of such business
4 without first obtaining a license therefor issued by the commissioner
5 of public safety, which license shall include authority for the detective
6 agency to employ detective agents.

1 SEC. 5. Every application for a private detective or detective
2 agency license, as required by this act shall be made to the commis-

3 sioner of public safety and shall be in such form as the commissioner.
4 may prescribe and shall contain a showing that the applicant has
5 qualified under the following conditions:

6 (a) That the applicant is at least twenty-one years of age.

7 (b) That the applicant is a citizen of the United States of America.

8 (c) That the applicant is of good moral character and has not
9 been convicted of a felony.

10 Each applicant shall submit to the commissioner of public safety
11 with his application such pictures and fingerprints of himself and
12 such description of his physical characteristics and appearance as
13 and in the manner and upon such forms as the commissioner of public
14 safety may prescribe. In the event that the applicant is a partnership,
15 all of the members thereof actively engaged in the detective business
16 in this state shall have such qualifications as are prescribed in para-
17 graphs (a), (b) and (c), of this section, and shall submit such
18 pictures, fingerprints and descriptions of his physical characteristics
19 and appearance as are hereby required to be submitted by individual
20 applicants; and in the event that the applicant is a corporation, the
21 articles of incorporation shall authorize the corporation to engage
22 in the business of conducting a detective agency and at least one
23 officer or executive officer and every corporate officer actively par-
24 ticipating in the detective business in this state shall have such
25 qualifications as are required by paragraphs (a), (b) and (c), of
26 this section; and shall submit such pictures, fingerprints and descrip-
27 tions of his physical characteristics and appearance as are required
28 by this section to be submitted by individual applicants. Upon approval
29 of the applications and the passing by the applicant of an examination
30 prescribed and conducted by the commissioner of public safety to
31 ascertain the qualifications, fitness and competency of the applicant
32 to engage in the private detective business or profession, the com-
33 missioner of public safety shall issue a license to such applicant as
34 a private detective or as a detective agency, as the case may be, upon
35 the filing with said commissioner of public safety by such applicant
36 of a surety bond which, in the case of a detective agency, shall be in
37 an amount not less than two thousand dollars and which, in the
38 case of a private detective, shall be in an amount of not less than
39 one thousand dollars, issued by a corporate surety company authorized
40 to do business in the state of Iowa and approved by the commissioner
41 of public safety, conditioned for the faithful, lawful and honest
42 conduct of such applicant and those employed by such applicant in
43 carrying on the private detective business, which bond shall be in
44 such form as the commissioner of public safety may prescribe and
45 shall be taken in the name of the people of the state of Iowa and shall
46 provide that any person, firm or corporation injured by a breach
47 of the conditions of such bond may bring an action on the said
48 bond in the name of the people of the state of Iowa for the use
49 of such person, firm or corporation so injured to recover legal damages
50 suffered by reason of such breach; provided, however, that the
51 aggregate liability of the surety for all such damages shall in no
52 event exceed the amount of said bond.

1 SEC. 6. Licenses issued under the provisions of this Act shall
2 expire on the last day of December each year. Applicants for licenses

3 shall deposit with each application a fee equal to the fee herein
4 prescribed for such license and if the application be approved, said
5 amount shall be applied on the license fee, but if such application is
6 disapproved, the same shall not be returnable or refunded. The annual
7 license fee for a private detective shall be ten dollars. The annual
8 license fee for a private detective agency shall be twenty-five dollars.
9 When a license is issued in the month of February or in succeeding
10 months, the fee therefor shall be computed on the basis of one-twelfth
11 of the annual license fee, as provided herein, multiplied by the number
12 of unexpired months of the year, including the month in which said
13 license is issued. Whenever any such fee so computed contains a
14 fractional part of a dollar, it shall be computed as of the nearest
15 fractional quarter-dollar thereto.

1 SEC. 7. There shall be conspicuously displayed in the place or
2 places of business or office or offices of every private detective or
3 detective agency, the license issued to said private detective or detective
4 agency, pursuant to this act, or a full size facsimile reproduction of
5 said license.

1 SEC. 8. Every private detective agency and private detective shall
2 issue to each of its officers and detective agents an identification card
3 which shall include a physical description and the fingerprints of and
4 a picture of said officer or detective agent. Such identification cards
5 shall be in such form as approved by the commissioner of public
6 safety and there shall be imprinted upon or attached to said identifica-
7 tion card a facsimile reproduction of the license issued to said detective
8 agency pursuant to this act. It shall be unlawful for any detective
9 agency or private detective to employ any person as a detective agent
10 unless at the time of such employment there is issued to such detective
11 agent an identification card as provided in this section. It shall be
12 unlawful for any person to act as a detective agent unless he has
13 in his immediate possession an identification card as provided in
14 this section.

1 SEC. 9. A duplicate license shall be issued by the commissioner
2 of public safety upon the payment of a fee therefor in the amount
3 of one dollar and the filing with him in such form as he shall prescribe,
4 a statement under oath that the original license has been lost or
5 destroyed and that, if the original license is recovered, such original
6 or the duplicate issued will be returned immediately to the commis-
7 sioner of public safety for cancellation.

1 SEC. 10. The commissioner of public safety may either refuse
2 to issue or may suspend or may revoke a license issued by him,
3 pursuant to this act for any one or any combination of the following
4 reasons:
5 (a) Fraud in obtaining a license.
6 (b) Violation of any of the terms and provisions of this act.
7 (c) If the holder of any license or a member of any partnership
8 or an officer of any corporation licensed by the commissioner of
9 public safety, pursuant to the provisions of this act, has been adjudged
10 guilty of the commission of a crime involving moral turpitude.
11 (d) If the holder of any license is found guilty of willful betrayal

12 of any information obtained by the licensee in the course of the
13 conduct of the private detective business.

14 (e) Upon the disqualification or insolvency of the surety on the
15 licensee's bond, unless such licensee files a new bond with sufficient
16 surety within fifteen days of the receipt of notice from the com-
17 missioner.

18 (f) If the licensee or applicant for a license shall fail to have
19 any of the qualifications as provided in Section 5 hereof.

1 SEC. 11. Unless otherwise authorized by law, no person, while
2 engaged in any activity of the private detective business or profession,
3 as defined by this act, shall wear, carry or display any distinctive
4 or identifying badge or insignia pertaining to said business or profes-
5 sion other than that prescribed or approved by the commissioner
6 and, in the event that a private detective or any officer or employee
7 of a detective agency shall wear a uniform while engaged in any
8 activity of the private detective business or profession as defined
9 in this act, there shall be conspicuously displayed thereon such
10 distinctive identifying badges or insignia as the commissioner may
11 prescribe or approve and the manner of displaying such badges or
12 insignia shall be subject to the approval of the commissioner.
13 "Uniform" as used in this section shall mean any manner of dress
14 of a particular style and distinctive appearance as distinguished
15 from ordinary clothing customarily used and worn by the general
16 public.

1 SEC. 12. Any person, firm or corporation who violates any of the
2 provisions of this act or who makes any false statement or representa-
3 tion in any application or statement filed with the commissioner of
4 public safety, as required by this act, or any person who falsely states
5 or represents that he has been or is a private detective or advertises
6 himself as such, or any person, firm or corporation who engages in
7 the private detective business or profession as defined in this act,
8 without being possessed of a current, valid license therefor, as provided
9 by this act, shall be guilty of a misdemeanor and upon conviction
10 thereof shall be punished by a fine of not less than one hundred dollars,
11 nor more than five hundred dollars, or by imprisonment in the county
12 jail not to exceed six months, or by both such fine and imprisonment.

Approved April 14, 1947.

CHAPTER 63

BOARD OF MINE EXAMINERS

S. F. 345

AN ACT to amend section eighty-two point one (82.1), code 1946, relating to coal mines and mining by setting compensation of board of examiners.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section eighty-two point one (82.1), Code 1946, is
2 amended by adding the following:

3 Each member of the board of examiners shall, in addition to

4 necessary traveling and hotel expenses, receive ten dollars per day
 5 for each day actually engaged in the discharge of his duties, including
 6 compensation for the time spent in traveling to and from the place
 7 of conducting the examination and for a reasonable number of days
 8 for the preparation of examination questions and the reading of
 9 papers, in addition to the time actually spent in conducting examina-
 10 tions. No Examiner shall receive more than \$400.00 per diem com-
 11 pensation in any one year.

Approved April 10, 1947.

CHAPTER 64

WORKMEN'S COMPENSATION SUBROGATION

S. F. 279

AN ACT to amend section eighty-five point twenty-two (85.22), code, 1946, by adding at the end thereof a separate subsection prescribing the force and effect for subrogation purposes under the workmen's compensation law of payments made unto an injured employee, his guardian, parent, next friend, or legal representative, by any third party, his or its principal or agent liable for, connected with, or involved in causing the injury to such employee.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section eighty-five point twenty-two (85.22),
 2 Code, 1946, be and the same is hereby amended by adding to the end
 3 thereof as subsection 5 the following:

4 "5. For subrogation purposes hereunder, any payment made unto
 5 an injured employee, his guardian, parent, next friend, or legal repre-
 6 sentative, by or on behalf of any third party, his or its principal or
 7 agent liable for, connected with, or involved in causing an injury to
 8 such employee shall be considered as having been so paid as damages
 9 resulting from and because said injury was caused under circum-
 10 stances creating a legal liability against said third party, whether
 11 such payment be made under a covenant not to sue, compromise settle-
 12 ment, denial of liability or otherwise."

1 SEC. 2. That section eighty-five point twenty-two (85.22), Code,
 2 1946, subsection four (4), be amended by striking from line two there-
 3 of the word "employee" and inserting in lieu thereof the words "em-
 4 ployer or insurance carrier."

Approved April 23, 1947.

CHAPTER 65

WORKMEN'S COMPENSATION BENEFITS

H. F. 106

AN ACT to amend chapter eighty-five (85), code 1946, relating to workmen's compensation; to increase the maximum weekly benefit amount; to increase allowances for certain professional, hospital and nursing services; and to authorize waivers by certain disabled persons under certain conditions.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section eighty-five point twenty-seven (85.27), Code
 2 1946, is hereby amended by changing the period (.) to a comma (,)

3 at the end of the first paragraph of said section and adding immediately
 4 thereafter the following:
 5 "excluding therefrom all reasonable charges for necessary services
 6 of special nurses and ambulance charges, which shall be paid in
 7 full."

1 SEC. 2. Section eighty-five point twenty-seven (85.27), Code 1946,
 2 is hereby amended by striking from line seven the word "six" and
 3 inserting in lieu thereof the word "eight".

1 SEC. 3. Section eighty-five point thirty-seven (85.37), Code 1946,
 2 is hereby amended by striking from line eight (8) the word "eighteen"
 3 and inserting in lieu thereof the word "twenty".

1 SEC. 4. Section eighty-five point fifty-five (85.55), Code 1946,
 2 is hereby amended by adding thereto the following:
 3 "However, any person who has some physical defect which increases
 4 the risk of injury, may, subject to the approval of the Industrial
 5 Commissioner, enter into a written agreement with his employer
 6 waiving compensation for injuries which may occur directly or
 7 indirectly because of such physical defect."

Approved April 17, 1947.

CHAPTER 66

WORKMEN'S COMPENSATION TO DEPENDENTS

S. F. 125

AN ACT to repeal paragraph four (4) of section eighty-five point thirty-one (85.31), code 1946, and to enact a substitute therefor relating to payment of weekly compensation to dependents when an employee has been paid compensation for disability prior to his death.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Paragraph four (4) of section eighty-five point thirty-
 2 one (85.31), Code 1946, is hereby repealed and the following is hereby
 3 enacted in lieu thereof: "When weekly compensation has been paid
 4 to an injured employee and thereafter death of the employee results
 5 from such injury, the compensation to dependents shall run for a
 6 period of time which together with weekly compensation paid to the
 7 injured employee prior to death shall equal three hundred (300)
 8 weeks of compensation."

Approved April 17, 1947.

CHAPTER 67

WORKMEN'S COMPENSATION TO MINORS

S. F. 197

AN ACT to repeal sections eighty-five point forty-nine (85.49) and eighty-five point fifty (85.50), code, 1946, and to enact substitutes therefor relating to payment of workmen's compensation to injured minor employees, minor dependents or one mentally incompetent to a trustee, also providing for a trustee's annual report and compensation for services as such trustee.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Sections eighty-five point forty-nine (85.49) and
2 eighty-five point fifty (85.50), Code, 1946, are hereby repealed and
3 the following is hereby enacted in lieu thereof:

4 "When an injured minor employee, or a minor dependent, or one
5 mentally incompetent, is entitled to compensation under this chapter,
6 payment shall be made to the clerk of the district court for the county
7 in which the injury occurred, who shall act as trustee, and the money
8 coming into his hands shall be expended for the use and benefit of
9 the person entitled thereto under the direction and orders of a judge
10 of the district court, in which such county is located, during term
11 time or in vacation. The clerk of the district court, as such trustee,
12 shall qualify and give bond in such amount as the judge may direct,
13 which may be increased or diminished from time to time as the court
14 may deem best. The cost of such bond shall be paid by the county as
15 the court may direct by written order directed to the auditor of
16 the county who shall issue a warrant therefor upon the treasurer
17 of the county. If the domicile or residence of such injured minor
18 employee or minor dependent or one mentally incompetent be in
19 a county other than that in which the injury to the employee occurred
20 the industrial commissioner may order and direct that compensation
21 to such minors or incompetents be paid to the clerk of the district
22 court of the county wherein they shall be domiciled or reside."

1 SEC. 2. The clerk of the district court as such trustee shall, on or
2 before September thirty (30) of each year, make annual reports to
3 the court of all money or property received or expended for each
4 person for whom he is acting as trustee.

1 SEC. 3. Every clerk of the district court of every county upon his
2 completion of his term of office, or upon his resignation, removal from
3 office or otherwise becoming disqualified as such clerk shall make an
4 accounting and final report to be approved by a judge of the district
5 court for said county and all funds and other property shall be
6 delivered to the successor in the office of such clerk.

1 SEC. 4. The provisions of this act shall not apply to trustees now
2 serving, and they shall continue to hold their appointments under the
3 laws in effect at the time of their appointments until their present
4 trusteeships are terminated.

Approved April 22, 1947.

CHAPTER 68

WORKMEN'S COMPENSATION FOR CLERICAL WORKERS

H. F. 22

AN ACT relating to the exclusion of clerical workers from being a "workman" or "employee" under the workmen's compensation law.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Paragraph b, subsection 3, of section eighty-five point
- 2 sixty-one (85.61), Code 1946, is hereby repealed.

Approved April 9, 1947.

CHAPTER 69

WORKMEN'S COMPENSATION TO OFFICERS

S. F. 329

AN ACT to amend chapter eighty-five (85), code of 1946, relating to workmen's compensation and specifically to definitions.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section eighty-five point sixty-one (85.61), Code of
- 2 1946, is hereby amended by striking all of paragraph "d" of sub-
- 3 section three (3) and enacting in lieu thereof the following: "(d). A
- 4 person holding an official position, or standing in a representative
- 5 capacity of the employer, however officials elected or appointed by
- 6 the state, counties, school districts and municipal corporations shall
- 7 be deemed employees, including members of the Iowa Highway Safety
- 8 Patrol and conservation officers except when acting as peace officers
- 9 performing law enforcement duties referred to in Section 85.62 Code
- 10 of 1946.

- 1 SEC. 2. This act shall apply to special charter cities and cities of
- 2 commission form of government.

- 1 SEC. 3. This act being deemed of immediate importance shall be
- 2 in full force and effect on its publication in The County Register, a
- 3 newspaper published at Keosauqua, Iowa, and in the Record-Re-
- 4 publican, a newspaper published at Bonaparte, Iowa.

Approved May 1, 1947.

I hereby certify that the foregoing act was published in The County Register, May 8, 1947, and the Record-Republican May 8, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 70

WORKMEN'S COMPENSATION TO PEACE OFFICERS

S. F. 196

AN ACT to repeal section eighty-five point sixty-two (85.62), code, 1946, and to enact a substitute therefor, relating to the payment of workmen's compensation to peace officers.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section eighty-five point sixty-two (85.62), Code, 1946,
2 is hereby repealed and the following enacted in lieu thereof:

3 "Any policeman (except those pensioned under the policemen's
4 pension fund created by law), any sheriff, marshal, constable, state
5 highway patrolmen, conservation officer, and any and all of their
6 deputies and any and all other legally appointed or elected law-enforc-
7 ing officers, who shall sustain an injury while performing the duties
8 of a law-enforcing officer and from causes arising out of and in the
9 course of his official duty, or employment as a law-enforcing officer,
10 become temporarily or permanently physically disabled or if said
11 injury results in death shall be entitled to compensation for all such
12 injuries or disability together with statutory medical, nursing, hospital,
13 surgery and funeral expenses, and where the officer is paid from
14 public funds said compensation shall be paid out of the general fund
15 of the state.

16 Where death occurs, compensation shall be paid to the dependents
17 of the officer the same as in other compensation cases.

18 The compensation to be paid to such officers shall be computed the
19 same as in other compensation cases, except where injury results
20 in death, permanent total or permanent partial disability, then the
21 weekly compensation shall be the maximum allowed by the workmen's
22 compensation law.

23 The industrial commissioner shall have jurisdiction as in other
24 cases and it shall be the duty of the industrial commission to investigate
25 and determine the compensability of the claims of such law-enforcing
26 officers."

Approved April 22, 1947.

CHAPTER 71

OCCUPATIONAL DISEASE COMPENSATION

S. F. 147

AN ACT to provide workmen's compensation benefits for certain employees for dis-
ability or death from injurious exposure to certain occupational diseases, to define
occupational diseases, to prescribe the terms, conditions, regulations, limitations
and exceptions applicable thereto and to provide the procedure for obtaining
benefits and for administering the law and for appeals and to provide the duties
of the industrial commissioner in connection therewith.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. **Short Title.** This Act shall be known and referred to
2 as the "Iowa Occupational Disease Law".

1 **SEC. 2. Employers included.** All employers as defined by the
2 workmen's compensation law of Iowa and who are engaged in any
3 business or industrial process hereinafter designated and described
4 are employers within the provisions of this Act and shall be subject
5 thereto.

1 **SEC. 3. Employees covered.** All employees as defined by the
2 workmen's compensation law of Iowa employed in any business or
3 industrial process hereinafter designated and described and who
4 in the course of their employment are exposed to an occupational
5 disease as herein defined are subject to the provisions of this Act.

1 **SEC. 4. Disablement defined.** Disablement as that term is used
2 in this Act is the event or condition where an employee becomes
3 actually incapacitated from performing his work or from earning
4 equal wages in other suitable employment because of an occupational
5 disease as designated and defined in this Act in the last occupation
6 in which such employee is injuriously exposed to the hazards of
7 such disease.

1 **SEC. 5. Compensation payable.** All employees subject to the
2 provisions of this Act who shall become disabled from injurious
3 exposure to an occupational disease herein designated and defined
4 within the conditions, limitations and requirements provided herein,
5 shall receive compensation, reasonable surgical, medical, osteopathic,
6 chiropractic, nursing and hospital services and supplies therefor, and
7 burial expenses as provided in the workmen's compensation law of
8 Iowa except as otherwise provided in this Act.

1 **SEC. 6. Dependents defined.** Dependents of a deceased employee
2 whose death has been caused by an occupational disease as herein
3 defined and under the provisions, conditions and limitations of this
4 Act shall be those persons defined as dependents under the workmen's
5 compensation law of Iowa and such dependents shall receive compensa-
6 tion benefits as provided by said law.

1 **SEC. 7. Limitations and exceptions.** The provisions of this Act
2 providing payment of workmen's compensation on account of occupa-
3 tional disease as defined and set out in this Act, shall be subject to
4 the following limitations and exceptions:

5 (a) No compensation shall be payable if the employee, at the
6 time of entering the employment of the employer in writing falsely
7 represented himself to said employer as not having been previously
8 disabled, laid off or compensated, or having lost time by reason of
9 an occupational disease.

10 (b) No compensation for death because of an occupational disease
11 shall be payable to any person whose relationship to the deceased
12 employee arose subsequent to the beginning of the first compensable
13 disability, except only after-born children of a marriage existing
14 at the beginning of such disability.

15 (c) When such occupational disease causes the death of an employee
16 and there are no dependents entitled to compensation, then the
17 employer shall pay the medical, hospital and burial expenses as is
18 provided by the workmen's compensation law, and shall also pay
19 to the Treasurer of the State of Iowa for the use and benefit of the

20 Second Injury Compensation Fund such amount as is required by
21 the Second Injury Compensation Act.

22 (d) Where such occupational disease is aggravated by any other
23 disease or infirmity not of itself compensable, or where disability
24 or death results from any other cause not of itself compensable
25 but is aggravated, prolonged or accelerated by such an occupational
26 disease, and disability results such as to be compensable under the
27 provisions of this Act, the compensation payable shall be reduced
28 and limited to such proportion only of the compensation that would
29 be payable if the occupational disease was the sole cause of the
30 disability or death, as such occupational disease bears to all the
31 causes of such disability or death. Such reduction or limitation in
32 compensation shall be effected by reducing either the number of
33 weekly payments or the amount of such payments as the Industrial
34 Commissioner may determine is for the best interests of the claimant
35 or claimants.

36 (e) No compensation shall be allowed or payable for any disease
37 or death intentionally self-inflicted by the employee or due to his
38 intoxication, or due to his being a narcotic drug addict, his commission
39 of a misdemeanor or felony, his refusal to use a safety appliance or
40 health protective, his refusal to obey a reasonable written or printed
41 rule of the employer which has been posted in a conspicuous position
42 in the place of work, or his failure or refusal to perform or obey any
43 statutory duty. The burden of establishing any such ground shall
44 rest upon the employer.

45 (f) No compensation shall be payable or allowed in any case
46 where the last injurious exposure to the hazards of such occupational
47 disease occurred prior to the effective date of this Act.

1 **SEC. 8. Occupational disease defined.** Occupational diseases shall
2 be only those diseases hereinafter designated and defined and which
3 arise out of and in the course of the employment hereinafter designated
4 and described. Such diseases shall have a direct causal connection
5 with the designated occupations or processes hereinafter set out
6 opposite such named diseases respectively and must have followed
7 as a natural incident thereto from injurious exposure occasioned by
8 the nature of the occupation or process. Such disease must be incidental
9 to the character of the business, occupation or process in which the
10 employee was employed and not independent of the employment.
11 Such disease need not have been foreseen or expected but after its
12 contraction it must appear to have had its origin in a risk connected
13 with the employment and to have resulted from that source as an
14 incident and rational consequence. A disease which follows from a
15 hazard to which an employee has or would have been equally exposed
16 outside of said occupation is not compensable as an occupational
17 disease.

1 **SEC. 9. Compensable occupational diseases and description of**
2 **process or occupation.** The following occupational diseases and their
3 respective process or occupation are hereby declared to be "occupational
4 diseases" within the meaning, definition and provisions herein
5 contained. For the purposes of and within the meaning of this Act,
6 no other diseases shall be considered "occupational" and compensable
7 under the provisions of this Act.

COLUMN 1.	COLUMN 2.
8 Description of disease declared 9 to be an "occupational disease"	Description of process or occupation, in which said disease is declared to be an industrial hazard and compen- sable.
10 11 12 1. Lead poisoning	1. Any process or occupation involv- ing the use of or direct contact with lead or its preparation or compounds.
13 14 15 2. Mercury poisoning	2. Any process or occupation involv- ing the use of or direct contact with mercury or its preparations or compounds.
16 17 18 19 3. Poisoning by nitrous fumes	3. Any process or occupation in which nitrous fumes are evolved.
20 21 4. Poisoning by carbon 22 monoxide	4. Any process or occupation in which carbon monoxide is produced.
23 5. Poisoning by methyl 24 chloride halogens or other 25 halogenated hydrocarbons	5. Any process or occupation involv- ing the use of or direct contact with methyl chloride, halogens or other halogenated hydrocarbons.
26 27 6. Poisoning by benzol or by 28 nitro and amido derivatives of 29 benzol (dinitrobenzol, aniline) 30 and other aromatic 31 hydrocarbons.	6. Any process or occupation involv- ing the use of benzol, nitro or amide*-derivatives of benzol and other aromatic hydrocarbons or their preparations or compounds.
32 7. Dermatitis. Infection or 33 inflammation of the skin or 34 contact surfaces due to oils, 35 cutting compounds or lubri- 36 cants, dusts, liquids, fumes, 37 gases, vapors and solids	7. Any process or occupation involv- ing the handling or use of oils, cutting compounds, lubricants, or involv- ing contact with dusts, liquids, fumes, gases, vapors or solids.
38 8. Zinc poisoning	8. Any process or occupation involv- ing the use of or direct contact with zinc or its preparations, compounds or alloys.
39 40 41 42 9. Manganese poisoning	9. Any process or occupation involv- ing the use of or direct contact with manganese or its compounds.
43 44 45 10. Bursitis, synovitis or 46 tenosynovitis*	10. Any process or occupation involv- ing continued or repeated pressure on the parts affected.
47 48 11. Chrome ulceration of the 49 skin or nasal passages	11. Any process or occupation involv- ing the use of or direct contact with chromic acid or bichromates of ammonium, potassium, sodium or their preparations.
50 51 52 53 12. Cyanide poisoning	12. Any process or occupation involv- ing the use of or direct contact with cyanides.
54 55 56 13. Brucellosis (undulant 57 fever)	13. Any process or occupation involv- ing the handling of animals or

*According to enrolled act.

COLUMN 1.	COLUMN 2.
58	carcasses of animals infected with brucellosis.
59	14. Any process or occupation involving the handling of animals or carcasses of animals infected with swine erysipelas.
60	15. Any process or occupation involving an exposure to or direct contact with silicon dioxide dust.
61	16. Any process or occupation involving an exposure to or direct contact with electro or oxy-acetylene welding or other radiant energy.
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1 **SEC. 10. Last exposure—Employer liable.** Where compensation
2 is payable for an occupational disease, the employer in whose employ-
3 ment the employee was last injuriously exposed to the hazards of
4 such disease, shall be liable therefor. The notice of injury and claim
5 for compensation as hereinafter required shall be given and made to
6 such employer, provided, that in case of silicosis, the only employer
7 liable shall be the last employer in whose employment the employee
8 was last injuriously exposed to the hazards of the disease during a
9 period of not less than sixty (60) days which period shall be after
10 the effective date of this Act.

1 **SEC. 11. Diagnosis for Brucellosis.** When any employee is clinically
2 diagnosed as having brucellosis (undulant fever), it shall not be
3 considered that the employee has the disease unless the clinical
4 diagnosis is confirmed by,
5 (a) a positive blood culture for brucella organisms, or
6 (b) a positive agglutination* test which must be verified by not
7 less than two (2) successive positive agglutination* tests, each of
8 which tests shall be positive in a titer of one (1) to one hundred sixty
9 (160) or higher. Said subsequent agglutination* tests must be made
10 of specimens taken not less than seven (7) nor more than ten (10)
11 days after each preceding test.

12 The specimens for the tests required herein must be taken by
13 a licensed practicing physician or osteopathic physician, and im-
14 mediately delivered to the State Hygienic Laboratory of the State
15 Department of Health at Iowa City, and each such specimen shall
16 be in a container upon which is plainly printed the name and address
17 of the subject, the date when the specimen was taken, the name and
18 address of the subject's employer and, a certificate by the physician or
19 osteopathic physician that he took the specimen from the named
20 subject on the date stated over his signature and his address.

21 The State Hygienic* Laboratory shall immediately make the test
22 and upon completion thereof it shall send a report of the result of such
23 test to the physician or osteopathic physician from whom the specimen
24 was received and also to the employer.

25 In the event of a dispute as to whether the employee has brucellosis,
26 the matter shall be determined as any other disputed case.

*According to enrolled act.

1 **SEC. 12. Disablement or death following exposure—Limitations.** An
2 employer shall not be liable for any compensation for an occupa-
3 tional disease unless such disease shall be due to the nature of an
4 employment in which the hazards of such disease actually exist, and
5 which hazards are characteristic thereof and peculiar to the trade,
6 occupation, process, or employment, and such disease actually arises
7 out of the employment, and unless disablement or death results within
8 three (3) years in case of silicosis, or within one (1) year in case of
9 any other occupational disease, after the last injurious exposure to
10 such disease in such employment, or in case of death, unless death
11 follows continuous disability from such disease commencing within
12 the period above limited for which compensation has been paid or
13 awarded or timely claim made as provided by this Act and results
14 within seven (7) years after such exposure.

1 **SEC. 13. Provisions relating to silicosis.**
2 (a) *Silicosis defined.* Whenever used in this Act, "silicosis" shall
3 mean the characteristic fibrotic condition of the lungs caused by the
4 inhalation of silica dust.
5 (b) *Presumptions.* In the absence of conclusive evidence in favor
6 of the claim, disability or death from silicosis shall be presumed not
7 to be due to the nature of any occupation within the provisions of this
8 Act unless during the ten (10) years immediately preceding the dis-
9 ablement of the employee who has been exposed to the inhalation of
10 silica dust over a period of not less than five (5) years, two (2) years
11 of which shall have been in employment in this State.
12 (c) *Compensation payable.* Except as in this Act otherwise provided,
13 compensation for disability from uncomplicated silicosis shall be pay-
14 able in accordance with the provisions hereof; provided, however, that
15 no compensation shall be payable for disability from silicosis of less
16 than thirty-three and one-third percent (33-1/3%) of total, and
17 provided further that, during the transitory period, the aggregate com-
18 pensation payable to employees and their dependents for disability and
19 death for uncomplicated silicosis shall be limited as follows: If dis-
20 ablement occurs or in case of no claim for prior disablement, if death
21 occurs in the third calendar month after the effective date of this Act,
22 the total compensation and death benefits payable shall not exceed the
23 sum of five hundred dollars (\$500). If disablement occurs or in case of
24 no claim for prior disablement, if death occurs during the next calendar
25 month, the total compensation and death benefits payable shall not
26 exceed five hundred and fifty dollars (\$550). Thereafter, the total
27 amount or limit of the compensation and death benefits payable for dis-
28 ability and death shall be increased at the rate of fifty dollars (\$50) per
29 month, the aggregate payable in each case to be limited according to the
30 foregoing formula for the month in which disability occurs, or, in case
31 of no claim for prior disablement, in which death occurs. Such pro-
32 gressive increase in the limits of the aggregate compensation and
33 benefits for disability and death shall continue until the limit upon
34 such benefits fixed in the workmen's compensation law is reached, and
35 thereafter the total aggregate of such compensation and benefits shall
36 be the total compensation and benefits otherwise provided in the work-
37 men's compensation law.
38 (d) *Silicosis complicated with other diseases.* In case of disability or

39 death from silicosis complicated with tuberculosis of the lungs, com-
40 pensation shall be payable as for uncomplicated silicosis, provided,
41 however, that the silicosis was an essential factor in causing such
42 disability or death. In case of disability or death from silicosis com-
43 plicated with any other disease, or from any other disease complicated
44 with silicosis, the compensation shall be reduced as herein provided.

1 **SEC. 14. Restriction on liability.** No compensation shall be payable
2 under this Act for any condition or* physical or mental illbeing, dis-
3 ability, disablement, or death for which compensation is recoverable on
4 account of injury under the workmen's compensation law.

1 **SEC. 15. Employers limit of liability.** Payments of compensation
2 and compliance with other provisions herein by the employer or his
3 insurance carrier in accordance with the findings and orders of the
4 Industrial Commissioner or the appellate court in appealed cases,
5 shall discharge such employer from any and all further obligation.

1 **SEC. 16. Reference to compensation law.** The provisions of the
2 workmen's compensation law, so far as applicable, and not inconsistent
3 herewith, shall apply in cases of compensable occupational diseases as
4 specified and defined herein.

1 **SEC. 17. Disability.** Compensation payable under this Act for
2 temporary disability, permanent total disability or permanent partial
3 disability, shall be such amounts as are provided under the workmen's
4 compensation law.

1 **SEC. 18. Notice of disability or death—Filing of claims.** Except
2 as herein otherwise provided, procedure with respect to notice of dis-
3 ability or death, as to the filing of claims and determination of claims
4 shall be the same as in cases of injury or death arising out of and in
5 the course of employment under the workmen's compensation law.
6 Written notice shall be given to the employer of an occupational disease
7 by the employee within ninety (90) days after the first distinct mani-
8 festation thereof, and in the case of death from such an occupational
9 disease, written notice of such claim shall also be given to the em-
10 ployer within ninety (90) days thereafter.

1 **SEC. 19. Autopsy.** Upon the filing of a claim for compensation for
2 death from an occupational disease where an autopsy is necessary in
3 order to accurately and scientifically ascertain and determine the cause
4 of death, such autopsy shall be ordered by the Industrial Commissioner
5 and shall be made under the supervision of the coroner of the county
6 in which death occurs or in any county where the body of such em-
7 ployee may be taken.

8 The Industrial Commissioner may designate a duly licensed phy-
9 sician to perform or attend such autopsy and to certify his findings
10 thereon. Such findings shall be filed in the office of the Industrial
11 Commissioner. The Industrial Commissioner may also exercise such
12 authority on his own motion or on application made to him at any time,
13 upon the presentation of facts showing that a controversy may exist
14 in regard to the cause of death or the existence of any occupational
15 disease. All proceedings for compensation shall be suspended upon

*According to enrolled act.

16 refusal of a claimant or claimants to permit such autopsy when so
17 ordered and no compensation shall be payable.

1 **SEC. 20. Medical Board.** There is hereby created a medical board
2 for occupational diseases which shall consist of the Industrial Hygiene
3 Physician of the State Department of Health and two physicians
4 selected by the dean of the College of Medicine of the State University
5 of Iowa, from the staff of said college, who shall be qualified to diagnose
6 and report on occupational diseases. The medical board shall have
7 the use, without charge, of all necessary laboratory and other facilities
8 of the College of Medicine and of the University Hospital at the State
9 University of Iowa, and of the State Department of Health in per-
10 forming its duties prescribed herein.

1 **SEC. 21. Controverted medical questions.** Controversial medical
2 questions may be referred by the Industrial Commissioner to the
3 medical board for investigation and report to the Industrial Commis-
4 sioner when agreed to by the parties or on his own motion. No award
5 shall be made in any case where controversial medical questions have
6 been referred to the board until the board shall have duly investigated
7 the case and made its report with respect to all such medical questions.
8 The date of disablement, if in dispute, shall be deemed a medical ques-
9 tion.

1 **SEC. 22. Examination of employee by medical board.** The medical
2 board, upon reference to it by the Industrial Commissioner of a claim
3 for occupational disease, shall notify the claimant or claimants and the
4 employer or his insurance carrier to appear before the medical board
5 at a time and place stated in the notice. If the employee be living, he
6 shall appear before the medical board at the time and place specified
7 to submit to such clinical and x-ray examinations as the medical board
8 may require. The claimant and the employer shall each be entitled, at
9 his own expense, to have present at all examinations conducted by the
10 medical board, a physician admitted to practice in the state, who shall
11 be given every reasonable facility for participating in every such
12 examination. If a physician admitted to practice in the state shall
13 certify that the employee is physically unable to appear at the time
14 and place designated by the medical board, such board shall, on notice
15 to the parties, change the time and place of examination to such other
16 time and place as may reasonably facilitate the examination of the
17 employee. Proceedings shall be suspended and no compensation be
18 payable for any period during which the employee may refuse to submit
19 to such examination.

1 **SEC. 23. Medical board's report—date of disablement.** The medical
2 board shall, as soon as practicable after it has completed its considera-
3 tion of the case, report in writing its findings and conclusions on every
4 medical question in controversy. If the date of disablement is con-
5 troverted and cannot be fixed exactly, the medical board shall fix the
6 most probable date having regard to all the circumstances of the case.
7 The medical board shall also include in its report the name and address
8 of the physician or physicians if any who appeared before it and what
9 if any medical reports and x-rays were considered by it.

1 **SEC. 24. Findings and report.** The medical board shall file its
2 report in triplicate with the Industrial Commissioner who shall mail
3 or deliver a certified copy thereof to the claimant and to the employer.
4 The report of the medical board shall become a part of the record of
5 the case. The Industrial Commissioner shall make his decision or
6 award in the case based upon the entire record. The report of the
7 medical board in any case may be remanded by the Commissioner to
8 the board for reconsideration and further report. The members of the
9 medical board shall not be prohibited from testifying before the In-
10 dustrial Commissioner, Board of Arbitration, or any other person, com-
11 mission or court as to the results of the examination or the condition
12 of any employee examined by the board.

1 **SEC. 25. Existing diseases barred.** There shall be no liability for
2 the payment of compensation under the provisions of this Act to
3 any person who at the time of the taking effect of this Act is suffering
4 with an occupational disease. An employer may at his own expense
5 require his employees to submit to a physical examination prior to
6 October first, 1947, and in the case of new employees employed after
7 the taking effect of this Act within ninety (90) days of the com-
8 mencement of the employment of such new employees, for the purpose
9 of determining whether any such person is affected with or has
10 an occupational disease. In the event it is determined by such examina-
11 tion that any employee is suffering from or is affected with an
12 occupational disease, the employer may require the employee to
13 waive in writing any claim for compensation under the provisions of
14 this Act on account thereof as a condition to continuing in the employ-
15 ment of the employer.

16 In cases of dispute as to the existence of the disease the controversy
17 may be referred to the Industrial Commissioner who shall decide
18 the matter and who may, upon his own motion or by agreement of
19 the parties, submit the controverted question to the medical board
20 provided herein for its investigation and report, and said board
21 shall immediately proceed with the investigation and with the
22 examination of the employee and forthwith make its report to the
23 Industrial Commissioner. Said examination shall be made and the
24 investigation conducted in the same manner as is provided herein
25 as to other controverted medical questions. The Industrial Commis-
26 sioner shall then make this* decision on the matter, and said decision
27 shall have the same force and effect and be subject to all the other
28 provisions of law applicable the same as any other decision of the
29 Industrial Commissioner.

1 **SEC. 26.** No policy of insurance in effect at the time of the enact-
2 ment of this Act covering the liability of an employer under the
3 Workmen's Compensation Law, shall be construed to cover the
4 liability of such employer under this Act for any occupational disease
5 unless such liability is expressly accepted by the insurance carrier
6 issuing such policy and is endorsed thereon. The insurance or security
7 in force to cover compensation liability under this Act shall be
8 separate and distinct from the insurance or security under the
9 "Workmen's Compensation Law" and any insurance contract covering

*According to enrolled act.

10 liability under either this Act or the Workmen's Compensation Law
11 need not cover any liability under the other.

1 SEC. 27. This Act shall become effective on October first, 1947
2 except that the provisions in section twenty-five (25) providing for
3 the physical examination of employees shall become effective on July
4 fourth, 1947.

1 SEC. 28. **Industrial Commissioner.** The Industrial Commissioner
2 shall have jurisdiction over the operation and administration of the
3 compensation provisions of this Act and said Commissioner shall
4 perform all of the duties imposed upon him by this Act and such
5 further duties as may hereafter be imposed by law.

1 SEC. 29. **Severability.** If any clause, sentence, section or part of
2 this Act is adjudged to be unconstitutional or invalid for any reason
3 by any Court of competent jurisdiction, such judgment shall not
4 impair, affect or invalidate the remaining parts of this Act.

Approved April 22, 1947.

CHAPTER 72

WORKMEN'S COMPENSATION REPORTS

H. F. 23

AN ACT to repeal section eighty-six point eleven (86.11), code 1946, and to enact a substitute therefor relating to reports of injuries to employees to be filed by the employer with the industrial commissioner under the provisions of the Iowa workmen's compensation law.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section eighty-six point eleven (86.11), Code 1946, is
2 hereby repealed and the following is hereby enacted in lieu thereof:
3 "Every employer shall hereafter keep a record of all injuries, fatal
4 or otherwise, sustained by his employees in the course of their employ-
5 ment and resulting in incapacity for a longer period than one day. If
6 the injury results only in temporary disability, causing incapacity for
7 a longer period than seven days, then within forty-eight hours there-
8 after, not counting Sundays and legal holidays, the employer having
9 had notice or knowledge of the occurrence of such injury and resulting
10 disability, a report shall be made in writing, by the employer to the
11 Industrial Commissioner on forms to be procured from the commis-
12 sioner for that purpose. If such injury to the employee results in
13 permanent total disability, permanent partial disability or death, then
14 the employer, upon notice or knowledge of the occurrence of the em-
15 ployment injury, shall file a report with the industrial commissioner,
16 within forty-eight hours after having notice or knowledge of the
17 permanent injury to the employee or his death."

Approved February 11, 1947.

CHAPTER 73

UNEMPLOYMENT COMPENSATION

S. F. 116

AN ACT to amend chapter ninety-six (96), code 1946, and Senate File 195, Acts Fifty-second General Assembly, relating to unemployment compensation and unemployment benefits; to increase the maximum amount to be paid to employees; to change certain contribution rates to be paid by employers, and to redefine "partially unemployed".

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section ninety-six point three (96.3), Code 1946, is
2 hereby amended by striking from line seven (7) of subsection four (4)
3 and also from line six (6) of subsection five (5) the word "eighteen"
4 and inserting in lieu thereof the word "twenty".

1 SEC. 2. Section ninety-six point four (96.4), Code 1946, is hereby
2 amended by striking from line three (3) of subsection five (5) the
3 word "eighteen" and inserting in lieu thereof the word "twenty".

1 SEC. 3. Section ninety-six point seven (96.7), Code 1946, is hereby
2 amended by striking subparagraph two (2) of paragraph d. of sub-
3 section three (3) and inserting in lieu thereof the following:

4 "(2) Nine-tenths of one percent, if such excess equals or exceeds
5 ten percent but is less than twelve and one-half percent of his average
6 annual pay roll.

7 "(3) Forty-five hundredths of one percent, if such excess equals or
8 exceeds twelve and one-half percent but is less than fifteen percent
9 of his average annual pay roll.

10 "(4) If such excess exceeds fifteen percent of his average annual
11 pay roll, then no contribution shall be required.

12 "(5) If the total of contributions, paid for all past periods or for
13 the past sixty consecutive calendar months, whichever period is more
14 advantageous to such employer for the purposes of this paragraph,
15 is less than the total benefits charged against such account during the
16 same period, his rate shall be three and six-tenths percent."

1 SEC. 4. Section ninety-six point nineteen (96.19), Code 1946, is
2 hereby amended by striking paragraph b. of subsection ten (10) and
3 inserting in lieu thereof the following:

4 "b. An individual shall be deemed partially unemployed in any week
5 in which, while employed at his then regular job, he works less than
6 the regular full-time week and in which he earns less than his weekly
7 benefit amount plus three dollars."

8 "c. An individual shall be deemed 'partially unemployed' in any
9 week in which he, having been separated from his regular job, earns
10 at odd jobs less than his weekly benefit amount plus three dollars."

1 SEC. 5. Amend section ninety-six point four (96.4), Code 1946, by
2 striking from line three (3) in subsection four (4) the words "two
3 weeks" and inserting in lieu thereof the words "one week".

1 SEC. 6. Amend section ninety-six point three (96.3), Code 1946,
2 by striking from lines fourteen (14) and fifteen (15) of subsection
3 five (5) the words "one hundred thirty dollars" and inserting in lieu
4 thereof the words "one hundred fifty dollars".

5 Also amend section ninety-six point seven (96.7), Code 1946, as
6 amended by Senate File 195,* Acts of the Fifty-second General As-
7 sembly, by striking from lines fourteen (14) and fifteen (15)** of
8 section two (2) of said Act the words and figures "one hundred thirty
9 dollars (\$130.00)" and inserting in lieu thereof the words "one hundred
10 fifty dollars".

1 SEC. 7. The provisions of this Act shall be applicable beginning
2 with the quarter commencing July 1, 1947.

Approved April 30, 1947.

*Chapter 74.

**Line 12 of enrolled act probably intended.

CHAPTER 74

Referred to in chapter 73.

EMPLOYMENT SECURITY

S. F. 195

AN ACT to amend the law as it appears in chapter ninety-six (96), code, 1946, relating to the Iowa employment security act; and section ninety-six point seven (96.7) of said chapter, relating to the payment of contributions by employers, the manner of keeping accounts with employers and charging to such accounts benefits paid to eligible individuals, and the determination of the employer's rate of contribution; also section ninety-six point eight (96.8), relating to the termination of coverage of said employers; also section ninety-six point nineteen (96.19), relating to the definition of the terms "annual payroll", "benefit year" and "taxable wages", and providing for the coverage under the Iowa employment security act of any employer who is an employer under the federal act; and for the repeal of all acts, or parts of acts, inconsistent with the provisions of this act.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the law as it appears in section ninety-six point
2 seven (96.7), Code, 1946, be amended by striking therefrom all of
3 said subsection one (1), and inserting in lieu thereof the following:

4 "1. Payment. A. On and after July 1, 1936, contributions shall
5 accrue on all taxable wages paid by an employer for insured work.

6 "b. Such contributions shall become due and be paid to the com-
7 mission for the fund at such times and in such manner as the com-
8 mission by regulation prescribes.

9 "c. In the payment of any contribution the fractional part of a cent
10 shall be disregarded unless it amounts to one-half cent or more in
11 which case it shall be increased to one (1) cent.

12 "d. Contributions required from an employer shall not be deducted
13 in whole or in part from the wages paid to individuals in his employ."

1 SEC. 2. Amend the law as it appears in section ninety-six point
2 seven (96.7), subsection three (3), Code, 1946, by striking all of
3 paragraph (a), and inserting in lieu thereof the following:

4 "a. 1. The commission shall maintain a separate account for each
5 employer and shall credit his account with all contributions which
6 he has paid or which have been paid on his behalf.

7 "2. Benefits paid to an eligible individual shall be charged against

- 8 the account of the employers in the base period in the inverse chrono-
 9 logical order in which the employment of such individual occurred.
- 10 "3. The amount of benefits so charged against the account of any
 11 employer shall not exceed one-third of the wages paid to such individual
 12 for insured work during his base period, or [one hundred thirty dollars
 13 (\$130.00)]* per calendar quarter, whichever is the lesser.
- 14 "4. The commission shall by general rule prescribe the manner in
 15 which benefits shall be charged against the accounts of several employ-
 16 ers for whom an individual performed employment during the same
 17 calendar quarter.
- 18 "5. Nothing in this chapter shall be construed to grant any employ-
 19 er or the individuals in his service prior claims or rights to the amounts
 20 paid by him into the fund either on his own behalf or on behalf of such
 21 individuals.
- 22 "6. As soon as practicable after the close of each calendar quarter,
 23 and in any event within twenty days after the close of such quarter,
 24 the commission shall notify each employer of the amount that has
 25 been charged to his account for benefits paid during such quarter.
 26 This statement to the employer shall show the name of each claimant
 27 to whom such benefit payments were made, the claimant's social
 28 security number, and the amount of benefits paid to such claimant.
 29 Any employer who has not been notified as provided in section ninety-
 30 six point six, subsection two (96.6-2), of the allowance of benefits to
 31 such claimants may within thirty days after the receipt of such
 32 statement appeal to the commission for a hearing to determine the
 33 eligibility of the claimant to receive such benefits. The commission
 34 may hear the case or may refer the same to an appeal tribunal for
 35 hearing. In either case both the employer and the claimant shall
 36 receive notice of the time and place of such hearing.
- 37 "7. Any employer may at any time make payments to an account
 38 in excess of the other requirements of this section; and all such
 39 payments shall be considered as contributions required under the
 40 provisions of this chapter. Any such payment made not later than
 41 the last payment date for the last quarter of any calendar year shall
 42 be considered as a contribution payable and paid upon the employer's
 43 payroll for that calendar year."

1 SEC. 3. Amend the law as it appears in section ninety-six point
 2 seven, subsection three (96.7-3), Code, 1946, by striking from said
 3 subsection all of paragraph (c), and inserting in lieu thereof the
 4 following:
 5 "c. Each employer's rate shall be two and seven-tenths (2.7) per-
 6 cent except as otherwise provided in the preceding and further
 7 provisions of this section. No reduced rate shall be granted to any
 8 employer, until there shall have been three (3) consecutive calendar
 9 years of coverage after such employer and the predecessor owner of
 10 such enterprise if any first became liable for contributions and im-
 11 mediately preceding the computation date."

1 SEC. 4. Amend the law as it appears in section ninety-six point
 2 eight (96.8), Code, 1946, by adding thereto another subsection to read
 3 as follows:

*Amended by chapter 73, § 6.

4 "In any case in which the enterprise or business of a subject employer
5 has been sold or otherwise transferred to a subsequent employing unit,
6 or reorganized or merged into a single employing unit under the pro-
7 visions of section ninety-six point seven, subsection three b (96.7-3-b),
8 Code, 1946, the transferring employer's account shall terminate at the
9 close of the calendar quarter in which such transfer, reorganization or
10 merger was completed."

1 SEC. 5. Amend the law as it appears in section ninety-six point
2 nineteen (96.19), Code, 1946, by striking paragraph (a) of subsection
3 one (1), and inserting in lieu thereof the following:

4 "a. The term 'annual payroll' means the total amount of taxable
5 wages paid by an employer during a calendar year for insured work
6 regardless of the time when such wages were earned."

1 SEC. 6. Amend the law as it appears in section ninety-six point
2 nineteen, subsection six (96.19-6), Code, 1946, by striking from sub-
3 section six (6) all of paragraph (g), and inserting in lieu thereof the
4 following:

5 "g. Any employing unit which is an employer under the provisions
6 of Subchapter (C)* (Federal Unemployment Tax Act) of the Internal
7 Revenue Code."

1 SEC. 7. Amend the law as it appears in section ninety-six point
2 nineteen (96.19), Code, 1946, by striking subsection sixteen (16), and
3 inserting in lieu thereof the following:

4 "16. Benefit year. The term 'benefit year' means a period of one
5 year beginning with the day with respect to which an individual filed a
6 valid claim for benefits. Any claim for benefits made in accordance with
7 section ninety-six point six, subsection one (96.6-1), Code, 1946, shall be
8 deemed to be a valid claim for the purposes of this subsection if the
9 individual has been paid wages for insured work required under the
10 provisions of this chapter."

1 SEC. 8. Amend the law as it appears in section ninety-six point
2 nineteen (96.19), Code, 1946, by adding thereto the following:

3 "Taxable wages. The term 'taxable wages' shall include all wages
4 paid to an individual by an employer in any calendar year for insured
5 work equal to the sum of three thousand dollars (\$3,000.00). Wages
6 paid to such individual in any calendar year by an employer in excess
7 of three thousand dollars (\$3,000.00) are not taxable. Contributions on
8 such taxable wages are to be credited to the calendar quarter in which
9 such wages are paid."

1 SEC. 9. All acts, or parts of acts, in conflict herewith are hereby
2 repealed insofar as they are inconsistent with any of the provisions of
3 this act.

Approved April 1, 1947.

*26 U.S.C. §1600 et seq.

CHAPTER 75

EMPLOYMENT SECURITY COMMISSION

S. F. 480

AN ACT to amend the law as it appears in section ninety-six point ten (96.10) in chapter ninety-six (96), code 1946, relating to the Iowa employment security commission and the compensation of the commissioners.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section ninety-six point ten (96.10), Code 1946,
2 be amended by striking the words "forty-five hundred" from line
3 twenty-seven (27) of paragraph (b) of subsection one (1) of said
4 section and inserting in lieu thereof the words "five thousand".

Approved April 29, 1947.

CHAPTER 76

PUBLIC EMPLOYEES RETIREMENT SYSTEM

S. F. 174

AN ACT to amend the law as it appears in chapter ninety-seven (97), code 1946, relating to old age and survivors' insurance of certain public employees and regulating the collections of contributions to said system and the payments of benefits thereunder.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section ninety-seven point forty-five (97.45), Code
2 1946, is amended by striking the semicolon (;) and the word "or" in
3 line fourteen (14) of sub-section six (6), paragraph (a) of said
4 section and adding the following: "Unless that employee has had
5 ten years of employment in public service in Iowa prior to July 1,
6 1947, and in that event he shall be a fully insured individual when
7 he has been covered by six calendar quarters immediately preceding
8 the quarter in which he retired after reaching the age of sixty-five
9 years, or died, whichever event first occurred, and pays by himself,
10 his representative, or beneficiary, as the case may be, to the employer,
11 the tax upon the wages he was being paid in the last quarter of 1946
12 for four additional calendar quarters, which sum shall also be matched
13 by the employing political division or sub-division and paid to the
14 commission at the time of the employee's retirement or death; or".

1 SEC. 2. Section ninety-seven point thirteen (97.13), Code 1946,
2 is amended by adding the following: "Every individual with a record
3 of fifty (50) years or more employment by the State of Iowa or its
4 political subdivisions, including public school district, in work now
5 covered by this act and who has attained the age of sixty-five (65)
6 years, and who shall pay into the Old Age and Survivor Insurance
7 Trust Fund the tax upon the wages he was being paid in the last
8 quarter of his employment for ten (10) quarters, which sum shall
9 also be matched by the last employing political sub-division, shall be
10 entitled to benefits of twenty-five (25) dollars per month during the
11 remaining years of the life of such individual, upon application to

12 the Iowa Employment Security Commission and submission of proof
13 of such employment.

1 SEC. 3. Amend section ninety-seven point forty-five (97.45), Code
2 1946, by striking from lines four, five and six (4, 5, and 6) of paragraph
3 "a" of subsection six (6) the following: "or after the quarter in which
4 he attained the age of twenty-one, whichever quarter is later,".

Approved April 29, 1947.

CHAPTER 77

CIGARETTE DISTRIBUTION

S. F. 146

AN ACT to amend section ninety-eight point thirty-six (98.36), code 1946, and forbidding the sale of cigarettes by any state permit holder to other than holders of state or retail permits.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section ninety-eight point thirty-six (98.36), Code
2 1946, is hereby amended by adding after the word "retail" in line
3 three (3) of subsection seven (7) the following:

4 "No state permit holder shall sell or distribute cigarettes at whole-
5 sale to any person in the state of Iowa who does not hold a permit
6 authorizing the retail sale of cigarettes or who does not hold a state
7 permit as a manufacturer, distributing agent, wholesaler, or distrib-
8 utor.

1 SEC. 2. This act being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication
3 in the Cedar Falls Record, a newspaper published at Cedar Falls,
4 Iowa, and the Muscatine Journal, a newspaper published at Muscatine,
5 Iowa.

Approved April 24, 1947.

I hereby certify that the foregoing act was published in the Cedar Falls Record, April 26, 1947, and the Muscatine Journal, April 26, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 78

AIRCRAFT ON INLAND WATERS

S. F. 231

AN ACT to prohibit the use of commercial aircraft on the inland waters of the state except when in danger.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred six point fifteen (106.15), Code
2 1946, is hereby repealed and the following enacted in lieu thereof:

3 "It shall be unlawful for any aircraft to make use of the inland

4 lakes of the state except in the transportation of persons or property
 5 between points separated by a distance of thirty (30) miles or more.
 6 Nothing herein shall prohibit the use of such waters by any aircraft
 7 in danger or distress or the use of such waters by the operators of
 8 private aircraft, not operated for hire."

1 SEC. 2. Section one hundred six point twenty-two (106.22), Code
 2 1946, is amended by striking the word, "craft" in lines two, three,
 3 and five (2, 3, and 5) and inserting in lieu thereof in each case the
 4 word, "boats".

Approved April 30, 1947.

CHAPTER 79

CONSERVATION COMMISSION

S. F. 252

AN ACT to amend chapter one hundred seven (107), code, 1946, relating to the state conservation commission and its officers and employees.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section one hundred seven point twelve
 2 (107.12), Code, 1946, by striking from line four (4) the following:
 3 "four thousand eight hundred" and enact in lieu thereof the follow-
 4 ing: "five thousand".

1 SEC. 2. Amend section one hundred seven point thirteen (107.13),
 2 Code, 1946, by striking from the next to the last line thereof the
 3 following: "one thousand eight hundred" and enact in lieu thereof
 4 the following: "two thousand two hundred".

Approved April 14, 1947.

CHAPTER 80

FISH SIZE LIMITS

H. F. 403

AN ACT to amend section one hundred nine point thirty-nine (109.39), code 1946, relating to size limits of fish.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred nine point thirty-nine (109.39),
 2 Code 1946, is amended by inserting the words "size limits," in line
 3 two (2) after the comma (,) following the words "bag limits". Also
 4 by inserting the words "size limits," in line eight (8) after the comma
 5 (,) following the words "bag limits". Also by inserting after the
 6 words "bag limits" in line twenty-four (24), the following, "size
 7 limits".

Approved April 22, 1947.

CHAPTER 81

HUNTING FROM AIRCRAFT

S. F. 454

AN ACT relating to the prohibiting of hunting from aircraft without a permit, and providing penalties for violation of this act.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. It shall be unlawful for any person to intentionally
2 kill, wound or attempt to kill or wound any animal, fowl or fish from
3 or with an aircraft in flight.

1 SEC. 2. Any person who violates the provisions of this act shall
2 be guilty of a misdemeanor and upon conviction thereof shall be
3 punished by a fine not to exceed one hundred dollars (\$100.00), or
4 by a term not to exceed thirty (30) days in the county jail.

1 SEC. 3. This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in the
3 Hawkeye-Gazette, a newspaper published at Burlington, Iowa, and in
4 the Madrid Register-News, a newspaper published at Madrid, Iowa.

Approved April 23, 1947.

I hereby certify that the foregoing act was published in the Hawkeye-Gazette, April 26, 1947, and the Madrid Register-News, May 4, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 82

OPEN SEASONS ON GAME

S. F. 289

AN ACT to amend chapter one hundred nine (109), code 1946, by striking all of section one hundred nine point forty-eight (109.48) relating to the setting of open seasons on game, and substituting a section therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter one hundred nine (109), Code 1946, is hereby
2 amended by striking all of section one hundred nine point forty-eight
3 (109.48) and inserting therefor the following:

4 *Restrictions.* It shall be unlawful for any person except as other-
5 wise provided, to wilfully disturb, pursue, shoot, kill, take or attempt
6 to take or have in possession any game bird or animal at any time
7 except during the open season period as set by the commission under
8 authority of section one hundred nine point thirty-nine (109.39),
9 chapter one hundred nine (109), Code 1946, not to exceed a limit
10 below set out and embraced within the dates between September 1
11 and March 1, both inclusive, specified for each variety and each
12 locality, respectively, or in said open season take in any one day in
13 excess of the number designated for each variety or each locality,

14 respectively, or have in possession any variety of game bird or
 15 animal in excess of the number allowed in possession as indicated in
 16 the following table:

17	Kind of Animal			Possession
18	and Locality	Open season	Bag Limit	Limit
19	SQUIRRELS—Gray,	September 1-	6	12
20	Fox, Entire State.	March 1		
21	RABBITS—Cottontail,	September 1-	10	
22	and Jack	March 1		
23	Entire state.			
24	QUAIL—Bobwhite	September 1-	8	8
25	Entire state.	March 1		
26	PHEASANTS—Chinese,	September 1-	3	6
27	Mongolian, ringneck.	March 1	male	male
28	Entire state.		birds	birds
29	DUCKS—	September 1-	10	10
30	Entire state.	March 1		
31	GEESE, BRANT—	September 1-	4	4
32	Entire state.	March 1		
33	HUNGARIAN PARTRIDGES—	September 1-	2	2
34	Entire state.	March 1		
35	COOT, MUDHEN, GREBE—	September 1-	15	15
36	Entire state.	March 1		
37	WILSON OR JACKSNIFE—	September 1-	15	15
38	Entire state.	March 1		
39	EUROPEAN STARLINGS—	Continuous	none	none
40	Entire state.			

Approved April 23, 1947.

CHAPTER 83

SHOOTING OVER RAILROAD RIGHT OF WAY

S. F. 67

AN ACT to amend section one hundred nine and fifty-four hundredths (109.54), code, 1946, relating to the shooting of a rifle on or across railroad right of way.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section one hundred nine and fifty-four hundredths
- 2 (109.54), Code, 1946, is amended by striking the period (.) at the end
- 3 thereof and adding the following: "or any railroad right of way."

Approved February 27, 1947.

CHAPTER 84

HUNTING AND FISHING LICENSES

H. F. 482

AN ACT to amend section one hundred ten point one (110.1), code 1946, relating to hunting and fishing license fees.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred ten point one (110.1), Code 1946,
2 is amended as follows:

3 1. Strike the figure "\$1.00" in line thirteen (13) and substitute
4 therefor the figure "\$1.50".

5 2. Strike the figure "\$1.00" in line sixteen (16) and substitute
6 therefor the figure "\$1.50".

7 3. Strike the figure "\$1.50" in line nineteen (19) and substitute
8 therefor the figure "\$2.50".

1 SEC. 2. If any state by law prohibits the issuance of a hunting or
2 fishing license to residents of this state, or if any state by law permits
3 the issuance of a hunting or fishing license, but in so doing limits or
4 restricts the privileges of residents of this state more than it limits
5 or restricts the privileges of its own residents, no hunting or fishing
6 license, or combined hunting and fishing license, shall be issued in this
7 state to the residents of such state.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Rake
3 Register, a newspaper published at Thompson, Iowa, and in the
4 Jackson Sentinel, a newspaper published at Maquoketa, Iowa.

Approved March 25, 1947.

I hereby certify that the foregoing act was published in the Rake Register, March 27, 1947, and the Jackson Sentinel, March 28, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 85

REAL ESTATE COMMISSION

H. F. 391

AN ACT providing that the Iowa Real Estate Commission shall be subject to the state budget law, and to repeal section one-hundred seventeen point eight (117.8), code 1946, and section eight (8) of chapter ninety-six (96), Acts of the 51st General Assembly relating to the appointment of real estate commissioners.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one-hundred seventeen point fourteen (117.14),
2 Code 1946, is hereby amended by striking all following the period
3 in line nine (9) thereof and inserting in lieu thereof the following:
4 "Beginning July 1, 1949, the commission shall be subject to the
5 provisions of Chapter eight (8), Code 1946, and shall be subject
6 to the provisions of Section eight point thirty-three (8.33), Code
7 1946."

1 SEC. 2. Section one-hundred seventeen point eight (117.8) Code
2 1946, and section eight (8) of chapter ninety-six (96) of the Acts
3 of the Fifty-first General Assembly are hereby repealed and the
4 following enacted in lieu thereof:

5 "SEC. 3. There is hereby created the Iowa real estate commission
6 which shall consist of the secretary of state as chairman and four
7 members appointed by the governor with approval of two-thirds
8 of the senate in executive session, each of whom prior to the date
9 of his appointment shall have been actively engaged as a real estate
10 broker within this state for a period of not less than five years. Of
11 the first appointments hereunder two members shall be appointed
12 for terms of two years and two members shall be appointed for terms
13 of four years and until their successors have been appointed and
14 qualified. Thereafter, at the expiration of the term of each appointed
15 member, the governor shall appoint a successor for a term of four
16 years. The terms of all of said appointments shall commence on
17 July first of the year in which the appointment is made, provided
18 that nothing contained herein shall operate to terminate prior to
19 June 30, 1947, the appointment of any commissioner heretofore
20 appointed. There shall at no time be more than one appointed com-
21 missioner from any one county, nor may any person act as an appointed
22 commissioner while holding any other elective or appointive state
23 or federal office. In the event of a vacancy on the commission, the
24 governor shall fill such vacancy by appointing a member to serve
25 during the unexpired term of the member whose office has become
26 vacant. The action of the majority of the members of the commission
27 shall be termed the action of the commission."

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Lake
3 Mills Graphic, a newspaper published at Lake Mills, Iowa, and in
4 the Manchester Press, a newspaper published at Manchester, Iowa.

Approved April 29, 1947.

I hereby certify that the foregoing act was published in the Lake Mills Graphic,
May 7, 1947, and the Manchester Press, May 8, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 86

WATCHMAKERS

H. F. 9

AN ACT to amend section one hundred twenty point eight (120.8), code 1946, relating to watchmakers and repairmen.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred twenty point eight (120.8), Code
2 1946, is hereby amended by adding to subsection 2 of said section, the
3 following:

4 "The board, upon presentation by an applicant of a license or
5 certificate to practice watchmaking issued to the applicant upon

6 examination by the duly constituted authority of another state which
 7 by its laws licenses or regulates watchmakers, and which by its laws
 8 would grant a certificate of license under similar circumstances and
 9 conditions, may in its discretion, issue a certificate of registration to
 10 said applicant without examination, upon payment of a fee of ten
 11 dollars."

1 SEC. 2. Section one hundred twenty point eight (120.8), Code 1946,
 2 is amended by repealing subsection 4 thereof and substituting therefor
 3 the following in lieu thereof:

4 "4. Every certificate of registration shall expire on the thirtieth
 5 day of June following the date of issuance of such certificate, and
 6 shall be renewed annually upon application by the holder thereof,
 7 without examination. Application for such renewal shall be made in
 8 writing to the department, accompanied by a renewal fee of five
 9 dollars, at least thirty days prior to the expiration of such certificate.
 10 Every renewal shall be displayed in connection with the original
 11 certificate. Every year or not later than May first, the Board shall
 12 notify each certificate holder by mail of the expiration of his certificate.
 13 Any watchmaker who allows his certificate to lapse by failing to renew
 14 the same as hereinbefore provided, may obtain reinstatement thereof
 15 without examination, in the discretion of the Board, if he applies
 16 therefor within three years following the expiration date of his
 17 certificate and pays the renewal fees then due."

1 SEC. 3. Amend section eight (8), Chapter ninety-seven (97), Acts
 2 of the 51st General Assembly, by striking the words "six months"
 3 appearing in line 31 and substituting therefor the following: "one
 4 year".

1 SEC. 4. This Act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in The Clinton
 3 Herald, a newspaper published at Clinton, Iowa, and in the Perry Daily
 4 Chief, a newspaper published at Perry, Iowa.

Approved March 13, 1947.

I hereby certify that the foregoing act was published in The Clinton Herald, March
 15, 1947, and the Perry Daily Chief, March 17, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 87

LIQUOR CONTROL COMMISSION

S. F. 472

AN ACT to amend section one hundred twenty-three point ten (123.10), code 1946,
 relating to salaries of the members of the Iowa Liquor Control Commission.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section one hundred twenty-three point ten
 2 (123.10), Code 1946, by striking from line six (6), the words "four
 3 thousand five hundred" and inserting in lieu thereof the words "five
 4 thousand".

Approved April 14, 1947.

CHAPTER 88

Referred to in chapters 55 and 231.

LIQUOR PROFIT DISTRIBUTION

S. F. 41

AN ACT distributing a sum of money equal to five per cent (5%) of the gross amount of sales made by the state liquor stores to cities and towns and a sum of money equal to five per cent (5%) of the gross amount of sales made by the state liquor stores for the relief of taxing districts from losses in revenues due to the granting of soldiers' exemptions or tax credits; and establishing a military service tax credit fund based upon sales made by state liquor stores.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred twenty-three point fifty (123.50)
2 Code 1946 is hereby amended by adding the following:
3 "Effective March 15, 1947, the state treasurer shall semi-annually
4 distribute, a sum of money equal to five per cent (5%) of the gross
5 amount of sales made by the state liquor stores, to the cities and towns
6 of the state in the manner hereinafter provided. Such amount shall
7 be distributed to the cities and towns of the state in proportion to
8 the population that each incorporated city or town bears to the total
9 population of all incorporated cities and towns of the state as computed
10 by the latest federal census. Such apportionment shall be made semi-
11 annually as of July 1 and January 1 of each year. Warrants for the
12 same shall be issued by the state comptroller upon certification of the
13 state treasurer and mailed to the city clerk of each incorporated city
14 and town of the state and shall be made payable to such incorporated
15 city or town and shall be subject to expenditure under the direction
16 of the city council or other governing bodies of such incorporated
17 city or town for any lawful municipal purpose."

1 SEC. 2. In any case where a city or town has been incorporated
2 since the last federal census, the mayor and council shall certify to
3 the state treasurer the actual population of such incorporated city or
4 town as of date of incorporation and its apportionment of funds under
5 this act shall be based upon such certification until the next federal
6 census enumeration. Any community which has dissolved its corpora-
7 tion shall not receive any apportionment of funds under this act for
8 any period after said corporation has been dissolved.

1 SEC. 3. Effective as of March 15, 1947, the state treasurer shall
2 credit to a military service tax fund* hereby created a sum of money
3 equal to five per cent (5%) of the gross amount of sales made by the
4 state liquor stores in the cities and towns of the state. Any amount
5 thus credited shall be allocated to the various taxing districts of the
6 state as reimbursement for losses of revenue due to exemption or
7 remission of property taxes which would be imposed upon property
8 upon which soldiers' exemptions or soldiers' tax credits are provided
9 under such terms as the general assembly may provide.

1 SEC. 4. This act shall apply to cities under special charter.

1 SEC. 5. This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in the

*Additional appropriation, chapter 231, § 1.

3 Page County Herald-Journal, a newspaper published at Clarinda,
4 Iowa, and the Madrid Register-News, a newspaper published at
5 Madrid, Iowa.

Approved February 26, 1947.

I hereby certify that the foregoing act was published in the Page County Herald-Journal, March 3, 1947, and the Madrid Register-News, March 6, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 89

BEER TAX

H. F. 529

AN ACT to provide for a tax on beer manufactured for sale or sold in this state at wholesale and on beer imported into this state for sale at wholesale and sold in this state for resale; such tax to be for the benefit of the general fund of the state of Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred twenty-four point twenty-five
2 (124.25), Code 1946, is hereby repealed and the following substituted
3 in lieu thereof:
4 "124.25. Barrel Tax. In addition to the annual permit fee to be
5 paid by all class 'A' permittees, under the provisions of this chapter,
6 there shall be levied and collected from such permittees on all beer
7 manufactured for sale or sold in this state at wholesale and on all
8 beer imported into this state for sale at wholesale and sold in this
9 state at wholesale, a tax of two and forty-eight hundredths dollars
10 for every barrel containing thirty-one gallons, and at a like rate for
11 any other quantity or for the fractional part of a barrel. Provided,
12 however, that no tax shall be levied or collected on beer shipped outside
13 this state by a class 'A' permittee or sold by one class 'A' permittee
14 to another class 'A' permittee."

1 SEC. 2. All revenue derived from the tax hereby imposed shall
2 accrue to the state general fund.

1 SEC. 3. All of the provisions of chapter one hundred twenty-four
2 (124), Code 1946, relating to the administration of the barrel tax
3 on beer shall apply to this act.

1 SEC. 4. This act being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the Rake Register, a newspaper published at Thompson, Iowa, and
4 in the Radcliffe Signal, a newspaper published at Radcliffe, Iowa.

Approved April 29, 1947.

I hereby certify that the foregoing act was published in the Rake Register, May 8, 1947, and the Radcliffe Signal, May 8, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 90

HOSPITAL SURVEY

H. F. 314

AN ACT to provide for an inventory of existing hospitals, for a survey of the need for additional hospital facilities, and for the development and administration of a hospital construction program which will, in conjunction with existing facilities, afford hospitals adequate to serve all people of the state, establishing methods of administration and control, providing for compliance with the requirements of the federal hospital survey and construction act and regulations thereunder, authorizing the acceptance and expenditure of federal funds.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Title. This act may be cited as the "Iowa Hospital
2 Survey and Construction Act".

1 SEC. 2. Definitions as used in this act:

2 (a) "Commissioner" means the commissioner of public health.

3 (b) "The Federal Act" means Public Law 725 of the 79th Congress,
4 approved August 13, 1946, and any amendments thereto, entitled the
5 Hospital Survey and Construction Act.*

6 (c) "The Surgeon General" means the surgeon general of the public
7 health service of the United States.

8 (d) "Hospital" includes public health centers and general, tuber-
9 culosis, mental, chronic disease, and other types of hospitals, and
10 related facilities, such as laboratories, out-patient departments, nurses'
11 home and training facilities, and central service facilities operated
12 in connection with hospitals, but does not include any hospital
13 furnishing primarily domiciliary care.

14 (e) "Public health center" means a publicly owned facility for the
15 provision of public health services, including related facilities such
16 as laboratories, clinics, and administrative offices operated in connec-
17 tion with public health centers.

18 (f) "Nonprofit hospital" means any hospital owned and operated
19 by a corporation or association, no part of the net earnings of which
20 inures, or may lawfully inure, directly or indirectly, to the benefit
21 of any private shareholder or individual.

1 SEC. 3. Administration: division of hospital survey and construc-
2 tion. There is hereby established in the state department of health
3 a division of hospital survey and construction which shall be admin-
4 istered by a full-time salaried director under the supervision and
5 direction of the commissioner. The state department of health through
6 such division, shall constitute the sole agency of the state for the
7 purpose of:

8 (a) Making an inventory of existing hospitals, surveying the need
9 for construction of hospitals, and developing a program of hospital
10 construction as provided in this act, and

11 (b) Developing and administering a state plan for the construction
12 of public and other nonprofit hospitals as provided in this act.

1 SEC. 4. General powers and duties. In carrying out the purposes
2 of the act, the commissioner is authorized and directed:

*60 Stat. L. —.

3 (a) To require such reports, make such inspections and investiga-
4 tions, and, with the advice of the hospital advisory council, prescribe
5 such regulations as he deems necessary. No reports shall be required,
6 inspections and investigations made, or regulations adopted which
7 would have the effect of discriminating against a hospital or other
8 institution contemplated hereunder, solely by reason of the school or
9 system of practice employed or permitted to be employed by physicians
10 therein; provided that such school or system of practice is recognized
11 by the laws of this state.

12 (b) To provide such methods of administration, appoint a director
13 and other personnel of the division and take such other action as may
14 be necessary to comply with the requirements of the federal act and
15 the regulations thereunder.

16 (c) To procure in his discretion the temporary or intermittent
17 services of experts or consultants or organizations thereof, by contract,
18 when such services are to be performed on a part-time or fee-for-
19 service basis and do not involve the performance of administrative
20 duties.

21 (d) To the extent that he considers desirable to effectuate the
22 purposes of this act, to enter into agreements for the utilization of
23 the facilities and services of other departments, agencies, and institu-
24 tions, public or private.

25 (e) To accept on behalf of the state and to deposit with the state
26 treasurer any grant, gift or contribution, subject to the approval by
27 the executive council, made to assist in meeting the cost of carrying
28 out the purposes of this act, and to expend the same for such purposes.

29 (f) On November one (1) of each year, to make an annual report
30 to the governor on activities and expenditures pursuant to this act.

1 **SEC. 5. Hospital advisory council.** The governor shall appoint a
2 hospital advisory council to advise and consult with the state depart-
3 ment of health in carrying out the administration of this act. The
4 hospital advisory council shall consist of the commissioner who shall
5 serve as chairman ex officio and twelve members to include: five
6 individuals of recognized ability in the field of hospital adminis-
7 tration, (four from a list submitted by the Iowa Hospital Association
8 and one from a list submitted by the Iowa Osteopathic Hospital
9 Association); three individuals of recognized ability in the field of
10 health; and four individuals with broad civic interests representing
11 consumers of hospital services. The governor shall appoint three
12 members for terms of one year, three members for terms of two
13 years, three members for terms of three years, and three members
14 for terms of four years, provided, however, that the terms of no
15 more than two members of any of the three aforesaid groups shall
16 expire in the same year. Their successors shall be appointed for
17 terms of four years, except when appointed to complete an unexpired
18 term. Members whose terms expire shall hold office until appointment
19 of their successors. Members of the council shall serve without
20 compensation, but shall be reimbursed for actual expenses incurred
21 in the performance of their official duties. The council shall meet
22 quarterly each year, and additional meetings shall be held at the call
23 of the chairman or the request of any four of its members.

1 **SEC. 6. Survey and planning activities.** The commissioner is
2 authorized and directed to make an inventory of existing hospitals,
3 including public, nonprofit and proprietary hospitals, to survey the
4 need for construction of hospitals, and, on the basis of such inventory
5 and survey, to develop a program for the construction of such public
6 and other nonprofit hospitals as will, in conjunction with existing
7 facilities, afford the necessary physical facilities for furnishing
8 adequate hospital, clinic and similar services to all the people of the
9 state.

1 **SEC. 7. Construction program.** The construction program shall
2 provide in accordance with regulations prescribed under the federal
3 act, for adequate hospital facilities for the people residing in this
4 state and insofar as possible shall provide for their distribution
5 throughout the state in such manner as to make all types of hospital
6 service reasonably accessible to all persons in the state.

1 **SEC. 8. Application for federal funds for survey and planning:**
2 **expenditure.** The commissioner is authorized to make application to
3 the surgeon general for federal funds to assist in carrying out the
4 survey and planning activities herein provided. Such funds shall be
5 deposited in the state treasury and shall be available to the commis-
6 sioner for expenditure for carrying out the purposes of this act in
7 accordance with the provisions of Public Law 725* of the 79th
8 Congress, any amendments thereto, and the statutes of the state of
9 Iowa.

1 **SEC. 9. State plan.** The commissioner shall, with the advice
2 of the hospital advisory council, prepare and submit to the surgeon
3 general a state plan which shall include the hospital construction
4 program developed under this act and which shall provide for the
5 establishment, administration and operation of hospital construction
6 activities in accordance with the requirements of the federal act
7 and regulations thereunder. The commissioner shall, prior to the
8 submission of such plan to the surgeon general, give adequate publicity
9 to a general description to all the provisions proposed to be included
10 therein, and hold a public hearing at which all persons or organizations
11 with a legitimate interest in such plan may be given an opportunity
12 to express their views. After approval of the plan by the surgeon
13 general, the commissioner shall make the plan or a copy thereof
14 available upon request to all interested persons or organizations.
15 The commissioner shall from time to time review the hospital con-
16 struction program and submit to the surgeon general any modifications
17 thereof which he may find necessary and may submit to the surgeon
18 general such modifications of the state plan, not inconsistent with the
19 requirements of the federal act, as he may deem advisable.

1 **SEC. 10. Minimum standards for hospital maintenance and opera-**
2 **tion.** The commissioner shall by regulation prescribe minimum
3 standards for the maintenance and operation of hospitals which
4 receive federal aid for construction under the state plan.

1 **SEC. 11. Priority of projects.** The state plan shall set forth the
2 relative need for the several projects included in the construction

*60 Stat. L. —.

3 program determined in accordance with regulations prescribed pur-
4 suant to the federal act, and provide for the construction, insofar
5 as financial resources are available therefor and also for maintenance
6 and operations in the order of such relative need.

1 **SEC. 12. Construction projects: applications.** Applications for
2 hospital construction projects for which federal funds are requested
3 shall be submitted to the commissioner and may be submitted by
4 the state or any political subdivision thereof or by any public or
5 nonprofit agency authorized to construct and operate a hospital. Each
6 application for a construction project shall conform to federal and
7 state requirements.

1 **SEC. 13. Consideration and forwarding of applications.** The com-
2 missioner shall afford to every applicant for a construction project
3 an opportunity for a fair hearing. If the commissioner, after affording
4 reasonable opportunity for development and presentation of applica-
5 tions in the order of relative need, finds that a project application
6 complies with the requirements of this act and is otherwise in con-
7 formity with the state plan, he shall approve such application and shall
8 recommend and forward it to the surgeon general.

1 **SEC. 14. Inspection of projects.** From time to time the commis-
2 sioner shall cause to be inspected each construction project approved
3 by the surgeon general, and, if the inspection so warrants, the com-
4 missioner shall certify to the surgeon general that work has been
5 performed upon the project, or purchases have been made, in accord-
6 ance with the approved plans and specifications, and that payment of
7 an installment of federal funds is due to the applicant.

1 **SEC. 15. Hospital construction fund.** The commissioner is hereby
2 authorized to receive federal funds in behalf of, and transmit them
3 to, such applicants. There is hereby established, separate and apart
4 from all public moneys and funds of this state, a hospital construction
5 fund. Money received from the federal government for a construction
6 project approved by the surgeon general shall be deposited to the
7 credit of this fund and shall be used solely for payments due applicants
8 for work performed, or purchases made, in carrying out approved
9 projects. Warrants for all payments from the hospital construction
10 fund shall bear the signature of the commissioner or his duly author-
11 ized agent for such purpose.

1 **SEC. 16.** If any provision of this act or the application thereof to
2 any person or circumstance shall be held invalid, such invalidity shall
3 not affect the provisions or applications of this act which can be given
4 effect without the invalid provision or application, and to this end
5 the provisions of the act are declared to be severable.

1 **SEC. 17.** All acts or parts of acts which are inconsistent with the
2 provisions of this act are hereby repealed.

Approved April 17, 1947.

CHAPTER 91

LICENSE AND REGULATION OF HOSPITALS

H. F. 465

AN ACT to require the licensing, inspection and regulation of hospitals as herein defined; creating a hospital licensing board and prescribing its powers; providing for regulations, enforcement procedures and penalties.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION. 1. **Definitions.** As used in this act:

2 (a) "*Hospital*" means a place which is devoted primarily to the
3 maintenance and operation of facilities for the diagnosis, treatment
4 or care over a period exceeding 24 hours of two or more non-related
5 individuals suffering from illness, injury, or deformity, or a place
6 which is devoted primarily to the rendering over a period exceeding
7 24 hours of obstetrical or other medical or nursing care for two or
8 more non-related individuals, or any institution, place, building or
9 agency in which any accommodation is primarily maintained, furnished
10 or offered for the care over a period exceeding 24 hours of two or
11 more non-related aged or infirm persons requiring or receiving chronic
12 or convalescent care; and shall include sanatoriums, rest homes,
13 nursing homes, boarding homes, or other related institutions within
14 the meaning of this act. Provided, however, nothing in this act
15 shall apply to hotels or other similar places that furnish only food
16 and lodging, or either, to their guests. "Hospital" shall include, in
17 any event, any facilities wholly or partially constructed or to be
18 constructed with federal financial assistance, pursuant to Public Law
19 725—79th Congress, approved August 13, 1946.*

20 (b) "*Person*" means any individual, firm, partnership, corporation,
21 company, association, or joint stock association; and includes any
22 trustee, receiver, assignee or other similar representative thereof.

23 (c) "*Governmental unit*" means the state, or any county, municipi-
24 pality, or other political subdivision or any department, division,
25 board or other agency of any of the foregoing.

1 SEC. 2. **Purpose.** The purpose of this act is to provide for the
2 development, establishment and enforcement of basic standards
3 (1) for the care and treatment of individuals in hospitals and (2)
4 for the construction, maintenance and operation of such hospitals,
5 which, in the light of existing knowledge, will promote safe and
6 adequate treatment of such individuals in hospitals, in the interest
7 of the health, welfare and safety of the public.

1 SEC. 3. **Licensure.** After January 2, 1948, no person or govern-
2 mental unit, acting severally or jointly with any other person or
3 governmental unit shall establish, conduct or maintain a hospital
4 in this state without a license.

1 SEC. 4. **Application for License.** Licenses shall be obtained from
2 the State Department of Health. Applications shall be upon such
3 forms and shall contain such information as the said Department
4 may reasonably require, which may include affirmative evidence of
5 ability to comply with such reasonable standards, rules and regulations

*60 Stat. L. —.

6 as may be lawfully prescribed hereunder. Each application for license
7 shall be accompanied by the license fee, which shall be refunded to
8 the applicant if the license is denied and which shall be paid over
9 into the State Treasury credited to the general fund if the license is
10 issued. In case of death of any person holding such license or the
11 sale of any hospital licensed hereunder within the first year of the
12 tenure of such license the department shall certify to the state
13 comptroller a claim on behalf of the licensee for refund of a proportion-
14 ate share of the license fee. Said refund shall be based on one-twelfth
15 the amount thereof multiplied by the remaining months in the year.
16 The comptroller shall thereupon draw a warrant against the general
17 fund payable to the order of the licensee. Hospitals having fifty
18 beds or less shall pay an initial license fee of \$15; hospitals of more
19 than fifty beds and not more than one hundred beds shall pay an
20 initial license fee of \$25; all other hospitals shall pay an initial
21 license fee of \$50.

1 **SEC. 5. Issuance and Renewal of License.** Upon receipt of an
2 application for license and the license fee, the State Department of
3 Health shall issue a license if the applicant and hospital facilities
4 comply with the provisions of this Act and the regulations of the said
5 Department. Each such license, unless sooner suspended or revoked,
6 shall be renewable annually upon payment of \$10 and upon filing by
7 the licensee, and approval by the Department, of an annual report
8 upon such uniform dates and containing such information in such form
9 as the State Department of Health, with the advice of the Hospital
10 Licensing Board, shall prescribe by regulation. Each license shall be
11 issued only for the premises and persons or governmental units named
12 in the application and shall not be transferable or assignable except
13 with the written approval of the State Department of Health. Licenses
14 shall be posted in a conspicuous place on the licensed premises as
15 prescribed by regulation of the said Department.

1 **SEC. 6. Denial or Revocation of License; Hearings and Review.**
2 The State Department of Health shall have the authority to deny,
3 suspend or revoke a license in any case where it finds that there has
4 been a substantial failure to comply with the provisions of this act
5 or the rules, regulations or minimum standards promulgated under
6 this act.

7 Such denial, suspension, or revocation shall be effected by mailing
8 to the applicant or licensee by registered mail, or by personal service
9 of, a notice setting forth the particular reasons for such action. Such
10 denial, suspension, or revocation shall become effective thirty days
11 after the mailing or service of the notice, unless the applicant or
12 licensee, within such thirty day period shall give written notice to
13 the Department requesting a hearing, in which case the notice
14 shall be deemed to be suspended. If a hearing has been requested,
15 the applicant or licensee shall be given an opportunity for a prompt
16 and fair hearing before the Department. At any time at or prior to
17 hearing, the Department may rescind the notice of denial, suspen-
18 sion or revocation upon being satisfied that the reasons for the denial,
19 suspension or revocation have been or will be removed. On the basis
20 of any such hearing, or upon default of the applicant or licensee the
21 determination involved in the notice may be affirmed, modified, or set

22 aside, by the Department. A copy of such decision, setting forth the
23 finding of facts and the particular reasons for the decision shall be
24 sent by registered mail, or served personally upon, the applicant or
25 licensee. The decision shall become final thirty days after it is so
26 mailed or served, unless the applicant or licensee, within such thirty
27 day period, appeals the decision to the Court, pursuant to section 14
28 hereof.

29 The procedure governing hearings authorized by this section shall
30 be in accordance with rules promulgated by said Department with the
31 advice of the Hospital Licensing Board. A full and complete record
32 shall be kept of all proceedings, and all testimony shall be reported
33 but need not be transcribed unless the decision is appealed pursuant
34 to section 14 hereof. A copy or copies of the transcript may be
35 obtained by an interested party on payment of the cost of preparing
36 such copy or copies. Witnesses may be subpoenaed by either party
37 and shall be allowed fees at a rate prescribed by the aforesaid rules.

1 **SEC. 7. Rules, Regulations, and Enforcement.** The State Depart-
2 ment of Health with the advice of the Hospital Licensing Board,
3 shall adopt, amend, promulgate and enforce such rules, regulations
4 and standards with respect to the different types of hospitals to be
5 licensed hereunder as may be designed to further the accomplishment
6 of the purposes of the Act. Rules, regulations and standards may be
7 adopted imposing requirements in excess of those provided in chapter
8 413 of the Code, but no rule, regulation or standard shall be adopted
9 imposing requirements less than those provided by said chapter. No
10 rules, regulations or standards shall be adopted or enforced which
11 would have the effect of denying a license to a hospital or other
12 institution required to be licensed hereunder, solely by reason of the
13 school or system of practice employed or permitted to be employed
14 by physicians therein; provided that such school or system of practice
15 is recognized by the laws of this state.

1 **SEC. 8. Effective Date of Regulations.** Any hospital which is in
2 operation at the time of promulgation of any applicable rules or
3 regulations or minimum standards under this act shall be given a
4 reasonable time, not to exceed one year from the date of such promulga-
5 tion, within which to comply with such rules and regulations and
6 minimum standards.

1 **SEC. 9. Inspections and Consultations.** The State Department of
2 Health shall make or cause to be made such inspections as it may
3 deem necessary. The State Department of Health shall, with the
4 advice of the Hospital Licensing Board, prescribe by regulations
5 that any licensee or applicant for license desiring to make specified
6 types of alteration or addition to its facilities or to construct new
7 facilities shall before commencing such alteration, addition or new
8 construction, submit plans and specifications therefor to the State
9 Department of Health for preliminary inspection and approval or
10 recommendations with respect to compliance with the regulations
11 and standards herein authorized.

1 **SEC. 10. Hospital licensing board.** The five individuals appointed
2 by the governor to the Hospital Advisory Council as individuals of

3 recognized ability in the field of hospital administration, shall function
4 as and be the Hospital Licensing Board.

1 **SEC. 11. Functions of Hospital Licensing Board.** The Hospital
2 Licensing Board shall have the following responsibilities and duties,

3 (a) To consult and advise with the Department of Health in matters
4 of policy affecting administration of this act, and in the development
5 of rules, regulations and standards provided for hereunder.

6 (b) To review and approve such rules, regulations and standards
7 authorized hereunder prior to their promulgation by the Department
8 of Health as specified herein.

9 The members of the board shall receive no compensation or expenses
10 for their services as members thereof.

1 **SEC. 12. Information Confidential.** Information received by the
2 State Department of Health through filed reports, inspection, or as
3 otherwise authorized under this act, shall not be disclosed publicly
4 in such manner as to identify individuals or hospitals, except in a
5 proceeding involving the question of licensure or the denial, suspension
6 or revocation of a license.

1 **SEC. 13. Annual Report of Department.** The State Department
2 of Health shall prepare and publish an annual report of its activities
3 and operations under this act.

1 **SEC. 14. Judicial Review.** Any applicant or licensee who is dis-
2 satisfied with the decision of the commissioner of public health as
3 a result of the hearing provided herein may, within thirty days after
4 the mailing or serving of notice of the decision as provided in said
5 section, file a notice of appeal in the District Court of the County
6 in which the hospital is located or to be located, and serve a copy
7 of said notice of appeal upon the Department. Thereupon the Depart-
8 ment shall within thirty days certify and file with the Court a copy
9 of the record and decision, including the transcript of the hearings
10 on which the decision is based. The trial before the Court shall be
11 de novo and all legal evidence pertaining to the matter of whether or
12 not such license shall be denied, suspended or revoked, as the case
13 may be, may be submitted including new or additional evidence not
14 submitted to the Commissioner, and the Court shall have power to
15 affirm, modify or reverse the decision of the Commissioner. Pending
16 final disposition of the matter the status quo of the applicant or licensee
17 shall be preserved.

1 **SEC. 15. Penalties.** Any person establishing, conducting, man-
2 aging, or operating any hospital without a license shall be guilty of
3 a misdemeanor and upon conviction thereof shall be fined not less
4 than one hundred dollars or more than five hundred dollars, and each
5 day of continuing violation after conviction shall be considered a
6 separate offense.

1 **SEC. 16. Injunction.** Notwithstanding the existence or pursuit
2 of any other remedy, the Department may, in the manner provided
3 by law, maintain an action in the name of the State for injunction or
4 other process against any person or governmental unit to restrain
5 or prevent the establishment, conduct, management or operation of
6 a hospital without a license.

1 SEC. 17. Amend section two hundred thirty-six point twelve
 2 (236.12), Code 1946, by substituting a comma (,) for the period (.)
 3 in line four (4), and adding the following: "or any institution which
 4 holds a hospital license under any other general hospital licensure
 5 law."

1 SEC. 18. If any provision of this act or the application thereof to
 2 any person or circumstance shall be held invalid, such invalidity shall
 3 not affect the provisions or application of this act which can be
 4 given effect without the invalid provision or application, and to this
 5 end the provisions of the act are declared to be severable.

1 SEC. 19. All laws or parts of laws in conflict herewith, are hereby
 2 repealed; provided however that this Act shall not be construed as
 3 affecting, modifying or repealing any provision of chapter four
 4 hundred thirteen (.413), Code 1946, except as provided in section
 5 seven (7) hereof, and provided further that said act shall be construed
 6 as being in addition to and not in conflict with chapter two hundred
 7 thirty-five (235) and chapter two hundred thirty-six (236), Code
 8 1946.

Approved April 22, 1947.

CHAPTER 92

NURSING HOMES REGULATION

S. F. 381

AN ACT to require licensing, inspection and regulation of nursing homes as herein defined and providing for regulations, enforcement procedures and penalties.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. As used in this act "Nursing Home" is any institution,
 2 place, building or agency in which any accomodation* is primarily
 3 maintained, furnished, or offered for the care over a period exceeding
 4 twenty-four hours of two or more nonrelated aged or infirm persons
 5 requiring or receiving chronic or convalescent care, and shall include
 6 sanatoriums, rest homes, boarding homes, or other related institutions
 7 within the meaning of this act. Nothing in this act shall apply to
 8 hotels or other similar places that furnish only food and lodging,
 9 or either, to their guests.

1 SEC. 2. After July 4, 1947, no person, persons, or governmental
 2 unit shall establish, conduct or maintain a nursing home in this state
 3 without a license.

1 SEC. 3. Licenses shall be obtained from the state department of
 2 health. Applications shall be upon such forms and contain such
 3 information as the state department of health shall require.

1 SEC. 4. There shall be an annual license fee of ten dollars which
 2 shall be paid into the general fund of the state.

1 SEC. 5. The state department of health shall adopt, amend, promul-
 2 gate and enforce such rules, regulations and standards with respect

*According to enrolled act.

3 to nursing homes to be licensed hereunder as may be designed to
 4 accomplish the purposes of this act. The state department of health
 5 may, in the name of the state, maintain an action for injunction or
 6 other process against any person, persons, or governmental unit to
 7 restrain or prevent the establishment, conduct, or operation of a
 8 nursing home without a license.

1 SEC. 6. Upon receipt of application and license fee, the state
 2 department of health shall issue a license if it finds the applicant
 3 complies with the provisions of this act and regulations promulgated
 4 hereunder. If at any time, the department has cause to believe such
 5 applicant or licensee has not complied with rules, regulations, or
 6 standards established, the department shall notify such applicant
 7 or licensee of such non-compliance. If, after thirty days, said appli-
 8 cant or licensee has not removed the cause of non-compliance, or
 9 furnished satisfactory evidence that such cause will be promptly
 10 removed, the state department of health shall deny or revoke the
 11 license of such applicant or licensee. Licenses may be renewed annually
 12 by payment of license fee and furnishing such reports as the depart-
 13 ment of health shall require.

1 SEC. 7. Any person or persons establishing, maintaining, or conduct-
 2 ing a nursing home without a license shall be guilty of a misdemeanor
 3 and shall be liable to a fine of not less than twenty-five dollars or
 4 more than one hundred dollars for the first offense and not more than
 5 fifty dollars for each subsequent offense, and each day of a continuing
 6 violation after conviction shall be considered a separate offense.

Approved April 17, 1947.

CHAPTER 93

LOCAL BOARDS OF HEALTH

H. F. 262

AN ACT to amend sections one hundred thirty-seven point one (137.1), one hundred
 thirty-seven point two (137.2), one hundred thirty-seven point three (137.3), one
 hundred thirty-seven point eight (137.8), one hundred thirty-nine point twenty
 (139.20), one hundred forty point thirty-four (140.34), and three hundred fifty-
 nine point seventeen (359.17) and chapter one hundred thirty-eight (138), code
 1946, relating to local boards of health and to the preservation of the civil service
 and pension rights of certain employees.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred thirty-seven point one (137.1),
 2 Code 1946, is amended by repealing subsection two (2) and enacting
 3 in lieu thereof the following:

4 "2. In counties, of the chairman of the board of supervisors, the
 5 county auditor, and the county superintendent of schools, having
 6 jurisdiction outside the territorial limits of cities and towns; provided,
 7 however, the township trustees in any township may organize as
 8 a local board of health for such township."

1 SEC. 2. Section one hundred thirty-seven point two (137.2), Code
2 1946, is amended by inserting after the word "In" in line seven (7)
3 the following: "counties the members of the board of health shall
4 elect one of their number as chairman and in".

1 SEC. 3. Section one hundred thirty-seven point three (137.3),
2 Code 1946, is amended by inserting after the word "clerk" in line two
3 (2) the words "or the county auditor".

1 SEC. 4. Section one hundred thirty-seven point eight (137.8),
2 Code 1946, is amended by inserting before the word "or" in line four
3 (4) the word "county".

1 SEC. 5. Section one hundred thirty-nine point twenty (139.20),
2 Code 1946, is amended by inserting before the word "mayor" in line
3 four (4) the following: "county auditor,".

1 SEC. 6. Section one hundred forty point thirty-four (140.34), Code
2 1946, is amended by inserting before the word "city" in line two (2)
3 the following: "county,".

1 SEC. 7. Section three hundred fifty-nine point seventeen (359.17),
2 Code 1946, is amended by striking from lines five (5) and six (6) the
3 words "the local board of health".

1 SEC. 8. Chapter one hundred thirty-eight (138), Code 1946, is
2 amended by adding thereto a new section as follows: "In case of the
3 adoption of a county health unit plan in any county having a population
4 of one hundred seventy-five thousand (175,000) or more, the civil
5 service status and pension rights of any then existing employee of
6 any then existing departments of health in such county shall be
7 maintained and protected."

1 SEC. 9. Section 138.1, Code 1946, is hereby repealed and the follow-
2 ing enacted in lieu thereof:

3 "The County Board of Supervisors of any county may, by mutual
4 agreement with boards of health of cities, towns, and townships of
5 their county, adopt the county health unit plan."

Approved April 29, 1947.

CHAPTER 94

VITAL STATISTICS RECORDS

S. F. 16

AN ACT to amend certain sections of the code relating to the United States bureau of the census.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred forty-one point four (141.4),
2 Code 1946, is hereby amended by striking from lines three (3) and
3 four (4) the words "Bureau of the Census" and inserting in lieu
4 thereof the words "National Office of Vital Statistics".

1 SEC. 2. Section one hundred forty-four point thirteen (144.13),
 2 Code 1946, is hereby amended by striking from lines three (3) and
 3 four (4) the words "Bureau of the Census" and inserting in lieu
 4 thereof the words "National Office of Vital Statistics".

1 SEC. 3. Section one hundred forty-four point forty-six (144.46),
 2 Code 1946, is hereby amended by striking from lines one (1) and two
 3 (2) the words "United States Census Bureau" and inserting in lieu
 4 thereof the words "National Office of Vital Statistics".

Approved January 25, 1947.

CHAPTER 95

STILLBIRTH CERTIFICATES

S. F. 23

AN ACT relating to the recording of the birth of stillborn children.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred forty-one point seven (141.7),
 2 Code 1946, is hereby amended by striking from line one (1) the word
 3 "death" and inserting in lieu thereof the word "stillbirth", and said
 4 section is further amended by striking from lines four (4), five (5),
 5 six (6) and seven (7) the words "The cause of death in such certificate
 6 shall be stated as 'stillborn', with the cause of the stillbirth, if known."
 7 and inserting in lieu thereof the words "The cause of stillbirth shall be
 8 stated giving both the fetal and maternal causes, if known."

1 SEC. 2. Section one hundred forty-four point twenty (144.20),
 2 Code 1946, is hereby repealed and the following enacted in lieu thereof:
 3 "A stillborn child (a child born dead) shall be registered on a standard
 4 stillbirth certificate. Such certificate shall not be required if the fetus
 5 has not reached the twentieth (20th) week of gestation."

Approved February 6, 1947.

CHAPTER 96

BIRTH CERTIFICATES

S. F. 22

AN ACT to authorize the filing of a new birth certificate for illegitimate children that become legitimate by the subsequent marriage of their parents.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter one hundred forty-four (144), Code 1946, is
 2 hereby amended by adding thereto the following section: "In cases
 3 of legitimations the state registrar upon receipt of proof thereof shall
 4 prepare a new certificate of birth in the new name of the legitimated
 5 child. The evidence upon which the new certificate is made and the

6 original certificate shall be sealed and filed in a confidential file. The
 7 new birth certificate shall be the only birth certificate open to public
 8 inspection."

Approved January 25, 1947.

CHAPTER 97

MARRIAGE AND DIVORCE RETURNS

S. F. 17

AN ACT to require the filing of marriage and divorce returns once each month instead of once each year.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred forty-four point forty (144.40),
 2 Code 1946, is hereby amended as follows:

3 1. Strike from line two (2) thereof the word "first" and insert in
 4 lieu thereof the word "tenth".

5 2. Strike from line three (3) thereof the words "February of each
 6 year" and insert in lieu thereof the following: "each month".

7 3. Strike from lines six (6) and nine (9) thereof the word "year"
 8 and insert in lieu thereof the word "month".

Approved January 25, 1947.

CHAPTER 98

PHARMACY LICENSES

H. F. 2

AN ACT to amend section one hundred forty-seven point eighty (147.80) and section one hundred forty-seven point one hundred (147.100), code 1946, to increase the annual renewal fee for a license to practice pharmacy.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred forty-seven point eighty (147.80),
 2 Code 1946, is hereby amended by striking the period (.) at the end
 3 of line five (5) of subsection seven (7) of said section and inserting
 4 in lieu thereof the following: ", and except the renewal fee of a
 5 license to practice pharmacy shall be two dollars and fifty cents."

1 SEC. 2. Section one hundred forty-seven point one hundred
 2 (147.100), Code 1946, is hereby amended by striking therefrom the
 3 words "one" and "dollar" in lines two (2) and three (3) and inserting
 4 in lieu thereof the following: "two dollars and fifty cents".

1 SEC. 3. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its publication in The Tipton

- 3 Advertiser, a newspaper published at Tipton, Iowa, and the Lockridge
4 Times, a newspaper published at Lockridge, Iowa.

Approved February 14, 1947.

I hereby certify that the foregoing act was published in The Tipton Advertiser, February 20, 1947, and the Lockridge Times, February 20, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 99

DRUGS AND MEDICINES

H. F. 52

AN ACT to amend section one hundred fifty-five point six (155.6), code, 1946, relating to the practice of pharmacy.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section one hundred fifty-five point six (155.6), Code
2 1946, is amended by striking the period (.) in line twelve (12) and
3 all of the remainder of said section and by inserting in lieu thereof
4 the following: “, however during a period of temporary absence of
5 a registered pharmacist no drugs or medicines shall be sold or offered
6 for sale in the pharmacy except proprietary medicines or domestic
7 remedies.”

Approved April 14, 1947.

CHAPTER 100

COSMETOLOGY SCHOOLS

H. F. 321

AN ACT to amend section one hundred fifty-seven point nine (157.9), code 1946, relating to the renewal of licenses of cosmetology schools and providing for due notice and hearing in such cases.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section one hundred fifty-seven point nine (157.9),
2 Code 1946, is amended by adding thereto the following paragraphs:
3 “No application for annual renewal of license shall be refused by
4 the board except following hearing before the board at least ten
5 days following written notice to the applicant, which notice shall
6 set forth a statement of the charges and the date and place of hearing.
7 Said notice shall be served as provided for the service of original
8 notices under the Rules of Civil Procedure.
9 “If the board shall enter an order refusing to renew any such
10 license the applicant may within thirty days thereafter appeal there-
11 from by a writ of certiorari to the district court where upon such
12 appeal the hearing shall be de novo and all legal evidence pertaining
13 to the matter of whether or not such license should be renewed may
14 be submitted, including any new or other evidence not submitted
15 to the board.”

Approved April 16, 1947.

CHAPTER 101

BARBERING VIOLATIONS PENALTY

S. F. 214

AN ACT relating to penalties for violations of the barbering, barber shop, and barber school statutes.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter one hundred fifty-eight (158), Code 1946, is
2 amended by adding thereto the following:

3 "Any person found guilty of violating any of the provisions of this
4 chapter or the license provisions of chapter 147, relating to barbering,
5 barber shops, and barber schools, shall be fined not to exceed one
6 hundred dollars or be imprisoned in the county jail for not more than
7 thirty days."

1 SEC. 2. Section one hundred fifty-seven point fifteen (157.15),
2 Code 1946, is amended by striking from line three (3) the words and
3 figures, "or chapter 158".

Approved April 4, 1947.

CHAPTER 102

FLOOD AND EROSION CONTROL

H. F. 480

AN ACT to permit counties to co-operate with the federal government, the state, its sub-divisions and instrumentalities in the construction and maintenance of flood and erosion control projects in the state and to levy a tax for maintenance thereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Whenever the federal government or any agency or
2 department thereof shall engage in any flood or erosion control project
3 on any water shed within the boundaries of this state and shall require
4 as a prerequisite the cooperation of the state or other authorized
5 taxing division, the counties in which said project may be carried on
6 shall have the jurisdiction, power and authority through the board of
7 supervisors to aid in the construction of said projects on lands under
8 the control or jurisdiction of the county and to maintain the project,
9 structures, or construction when dedicated to county use. Such flood
10 or erosion project shall be presumed to be for the protection of the
11 tax base of the county, for the protection of the public roads and
12 lands and for the protection of the public health, sanitation, safety
13 and general welfare.

1 SEC. 2. Any county may in accordance with the provisions of this
2 chapter accept federal funds for aid in the control of floods and soil
3 erosion and it may assume such a portion of the cost of the project,
4 and may assume the maintenance cost of the same on lands under the
5 control or jurisdiction of the county as will not be discharged by the
6 federal aid or grant.

1 SEC. 3. The board of supervisors of the affected counties may
2 cooperate with each other or with other state subdivisions or instru-
3 mentalities as well as the United States government to establish, con-
4 struct and maintain suitable structures or levees and controls on public
5 roads or other public lands, or other lands granted county use.

1 SEC. 4. When structures or levees necessary for flood or soil
2 erosion control are constructed on county roads, the cost shall be
3 considered a part of the cost of road construction.

1 SEC. 5. Where construction of projects has been completed by
2 the federal government on private lands under an easement granted
3 to the county, the cost of maintenance only may be assumed by the
4 county.

1 SEC. 6. In the proceedings to establish such a project the govern-
2 ment engineer shall set forth in his report separately from other items,
3 the amount of the cost of construction on county property and on
4 private lands, and his estimate of the cost of the maintenance of the
5 same.

6 If the plan is approved by all cooperating agencies and the project
7 established as a flood or erosion control project the board of super-
8 visors shall make a written record of any such cooperative arrange-
9 ment and may use such part of the funds of the county now authorized
10 by law and by this chapter as may be necessary to pay the amount
11 agreed upon toward the construction, maintenance and cost of such
12 project.

1 SEC. 7. Any flood or erosion control structures which are built
2 on private land with federal or other funds when dedicated to the
3 county use shall be maintained in the same manner as its own county
4 owned or controlled property.

1 SEC. 8. In counties where soil conservation districts exist the
2 commissioners in said county shall be responsible for the inspection
3 of all flood and erosion control structures built on private land under
4 easement to the county; shall furnish such technical assistance as
5 they may have available in making estimates of needed repairs with-
6 out cost to the county, and shall report any needed repair and the
7 nature thereof to the county board of supervisors.

1 SEC. 9. The county board of supervisors may annually levy a tax
2 not to exceed one quarter ($\frac{1}{4}$) mill on all agricultural lands in the
3 county, the same to be used as a maintenance fund for structures built
4 on lands under the control or jurisdiction of the county, as provided
5 for in this chapter.

1 SEC. 10. This act contemplates that the actual direction of the
2 project or projects and the actual work done in connection therewith
3 will be assumed by the federal government and that the county or
4 other state subdivisions or instrumentalities jointly will meet the
5 obligations required for federal cooperation and may make proper
6 commitment for the care and maintenance of the project after its com-
7 pletion for the general welfare of the public and the residents of the
8 respective counties.

1 SEC. 11. The counties in maintaining the structures or improve-
 2 ments made under such a project shall do so in a like manner and
 3 under like procedure as that used in the maintenance of its highways.
 4 Any cooperative agreements with other state subdivisions or instru-
 5 mentalities shall conform with such an agreement as to the proportion
 6 of maintenance cost.

1 SEC. 12. If any of the provisions of this chapter shall be held
 2 invalid or unconstitutional such invalidity or unconstitutionality shall
 3 not affect other provisions of this chapter and to these ends the
 4 provisions of this chapter as amended are declared to be severable.

1 SEC. 13. This act being deemed of immediate importance shall
 2 be in full force and effect from and after its publication in the Rake
 3 Register, a newspaper published at Thompson, Iowa, and in the
 4 Mediapolis New Era, a newspaper published at Mediapolis, Iowa.

Approved April 28, 1947.

I hereby certify that the foregoing act was published in the Rake Register, May 1,
 1947, and the Mediapolis New Era, May 8, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 103

BRUCELLOSIS

H. F. 466

AN ACT to amend chapter one hundred sixty-four (164), code 1946, relating to the control and eradication of Brucellosis.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section one hundred sixty-four point one (164.1)
 2 Code 1946, by adding at the end the following paragraph:
 3 "Official calfhood vaccination shall mean the vaccination of any
 4 calf between the ages of four months and eight months with Brucella
 5 Abortus Vaccine strain number nineteen (19) or such other vaccine
 6 as may hereafter be approved by U. S. Bureau of Animal Industry,
 7 which calf shall have been vaccinated by a licensed accredited veteri-
 8 narian according to the rules and regulations established by the Sec-
 9 retary of Agriculture; also, a vaccination shall further mean that the
 10 calf shall have proved negative to an agglutination test, a blood sample
 11 for which shall have been drawn at any time within 20 days prior to
 12 vaccination. The officially vaccinated animal shall also be identified
 13 by a tattoo mark and such tattoo mark shall be described in a cer-
 14 tificate furnished by the attending veterinarian.
 15 "Within 30 days following such vaccination, the attending veteri-
 16 narian shall supply the owner with a certificate of vaccination. The
 17 veterinarian shall retain a copy of same and forward a copy to the
 18 local office of the U. S. Bureau of Animal Industry and also a copy to
 19 the Iowa Department of Agriculture. The veterinarian's certificate
 20 covering the official vaccination shall entitle the vaccinated animal
 21 to be consigned to sales and exhibited at shows within the state
 22 until they shall have reached the age of thirty-eight (38) months."

1 SEC. 2. Amend Chapter one hundred sixty-four (164) Code 1946,
 2 by adding at the end thereof the following section: "*Reciprocity*. The
 3 Secretary of Agriculture of the State of Iowa is hereby authorized
 4 and directed to enter into reciprocal agreements with other states to
 5 the end that cattle which are covered by certificates of vaccination
 6 in the State of Iowa and other states may be transported and sold in
 7 interstate commerce between the State of Iowa and such other states
 8 which enter into reciprocal agreements."

Approved April 23, 1947.

CHAPTER 104

HOG-CHOLERA VIRUS AND SERUM

H. F. 195

AN ACT to amend sections one hundred sixty-six point one (166.1), one hundred sixty-six point three (166.3), one hundred sixty-six point six (166.6), one hundred sixty-six point ten (166.10) and one hundred sixty-six point thirteen (166.13), code 1946, relating to hog-cholera virus and serum.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred sixty-six point one (166.1), Code
 2 1946, is amended by adding the following subsection:

3 "4. 'Place of business' is construed to mean each place or premises
 4 where biological products are sold, or where biological products are
 5 stored or kept for the purpose of sale, dispensation or distribution,
 6 or where biological products are offered for sale, dispensation or
 7 distribution."

1 SEC. 2. Section one hundred sixty-six point three (166.3), Code
 2 1946, is amended by striking the period (.) in line five (5) and in-
 3 serting in lieu thereof the following: "and shall be required to have
 4 a separate permit for each place of business."

1 SEC. 3. Section one hundred sixty-six point six (166.6), Code
 2 1946, is amended by striking the word "bond" in line three (3) and
 3 by inserting in lieu thereof the following: "a separate bond for each
 4 place of business"; and further amend said section by inserting
 5 after the word "dollars" in line five (5) the following: "for each
 6 place of business".

1 SEC. 4. Section one hundred sixty-six point ten (166.10), Code
 2 1946, is amended by striking from line eight (8) the words "fifteen
 3 dollars for each" and by inserting in lieu thereof the following: "one
 4 dollar for each place of business,".

1 SEC. 5. Section one hundred sixty-six point thirteen (166.13),
 2 Code 1946, is amended by striking the period (.) in line five (5)
 3 and by inserting in lieu thereof the following: "; or by his failure
 4 to obtain a separate permit and to file a separate bond in the amount of
 5 five thousand dollars for each place of business."

- 1 SEC. 6. Amend Section one hundred sixty-six point six (166.6)
 2 by striking the word "five" in line four (4) and inserting in lieu
 3 thereof the word "one".

Approved April 30, 1947.

CHAPTER 105

STATE DAIRY ASSOCIATION

S. F. 229

AN ACT to amend chapter one hundred seventy-eight (178), code 1946, relating to the "State Dairy Association".

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Amend section one hundred seventy-eight point four
 2 (178.4), Code 1946, by striking all after the word "chapter" in line
 3 six (6), and inserting in lieu thereof the following: "The salary of
 4 such persons so employed shall be set by the executive committee
 5 subject to the approval of the Secretary of Agriculture, and such
 6 persons shall hold office at the pleasure of the executive committee".

Approved April 15, 1947.

CHAPTER 106

BEEF CATTLE ASSOCIATION

S. F. 235

AN ACT to amend chapter one hundred eighty-one (181), code, 1946, relating to the Beef Cattle Producers' Association.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Amend Section one hundred eighty-one point four
 2 (181.4), Code 1946, by striking all after the word "chapter" in line
 3 five (5) and inserting in lieu thereof the following: "The salary of
 4 such persons so employed shall be set by the executive committee
 5 subject to the approval of the Secretary of Agriculture, and such
 6 persons shall hold office at the pleasure of the executive committee".

Approved April 9, 1947.

CHAPTER 107

MILK PASTEURIZATION

H. F. 328

AN ACT to amend chapter one hundred ninety-two (192), code 1946, relating to the sale of milk or cream.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Amend section one hundred ninety-two point ten
 2 (192.10), Code 1946, by striking the word "or" in line seven (7) and

3 inserting in lieu thereof the word "and". Further amend said section
4 by adding at the end thereof the following: "No milk dealer, as defined
5 in this chapter, shall sell or offer for sale at retail, in any city or town
6 any milk or cream unless same has been fully pasteurized as defined
7 in this chapter, except that Grade A raw milk need not be pasteurized."

1 SEC. 2. Amend section one hundred ninety-two point six (192.6),
2 Code 1946, by striking from lines seven (7), eight (8), nine (9) and
3 ten (10) the following: "except that pasteurization shall not be
4 required when ice cream, skimmed milk, or buttermilk is made from
5 cream or milk" and inserting in lieu thereof the following: "and in
6 addition cream or milk used shall be".

1 SEC. 3. The provision of this bill shall be in full force and effect
2 on April 15, 1949.

1 SEC. 4. The provisions of this act shall also apply to special charter
2 cities.

1 SEC. 5. Grade A raw milk is milk the bacterial count of which does
2 not exceed 50,000 bacteria per milliliter, standard plate count, as deter-
3 mined by the logarithmic averages of four consecutive tests of milk
4 samples taken on separate days.

1 SEC. 6. Grade A pasteurized milk is milk which has been pasteur-
2 ized, cooled and bottled in a plant approved by the Secretary of
3 Agriculture, the bacterial count of which at no time after pasteuriza-
4 tion and until delivery exceeds 30,000 bacteria per milliliter, standard
5 plate count, as determined by the logarithmic averages of four
6 consecutive tests of milk samples taken on separate days.

1 SEC. 7. The Secretary of Agriculture may by regulation promulgate
2 production standards for pasteurized milk and Grade A raw milk,
3 which shall conform to federal standards.

1 SEC. 8. Nothing in this section shall be construed to mean compul-
2 sory grading of milk; such grades shall apply only to pasteurized and
3 raw milk on which the grade is declared on the label.

Approved April 7, 1947.

CHAPTER 108

PETROLEUM PRODUCTS

H. F. 468

AN ACT to repeal chapter two hundred eight (208), code 1946, relating to petroleum products and to enact a substitute therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter two hundred eight (208), Code 1946, be and
2 the same is hereby repealed and the following enacted in lieu thereof:

1 SEC. 2. As used in this chapter:

2 (a) The term "illuminating oil" shall mean all products known or

3 sold as kerosene and any petroleum product sold for use in atmospheric
4 pressure wickfed illuminating apparatus.

5 (b) The term "department" shall mean the department of agri-
6 culture of the state of Iowa and shall include the authorized agents of
7 such department.

1 SEC. 3. It shall be unlawful for any person to sell, offer for sale
2 or use any illuminating oil in this state unless it has first been sampled
3 for testing by the department as hereinafter provided, nor if the
4 same, upon being tested by the department as hereinafter prescribed,
5 emits a combustible vapor at a temperature of less than 100° fahren-
6 heit.

1 SEC. 4. Illuminating oil stored in any tank at or adjacent to a
2 refinery or marine or pipe line terminal in this state, from which
3 same is withdrawn for sale or use in this state or for distribution to
4 destinations in this state, shall be sampled for testing by the depart-
5 ment whenever the stock in such tank is replenished. After replenish-
6 ment of any such stock, no withdrawals shall be made therefrom for
7 sale or use in this state or for shipment or delivery to points in this
8 state, until a true sample of not less than 16 fluid ounces is taken
9 therefrom as hereinafter prescribed. Every person storing illumi-
10 nating oil in such tanks shall notify the department of each consign-
11 ment by which the stock in such tanks will be replenished. Illuminating
12 oil imported into this state (other than that placed in storage at
13 refineries or marine or pipe line terminals in this state) shall not
14 be unloaded or emptied from its original container or sold or offered
15 for sale or used in this state until a sample of not less than 16 fluid
16 ounces is taken therefrom as hereinafter prescribed; provided that
17 if such illuminating oil has been previously sampled or tested by the
18 department, the same may be unloaded, emptied, sold, offered for
19 sale or used. Every person receiving or about to receive illuminating
20 oil so imported into this state which has not been previously sampled
21 or tested as hereinafter provided for shall notify the department of
22 the receipt or anticipated receipt of each consignment thereof.

23 If such replenishment or receipt of illuminating oil occurs during
24 the usual business hours of any regular business day notice thereof
25 (unless previously given stating the approximate date of anticipated
26 replenishment or receipt) shall be given to the department forthwith.
27 If such replenishment or receipt occurs outside usual business hours,
28 such notice shall be given during the first usual business hour there-
29 after. For the purposes of this act, usual business hours shall be
30 between 8 a.m. and 5 p.m. on any regular business day except Saturday
31 and between 8 a.m. and 12 noon on Saturday. Sundays and legal
32 holidays shall not be considered regular business days.

33 If, after the stock of illuminating oil has been replenished in any
34 tank at a refinery or marine or pipe line terminal in this state, such
35 replenished stock has not been sampled by the department prior
36 to the time the first withdrawal therefrom is made, the custodian
37 of such oil shall take a true sample thereof, of not less than sixteen
38 (16) fluid ounces, for testing by the department. If illuminating oil
39 brought into this state (other than that imported by boat, barge,
40 or pipe line for storage at a marine or pipe line terminal in this
41 state) has not been sampled by the department prior to the time

42 the same is ready for unloading in this state, the receiver thereof
43 shall take a true sample therefrom, of not less than sixteen (16)
44 fluid ounces, for testing by the department. All such samples shall be
45 immediately placed in a clean container and sealed. Suitable containers
46 and seals shall be furnished by the department. The person taking
47 such sample or custodian shall record upon or with the seal thereon
48 the date and the identity of the conveyance or container, from which
49 the sample was taken, and the kind of product sampled, together
50 with such other information as the department may reasonably require
51 for the proper identification of such sample and the making of a
52 proper inspection certificate. Such sample thus taken shall be mailed
53 or held for delivery to the department as the department shall prescribe.
54 After such sample is taken, such illuminating oil may be withdrawn,
55 unloaded, sold, offered for sale, or used, the same as if sampled by
56 the department.

57 The department may, upon agreement with the operator of any
58 refinery or marine or pipe-line terminal outside this state, provide
59 an inspector or appoint an agent to sample or to make tests of illumi-
60 nating oil at such refinery or terminal for shipment or delivery into
61 this state in which case the procedures prescribed in this act may
62 be performed thereat in the same manner and with the same force
63 and effect as if such refinery or terminal was within this state.

1 SEC. 5. All tests provided for in this chapter shall be conducted
2 in accordance with the methods outlined by the American Society
3 for Testing Materials—Method D-56 (A.S.T.M.) or with the Foster
4 Cup or Foster Automatic Oil Tester. If Foster Cup or Foster Auto-
5 matic Oil Tester is used, it shall be used in accordance with the follow-
6 ing directions:

7 (1) Remove the thermometer with its mountings from the oil cup.

8 (2) Lift off the oil cup containing the flashing taper and fill open
9 water bath with water to the mark upon the inside.

10 (3) Take the wick holder from the oil cup, and fill this vessel
11 with the oil to be tested, pouring in the oil at the place of the wick
12 holder and noting the gauge mark at the thermometer hole, pouring
13 very gradually as the surface approaches the gauge mark. The gauge
14 mark consists of a small pendant shelf and the oil cup is properly
15 filled when the upper surface of the oil just adheres to the lower
16 surface of the gauge mark. Too much care cannot be taken at this
17 point. Having ceased pouring, tip the cup so that the oil flows away
18 from the gauge, then gradually restore it to the horizontal, and if
19 the surface does not again adhere, add a little more oil.

20 (4) Adjust the wick to the flashing taper to give a flame that does
21 not exceed one-quarter ($\frac{1}{4}$) of an inch in height and that exhibits
22 as much blue at its base as yellow at its top.

23 (5) Set the oil cup on top and into the water bath, return the
24 flashing taper to its place, inverting the conical thimble around it,
25 and return the thermometer to its place upon the cup. In doing this
26 be sure that the casing of the latter is pushed down upon the cup
27 as far as it will go.

28 (6) Fill the lamp beneath half full of alcohol, light and place it
29 beneath the water bath. Note the rate of increase in temperature
30 as shown by the thermometer and adjust the wick to raise the

31 temperature at the rate of two degrees (2°) per minute. When
32 the temperature has reached eighty-five (85°), light the flashing
33 taper and observe it closely. As soon as the oil under test has reached
34 its "flashing point", the flame of this taper will be extinguished by
35 the first "flash", and the point of attention is the temperature at
36 the instant the flame of the taper is extinguished. This "Flashing
37 point" is the point of temperature at which the oil emits a combustible
38 vapor.

39 The department shall determine which of the methods set out
40 above shall be used in the inspection of kerosene, and shall by regula-
41 tion prescribe the one method which shall be uniform in all kerosene
42 inspections.

1 SEC. 6. The department shall keep such records as may be necessary
2 for the purposes of this act of all tests made by it of illuminating
3 oil. Such records shall be open at all reasonable times to public
4 inspection. The department shall furnish to the person for whom
5 such tests are made a certificate of inspection covering each sample
6 tested showing the date of such test, the identity of the conveyance
7 or container from which the sample was taken, the kind of illumi-
8 nating oil therein, the result of the test and inspection.

1 SEC. 7. No person shall place gasoline or any other petroleum
2 product having a flash point below 100° fahrenheit into any bottle,
3 can, cask, barrel or other similar receptacle having a capacity in
4 excess of one pint unless the same is painted bright red and is
5 plainly marked with the word "gasoline" or with the warning
6 "flammable—keep fire away" in red lettering of a height equal to
7 at least 1/10 of the smallest dimension of such container. The foregoing
8 shall not apply to vehicle cargo or supply tanks nor to underground
9 storage nor to storage tanks from which such liquids are withdrawn
10 for manufacturing purposes or are loaded into vehicle cargo tanks,
11 but all outlet faucets or valves from such excepted containers shall
12 be painted bright red and suitably tagged to indicate the nature of
13 the product to be withdrawn therefrom. No person shall place illumi-
14 nating oil in any container which is painted red nor shall illuminating
15 oil be loaded or withdrawn through any piping which is used or
16 designated as aforesaid for products having a flash point below 100°
17 fahrenheit.

1 SEC. 8. If any illuminating oil is commingled with any other
2 product the entire commingled products shall be deemed uninspected
3 and untested, and it shall be unlawful for any person to sell, offer
4 for sale, or use any such commingled product for illuminating purposes
5 within this state unless and until the same has been inspected and
6 approved for sale or use by the department.

1 SEC. 9. Illuminating oil inspections provided for in this act
2 shall be deemed to be made for, and fees therefor at the rate of one
3 cent (1c) per barrel (fifty gallons) on all illuminating oil received
4 shall be paid by, the person who first received such illuminating oil
5 in this state.

6 For the purposes of computing such fees, illuminating oil shall
7 be deemed to be received in this state as follows:

8 (a) If placed in storage at or adjacent to a refinery or a marine
 9 or pipe-line terminal in this state the same shall be deemed to be
 10 received when withdrawn from such storage for sale or use in this
 11 state or for transportation to destinations in this state other than
 12 for transfer to other refineries or marine or pipe-line terminals in
 13 this state and not before. When so withdrawn, such oil shall be
 14 deemed to be received by the person who was the owner thereof
 15 just prior to withdrawal. Provided that if such oil so withdrawn is
 16 shipped or delivered to a person engaged in the storage and distribution
 17 thereof by tank car or tank truck, such oil when so withdrawn shall
 18 be deemed to be received by such distributor.

19 (b) If imported into this state (other than to a refinery or marine
 20 or pipe-line terminal in this state) the same shall be deemed to be
 21 received by the person who is the owner thereof immediately after
 22 the same is unloaded in this state.

23 On or before the last day of each calendar month, every person
 24 receiving illuminating oil in this state shall file with the department
 25 a report in such form and containing such information as the depart-
 26 ment shall prescribe as to each receipt or the total receipts of
 27 illuminating oil by such person in this state during the preceding
 28 calendar month and at the same time shall remit to the department
 29 the inspection fees thereon. Providing, however, that only one-half
 30 of the inspection fees shall be remitted on illuminating oil received and
 31 thereafter shipped or sold in rail tank car or motor transport lots
 32 directly to the federal government or on illuminating oil received
 33 and thereafter exported from this state, and if remitted in full, one-
 34 half said fees shall be refunded or credit therefor shall be allowed
 35 on subsequent reports.

Approved April 18, 1947.

CHAPTER 109

BOARD OF CONTROL REMOVAL

S. F. 412

AN ACT to amend section two hundred seventeen point four (217.4), code 1946, relating to removal of members of board of control.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section two hundred seventeen point four
 2 (217.4), Code 1946, by adding thereto the following:

3 "In addition to the foregoing provisions the governor may, when
 4 the general assembly is not in session, remove any member for the
 5 causes and in the manner provided for in chapter sixty-six (66),
 6 Code 1946."

Approved April 14, 1947.

CHAPTER 110

Referred to in chapter 18.

STATE SANATORIUM TRANSFER

S. F. 70

AN ACT to transfer the supervision of the state sanatorium* from the board of control to the board of education.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred eighteen point one (218.1), Code,
2 1946, is amended by striking the following, "3. State sanatorium,"
3 and renumbering the succeeding paragraphs.

1 SEC. 2. Section two hundred sixty-two point seven (262.7), Code
2 1946, is amended by adding the following, "6. State sanatorium".

1 SEC. 3. Repeal all of section two hundred twenty point four (220.4),
2 Code 1946.

1 SEC. 4. Section two hundred twenty point eleven (220.11), Code
2 1946, is amended by striking from lines two and three (2 and 3) the
3 words, "business manager approved by the board of control" and
4 inserting, "finance committee of the board of education".

1 SEC. 5. Section two hundred twenty point twelve (220.12), Code
2 1946, is amended as follows:

3 1. Strike from line two (2) the words, "business manager" and
4 insert, "finance committee".

5 2. Strike from lines four and five (4 and 5) the words, "when
6 approved by the board of control".

7 3. Strike from line nine (9) the words, "business manager" and
8 insert, "finance committee".

9 4. Strike from line seven (7) the words, "business manager" and
10 insert in lieu thereof the words, "finance committee".

1 SEC. 6. Section two hundred twenty point fourteen (220.14), Code
2 1946, is amended by striking from the last sentence thereof the words,
3 "in the manner provided in chapter 218".

1 SEC. 7. Wherever in chapter two hundred twenty (220), Code 1946,
2 the word, "board" is used referring to the board of control it shall,
3 after the effective date of this act, be deemed to refer to the state
4 board of education.

Approved March 27, 1947.

*Biennial appropriation chapter 13, § 10.

CHAPTER 111

RULES OF BOARD OF CONTROL

S. F. 443

AN ACT to amend chapter two hundred eighteen* (218), code 1946, and relating to rules established for all institutions under the jurisdiction or supervision of the board of control.

Be It Enacted by the General Assembly of the State of Iowa:

1 . SECTION 1. Amend section two-hundred eighteen point four
 2 (218.4), Code 1946, by adding thereto the following: "Such rules
 3 when prescribed or approved by the board shall be uniform, and shall
 4 apply to all institutions where insane are kept including county or
 5 private hospitals, and to all other institutions under the jurisdiction
 6 or supervision of the Board of Control, but they shall not interfere
 7 with proper medical treatment administered patients by competent
 8 physicians. Annually, signed copies of said rules shall be sent to the
 9 chief executive officer of each such institution or hospital as well as to
 10 the clerk of each district court, the chairman of the board of super-
 11 visors of each county, and to the officer in charge of institutions or
 12 hospitals caring for the insane in each county, who shall be responsible
 13 for seeing that the same is posted in said institution or hospital in a
 14 prominent place. Said rules shall be kept current to meet the public
 15 need and shall be revised and published annually.

Approved March 29, 1947.

*Words supplied by code editor under section 3.1 of the code.

CHAPTER 112

FIRE INSPECTION IN INSTITUTIONS

S. F. 419

AN ACT relating to fire regulations at all institutions under the jurisdiction of the board of control.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter two hundred eighteen (218), Code 1946 is
 2 hereby amended by adding the following section:
 3 "The state fire marshal shall cause to be made an annual inspection
 4 of all of the institutions listed in section 218.1 Code 1946, and shall
 5 make written report thereof to the board of control".

Approved March 27, 1947.

CHAPTER 113

BOARD OF CONTROL INSTITUTIONS

H. F. 217

AN ACT relating to the government and management of institutions under the board of control.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred eighteen point six (218.6), Code
2 1946, is amended by striking from line one (1) the word, "governor"
3 and inserting in lieu thereof the words, "board of control". Further
4 amend said section by striking all after the word, "appointed" in line
5 twelve (12) and insert in lieu thereof the following: "He shall receive
6 such compensation as ordered by the board of control and shall hold
7 office at the pleasure of said board".

1 SEC. 2. Section two hundred eighteen point eleven (218.11), Code
2 1946, is hereby repealed.

1 SEC. 3. Section two hundred eighteen point thirteen (218.13),
2 Code 1946, is amended by striking from line two (2) the words, "with
3 the written approval of the governor".

1 SEC. 4. Section two hundred eighteen point twenty-eight (218.28),
2 Code 1946, is amended by striking from lines one and two (1 and 2)
3 the words, "or a committee thereof" and inserting in lieu thereof the
4 words, "or an employee thereof".

1 SEC. 5. Section two hundred eighteen point twenty-nine (218.29),
2 Code 1946, is amended by inserting in line one (1) after the word,
3 "board" the following, "or such employee".

1 SEC. 6. Section two hundred eighteen point sixty (218.60), Code
2 1946, is amended by striking from lines three and four (3 and 4) the
3 words, "three hundred dollars" and inserting in lieu thereof the words,
4 "one thousand dollars".

1 SEC. 7. Section two hundred eighteen point sixty-two (218.62),
2 Code 1946, is amended by striking from lines two and three (2 and 3)
3 the words, "three hundred dollars" and inserting in lieu thereof the
4 words, "one thousand dollars". Further amend said section by adding
5 at the end thereof the following: "subject to the approval of the
6 board".

Approved March 27, 1947.

CHAPTER 114

EMPLOYEES OF BOARD OF CONTROL

S. F. 438

AN ACT to amend sections two hundred eighteen point six (218.6) and two hundred eighteen point nine (218.9), code 1946, relating to tenure of office of business managers, superintendents, wardens or other chief executive officers of board of control institutions.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred eighteen point six (218.6), Code
2 1946, is hereby amended by striking from lines twenty-one (21) and
3 twenty-two (22) the words "for a term of four years" and inserting in
4 lieu thereof the words "and shall hold office at the pleasure of the
5 board".

1 SEC. 2. Section two hundred eighteen point six (218.6), Code 1946,
2 is further amended by adding thereto the following: "The tenure of
3 office of business managers as herein provided shall be applicable to
4 present existing appointments."

1 SEC. 3. Section two hundred eighteen point nine (218.9), Code 1946,
2 is hereby amended by striking from lines eight (8) and nine (9) the
3 words "four years from the date of appointment" and inserting in lieu
4 thereof the words "at the pleasure of the board".

1 SEC. 4. Section two hundred eighteen point nine (218.9), Code 1946,
2 is further amended by adding thereto the following: "The tenure of
3 office of said officers as herein provided shall be applicable to present
4 existing appointments".

Approved March 29, 1947.

CHAPTER 115

STATE ARCHITECT

S. F. 445

AN ACT to amend section two hundred eighteen point fifty-eight (218.58), code 1946, relating to the state architect securing advice and consulting with other architects.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend Section two hundred eighteen point fifty-eight
2 (218.58), Code 1946, by striking the period following the word "year"
3 in line eleven (11) and adding in lieu thereof a comma (,) and
4 the words "unless a larger amount is approved by the Committee on
5 Retrenchment and Reform."

Approved April 10, 1947.

CHAPTER 116

EMPLOYEES OF BOARD OF CONTROL

S. F. 411

AN ACT to amend chapter two hundred eighteen (218), code 1946, providing that the board of control shall employ a director of mental institutions, a director of corrective institutions, a director of child welfare and a director of industries, setting forth their qualifications and their duties and responsibilities.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The board of control shall employ a director of mental
2 institutions, a director of corrective institutions, a director of child
3 welfare, and a director of industries, who shall serve during the
4 pleasure of the board and receive an annual salary to be fixed by said
5 board.

1 SEC. 2. The director of mental institutions shall be a reputable
2 physician and psychiatrist. He shall be admitted to the practice of
3 medicine in this state and shall have at least five years actual experience
4 in the care and treatment of persons afflicted with mental disease.

1 SEC. 3. The director of mental institutions under the direction
2 of the board of control shall have the following powers, duties and re-
3 sponsibilities:

4 a. Assist the board of control in exercising its powers and duties
5 under the law relating to the state mental hospitals.

6 b. Examine or cause to be examined by an assistant, all public and
7 private institutions receiving and caring for the insane, mental defec-
8 tives and epileptics to determine their efficiency for adequate care and
9 treatment of their patients.

10 c. See that the purposes of mental hospitals are carried into effect
11 and to that end shall have all necessary powers not inconsistent with
12 law.

13 d. Establish and supervise suitable standards of treatment and care
14 of patients in all state mental, feebleminded and epileptic hospitals.

15 e. Inquire into and determine the qualifications of all officers, physi-
16 cians, nurses, attendants and other employees responsible for the care
17 and treatment of patients.

18 f. Prepare a budget for the board of control which will provide for
19 the adequate care of the patients in all state mental hospitals.

1 SEC. 4. The director of corrective institutions shall be qualified in
2 reformatory and prison management with special training in sociology
3 and psychology. He shall also have practical experience in the field of
4 criminology and discipline and in the supervision of inmates of correc-
5 tive and penal institutions.

1 SEC. 5. The director of corrective institutions under the direction
2 of the board of control shall have the following powers, duties and re-
3 sponsibilities:

4 a. Assist the board of control in exercising its powers and duties
5 under the law relating to the state penal, reformatory and corrective
6 institutions.

7 b. Assist in carrying into effect the purposes of the penal, reforma-
8 tory and corrective institutions.

- 9 c. Have direct supervision and control over all state agents provided
10 for in this chapter, excepting those under the Child Welfare Division.
- 11 d. Establish and maintain acceptable standards of treatment, train-
12 ing and education in the various state penal and corrective institutions.
- 13 e. Examine all state institutions which are penal, reformatory or
14 corrective to determine their efficiency for adequate care, custody and
15 training of their inmates, and report same to the board of control. He
16 shall inquire into and determine the qualifications of wardens, matrons,
17 superintendents, officers, attendants, guards and other employees re-
18 sponsible for the care, custody, training and discipline of inmates, and
19 to make recommendations to the board of control regarding same.
- 20 f. Develop a program in corrective institutions for juveniles designed
21 to rehabilitate the inmates and patients, and institute a program of
22 placement and parole supervision for all parolees of said corrective
23 institutions for juveniles.
- 24 g. Prepare a budget for the board of control which will provide for
25 the execution of the above program.

1 SEC. 6. The director of child welfare shall be qualified by training,
2 experience and education in the field of child welfare.

1 SEC. 7. The director of child welfare under the direction of the
2 board of control shall have the following duties, powers and responsi-
3 bilities:

- 4 a. Assist the board of control in exercising its powers and duties
5 under the law relating to the juvenile home at Toledo, Iowa and sol-
6 diers' orphans home at Davenport, Iowa.
- 7 b. Develop a program of basic education, recreation, vocational train-
8 ing and guidance, and social adjustment.
- 9 c. Assist the board of control in child placement, employment and
10 supervision of state wards.
- 11 d. Cooperate as requested in child welfare functions in other board
12 of control institutions.
- 13 e. Prepare a budget for the board of control which will provide for
14 the accomplishment of the purposes herein provided.

1 SEC. 8. The director of industries shall be a reputable citizen with
2 actual experience in management and operation of industries.

1 SEC. 9. The director of industries under the direction of the board
2 of control shall have the following duties, powers and responsibilities:

- 3 a. Assist the board of control in exercising its powers and duties
4 under the law relating to the industries in any of the state institutions
5 under its control.
- 6 b. Survey all institutions under the board of control to determine
7 the need for existing and new industries.
- 8 c. Take into consideration any program of education, rehabilitation
9 and vocational training for inmates of state institutions in order to
10 prepare them to resume the duties of citizens upon their discharge.
- 11 d. Supervise all shops, industries, and farm work in state board of
12 control institutions.
- 13 e. Develop and improve manufacturing methods in the state insti-
14 tutions, and be responsible for the upkeep of all machinery and equip-
15 ment used therein.

16 f. Supervise and direct the sale and distribution of products made
17 by such industries.

18 g. Have direct supervision and control over all business managers
19 provided for in this chapter.

1 SEC. 10. If any provision of this act shall be held invalid, such in-
2 validity shall not affect the provisions of this act which can be given
3 effect without the invalid provision, and to this end the provisions of
4 the act are declared to be severable.

1 SEC. 11. All acts or parts of acts which are inconsistent with the
2 provisions of this act are hereby repealed.

1 SEC. 12. The board is directed to cooperate with any department
2 or agency of the state government in any manner, including the ex-
3 change of employees, calculated to improve administration of the
4 affairs of the institutions of the state board.

Approved March 29, 1947.

CHAPTER 117

BOARD OF CONTROL SALARIES

H. F. 218

AN ACT relating to salaries of officials and employees of institutions under the supervision of the board of control.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred nineteen point nine (219.9), Code
2 1946, is amended by striking from lines two and three (2 and 3) the
3 words, "an annual salary of three thousand dollars" and inserting
4 in lieu thereof the words, "such annual salary as the board of control
5 may determine".

1 SEC. 2. Section two hundred twenty-one point two (221.2), Code
2 1946, is amended by striking from lines four, five and six (4, 5, and 6)
3 the words, "a salary not exceeding thirty-nine hundred dollars per
4 annum" and inserting in lieu thereof the words, "such annual salary
5 as shall be determined by the board of control".

1 SEC. 3. Section two hundred twenty-three point two (223.2), Code
2 1946, is amended by striking from lines four and five (4 and 5) the
3 words, "a salary not exceeding thirty-nine hundred dollars per annum"
4 and inserting in lieu thereof the words, "such salary as the board of
5 control shall determine".

1 SEC. 4. Section two hundred twenty-six point four (226.4), Code
2 1946, is amended by striking all of lines three and four (3 and 4)
3 and inserting in lieu thereof the following, "be determined by the
4 board of control".

1 SEC. 5. Section two hundred twenty-six point six (226.6), Code
2 1946, is amended by striking the word, "entire" in line three (3) and

3 by adding at the end of line five (5) the words, "subject to the approval
4 of the board of control".

1 SEC. 6. Section two hundred forty-two point three (242.3), Code
2 1946, is hereby repealed and the following enacted in lieu thereof:

3 "The salaries of the superintendents of the training schools shall be
4 determined by the board of control."

1 SEC. 7. Section two hundred forty-four point two (244.2), Code
2 1946, is amended by striking from lines two and three (2 and 3) the
3 words, "two thousand seven hundred fifty dollars per year" and
4 inserting in lieu thereof the words, "determined by the board of
5 control".

1 SEC. 8. Section two hundred forty-five point two (245.2), Code
2 1946, is amended by striking from lines three and four (3 and 4)
3 the words, "of not to exceed twenty-four hundred dollars per year"
4 and inserting in lieu thereof the words, "as determined by the board
5 of control".

1 SEC. 9. Section two hundred forty-six point two (246.2), Code
2 1946, is hereby repealed and the following enacted in lieu thereof,
3 "The warden, deputy warden, assistant deputy warden, chief clerk,
4 chaplain, additional chaplain, physician, storekeeper, record clerk,
5 and receiving officer of the penitentiary and men's reformatory shall
6 receive such salaries as shall be determined by the board of control."

1 SEC. 10. Section two hundred forty-six point three (246.3), Code
2 1946, is hereby repealed and the following enacted in lieu thereof:

3 "Captains, inspectors, turnkeys, guards first class, guards second
4 class, and guards third class shall receive such compensation as shall
5 be determined by the board of control and in addition shall receive a
6 midshift meal when on duty."

Approved April 8, 1947.

CHAPTER 118

SOLDIERS HOME RESIDENTS

S. F. 219

AN ACT to amend section two hundred nineteen point fourteen (219.14), code 1946, relating to contributing to own support in the soldiers' home.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred nineteen point fourteen (219.14),
2 Code 1946, is hereby amended by inserting in line five (5) after the
3 word "source" the following: "of more than twenty dollars (\$20)
4 per month."

Approved March 27, 1947.

CHAPTER 119

SUPERINTENDENT OF SANATORIUM

S. F. 415

AN ACT relating to qualifications of the superintendent of the state sanatorium.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred twenty point three (220.3), Code
2 1946, is hereby amended by striking from lines three (3) and four
3 (4) thereof the following: "experience in the practice of medicine"
4 and inserting in lieu thereof the following: "practical experience in
5 the field of tuberculosis".

Approved March 27, 1947.

CHAPTER 120

TUBERCULOSIS PATIENTS

H. F. 107

AN ACT providing for the care of tuberculosis patients in public tuberculosis sanatoria.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section two hundred twenty point eleven (220.11),
2 Code 1946, is amended by striking all of said section after the word
3 "is" in line ten (10) and inserting in lieu thereof the following:
4 "entitled to free treatment under Chapter 254".

1 SEC. 2. That section two hundred twenty point sixteen (220.16),
2 Code 1946, is amended by striking the period (.) at the end of said
3 section and adding thereto the following: ", except as provided in
4 Chapter 254."

1 SEC. 3. That section two hundred fifty-four point one (254.1),
2 Code 1946, is amended by striking from line three (3) thereof the
3 word "indigent".

1 SEC. 4. That Chapter 254, Code 1946, is amended by adding thereto
2 a new section as follows: "Treatments shall be supplied free to any
3 legal resident of Iowa suffering from tuberculosis upon the signed
4 certificate of his county director of social welfare, or the overseer of
5 the poor, as the board of supervisors may direct, or in case of a
6 county maintaining a separate public tuberculosis hospital, his board
7 of hospital trustees, that such person has applied for such treatment
8 and agreed to remain under treatment until discharged by the san-
9 atorium, as no longer having tuberculosis in a communicable stage
10 and is not possessed of sufficient income or estate to enable him to
11 make payment of the costs of such treatment in whole or in part
12 without affecting his reasonable economic security or support, in
13 light of his resources, obligations and responsibilities to dependents;
14 and expenditures of public funds for treatment of tuberculosis shall
15 be considered expenditures for the protection of the public health
16 and not as monies advanced in the nature of welfare or relief. The
17 state department of health shall promulgate rules and regulations

18 for the uniform administration of the provisions of this section, which
 19 shall govern the county directors of social welfare, overseers of the
 20 poor, and boards of hospital trustees in the issuance of such certificates.
 21 Any applicant who is denied a certificate by the county director of
 22 social welfare, overseer of the poor or the board of hospital trustees,
 23 may apply to a judge of the district court of his county of residence,
 24 either in term or on vacation, for a review thereof and hearing thereon
 25 which shall be de novo. The district judge shall promptly hear such
 26 application and shall render final decision thereon and enter an order
 27 accordingly. The director, overseer and board of hospital trustees
 28 shall file a copy of such certificates issued by them and the clerk of
 29 the court shall file a copy of any order entered by the district judge
 30 with the county auditor of the county of legal settlement of the
 31 applicant.

1 SEC. 5. That chapter two hundred fifty-four (254), Code 1946,
 2 is amended by adding thereto a new section as follows: "Any person
 3 receiving free treatment under the provisions of this chapter who
 4 shall fail or refuse to continue the same until the disease is no
 5 longer in a communicable stage, may be ordered rehospitalized, by
 6 the District Court of any county in which such person is found, in
 7 the same or any other sanatorium until such person no longer has
 8 tuberculosis in a communicable stage. Said order shall be issued only
 9 after complaint by any local or state health officer to such court and
 10 after hearing pursuant to notice to said person as prescribed by
 11 said court. Process shall issue to any peace officer for the enforcement
 12 of any such order of court."

1 SEC. 6. That chapter 254, Code 1946, is amended by adding thereto
 2 a new section as follows: "The county through the board of super-
 3 visors, or in case of a county maintaining a separate public tubercu-
 4 losis hospital, through the board of hospital trustees, may receive
 5 any contributions or donations of money or property from patients
 6 or other persons. Money payable under the terms of an insurance
 7 contract covering costs of hospitalization of tuberculosis patients shall
 8 be paid to the board of supervisors, or in case of a county maintaining
 9 a separate public tuberculosis hospital, to the board of hospital trustees,
 10 of the county of the patient's residence, if the insured is receiving
 11 free care under the provisions of this chapter."

1 SEC. 7. That section three hundred forty-seven point thirteen
 2 (347.13), subsection eight (8), Code, 1946, is amended by inserting
 3 after the word "indigent" in line two (2) of said subsection, the
 4 words, "or tuberculous".

1 SEC. 8. That section three hundred forty-seven point sixteen
 2 (347.16), Code 1946, is amended by inserting after the word "indigent"
 3 in line nine (9) thereof, the words, "or tuberculous"; and by striking
 4 the period (.) in line fourteen (14) thereof and adding the following:
 5 "or be entitled to free care as provided in Chapter 254."

1 SEC. 9. That section three hundred forty-seven point seventeen
 2 (347.17), Code 1946, is amended by inserting after the word "patients"
 3 in line five (5) thereof the following: "or patients entitled to free
 4 care as provided in Chapter 254."

Approved April 10, 1947.

CHAPTER 121

PAROLE OF FEEBLE-MINDED

S. F. 217

AN ACT to amend section two hundred twenty-two point thirty-six (222.36), code 1946, to provide for the parole of feebleminded inmates from state institutions under the board of control.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section two hundred twenty-two point thirty-six
2 (222.36), Code 1946, is hereby amended by inserting after the word
3 "absence" in line two (2) the words "or parole"; by striking from
4 lines three (3) and four (4) the words "for good cause to be deter-
5 mined and approved by", and inserting in lieu thereof the following:
6 "upon the recommendation of the superintendent and approval of";
7 by striking the period (.) at the end of said section and adding the
8 following: "or parole. Said parole shall be for a period not to exceed
9 one year under such conditions as are prescribed by the board of
10 control".

Approved March 27, 1947.

CHAPTER 122

EPILEPTIC AND FEEBLE-MINDED PERSONS

S. F. 425

AN ACT transferring the law relating to the Glenwood state school into the chapter relating to the Woodward hospital and school, all relating to the care and custody of epileptic and feebleminded persons.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred twenty-three point one (223.1),
2 Code 1946, is hereby amended by adding the letter "s" after the word
3 "school" in line two (2) thereof.

1 SEC. 2. Section two hundred twenty-three point two (223.2), Code
2 1946, is hereby amended by adding the letter "s" after the word
3 "superintendent" in line one (1) thereof; further amend by striking
4 the word "a" from line one (1) thereof; further amend by adding the
5 letter "s" after the word "physician" in line two (2) thereof.

1 SEC. 3. Section two hundred twenty-three point three (223.3), Code
2 1946, is hereby amended by adding in line one (1) thereof after the
3 word "superintendent" the letter "s"; further amend by striking the
4 word "the" in line three (3) of subsection two (2) and inserting in
5 lieu thereof the word "said"; further amend by adding the letter "s"
6 after the word "hospital" in line three (3) of subsection two (2); fur-
7 ther amend by striking the word "he" in line two (2) of subsection
8 four (4) and inserting in lieu thereof the word "they".

1 SEC. 4. Section two hundred twenty-three point four (223.4), Code
2 1946, is hereby amended by striking the period (.) after the word "ad-
3 mission" in line seven (7) and inserting in lieu thereof a comma (,)

4 together with the following: "to the hospital for epileptics at Wood-
5 ward."

1 SEC. 5. Section two hundred twenty-three point seven (223.7), Code
2 1946, is hereby amended by adding the letter "s" after the word
3 "school" in line five (5) thereof.

1 SEC. 6. Section two hundred twenty-three point twelve (223.12),
2 Code 1946, is hereby repealed.

1 SEC. 7. Section two hundred twenty-three point fourteen (223.14),
2 Code 1946, is hereby amended by striking from line three (3) the pe-
3 riod (.) after the word "hospital" and inserting in lieu thereof the
4 following: "and schools."

1 SEC. 8. Section two hundred twenty-three point sixteen (223.16),
2 Code 1946, is hereby amended by striking from line eight (8) thereof
3 the word "this" and inserting in lieu thereof the word "these"; further
4 amend by adding the letter "s" after the word "hospital" in line eight
5 (8) thereof.

1 SEC. 9. Section two hundred twenty-three point eighteen (223.18),
2 Code 1946, is hereby amended by striking from line four (4) thereof
3 the word "this" and inserting in lieu thereof the word "these"; further
4 amend by adding the letter "s" after the word "hospital" in line eight
5 (8) thereof.

1 SEC. 10. Chapter two hundred twenty-one (221), Code 1946, is here-
2 by repealed.

Approved March 29, 1947.

CHAPTER 123

WOMEN INSPECTORS

S. F. 416

AN ACT relating to the pay of women inspectors at state hospitals for insane.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred twenty-six point twelve (226.12),
2 Code 1946, is hereby amended by striking all of lines six (6), seven
3 (7), eight (8), nine (9), ten (10), eleven (11) and twelve (12).

Approved April 9, 1947.

CHAPTER 124

INSANE PERSONS

S. F. 166

AN ACT to amend section two hundred twenty-six point thirty-two (226.32), code 1946, relating to the discharge and removal of incurable and harmless patients from the state hospitals for the insane.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section two hundred twenty-six point thirty-two
- 2 (226.32), Code 1946, is hereby amended by striking the period (.)
- 3 at the end of said section, substituting a comma (,) and adding the
- 4 following words, "and shall notify the auditor of the county interested
- 5 at least ten (10) days in advance of the day of actual discharge."

Approved March 27, 1947.

CHAPTER 125

INSANE PERSONS

S. F. 167

AN ACT to amend section two hundred twenty-seven point two (227.2), code 1946, relating to the inspection of county and private hospitals for the insane.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section two hundred twenty-seven point two (227.2),
- 2 Code, 1946, is hereby amended by inserting after the period in line
- 3 seven the following: "Inspectors shall be persons who are acquainted
- 4 with and interested in the handling and care of mental patients and
- 5 shall be required to consult and advise with the county authorities on
- 6 plans and practices that will improve the care given patients and shall
- 7 make such recommendations to the board for co-ordinating and im-
- 8 proving the relationships between the stewards of county homes, the
- 9 board, the superintendents of hospitals and other co-operating agencies,
- 10 as will make for improved and more satisfactory care of patients."

- 1 SEC. 2. Section two hundred twenty-seven point two (227.2), Code,
- 2 1946, is hereby amended by striking sub-paragraph eight (8) and
- 3 inserting in lieu thereof the following:

- 4 "8. The recommendations given to and received from county author-
- 5 ities on methods and practices that will improve the conditions under
- 6 which the county home is operated.

- 7 9. Such other matters as the board of control may require."

- 1 SEC. 3. Section two hundred twenty-seven point two (227.2), Code,
- 2 1946, is hereby amended by adding thereto the following:

- 3 "In addition to the aforesaid inspections, the board shall make or
- 4 cause to be made an inspection of each county home where mental
- 5 patients are kept at least once each year by a competent psychiatrist

6 employed by the state hospital in the hospital district where the county
 7 home is located. Such inspection shall include an examination of each
 8 mental patient which shall reveal the patient's condition of health and
 9 the likelihood of improvement or discharge and such other recom-
 10 mendations concerning the care of patients as the inspector deems
 11 pertinent. One copy of said inspection report shall be filed with the
 12 board, one copy mailed to the county board of supervisors and one
 13 copy mailed to the steward of the home inspected."

Approved March 27, 1947.

CHAPTER 126

HOSPITALS FOR INSANE PERSONS

S. F. 413

AN ACT relating to county and private hospitals for insane.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred twenty-seven point three (227.3),
 2 Code 1946, is hereby amended by striking from line two (2) and line
 3 three (3) thereof the following: "see all patients in the institution
 4 and"; further amend by inserting after the word "each" in line three
 5 (3) thereof the word "patient".

1 SEC. 2. Section two hundred twenty-seven point four (227.4), Code
 2 1946, is hereby repealed.

1 SEC. 3. Section two hundred twenty-seven point five (227.5), Code
 2 1946, is hereby repealed.

1 SEC. 4. Section two hundred twenty-seven point six (227.6), Code
 2 1946, is hereby amended by striking from line two (2) thereof the word
 3 "such" and inserting in lieu thereof the word "its".

Approved March 28, 1947.

CHAPTER 127

COMMISSION OF INSANITY

S. F. 169

AN ACT to amend section two hundred twenty-eight point nine (228.9), code, 1946, relating to the compensation and expenses of members of county commission of insanity.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred twenty-eight point nine (228.9),
 2 Code 1946, is amended by striking subsection one (1) and inserting
 3 in lieu thereof the following:

4 "1. The compensation and expenses of the commissioners of insanity
 5 shall be as follows: To the member of the commission serving as
 6 physician, seven dollars and fifty cents (\$7.50) for each commitment

7 or release of any person brought before said commission for each
 8 actual hearing, and to the member of the commission serving as
 9 attorney, seven dollars and fifty cents (\$7.50) for each commitment
 10 or release of any person brought before said commission for each
 11 actual hearing."

1 SEC. 2. Further amend section two hundred twenty-eight point
 2 nine (228.9), Code 1946, by striking subsection two thereof.

Approved April 14, 1947.

CHAPTER 128

INSANE PERSONS

S. F. 170

AN ACT to amend chapter two hundred twenty-nine (229), code, 1946, relating to the admission and discharge of insane persons.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred twenty-nine point one (229.1),
 2 Code, 1946, is hereby amended by adding the following:
 3 "Provided, however, that application for admission may be made
 4 on behalf of a person by his attending physician and another physician
 5 experienced in the treatment of mental diseases, for a temporary
 6 admission for observation, examination, diagnosis and treatment,
 7 which admission shall not be for a period of more than thirty (30) days
 8 and only after the written consent of said person. The application shall
 9 be made to the superintendent of the state hospital in the district in
 10 which the county of his residence is located. Said application shall
 11 not be accepted by the superintendent if by doing so it will result in
 12 an over-crowded condition or if adequate facilities are not available.
 13 At the expiration of the admission period, the superintendent shall
 14 make a certified report of the findings as to the mental illness of said
 15 applicant, one copy of which shall be sent to the attending physician,
 16 filing the application and, if said report finds that said person is
 17 insane and in need of treatment, a copy shall be sent to the commission
 18 of insanity of the county in which the applicant is a resident."
 19 "If the certification of the patient's condition to his attending
 20 physician by the hospital superintendent states that a further period
 21 of observation and treatment is indicated without commitment of the
 22 person as insane, the attending physician may authorize a further
 23 period of such observation and treatment as recommended. During
 24 such extended period of observation, if the patient is not discharged
 25 a recommendation for commitment as insane may be filed with the
 26 commission. If the commission does not issue a commitment as
 27 insane after recommendation by the superintendent within five (5)
 28 days following receipt of such recommendation, the superintendent
 29 may, upon authority of the Board of Control, discharge such patient
 30 from the hospital, and the hospital and Board of Control, after
 31 discharge of such patient, shall be absolved of further responsibility
 32 in connection with the case until such time as the same person may
 33 be committed."

34 "The cost of hospitalization of persons committed temporarily under
35 the provisions of this section shall be paid for in the same way as
36 persons committed otherwise as insane."

1 SEC. 2. Chapter two hundred twenty-nine (229), Code 1946, is
2 hereby amended by adding the following section:

3 "Any citizen of the state may make a voluntary personal application
4 for admission to a state hospital for the purpose of securing observa-
5 tion, examination, diagnosis, and treatment for mental illness. Such
6 application shall be made in writing on forms prepared under the
7 direction of the Board of Control and shall include an agreement
8 by the applicant that he will abide by the rules and regulations of
9 the hospital and will give three days notice in writing before demand-
10 ing his discharge. No applicant shall be accepted if the hospital does
11 not have adequate facilities available or if the acceptance would
12 result in an over-crowded condition. The applicant may apply for his
13 discharge by giving or causing to be given three days notice in writing
14 of his desire to be discharged, and not later than three days after said
15 notice is given, the superintendent shall discharge said applicant unless
16 otherwise directed by lawful proceedings."

17 "Persons making application directly to the superintendent and
18 received for observation and treatment on such application, shall be
19 required to pay the costs of hospitalization, which costs may be collected
20 weekly in advance and shall be payable at the business office of the
21 hospital. Such costs shall be the same as for regularly committed
22 patients, and the treatment shall be the same as for other patients."

1 SEC. 3. If a person wishing to make application for voluntary
2 admission to the hospital is unable to pay the costs of hospitalization
3 or those responsible for such person are unable to pay such costs,
4 application for voluntary admission must be made to the insane com-
5 mission of the county in which said person is a resident and the
6 commission, after satisfying itself that the person is in need of
7 observation and treatment in the state hospital, may on forms pre-
8 scribed by the Board of Control, authorize such persons admission as
9 a voluntary case, the costs of hospitalization of such case to be paid
10 in the same way as regularly committed cases. Persons admitted
11 under this section shall be released on application in writing to the
12 superintendent in the same way as voluntary patients are released
13 as provided for in Section 2 above.

Approved March 27, 1947.

CHAPTER 129

COMMITMENT AND DISCHARGE OF INSANE

S. F. 171

AN ACT to amend sections two hundred twenty-nine point five (229.5), two hundred twenty-nine point nine (229.9), two hundred twenty-nine point eleven (229.11), two hundred twenty-nine point ten (229.10), two hundred twenty-nine point fourteen (229.14), and two hundred twenty-nine point twenty-four (229.24), and repealing section two hundred twenty-nine point thirteen (229.13), and amending section two hundred twenty-nine point seventeen (229.17), code 1946, relating to the commitment and discharge of persons who are insane.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred twenty-nine point nine (229.9),
2 Code 1946, is hereby amended by adding the following words, "No
3 person shall be ordered committed or delivered to a state hospital
4 until the commission has first communicated with the superintendent
5 of said hospital, and has been advised that adequate facilities are
6 available."

1 SEC. 2. Section two hundred twenty-nine point ten (229.10), Code
2 1946, is hereby amended by striking from line two (2) thereof the
3 word "forthwith".

1 SEC. 3. Section two hundred twenty-nine point eleven (229.11),
2 Code 1946, is hereby amended by striking from line three (3) thereof
3 the word "sheriff" and inserting in lieu thereof the words, "person's
4 attending physician or some one designated by said physician". Further
5 amend section two hundred twenty-nine point eleven (229.11), Code
6 1946, by striking the word "sheriff" in line nine (9) thereof and
7 inserting in lieu thereof the words "said physician".

1 SEC. 4. Section two hundred twenty-nine point fourteen (229.14),
2 Code 1946, is hereby amended by striking the word "sheriff" in line
3 one (1) and inserting in lieu thereof the words, "person's attending
4 physician or some one designated by said physician".

1 SEC. 5. Section two hundred twenty-nine point twenty-four
2 (229.24), Code 1946, is hereby amended by inserting after the word
3 "for" in line seven (7) the following, "either in the county home or".

1 SEC. 6. Section two hundred twenty-nine point thirteen (229.13),
2 Code 1946, is hereby repealed.

1 SEC. 7. Amend section two hundred twenty-nine point five (229.5),
2 Code 1946, by adding thereto the following:

3 "If at said hearing such person appears without counsel or appear-
4 ance is made in his behalf without counsel, the commission, before
5 proceeding further, shall inform such person or persons appearing
6 for him of his right to legal counsel, then if no counsel is employed,
7 the district court shall assign him counsel. An attorney so assigned
8 shall receive such compensation as the district court shall fix to be
9 paid in the first instance by the county."

1 SEC. 8. Amend section two hundred twenty-nine point seventeen
2 (229.17), Code 1946, by striking the word "ten" in line four (4) and
3 substituting therefor the word "thirty". Further amend said section

4 by adding the following: "Such person shall have the right to have
5 the appeal decided by a jury under the rules and statutes relating to
6 jury trials in civil cases."

Approved April 3, 1947.

CHAPTER 130

MENTALLY INCOMPETENT VETERANS

S. F. 307

AN ACT to repeal section two hundred twenty-nine point twenty (229.20), code 1946, relating to beneficiaries of veterans bureau and inserting a new section in lieu thereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred twenty-nine point twenty
2 (229.20); Code 1946, is hereby repealed and the following inserted
3 in lieu thereof:

4 "Whenever, in any proceeding under the laws of this State for
5 the commitment of a person alleged to be of unsound mind or other-
6 wise in need of confinement in a hospital or other institution for
7 his proper care, it is determined after such adjudication of the status
8 of such person as may be required by law that commitment to a
9 hospital for mental disease or other institution is necessary for
10 safekeeping or treatment and it appears that such person is eligible
11 for care or treatment by the Veterans Administration or other agency
12 of the United States Government, the Court, upon receipt of a
13 certificate from the Veterans Administration or such other agency
14 showing that facilities are available and that such person is eligible
15 for care or treatment therein, may commit such person to said
16 Veterans Administration or other agency. The person whose com-
17 mitment is sought shall be personally served with notice of the pending
18 commitment proceeding in the manner as provided by the law of this
19 State; and nothing in this act shall affect his right to appear and be
20 heard in the proceedings. Upon commitment, such person, when
21 admitted to any facility operated by any such agency within or
22 without this State shall be subject to the rules and regulations of the
23 Veterans Administration or other agency. The Chief Officer of any
24 facility of the Veterans Administration or institution operated by
25 any other agency of the United States to which the person is so
26 committed shall with respect to such person be vested with the same
27 powers as superintendents of state hospitals for mental diseases
28 within this State with respect to retention of custody, transfer, parole
29 or discharge. Jurisdiction is retained in the committing or other
30 appropriate court of this State at any time to inquire into the mental
31 condition of the person so committed, and to determine the necessity
32 for continuance of his restraint, and all commitments pursuant to
33 this act are so conditioned.

34 The judgment or order of commitment by a court of competent
35 jurisdiction of another State or of the District of Columbia, committing
36 a person to the Veterans Administration, or other agency of the
37 United States Government for care or treatment shall have the

38 same force and effect as to the committed person while in this State
 39 as in the jurisdiction in which is situated the court entering the judg-
 40 ment or making the order; and the courts of the committing State, or
 41 of the District of Columbia, shall be deemed to have retained jurisdic-
 42 tion of the person so committed for the purpose of inquiring into the
 43 mental condition of such person, and of determining the necessity
 44 for continuance of his restraint; as is provided in subsection one
 45 (1)* of this section with respect to persons committed by the courts
 46 of this State. Consent is hereby given to the application of the law
 47 of the committing state or district in respect to the authority of the
 48 chief officer of any facility of the Veterans Administration, or of any
 49 institution operated in this State by any other agency of the United
 50 States to retain custody, or transfer, parole or discharge the committed
 51 person.

52 Upon receipt of a certificate of the Veterans Administration or
 53 such other agency of the United States that facilities are available for
 54 the care or treatment of any person heretofore committed to any
 55 hospital for the insane or other institution for the care or treatment
 56 of persons similarly afflicted and that such person is eligible for care
 57 or treatment, the superintendent of the institution may cause the
 58 transfer of such person to the Veterans Administration or other
 59 agency of the United States for care or treatment. Upon effecting
 60 any such transfer, the committing court or proper officer thereof
 61 shall be notified thereof by the transferring agency. No person shall
 62 be transferred to the Veterans Administration or other agency of
 63 the United States if he be confined pursuant to conviction of any felony
 64 or misdemeanor or if he has been acquitted of the charge solely
 65 on the ground of insanity, unless prior to transfer the court or other
 66 authority originally committing such person shall enter an order
 67 for such transfer after appropriate motion and hearing.

68 Any person transferred as provided in this section shall be deemed
 69 to be committed to the Veterans Administration or other agency of
 70 the United States pursuant to the original commitment."

Approved April 29, 1947.

*According to enrolled act.

CHAPTER 131

PROBATION OFFICERS

S. F. 76

AN ACT to repeal section two hundred thirty-one point eight (231.8), code 1946, providing for the appointment and compensation of probation officers in the juvenile court and to enact a substitute therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred thirty-one point eight (231.8),
 2 Code 1946, is hereby repealed and the following is enacted in lieu
 3 thereof:
 4 Probation Officers—Salaries. The judge designated as juvenile
 5 judge in each county, or where there is more than one judge designated

- 6 such judges acting jointly, shall appoint probation officers and shall
7 fix their compensation as hereinafter provided. Women may be ap-
8 pointed as probation officers and in counties where more than one
9 officer is appointed at least one of such officers shall be a woman.
- 10 1. In any county having a population of less than thirty thousand,
11 one or more probation officers may be appointed to serve either part
12 or full time. Such appointees may be paid eight dollars per day or
13 one dollar per hour for services actually rendered but shall receive
14 not more than twenty-five hundred dollars in salary in any one year.
- 15 2. In counties wherein there is an educational institution under the
16 control of the State Board of Education, with a student enrollment
17 of at least six thousand, and in counties having a population of more
18 than thirty thousand and less than fifty thousand, a chief probation
19 officer may be appointed at a salary not to exceed three thousand
20 dollars per year and such deputy probation officers may be appointed
21 as may be necessary to carry out the work of the court, but not more
22 than four thousand dollars in salaries shall be paid such deputies in
23 any one year and no deputy shall receive more than two thousand
24 dollars in salary in any one year.
- 25 3. In counties having a population of more than fifty thousand and
26 less than one hundred twenty-five thousand, a chief probation officer
27 may be appointed at a salary not to exceed thirty-six hundred
28 dollars per year and such deputy probation officers may be appointed
29 as may be necessary to carry out the work of the court, but not more
30 than twelve thousand dollars in salaries shall be paid such deputies
31 in any one year and no deputy shall receive more than twenty-five
32 hundred dollars in salary in any one year.
- 33 4. In counties having a population in excess of one hundred
34 twenty-five thousand, a chief probation officer may be appointed at
35 a salary not to exceed forty-two hundred dollars per year and such
36 deputy probation officers, may be appointed as may be necessary to
37 carry out the work of the court, but not more than twenty-six thousand
38 dollars in salaries shall be paid such deputies in any one year and no
39 deputy shall receive more than three thousand dollars in salary in
40 any one year.
- 41 5. The judge of the juvenile court may appoint such secretarial
42 help as may be needed by said court. If the population of the area
43 served by the court is less than 125,000 such secretaries may be paid
44 not to exceed \$2,000 per year. If the population of said area is over
45 125,000 such secretaries may be paid not to exceed \$2,400 per year.
- 46 6. If more than one county is served by a probation office the judges
47 of the judicial district containing such counties may prorate the
48 expense of said probation office among the several counties served.

Approved April 9, 1947.

CHAPTER 132

BOARD OF SOCIAL WELFARE

S. F. 481

AN ACT relating to the compensation of the members of the board of social welfare.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Amend section two hundred thirty-four point five
2 (234.5), Code 1946, by striking from lines four (4) and five (5)
3 the words "four thousand" and inserting in lieu thereof the words
4 "forty-five hundred".

Approved April 29, 1947.

CHAPTER 133

CHILD PLACING AGENCIES

S. F. 131

AN ACT to amend section two hundred thirty-eight and seventeen one-hundredths (238.17), code, 1946, and to provide for the preservation of records of a child placing agency when said child placing agency ceases to exist.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section two hundred thirty-eight and seventeen one-
2 hundredths (238.17), Code, 1946, is hereby amended by adding
3 thereto, the following:
4 "If, for any reason, a child placing agency as defined by section
5 two hundred thirty-eight and two tenths (238.2), Code, 1946, shall
6 cease to exist, all records of registration and placement and all other
7 records of any kind and character kept by such child placing agency
8 shall be turned over to the state board of social welfare, state of Iowa,
9 for preservation, to be kept by the said state board of social welfare,
10 state of Iowa, as a permanent record."

Approved April 22, 1947.

CHAPTER 134

AID TO DEPENDENT CHILDREN

H. F. 324

AN ACT relating to aid for dependent children.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section two hundred thirty-nine point five (239.5).
2 Code 1946, is hereby amended by striking all after the word "health"
3 in line thirty-five (35) up to, and including, the word "home" in line
4 forty-six (46).

Approved April 17, 1947.

CHAPTER 135

BLIND PERSONS AND DEPENDENT CHILDREN

H. F. 497

AN ACT to amend section two hundred thirty-nine point nine (239.9) and section two hundred forty-one point seventeen (241.17), code 1946, relating to the payment of reasonable funeral expenses for blind persons and dependent children so as to increase maximum payments and allowances.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section two hundred thirty-nine point nine
2 (239.9), Code 1946, by striking from line seven (7) of said section
3 the words "one hundred dollars" and substituting in lieu thereof the
4 words "one hundred fifty dollars".

1 SEC. 2. Amend section two hundred forty-one point seventeen
2 (241.17), Code 1946, by striking from lines five (5) and six (6) of
3 said section the words "one hundred dollars" and substituting in lieu
4 thereof the words "one hundred fifty dollars".

Approved April 24, 1947.

CHAPTER 136

AID TO CHILDREN BALANCES

S. F. 465

AN ACT to amend section two hundred thirty-nine point twelve (239.12), code 1946, and to provide what shall be done at the end of each biennium with the unexpended funds remaining from any appropriation or allocation made by the state to the fund for aid to dependent children.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred thirty-nine point twelve (239.12),
2 Code 1946, is hereby amended by adding the following:
3 "Any unexpended balance of the fund appropriated or allocated
4 by the state which remains in the fund for aid to dependent children
5 at the end of each biennium shall not revert to the general fund of
6 the state, any law to the contrary notwithstanding."

Approved April 18, 1947.

CHAPTER 137

ALLOWANCE FOR CARE OF CHILDREN

H. F. 130

AN ACT to amend section two hundred forty point five (240.5), code 1946, relating to the allowance to institutions for receiving and caring for neglected, dependent and delinquent children.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred forty point five (240.5), Code
2 1946, is amended by striking all of the section after the words "monthly
3 allowance" and by adding "for the welfare of said child in such an
4 amount as the board of supervisors in their judgment and discretion
5 may determine."

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force and effect after publication in the Baxter New Era, a
3 newspaper published at Baxter, Iowa, and The Maquoketa Community
4 Press, a newspaper published at Maquoketa, Iowa. Said publication
5 shall be without expense to the State of Iowa.

Approved March 26, 1947.

I hereby certify that the foregoing act was published in the Baxter New Era, April 2, 1947, and The Maquoketa Community Press, April 3, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 138

AID TO BLIND FUNDS

S. F. 250

AN ACT to amend section two hundred forty-one point twenty-one (241.21), code 1946, and to provide what shall be done at the end of each biennium with the unexpended funds remaining from any appropriation or allocation made by the state to the fund for aid to the blind.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred forty-one point twenty-one
2 (241.21), Code 1946, is hereby amended by adding thereto the
3 following:

4 "Any unexpended balance of the funds appropriated or allocated by
5 the state which remains in the fund for aid to the blind at the end of
6 each biennium shall not revert to the general fund of the state, any
7 law to the contrary notwithstanding."

Approved March 19, 1947.

CHAPTER 139

ORPHAN AND JUVENILE HOMES

S. F. 442

AN ACT relating to the Iowa soldiers' orphans' home and to the Iowa juvenile home.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred forty-four point one (244.1), Code
2 1946, is hereby amended by striking all of said section and inserting in
3 lieu thereof the following:

4 "Objects: The Iowa Juvenile Home and the Iowa Soldiers' Orphans'
5 Home shall be maintained for the purpose of providing care, custody
6 and education of such children as are committed thereto. Such children
7 shall be wards of the State of Iowa. Their education shall embrace
8 instruction in the common school branches and in such other higher
9 branches as may be practical and will enable said children to gain useful
10 and self sustaining employment. The Board of Control and the super-
11 intendants of the Homes shall assist all discharged children in securing
12 suitable homes and proper employment."

1 SEC. 2. Section two hundred forty-four point three (244.3), Code
2 1946, is hereby amended by adding the letter "s" after the word "home"
3 in line one (1) thereof. Further amend by striking the word "or" in
4 line one (1) of sub-section two (2) thereof; further amend by inserting
5 the words "or delinquent" after the word "dependent" in line one (1)
6 of sub-section two (2) thereof.

1 SEC. 3. Section two hundred forty-four point four (244.4), Code
2 1946, is hereby amended by adding the letter "s" after the word "home"
3 in line two (2) thereof.

1 SEC. 4. Section two hundred forty-four point five (244.5), Code 1946,
2 is hereby amended by adding the letter "s" after the word "home" in
3 line two (2) thereof; further amend by adding the letter "s" after the
4 word "home" in line nine (9) thereof; further amend by adding the
5 letter "s" after the word "home" in line six (6) thereof.

1 SEC. 5. Section two hundred forty-four point six (244.6), Code
2 1946, is hereby amended by adding the letter "s" after the word "home"
3 in line two (2) thereof.

1 SEC. 6. Section two hundred forty-four point nine (244.9), Code
2 1946, is hereby amended by inserting the letter "s" after the word
3 "home" in line one (1) thereof.

1 SEC. 7. Section two hundred forty-four point ten (244.10), Code
2 1946, is hereby amended by adding the letter "s" after the word "home"
3 in line two (2) thereof.

1 SEC. 8. Chapter two hundred forty-three (243), Code 1946, is
2 hereby repealed.

Approved March 29, 1947.

CHAPTER 140
CONVICT LABOR
S. F. 420

AN ACT relating to convict labor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Sections two hundred forty-six point twenty (246.20)
2 and two hundred forty-six point twenty-two (246.22), Code 1946,
3 are hereby repealed.

1 SEC. 2. Section two hundred forty-six point twenty-four (246.24),
2 Code 1946, is hereby amended by striking from line five (5) and line
3 six (6) thereof the words, "and the road districts of the state."

1 SEC. 3. Sections two hundred forty-six point twenty-nine (246.29)
2 and two hundred forty-six point thirty (246.30), Code 1946, are hereby
3 repealed.

1 SEC. 4. Section two hundred forty-six point eighteen (246.18),
2 Code 1946, is hereby amended by striking therefrom lines 10 to 31
3 inclusive.

Approved March 27, 1947.

CHAPTER 141
PAROLES
S. F. 164

AN ACT to amend chapter two hundred forty-seven (247), Code 1946, relating to paroles.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred forty-seven point twenty-one
2 (247.21), Code 1946, is hereby amended by adding thereto the follow-
3 ing: "In each case wherein the court shall order said person committed
4 to the custody, care, and supervision of the board of parole, the clerk
5 of the district court shall at once furnish the board of parole with
6 certified copies of the indictment or information, the minutes of
7 testimony attached thereto, the judgment entry, the original mittimus.
8 The county attorney shall at once advise the board of parole, by letter,
9 that the defendant has been placed under the board's supervision
10 and give to the board a detailed statement of the facts and circum-
11 stances surrounding the crime committed and the record and history
12 of the defendant as may be known to him. If the defendant is confined
13 in the county jail at the time of sentence, the court may order him
14 so held until arrangements are made by the board of parole for his
15 employment and he will have signed the necessary parole papers. If
16 the defendant is not confined in the county jail at the time of sentence,
17 the court may order him to remain in the county wherein he has been
18 convicted and sentenced and report to the sheriff as to his where-
19 abouts."

Approved April 3, 1947.

CHAPTER 142

OLD-AGE ASSISTANCE FUNERAL PAYMENTS

S. F. 150

AN ACT to amend section two hundred forty-nine point eighteen (249.18), code 1946, relating to the payment of reasonable funeral expenses from the old age assistance fund so as to increase maximum payments and allowances.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred forty-nine point eighteen (249.18),
2 Code 1946, is amended by striking the words "one hundred dollars"
3 wherever they appear in said section and by substituting therefor the
4 words "one hundred fifty dollars"; and by striking the words "two
5 hundred dollars" wherever they appear in said section and by substitut-
6 ing therefor the words "three hundred dollars".

1 SEC. 2. This Act being deemed of immediate importance shall be in
2 full force and effect after publication in the Cedar Falls Daily Record,
3 a newspaper published at Cedar Falls, Iowa, and the Keokuk County
4 News, a newspaper published at Sigourney, Iowa.

Approved March 14, 1947.

I hereby certify that the foregoing act was published in the Cedar Falls Daily Record, March 17, 1947, and the Keokuk County News, March 20, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 143

SUPPORT OF THE POOR

H. F. 368

AN ACT to amend section two hundred fifty-two point forty-three (252.43), code 1946, permitting the boards of supervisors of the various counties of the state to levy an additional millage for the support of the poor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred fifty-two point forty-three
2 (252.43), Code 1946, is hereby amended by adding thereto the follow-
3 ing:

4 "Should the one and one-half mill levy fail to provide adequate funds
5 to take care of the poor, then the board of supervisors, with the
6 approval of the state comptroller, shall levy an additional tax of not
7 to exceed one and one-half mills, to be entered on the tax list and
8 collected as the ordinary county tax. Before any such additional levy
9 is made, a showing of the necessity for such additional levy shall be
10 made to the state comptroller and no such additional levy shall be
11 made unless it shall be approved in writing by the comptroller."

Approved April 24, 1947.

CHAPTER 144

DETENTION HOSPITAL

H. F. 337

AN ACT to amend section two hundred fifty-six point one (256.1), code 1946, relating to the establishing and equipping of a detention hospital for contagious diseases.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section two hundred fifty-six point one (256.1), Code
- 2 1946, is hereby amended by striking from line fifteen (15) the follow-
- 3 ing: "forty thousand" and inserting in lieu thereof the following:
- 4 "one hundred thousand".

Approved April 17, 1947.

CHAPTER 145

BACTERIOLOGICAL EXAMINATIONS

H. F. 224

AN ACT to amend section two hundred sixty-three point eight (263.8), code 1946, relating to financing laboratory examinations and investigations by the university bacteriological laboratory for the department of health.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Amend section two hundred sixty-three point eight
- 2 (263.8), Code 1946, by inserting after the word "perform" in line
- 3 nine (9), the words "without charge".

Approved April 28, 1947.

CHAPTER 146

HOSPITAL-SCHOOL FOR HANDICAPPED

H. F. 270

AN ACT relating to severely handicapped persons, creating a state hospital-school for said persons, and appropriating funds for its establishment and maintenance.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. The state board of education is hereby authorized to
- 2 establish and maintain in reasonable proximity to Iowa City and in
- 3 conjunction with the State University and the university hospital, a
- 4 hospital-school having as its objects the education and treatment of
- 5 severely handicapped children. Such hospital-schools shall be con-
- 6 ducted in conjunction with the activities of the University of Iowa
- 7 Children's Hospital.

- 1 SEC. 2. Every resident of the state who is not less than three nor
- 2 more than twenty-one (21) years of age, who is so severely handi-
- 3 capped as to be unable to acquire an education in the common schools,
- 4 and every such person who is twenty-one (21) and under thirty-five
- 5 (35) years of age who has the consent of the state board of education,
- 6 shall be entitled to receive an education, care, and training in the

7 institution, and non-residents similarly situated may be entitled to an
8 education and care therein upon such terms as may be fixed by the
9 state board of education. The fee for non-residents shall be not less
10 than the average expense of resident pupils and shall be paid in
11 advance. Residents and persons under the care and control of the
12 board of control who are severely handicapped may be transferred
13 to the hospital-school upon such terms as may be agreed upon by the
14 state board of education and the state board of control.

1 SEC. 3. The term "severely handicapped" shall be interpreted for
2 the purpose of this act as the following:

3 1. Persons who are educable but severely physically and education-
4 ally handicapped as a result of cerebral palsy, muscular dystrophy,
5 spina bifida, arthritis, poliomyelitis, or other severe physically handi-
6 capping conditions, and

7 2. Persons who are not eligible for admission to the schools already
8 established for the deaf, blind, epileptic, or feeble-minded.

1 SEC. 4. There is hereby appropriated from the general fund of
2 the state of Iowa, from funds not otherwise appropriated, the sum of
3 two hundred fifty thousand dollars (\$250,000) for each year of the
4 biennium, to the state board of education for the purpose of securing
5 suitable real estate, erecting, constructing or improving buildings
6 thereon, and to provide necessary equipment. Insofar as is practi-
7 cable, the facilities of the University of Iowa Children's Hospital shall
8 be utilized.

1 SEC. 5. Section two hundred sixty-two point seven- (262.7), Code
2 1946, is amended by adding thereafter the following: "6. The state
3 hospital-school."

1 SEC. 6. The provisions of sections two hundred seventy point four
2 (270.4), two hundred seventy point five (270.5), two hundred sev-
3 enty point six (270.6), two hundred seventy point seven (270.7), and
4 two hundred seventy point eight (270.8), Code 1946, are hereby made
5 applicable to the state hospital-school.

1 SEC. 7. Section two hundred ninety-nine point seventeen (299.17),
2 Code 1946, is amended by inserting following the words "deaf or
3 blind" in line six (6), the following: "or severely handicapped".

1 SEC. 8. Section two hundred ninety-nine point eighteen (299.18),
2 Code 1946, is amended by inserting following the words "deaf or
3 blind" in line three (3), the following: "or severely handicapped".

1 SEC. 9. There is hereby appropriated from the general fund of
2 the state of Iowa from funds not otherwise appropriated to the board
3 of education for the hospital-school for each year of the biennium
4 beginning July 1, 1947, and ending June 30, 1949, the sum of fifty-
5 nine thousand dollars (\$59,000.00) or so much thereof as may be
6 necessary to be used in the following manner:

7 For salaries, support, maintenance, and	
8 miscellaneous purposes.....	\$50,000.00
9 For repairs, replacements or alterations.....	9,000.00

10 Total for hospital-school.....	\$59,000.00
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1 SEC. 10. The board of education is authorized to accept, for the
 2 benefit of such hospital-schools, gifts, devises, or bequests of prop-
 3 erty, real or personal including grants from the federal government.
 4 Said board may exercise such powers with reference to the manage-
 5 ment, sale, disposition, investment, or control of property so given,
 6 devised, or bequeathed, as may be deemed essential to its preservation
 7 and the purposes for which made. No contribution or grant shall be
 8 received or accepted if any condition is attached as to its use or
 9 administration other than it be used for aid to such hospital-schools
 10 as provided in this act.

Approved April 23, 1947.

CHAPTER 147

Referred to in chapter 150, § 5.

COUNTY SCHOOL SYSTEM

S. F. 245

AN ACT creating a county school system, relating to the operation thereof and to the county board of education, the county superintendent of schools and his assistants, the manner of their selection and prescribing their duties and powers and providing for the selection of textbooks for said system.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby created in each of the several counties
 2 of the state, a county school system which shall become effective on
 3 the first Monday in April, 1948, and which shall be a part of the
 4 public school system of the state.

1 SEC. 2. The county school system shall embrace all the public
 2 schools of the county, except independent and consolidated school
 3 districts that maintain four-year high schools and shall be under
 4 the direction of the county board of education as provided in this
 5 act. Any independent school district or consolidated school district
 6 may become a part of the county school system upon approval by
 7 the voters of the district in the manner provided in chapter two
 8 hundred seventy-eight (278), Code 1946, and notifying the county
 9 superintendent, the superintendent of public instruction and the
 10 county auditor, in which case the district shall become a part of
 11 the county school system on the first secular day of July next following.
 12 The county board of education shall effect no change in the operation
 13 of the schools in said district coming into the county school system
 14 prior to the first of July following its becoming a part of the county
 15 school system.

16 An independent or consolidated school district joining the county
 17 school system by such vote, situated in more than one county shall
 18 be a part of the county school system of the county in which the
 19 building is located.

20 In the event an independent school district or consolidated school
 21 district is proposed to be formed from one or more school districts
 22 within the county school system, the new district shall be a part of
 23 the county school system unless composed in part of an independent

24 or consolidated district maintaining an approved four year high
25 school not in the county school system.

1 SEC. 3. The county board shall exercise such powers as are
2 specifically assigned to it by law. In general their powers and duties
3 shall relate to matters affecting the county school system as a whole
4 rather than specific details relating to individual schools or districts.
5 It shall be the duty of the county board after considering the recom-
6 mendations of the county superintendent to exercise the following
7 general powers:

8 (1) The county board shall determine and adopt such policies as
9 are deemed necessary by it for the efficient operation and general
10 improvement of the county school system.

11 (2) The county board shall adopt such rules and regulations as
12 in its opinion will contribute to the more orderly and efficient operation
13 of the county school system.

14 (3) The county board shall adopt such minimum standards as
15 are considered desirable by it for improving the county school
16 system.

17 (4) The county board shall have the power to perform those
18 duties and exercise those responsibilities which are assigned to it
19 by law and which are not in conflict with the powers and duties
20 assigned to the local board by law, in order to improve the county
21 school system and carry out the objectives and purposes of the
22 school laws of Iowa.

1 SEC. 4. The territory of the entire county shall be divided into
2 four election areas, as nearly as possible of equal size and contiguous
3 territory, to be designated as the first, the second, the third and the
4 fourth election areas. Where districts have territory in more than
5 one county, the district will belong to the election area of the county
6 where the school buildings are located. In the event of changes in
7 the limits of school districts, the county board of education shall
8 make any such adjustments as may be necessary to equalize the
9 territorial size of the election areas, provided that no such change
10 shall be made less than sixty days prior to the date of the annual
11 school election.

12 On or before the first day of December 1947, in each county of the
13 state, the county board of education then existing under the provisions
14 of chapter two hundred seventy-three (273), Code 1946, shall meet
15 in special session and make the division provided for in this section.

1 SEC. 5. The county board of education shall consist of five
2 members, electors of the county, one member to be elected from
3 each of the four election areas by the electors of the respective
4 areas, one member to be elected at large from the area of the county
5 school system by the electors thereof. Their terms of office shall
6 commence on the first Monday in April following their election. All
7 the members of the county board of education shall be first elected
8 at the regular school election to be held on the second Monday in
9 March 1948, and at the first regular meeting of the board on the
10 following first Monday in April, the term of office of each of the
11 five members shall be determined by lot, one member to serve for
12 one year, two members to serve for three years and two members

13 to serve for five years, and the result of such determination showing
14 the name of each member, the area from which elected, and the
15 term so determined shall be entered of record on the minutes of the
16 board and shall be conclusive as to the term of the members. There-
17 after, elections to the county board of education shall be held at the
18 annual school elections in odd-numbered years for members whose
19 terms expire on the first Monday in April following said elections
20 and their term of office shall be for six years. Vacancies on said
21 board shall be filled at the next regular meeting of the board by
22 appointment by the remaining members of the board until the next
23 odd-numbered year election at which election a member shall be
24 elected to fill the vacancy for the balance of the unexpired term. A
25 vacancy shall be defined as in section two hundred seventy-seven
26 point twenty-nine (277.29), Code 1946.

1 SEC. 6. Nomination papers in behalf of a candidate for member
2 of the county board of education shall be filed with the county
3 superintendent of schools not more than forty-five (45) days, nor
4 less than twenty (20) days prior to the election at which a member
5 is to be elected. Each candidate shall be nominated by a petition
6 signed by not less than twenty-five (25) qualified electors of the
7 area from which a member is to be elected, which petition shall state
8 the name of the area from which a member is to be elected, the office
9 to which he is to be elected, the name of the candidate and that he
10 is a resident and elector in the named area. Signers of the petition
11 shall, in addition to signing their names, show their residence, in-
12 cluding street and number, if any, the school district in which they
13 reside, and the date of signing, and each nomination paper shall
14 have appended to it an affidavit of an elector other than the candidate
15 in substantially the form provided in section six hundred seventy-
16 four (674), Code 1946, except as to the party affiliation.

1 SEC. 7. The county board of education shall cause to be printed
2 the ballots for the election of members of the county board of
3 education, and not later than five (5) days before the election shall
4 deliver to the secretaries of the respective school districts a sufficient
5 number of ballots for use of the electors in the respective districts.
6 The ballots shall be printed and shall contain the names of all nominees
7 for each particular election area arranged in alphabetical order by
8 surname under the heading of the particular election area in which
9 the vacancy occurs.

10 The board shall likewise provide a sufficient number of forms on
11 which the judges and clerks of election shall make returns to
12 respective secretaries of the school districts, and upon which
13 secretaries shall make returns to the county board of education.

1 SEC. 8. The ballots cast at any election for membership on the
2 board shall be counted by the judges of election and return thereof
3 shall be made by the judges on forms provided therefor to the
4 secretary of the school district within forty hours after the closing
5 of the polls. Within five days following the election, the secretary
6 of each school district shall make return of the votes cast in said
7 district to the county board of education on forms provided therefor,
8 which board shall meet at ten o'clock A.M. on the last Monday in
9 March, and canvass the vote and issue certificates of election.

1 SEC. 9. The members of the board shall qualify by taking the oath
2 required of county officers but shall not be required to give bond. They
3 shall serve without compensation, but shall be paid their actual and
4 necessary expenses including travel, in performing their duties.
5 All such claims shall be audited by the board and paid from the
6 county board of education fund.

1 SEC. 10. The county board of education shall meet and organize on
2 the first Monday in April in each odd-numbered year, at ten o'clock
3 A.M. by electing a president for a term of two years, provided that the
4 organization meeting of the board as first elected under this act
5 shall be on the first Monday in April, 1948.

1 SEC. 11. The board shall meet regularly four times each year
2 according to a schedule adopted at the organization meeting and
3 shall meet in special session upon call of the president or upon call
4 of the secretary when a request is filed with the secretary signed
5 by two members of the board.

1 SEC. 12. The board of supervisors shall furnish at the county seat,
2 suitable space for the office of the county superintendent and for
3 the officers of the county board of education, together with adequate
4 storage space.

1 SEC. 13. The county board of education shall:

2 1. Appoint a county superintendent of schools provided in
3 this act and fix his salary. The board shall also fix traveling
4 expense of the superintendent. Upon the recommendation of the
5 county superintendent, the county board may appoint an assistant
6 county superintendent and such other supervisory, and clerical
7 assistants, as are deemed necessary and fix their salaries and duties.
8 During the absence or disability of the superintendent the assistant
9 superintendent shall perform all the duties of the county super-
10 intendent.

11 2. Select a county attendance officer, if deemed expedient, on
12 recommendation of the county superintendent, either on a part or
13 full-time basis; and fix his duties and salary within limits prescribed
14 by law.

15 3. Approve the curriculum as recommended by the county super-
16 intendent in conformity with the course of study prescribed by the
17 state department of public instruction.

18 4. Adopt textbooks and other instructional aids for rural school
19 districts under the administration of the county superintendent,
20 and purchase, sell, rent or loan them as provided in sections three
21 hundred one point fifteen (301.15), to three hundred one point
22 twenty-eight (301.28), Code 1946, and serve as a central depository
23 and purchasing agent of such books and instructional aids for school
24 districts under its jurisdiction, and make proper accounting for same.

25 5. Purchase and provide such general school supplies, school board
26 supplies, and other materials as are necessary to the conduct of
27 its office.

28 6. Adopt rules and regulations, where deemed expedient, and
29 make provisions for establishment and maintenance of county school
30 libraries, in conformity with the provision of chapter two hundred
31 ninety-two (292), Code 1946.

32 7. Enforce all laws, and rules and regulations of the department
33 of public instruction for the transportation of pupils to and from
34 public school in all school districts of the county.

35 8. Act with the county superintendent as an appeal board in and
36 for all school districts of the county, in all matters properly brought
37 before it as provided by law.

38 9. Cooperate with federal, state, county and municipal agencies,
39 and with local school officers in territory adjacent to, but outside
40 the county, in all matters relating to the improvement of the educa-
41 tional program, when deemed expedient.

42 10. At the regular or a special meeting held between July 1 and
43 July 15, consider the budget as submitted by the county superintend-
44 ent, and certify to the board of supervisors the estimates of the
45 amounts needed. Such estimates shall follow the budget procedure
46 under chapter twenty-four (24), Code 1946. The board of supervisors
47 shall then levy a tax on all the taxable property in the county for
48 the amount certified, and the money so raised shall go into a fund
49 hereinafter called the county board of education fund.

50 11. At each meeting of the board, audit all bills and claims which
51 upon approval shall be paid by warrants of the county auditor,
52 upon the written order of the secretary, countersigned by the pres-
53 ident, from the county board of education fund. All regular employees
54 of the board shall be paid monthly by warrants drawn on the above
55 fund by the county auditor.

56 12. Under the direction of the department of public instruction,
57 with the assistance of the county superintendent and the cooperation
58 of the boards of the districts within the county, plan and supervise
59 the orderly reorganization of districts, by union, merger or centraliza-
60 tion, into larger and more efficient attendance and administrative
61 units. No reorganization shall be submitted to a vote of the people
62 of the district until the plan of reorganization has been referred
63 to and approved by the county board of education, and the super-
64 intendent of public instruction.

1 SEC. 14. In each county of the state, the county board of education
2 shall appoint a county superintendent whose term of office shall be
3 for three years, from the first secular day in August following his
4 election and until his successor is elected and qualified. The first
5 regular term under the provisions of this act shall begin the first
6 secular day in August in 1948. The president of the board shall
7 certify the appointment to the county auditor and to the state super-
8 intendent of public instruction. The county superintendent who is
9 in office on the first Monday in April, 1948, shall remain until his
10 successor is appointed and qualified as provided herein.

1 SEC. 15. The county superintendent may be of either sex, shall
2 be a graduate of an accredited university or college, or a four-year
3 course above the secondary level in an accredited normal school,
4 the holder of a superintendent's certificate, and shall have had at
5 least five years experience in administrative or supervisory work
6 or in teaching; provided that anyone serving as a legally qualified
7 county superintendent on the effective date of this act shall be deemed
8 qualified to fill the office of county superintendent.

9 The qualifications of an assistant county superintendent shall be
10 the same as for the county superintendent.

1 SEC. 16. The county superintendent shall qualify by subscribing
2 to the oath required of county officers, and filing a bond as provided
3 in section sixty-four point eight (64.8), Code 1946.

1 SEC. 17. Vacancies in the office of county superintendent shall be
2 filled for the unexpired term by the county board of education in
3 the same manner in which the county superintendent is regularly
4 appointed for the unexpired term. If a vacancy is not filled by the
5 county board within forty days the superintendent of public instruc-
6 tion shall appoint a county superintendent who shall serve until
7 the next regular election and until his successor is elected and
8 qualified.

1 SEC. 18. The county superintendent shall, under the direction of
2 the board, exercise the following powers and duties:

3 1. Act as secretary, ex officio, and executive officer of the board.

4 2. Preside at the organization meeting of the county board on
5 the first Monday in April in the odd-numbered year of each biennium,
6 and transmit to the state superintendent within two weeks following
7 such meeting a certified copy of the proceedings of organization,
8 including the schedule of regular meetings and the names and
9 addresses of all county school officials.

10 3. Attend all regular and special meetings of the county board,
11 and advise the board on all questions under consideration.

12 4. Provide for keeping the minutes of all meetings of the board,
13 recording all proceedings and official actions and keeping such other
14 records as may be necessary for complete information regarding
15 the schools under his administration and supervision.

16 5. Act for the county board as custodian of records, reports,
17 documents, correspondence, or other school property that may be
18 placed in his charge by the board.

19 6. Advise and counsel local boards of education concerning their
20 immediate problems and the general development of a long-time
21 plan of education.

22 7. Supervise, or arrange for supervision of, instruction in the
23 schools of the county system.

24 8. Conduct teachers' meetings, institutes, demonstrations and
25 other professional meetings for the in-service training of teachers
26 as provided by law, and in accordance with the regulations of the
27 department of public instruction.

28 9. Endeavor to promote through meetings and conferences with
29 school officers, teachers, parents and the public generally, and by the
30 distribution of pamphlets and bulletins, an active interest in all
31 desirable types of public school education and to suggest needed
32 changes and improvements in the public schools of the county.

33 10. Submit to the county board for its approval plans for the
34 proper accounting of all children of school age, for the attendance
35 and control of pupils at school and for the proper attention to
36 health, safety and other matters which will best promote the welfare
37 of the children of the county; provided that such pupil accounting
38 practices shall be in keeping with the system established by the
39 state department of public instruction.

- 40 11. Establish rules and regulations for admitting, classifying,
41 promoting and graduating pupils to or from the various rural schools
42 in the county school system within the limits prescribed by law.
- 43 12. Recommend for the adoption of the board, plans and procedures
44 for the enforcement of compulsory attendance laws and for the
45 appointment of qualified attendance officers when the board deems
46 the same to be necessary or desirable and supervise the work of the
47 same, if and when appointed.
- 48 13. Recommend plans and supervise arrangements for the periodic
49 physical and dental examination of all children of the county school
50 system and for the general promotion of health throughout the
51 county.
- 52 14. Recommend plans for the establishment and maintenance of
53 such school libraries and school library services, including the use
54 of the state traveling library, as are needed for the proper operation
55 of the schools of the county.
- 56 15. Cooperate with the county board of education in developing
57 an adequate, efficient, safe and economical system of pupil transporta-
58 tion in the county.
- 59 16. Prepare and submit a detailed itemized budget, for approval
60 of the county board of education prior to the first day of July of
61 each year.
- 62 17. Assist all district school boards upon request, in making
63 budgets, certifying tax levies, and maintaining uniform accounting
64 procedures.
- 65 18. Recommend to the board of educational examiners the revoca-
66 tion of any teachers' certificate for any good cause in the manner
67 provided by law.
- 68 19. Assist the county board of education in handling, in the
69 manner prescribed by law, all appeal cases that may come to it.
- 70 20. Serve, under the direction of the superintendent of public
71 instruction, as a means of communication between the department
72 of public instruction and the various school officers and teachers in
73 the county, and transmit or deliver to them all books, papers, circulars
74 and communications designed for them, when so requested by the
75 superintendent of public instruction.
- 76 21. Visit each public school in the county at least once during each
77 school year; and when requested to do so by a majority of the directors
78 of any school corporation, visit the schools therein.
- 79 22. Visit and report upon, at the request of the state superintendent
80 of public instruction, such schools as may be designated.
- 81 23. See that all provisions of the school law, so far as they relate
82 to the schools, or school officers, within his county, are observed and
83 enforced, and to this end he may require the assistance of the county
84 attorney, who shall at his request bring any action necessary to
85 enforce the law or recover penalties incurred.
- 86 24. Order to be closed, any public school or schoolroom taught by
87 any teacher not certified as required by law. If his order is not
88 immediately obeyed, he shall enforce the same against the teacher
89 and the school board by an action for a mandatory injunction in a
90 court of competent jurisdiction.
- 91 25. When any school corporation is organized or reorganized
92 according to law, and no director has been elected, or any director

93 elected has not qualified, or has qualified and resigned, so that the
 94 matter of the completion of the organization or reorganization of
 95 such school corporation is prevented, and the objects of its organiza-
 96 tion are thereby defeated, appoint a director or board of directors
 97 of such corporation, who shall act as such until their successors
 98 have been elected and qualified, and designate which term or terms
 99 each director appointed shall fill. In consolidated districts situated
 100 in more than one county, such appointments shall be made by the
 101 county superintendent of the county in which the schoolhouse is
 102 located or is to be located.

103 26. Report annually to the superintendent of public instruction,
 104 at times designated by the latter, giving a full abstract of the several
 105 reports made to him by the secretaries and treasurers of school
 106 boards, stating the manner in and extent to which the requirements
 107 of the law regarding instruction in physiology and hygiene are
 108 observed, and such other matters as he may be directed by the
 109 state superintendent to include therein, or he may think important
 110 in showing the actual condition of the schools in his county. He shall
 111 file a duplicate of such report with the county board of education.

112 27. Keep accurate school census records for the county and file
 113 annually, on or before the last secular day in July, with the county
 114 auditor, a statement of the number of persons of school age in each
 115 township and independent district in the county and make such other
 116 reports thereon as may be required by law.

117 28. Report on or before August first of each year, to the superin-
 118 tendent of the school for the blind, the name, age, residence, and
 119 postoffice address of every person resident of the county, without
 120 regard to age, so blind as to be unable to acquire an education in the
 121 common schools; to the superintendents of the school for the deaf,
 122 with corresponding detail, persons under the age of thirty-five, whose
 123 faculties with respect to speech and hearing are so deficient as to
 124 prevent them from obtaining an education in the common schools;
 125 and to the institution for the feeble-minded all persons of school age,
 126 who, because of mental defects are entitled to admission therein.

127 29. Recommend to the rural boards of education in the county
 128 school system, teachers to be employed by them.

129 30. Have power to administer the oath of office to any school officer.

130 31. The county superintendent shall exercise any or all of the
 131 foregoing powers and duties and provide any or all of the foregoing
 132 services for any or all public schools not in the county system when
 133 they indicate by board action the need for such services.

1 SEC. 19. The powers and duties of the county board and the county
 2 superintendent heretofore enumerated shall be construed to apply
 3 only to the county school system except as otherwise specified.

1 SEC. 20. Section two hundred seventy-one point twelve (271.12),
 2 Code 1946, is amended by striking the word "he" in line one (1) and
 3 inserting in lieu thereof the words "the county superintendent".

1 SEC. 21. Sections two hundred seventy-one point one (271.1) to
 2 two hundred seventy-one point eleven (271.11), inclusive, and sections
 3 two hundred seventy-three point one (273.1) to two hundred seventy-
 4 three point four (273.4), inclusive, and sections three hundred forty

5 point thirteen (340.13) to three hundred forty point fifteen (340.15),
 6 inclusive, and sections three hundred one point twelve (301.12) to
 7 three hundred one point fourteen (301.14), inclusive, Code 1946,
 8 shall be repealed as of the first Monday in April, 1948.

1 SEC. 22. Section three hundred forty-one point one (341.1), Code
 2 1946, is amended by striking the words "and county superintendent
 3 of schools".

1 SEC. 23. Section three hundred forty-one point six (341.6), Code
 2 1946, is amended by striking all after "such principal" and sub-
 3 stituting a period.

1 SEC. 24. Amend section three hundred one point fifteen (301.15),
 2 Code 1946, line three (3) by adding the words "school system" after
 3 the word "county".

1 SEC. 25. Amend section three hundred one point nineteen (301.19),
 2 Code 1946, line two (2), following the word "is", by striking "under
 3 county uniformity of textbooks as provided in this chapter" and
 4 substituting in lieu thereof "a part of the county school system".

1 SEC. 26. Amend section three hundred one point twenty-three
 2 (301.23), Code 1946, by striking all of lines one (1) to five (5),
 3 inclusive, up to the semicolon (;) and inserting in lieu thereof the
 4 following: "The provisions of section three hundred one point
 5 fifteen (301.15) to three hundred one point twenty-two (301.22),
 6 inclusive, shall not apply to school corporations which are not included
 7 in the county school system".

Approved March 26, 1947.

CHAPTER 148

UNITING SCHOOL DISTRICTS

H. F. 221

AN ACT to amend section two hundred seventy-four point thirty-eight (274.38), code 1946, relating to uniting independent school districts.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred seventy-four point thirty-eight
 2 (274.38), Code 1946, is amended by adding thereto the following:
 3 "Whenever the boundaries of a city or town are or have been
 4 extended so that the greater part of each of two (2) independent
 5 school districts lie within said boundaries such districts shall by the
 6 operation of this act, be united into one (1) independent school
 7 district."

1 SEC. 2. All of the provisions of sections 274.17, 274.18 and 274.19,
 2 Code 1946, are hereby made applicable to any instance where two (2)
 3 independent districts are consolidated and organized into one (1)
 4 as herein provided.

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Ottumwa
 3 Daily Courier, a newspaper published at Ottumwa, Iowa, and in the
 4 Perry Daily Chief, a newspaper published at Perry, Iowa.

Approved April 14, 1947.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier,
 April 17, 1947, and the Perry Daily Chief, April 18, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 149

ORDNANCE PLANT AREA TO SCHOOL DISTRICT

S. F. 118

AN ACT to amend section two hundred seventy-four point forty (274.40), code 1946,
 relating to the reorganization of school districts and the adjustment of boundary
 lines of school districts when lands are returned to private ownership after having
 been acquired by the federal government.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred seventy-four point forty (274.40),
 2 Code 1946, is hereby amended by adding thereto the following: "When-
 3 ever real estate acquired by the United States government as provided
 4 in section two hundred seventy-four point thirty-nine (274.39), Code
 5 1946, is returned to private ownership through sale or otherwise the
 6 County Board of Education of such county in which such land is located
 7 shall have authority to adjust the boundary lines of contiguous school
 8 districts in such manner as they may deem just and equitable so as
 9 to include and make said real estate a part of the school districts to
 10 which the land is contiguous, or to reorganize said real estate into a
 11 separate school district as provided by law; provided, however, that
 12 said real estate shall revert to and again become a part of the school
 13 district from which it was taken if such district still exists as a school
 14 district."

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 the Plain Talk, a newspaper published at Des Moines, Iowa, and
 4 the Burlington Hawk-Eye Gazette, a newspaper published at Burling-
 5 ton, Iowa.

Approved April 3, 1947.

I hereby certify that the foregoing act was published in the Plain Talk, April 10, 1947,
 and the Burlington Hawk-Eye Gazette, April 7, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 150

REORGANIZATION OF SCHOOL DISTRICTS

S. F. 392

AN ACT to amend chapter two hundred seventy-five (275), code 1946, relating to the reorganization of school districts.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section two hundred seventy-five point one
2 (275.1), Code 1946, by adding the following: "Such detailed studies
3 and surveys shall be commenced within six months after the effective
4 date of this act."

1 SEC. 2. Section two hundred seventy-five point three (275.3), Code
2 1946, is amended by adding thereto the following: "For the purpose
3 of assisting the county boards of education in adopting reorganization
4 plans which conform to the statewide plan of education and to state
5 laws, the state superintendent of public instruction shall cause
6 reorganization plans and suggestions to be prepared and forwarded
7 to the county superintendents of schools together with such recom-
8 mendations as may promote the purposes set forth in section two
9 hundred seventy-five point one (275.1), Code 1946."

1 SEC. 3. Amend section two hundred seventy-five point four (275.4),
2 Code 1946, by striking from line seven the words "sixty percent" and
3 inserting in lieu thereof the words "a majority".

4 Further amend section two hundred seventy-five point four (275.4),
5 Code 1946, by striking the period at the end of line thirteen, inserting
6 a semicolon, and adding the following: "Provided, however, that when
7 the plan for reorganization of school districts includes all or portions
8 of five or more separate, regularly, established school districts, and
9 eighty percent of the affected districts or portions of districts, vote
10 in favor of the plan, then the plan shall be deemed to have been adopted
11 by the districts or portions of districts voting approval, and the
12 district or portion of a district voting adversely to such plan shall
13 be omitted from the newly formed district.". Lines fourteen (14),
14 fifteen (15), sixteen (16) and seventeen (17) of section two hundred
15 seventy-five point four (275.4), Code 1946, are hereby repealed.

1 SEC. 4. From the effective date of this act until June 30, 1953, no
2 new school districts may be formed, nor shall any school district
3 boundary be changed either by consolidation, merger or otherwise
4 under the laws of this state, except under the provisions of this chapter.

1 SEC. 5. Amend section two hundred seventy-five point one (275.1),
2 Code 1946, by inserting before the word "the" in line one (1) the
3 following: "It is hereby declared to be the policy of the state to
4 encourage by the granting of state aid the reorganization of school
5 districts into such units as are necessary, economical and efficient
6 and which will insure an equal opportunity to all the children of the
7 state. *In conformity to the county administration act passed by the
8 Fifty-second General Assembly,".

*According to enrolled act, see chapter 147.

1 SEC. 6. There is hereby appropriated from the general fund of
 2 the state of Iowa the sum of forty-nine thousand five hundred dollars
 3 (\$49,500.00), the same to be allocated as follows: To each of the
 4 ninety-nine (99) county boards of education in the state of Iowa for
 5 the expenses of carrying out the provisions of this act, such sum as is
 6 necessary, but not to exceed five hundred dollars (\$500.00).

1 SEC. 7. Nothing herein contained shall affect pending litigation.

1 SEC. 8. This act being deemed of immediate importance shall be
 2 in full force and effect upon publication in the Bedford Times-Press,
 3 a newspaper published at Bedford, Iowa, and the Lockridge Times, a
 4 newspaper published at Lockridge, Iowa.

Approved April 29, 1947.

I hereby certify that the foregoing act was published in the Bedford Times-Press, May 8, 1947, and the Lockridge Times, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 151

SCHOOL TRANSPORTATION

S. F. 259

AN ACT to amend section two hundred eighty-five point eight (285.8), code, 1946, relating to the powers and duties of the state department of public instruction in connection with school transportation.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred eighty-five point eight (285.8),
 2 Code, 1946, is hereby amended by striking therefrom lines five, six
 3 and seven, and inserting in lieu thereof the following:

4 "2. Review and establish the location of bus routes which are
 5 located in more than one county when the county boards of education
 6 of the affected counties after formal action do not approve."

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 the Tri-County News, a newspaper published at Farmington, Iowa,
 4 and the Lockridge Times, a newspaper published at Lockridge, Iowa.

Approved April 22, 1947.

I hereby certify that the foregoing act was published in the Tri-County News, May 1, 1947, and the Lockridge Times, April 26, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 152

Referred to in chapter 40.

STATE AID TO SCHOOLS

H. F. 98

AN ACT to provide for the use of state funds to supplement funds of school districts and support of education and for the assistance of the public school districts of the state in financing their activities, from other sources than the direct property tax, and making an appropriation of the sum of seven million five hundred thousand dollars (\$7,500,000.00) for each year of the biennium beginning July 1, 1947, and ending June 30, 1949; and providing regulations under which such funds may be expended.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The several school districts in the state of Iowa shall
2 be entitled to and receive financial aid from the state in the manner
3 and amount as provided in this act.

1 SEC. 2. For the purposes of this act an elementary pupil is a pupil
2 of school age attending public school who has not entered the ninth
3 grade, and a high school pupil is a pupil of school age attending public
4 school in any of the grades ninth to twelfth inclusive.

1 SEC. 3. General school aid distributed under this act shall be on
2 the basis of eleven (11) cents per day per elementary pupil and four-
3 teen (14) cents per day per high school pupil for every day that such
4 pupils actually attend school.

1 SEC. 4. The general school aid funds allocated to each district
2 shall be determined as follows:

3 1. Multiply eleven (11) cents by the combined number of nontuition
4 elementary students in average daily attendance and average number
5 of elementary students for which the district pays tuition to another
6 district. Multiply this product by the actual number of days school
7 was officially in session, not to exceed one hundred eighty (180) days.

8 2. Multiply fourteen (14) cents by the combined number of non-
9 tuition high school students in average daily attendance and average
10 number of high school students for which the district pays tuition to
11 another district. Multiply this product by the actual number of days
12 school was officially in session, not to exceed one hundred eighty (180)
13 days.

14 3. Take the sum of the amounts found in paragraphs one (1) and
15 two (2) of this section, this being the amount to which the district
16 is entitled for general school aid under this act.

1 SEC. 5. At the close of each school year, but not later than July 5,
2 the local district shall supply to the state department of public instruc-
3 tion the information required for calculation of the amount reimburs-
4 able to the district. Forms for this purpose shall be supplied by the
5 state department to each school district not later than June 1. After
6 all claims have been calculated and validated for accuracy, the de-
7 partment of public instruction shall certify the same to the state
8 comptroller for payment as soon as possible. In event that the amount
9 appropriated for reimbursement of the school districts is insufficient
10 to pay in full the amounts to each of the school districts, then the
11 amount of each payment shall be reduced by the state comptroller

12 in the ratio that the total funds appropriated and available bears to
13 the total amount certified for reimbursement. All funds received or to
14 be received under the provisions of this act shall be taken into account
15 and considered by each school district when estimating the amount
16 required for the general fund.

1 SEC. 6. The superintendent of public instruction is hereby au-
2 thorized to adopt such rules and regulations and definitions of terms
3 as are necessary and proper for the administration of this chapter.
4 When such conditions as unnatural weather hazards, bad roads, epi-
5 demics, and the like, occur to such an extent as to penalize any district,
6 the superintendent of public instruction can adjust the formula by
7 taking the average of several months attendance in lieu of the months
8 affected by such epidemics or hazards.

1 SEC. 7. For the purpose of carrying out the provisions of this act
2 for the distribution of general aid herein appropriated the funds of
3 each school district, except school house funds, shall be designated as
4 a general fund and a special courses fund.

5 All General Aid moneys distributed to a public school district from
6 the appropriations provided by this act shall be placed in said school
7 district in the said general fund of said district which fund shall be
8 used only for the following purposes:

9 The cost of operating and maintaining the school and the cost of
10 instruction and supervision occasioned by the teaching of the basic
11 curriculum hereinafter described.

12 The special courses fund shall consist of moneys raised by levy
13 against the taxable property of the school district for the cost of
14 instruction and supervision in teaching courses other than those
15 included in the basic curriculum.

16 For the purposes of this act, there is hereby established in each
17 public school a basic curriculum which shall consist of the following
18 subjects:

19 a. In the elementary school, the following: kindergarten courses,
20 reading, writing, arithmetic, spelling, grammar, including written and
21 oral language and speech, geography, United States history, history
22 of Iowa, elementary principles of American government, music, health
23 and sanitation, physiology and hygiene including the teaching of the
24 effects of alcohol, narcotics and poisons upon the human system,
25 physical education, elementary sciences, art, and other courses ex-
26 pressly authorized by law.

27 b. In the junior and senior high school the following: principles of
28 American government, constitutions of the United States and Iowa,
29 history, economics, sociology, physical education, music, industrial
30 arts, English, mathematics, science, language, business education,
31 home economics, agriculture, vocational education, and other courses
32 expressly authorized by law.

33 c. Any additional subjects which may be required to be taught by
34 law.

35 The board of directors of each school district shall prepare a budget
36 as required by law setting out the amount of money proposed to be
37 expended from the general fund and from the special courses fund.
38 The board shall include all state funds distributed to the district under
39 the provisions of this act in the anticipated income to be received by

40 the general fund, and the amount to be raised by taxation for general
 41 fund purposes shall be fixed after deducting the amount to be received
 42 from the appropriations in this act and any other funds received from
 43 the state of Iowa, from the budget requirements. The board shall
 44 include in its budget as a separate item any proposed expenditures
 45 from the special courses fund and the amount to be raised by taxation
 46 for such purposes shall be separate and distinct from the levy for
 47 general fund purposes.

48 No transfer of funds shall be made to the special courses fund from
 49 the general fund, any provisions of the law to the contrary notwith-
 50 standing.

1 SEC. 8. Sections two hundred seventy-six point thirty-two (276.32),
 2 two hundred seventy-six point thirty-three (276.33), and two hundred
 3 seventy-six point thirty-four (276.34), Code 1946, are hereby repealed.

1 SEC. 9. There is hereby appropriated for the department of public
 2 instruction for the purpose of state aid to public school districts in
 3 financing their operations from other sources than direct property
 4 taxes for each year of the biennium beginning July 1, 1947, and ending
 5 June 30, 1949, the sum of seven million five hundred thousand dollars
 6 (\$7,500,000.00), or so much thereof as may be necessary to be used
 7 in the following manner:

8	For agricultural land credits in addition to the \$500,000 annually	
9	provided by chapter 426, Code 1946, to be transferred by the depart-	
10	ment of public instruction to the agricultural land credit fund in the	
11	office of the treasurer of state.....	\$1,500,000.00
12	Transportation of pupils.....	2,000,000.00
13	Supplemental education program	1,000,000.00
14	Aid to handicapped children	250,000.00
15	Aid to consolidated schools	125,000.00
16	Standard rural school aid	90,000.00
17	Normal institutes	33,000.00
18	Normal training schools	35,000.00
19	Mining camp schools	45,000.00
20	Mining camp schools (emergency)	27,000.00
21	Revision and study school courses	10,000.00
22	Improvement of administration and instruction	10,000.00
23	General aid for the purposes set forth in this act....	2,375,000.00*

24 Grand total of appropriations under this section....\$7,500,000.00

25 The necessary expenses incurred by the department of public in-
 26 struction in the administration of this act may be paid from the
 27 appropriations provided by this act.

1 SEC. 10. Section four hundred twenty-six point two (426.2), Code
 2 1946, is hereby amended by adding at the end thereof the following:
 3 "Any land laid off or platted into lots of less than ten acres belonging
 4 to and a part of other lands of more than ten acres and in good faith
 5 used for agricultural or horticultural purposes shall be entitled to
 6 the benefits of this chapter".

Additional appropriation, chapter 40.

1 SEC. 11. Section four hundred twenty-six point four (426.4), Code
2 1946, is hereby repealed.

1 SEC. 12. Section four hundred twenty-six point five (426.5), Code
2 1946, is hereby repealed.

1 SEC. 13. Section four hundred twenty-six point six (426.6), Code
2 1946, is amended by striking from line two (2), "October 15" and by
3 substituting therefor, "August 1"; and by striking the words, "on
4 which there has been made an allowance for" in lines four (4) and
5 five (5) and substituting therefor the words, "which are entitled to";
6 and by striking the word "allowed" in line thirteen (13) and inserting
7 in line fourteen (14) after the word "lands" the words "entitled to
8 credit hereunder"; and by adding at the end of said section the fol-
9 lowing:

10 "In the event the county auditor denies a credit upon any such lands,
11 he shall immediately mail to the owner at his last known address
12 notice of his decision thereon. The owner may, within thirty days
13 thereafter, appeal to the board of supervisors of the county wherein
14 the land involved is situated by serving notice of said appeal upon the
15 chairman of said board. The board shall hear such appeal promptly
16 and shall determine anew all questions involved in said appeal and
17 shall within ten (10) days after such hearing, mail to the owner at
18 his last known address, notice of its decision. In the event of disal-
19 lowance the owner may, within ten (10) days from the date such
20 notice is mailed, appeal such disallowance by the board of supervisors
21 to the district court of that county by serving written notice of appeal
22 on the county auditor. The appeal shall be tried de novo and may
23 be heard in term time or vacation. The decision of the district court
24 thereon shall be final."

1 SEC. 14. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 The Tipton Advertiser, a newspaper published at Tipton, Iowa and
4 in The West Branch Times, a newspaper published at West Branch,
5 Iowa.

Approved May 1, 1947.

I hereby certify that the foregoing act was published in The Tipton Advertiser,
May 9, 1947, and The West Branch Times, May 8, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 153,
TEACHERS' PENSION SYSTEMS
H. F. 48

AN ACT to provide for the termination of any pension and annuity retirement system created pursuant to the provisions of sections two hundred ninety-four point eight (294.8), two hundred ninety-four point nine (294.9), and two hundred ninety-four point ten (294.10), Code 1946, by any independent school district which includes within its boundaries all, or a substantial part, of any city acting under special charter, to provide for the disposition of its funds and for the levy of a tax to permit the continuation of retirement benefits to surviving beneficiaries.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Any independent school district which includes within
2 its boundaries all, or a substantial part, of any city acting under special
3 charter and which has in operation a pension and annuity retirement
4 system created pursuant to sections two hundred ninety-four point
5 eight (294.8), two hundred ninety-four point nine (294.9) and two
6 hundred ninety-four point ten (294.10), Code 1946, may terminate
7 such system by the adoption by the board of directors of such district
8 of a resolution declaring such system terminated as of a date specified
9 therein.

1 SEC. 2. In the event of such termination, all assessments of teachers
2 shall cease upon such date of termination, or upon such earlier date
3 as may be prescribed in such resolution, and no additional taxes shall
4 be levied or assessed for the operation of such system, save as in
5 section 3 hereinafter provided. All undisposed of funds and accumula-
6 tions derived from the operation of said system, including the proceeds,
7 when collected, of any annual tax heretofore levied for the operation
8 of said system, and including the proceeds of any annual tax levied
9 hereafter pursuant to the provisions of section 3 hereof, shall constitute
10 a retirement fund and shall be held for the benefit of those surviving
11 beneficiaries only who shall be entitled to receive benefits under such
12 system as of said date of termination. Each such surviving beneficiary
13 shall be entitled to receive retirement benefits at the times and in the
14 amount in effect with respect to such beneficiary immediately prior
15 to the date of termination.

1 SEC. 3. The board of directors of said district shall each year at
2 the meeting at which it estimates the amount required for the general
3 fund, in accordance with the provisions of section two hundred ninety-
4 eight point one (298.1), Code 1946, estimate the additional amount, if
5 any, necessary to provide the required annual payments to surviving
6 beneficiaries, which amount shall be levied by the board of supervisors
7 in accordance with the provisions of section two hundred ninety-eight
8 point eight (298.8), Code 1946. Upon the death of the last beneficiary
9 to survive, any balance remaining in said fund, including any un-
10 disposed of accumulations, shall be transferred to the general fund
11 of said school district.

Approved February 12, 1947.

CHAPTER 154

STADIUMS AND FIELD HOUSES

S. F. 160

AN ACT to amend section two hundred ninety-six point one (296.1) and section two hundred ninety-seven point three (297.3), code 1946, and to provide for the construction of and procuring sites for stadiums and field houses.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section two hundred ninety-six point one (296.1),
2 Code 1946, is hereby amended by adding after the comma following the
3 word "gymnasium" in line five (5) of said section, the following:
4 "stadium, field house,".

1 SEC. 2. Section two hundred ninety-seven point three (297.3), Code
2 1946, is hereby amended by striking from the sixth line thereof the
3 word "five" and inserting in lieu thereof, the word "thirty" and by
4 inserting immediately following the word "playground" in the sixth
5 line of said section the following: "stadium or field house,".

Approved April 22, 1947.

CHAPTER 155

SCHOOL TAXES

H. F. 113

AN ACT to amend section two hundred ninety-eight point one (298.1), code 1946, relating to the amount that school districts may levy for the general fund of school districts.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section two hundred ninety-eight point one
2 (298.1), Code 1946, by striking all after the eighth line and inserting
3 in lieu thereof the following:

4 "1. All school corporations having a school enumeration of twelve
5 hundred (1200) or more, one hundred ten dollars (\$110).

6 "2. All school corporations having a school enumeration of less than
7 twelve hundred (1200) and exceeding two hundred fifty (250), one
8 hundred twenty-five dollars (\$125).

9 "3. All other school corporations, one hundred forty dollars (\$140)."

Approved April 28, 1947.

CHAPTER 156

SALE OF MINING CAMP SCHOOLS

H. F. 275

AN ACT to authorize the state executive council to sell abandoned mining camp schools, which were paid for out of state funds, when no longer needed; also to provide for appraisal and manner of sale of same and disposition of funds derived therefrom.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Any school building or any school site, the title of
2 which is vested in the state of Iowa by reason of it having been
3 provided by state mining camp funds for schools in mining camps,
4 shall be sold by the state executive council when the superintendent
5 of public instruction certifies the same to the executive council in
6 writing as being no longer needed for school purposes.

1 SEC. 2. When such buildings or sites are sold by the executive
2 council, the then owners of the tract from which the same was
3 originally taken shall have first option on the purchase of the same.

1 SEC. 3. In case the executive council and said owner of the tract
2 from which such school site was taken, do not agree as to the value
3 of such site or building, the county superintendent of the county in
4 which the greater part of such school site is situated, shall, on the
5 written application of either party, appoint three disinterested
6 voters of the county to appraise such site. The county superintendent
7 shall give notice to both parties of the time and place of making
8 such appraisal, which notice shall be served in the same manner
9 and for the same time as for the commencement of an action in the
10 district court.

1 SEC. 4. Such appraisers shall inspect the premises and at the
2 time and place designated in the notice, appraise such site or building
3 in writing, which appraisal, after being duly verified, shall be
4 filed with the county superintendent.

1 SEC. 5. If the owner of the tract from which said site was taken
2 fails to pay the amount of such appraisal to such executive
3 council within thirty (30) days after the filing of the same with
4 the county superintendent, the executive council may sell said site
5 or building to any other person at the appraised value, or may sell
6 the same at public sale to the highest bidder and the proceeds of such
7 sale are to be added to the permanent school fund of the state.

1 SEC. 6. If there are improvements on said site the same may at
2 the request of either party be appraised and sold separately.

1 SEC. 7. If there is any school equipment, supplies, or other usable
2 school materials, such as desk, blackboards, playground equipment,
3 or the like, in or on said buildings or grounds, the superintendent
4 of public instruction may remove the same and divert their use to
5 other public school corporations.

Approved April 9, 1947.

CHAPTER 157

HIGHWAY COMMISSION

S. F. 495

AN ACT relating to the compensation for the members of the state highway commission.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Amend Section three hundred seven point four (307.4),
- 2 Code 1946, by striking the words, "four thousand", in line three, (3),
- 3 and inserting in lieu thereof the words, "forty-five hundred".

Approved May 2, 1947.

CHAPTER 158

HIGHWAY COMMISSION ATTORNEY

H. F. 142

AN ACT to amend section three hundred seven point nine (307.9), code 1946, relating to the salary of the special assistant attorney general assigned to look after the work of the highway commission.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section three hundred seven point nine (307.9), Code
- 2 1946, is hereby amended by striking from lines nine (9) and ten
- 3 (10) thereof the words "at forty-five hundred dollars per annum"
- 4 and substituting in lieu thereof the words "five thousand dollars
- 5 per annum".

- 1 SEC. 2. This act being deemed of immediate importance shall take
- 2 effect upon and after its publication in the Ida County Pioneer Record,
- 3 a newspaper published at Ida Grove, Iowa, and in The Milepost, a
- 4 newspaper published at Ames, Iowa.

Approved April 24, 1947.

I hereby certify that the foregoing act was published in the Ida County Pioneer Record, May 1, 1947, and The Milepost, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 159

G. A. R. HIGHWAY

H. F. 227

AN ACT designating U. S. highway number six (6) within the borders of the state of Iowa as "Grand Army of the Republic Highway" and providing for suitable markers.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. All of U. S. Highway number six (6) as it is now,
- 2 or may hereafter be located in this state shall be known and designated
- 3 as "Grand Army of the Republic Highway".

1 SEC. 2. The state highway commission is hereby directed to place
2 suitable markers along said route as* such points as they shall deem
3 appropriate.

Approved April 29, 1947.

*According to enrolled act.

CHAPTER 160

SECONDARY ROAD CONSTRUCTION

H. F. 291

AN ACT to amend section three hundred nine point thirty-five (309.35), code 1946, relating to surveys and plans for secondary road construction by the board of supervisors.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred nine point thirty-five (309.35),
2 Code 1946, is amended by striking the word "one" in line four (4)
3 and inserting in lieu thereof the word "three".

Approved March 31, 1947.

CHAPTER 161

ROAD AND BRIDGE CONSTRUCTION

H. F. 292

AN ACT to amend section three hundred nine point forty (309.40), code 1946, relating to the advertisement and letting of contracts for road or bridge construction and materials thereof by the board of supervisors.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred nine point forty (309.40), Code
2 1946, is amended by striking the words "fifteen hundred" in line four
3 (4) and inserting in lieu thereof the words "three thousand".

Approved April 1, 1947.

CHAPTER 162

FARM-TO-MARKET ROADS

H. F. 384

AN ACT to amend chapter three hundred ten (310), code 1946, relating to farm-to-market roads, and to enlarge the farm-to-market road system to coincide with the federal aid secondary road system.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred ten point five (310.5), Code
2 1946, is hereby amended by inserting after the period (.) following

3 the word "state" in line nine (9) of said section the following:
 4 "Provided that an additional amount, if any, not to exceed four
 5 million dollars (\$4,000,000.00) over and above the first four million
 6 dollars (\$4,000,000.00) transferred from the primary road fund to
 7 the farm-to-market road fund in any year, under the provisions of
 8 section three hundred ten point thirty-one (310.31), Code 1946, shall
 9 be allotted by the state highway commission among the counties
 10 in such manner as to equalize, insofar as practicable, the condition
 11 of construction or reconstruction of the farm-to-market roads in all
 12 sections of the state."

1 SEC. 2. Section three hundred ten point nine (310.9), Code 1946,
 2 is hereby amended by striking all of said section after the word
 3 "required" in line eleven (11) and adding the following: ", and that
 4 before any county can receive any portion of the farm-to-market road
 5 fund allocated on a need basis, as provided in section three hundred
 6 ten point five (310.5), Code 1946, such county must have made every
 7 reasonable effort by the levy of local taxes and otherwise to provide
 8 funds for the improvement of its secondary road system, and said
 9 county, by and through its board of supervisors, is hereby required
 10 to recommend a system of farm-to-market roads not exceeding thirty-
 11 five per cent (35%) of the total secondary road mileage of the county
 12 in which projects constructed under this chapter shall be located."

1 SEC. 3. Chapter three hundred ten (310), Code 1946, is amended
 2 by adding thereto the following new section:
 3 "The state highway commission shall equitably divide the farm-to-
 4 market road mileage of the state among all the counties of the state,
 5 but the total mileage of said system shall not exceed thirty-five
 6 thousand (35,000) miles."

1 SEC. 4. Section three hundred ten point thirty-three (310.33),
 2 Code 1946, is hereby repealed.

1 SEC. 5. This Act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Stanton
 3 Zephyr, a newspaper published at Stanton, Iowa, and the Davis County
 4 Republican, a newspaper published at Bloomfield, Iowa.

Approved April 29, 1947.

I hereby certify that the foregoing act was published in the Stanton Zephyr, May 8,
 1947, and the Davis County Republican, May 6, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 163

LOCAL COUNTY ROADS

H. F. 417

AN ACT providing for the improvement and maintenance of certain local county roads.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred eleven point seven (311.7),
 2 Code 1946, is hereby amended by striking from said section all after

3 the comma (,) in line seven (7) thereof and inserting in lieu of the
4 comma a period (.)

1 SEC. 2. Section three hundred eleven point eight (311.8), Code
2 1946, is hereby amended by striking from line four (4) thereof the
3 word "twenty-five" and inserting in lieu thereof the word "seventy-
4 five"; and by striking from lines 5, 6, 7 and 8 thereof the words "fifty
5 per cent from the township road funds of the township or townships
6 embracing said township road (according to their relative mileage),".
7 Section three hundred eleven point eight* (311.8), Code 1946, is also
8 amended by striking the word "A" at the beginning of line ten (10) and
9 inserting in lieu thereof the words "Any local county road or" and by
10 striking all following the period (.) in line twelve (12) of said section.

1 SEC. 3. Section three hundred nine point thirteen (309.13), Code
2 1946, is hereby amended by adding to said section the following as
3 subsection four (4):

4 "4. To the payment of all cost of maintenance of secondary roads
5 improved under the provisions of chapter 311 of the Code 1946, after
6 such secondary road has been improved by oiling, graveling or other
7 suitable surfacing."

1 SEC. 4. Section three hundred nine point eight (309.8), Code 1946,
2 is hereby amended by adding to said section as subsection five (5):

3 "5. All funds which may be voluntarily donated or provided by
4 individuals desiring to pay for the improvement of any portion of
5 the secondary road system from their own contributions."

1 SEC. 5. Chapter three hundred nine* (309), Code 1946, is hereby
2 amended by inserting the following provisions: "When any owner or
3 group of owners of lands adjacent to or abutting upon any secondary
4 road or roads shall subscribe sufficient funds to provide for the
5 surfacing, graveling, oiling or other suitable surfacing of such roads,
6 the board of supervisors shall require the county engineer to make an
7 estimate of the cost of carrying out of the proposed project and upon
8 deposit of the amount estimated, the board of supervisors shall proceed
9 with the completion of the project proposed, under the same procedure
10 as prescribed generally for the improvement of secondary roads. The
11 board may also expend in connection with such project such amount
12 of the secondary road construction funds or the farm-to-market road
13 fund as may be available for such project under existing provisions
14 of law. At the completion of the project and the satisfaction of all
15 claims, any balance remaining of the funds made available by the
16 sponsors of the project shall be returned to the original guarantors
17 providing all guarantees made by the sponsors have been fulfilled. Any
18 project constructed under the provisions of this section shall be main-
19 tained by the county from the secondary road maintenance fund."

Approved March 31, 1947.

*Words supplied by code editor under section 3.1 of the code.

CHAPTER 164

PRIMARY ROAD REVERSION

H. F. 132

AN ACT to amend section three hundred thirteen point two (313.2), code 1946, relating to reversion of highways no longer within the primary road system.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred thirteen point two (313.2), Code
2 1946, is hereby amended by striking from lines seventeen (17) and
3 eighteen (18) the words "system from which originally taken" and
4 inserting in lieu thereof the following: "secondary road system
5 provided however that the state highway commission shall first
6 allocate sufficient funds to put the road in good repair or assume
7 responsibility for all necessary repairs".

Approved April 30, 1947.

CHAPTER 165

INTERSTATE BRIDGES

H. F. 302

AN ACT to amend section three hundred thirteen point thirty-two (313.32), code 1946, relating to the acceptance by the highway commission of interstate bridges.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred thirteen point thirty-two (313.32),
2 Code 1946, is amended by striking all of said section after the word
3 "ownership" in line five (5) and inserting in lieu thereof the following:
4 "of that portion of the bridge being within such adjoining state, and
5 agrees to pay the cost of maintaining such portion of the bridge or its
6 proportionate share of the total cost of maintaining the bridge."

Approved April 2, 1947.

CHAPTER 166

INTERSTATE BRIDGES ACCEPTED

H. F. 470

AN ACT to amend section three hundred thirteen point thirty-four (313.34), code 1946, relating to acceptance of bridges by state highway commission.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred thirteen point thirty-four
2 (313.34), Code 1946, is amended by striking from line two (2) the
3 word "private" and by inserting in line three (3) before the word
4 "corporation" the word "private".

Approved April 9, 1947.

CHAPTER 167

MISSISSIPPI BRIDGE PURCHASE

S. F. 490

AN ACT authorizing the state highway commission to purchase any bridge and approaches thereto over the Mississippi river on the boundary of the state of Iowa and lying within the boundaries of the state of Iowa which is in receivership, and which is a connecting link between a primary road or primary road extension in a city or town of this state and similar roads of an adjoining state, and to make payment for any such bridge and its approaches from a primary road fund, and to operate and maintain such bridge and approaches free of tolls as a part of the primary road system.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The State Highway Commission may purchase that
2 part of any bridge and its approaches for highway traffic over the
3 Mississippi River on the boundary of the State of Iowa and lying
4 within the boundaries of the State of Iowa which is in receivership
5 and is a connecting link between a primary road or primary road ex-
6 tension in a city or town of the state and a corresponding road or
7 extension thereof in an adjoining state, providing proper approval is
8 granted by the court having jurisdiction of such receivership.

1 SEC. 2. The Iowa Highway Commission is authorized to make
2 payment for any such bridge and its approaches from the primary
3 road fund provided however, that in no event shall the amount of
4 such payment be more than \$100,000 for any one bridge and ap-
5 proaches thereto, and provided further that such purchase shall not
6 be completed or payment made therefor until the adjoining state
7 shall either have purchased or agreed to purchase ownership of that
8 portion of the bridge being within such adjoining state, and agrees
9 to pay the costs of repairing or maintaining such portion of the bridge
10 or its proportionate share of the total cost of maintaining or repairing
11 said bridge.

1 SEC. 3. The Iowa Highway Commission, after the purchase of
2 any such bridge, is authorized to take possession thereof and maintain
3 such portion of the bridge and its approaches thereto within the State
4 of Iowa free of tolls as a part of the primary road system.

1 SEC. 4. Before the purchase of any such bridge shall be completed
2 by the State Highway Commission under the provisions of this act,
3 the purchase thereof shall first be approved by the following tax
4 levying and tax certifying bodies located in said district: The Board
5 of Supervisors, the City Councils, and the School Board or Boards.

Approved April 29, 1947.

CHAPTER 168

WEEDS

H. F. 53

AN ACT to amend chapter three hundred seventeen (317), code 1946, relating to weeds.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section three hundred seventeen point three
2 (317.3), Code 1946, by striking therefrom the following: the word
3 "either" in line two (2) thereof; and from lines three (3), four (4),
4 five (5) and six (6) the following: "or one township weed com-
5 missioner for each township, whose term or terms of office shall not
6 exceed one (1) year"; also from lines eight (8) and nine (9) the
7 following: ", whose term of office shall not exceed one (1) year";
8 also from lines thirteen (13) and fourteen (14) the following: "or
9 township commissioners".

1 SEC. 2. Amend section three hundred seventeen point four (317.4),
2 Code 1946, by striking from line five (5) thereof the word "township,".

1 SEC. 3. Amend section three hundred seventeen point six (317.6),
2 Code 1946, by striking the word "ten" in line five (5) and inserting in
3 lieu thereof the word "five".

1 SEC. 4. Amend section three hundred seventeen point eight (317.8),
2 Code 1946, by inserting after the word "weed" in line twelve (12)
3 the following "appearing in the state".

1 SEC. 5. Amend section three hundred seventeen point eleven
2 (317.11), Code 1946, by striking the word "primary" appearing in
3 lines two (2) and five (5) thereof.

1 SEC. 6. Amend section three hundred seventeen point twelve
2 (317.12), Code 1946, by striking the word "primary" from line six
3 (6) and line eight (8) thereof.

1 SEC. 7. Amend section three hundred seventeen point thirteen
2 (317.13), Code 1946, by striking the word "township" from line four
3 (4), and by striking the word "primary" from line ten (10), and
4 by striking the word "other" from line twelve (12) thereof.

1 SEC. 8. Amend section three hundred seventeen point eighteen
2 (317.18), Code 1946, by striking the word "primary" from line three
3 (3) thereof, and by striking the following from line seventeen (17)
4 "or township".

1 SEC. 9. Further amend said chapter by adding the following: "An
2 additional one-fourth ($\frac{1}{4}$) mill may be levied by the county board of
3 supervisors for the purpose of purchasing weed eradicating equip-
4 ment and materials to carry out the duties of the county weed com-
5 missioner for use on all lands in the county, public or private. Such
6 equipment and its use shall be subject to the authorization and direction
7 of the county board of supervisors."

1 SEC. 10. Amend section three hundred seventeen point one (317.1),
2 Code 1946, by inserting after the words "(Cirsium arvense)," in line

3 four (4) of subsection one (1), the following: "bull thistle (*Cirsium*
4 *lanceolatum*)".

1 SEC. 11. Amend section three hundred seventeen point sixteen
2 (317.16), Code 1946, by adding the following: "such charges against
3 the property owner shall include an additional charge of twenty-five
4 (25) per cent of actual weed eradication to cover costs of supervision
5 and administration."

1 SEC. 12. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the *Ida County*
3 *Pioneer Record*, a newspaper published at *Ida Grove, Iowa* and in the
4 *Perry Daily Chief*, a newspaper published at *Perry, Iowa*.

Approved April 8, 1947.

I hereby certify that the foregoing act was published in the *Ida County Pioneer Record*, April 17, 1947, and the *Perry Daily Chief*, April 11, 1947.

ROLLO H. BERGESON, *Secretary of State*.

CHAPTER 169

MOTOR VEHICLE REGISTRATION PLATES

H. F. 243

AN ACT to amend section three hundred twenty-one point thirty-four (321.34), code 1946, relating to renewal registration plates for motor vehicles by a new validation.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section three hundred twenty-one point thirty-
2 four (321.34), Code 1946, by adding at the end of said section "or
3 it may prescribe corner plates to be attached to said registration
4 plates bearing the numerals indicating the year for which the original
5 plates are validated."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 *The Woodbine Twiner*, a newspaper published at *Woodbine, Iowa*,
4 and in the *La Porte City Progress Review*, a newspaper published at
5 *La Porte City, Iowa*.

Approved April 16, 1947.

I hereby certify that the foregoing act was published in *The Woodbine Twiner*, April 24, 1947, and the *La Porte City Progress Review*, April 24, 1947.

ROLLO H. BERGESON, *Secretary of State*.

CHAPTER 170

DRIVERS LICENSES EXPIRATION

S. F. 267

AN ACT to amend chapter three hundred twenty-one (321), code 1946, relating to extension and renewal of motor vehicle operators' licenses and fees therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section three hundred twenty-one point one
2 hundred ninety-six, (321.196), Code 1946, by striking the contents
3 thereof and inserting in lieu thereof the following: "The Department
4 shall extend every operator's license numbered five hundred thousand
5 and no hundredths, (500,000) and above expiring July 5, 1948 for a
6 period not to exceed the next birthday of the licensee and shall extend
7 every operator's license numbered from one (1) to five hundred
8 thousand and no hundredths (500,000) expiring July 5, 1948 to July
9 5, 1949 and, in addition thereto, for a period not to exceed the next
10 birthday of the licensee; provided, however, all licenses numbered from
11 one (1) to five hundred thousand and no hundredths (500,000) upon
12 application for renewal shall pay, in addition to the regular license
13 fee, an additional fifty per cent (50%) thereof to cover the period
14 from July 5, 1948 until their next birthday following July 5, 1949.
15 Persons whose birthday occurs on February 29th shall be deemed
16 to occur on March 1, for the purpose of this act. All operators' licenses
17 renewed after July 5, 1948, shall expire each two years from the
18 licensee's date of birth.

19 All applications for renewal of operators' licenses made after July 5,
20 1948 shall be made under the direct supervision of a uniformed mem-
21 ber of the Department and shall be approved by such uniformed
22 member. The Commissioner may, in his discretion, authorize the
23 renewal of a valid license upon application without an examination
24 provided that, a person holding such license has not more than three
25 (3) convictions of moving traffic violations during the previous two
26 (2) years and, provided that such person satisfactorily passes a vision
27 test as prescribed by the Department.

1 SEC. 2. The Commissioner shall be authorized to assign not to
2 exceed ten per cent (10%) of the total number of Iowa Highway
3 Safety Patrolmen authorized by law for the purposes of carrying
4 out the provisions of Section one (1) of this Act.

Approved April 23, 1947.

CHAPTER 171

DRIVERS LICENSES VIOLATIONS

S. F. 268

AN ACT to amend chapter three hundred twenty-one, (321), code 1946, relating to the entry of facts concerning conviction of certain offenses upon operators' or chauffeurs' licenses.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section three hundred twenty-one point two
2 naught seven, (321.207), Code 1946, by adding the following: "The

3 judge of said court shall also immediately enter upon the reverse side
4 of the operator's or chauffeur's license of the convicted person, the
5 date of said conviction, the code section violated and add his signature,
6 which shall remain on said license until renewal unless ordered re-
7 moved after a subsequent acquittal on appeal."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Cedar
3 Falls Record, a newspaper published at Cedar Falls, Iowa, and in the
4 Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa.

Approved April 22, 1947.

I hereby certify that the foregoing act was published in the Cedar Falls Record,
April 25, 1947, and the Ottumwa Daily Courier, April 24, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 172

Referred to in chapter 173.

MOTOR VEHICLE RESPONSIBILITY ACT

H. F. 96

AN ACT relating to the giving of proof of financial responsibility and security by owners and operators of motor vehicles and to make uniform the law with reference thereto, and to repeal sections three hundred twenty-one point two hundred seventy-five (321.275) to three hundred twenty-one point two hundred seventy-nine (321.279) inclusive, code 1946.

Be It Enacted by the General Assembly of the State of Iowa:

WORDS AND PHRASES DEFINED

1 SECTION 1. **Definitions.** The following words and phrases when
2 used in this act shall, for the purposes of this act, have the meanings
3 respectively ascribed to them in this section, except in those instances
4 where the context clearly indicates a different meaning:
5 1. *Commissioner.* The commissioner of public safety of this state.
6 2. *Judgment.* Any judgment which shall have become final by
7 expiration without appeal during the time within which an appeal
8 might have been perfected, or any judgment if an appeal from such
9 judgment has been perfected, which has not been stayed by the
10 execution, filing and approval of a bond as provided in rule 337 (a)
11 of the rules of civil procedure, or any judgment which shall have
12 become final by affirmation on appeal, rendered by a court of competent
13 jurisdiction of any state or of the United States, upon a cause of action
14 arising out of the ownership, maintenance, or use of any motor vehicle,
15 for damages, including damages for care and loss of services, because
16 of bodily injury to or death of any person, or for damages because of
17 injury to or destruction of property, including the loss of use thereof,
18 or upon a cause of action on an agreement of settlement for such
19 damages.
20 3. *License.* Any license, temporary instruction permit, or tem-
21 porary license issued under the laws of this state pertaining to the
22 licensing of persons to operate motor vehicles.

23 4. *Motor vehicle.* "Motor vehicle" means every vehicle which is
24 self-propelled but not including vehicles known as trackless trolleys
25 which are propelled by electric power obtained from overhead trolley
26 wires, but not operated upon rails. The terms "car" or "automobile"
27 shall be synonymous with the term "motor vehicle".

28 5. *Nonresident.* Every person who is not a resident of this state.

29 6. *Nonresident operating privilege.* The privilege conferred upon
30 a nonresident by the laws of this state pertaining to the operation by
31 him of a motor vehicle, or the use of a motor vehicle owned by him, in
32 this state.

33 7. *Operator.* Every person who is in actual physical control of a
34 motor vehicle whether or not licensed as an operator or chauffeur under
35 the laws of this state.

36 8. *Owner.* A person who holds the legal title of a motor vehicle,
37 or in the event a motor vehicle is the subject of an agreement for the
38 conditional sale or lease thereof with the right of purchase upon per-
39 formance of the conditions stated in the agreement and with an
40 immediate right of possession vested in the conditional vendee or lessee,
41 or in the event a mortgagor of a vehicle is entitled to possession, then
42 such conditional vendee or lessee or mortgagor shall be deemed the
43 owner for the purposes of this act.

44 9. *Person.* Every natural person, firm, copartnership, association,
45 or corporation.

46 10. *Proof of financial responsibility.* Proof of ability to respond
47 in damages for liability, on account of accidents occurring subsequent
48 to the effective date of said proof, arising out of the ownership, main-
49 tenance, or use of a motor vehicle, in the amount of five thousand
50 dollars (\$5,000) because of bodily injury to or death of one person in
51 any one accident, and, subject to said limit for one person, in the
52 amount of ten thousand dollars (\$10,000) because of bodily injury to
53 or death of two or more persons in any one accident, and in the amount
54 of one thousand dollars (\$1,000) because of injury to or destruction
55 of property of others in any one accident.

56 11. *Registration.* Registration certificate or certificates and regis-
57 tration plates issued under the laws of this state pertaining to the
58 registration of motor vehicles.

59 12. *State.* Any state, territory, or possession of the United States,
60 the District of Columbia, or any province of the Dominion of Canada.

ADMINISTRATION OF ACT

1 SEC. 2. *Commissioner to administer act—appeal to court.* (a)
2 The commissioner shall administer and enforce the provisions of this
3 act and may make rules and regulations necessary for its administra-
4 tion and shall provide for hearings upon request of persons aggrieved
5 by orders or acts of the commissioner under the provisions of sections
6 4, 5, 6, 7, 8, 9, 10 and 11 of this act.

7 (b) Any persons aggrieved by an order or act of the commissioner,
8 under the provisions of this act, may, within ten (10) days after notice
9 thereof, file a petition in the district court of the county of his residence
10 for a trial de novo to determine whether such order or act is lawful
11 and reasonable. The filing of such a petition shall not suspend the
12 order or act of the commissioner unless a stay thereof shall be allowed
13 by a judge of said court pending final determination of the matter. The

14 court shall summarily hear the petition and may make any appropriate
15 order or decree.

1 **SEC. 3. Commissioner to furnish operating record; fees to be**
2 **charged and disposition of fees.** The commissioner shall upon request
3 furnish any person a certified abstract of the operating record of any
4 person subject to the provisions of this act, which abstract shall also
5 fully designate the motor vehicles, if any, registered in the name of
6 such person, and, if there shall be no record of any conviction of such
7 person having violated any law relating to the operation of a motor
8 vehicle or of any injury or damage caused by such person, the com-
9 missioner shall so certify. A fee of one dollar (\$1.00) shall be paid
10 for each such abstract except by state, county, city, town or court
11 officials. Such fees shall be used by the department for administering
12 this act. Such abstracts shall not be admissible as evidence in any
13 action for damages or criminal proceedings arising out of a motor-
14 vehicle accident.

SECURITY FOLLOWING ACCIDENT

1 **SEC. 4. Effect of failure to report accidents.** The commissioner
2 shall suspend the license or any nonresident's operating privilege of
3 any person who willfully fails, refuses, or neglects to make reports
4 of a traffic accident as required by the laws of this state.

1 **SEC. 5. Security required following accident—exceptions.** (a) The
2 commissioner shall, immediately or within sixty (60) days after the
3 receipt of a report of a motor-vehicle accident within this state which
4 has resulted in bodily injury or death or damage to the property of
5 any one person in excess of fifty dollars (\$50), suspend the license of
6 each operator and all registrations of each owner of a motor vehicle
7 in any manner involved in such accident, and if such operator is a
8 nonresident the privilege of operating a motor vehicle within this state,
9 and if such owner is a nonresident the privilege of the use within
10 this state of any motor vehicle owned by him, unless such operator
11 or owner of* both shall deposit security in a sum which shall be
12 sufficient in the judgment of the commissioner to satisfy any judgment
13 or judgments for damages resulting from such accident as may be
14 recovered against such operator or owner; provided notice of such
15 suspension shall be sent by the commissioner to such operator and
16 owner not less than ten (10) days prior to the effective date of such
17 suspension and shall state the amount required as security.

18 (b) This section shall not apply under the conditions stated in
19 section 6 or to any of the following:

20 1. To such operator or owner if such owner had in effect at the
21 time of such accident an automobile liability policy with respect to
22 the motor vehicle involved in such accident;

23 2. To such operator, if not the owner of such motor vehicle, if there
24 was in effect at the time of such accident an automobile liability policy
25 or bond with respect to his operation of motor vehicles not owned by
26 him;

27 3. To such operator or owner if the liability of such operator or
28 owner for damages resulting from such accident is, in the judgment

*According to enrolled act.

29 of the commissioner, covered by any other form of liability insurance
30 policy or bond; or

31 4. To such owner if such owner is at the time of such accident
32 qualified as a self-insurer under section 34.

33 (c) No such policy or bond shall be effective under this section unless
34 issued by an insurance company or surety company authorized to
35 do business in this state, except that if such motor vehicle was not
36 registered in this state, or was a motor vehicle which was registered
37 elsewhere than in this state at the effective date of the policy or bond,
38 or the most recent renewal thereof, such policy or bond shall not be
39 effective under this section unless the insurance company or surety
40 company if not authorized to do business in this state shall execute
41 a power of attorney authorizing the commissioner to accept service
42 on its behalf of notice or process in any action upon such policy or
43 bond arising out of such accident; provided, however, every such
44 policy or bond is subject, if the accident has resulted in bodily injury
45 or death, to a limit, exclusive of interest and costs, of not less than
46 five thousand dollars (\$5,000) because of bodily injury to or death
47 of one person in any one accident and, subject to said limit for one
48 person, to a limit of not less than ten thousand dollars (\$10,000)
49 because of bodily injury to or death of two or more persons in any
50 one accident, and, if the accident has resulted in injury to or destruc-
51 tion of property, to a limit of not less than one thousand dollars
52 (\$1,000) because of injury to or destruction of property of others in
53 any one accident.

54 Upon receipt of notice of such accident, the insurance carrier or
55 surety carrier which issued such policy or bond shall furnish for
56 filing with the commissioner a written notice that such policy or bond
57 was in effect at the time of such accident.

1 SEC. 6. Exceptions to requirement of security. The requirements
2 as to security and suspension in section 5 shall not apply:

3 1. To the operator or the owner of a motor vehicle involved in any
4 accident wherein no injury or damage was caused to the person or
5 property of any one other than such operator or owner.

6 2. To the operator or the owner of a motor vehicle if at the time
7 of the accident the vehicle was stopped, standing, or parked, whether
8 attended or unattended, except that the requirements of this act shall
9 apply in the event the commissioner determines that any such stopping,
10 standing, or parking of the vehicle was illegal or that the vehicle
11 was not equipped with lighted lamps or illuminating devices or flags
12 when and as required by the laws of this state and that any such
13 violation contributed to the accident.

14 3. To the owner of a motor vehicle if at the time of the accident
15 the vehicle was being operated without his permission, express or
16 implied, or was parked by a person who had been operating such
17 motor vehicle without such permission.

18 4. If, prior to the date that the commissioner would otherwise
19 suspend license and registration or nonresident's operating privilege
20 under section 5, there shall be filed with the commissioner evidence
21 satisfactory to him that the person who would otherwise have to file
22 security has been released from liability or been finally adjudicated
23 not to be liable or has executed a warrant for confession of judgment,
24 payable when and in such installments as the parties have agreed to.

25 or has executed a duly acknowledged written agreement providing for
26 the payment of an agreed amount in installments, with respect to all
27 claims for injuries or damages resulting from the accident.

1 **SEC. 7. Duration of suspension.** The license and registration and
2 nonresident's operating privilege suspended as provided in section
3 5 shall remain so suspended and shall not be renewed nor shall any
4 such license or registration be issued to such person until:

5 1. Such person shall deposit or there shall be deposited on his behalf
6 the security required under section 5; or

7 2. One year shall have elapsed following the date of such accident
8 and evidence satisfactory to the commissioner has been filed with him
9 that during such period no action for damages arising out of such
10 accident has been instituted; or

11 3. Evidence satisfactory to the commissioner has been filed with
12 him of a release from liability, or a final adjudication of nonliability,
13 or a warrant for confession of judgment, or a duly acknowledged
14 written agreement, in accordance with subdivision 4 of section 6;
15 provided, however, in the event there shall be any default in the
16 payment of any installment under any confession of judgment, then,
17 upon notice of such default, the commissioner shall forthwith suspend
18 the license and registration or nonresident's operating privilege of
19 such person defaulting which shall not be restored unless and until
20 the entire amount provided for in said confession of judgment has
21 been paid; and provided, further, that in the event there shall be any
22 default in the payment of any installment under any duly acknowledged
23 written agreement, then, upon notice of such default, the commissioner
24 shall forthwith suspend the license and registration or nonresident's
25 operating privilege of such person defaulting which shall not be
26 restored unless and until (1) such person deposits and thereafter
27 maintains security as required under section 5 in such amount as
28 the commissioner may then determine, or (2) one year shall have
29 elapsed following the date when such security was required and during
30 such period no action upon such agreement has been instituted in a
31 court in this state.

1 **SEC. 8. Application to nonresidents, unlicensed drivers, and un-**
2 **registered motor vehicles.** In case the operator or the owner of a
3 motor vehicle involved in an accident within this state has no license
4 or registration, he shall not be allowed a license or registration until
5 he has complied with the requirements of sections 4, 5, 6, 7, 8, 9, 10
6 and 11 to the same extent that would be necessary if, at the time of
7 the accident, he had held a license and registration.

1 **SEC. 9. Form and amount of security.** (a) The security required
2 under sections 4, 5, 6, 7, 8, 9, 10 and 11 shall be in such form and in
3 such amount as the commissioner may require but in no case in
4 excess of the limits specified in section 5 in reference to the acceptable
5 limits of a policy or bond. The person depositing security shall specify
6 in writing the person or persons on whose behalf the deposit is made
7 and, at any time while such deposit is in the custody of the com-
8 missioner or state treasurer, the person depositing it may, in writing,
9 amend the specification of the person or persons on whose behalf the
10 deposit is made to include an additional person or persons; provided,

11 however, that a single deposit of security shall be applicable only
12 on behalf of persons required to furnish security because of the same
13 accident.

14 (b) The commissioner may reduce the amount of security ordered
15 in any case within six (6) months after the date of the accident if,
16 in his judgment, the amount ordered is excessive. In case the security
17 originally ordered has been deposited the excess deposited over the
18 reduced amount ordered shall be returned to the depositor or his
19 personal representative forthwith, notwithstanding the provisions of
20 section 10.

1 **SEC. 10. Custody, disposition, and return of security.** Security
2 deposited in compliance with the requirements of sections 4, 5, 6,
3 7, 8, 9, 10 and 11 shall be placed by the commissioner in the custody
4 of the state treasurer and shall be applicable only to the payment of
5 a judgment or judgments rendered against the person or persons on
6 whose behalf the deposit was made, for damages arising out of the
7 accident in question in an action at law, begun not later than one (1)
8 year after the date of such accident, or within one (1) year after the
9 date of deposit of any security under subdivision 3 of section 7, and
10 such deposit or any balance thereof shall be returned to the depositor
11 or his personal representative when evidence satisfactory to the com-
12 missioner has been filed with him that there has been a release from
13 liability, or a final adjudication of nonliability, or a warrant for
14 confession of judgment, or a duly acknowledged agreement, in accord-
15 ance with subdivision 4 of section 6, or whenever, after the expiration
16 of one (1) year from the date of the accident, or within one (1) year
17 after the date of deposit of any security under subdivision 3 of section
18 7, the commissioner shall be given reasonable evidence that there is
19 no such action pending and no judgment rendered in such action
20 left unpaid.

1 **SEC. 11. Matters not to be evidence in civil suits.** Neither the
2 report required by section 4, the action taken by the commissioner
3 pursuant to sections 4, 5, 6, 7, 8, 9, 10 and 11, the findings, if any,
4 of the commissioner upon which action is based, nor the security filed
5 as provided in sections 4, 5, 6, 7, 8, 9, 10 and 11 shall be referred to
6 in any way, or be any evidence of the negligence or due care of either
7 party, at the trial of any action at law to recover damages.

PROOF OF FINANCIAL RESPONSIBILITY FOR THE FUTURE

1 **SEC. 12. Courts to report nonpayment of judgments.** (a) When-
2 ever any person fails within sixty (60) days to satisfy any judgment,
3 it shall be the duty of the clerk of the court, or of the judge of a court
4 which has no clerk, in which any such judgment is rendered within
5 this state, to forward to the commissioner immediately after the
6 expiration of said sixty (60) days, a certified copy of such judgment.

7 (b) If the defendant named in any certified copy of a judgment
8 reported to the commissioner is a nonresident, the commissioner shall
9 transmit a certified copy of the judgment to the official in charge of
10 the issuance of licenses and registration certificates of the state of
11 which the defendant is a resident.

1 **SEC. 13. Suspension for nonpayment of judgments—exceptions.**

2 (a) The commissioner upon receipt of a certified copy of a judgment,

3 shall forthwith suspend the license and registration and any non-
4 resident's operating privilege of any person against whom such judg-
5 ment was rendered, except as hereinafter otherwise provided in this
6 section and in section 16.

7 (b) If the judgment creditor consents in writing, in such form
8 as the commissioner may prescribe, that the judgment debtor be
9 allowed license and registration or nonresident's operating privilege,
10 the same may be allowed by the commissioner, in his discretion, for
11 six (6) months from the date of such consent and thereafter until
12 such consent is revoked in writing, notwithstanding default in the
13 payment of such judgment, or of any installments thereof prescribed
14 in section 16, provided the judgment debtor furnishes proof of financial
15 responsibility.

16 (c) Any person whose license, registration, or nonresident's
17 operating privilege has been suspended or is about to be suspended
18 or shall become subject to suspension under the provisions of sections
19 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29
20 may be relieved from the effect of such judgment as hereinbefore
21 prescribed in sections 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24,
22 25, 26, 27, 28 and 29 by filing with the commissioner an affidavit
23 stating that at the time of the accident upon which such judgment
24 has been rendered the affiant was insured, that the insurer is liable
25 to pay such judgment, and the reason, if known, why such insurance
26 company has not paid such judgment. Such a person shall also file
27 the original policy of insurance or a certified copy thereof, if available,
28 and such other documents as the commissioner may require to show
29 that the loss, injury, or damage for which such judgment was rendered,
30 was covered by such policy of insurance. If the commissioner is
31 satisfied from such papers that such insurer was authorized to issue
32 such policy of insurance at the time and place of issuing such policy
33 and that such insurer is liable to pay such judgment, at least to the
34 extent and for the amounts required in this act, the commissioner
35 shall not suspend such license or registration or nonresident's operating
36 privilege, or if already suspended shall reinstate them.

1 **SEC. 14. Suspension to continue until judgments paid and proof**
2 **given.** (a) Such license, registration, and nonresident's operating
3 privilege shall remain so suspended and shall not be renewed, nor
4 shall any such license or registration be thereafter issued in the name
5 of such person, including any such person not previously licensed,
6 unless and until every such judgment is satisfied in full or to the
7 extent hereinafter provided, and until the said person gives proof of
8 financial responsibility subject to the exemptions stated in sections
9 13 and 16 of this act.

10 (b) A discharge in bankruptcy following the rendering of any
11 such judgment shall not relieve the judgment debtor from any of the
12 requirements of sections 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23,
13 24, 25, 26, 27, 28 and 29.

1 **SEC. 15. Payments sufficient to satisfy requirements.** (a) Judgments
2 herein referred to shall, for the purpose of this act only, be deemed
3 satisfied:

4 1. When five thousand dollars (\$5,000) has been credited upon any
5 judgment or judgments rendered in excess of that amount because

6 of bodily injury to or death of one person as the result of any one
7 accident; or

8 2. When, subject to such limit of five thousand dollars (\$5,000)
9 because of bodily injury to or death of one person, the sum of ten
10 thousand dollars (\$10,000) has been credited upon any judgment or
11 judgments rendered in excess of that amount because of bodily injury
12 to or death of two or more persons as the result of any one accident; or

13 3. When one thousand dollars (\$1,000) has been credited upon any
14 judgment or judgments rendered in excess of that amount because
15 of injury to or destruction of property of others as a result of any
16 one accident;

17 (b) Provided, however, payments made in settlements of any claims
18 because of bodily injury, death, or property damage arising from a
19 motor-vehicle accident shall be credited in reduction of the amounts
20 provided for in this section.

1 **SEC. 16. Installment payment of judgments—default.** (a) A
2 judgment debtor upon due notice to the judgment creditor may apply
3 to the court in which such judgment was rendered for the privilege
4 of paying such judgment in installments and the court, in its discretion
5 and without prejudice to any other legal remedies which the judgment
6 creditor may have, may so order and fix the amounts and times of
7 payment of the installments.

8 (b) The commissioner shall not suspend a license, registration, or
9 nonresident's operating privilege, and shall restore any license,
10 registration, or nonresident's operating privilege suspended following
11 nonpayment of a judgment, when the judgment debtor gives proof of
12 financial responsibility and obtains such an order permitting the
13 payment of such judgment in installments, and while the payment of
14 any said installment is not in default.

15 (c) In the event the judgment debtor fails to pay any installment
16 as specified by such order, then upon notice of such default, the com-
17 missioner shall forthwith suspend the license, registration, or non-
18 resident's operating privilege of the judgment debtor until such
19 judgment is satisfied, as provided in this act.

1 **SEC. 17. Proof required upon certain convictions.** (a) Whenever
2 the commissioner, under any law of this state, suspends or revokes
3 the license of any person upon receiving record of a conviction or a
4 forfeiture of bail, the commissioner shall also suspend the registration
5 for all motor vehicles registered in the name of such person, except
6 that he shall not suspend such registration, unless otherwise required
7 by law, if such person has previously given or shall immediately give
8 and thereafter maintain proof of financial responsibility with respect
9 to all motor vehicles registered by such person.

10 (b) Such license and registration shall remain suspended or revoked
11 and shall not at any time thereafter be renewed nor shall any license
12 be thereafter issued to such person, nor shall any motor vehicle be
13 thereafter registered in the name of such person until permitted under
14 the motor-vehicle laws of this state and not then unless and until he
15 shall give and thereafter maintain proof of financial responsibility.

16 (c) If a person is not licensed, but by final order or judgment is
17 convicted of or forfeits any bail or collateral deposited to secure an
18 appearance for trial for any offense requiring the suspension or

19 revocation of license, or for operating a motor vehicle upon the
 20 highways without being licensed to do so, or for operating an un-
 21 registered motor vehicle upon the highways, no license shall be there-
 22 after issued to such person and no motor vehicle shall continue to
 23 be registered or thereafter be registered in the name of such person
 24 until he shall give and thereafter maintain proof of financial respon-
 25 sibility.

26 (d) Whenever the commissioner suspends or revokes a nonresident's
 27 operating privilege by reason of a conviction or forfeiture of bail, such
 28 privilege shall remain so suspended or revoked unless such person
 29 shall have previously given or shall immediately give and thereafter
 30 maintain proof of financial responsibility.

1 **SEC. 18. Alternate methods of giving proof.** Proof of financial
 2 responsibility when required under this act may be given by filing:

- 3 1. A certificate of insurance as provided in section 19 or section 20;
- 4 or
- 5 2. A bond as provided in section 24; or
- 6 3. A certificate of deposit of money or securities as provided in
- 7 section 25.

1 **SEC. 19. Certificate of insurance as proof.** (a) Proof of financial
 2 responsibility may be furnished by filing with the commissioner the
 3 written certificate of any insurance carrier duly authorized to do
 4 business in this state certifying that there is in effect a motor-vehicle
 5 liability policy for the benefit of the person required to furnish proof
 6 of financial responsibility. Such certificate shall give the effective date
 7 of such motor-vehicle liability policy, which date shall be the same as
 8 the effective date of the certificate, and shall designate by explicit
 9 description or by appropriate reference all motor vehicles covered
 10 thereby, unless the policy is issued to a person who is not the owner of
 11 a motor vehicle.

12 (b) No motor vehicle shall be or continue to be registered in the
 13 name of any person required to file proof of financial responsibility
 14 unless such motor vehicle is so designated in such a certificate.

1 **SEC. 20. Certificate furnished by nonresident as proof.** (a) The
 2 nonresident owner of a motor vehicle not registered in this state may
 3 give proof of financial responsibility by filing with the commissioner
 4 a written certificate or certificates of an insurance carrier authorized
 5 to transact business in the state in which the motor vehicle, or motor
 6 vehicles, described in such certificate is registered, or if such non-
 7 resident does not own a motor vehicle, then in the state in which the
 8 insured resides, provided such certificate otherwise conforms with
 9 the provisions of this act, and the commissioner shall accept the same
 10 upon condition that said insurance carrier complies with the following
 11 provisions with respect to the policies so certified:

12 1. Said insurance carrier shall execute a power of attorney author-
 13 izing the commissioner to accept service on its behalf of notice or proc-
 14 ess in any action arising out of a motor-vehicle accident in this state.

15 2. Said insurance carrier shall agree in writing that such policies
 16 shall be deemed to conform with the laws of this state relating to the
 17 terms of motor-vehicle liability policies issued herein.

18 (b) If any insurance carrier not authorized to transact business

19 in this state, which has qualified to furnish proof of financial respon-
20 sibility, defaults in any said undertakings or agreements, the com-
21 missioner shall not thereafter accept as proof any certificate of said
22 carrier whether theretofore filed or thereafter tendered as proof, so
23 long as such default continues.

1 **SEC. 21. "Motor-vehicle liability policy" defined.** (a) A "motor-
2 vehicle liability policy" as said term is used in this act shall mean
3 an owner's or an operator's policy of liability insurance, certified as
4 provided in section 19 or section 20 as proof of financial responsibility,
5 and issued, except as otherwise provided in section 20, by an insurance
6 carrier duly authorized to transact business in this state, to or for
7 the benefit of the person named therein as insured.

8 (b) Such owner's policy of liability insurance:

9 1. Shall designate by explicit description or by appropriate reference
10 all motor vehicles with respect to which coverage is thereby to be
11 granted; and

12 2. Shall insure the person named therein and any other person,
13 as insured, using any such motor vehicle or motor vehicles with the
14 express or implied permission of such named insured, against loss
15 from the liability imposed by law for damages arising out of the
16 ownership, maintenance, or use of such motor vehicle or motor vehicles
17 within the United States of America or the Dominion of Canada,
18 subject to limits exclusive of interest and costs, with respect to each
19 such motor vehicle, as follows: Five thousand dollars (\$5,000) because
20 of bodily injury to or death of one person in any one accident and,
21 subject to said limit for one person, ten thousand dollars (\$10,000)
22 because of bodily injury to or death of two or more persons in any one
23 accident, and one thousand dollars (\$1,000) because of injury to or
24 destruction of property of others in any one accident.

25 (c) Such operator's policy of liability insurance shall insure the
26 person named as insured therein against loss from the liability imposed
27 upon him by law for damages arising out of the use by him of any
28 motor vehicle not owned by him, within the same territorial limits and
29 subject to the same limits of liability as are set forth above with respect
30 to an owner's policy of liability insurance.

31 (d) Such motor-vehicle liability policy shall state the name and
32 address of the named insured, the coverage afforded by the policy, the
33 premium charged therefor, the policy period, and the limits of liability,
34 and shall contain an agreement or be endorsed that insurance is provid-
35 ed thereunder in accordance with the coverage defined in this act as
36 respects bodily injury and death or property damage, or both, and is
37 subject to all the provisions of this act.

38 (e) Such motor-vehicle liability policy need not insure any liability
39 under any workmen's compensation law nor any liability on account
40 of bodily injury to or death of an employee of the insured while engaged
41 in the employment, other than domestic, of the insured, or while
42 engaged in the operation, maintenance, or repair of any such motor
43 vehicle nor any liability for damage to property owned by, rented to,
44 in charge of, or transported by the insured.

45 (f) Every motor-vehicle liability policy shall be subject to the
46 following provisions which need not be contained therein:

47 1. The liability of the insurance carrier with respect to the insurance

48 required by this act shall become absolute whenever injury or damage
 49 covered by said motor-vehicle liability policy occurs; said policy may
 50 not be canceled or annulled as to such liability by any agreement
 51 between the insurance carrier and the insured after the occurrence of
 52 the injury or damage; no statement made by the insured or on his
 53 behalf and no violation of said policy shall defeat or void said policy.

54 2. The satisfaction by the insured of a judgment for such injury
 55 or damage shall not be a condition precedent to the right or duty of
 56 the insurance carrier to make payment on account of such injury or
 57 damage.

58 3. The insurance carrier shall have the right to settle any claim
 59 covered by the policy, and if such settlement is made in good faith, the
 60 amount thereof shall be deductible from the limits of liability specified
 61 in subdivision 2 of subsection (b) of this section.

62 4. The policy, the written application therefor, if any, and any
 63 rider or endorsement which does not conflict with the provisions of
 64 the act shall constitute the entire contract between the parties.

65 (g) Any policy which grants the coverage required for a motor-
 66 vehicle liability policy may also grant any lawful coverage in excess
 67 of or in addition to the coverage specified for a motor-vehicle liability
 68 policy and such excess or additional coverage shall not be subject to
 69 the provisions of this act. With respect to a policy which grants such
 70 excess or additional coverage the term "motor-vehicle liability policy"
 71 shall apply only to that part of the coverage which is required by this
 72 section.

73 (h) Any motor-vehicle liability policy may provide that the insured
 74 shall reimburse the insurance carrier for any payment the insurance
 75 carrier would not have been obligated to make under the terms of the
 76 policy except for the provisions of this act.

77 (i) Any motor-vehicle liability policy may provide for the prorating
 78 of the insurance thereunder with other valid and collectible insurance.

79 (j) The requirements for a motor-vehicle liability policy may be
 80 fulfilled by the policies of one or more insurance carriers which policies
 81 together meet such requirements.

82 (k) Any binder issued pending the issuance of a motor-vehicle
 83 liability policy shall be deemed to fulfill the requirements for such a
 84 policy.

1 **SEC. 22. Notice of cancelation* or termination of certified policy.**

2 When an insurance carrier has certified a motor-vehicle liability policy
 3 under section 19 or section 20, the insurance so certified shall not be
 4 canceled or terminated until at least ten (10) days after a notice of
 5 cancelation or termination of the insurance so certified shall be filed
 6 in the office of the commissioner, except that such a policy subsequently
 7 procured and certified shall, on the effective date of its certification,
 8 terminate the insurance previously certified with respect to any motor-
 9 vehicle designated in both certificates.

1 **SEC. 23. Act not to affect other policies.** (a) This act shall not
 2 be held to apply to or affect policies of automobile insurance against
 3 liability which may now or hereafter be required by any other law of
 4 this state, and such policies, if they contain an agreement or are

*According to enrolled act.

5 endorsed to conform with the requirements of this act, may be certified
6 as proof of financial responsibility under this act.

7 (b) This act shall not be held to apply to or affect policies insuring
8 solely the insured named in the policy against liability resulting from
9 the maintenance or use by persons in the insured's employ or on his
10 behalf of motor vehicles not owned by the insured.

1 SEC. 24. **Bond as proof.** (a) Proof of financial responsibility may
2 be evidenced by the bond of a surety company duly authorized to
3 transact business within this state, or a bond with at least two
4 individual sureties each owning real estate within this state, and to-
5 gether having equities equal in value to at least twice the amount of the
6 bond, which real estate shall be scheduled in the bond approved by a
7 judge or clerk of a court of record, which said bond shall be conditioned
8 for payment of the amounts specified in subsection 10 of section 1.
9 Such bond shall be filed with the commissioner and shall not be cancel-
10 able except after ten (10) days written notice to the commissioner.
11 Such bond shall constitute a lien in favor of the state upon the real
12 estate so scheduled of any surety, which lien shall exist in favor of
13 any holder of a final judgment against the person who has filed such
14 bond, for damages, including damages for care and loss of services,
15 because of bodily injury to or death of any person, or for damage be-
16 cause of injury to or destruction of property, including the loss of use
17 thereof, resulting from the ownership, maintenance, use, or operation
18 of a motor vehicle after such bond was filed, upon the filing of notice to
19 that effect by the commissioner in the office of the proper clerk of
20 court of the county where such real estate shall be located. Any
21 individual surety so scheduling real estate security shall furnish
22 satisfactory evidence of title thereto and the nature and extent of all
23 encumbrances thereon and the value of the surety's interest therein,
24 in such manner as the judge or clerk of the court of record approving
25 the bond may require. The notice filed by the commissioner shall, in
26 addition to any other matters by him deemed to be pertinent, contain a
27 legal description of the real estate so scheduled, the name of the holder
28 of the record title, the amount for which it stands as security, and
29 the name of the person in whose behalf proof is so being made. Upon
30 the filing of such notice the clerk of the court of such county shall
31 retain the same as part of the records of such court and enter upon
32 the encumbrance book the date and hour of filing, the name of the
33 surety, the name of the record title holder, the description of the real
34 estate, and the further notation that a lien is charged on such real
35 estate pursuant to the notice filed hereunder. From and after the
36 entry of the foregoing upon the encumbrance book all persons whomso-
37 ever shall be charged with notice thereof.

38 (b) If such a judgment, rendered against the principal on such
39 bond shall not be satisfied within sixty (60) days after it has become
40 final, the judgment creditor may, for his own use and benefit and at
41 his sole expense, bring an action or actions in the name of the state
42 against the company or persons executing such bond, including an
43 action or proceeding to foreclose any lien that may exist upon the real
44 estate of a person who has executed such bond. An action to foreclose
45 any lien upon real estate scheduled by any surety under the provisions

46 of this act shall be by equitable proceeding in the same manner as is
47 provided for the foreclosure of real estate mortgages.

1 **SEC. 25. Money or securities as proof.** (a) Proof of financial
2 responsibility may be evidenced by the certificate of the state treasurer
3 that the person named therein has deposited with him eleven thousand
4 dollars (\$11,000) in cash, or securities such as may legally be purchased
5 by savings banks or for trust funds of a market value of eleven
6 thousand dollars (\$11,000). The state treasurer shall not accept any
7 such deposit and issue a certificate therefor and the commissioner shall
8 not accept such certificate unless accompanied by evidence that there
9 are no unsatisfied judgments of any character against the depositor in
10 the county where the depositor resides.

11 (b) Such deposit shall be held by the state treasurer to satisfy, in
12 accordance with the provisions of this act, any execution on a judgment
13 issued against such person making the deposit, for damages, including
14 damages for care and loss of services, because of bodily injury to or
15 death of any person, or for damages because of injury to or destruction
16 of property, including the loss of use thereof, resulting from the owner-
17 ship, maintenance, use, or operation of a motor vehicle after such
18 deposit was made. Money or securities so deposited shall not be
19 subject to attachment or execution unless such attachment or execu-
20 tion shall arise out of a suit for damages as aforesaid.

1 **SEC. 26. Owner may give proof for others.** Whenever any person
2 required to give proof of financial responsibility hereunder is or later
3 becomes an operator in the employ of any owner, or is or later becomes
4 a member of the immediate family or household of the owner, the
5 commissioner shall accept proof given by such owner in lieu of proof
6 by such other person to permit such other person to operate a motor
7 vehicle for which the owner has given proof as herein provided or has
8 qualified as a self-insurer under section 34 of this act. The com-
9 missioner shall designate the restrictions imposed by this section on
10 the face of such person's license.

1 **SEC. 27. Substitution of proof.** The commissioner shall consent
2 to the cancelation of any bond or certificate of insurance or the
3 commissioner shall direct and the state treasurer shall return any
4 money or securities to the person entitled thereto upon the substitution
5 and acceptance of other adequate proof of financial responsibility
6 pursuant to this act.

1 **SEC. 28. Other proof may be required.** Whenever any proof of
2 financial responsibility filed under the provisions of this act no longer
3 fulfills the purposes for which required, the commissioner shall for
4 the purpose of this act, require other proof as required by this act
5 and shall suspend the license and registration or the nonresident's
6 operating privilege pending the filing of such other proof.

1 **SEC. 29. Duration of proof—when proof may be canceled or**
2 **returned.** (a) The commissioner shall upon request consent to the
3 immediate cancelation of any bond or certificate of insurance, or the
4 commissioner shall direct and the state treasurer shall return to the
5 person entitled thereto any money or securities deposited pursuant to
6 this act as proof of financial responsibility, or the commissioner shall
7 waive the requirement of filing proof, in any of the following events:

8 1. At any time after three (3) years from the date such proof
 9 was required when, during the three (3) year period preceding the
 10 request, the commissioner has not received record of a conviction or
 11 a forfeiture of bail which would require or permit the suspension or
 12 revocation of the license, registration, or nonresident's operating
 13 privilege of the person by or for whom such proof was furnished; or

14 2. In the event of the death of the person on whose behalf such
 15 proof was filed or the permanent incapacity of such person to operate
 16 a motor vehicle; or

17 3. In the event the person who has given proof surrenders his
 18 license and registration to the commissioner;

19 (b) Provided, however, that the commissioner shall not consent
 20 to the cancelation of any bond or the return of any money or securities
 21 in the event any action for damages upon a liability covered by such
 22 proof is then pending or any judgment upon any such liability is
 23 then unsatisfied, or in the event the person who has filed such bond
 24 or deposited such money or securities has within one (1) year
 25 immediately preceding such request been involved as an operator or
 26 owner in any motor-vehicle accident resulting in injury or damage
 27 to the person or property of others. An affidavit of the applicant as
 28 to the nonexistence of such facts, or that he has been released from
 29 all of his liability, or has been finally adjudicated not to be liable, for
 30 such injury or damage, shall be sufficient evidence thereof in the
 31 absence of evidence to the contrary in the records of the commissioner.

32 (c) Whenever any person whose proof has been canceled or returned
 33 under subdivision 3 of this section applies for a license or registration
 34 within a period of three (3) years from the date proof was originally
 35 required, any such application shall be refused unless the applicant
 36 shall re-establish such proof for the remainder of such three (3) year
 37 period.

VIOLATION OF PROVISIONS OF ACT—PENALTIES

1 **SEC. 30. Transfer of registration to defeat purpose of act prohibited.**
 2 This act shall not prevent the owner of a motor vehicle, the registration
 3 of which has been suspended hereunder, from effecting a bona fide
 4 sale of such motor vehicle to another person whose rights or privileges
 5 are not suspended under this act nor prevent the registration of such
 6 motor vehicle by such transferee. This act shall not in any wise affect
 7 the rights of any conditional vendor, chattel mortgagee, or lessor
 8 of a motor vehicle registered in the name of another as owner who
 9 becomes subject to the provisions of this act.

1 **SEC. 31. Surrender of license and registration.** Any person whose
 2 license or registration shall have been suspended as herein provided,
 3 or whose policy of insurance or bond, when required under this act,
 4 shall have been canceled or terminated, or who shall neglect to furnish
 5 other proof upon request of the commissioner shall immediately return
 6 his license and registration to the commissioner. If any person shall
 7 fail to return to the commissioner the license or registration as
 8 provided herein, the commissioner shall forthwith direct any peace
 9 officer to secure possession thereof and to return the same to the
 10 commissioner.

1 **SEC. 32. Other violations—penalties.** (a) Any person whose
 2 license or registration or nonresident's operating privilege has been

3 suspended or revoked under this act and who, during such suspension
4 or revocation drives any motor vehicle upon any highway or knowingly
5 permits any motor vehicle owned by such person to be operated by
6 another upon any highway, except as permitted under this act, shall
7 be fined not more than five hundred dollars (\$500) or imprisoned not
8 exceeding six (6) months, or both.

9 (b) Any person willfully failing to return license or registration
10 as required in section 31 shall be fined not more than five hundred
11 dollars (\$500) or imprisoned not to exceed thirty (30) days, or both.

12 (c) Any person who shall forge or, without authority, sign any
13 notice provided for under section 5 that a policy or bond is in effect,
14 or any evidence of proof of financial responsibility, or who files or
15 offers for filing any such notice or evidence of proof knowing or having
16 reason to believe that it is forged or signed without authority, shall be
17 fined not more than one thousand dollars (\$1,000) or imprisoned not
18 more than one (1) year, or both.

19 (d) Any person who shall violate any provision of this act for
20 which no penalty is otherwise provided shall be fined not more than
21 five hundred dollars (\$500) or imprisoned not more than ninety (90)
22 days, or both.

GENERAL PROVISIONS

1 **SEC. 33. Exceptions.** This act shall not apply with respect to any
2 motor vehicle owned by the United States, this state or any political
3 subdivision of this state or any municipality therein; nor, except for
4 sections 4 and 26 of this act, with respect to any motor vehicle which
5 is subject to the requirements of section three hundred twenty-five
6 point twenty-six (325.26) and section three hundred twenty-seven
7 point fifteen (327.15), Code 1946.

1 **SEC. 34. Self-insurers.** (a) Any person in whose name more
2 than twenty-five (25) motor vehicles are registered may qualify as a
3 self-insurer by obtaining a certificate of self-insurance issued by the
4 commissioner as provided in subsection (b) of this section.

5 (b) The commissioner may, in his discretion, upon the application
6 of such a person, issue a certificate of self-insurance when he is
7 satisfied that such person is possessed and will continue to be possessed
8 of ability to pay judgments obtained against such person.

9 (c) Upon not less than five (5) days' notice and a hearing pursuant
10 to such notice, the commissioner may upon reasonable grounds cancel
11 a certificate of self-insurance. Failure to pay any judgment within
12 thirty (30) days after such judgment shall have become final shall
13 constitute a reasonable ground for the cancelation of a certificate
14 of self-insurance.

1 **SEC. 35.** Sections three hundred twenty-one point two hundred
2 seventy-five (321.275), three hundred twenty-one point two hundred
3 seventy-six (321.276), three hundred twenty-one point two hundred
4 seventy-seven (321.277), three hundred twenty-one point two hundred
5 seventy-eight (321.278) and three hundred twenty-one point two
6 hundred seventy-nine (321.279) of chapter three hundred twenty-one
7 (321), Code 1946, are hereby repealed except with respect to any
8 accident or judgment arising therefrom or violation of the motor-

9 vehicle laws of this state occurring prior to the effective date of this
10 act.*

1 SEC. 36. **Past application of act.** This act shall not apply with
2 respect to any accident, or judgment arising therefrom, or violation
3 of the motor-vehicle laws of this state, occurring prior to the effective
4 date of this act.

1 SEC. 37. **Act not to prevent other process.** Nothing in this act
2 shall be construed as preventing the plaintiff in any action at law
3 from relying for relief upon the other processes provided by law.

1 SEC. 38. **Uniformity of interpretation.** This act shall be so
2 interpreted and construed as to effectuate its general purpose to make
3 uniform the laws of those states which enact it.

1 SEC. 39. **Constitutionality.** If any part or parts of this act shall
2 be held unconstitutional, such unconstitutionality shall not affect the
3 validity of the remaining parts of this act. The legislature hereby
4 declares that it would have passed the remaining parts of this act
5 if it had known that such part or parts thereof would be declared
6 unconstitutional.

1 SEC. 40. **Title of act.** This act may be cited as the motor-vehicle
2 financial and safety responsibility act.

1 SEC. 41. **Effective date.** This act shall be in full force and effect
2 beginning October 1, 1947.

Approved March 24, 1947.

*Amended by chapter 173.

CHAPTER 173

MOTOR VEHICLE ACCIDENT LIABILITY

H. F. 519

AN ACT to amend House File 96, Acts of the 52nd General Assembly, relating to motor vehicles and law of road and specifically to accident liability.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. House File ninety-six (96)*, Acts of the 52nd General
2 Assembly, now on file in the office of the Secretary of State, is hereby
3 amended by adding at the end of section thirty-five (35) thereof, the
4 following: "Any person who has heretofore had his operator's license
5 suspended or has had his motor vehicle registration plates suspended
6 or who has been refused registration or license to operate a motor
7 vehicle upon the highways of the State of Iowa, under the provisions
8 of sections three-hundred twenty-one point two hundred seventy-five,
9 (321.275) to section three-hundred twenty-one point two hundred
10 seventy-nine, (321.279), inclusive, Code 1946, and has not had such
11 suspension removed, as therein provided, shall not be issued an
12 operator's license nor be entitled to registration of a motor vehicle in

*Chapter 172.

13 this state until proof is filed with the County Treasurer and the De-
 14 partment of Public Safety that the Judgment against him rendered
 15 by the court has been stayed, satisfied or otherwise discharged of
 16 record.”

Approved April 28, 1947.

CHAPTER 174

REVOCATION OF LIQUOR PERMITS

S. F. 141

AN ACT to amend section three hundred twenty-one point two hundred eighty-one (321.281), code 1946, by providing for the revocation of liquor permits of all defendants sentenced for operating a motor vehicle while intoxicated.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section three hundred twenty-one point two
 2 hundred eighty-one (321.281), Code 1946, be amended by adding
 3 thereto the following paragraph:

4 “The court shall also in pronouncing sentence provide for the
 5 immediate surrender of the defendant’s liquor permit issued under
 6 chapter 123, Code 1946, which chapter is identified as the ‘Iowa Liquor
 7 Control Act’. The sentence shall further provide that a true copy
 8 of the judgment sentencing the defendant shall be forthwith certified
 9 by the clerk of court to the Iowa Liquor Control Commission. The
 10 Liquor Control Commission shall not thereafter issue the defendant
 11 a liquor permit until such time as the court or judge of the court having
 12 original jurisdiction of the defendant for good cause shown shall so
 13 certify to the Iowa Liquor Control Commission.”

Approved March 26, 1947.

CHAPTER 175

LAW OF THE ROAD

S. F. 399

AN ACT to amend chapter three hundred twenty-one (321), code 1946, relating to motor vehicles and law of road.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Repeal sections three hundred twenty-one point three
 2 hundred twenty-three (321.323) and three hundred twenty-one point
 3 three hundred fifty-three (321.353), Code 1946, and enact in lieu
 4 thereof the following:

5 “The driver of a vehicle emerging from a private roadway, alley,
 6 driveway, or building shall stop such vehicle immediately, prior to
 7 driving onto the sidewalk area and thereafter he shall proceed into
 8 the sidewalk area only when he can do so without danger to pedestrian
 9 traffic and he shall yield the right of way to any vehicular traffic on
 10 the street into which his vehicle is entering.”

1 SEC. 2. Amend section three hundred twenty-one point one (321.1),
2 Code 1946, by adding thereto the following: "Alley" means a thorough-
3 fare laid out, established and platted as such, by constituted authority.

1 SEC. 3. Amend section three hundred twenty-one point twenty-four
2 (321.24), Code 1946, by striking from line seven (7) the words
3 "tenth day of the month" and insert in lieu thereof the word "seventh
4 day".

1 SEC. 4. Amend section three hundred twenty-one point one hundred
2 thirteen (321.113), Code 1946, by adding thereto the following: "In
3 computing the number of registrations only one registration per year
4 shall be allowed."

1 SEC. 5. Amend section three hundred twenty-one point two hundred
2 sixty-six (321.266), Code 1946, by striking all of said section, and
3 inserting in lieu thereof the following:

4 "The driver of a vehicle involved in an accident resulting in injury
5 to or death of any person shall immediately by the quickest means
6 of communication give notice of such accident to the sheriff of the
7 county in which said accident occurred, or the nearest office of the
8 Iowa Highway Safety Patrol, or to any other peace officer as near as
9 practicable to the place where the accident occurred.

10 "The driver of a vehicle involved in an accident resulting in injury
11 to or death of any person, or total property damage to an apparent
12 extent of fifty dollars (\$50.00) or more shall also, within twenty-four
13 (24) hours after such accident, forward a written report of such
14 accident to the department.

15 "Every law enforcement officer who, in the regular course of duty,
16 investigates a motor vehicle accident of which report must be made
17 as required in this section, either at the time of and at the scene of
18 the accident or thereafter by interviewing participants or witnesses
19 shall, within twenty-four (24) hours after completing such investiga-
20 tion, forward a written report of such accident to the department."

1 SEC. 6. Amend section three hundred twenty-one point one (321.1),
2 Code 1946, by inserting after the word "saddle" in line two (2) of
3 sub-section three (3) the following: "or seat"; and by inserting after
4 the word "ground" in line four (4) of sub-section three (3) the fol-
5 lowing: "including a motor scooter and a bicycle with motor at-
6 tached".

1 SEC. 7. Amend section three hundred twenty-one point one (321.1),
2 Code 1946, by striking all of sub-section forty-three (43) and inserting
3 in lieu thereof the following:

4 "Chauffeur means any person who operates a motor vehicle in the
5 transportation of persons or freight, including school busses, and who
6 receives any compensation for such service in wages, commission or
7 otherwise, paid directly or indirectly, or who as owner or employee
8 operates a motor vehicle carrying passengers for hire or freight for
9 hire, commission or resale, including drivers of ambulances, passenger
10 cars, trucks, light delivery, and similar conveyances except when
11 such operation by the owner or operator is occasional and merely
12 incidental to his principal business.

13 "Subject to the provisions of section three hundred twenty-one

14 point one hundred seventy-nine (321.179), Code 1946, a farmer or
 15 his hired help shall not be deemed a chauffeur, when operating a truck
 16 owned by him, and used exclusively in connection with the transporta-
 17 tion of his own products or property."

1 SEC. 8. Amend section three hundred twenty-one point one hundred
 2 seventy-seven (321.177), Code 1946, by striking the word "fifteen"
 3 in line four (4) of sub-section two (2) and inserting in lieu thereof
 4 the word "sixteen".

1 SEC. 9. Amend section three hundred twenty-one point one hundred
 2 ninety-four (321.194), Code 1946, by inserting after the word
 3 "school" in line four (4) the following: "over the most direct and
 4 accessible route" and by striking the comma (,) after the word
 5 "driver" in line eight (8) and inserting in lieu thereof a period (.)
 6 and by striking all the balance of said section.

1 SEC. 10. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication
 3 in the Telegraph Herald, a newspaper published at Dubuque, Iowa,
 4 and the Northwood Anchor, a newspaper published at Northwood,
 5 Iowa.

Approved May 2, 1947.

I hereby certify that the foregoing act was published in the Telegraph Herald, May 5,
 1947, and the Northwood Anchor, May 8, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 176

TRUCK FLARES

H. F. 432

AN ACT to amend section three hundred twenty-one point four hundred forty-seven
 (321.447) and section three hundred twenty-one point four hundred forty-eight
 (321.448), code 1946, relating to carrying and display of flares and other signaling
 devices on trucks carrying flammable liquids and gases and all other trucks.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred twenty-one point four hundred
 2 forty-seven (321.447), Code 1946, is hereby amended by striking the
 3 words, "of flares, not less than three (3) or electric lanterns"; and
 4 substituting in lieu thereof the following: ", not less than three (3),
 5 of flares, red reflector electric lanterns, red reflectors", in lines seven
 6 (7) and eight (8).

1 SEC. 2. Section three hundred twenty-one point four hundred forty-
 2 seven (321.447), Code 1946, is further amended by inserting after the
 3 word "red" as it appears the second time in line thirteen (13), the
 4 word "reflector".

1 SEC. 3. Section three hundred twenty-one point four hundred forty-
 2 eight (321.448), Code 1946, is hereby amended by adding after the
 3 word "flares" in line fifteen (15) the following: ", or three red reflector
 4 electric lanterns or three red reflectors".

1 SEC. 4. Section three hundred twenty-one point four hundred forty-
2 eight (321.448), Code 1946, is further amended by adding after the
3 word "flare" in line twenty-three (23), the following: ", red reflector
4 electric lanterns or red reflectors,".

1 SEC. 5. Section three hundred twenty-one point four hundred forty-
2 eight (321.448), Code 1946, is further amended by adding after the
3 word "red" in line thirty-four (34), the word "reflector", and after
4 the word "or" in line thirty-five (35), the word "red".

1 SEC. 6. Section three hundred twenty-one point four hundred forty-
2 eight (321.448), Code 1946, is further amended by adding after the
3 word "or" in line thirty-nine (39), the words "red reflector", and
4 by adding after the word "lanterns" in line thirty-nine (39), the
5 words, "or red reflectors".

1 SEC. 7. Section three hundred twenty-one point four hundred forty-
2 eight (321.448), Code 1946, is further amended by inserting after
3 the word "or" in line forty-one (41), the words, "red reflector", and
4 by inserting after the word "lanterns" in line forty-one (41), the
5 words, "or red reflectors".

1 SEC. 8. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Harrison County Herald-Observer, a newspaper published at
4 Logan, Iowa, and in the Manchester Press, a newspaper published at
5 Manchester, Iowa.

Approved April 30, 1947.

I hereby certify that the foregoing act was published in the Harrison County Herald-
Observer, May 8, 1947, and the Manchester Press, May 8, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 177

SIZE, WEIGHT, AND SPEED OF MOTOR VEHICLES

S. F. 123

AN ACT to promote uniformity with other states in the matter of limitations on the size, weight and speed of motor vehicles and combinations of vehicles, to repeal section three hundred twenty-one point four hundred fifty-seven (321.457), code 1946, relating to the length of motor vehicles and combinations of vehicles, and to enact a substitute therefor, to amend section three hundred twenty-one point four hundred sixty-three (321.463), code 1946, relating to the gross weight of motor vehicles and combinations of motor vehicles, to amend section three hundred twenty-one point two hundred eighty-six (321.286), code 1946, relating to the speed of trucks, and to harmonize the laws of the state of Iowa with the policy of the American association of state highway officials adopted April 1, 1946, concerning the maximum dimensions, weights and speeds of motor vehicles to be operated over the highways.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION. 1. Section three hundred twenty-one point four hundred
2 fifty-seven (321.457), Code 1946, is hereby repealed and the following
3 inserted in lieu thereof:

4 "321.457. **Maximum length.** The maximum length of any motor

5 vehicle or combination of vehicles, except fire fighting apparatus, shall
6 be as follows:

7 (a) No single truck, unladen or with load, shall have an overall
8 length, inclusive of front and rear bumpers, in excess of thirty-five
9 (35) feet.

10 (b) No single bus, unladen or with load, shall have an overall
11 length, inclusive of front and rear bumpers, in excess of forty (40)
12 feet, provided that a bus in excess of thirty-five feet (35) in overall
13 length shall not have less than three (3) axles.

14 (c) No combination of truck-tractor and semi-trailer, unladen or
15 with load, shall have an overall length, inclusive of front and rear
16 bumpers, in excess of forty-five (45) feet."

1 SEC. 2. Section three hundred twenty-one point four hundred
2 sixty-three (321.463), Code 1946, is hereby amended by striking all of
3 said section after the first twelve (12) lines thereof and the following
4 inserted in lieu thereof:

5 "No vehicle or combination of vehicles shall be operated with a
6 total gross weight in pounds in excess of the amount given in the
7 following table corresponding to the distance in feet between the
8 extreme axles of the said vehicle or combination of vehicles measured
9 longitudinally to the nearest foot.

10 "No group of axles of any vehicle, or any combination of vehicles,
11 shall carry a load in pounds in excess of the value given in the following
12 table corresponding to the distance in feet between the extreme axles
13 of the group measured longitudinally to the nearest foot:

14 Distance in feet between 15 the extremes of any group of 16 axles or the extreme axles of 17 the vehicle or combination.	Maximum load in pounds carried on any group of axles or of the vehicle or combination.
--	--

18	4	32,000
19	5	32,000
20	6	32,000
21	7	32,000
22	8	32,610
23	9	33,580
24	10	34,550
25	11	35,510
26	12	36,470
27	13	37,420
28	14	38,360
29	15	39,300
30	16	40,230
31	17	41,160
32	18	42,080
33	19	42,990
34	20	43,900
35	21	44,800
36	22	45,700

Distance—continued		Load—continued
37	23	46,590
38	24	47,470
39	25	48,350
40	26	49,220
41	27	50,090
42	28	50,950
43	29	51,800
44	30	52,650
45	31	53,490
46	32	54,330
47	33	55,160
48	34	55,980
49	35	56,800
50	36	57,610
51	37	58,420
52	38	59,220
53	39	60,010
54	40	60,800

1 SEC. 3. Section three hundred twenty-one point two hundred
2 eighty-six (321.286), Code 1946, is hereby amended by striking
3 the word "forty" from line six (6) of said section and substituting
4 in lieu thereof the words "forty-five".

Approved April 22, 1947.

CHAPTER 178
MOTOR VEHICLE FUEL TAX
H. F. 181

AN ACT to amend certain sections of chapter three hundred twenty-four (324), code, 1946, relating to motor vehicle fuel tax.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Repeal subsection one (1) of section three hundred
2 twenty-four point one (324.1), Code, 1946, and enact in lieu thereof
3 the following: "The term 'distributor' shall mean any person who
4 receives from outside the state or who produces, refines, manufactures,
5 compounds, or blends within the state any motor vehicle fuel to be
6 used within the state or sold or otherwise disposed of within the state
7 for use in the state, including any person who shall order the deliv-
8 ery of any motor vehicle fuel from a refinery or marine or pipeline
9 terminal to a point within the state."

1 SEC. 2. Repeal section three hundred twenty-four point two
2 (324.2), Code, 1946, and enact in lieu thereof the following: "A
3 license fee of four cents (4c) per gallon or fraction of a gallon is
4 hereby imposed on the sale or use of all motor fuel sold or used in
5 this state for any purpose whatsoever, and on all fuel oil used or sold

6 for the purpose of propelling motor vehicles on the highways of the
7 state, and on all fuel oil used in any maintenance and construction
8 work which is paid for from public funds, except that no license fee
9 shall be imposed on motor vehicle fuel sold and exported from the
10 state of Iowa or on motor vehicle fuel refined at a refinery in this
11 state and stored thereat, or on motor vehicle fuel imported into the
12 state by boat, barge or pipeline and stored at a marine or pipeline
13 terminal so long as the same remains in storage at such refinery,
14 marine or pipeline terminal or on motor vehicle fuel sold to the United
15 States or any of its instrumentalities or agencies, unless permitted
16 by the constitution and laws of the United States, provided however
17 that no license fee shall be imposed on the motor vehicle fuel brought
18 into this state in the ordinary fuel tanks attached to and forming a
19 part of a motor vehicle operating upon the highways where such
20 amount does not exceed twenty gallons in the ordinary automobile and
21 fifty gallons in busses and trucks, and any person bringing into this
22 state in the fuel tanks of any motor vehicle more motor vehicle fuel
23 than here provided shall be guilty of a misdemeanor and shall be pun-
24 ished by a fine of not less than twenty dollars and not more than one
25 hundred dollars or imprisonment in the county jail for not less than
26 ten nor more than thirty days and each such entry shall be considered
27 a separate offense. Said license fee shall be paid to the state of Iowa
28 but once on any particular gallonage of motor vehicle fuel. Any per-
29 son selling, using or otherwise disposing of motor vehicle fuel within
30 the state shall be liable for the license fees herein provided for, unless
31 the same shall have been previously paid. Said license fee shall be
32 advanced, remitted, collected and paid by the persons and at the time
33 and in the manner hereinafter provided. The said license fees when
34 paid shall be disposed of in the manner hereinafter provided."

1 SEC. 3. Amend section three hundred twenty-four point fifteen
2 (324.15), Code, 1946, by inserting as paragraph one (1) thereof the
3 following: "If while enroute to its destination from storage or re-
4 finery without the state or from barge or pipeline terminal within the
5 state, any motor fuel is lost or destroyed by accident the treasurer
6 upon proper application and satisfactory proof of such loss may allow
7 the distributor a credit for the tax on the lost gallonage after the tax
8 on said motor fuel has been paid in accordance with the invoiced gal-
9 lonage of the load. Notice of such loss must be filed with the treasurer
10 within ten days and proof filed within thirty days."

1 SEC. 4. Amend section three hundred twenty-four point thirty-
2 three (324.33), Code, 1946, by inserting after the word "plate" in line
3 forty-five (45) the following: "All conveyances licensed under this
4 section shall be identified with the name or recognized trademark of
5 the company transporting petroleum products. The name or names
6 shall be painted on the vehicle or tankwagon with letters six inches
7 in height or larger."

1 SEC. 5. Repeal section three hundred twenty-four point fifty
2 (324.50), Code, 1946, and enact the following in lieu thereof: "Any
3 person who shall use any motor fuel for the purpose of operating or
4 propelling stationary gas engines, farm tractors, aircraft or boats or
5 for cleaning or dyeing purposes, or for any other purpose except in

6 motor vehicles operated or intended to be operated upon the public
7 highways, and who shall have paid the license fees for such motor fuel
8 imposed by this chapter, either directly to the treasurer or indirectly
9 by having the same added to the price of such fuel, and who shall have
10 obtained a permit therefor as provided in this chapter, shall be reim-
11 bursed and repaid the amount of such license fees so paid, upon pre-
12 senting to the treasurer a claim for refund, which claim shall be in
13 a form prescribed by the treasurer and shall be verified by the oath
14 of the claimant and shall have attached thereto the original invoice
15 or invoices, serially numbered, showing the purchase of the motor fuel
16 on which a refund is claimed, and shall state the name of the person
17 from whom the motor fuel was purchased, the date of purchase, the
18 total amount of such motor fuel, that the purchase price thereof has
19 been paid and that said price included the motor vehicle fuel license
20 fee payable to the state of Iowa under the provisions of this chapter,
21 that such fuel was used by the claimant otherwise than in motor vehi-
22 cles operated or intended to be operated upon the public highways, the
23 manner in which said motor fuel was used and the equipment in which
24 it was used. Said claim shall also show whether or not the claimant
25 used fuel for motor vehicles operated upon the public highway from
26 the same tanks or other receptacles from which the motor fuel on
27 which the refund is claimed was kept.

28 "No refund will be paid to any person on any motor vehicle fuel
29 carried in the fuel tank of any motor vehicle entering another state.

30 "No refund shall be made on claims for motor fuel purchased more
31 than three calendar months prior to the filing of the claim for refund."

1 SEC. 6. Repeal section three hundred twenty-four point fifty-three
2 (324.53), Code, 1946, and enact in lieu thereof the following: "When
3 motor fuel is sold to a person who shall claim to be entitled to a re-
4 fund of the motor vehicle fuel license fees herein imposed, the seller
5 of such motor fuel shall make out separate invoices, serially num-
6 bered, for each purchase on forms which shall be approved by the
7 treasurer, showing the name and address of the seller and the name
8 and address of the purchaser, the number of gallons of motor fuel so
9 sold written in words and figures, and the nature and kind of fuel so
10 sold, and the date of purchase, and shall state that the purchase price
11 includes the motor vehicle fuel license fee payable to the state of Iowa,
12 and that said price has been paid. All invoices shall be legibly writ-
13 ten and shall not be the basis of a refund, if any corrections or erasures
14 appear on the face thereof."

1 SEC. 7. Repeal section three hundred twenty-four point fifty-four
2 (324.54), Code, 1946, and enact in lieu thereof the following: "No
3 tax refund shall be paid to any person, firm, or corporation on any
4 motor vehicle fuel used in any construction or maintenance work which
5 is paid for from public funds. Construction or maintenance work as
6 used in this section shall not be so construed as to include motor vehicle
7 fuel used in the actual production of sand, gravel, shale, slag or crushed
8 rock."

1 SEC. 8. Amend section three hundred twenty-four point fifty-seven
2 (324.57), Code, 1946, by adding the following: "A fee of one dollar
3 (\$1.00) shall be collected by the treasurer from each person to whom

4 a refund permit is issued after July 1, 1947. No refund shall be paid
5 to any person after July 1, 1947, unless said person has first secured
6 a refund permit and paid said fee. A refund permit must be renewed
7 and the license fee paid each two years from date of issuance."

1 SEC. 9. Amend section three hundred twenty-four point sixty-three
2 (324.63), Code, 1946, by striking the first word "month" in line
3 twenty-seven (27) and inserting in lieu thereof the words "January,
4 April, July and October", and by striking the fifth word "month" in
5 line forty-two (42) and inserting in lieu thereof the words "January,
6 April, July and October".

1 SEC. 10. This act being deemed of immediate importance shall be
2 in full force and effect on its publication in the Northwood Anchor, a
3 newspaper published at Northwood, Iowa, and in the Lake Mills
4 Graphic, a newspaper published at Lake Mills, Iowa.

Approved April 23, 1947.

I hereby certify that the foregoing act was published in the Northwood Anchor, May
1, 1947, and the Lake Mills Graphic, April 30, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 179

MOTOR VEHICLE FUEL TAX DISTRIBUTION

H. F. 458

AN ACT to amend section three hundred twenty-four point sixty-three (324.63), code
1946, relating to motor vehicle fuel license fee and the distribution of proceeds
to incorporated cities and towns.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred twenty-four point sixty-three
2 (324.63), Code 1946, is amended by adding the following:
3 "When a city or town of this state has been incorporated subsequent
4 to the latest federal census or no federal census is available, the
5 council shall after proper proceedings immediately take a census
6 of the population of such incorporated city or town and pay for
7 the same out of the general fund. The population, census, council
8 proceedings, and manner of obtaining the census shall be set out
9 in an affidavit verified under oath and signed by every council member
10 and certified by the city clerk to the treasurer of state. The census
11 shall be the official census of the population of the city or town until
12 the next federal census. The incorporated city or town shall then
13 be credited and apportioned its portion as set out in this section."

1 SEC. 2. This act being deemed of importance shall be in full force
2 and effect from and after its passage and publication in the Spencer
3 Times, a newspaper published at Spencer, Iowa and the Waterloo
4 Daily Courier, a newspaper published at Waterloo, Iowa.

Approved April 16, 1947.

I hereby certify that the foregoing act was published in the Spencer Times, April 24,
1947, and the Waterloo Daily Courier, April 18, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 180
AIRCRAFT REGISTRATION
H. F. 375

AN ACT to amend section three hundred twenty-eight point twenty-one (328.21), code 1946, relating to the registration fee for aircraft.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Subsection one (1) of section three hundred twenty-
2 eight point twenty-one (328.21), Code 1946, is hereby amended by
3 striking from lines three (3) and four (4) thereof, the words "and all
4 its equipment."

1 SEC. 2. Amend subsection four (4) of section three hundred twenty-
2 eight point twenty-one (328.21), Code 1946, by inserting after the
3 word "be" in line four (4) the words "a fee of ten dollars (\$10.00)
4 each for the first two (2) years of registration and thereafter".

5 Further amend said subsection four (4) of section three hundred
6 twenty-eight point twenty-one (328.21) by inserting after the word
7 "for" in line six (6) the words "in subsections two (2) and three (3)
8 of this section".

1 SEC. 3. Section three hundred twenty-eight point twenty-one
2 (328.21), Code 1946, is hereby amended by adding thereto following
3 subsection four (4) thereof the following subsection:

4 "5. Should the commission find and determine that no established
5 manufacturer's list price exists for any such aircraft the commission
6 is hereby authorized and empowered to thereupon determine and fix
7 the fair value of such aircraft which fair value shall be used in lieu
8 of a manufacturer's list price in computing the registration fee for
9 each such aircraft as otherwise provided by this section."

1 SEC. 4. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Eagle Grove Eagle, a newspaper published at Eagle Grove, Iowa,
4 and in the Council Bluffs Nonpareil, a newspaper published at Council
5 Bluffs, Iowa.

Approved April 29, 1947.

I hereby certify that the foregoing was published in the Eagle Grove Eagle, May 8, 1947, and the Council Bluffs Nonpareil, May 2, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 181
FLYING WHILE INTOXICATED
H. F. 377

AN ACT relating to the flight of aircraft over lands and waters of the state and the prohibiting of operation of aircraft while under the influence of intoxicating liquors or habit-forming drugs, or in a careless or reckless manner.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. It shall be unlawful for any person to operate an
2 aircraft in the air space above this state or on the ground or water

3 within this state, while under the influence of intoxicating liquor,
 4 narcotics, or other habit-forming drug, or to operate an aircraft in
 5 the air space above this state or on the ground or water within this
 6 state in a careless or reckless manner so as to endanger the life or
 7 property of another.

1 SEC. 2. Any person who violates the provisions of this act shall
 2 be guilty of a misdemeanor and upon conviction thereof shall be
 3 punished accordingly.

Approved April 24, 1947.

CHAPTER 182
 AIRPORT ZONING
 H. F. 374

AN ACT to amend sections three hundred twenty-nine point one (329.1), three hundred
 twenty-nine point four (329.4), three hundred twenty-nine point six (329.6),
 three hundred twenty-nine point nine (329.9) and three hundred twenty-nine point
 twelve (329.12), code 1946, relating to airport zoning, actions for the establishment
 of airport zoning regulations with respect to extra-territorial airport hazard
 areas, the courts wherein such actions may be maintained and the parties to
 such actions, airport zoning commissions, action by counties with respect to airport
 zoning and airport zoning boards of adjustment.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Subsection two (2) of section three hundred twenty-
 2 nine point four (329.4), Code 1946, is hereby amended by inserting
 3 after the word "area" and before the word "is" in line fourteen (14)
 4 thereof, the words "or any part thereof".

1 SEC. 2. Section three hundred twenty-nine point six (329.6),
 2 Code 1946, is hereby amended by striking from line ten (10) thereof
 3 the word "municipality" and inserting in lieu thereof, the words
 4 "airport hazard area, or any part thereof," and said section is hereby
 5 further amended by striking the word "proceedings" in lines thirteen
 6 (13) and fourteen (14) thereof and inserting in lieu thereof the
 7 word "provisions" and said section is hereby further amended by
 8 striking the period (.) at the end of line fifteen (15) thereof, and
 9 inserting in lieu thereof, the following: "provided, however, that
 10 such municipality shall be joined as a party defendant in any such
 11 action."

1 SEC. 3. Section three hundred twenty-nine point nine (329.9),
 2 Code 1946, is hereby amended by adding thereto following the first
 3 sentence thereof, the following: "Any action taken on the part of
 4 any county under this chapter shall be by resolution of the board of
 5 supervisors thereof and no such action shall be taken without a
 6 majority of the board of supervisors voting therefor and consenting
 7 thereto." and said section is hereby further amended by striking
 8 therefrom the last sentence thereof, and by inserting in lieu thereof,
 9 the following: "The airport zoning commission shall consist of two
 10 members from each municipality selected by the governing body there-
 11 of and one additional member to act as chairman and to be selected

12 by a majority vote of the members selected by the municipality. The
13 terms of the members of the airport zoning commission shall be
14 for six years excepting that when the board shall first be created, one
15 of the members appointed by each municipality shall be appointed for
16 a term of two years and one for a term of four years. Members may
17 be removed for cause by the appointing authority upon written
18 charges after public hearing. Vacancies shall be filled for the unexpired
19 term of any member whose office becomes vacant in the same manner
20 in which said member was selected."

1 SEC. 4. Section three hundred twenty-nine point twelve (329.12),
2 Code 1946, is hereby amended by inserting therein following the
3 first paragraph thereof, the following: "The concurring vote of a
4 majority of the board shall be necessary to reverse any order, require-
5 ment, decision or determination of any administrative official or to
6 decide in favor of the applicant on any matter upon which it is
7 required to pass under any regulations adopted pursuant to this
8 chapter or to effect any variance therefrom." and said section is
9 hereby further amended by striking from the last line thereof, the
10 word "term" and inserting in lieu thereof the word "office" and said
11 section is hereby further amended by striking the period (.) at the
12 end thereof and inserting in lieu thereof the following: "in the same
13 manner in which said member was selected. The terms of the members
14 of the board of adjustment shall be for five years, excepting that when
15 the board shall first be created, one of the members appointed by
16 each municipality shall be appointed for a term of two years and
17 one for a term of four years."

1 SEC. 5. This act shall not affect the validity of any action taken
2 by any political subdivision creating an airport zoning commission,
3 appointing any existing comprehensive zoning commission as an
4 airport zoning commission or for any other purpose under the
5 provisions of chapter three hundred twenty-nine (329), Code 1946,
6 prior to the effective date of this act.

1 SEC. 6. Subsection four (4) of section three hundred twenty-nine
2 point one (329.1), Code 1946, is hereby amended by inserting follow-
3 ing the comma (,) after the word "village" and before the word "town"
4 in line two (2) thereof the word "or". Said subsection is further
5 hereby amended by striking from line two (2) thereof the following
6 "or township," and said subsection is further hereby amended by
7 striking all of said subsection following the word "state" in line
8 two (2) thereof and inserting in lieu thereof a period (.).

1 SEC. 7. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Toledo Chronicle, a newspaper published at Toledo, Iowa, and
4 in the Lake Mills Graphic, a newspaper published at Lake Mills,
5 Iowa.

Approved April 24, 1947.

I hereby certify that the foregoing act was published in the Toledo Chronicle, May 1,
1947, and the Lake Mills Graphic, April 30, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 183

COMPENSATION OF COUNTY OFFICERS

S. F. 181

AN ACT to amend sections three hundred thirty-one point twenty-two (331.22), three hundred forty point one (340.1), three hundred forty point three (340.3), three hundred forty point five (340.5), three hundred forty point seven (340.7) to three hundred forty point eleven (340.11), inclusive, three hundred forty point eighteen (340.18) and four hundred forty-four point nine (444.9); code 1946; to repeal sections three hundred forty point two (340.2), three hundred forty point four (340.4), three hundred forty point six (340.6) and three hundred forty point twelve (340.12), code 1946, and to enact substitutes therefor—all relating to the compensation of county officers, their deputies, assistants and clerks and the millage levy to pay such compensation and to provide compensation for county assessors ex officio, deputy county assessors, and city assessors and their deputies.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred thirty-one point twenty-two
2 (331.22), Code 1946, is amended by striking from lines three (3) and
3 four (4) the word "five" and inserting in lieu thereof the word "seven",
4 and by striking lines fourteen (14) to thirty-five (35), inclusive, and
5 inserting in lieu thereof the following:

6 "However, in counties now having or which may hereafter have
7 a population in excess of sixty thousand, with boards not exceeding
8 five members in number, these county supervisors shall receive an
9 annual salary of three thousand dollars except in those counties
10 now having or which may hereafter have a population in excess
11 of sixty thousand (60,000), with boards not exceeding three (3)
12 members in number, these county supervisors shall each receive an
13 annual salary of thirty-five hundred (\$3,500) dollars, and in counties
14 now having or which may hereafter have a population in excess of
15 one hundred fifty thousand, county supervisors shall receive an annual
16 salary of forty-two hundred dollars. These salaries shall be in full
17 payment of all services rendered to the county by said supervisors
18 except statutory mileage while actually engaged in the performance
19 of official duties."

1 SEC. 2. Section three hundred forty point one (340.1), three
2 hundred forty point three (340.3), three hundred forty point five
3 (340.5) and three hundred forty point eleven (340.11), Code 1946,
4 are hereby amended by striking therefrom subsections one (1) to
5 eleven (11), inclusive, and inserting in lieu thereof the following:

6 "1. Less than ten thousand, twenty-four hundred dollars.
7 "2. Ten thousand and less than fifteen thousand, twenty-five hundred
8 fifty dollars.
9 "3. Fifteen thousand and less than twenty thousand, twenty-seven
10 hundred dollars.
11 "4. Twenty thousand and less than twenty-five thousand, twenty-
12 eight hundred fifty dollars.
13 "5. Twenty-five thousand and less than thirty thousand, three
14 thousand dollars.
15 "6. Thirty thousand and less than thirty-five thousand, thirty-one
16 hundred fifty dollars.
17 "7. Thirty-five thousand and less than forty thousand, thirty-three
18 hundred dollars.

19 "8. Forty thousand and less than forty-five thousand, thirty-four
20 hundred fifty dollars.

21 "9. Forty-five thousand and less than fifty thousand, thirty-six
22 hundred dollars.

23 "10. Fifty thousand and less than sixty thousand, thirty-nine
24 hundred dollars.

25 "11. Sixty thousand and less than seventy thousand, forty-two
26 hundred dollars.

27 "12. Seventy thousand and less than eighty thousand, forty-five
28 hundred dollars.

29 "13. Eighty thousand and over, forty-eight hundred dollars.

30 "14. In addition to the foregoing, each county auditor shall receive
31 the sum of three hundred dollars (\$300.00), per annum for discharging
32 his duties as county assessor, ex-officio."

33 and by renumbering subsection twelve (12) of sections three hundred
34 forty point one (340.1), three hundred forty point three (340.3), three
35 hundred forty point eleven (340.11) and the last paragraph of section
36 three hundred forty point five (340.5) as subsection fourteen (14).

1 SEC. 3. Section three hundred forty point seven (340.7), Code
2 1946, is hereby amended by striking subsections one (1) to ten (10),
3 inclusive, and inserting in lieu thereof the following:

4 "1. Less than ten thousand, twenty-four hundred dollars.

5 "2. Ten thousand and less than fifteen thousand, twenty-five hundred
6 fifty dollars.

7 "3. Fifteen thousand and less than twenty thousand, twenty-seven
8 hundred dollars.

9 "4. Twenty thousand and less than twenty-five thousand, twenty-
10 eight hundred fifty dollars.

11 "5. Twenty-five thousand and less than thirty thousand, three
12 thousand dollars.

13 "6. Thirty thousand and less than thirty-five thousand, thirty-one
14 hundred fifty dollars.

15 "7. Thirty-five thousand and less than forty thousand, thirty-three
16 hundred dollars.

17 "8. Forty thousand and less than forty-five thousand, thirty-four
18 hundred fifty dollars.

19 "9. Forty-five thousand and less than fifty thousand, thirty-six
20 hundred dollars.

21 "10. Fifty thousand and less than sixty thousand, thirty-nine
22 hundred dollars.

23 "11. Sixty thousand and less than seventy thousand, forty-two
24 hundred dollars.

25 "12. Seventy thousand and less than eighty thousand, forty-five
26 hundred dollars.

27 "13. Eighty thousand and less than one hundred twenty-five
28 thousand, five thousand dollars.

29 "14. One hundred twenty-five thousand and over, six thousand
30 dollars.", and renumbering subsections eleven (11) and twelve (12)
31 as "15" and "16" respectively.

1 SEC. 4. Section three hundred forty point eight (340.8), Code
2 1946, is hereby amended by striking therefrom subsections one (1),
3 two (2) and three (3) and inserting in lieu thereof the following:

4 "1. Less than twenty-five thousand, not less than eighteen hundred
5 dollars nor more than twenty-four hundred dollars, as fixed by the
6 board of supervisors.

7 "2. Twenty-five thousand and under fifty thousand, not less than
8 twenty-one hundred dollars nor more than twenty-seven hundred
9 dollars, as fixed by the board of supervisors.

10 "3. Fifty thousand or over, not less than twenty-four hundred
11 dollars nor more than three thousand dollars, as fixed by the board
12 of supervisors.

13 "4. In any county where district court is held in two places, for
14 the chief deputy and for any deputy other than the chief deputy in
15 charge of the office where such court is held outside the county seat,
16 seventy-five per cent of the amount of the salary of the sheriff
17 but not to exceed three thousand dollars."

1 SEC. 5. Section three hundred forty point nine (340.9), Code 1946,
2 is hereby amended by striking therefrom subsection one (1) to
3 and including the first two lines of subsection ten (10) and inserting
4 in lieu thereof the following:

5 "1. Less than ten thousand, twenty-four hundred dollars.

6 "2. Ten thousand and less than fifteen thousand, twenty-five hundred
7 fifty dollars.

8 "3. Fifteen thousand and less than twenty thousand, twenty-seven
9 hundred dollars.

10 "4. Twenty thousand and less than twenty-five thousand, twenty-
11 eight hundred fifty dollars.

12 "5. Twenty-five thousand and less than thirty thousand, three
13 thousand dollars.

14 "6. Thirty thousand and less than thirty-five thousand, thirty-one
15 hundred fifty dollars.

16 "7. Thirty-five thousand and less than forty thousand, thirty-three
17 hundred dollars.

18 "8. Forty thousand and less than forty-five thousand, thirty-four
19 hundred fifty dollars.

20 "9. Forty-five thousand and less than fifty thousand, thirty-six
21 hundred dollars.

22 "10. Fifty thousand and less than sixty thousand, thirty-nine
23 hundred dollars.

24 "11. Sixty thousand and less than seventy thousand, forty-two
25 hundred dollars.

26 "12. Seventy thousand and less than eighty thousand, forty-five
27 hundred dollars.

28 "13. Eighty thousand and less than one hundred thousand, five
29 thousand dollars.

30 "14. One hundred thousand and less than one hundred fifty thousand,
31 fifty-six hundred dollars.

32 "15. One hundred fifty thousand and over, six thousand dollars."

1 SEC. 6. Section three hundred forty point ten (340.10), Code 1946,
2 is hereby amended by striking therefrom subsections one (1) to five
3 (5), inclusive, and inserting in lieu thereof the following:

4 "1. Less than thirty-six thousand, no compensation.

5 "2. Thirty-six thousand and over, where an assistant county attorney

6 is required, the first assistant shall receive seventy-five per cent of
7 the amount of the salary of the county attorney.

8 "3. Thirty-six thousand and over, where assistants in addition to
9 the first assistant county attorney are required, fifty per cent to
10 sixty-five per cent of the amount of the salary of the county attorney,
11 as fixed by the board of supervisors."
12 and by renumbering subsection six (6) as subsection "4".

1 SEC. 7. Sections three hundred forty point two (340.2), three
2 hundred forty point four (340.4), three hundred forty point six
3 (340.6) and three hundred forty point twelve (340.12), Code 1946,
4 are hereby repealed and the following enacted in lieu thereof:

5 "The first deputy auditor, treasurer, recorder and clerk, and the
6 second such deputy if a second deputy is required, shall receive an
7 annual salary in counties having a population of:

8 "1. Less than twenty-five thousand, seventy-five per cent of the
9 amount of the salary of his or her principal but not to exceed twenty-
10 one hundred dollars.

11 "2. Twenty-five thousand and under fifty thousand, seventy-five
12 per cent of the amount of the salary of his or her principal but not
13 to exceed twenty-four hundred dollars.

14 "3. Fifty thousand and under one hundred thousand, seventy-five
15 per cent of the amount of the salary of his or her principal but not
16 to exceed three thousand dollars.

17 "4. One hundred thousand and over, seventy-five per cent of the
18 amount of the salary of his or her principal but not to exceed thirty-
19 three hundred dollars.

20 "5. In any county having within its limits a city having a population
21 of thirty-six thousand or over, each additional deputy shall receive
22 fifty-five to sixty per cent of the amount of the salary of his or her
23 principal as fixed by the board of supervisors. If more than four
24 deputies are required, or additional clerks, the board of supervisors
25 shall fix the amount of their compensation.

26 "6. Fifty-three thousand or over, in which there exists a city, not
27 the county seat, having a population of six thousand or over, the
28 treasurer may appoint a resident deputy collector of taxes for such
29 city and vicinity under bond as provided for other deputies, and his
30 compensation shall be the same percentage of the treasurer's salary
31 as the chief deputy and second deputy in such county. Such resident
32 deputy collector shall maintain an office in such city for a period
33 of approximately five weeks each spring and fall, such periods to
34 terminate on April 1 and October 1 respectively or as soon thereafter
35 as possible, and the remainder of the year he shall be on duty as
36 a deputy in the county treasurer's office. The treasurer in such case
37 shall prepare the necessary books and records for such deputy each
38 year, and the board of supervisors is authorized to allow payment of
39 incidental expenses pertaining to the operation of such office, not
40 to exceed one hundred dollars per year."

1 SEC. 8. Section three hundred forty point eighteen (340.18), Code
2 1946, is hereby amended by striking from lines six (6) and seven
3 (7) the words "shall receive sixty-five per cent of the amount of the
4 salary of his principal." and by inserting in lieu thereof the following:

5 "shall receive seventy-five per cent of the amount of the salary of his
6 principal but not to exceed three thousand dollars."

1 SEC. 9. Section four hundred forty-four point nine (444.9), Code
2 1946, is hereby amended by striking from subsection two (2) the
3 word "three" appearing in line two (2) and inserting in lieu thereof
4 the words "three and one-half"; by striking the words "two and one-
5 half" appearing in line four (4) and inserting in lieu thereof the
6 word "three"; by striking from line eight (8) the word "two" and
7 inserting in lieu thereof the words "two and one-half"; and by striking
8 from line eleven (11) the words "one and one-half" and inserting
9 in lieu thereof the word "two".

1 SEC. 10. The board of supervisors shall fix the annual salary of
2 the first deputy assessor appointed pursuant to the provisions of
3 section 2 of Senate File 46*, Acts of the Fifty-second General Assem-
4 bly, and who is in charge of the assessment of property directly under
5 the county auditor, at the same salary paid the county auditor in his
6 respective county.

1 SEC. 11. Until such time as a city assessor is qualified under the
2 provisions of Senate File 46*, Acts of the Fifty-second General Assem-
3 bly, the compensation of city assessors and deputies shall be as follows:
4 1. In cities of the first class having a population of more than
5 twenty-five thousand and less than forty thousand the compensation
6 of the assessor shall be twenty-four hundred dollars per annum,
7 in cities of the first class having a population of more than forty
8 thousand and less than forty-five thousand the compensation of the
9 assessor shall be thirty-two hundred dollars per annum, and in those
10 of less population not more than twenty-four hundred dollars per
11 annum, or not less than seven dollars per day for the time actually
12 employed, to be fixed by the board of supervisors; and that of the
13 deputies not more than seven dollars nor less than five dollars per
14 calendar day, Sunday excepted, for the time actually employed, to
15 be fixed by the board of supervisors.

16 2. In cities of the commission form of government having a popula-
17 tion of more than twenty-five thousand and less than forty-five
18 thousand the compensation of the head deputy assessor shall be two
19 thousand dollars.

20 3. In cities of the first class having a population of more than
21 forty-five thousand and less than sixty thousand the compensation
22 of the assessor shall be thirty-eight hundred dollars per year. Full
23 time deputy assessors in such cities shall receive as their annual
24 compensation seventy-five per cent (75%) of the amount of compensa-
25 tion of the city assessor but not to exceed twenty-seven hundred
26 dollars (\$2,700.00).

27 4. In cities under the commission form of government having
28 a population of more than forty-five thousand and less than sixty
29 thousand, and in cities acting under special charter having a population
30 of more than forty-five thousand and less than sixty thousand the
31 board of supervisors shall fix the compensation of the assessor at
32 thirty-two hundred dollars per annum, and the compensation of not
33 more than two head deputy assessors at twenty-four hundred dollars
34 per annum.

35 5. In cities under the commission form of government having
 36 a population of more than sixty thousand and less than one hundred
 37 twenty-five thousand the board of supervisors shall fix the compensa-
 38 tion of the assessor at forty-eight hundred dollars per annum and
 39 the compensation of the two head deputy assessors at thirty-two
 40 hundred dollars per annum and the compensation of one additional
 41 full time deputy at twenty-four hundred dollars per annum.

1 SEC. 12. The provisions of this Act shall be in full force and
 2 effect beginning July 1, 1947.

Approved April 18, 1947.

CHAPTER 184

COUNTY ZONING COMMISSION

S. F. 106

AN ACT granting to the board of supervisors of any county, with a population of not less than 60,000 inhabitants, with respect to lands located within the county but lying outside the corporate limits of any city or town, the power to appoint a zoning commission and to prescribe its duties; to divide the county into districts with respect to the development and uses of the property therein; to adopt uniform rules for such property which may affect the general welfare; to appoint an administrative officer authorized to enforce such uniform rules and to provide for the payment of such officer; to provide for the appointment of a board of adjustment and to prescribe its duties; to institute appropriate action or proceedings in case of violation of this act or of any ordinance or regulation made under authority conferred thereby; to provide for appeals from the action of the board of adjustment and from the board of supervisors or its administrative officer, and prescribing notice and hearing of such appeal; to impose sanitation requirements in dwellings now or hereafter erected; and to provide penalties for violations.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The provisions of this act shall apply only to counties
 2 which now have, or may hereafter have, a population of not less than
 3 60,000 inhabitants as determined by the last preceding official federal
 4 census, and then only at the option of the board of supervisors of
 5 any such county.

1 SEC. 2. No regulation or ordinance adopted under the provisions
 2 of this act shall be construed to apply to land, farm houses, farm barns,
 3 farm outbuildings or other buildings, structures, or erections which
 4 are adapted, by reason of nature and area, for use for agricultural
 5 purposes as a primary means of livelihood, while so used.

1 SEC. 3. Subject to the provisions of sections one (1) and two
 2 (2) hereof, the board of supervisors of any county is hereby empowered
 3 to regulate and restrict the height, number of structures, and size
 4 of buildings and other structures, the percentage of lot that may be
 5 occupied, the size of yards, courts and other open spaces, the density
 6 of population, and the location and use of buildings, structures, and
 7 land for trade, industry, residence or other purposes, and to regulate,
 8 restrict and prohibit the use for residential purposes of tents, trailers
 9 and portable or potentially portable structures; provided that such
 10 powers shall be exercised only with reference to land and structures

11 located within the county but lying outside of the corporate limits
12 of any city or town, provided further that no restriction of industrial
13 or commercial enterprise, buildings or structures in unincorporated
14 areas shall become effective until approved by a majority, in number
15 and amount of assessment, of the resident real property taxpayers
16 owning real property in the area or district in which such restriction
17 is to be imposed, either (1) at an election held for that purpose, or
18 (2) by their signing an appropriate document indicating their approval.

1 SEC. 4. For any and all of said purposes the board of supervisors
2 may divide the county, or any area or areas within the county, into
3 districts of such number, shape, and area as may be deemed best
4 suited to carry out the purposes of this act; and within such districts
5 it may regulate and restrict the erection, construction, reconstruction,
6 alteration, repair, or use of buildings, structures or land. All such
7 regulations and restrictions shall be uniform for each class or kind of
8 buildings throughout each district, but the regulations in one district
9 may differ from those in other districts.

1 SEC. 5. Such regulations shall be made in accordance with a compre-
2 hensive plan and designed to lessen congestion in the street or highway;
3 to secure safety from fire, panic, and other dangers; to protect health
4 and the general welfare; to provide adequate light and air; to prevent
5 the overcrowding of land; to avoid undue concentration of population;
6 to facilitate the adequate provision of transportation, water, sewerage,
7 schools, parks and other public requirements.

8 Such regulations shall be made with reasonable consideration, among
9 other things, as to the character of the area of the district and the
10 peculiar suitability of such area for particular uses, and with a view
11 to conserving the value of buildings and encouraging the most appro-
12 priate use of land throughout such county.

1 SEC. 6. The board of supervisors shall provide for the manner in
2 which such regulations and restrictions and the boundaries of such
3 districts shall be determined, established, and enforced, and from time
4 to time amended, supplemented or changed. However, no such regula-
5 tion, restriction, or boundary shall become effective until after a public
6 hearing in relation thereto, at which parties in interest and citizens
7 shall have an opportunity to be heard. At least 15 days' notice of the
8 time and place of such hearing shall be published in a paper of general
9 circulation in such county.

1 SEC. 7. Such regulations, restrictions, and boundaries may, from
2 time to time, be amended, supplemented, changed, modified, or repealed.
3 In case, however, of a protest against such change signed by the owners
4 of twenty percent or more either of the area included in such proposed
5 change, or of the area immediately adjacent thereto and within 500
6 feet of the boundaries thereof, such amendment shall not become
7 effective except by the favorable vote of at least sixty percent of all
8 of the members of the board of supervisors. The provisions of Section 6
9 relative to public hearings and official notice shall apply equally to all
10 changes or amendments.

1 SEC. 8. In order to avail itself of the powers conferred by this act,
2 the board of supervisors shall appoint a commission, to be known as

3 the county zoning commission, to recommend the boundaries of the
4 various original districts, and appropriate regulations and restrictions
5 to be enforced therein. Such commission shall, with due diligence,
6 prepare a preliminary report and hold public hearings thereon before
7 submitting its final report; and the board of supervisors shall not hold
8 its public hearings or take action until it has received the final report
9 of such commission. After the adoption of such regulations, restric-
10 tions, and boundaries of districts, the zoning commission may, from
11 time to time, recommend to the board of supervisors amendments,
12 supplements, changes or modifications.

1 SEC. 9. The board of supervisors shall appoint an administrative
2 officer authorized to enforce the resolutions or ordinances so adopted
3 by the board of supervisors. Such administrative officer may be a
4 person holding other public office in the county, or in a city or other
5 governmental subdivision within the county, and the board of super-
6 visors is authorized to pay to such officer out of the general fund such
7 compensation as it shall deem fit.

1 SEC. 10. The board of supervisors shall provide for the appointment
2 of a board of adjustment, and in the regulations and restrictions
3 adopted pursuant to the authority of this act shall provide that the said
4 board of adjustment may, in appropriate cases, and subject to appro-
5 priate conditions and safeguards, make special exceptions to the terms
6 of the ordinances or regulations in harmony with its general purpose
7 and intent and in accordance with the general or specific rules therein
8 contained, and provide that any property owner aggrieved by the action
9 of the board of supervisors in the adoption of such regulations and
10 restrictions may petition the said board of adjustment direct to modify
11 regulations and restrictions as applied to such property owners.

1 SEC. 11. The board of adjustment shall consist of five members each
2 to be appointed for a term of five years, excepting that when the board
3 shall first be created one member shall be appointed for a term of five
4 years, one for a term of four years, one for a term of three years,
5 one for a term of two years, and one for a term of one year. Members
6 shall be removable for cause by the appointing authority upon written
7 charges and after public hearing. Vacancies shall be filled for the
8 unexpired term of any member whose term becomes vacant.

1 SEC. 12. The board shall adopt rules in accordance with the provi-
2 sions of any regulation or ordinance adopted pursuant to this chapter.
3 Meetings of the board shall be held at the call of the chairman and
4 at such other times as the board may determine. Such chairman, or
5 in his absence, the acting chairman, may administer oaths and compel
6 the attendance of witnesses. All meetings of the board shall be open
7 to the public. The board shall keep minutes of its proceedings, showing
8 the vote of each member upon each question, or if absent or failing
9 to vote, indicating such fact, and shall keep records of its examinations
10 and other official actions, all of which shall be immediately filed in the
11 office of the board and shall be a public record.

1 SEC. 13. Appeals to the board of adjustment may be taken by any
2 person aggrieved or by any officer, department, board or bureau of the
3 county affected by any decision of the administrative officer. Such

4 appeal shall be taken within a reasonable time, as provided by the
5 rules of the board of adjustment, by filing with the officer from whom
6 the appeal is taken and with the board of adjustment a notice of appeal
7 specifying the grounds thereof. The officer from whom the appeal is
8 taken shall forthwith transmit to the board of adjustment all the
9 papers constituting the record upon which the action appealed from
10 was taken.

1 SEC. 14. An appeal stays all proceedings in furtherance of the action
2 appealed from, unless the officer from whom the appeal is taken
3 certifies to the board of adjustment after the notice of appeal shall
4 have been filed with him that by reason of facts stated in the certificate
5 a stay would, in his opinion, cause imminent peril to life or property.
6 In such case proceedings shall not be stayed otherwise than by a
7 restraining order which may be granted by the board of adjustment
8 or by a court of record on application on notice to the officer from
9 whom the appeal is taken and on due cause shown.

1 SEC. 15. The board of adjustment shall have the following powers:
2 1. To hear and decide appeals where it is alleged there is error in
3 any order, requirement, decision or determination made by an adminis-
4 trative official in the enforcement of this chapter or of any ordinance
5 adopted pursuant thereto.
6 2. To hear and decide special exceptions to the terms of the ordinance
7 upon which such board is required to pass under such ordinance.
8 3. To authorize upon appeal, in specific cases, such variance from
9 the terms of the ordinance as will not be contrary to the public interest,
10 where owing to special conditions a literal enforcement of the provi-
11 sions of the ordinance will result in unnecessary hardship, and so that
12 the spirit of the ordinance shall be observed and substantial justice
13 done.

1 SEC. 16. In exercising the above mentioned powers such board may,
2 in conformity with the provisions of this chapter, reverse or affirm,
3 wholly or partly, or may modify the order, requirement, decision, or
4 determination appealed from and may make such order, requirement,
5 decision, or determination as ought to be made, and to that end shall
6 have all the powers of the officer from whom the appeal is taken.

1 SEC. 17. The concurring vote of three members of the board shall
2 be necessary to reverse any order, requirement, decision, or determina-
3 tion of any such administrative official, or to decide in favor of the
4 applicant on any matter upon which it is required to pass under any
5 such ordinance or to effect any variation in such ordinance.

1 SEC. 18. Any person or persons, jointly or severally, aggrieved by
2 any decision of the board of adjustment under the provisions of this
3 act, or any taxpayer, or any officer, department, board or bureau of
4 the county, may present to a court of record a petition, duly verified,
5 setting forth that such decision is illegal, in whole or in part, specifying
6 the grounds of the illegality. Such petition shall be presented to the
7 court within thirty days after the filing of the decision in the office
8 of the board.

1 SEC. 19. Upon the presentation of such petition, the court may allow
2 a writ of certiorari directed to the board of adjustment to review

3 such decision of the board of adjustment and shall prescribe therein
4 the time within which a return thereto must be made and served upon
5 the relator's attorney, which shall not be less than ten days and may
6 be extended by the court. The allowance of the writ shall not stay
7 proceedings upon the decision appealed from, but the court may, on
8 application, on notice to the board and on due cause shown, grant a
9 restraining order.

1 SEC. 20. The board of adjustment shall not be required to return
2 the original papers acted upon by it, but it shall be sufficient to return
3 certified or sworn copies thereof or of such portions thereof as may
4 be called for by such writ. The return shall concisely set forth such
5 other facts as may be pertinent and material to show the grounds of
6 the decision appealed from and shall be verified.

1 SEC. 21. If upon the hearing which shall be tried de nova it shall
2 appear to the court that testimony is necessary for the proper disposi-
3 tion of the matter, it may take evidence or appoint a referee to take
4 such evidence as it may direct and report the same to the court with
5 his findings of fact and conclusions of law, which shall constitute a
6 part of the proceedings upon which the determination of the court shall
7 be made. The court may reverse or affirm, wholly or partly, or may
8 modify the decision brought up for review.

9 Costs shall not be allowed against the board unless it shall appear
10 to the court that it acted with gross negligence or in bad faith or with
11 malice in making the decision appealed from.

1 SEC. 22. All issues in any proceedings under the foregoing sections
2 shall have preference over all other civil actions and proceedings.

1 SEC. 23. In case any building or structure is erected, constructed,
2 reconstructed, altered, repaired, converted, or maintained; or any
3 building, structure, or land is used in violation of this act or of any
4 ordinance or other regulation made under authority conferred thereby,
5 the board of supervisors, in addition to other remedies, may institute
6 any appropriate action or proceedings to prevent such unlawful
7 erection, construction, reconstruction, alteration, repair, conversion,
8 maintenance, or use, to restrain, correct, or abate such violation, to
9 prevent the occupancy of said building, structure, or land, or to prevent
10 any illegal act, conduct, business, or use in or about such premises.

1 SEC. 24. Wherever the regulations made under authority of this
2 act require a greater width or size of yards, courts or other open spaces,
3 or require a lower height of building or less number of stories, or
4 require a greater percentage of lot to be left unoccupied, or impose
5 other higher standards than are required in any other statute or local
6 ordinance or regulation, the provisions of the regulations made under
7 authority of this act shall govern. Wherever the provisions of any
8 other statute or local ordinance or regulation require a greater width
9 or size of yards, courts or other open spaces, or require a lower height
10 of building or a less number of stories, or require a greater percentage
11 of lot to be left unoccupied, or impose other higher standards than are
12 required by the regulations made under authority of this act, the
13 provisions of such statute or local ordinance or regulation shall govern.

1 SEC. 25. Subject to the provisions of sections one (1) and two (2)
 2 hereof, the board of supervisors of any county is further authorized
 3 to adopt regulations to provide that every dwelling, whether now or
 4 hereafter erected within the county but outside the corporate limits
 5 of any city or town which shall develop a private water supply or
 6 install a pressure water system or install sanitary house drains, shall
 7 comply with the recommendations of the state department of health on
 8 minimum requirements as set out in the state plumbing code in regard
 9 to such development or installation. Any such regulation may be
 10 enforced in the same manner as any other regulation adopted under
 11 this act.

1 SEC. 26. In addition to any other remedy granted herein, the viola-
 2 tion on any regulation, restriction or boundary adopted under this act
 3 or the occupancy or use of any structure erected, altered or maintained
 4 in violation of this act shall constitute a misdemeanor. Such occupancy
 5 or use shall be deemed a continuing violation and may be the subject
 6 of repeated prosecutions if so continued. Every person convicted of
 7 a misdemeanor, by reason of violations hereinabove set forth, shall
 8 be punished by a fine of not more than \$100.00 or by imprisonment
 9 of not more than thirty days.

Approved April 1, 1947.

CHAPTER 185

COUNTY SHERIFFS' FEES

H. F. 263

AN ACT to amend section three hundred thirty-seven point eleven (337.11), code 1946, relating to boarding prisoners.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred thirty-seven point eleven
 2 (337.11), subsection eleven (11), Code 1946, is amended by striking
 3 the word "twenty" in line two (2) and inserting in lieu thereof the
 4 word "thirty-five".

Approved April 18, 1947.

CHAPTER 186

SHERIFF

H. F. 88

AN ACT providing that upon a vacancy in the office of sheriff, the first deputy shall immediately assume the office of sheriff until the vacancy is filled.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Upon a vacancy in the office of sheriff the first deputy
 2 shall assume the office of sheriff upon qualifying as required by law,

3 and shall hold said office until the vacancy is filled, as provided by
4 law.

Approved April 29, 1947.

CHAPTER 187

SALARY OF COUNTY SUPERINTENDENT OF SCHOOLS

H. F. 228

AN ACT to amend section three hundred forty point fifteen (340.15), and to repeal section three hundred forty point thirteen (340.13), code 1946, relating to the fixing of the salary of the county superintendent of schools by the county board of education.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred forty point fifteen (340.15), Code
2 1946, is hereby amended by inserting after the word "Each" in
3 line one (1), the words "county superintendent and".

1 SEC. 2. Further amend Section three hundred forty point fifteen
2 (340.15), Code 1946, by changing the period (.) in line seven (7)
3 after the word "law" to a semicolon (;) and adding the following
4 sentence: "provided, however, that in the fixing of such salaries, the
5 county superintendent shall have no part in the proceedings of said
6 board, but shall designate an acting chairman and shall absent himself
7 from the meeting during the consideration of such salaries."

1 SEC. 3. Section three hundred forty point thirteen (340.13), Code
2 1946, is hereby repealed.

1 SEC. 4. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Hampton Chronicle, a newspaper published at Hampton, Iowa,
4 and the Sheffield Press, a newspaper published at Sheffield, Iowa.

Approved April 4, 1947.

I hereby certify that the foregoing act was published in the Hampton Chronicle, April 10, 1947, and the Sheffield Press, April 10, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 188

COUNTY ATTORNEY ASSISTANTS

● H. F. 34

AN ACT to amend section three hundred forty-one point seven (341.7), code 1946, relating to the employment of temporary assistants to the county attorney.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section three hundred forty-one point seven (341.7),
- 2 Code 1946, is hereby amended by adding to said section the following:
- 3 "The compensation allowed to any such assistants shall be paid out
- 4 of the court fund of the county."

Approved February 19, 1947.

CHAPTER 189

TAX COLLECTORS

S. F. 375

AN ACT relating to resident county deputy collectors of taxes.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Chapter three hundred forty-one (341), Code 1946, is
- 2 hereby amended by adding thereto as a new section the following: "In
- 3 any county in which there exists a city, not the county seat, having a
- 4 population of six thousand (6,000) or over, the treasurer may appoint
- 5 a resident deputy collector of taxes for such city and vicinity under
- 6 bond as provided for other deputies, and said deputy shall be allowed
- 7 a reasonable compensation, to be fixed by the board of supervisors, for
- 8 the time he is employed as hereinafter provided. Such resident deputy
- 9 collector shall maintain an office in such city for a period of ap-
- 10 proximately five weeks each spring and fall, such periods to terminate
- 11 on April 1 and October 1 respectively or as soon thereafter as possible.
- 12 The treasurer in such case shall prepare the necessary books and
- 13 records for such deputy each year, and the board of supervisors is
- 14 authorized to allow payment of incidental expenses pertaining to the
- 15 operation of such office, not to exceed one hundred dollars per year."

Approved April 23, 1947.

CHAPTER 190

COUNTY PUBLIC HOSPITALS

S. F. 338

AN ACT to amend chapter three hundred forty-seven (347), code 1946, relating to county public hospitals, providing for an election authorizing the issuance of additional bonds and increasing the levy to pay the same.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred forty-seven point one (347.1),
2 Code 1946, is hereby amended by striking the word "one", (1) in line
3 fourteen (14) and inserting in lieu thereof the word "two" (2).

4 Further amend by adding the following: "The fact that one (1)
5 election has been held under this section and that bonds have been
6 issued which are still outstanding shall not be a bar to submission to
7 the electors at a subsequent election under this section for authority
8 to issue additional bonds so long as the proposed issue, together with
9 those outstanding, does not exceed the maximum sum provided for
10 herein."

1 SEC. 2. Section three hundred forty-seven point seven (347.7),
2 Code 1946, is hereby amended by striking the words "one-half mill"
3 in line four (4) and inserting in lieu thereof the following words, "one
4 mill".

Approved April 3, 1947.

CHAPTER 191

COUNTY PUBLIC HOSPITALS

H. F. 495

AN ACT to provide for county public hospitals to provide care of indigent persons having legal settlement outside of the county furnishing such care, and to further provide for the collection of such costs from the county wherein the patient has a legal settlement or persons legally liable for such support.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section three hundred forty-seven point sixteen
2 (347.16), Code 1946, by striking the word "only" from line ten (10)
3 and by inserting the following after line fourteen (14) thereof:
4 "Provided, however, such county public hospital may provide hospital
5 benefits to indigent persons having a legal settlement outside the
6 county and the county of such persons' legal settlement shall pay to
7 such county public hospital for the fair and reasonable cost of such
8 care, treatment, and hospitalization."

1 SEC. 2. Amend section two hundred fifty-two point twenty-two
2 (252.22), Code 1946, by adding thereto the following: "All laws
3 relating to the support of the poor as provided by this chapter shall
4 be applicable to care, treatment, and hospitalization provided by
5 county public hospitals."

Approved April 22, 1947.

CHAPTER 192
COUNTY HOSPITALS
S. F. 326

AN ACT authorizing counties to establish and provide county hospital facilities; to issue revenue bonds in connection therewith; providing for a board of hospital trustees to operate each such hospital and authorizing the use of county funds and the levy of county taxes to meet any deficiency of available revenues to pay operating and maintenance expenses of such county hospitals.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Any county in the State of Iowa having a population
2 less than one hundred fifty thousand (150,000) is hereby authorized
3 and empowered to acquire, construct, equip, operate and maintain a
4 county hospital and, for the purpose of acquiring, constructing, equip-
5 ping, enlarging or improving any such county hospital and acquiring
6 the necessary lands, rights of way and other property necessary there-
7 for, may issue revenue bonds all as in this act provided. All contracts
8 for construction work of such county hospital shall be awarded by the
9 board of supervisors on competitive bidding following such advertise-
10 ment as may be prescribed by such board. The administration and
11 management of any county hospital acquired, constructed, equipped,
12 enlarged or improved under this act shall be vested in a board of
13 hospital trustees consisting of five (5) members appointed by the Board
14 of Supervisors from among the resident citizens of the county with
15 reference to their fitness of* such office, and not more than two (2) of
16 such trustees shall be residents of the same township. Such trustees
17 shall hold office until the next succeeding election, at which time their
18 successors shall be elected, two (2) for a term of two (2) years, two
19 (2) for a term of four (4) years and one (1) for a term of six (6)
20 years, and thereafter their successors shall be elected for regular terms
21 of six (6) years each. Vacancies in the board of trustees shall be filled
22 in the same manner as original appointments to hold office until the
23 next succeeding general election. Said trustees shall, within ten (10)
24 days after their appointment or election qualify by taking the usual
25 oath of office, but no bond shall be required of them. The members of
26 such board of hospital trustees shall receive no compensation but shall
27 be reimbursed for all expenses incurred by them with the approval of
28 said board in the performance of their duties. The board first appointed
29 shall organize promptly following their appointment, and shall serve
30 until such time as their successors are elected and qualified; there-
31 after during the month of November of each year the board shall
32 reorganize by the appointment of a chairman and a secretary. The
33 county treasurer shall be ex officio treasurer of the board of hospital
34 trustees. The board of hospital trustees may employ, fix the com-
35 pensation and remove at pleasure professional, technical and other
36 employees, skilled or unskilled, as it may deem necessary for the
37 operation and maintenance of the hospital, and disbursement of funds
38 in such operation and maintenance shall be made upon order and
39 approval of the board of hospital trustees. A county hospital may
40 include a nurses home and nurses training school. The board of trus-

*According to enrolled act.

41 tees shall make all rules and regulations governing its meetings and
42 the operation of the county hospital and shall fix rates, fees and
43 charges for the services thereby furnished so that the revenues will
44 be at all times sufficient in the aggregate to provide for the payment
45 of the interest on and principal of all bonds that may be issued and
46 outstanding under the provisions of this act, and for the payment of all
47 operating and maintenance expenses of the hospital.

1 SEC. 2. For the purpose of acquiring, constructing, equipping, en-
2 larging or improving such hospital or any part thereof, any such
3 county may, pursuant to resolution of the board of supervisors of such
4 county, from time to time issue and dispose of its negotiable interest-
5 bearing revenue bonds payable solely as to both principal and interest
6 from the revenues to be derived from the operation of such hospital.
7 All such bonds may bear such date or dates, may mature at such time
8 or times not exceeding thirty years from their respective dates, may
9 bear interest at such rate or rates not exceeding five per cent per
10 annum payable semi-annually, may be in such form and payable at
11 such place or places, and may be subject to such redemption privileges
12 as is stated on the face thereof and as may be provided in such resolu-
13 tion. After a resolution authorizing such revenue bonds has been
14 adopted the county auditor shall publish notice of such adoption in at
15 least one newspaper of general circulation in the county at least once
16 each week for two consecutive weeks. Such notice shall identify the
17 resolution by the date of its adoption and shall specify the amount of
18 bonds proposed to be issued, and if within twenty days following the
19 date of the first publication of such notice a petition is filed with the
20 county auditor signed by qualified voters of said county in number
21 equal to or exceeding twenty per cent of the total number of votes cast
22 in such county for governor at the last preceding regular election
23 whereat a governor was elected then the bonds authorized by such
24 resolution shall not be issued unless and until the proposition to issue
25 same shall have been submitted at an election throughout the county
26 and approved by not less than sixty per cent of the votes cast for and
27 against the proposition. When any such petition is filed it shall be
28 referred to the board of supervisors at its next meeting and there-
29 upon the board of supervisors may either repeal the bond resolution
30 or order the election which shall be called and conducted in the manner
31 provided by Chapter 345 of the Code of Iowa, 1946. If there be no
32 petition filed within the time hereinbefore provided or if there be a
33 petition filed and the proposition of issuing such bonds is approved at
34 such election then the board of supervisors may proceed with the
35 acquisition, construction, equipment, operation and maintenance of the
36 county hospital and the issuance of bonds in connection therewith, all
37 as in this act permitted and provided. Under no circumstances shall
38 any bonds issued under the provisions of this act be or become an
39 indebtedness of the county within the purview of any constitutional
40 or statutory limitation or provision, and it shall be plainly stated on
41 the face of each bond that it does not constitute such an indebtedness, but
42 is payable solely from the revenues as aforesaid. All such bonds shall
43 be sold in such manner and upon such terms as is prescribed by the
44 resolution authorizing the issuance thereof, provided, that no bonds
45 shall be sold upon terms that will result in an interest cost computed

46 to maturity of the bonds according to standard tables of bond values
 47 of more than five per cent per annum. The resolution authorizing such
 48 revenue bonds may contain such covenants as are determined by the
 49 board of supervisors to be desirable in connection with the use and
 50 application of the bond proceeds, the operation of the county hospital
 51 and the custody and application of the revenues from such operation.
 52 The sole remedy for any breach or default of the terms of any such
 53 bonds or proceedings for their issuance shall be by mandamus in a
 54 court of competent jurisdiction to compel performance and compliance
 55 therewith.

1 SEC. 3. If in any year, after payment of the accruing interest on
 2 and principal due of any revenue bonds issued hereunder from the
 3 revenues derived from the operation of such hospital, there be a
 4 balance of such revenues insufficient to pay the expenses of operation
 5 and maintenance of the county hospital the board of hospital trustees
 6 shall certify that fact as soon as ascertained to the board of supervisors
 7 of such county, and thereupon it shall be the duty of such board of
 8 supervisors to make the amount of such deficiency for paying the
 9 expenses of operation and maintenance of the county hospital avail-
 10 able from other county funds or, the board of supervisors of such
 11 county shall levy a tax not to exceed four (4) mills in any one year
 12 on all the taxable property in said county in an amount sufficient for
 13 that purpose, it being conditioned that no general county funds or the
 14 proceeds of any taxes shall ever be used or applied to the payment of
 15 the interest on or principal of any bonds issued under the provisions of
 16 this act, but that such general county funds or proceeds of taxes may
 17 only be used and applied to pay such expenses of operation and mainte-
 18 nance of the county hospital as cannot be paid from available revenue
 19 derived from such operation.

1 SEC. 4. This act shall be construed as providing an alternative
 2 and independent method for the acquisition, construction, equipment,
 3 enlargement, improvement, operation and maintenance of a county
 4 hospital, and for the issuance and sale of revenue bonds in connection
 5 therewith, and shall not be construed as an amendment of or subject
 6 to the provisions of any other law.

1 SEC. 5. The provisions of section three hundred forty-seven point
 2 eighteen (347.18), are made applicable to this Act.

1 SEC. 6. This act, being deemed of immediate importance, shall be
 2 in full force and effect from and after its publication in the Muscatine
 3 Journal and News Tribune, a newspaper published at Muscatine, Iowa,
 4 and in the Wilton Advocate, a newspaper published at Wilton Junction,
 5 Iowa.

Approved April 22, 1947.

I hereby certify that the foregoing act was published in the Muscatine Journal and
 News Tribune, April 25, 1947, and the Wilton Advocate, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 193
COUNTY LIBRARIES
S. F. 201

AN ACT to provide for the establishment and maintenance of free public libraries for the use of rural inhabitants of counties.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Counties may provide for the formation and mainten-
2 ance of free public libraries open to the use of all inhabitants under
3 proper regulations, and may purchase, erect, or rent buildings or
4 rooms suitable for this purpose and provide for the compensation of
5 necessary employees.

1 SEC. 2. A county library district may be established composed of
2 the area of one or more counties. However, no county library district
3 shall include therein the area of any city, town, township, or county
4 now maintaining free library service unless the inclusion of such
5 area shall be approved by a majority of the electors voting thereon
6 residing outside of any such area maintaining free library service.
7 The area of no city, town, township, or county now receiving free
8 library service shall be included in such library district unless a
9 majority of the electors voting thereon in each such area, voting sep-
10 arately, assent to inclusion in such library district. Any such area seek-
11 ing to be included in any existing county library district shall proceed
12 as hereinafter provided for the establishment of an original district.
13 Five percent of the electors, as determined by the vote for governor
14 at the last general election, may petition the governing body
15 or bodies having jurisdiction of the area comprising such district
16 for the establishment of such county library. Said petition shall
17 clearly designate the limits of such district. Upon receipt and verifica-
18 tion of said petition the governing body or bodies of such area shall
19 submit the proposition to the electors within such area at the next
20 general election if said election occurs not less than forty days after
21 the filing of said petition. A county library district shall be established
22 if a majority of the electors in such proposed district vote in favor
23 of such proposal.

1 SEC. 3. Counties may receive, hold and dispose of all gifts, dona-
2 tions, devises, and bequests that may be made to them for the purpose
3 of establishing, increasing, or improving any library. When the
4 conditions thereof have been accepted by the county, their use for
5 the county library may be enforced against the County Board of
6 Supervisors by the library board by an action of mandamus or by
7 other proper action.

1 SEC. 4. In any county or counties in which a library district has
2 been established a board of library trustees, consisting of five, seven,
3 or nine electors of the library district, shall be appointed by the Board
4 or Boards of Supervisors of the county or counties comprising such
5 library district. Membership on the library board shall be apportioned
6 between the rural and city and town areas of the district in proportion
7 to the population in each of such areas. In the event the library district
8 is composed of two or more counties, representation on said library

9 board shall be equitably divided between or among said counties in
10 proportion to the population in each of such counties.

1 SEC. 5. Of said trustees so appointed on boards to consist of nine
2 members, three shall hold office for two years, three for four years,
3 and three for six years; on boards to consist of seven members, two
4 shall hold office for two years, two for four years, and three for six
5 years; and on boards to consist of five members, one shall hold office
6 for two years, two for four years, and two for six years, from the
7 first day of July following their appointment in each case. At their
8 first meeting they shall cast lots for their respective terms, reporting
9 the result of such lot to the board of supervisors. All subsequent ap-
10 pointments, whatever the size of the board, shall be for terms of six
11 years each. Vacancies shall be filled for unexpired terms by the
12 governing body of the taxing unit of the district represented by the
13 retiring member.

1 SEC. 6. The board of library trustees may declare the office of a
2 trustee vacant by his removal from the library district or his un-
3 explained absence from six consecutive regular meetings.

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

1 SEC. 8. Said board of library trustees shall have and exercise
2 the following powers:

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

6 2. To have charge, and supervision of the public library, its
7 appurtenances and fixtures, and rooms containing the same, directing
8 and controlling all the affairs of such library.

9 3. To employ a librarian, such assistants and employees as may
10 be necessary for the proper management of said library, and fix
11 their compensation; but, prior to such employment, the compensation
12 of such librarian, assistants, and employees shall be fixed for the
13 term of employment by a majority of the members of said board
14 voting in favor thereof.

15 4. To remove such librarian, assistants, or employees by a vote
16 of two-thirds of such board for misdemeanor, incompetency, or
17 inattention to the duties of such employment.

18 5. To select and make purchases of books, pamphlets, magazines,
19 periodicals, papers, maps, journals, furniture, fixtures, stationery,
20 and supplies for such library.

21 6. To authorize the use of such libraries by school corporations
22 or by nonresidents of the area which is taxed to support such libraries
23 and to fix charges therefor.

24 7. To make and adopt, amend, modify, or repeal bylaws, rules,
25 and regulations, not inconsistent with law, for the care, use, govern-
26 ment, and management of such library and the business of said board,
27 fixing and enforcing penalties for the violation thereof.

28 8. To have exclusive control of the expenditures of all taxes levied
29 for library purposes as provided by law, and of the expenditures
30 of all moneys available by gift or otherwise for the erection of library

31 buildings, and of all other moneys belonging to the library fund,
 32 including fines and rentals collected under the rules of the board of
 33 trustees. Said board shall keep a record of its proceedings.

34 9. To accept gifts of any property, including trust funds; to take
 35 the title to said property in the name of said library; to execute
 36 deeds and bills of sale for the conveyance of said property; and to
 37 expend the funds received by them from such gifts, for the improve-
 38 ment of said library.

1 SEC. 9. Library service shall be accomplished by one or more of
 2 the following methods in whole or in part:

3 1. By the establishment of depositories of books to be loaned at
 4 stated times and places.

5 2. By the transportation of books by conveyances for lending the
 6 same at stated times and places.

7 3. By the establishment of branch libraries for lending books.

1 SEC. 10. All moneys received and set apart for the maintenance
 2 of such library shall be deposited in the treasury of such county
 3 to the credit of the library fund, and shall be kept by the treasurer
 4 separate and apart from all other moneys, and paid out upon the
 5 orders of the board of trustees, signed by its president and secretary.

6 Provided that where a free public library is maintained jointly by
 7 two or more counties, the library trustees may elect a library treasurer
 8 therefor, and it shall be the duty of the city and county treasurers
 9 to pay over to said library treasurer any and all library taxes that
 10 may be collected by them monthly.

1 SEC. 11. The board of trustees shall, immediately after the close
 2 of each fiscal year, make to the board of supervisors a report contain-
 3 ing a statement of the condition of the library, the number of books
 4 added thereto, the number circulated, the number not returned or
 5 lost, the amount of fines collected, and the amount of money expended
 6 in the maintenance thereof during such year, together with such
 7 further information as it may deem important.

1 SEC. 12. In any county in which a free library has been established,
 2 the board of library trustees may condemn real estate in the name
 3 of the county for the location of library buildings and branch libraries,
 4 and for the purpose of enlarging the grounds thereof.

1 SEC. 13. The maintenance of a county library shall be on a propor-
 2 tionate population basis whereby each taxing unit as hereinafter
 3 defined shall bear its share in proportion to its population to the
 4 whole of said county library district. The board of library trustees
 5 shall on or before July 10 of each year certify to the county board
 6 or boards of supervisors, and to the councils of those cities or towns
 7 which are a part of the county library district, the amount in dollars
 8 to be raised by taxation on the taxable property in each taxing unit
 9 of the district. The entire rural area of each county in the library
 10 district shall be considered as a separate taxing unit. Each city and
 11 town which is a part of the county library district shall be considered
 12 as a separate taxing unit. The board of supervisors and the council
 13 of each city and town composing said county library district shall
 14 make the necessary millage levies accordingly for library maintenance

15 purposes of not to exceed two mills. Any unexpended balance in the
16 library maintenance fund at the end of the fiscal year shall remain
17 in said fund and be available without reappropriation.

1 SEC. 14. Section three hundred seventy-eight point fifteen (378.15),
2 Code 1946, is amended by adding to said section the following:
3 "Provided also, that the board of supervisors of any county may upon
4 its own initiative, after it makes such contract, levy against all the
5 taxable property of the county outside of cities and towns, a tax of
6 not more than one mill to create a fund to fulfill its obligation under
7 such contract. But twenty-five per cent of the electors of that part
8 of the county outside of cities and towns, and as is determined by
9 vote for governor at the last general election, may petition the
10 county board of supervisors for calling an election, to be submitted
11 at a special election or as a separate proposal at a general election or
12 state election, for the purpose of establishing contract library service,
13 by then existing or thereafter established public libraries, said
14 petition shall clearly set out the terms of the contract, and the area
15 to be served with such library service. Upon receipt and verification
16 of said petition, the county board of supervisors shall submit the
17 proposal to the electors within such area at a special election or
18 at the next general or state election. Such contract library service
19 shall be established if a majority of the electors of such proposed
20 area vote in favor of such approval. The county board of supervisors
21 may upon their own initiative and shall if such vote be favorable,
22 appoint a contract library board of trustees to work out details of
23 a cooperative arrangement with libraries then existing and thereafter
24 established in cities and towns, the said contract library board of
25 trustees to be charged with seeing that the terms are fulfilled under
26 the general contract executed jointly by the board of supervisors
27 and the trustees of the libraries in the county participating; after
28 such contract is made, the county board of supervisors shall levy
29 annually on the taxable property, outside of cities and towns, a tax
30 of not more than one mill to create a fund to fulfill the obligations
31 of the contract. The members of the said contract library board of
32 trustees shall have the same qualifications as the trustees of public
33 libraries and shall consist of the same number and have the same
34 term of office as provided in 1946 Code, chapter three hundred seventy-
35 eight (378) relating to existing public library trustees.

1 SEC. 15. This act shall not apply to the residents of any area
2 receiving library service from any city or town library by contract
3 under the provisions of Chapter three hundred seventy-eight (378),
4 Code 1946.

Approved May 19, 1947.

CHAPTER 194

DOG LICENSES

H. F. 117

AN ACT to amend sections three hundred fifty-one point seventeen (351.17) and three hundred fifty-one point eighteen (351.18), code 1946, relating to licensing of dogs.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred fifty-one point seventeen
2 (351.17), Code 1946, is hereby amended by striking from line two
3 (2) thereof the word "April" and inserting in lieu thereof the word
4 "May".

1 SEC. 2. Section three hundred fifty-one point eighteen (351.18),
2 Code 1946, is hereby amended by striking from lines one (1) and two
3 (2) the words and figure "Immediately following said April 1" and
4 inserting in lieu thereof the words and figure "On or before May 15".

Approved March 18, 1947.

CHAPTER 195

SANITARY DISTRICTS

S. F. 476

AN ACT to amend section three hundred fifty-eight point one (358.1), code 1946, relating to the incorporation of sanitary districts.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred fifty-eight point one (358.1),
2 Code 1946, is hereby amended by inserting after the word "the" in
3 line four (4) the word "construction,".

1 SEC. 2. Section three hundred fifty-eight point one (358.1), Code
2 1946, is further amended by inserting after the word "operation" in
3 line four (4) the words "of a trunk sewer system and".

Approved April 29, 1947.

CHAPTER 196

TOWNSHIP COMMUNITY CENTER

H. F. 212

AN ACT authorizing township trustees to condemn lands for a community center or juvenile playgrounds.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section three hundred fifty-nine point twenty-
2 eight (359.28), Code, 1946, by inserting after the word "fund," in line
3 four (4) the following: "or the specific fund voted for such purpose",
4 and further amend said section by inserting after the word "ceme-

5 teries," in line six (6) the following: "a community center or juvenile
6 playgrounds,".

Approved April 24, 1947.

CHAPTER 197

CITY AND TOWN COUNCILMEN

S. F. 262

AN ACT relating to compensation of councilmen in cities and towns.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred sixty-three point thirty-eight
2 (363.38), Code 1946, is hereby amended by striking from line four
3 (4) the words "two hundred fifty" and inserting in lieu thereof the
4 words "four hundred".

1 SEC. 2. Section three hundred sixty-three point thirty-eight
2 (363.38), Code 1946, is further amended by striking the comma after
3 the word "duties" in line twelve (12) and inserting a semicolon, and
4 by striking the following beginning in line twelve of said section
5 "except when acting as members of the board of review, for which
6 service they shall receive not more than two dollars a day for each
7 day when acting as a board of review, to be paid out of the county
8 treasury;"

1 SEC. 3. Section three hundred sixty-three point thirty-eight
2 (363.38), Code 1946, is further amended by striking all that follows
3 the semicolon in line seventeen (17) and inserting in lieu thereof
4 the following: "in towns they shall receive not to exceed two dollars
5 each for every regular or special meeting, and in the aggregate not
6 exceeding one hundred dollars in any one year; in cities of second
7 class they shall receive not to exceed four dollars each for every
8 regular or special meeting, and in the aggregate not exceeding two
9 hundred fifty dollars in any one year."

Approved April 9, 1947.

CHAPTER 198

CIVIL SERVICE VETERANS' PREFERENCE

S. F. 144

AN ACT to amend section three hundred sixty-five point ten (365.10), code 1946, relating to veterans' preference in public employment under civil service.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred sixty-five point ten (365.10),
2 Code 1946, is hereby amended by striking from lines three (3), four
3 (4) and five (5), the words "soldiers, sailors or marines of the regular
4 or volunteer army or navy of the United States", and by substituting

5 in lieu thereof the following: "men and women from the military
6 or naval forces of the United States in any war in which the United
7 States was or is now engaged, including the Philippine insurrection
8 and China relief expedition, who are citizens and residents of this
9 state,"

Approved April 10, 1947.

CHAPTER 199

OFFICIAL PUBLICATION RATE

H. F. 97

AN ACT to amend section three hundred sixty-six point eleven (366.11), code 1946, relating to the costs of official publications.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred sixty-six point eleven (366.11),
2 Code 1946, is hereby amended by striking the words "one-half" from
3 line three (3) and inserting in lieu thereof the words "three-fourths."

Approved April 9, 1947.

CHAPTER 200

LEASING PUBLIC PARKS

S. F. 177

AN ACT to amend section three hundred sixty-eight point one (368.1), section three hundred sixty-eight point nine (368.9), and section three hundred seventy point thirteen (370.13), code 1946, relating to general powers of cities and towns, and to leasing of public parks, and authorizing cities and towns, under thirty thousand population, to lease parks or portions thereof to organizations to conduct celebrations, and for the playing of baseball and other athletic games; and making same applicable to special charter cities.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred sixty-eight point one (368.1),
2 Code 1946, is hereby amended by inserting after the word "acquire" in
3 line fifteen (15) a comma (,) and the word "lease".

1 SEC. 2. Section three hundred sixty-eight point nine (368.9), Code
2 1946, is hereby amended by adding at the end thereof the following
3 subsection:

4 "Parks, in cities and towns having a population under thirty
5 thousand, to lease under reasonable rules and requirements a particular
6 park or portions thereof, under their jurisdiction, for a period of not
7 in excess of ten (10) days to charitable, fraternal, educational,
8 patriotic, and non-profit agricultural organizations to conduct celebra-
9 tions, anniversaries and entertainments, and under such conditions
10 as to charging a fee for the use of the same and for the attendance
11 at same as said city or town council shall determine.

12 Said cities and towns shall have the power to lease under reasonable

13 rules and requirements a portion of any park under their jurisdiction
 14 for such time or times, not to exceed six (6) consecutive months, as
 15 the city or town council shall deem proper for the purpose of permitting
 16 the playing of baseball and other athletic games and contests, and
 17 under such conditions as to charging a fee for the use of the same
 18 and for the attendance at same as said city or town council shall
 19 determine, but nothing herein contained shall be construed as limiting
 20 the authority of cities acting under the commission form of government
 21 to enter into leases up to twenty-five (25) years for portions of parks
 22 or other city property not needed for immediate use, and which
 23 proposed use shall be deemed for the public benefit.

1 SEC. 3. In cities and towns where park commissioners or permanent
 2 park boards have been established as provided by law, any lease or
 3 leases executed under the terms and provisions of section two (2) of
 4 this act shall require approval of the city or town council and by such
 5 park commissioners or permanent park boards as the case may be.

1 SEC. 4. Section three hundred seventy point thirteen (370.13), Code
 2 1946, is hereby amended by adding at the end thereof the following
 3 new paragraph:

4 "All cities and towns under thirty thousand population shall have
 5 authority to lease parks pursuant to the provisions of section 368.9".

1 SEC. 5. The provisions of this act shall apply to special charter
 2 cities.

Approved March 24, 1947.

CHAPTER 201

GARBAGE COLLECTION

H. F. 234

AN ACT to amend section three hundred sixty-eight point nine (368.9), code, 1946, relating to the authorization of cities and towns, including special charter cities, to establish rules and fees for the storage, collection and disposal of garbage and other rubbish in sanitary districts.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section three hundred sixty-eight point nine
 2 (368.9), Code, 1946, be amended by adding to subsection two (2)
 3 the following:

4 "In lieu of the tax levy authorized by subsection sixteen (16) of
 5 section four hundred four point five (404.5), Code 1946, any city or
 6 town under any form of municipal government may within sanitary
 7 districts by ordinance establish rules for storage and rules and fees
 8 for the proper collection and disposal of garbage, rubbish and other
 9 waste material as may become dangerous to the public health or
 10 detrimental to the best interests of the community. Such fee shall
 11 be charged only where such collection service is rendered and shall
 12 be equitable and in proportion to the service rendered."

1 SEC. 2. This act shall also apply to special charter cities.

Approved April 3, 1947.

CHAPTER 202

VETERANS HOUSING PROJECTS

H. F. 37

AN ACT to amend the law as it appears in section three hundred sixty-eight point nine (368.9), code 1946, relating to the powers of cities and towns, including special charter cities, and legalizing any deficit expenditures for housing of veterans of World War II, or their families, whether within or without cities or towns.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section three hundred sixty-eight point nine
2 (368.9), Code 1946, be and is hereby amended by adding the following:
3 "5. Health and safety measures for veterans housing projects upon
4 federally owned land, either within or without any such city, or when
5 any established school, college or university has established a veterans'
6 housing project for its students, for the housing of veterans of World
7 War II, or their families. All services or expenditures which have been
8 made by any such city, town, or special charter city, for the promotion
9 of health and safety measures in excess of receipts from the collection
10 of rents or otherwise upon said projects are hereby legalized."

1 SEC. 2. All laws or parts of laws in conflict herewith are hereby
2 repealed.

Approved February 26, 1947.

CHAPTER 203

JOINT CITY AND COUNTY BUILDINGS

S. F. 409

AN ACT authorizing counties and county seat cities and towns, including cities and towns organized under special charters, to jointly acquire, construct and operate buildings to be used and occupied for county and municipal purposes and to issue bonds in connection therewith.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. A city or town in which a county seat is located and
2 such county may contract one with the other for the joint purchase,
3 acquisition, ownership and control of real and other property suitable
4 as the site of a building or buildings for use and occupancy by such
5 city or town and such county jointly, and any such county or city or
6 town owning a site or any interest therein, or a site with buildings
7 thereon, may, upon such terms as shall appear fair and just to the
8 board of supervisors of such county and to the council or other
9 governing body of such city or town, contract with reference to the
10 joint acquisition, ownership, control, improvement, use and occupancy
11 of such property, and with reference to the construction, use and
12 occupancy of a building or buildings thereon. Such contract shall set
13 forth the amount of money to be contributed by the county and by
14 the city or town toward the acquisition of such site and the improve-
15 ment thereof, or the proportion of their respective contributions,

16 and the purpose or purposes for which the building or buildings to
17 be erected thereon are to be used. Such contract may provide for the
18 amount of money to be contributed annually by the county and by the
19 city or town for the upkeep, maintenance and operation of such
20 property, and the building or buildings thereon, or it may provide
21 for the respective proportions of such expense which the county and
22 the city or town shall pay, and may provide for an adjustment at
23 stated periods of the amounts or proportions to be so paid. Such
24 contract may specify the part or parts of such property and building
25 or buildings to be used and occupied by the county and by the city
26 or town. All such contracts shall be made on behalf of the county only
27 when approved by resolution of the board of supervisors thereof and
28 on behalf of the city or town when approved by ordinance adopted
29 by the council or other governing body of such city or town, and when
30 made shall be binding upon such county and city or town during the
31 period specified in such contract unless modified or abrogated by mutual
32 consent.

1 SEC. 2. When such county and such city or town have agreed upon
2 their respective portions or proportions of the cost of any such building
3 or buildings, including the site or sites therefor, they may, for the
4 purpose of paying their respective portions of such cost and for the
5 purpose of equipping the portions of the building or buildings to be
6 used and occupied by them, issue their bonds as hereinafter permitted;
7 provided, no such bonds shall be issued by such county or city or town
8 unless and until the proposition to issue same shall have been approved
9 by at least a majority of the votes cast for and against the proposition
10 at an election called and held as hereinafter provided. Such proposition
11 may be submitted at a general, regular, or special election when ordered
12 pursuant to a resolution of the board of supervisors of such county
13 and of the council or other governing body of the city or town. Notice
14 of such election setting forth the proposition as it is to be voted upon
15 shall be given by publication once each week for at least three consecu-
16 tive weeks in a newspaper having general circulation in the county,
17 and if the propositions of issuing bonds by the county and also by
18 the city or town are submitted on the same date of election then, if
19 either or both of the elections be unfavorable the proposition may
20 be submitted at a subsequent election or elections. To the extent not
21 otherwise herein provided the general election laws shall be applicable
22 to an election whereat such proposition is submitted.

1 SEC. 3. All such bonds issued pursuant to such election or elections
2 may bear interest at a rate not exceeding four per cent per annum
3 payable semi-annually, and the principal thereof shall be scheduled
4 to mature in not more than twenty years from the date of such bonds.
5 Whenever a county or a city or town has issued bonds under the
6 provisions of this act there shall be thereafter annually levied on all
7 of the taxable property in the county, or in the city or town, a tax
8 sufficient to pay the interest on and principal of said bonds as the same
9 will become due, and each such county and city or town is further
10 authorized to levy taxes sufficient to pay their respective portions of
11 the cost of operating, maintaining and keeping insured the building
12 or buildings acquired or constructed under the provisions of this
13 act.

1 SEC. 4. All contracts for the construction of any building or
 2 buildings under the provisions of this act which involve the expenditure
 3 of one thousand dollars or more shall be entered into pursuant to
 4 advertisement for bids in such manner as may be approved and
 5 authorized by both the board of supervisors of the county and the
 6 council or other governing body of the city or town. Any county and
 7 any city or town may apply for and accept federal aid in the construc-
 8 tion of any building or buildings under the provisions of this act,
 9 subject to such conditions and stipulations as may be imposed in
 10 connection with such federal aid and as may be approved by the
 11 board of supervisors for the county, and by the council or other
 12 governing body of the city or town.

1 SEC. 5. This act shall be applicable to cities and towns organized
 2 under special charters which are county seats, and it shall be construed
 3 as a complete and independent law for providing joint county and
 4 municipal buildings and for the issuance of bonds in connection
 5 therewith.

Approved April 3, 1947.

CHAPTER 204

PARKS IN CITIES AND TOWNS

S. F. 176

AN ACT to amend section three hundred seventy point six (370.6), code 1946, relating to park levies of cities and towns.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred seventy point six (370.6), Code
 2 1946, is amended by striking from line four (4) the word "five-eighths"
 3 and inserting in lieu thereof the word "one".

Approved April 3, 1947.

CHAPTER 205

GRADING AND FILLING LANDS

S. F. 138

AN ACT to amend subsection three (3) of section three hundred eighty-four point three (384.3), subsection nine (9) of section three hundred eighty-four point three (384.3), and subsection eleven (11) of section three hundred eighty-four point three (384.3), code 1946, relating to docks.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That subsection three (3) of section three hundred
 2 eighty-four point three (384.3), Code 1946, be amended by inserting
 3 the word "filling" after the word "grading" in the nineteenth line
 4 thereof.

1 SEC. 2. That subsection nine (9) of section three hundred eighty-
2 four point three (384.3), Code 1946, be amended by inserting a comma
3 (,) after the word "structures" in line four (4) thereof, followed by
4 the words "including grading and filling lands under its control as".

1 SEC. 3. That subsection eleven (11) of section three hundred eighty-
2 four point three (384.3), Code 1946, be amended by adding a comma
3 (,) after the word "authorized" in lines four (4) and five (5) thereof,
4 followed by the words "including grading and filling of lands under
5 its control,".

1 SEC. 4. That said subsection eleven (11) of section three hundred
2 eighty-four point three (384.3), Code 1946, be further amended by
3 striking out the words "such bonds" in line seven (7) thereof and
4 inserting in lieu thereof the following: "either dock bonds, as herein
5 authorized, or revenue bonds as provided by section three hundred
6 ninety-four point six (394.6), Code 1946".

1 SEC. 5. That said subsection eleven (11), section three hundred
2 eighty-four point three (384.3), Code 1946, be further amended by
3 inserting a period (.) following the word "bonds" in line nine (9)
4 thereof, and by striking out the word "and" in line ten (10) thereof,
5 and substituting therefor the following: "If dock bonds are issued
6 the council shall".

1 SEC. 6. That said subsection eleven (11) of section three hundred
2 eighty-four point three (384.3), Code 1946, be further amended by
3 adding thereto the following: "If revenue bonds are issued, such bonds
4 shall be issued and paid as provided by chapter three hundred ninety-
5 four, (394), Code 1946, the provisions of which shall be applicable
6 to this chapter."

Approved March 27, 1947.

CHAPTER 206

PARKING LOTS AND METERS

H. F. 39

AN ACT to amend chapter three hundred ninety (390), code 1946, relating to municipal parking lots, meters and traffic and parking control devices, the leasing of said lots, funds relating thereto, and providing for a tax levy and issuance of revenue bonds.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter three hundred ninety (390), Code 1946, is
2 amended by adding the following:

3 Cities and towns shall have additional power and authority to
4 purchase or lease, install, maintain, repair and operate parking
5 meters or other traffic or parking control devices.

1 SEC. 2. Section three hundred ninety point one (390.1), Code
2 1946, is repealed and the following inserted in lieu thereof:

3 Cities and towns shall have additional power and authority to

4 purchase, lease or otherwise acquire and to improve, maintain and
5 operate parking lots or other off street parking areas for the parking
6 of vehicles, but before such authority is exercised the city council shall
7 hold a public hearing to determine whether or not public convenience
8 and necessity will be served by the establishment of such facilities.
9 One notice of such hearing shall be published at least two (2) weeks
10 prior thereto and any person affected by the establishment of said
11 parking lot or off street parking facilities may appear at such hearing
12 and object thereto. Cities and towns shall have additional power and
13 authority to accept gifts or funds from any person, firm, corporation
14 or association or cooperative organization for the establishment and
15 operation of parking lots, if after said hearing, the establishment
16 of such parking facilities is approved.

1 SEC. 3. Cities and towns shall have power and authority to use
2 the funds received from the operation of parking meters to pay the
3 cost of acquiring, operating, maintaining and repairing the same, and
4 also to pay the cost of acquiring and operating other parking and
5 traffic control devices. Any of such funds remaining thereafter may
6 be used either to purchase, lease or otherwise acquire parking lots or
7 other off street parking areas for the parking of vehicles, or said
8 remaining funds may also be used for the retirement of revenue bonds
9 issued for the purpose of acquiring parking lots, in the event the
10 revenue from said parking lots is insufficient to pay the cost of retiring
11 said bonds.

1 SEC. 4. Cities and towns may issue revenue bonds for the purpose
2 of acquiring parking lots or other off street parking areas for the
3 parking of vehicles, as provided in section two (2) of this act. Said
4 revenue bonds shall be retired either from funds received from the
5 operation of said parking lots, from funds received from the operation
6 of parking meters or from funds received from a tax levied against
7 a benefited district as provided in the following section.

1 SEC. 5. Wherever the free movement and parking of vehicular
2 traffic is substantially impeded by traffic congestion in cities and towns,
3 the council of said cities and towns may establish a benefited district
4 for the control, regulation and parking of said vehicles. Said district
5 shall be established by ordinance after a public hearing to determine
6 the necessity therefor, and said cities and towns may then levy a tax
7 not exceeding one-half ($\frac{1}{2}$) mill per annum against all the privately
8 owned business, professional, commercial and industrial property
9 within said district, but no such tax shall be levied against private
10 property used solely and only for private family residential purposes.
11 Funds derived from said tax shall be used only for the purpose of
12 retiring the revenue bonds, and then only after first applying on said
13 retirement all funds available from the income from said parking
14 lots or from parking meters.

1 SEC. 6. All contracts or leases and the procedure thereunder by
2 all cities and towns which have established or installed parking meters
3 or entered into contracts therefor, which procedure, contracts, or
4 leases have not heretofore been held illegal by the Supreme Court of
5 Iowa, are hereby legalized.

1 SEC. 7. Section three hundred ninety point five (390.5), Code
2 1946, is amended by striking from line nine (9) the word "five" and
3 inserting in lieu thereof the word "twenty-five".

1 SEC. 8. This act shall apply to cities organized under special
2 charter.

1 SEC. 9. Section three hundred ninety point four (390.4), Code
2 1946, is amended by striking from the last line thereof the words
3 "such as" and inserting in lieu thereof the word "including".

1 SEC. 10. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 The American Citizen, a newspaper published at Des Moines, Iowa,
4 and the Cascade Pioneer, a newspaper published at Cascade, Iowa.

Approved March 20, 1947.

I hereby certify that the foregoing act was published in The American Citizen,
April 4, 1947, and the Cascade Pioneer, March 27, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 207

JOINT MUNICIPAL SEWERS

S. F. 270

AN ACT to repeal sections three hundred ninety-two point two (392.2), three hundred ninety-two point six (392.6), three hundred ninety-two point seven (392.7), three hundred ninety-two point eight (392.8), three hundred ninety-two point nine (392.9) and three hundred ninety-two point eleven (392.11), code 1946, and to enact substitutes therefor, relating to the joint use of municipal sewers, construction of such sewers, and the levy of special assessments and issuance of bonds or certificates in connection with such construction.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred ninety-two point two (392.2),
2 Code 1946, is hereby repealed and the following substituted in lieu
3 thereof:

4 "When any two such cities or towns shall have so contracted with
5 each other for the joint use of such sanitary sewer system for outletting
6 purposes, the city or town obligating itself to pay a consideration for
7 the use of the sanitary sewer system of the other city or town, shall
8 have the authority (1) to build the necessary line or lines of sanitary
9 sewer to connect the sanitary sewer system of such city or town with
10 the sanitary sewer system of such other city or town, and its council
11 shall have authority to levy, by resolution, a special assessment against
12 all of the property in such city or town which abuts upon any line
13 of sanitary sewer therein or which is adjacent thereto, for the payment
14 in whole or in part, of the cost of constructing such connecting line
15 or lines, and the amount agreed to be paid for the use of the sanitary
16 sewer system of such other city or town as an outlet, and costs
17 incident thereto, hereinafter spoken of as the project cost, and its
18 council shall have authority to establish, by resolution, a joint sewer
19 district or districts, including therein such property within its

20 corporate limits, as its council may determine will be benefitted,* and
21 its council may annually levy a tax thereon, of not to exceed five mills
22 for a joint sewer fund, provided, that if anticipation of the collection
23 of such tax be proposed by said council, such anticipated tax may be
24 levied at one time for current and succeeding years not exceeding
25 twenty, but that the levy of such tax for any such year shall not
26 exceed said five mills."

1 SEC. 2. Section three hundred ninety-two point six (392.6), Code
2 1946, is hereby repealed, and the following substituted in lieu thereof:

3 "In case the city or town council desires to pay the whole or any
4 part of the project cost from the proceeds of special assessments, it
5 shall, before the preparation of the plat and schedule, describe, in
6 a proposed resolution, the property abutting upon or adjacent to any
7 line of sanitary sewer in such city or town, which it contemplates
8 to so specially assess, and state in said resolution the aggregate
9 amount of such special assessments and the estimated project cost
10 to be borne by said city or town, and if the said city or town proposes
11 to pay the whole or any part of the project cost from the proceeds of
12 a joint sewer fund tax, such city or town council shall, in such proposed
13 resolution, establish a joint sewer district or districts upon which it
14 proposes to levy such tax, and the aggregate amount of joint sewer
15 fund tax it proposes to levy thereon, and if it is proposed to anticipate
16 the collection of such tax for more than one year, it shall state such
17 fact, and state the total estimated project cost to be borne by said
18 city or town, in said resolution. If it be proposed to pay part of the
19 project cost from the proceeds of special assessment and part from
20 the proceeds of a joint sewer tax, it shall be so stated in said proposed
21 resolution."

1 SEC. 3. Section three hundred ninety-two point seven (392.7),
2 Code 1946, is hereby repealed, and the following substituted in lieu
3 thereof:

4 "Hearing shall be had upon the proposed resolution at a date fixed
5 by the city council. Said hearing shall not be less than twenty days
6 after the date of the completed giving of notice thereof. At such
7 hearing or any adjournment thereof, the proposed resolution may be
8 passed as proposed, or amended and passed."

1 SEC. 4. Section three hundred ninety-two point eight (392.8),
2 Code 1946, is hereby repealed, and the following substituted in lieu
3 thereof:

4 "Said notice shall describe the property proposed to be assessed,
5 if any, and describe the district or districts wherein it is proposed
6 to levy a joint sewer tax, if any, and advise the taxpayers of the city
7 or town of the date when hearing shall be had on the proposed
8 resolution."

1 SEC. 5. Section three hundred ninety-two point nine (392.9),
2 Code 1946, is hereby repealed, and the following substituted in lieu
3 thereof:

4 "Notice of said hearing shall be given by two publications in each
5 of two newspapers published in said city or town, if there be that

*According to enrolled act.

6 number, and if there be only one newspaper published in said city
7 or town, by two publications therein, and if there be no newspaper
8 published in such city or town, such notice shall be published in a
9 newspaper designated by the council, and having a general circula-
10 tion in such city or town, provided, in such case, three copies of such
11 notice be posted in three public places therein, one of which shall be
12 at the Mayor's office."

1 SEC. 6. Section three hundred ninety-two point eleven (392.11),
2 Code 1946, is hereby repealed, and the following substituted in lieu
3 thereof:
4 "Sewer certificates or sewer bonds may be issued in anticipation
5 of the special assessments authorized herein and their issuance and
6 sale shall be in accordance with the provisions of Chapter three hundred
7 ninety-six. Joint sewer bonds may be issued in anticipation of the
8 collection of the joint sewer fund tax authorized herein under the
9 terms provided in the second paragraph of section four hundred eight
10 point ten, and such bonds and certificates may be sold to provide
11 funds to meet the project cost in whole or in part."

Approved May 1, 1947.

CHAPTER 208

GRADING AND FILLING LANDS

S. F. 137

AN ACT to amend sections three hundred ninety-four point two (394.2) and three hundred ninety-four point six (394.6), code 1946, relating to self-liquidating improvements, and providing that the provisions of said chapter relating to borrowing money and issuing revenue bonds be applicable to chapter three hundred eighty-four (384), code 1946.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred ninety-four point two (394.2),
2 Code 1946, be amended by inserting a comma (,) after the word "piers"
3 in the sixth line thereof, followed by the words "including the grading
4 and filling of lands under their control,".

1 SEC. 2. Section three hundred ninety-four point six (394.6), Code
2 1946, be amended by inserting after the comma in line five (5) thereof
3 the following: "including the grading and filling of lands under their
4 control, by issuing revenue bonds, payable as hereinafter provided,
5 and deliver such bonds to the Federal Government or an agency
6 thereof;"

1 SEC. 3. That said chapter three hundred ninety-four (394), Code
2 1946, be amended by adding thereto the following section:
3 "All of the provisions of this chapter relating to the borrowing of
4 money, and issuing revenue bonds for wharves, docks and piers, includ-
5 ing the grading and filling of lands, and for the payment thereof, shall
6 be applicable to chapter three hundred eighty-four (384), Code 1946."

Approved March 27, 1947.

CHAPTER 209

FLOOD CONTROL IN CITIES

H. F. 89

AN ACT providing for authority in cities and towns to collaborate with the federal government in flood control projects, to have all authority and power conferred by chapter three hundred ninety-five (395), code 1946, in connection with such projects, to accept federal assistance and enter into necessary agreements with federal agencies in the promotion of such projects, and after applying government aid to assess the cost to be borne by such city or town in the manner provided by section three hundred ninety-five point eleven (395.11), code 1946, and levy the assessment therefor as provided by section three hundred ninety-five point twelve (395.12), code 1946, and accept contributions therefor; and to enter into maintenance agreements with the federal government.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Cities and towns may in accordance with the provisions
2 of this chapter accept federal aid in the doing of the acts provided in
3 section three hundred ninety-five point one (395.1), Code 1946, and may
4 assume such portion of the cost thereof not discharged by such federal
5 aid. They shall have power of condemnation as provided in section
6 three hundred ninety-five point two (395.2), Code 1946.

1 SEC. 2. The cost of all right-of-way acquired by purchase or con-
2 demnation may be borne by the city or town together with any other
3 property rights which may be required in furtherance of such projects
4 and the work of actual construction and the cost thereof may be borne
5 by the federal government.

1 SEC. 3. This act contemplates that the actual direction of the
2 project and the doing of the work in connection therewith is assumed
3 by the federal government and that the city or town provides and
4 assumes the cost of necessary right-of-way over and above such con-
5 tributions in that regard as the federal government may choose to
6 make. Under such limitation all appropriate portions of chapter three
7 hundred ninety-five (395), Code 1946, shall apply.

1 SEC. 4. Cities and towns in furtherance of such flood control
2 projects may accept contributions to enable them to pay for necessary
3 right-of-way. They may also enter into agreement with the federal
4 government to maintain levees, dikes or other construction and to do
5 all other acts required by the federal government in maintaining the
6 work of construction when completed.

1 SEC. 5. Cities and towns having a bridge fund may apply same to
2 the purchase of right-of-way or to maintenance of the completed flood
3 control project.

Approved March 12, 1947.

CHAPTER 210

STREET IMPROVEMENT BONDS

H. F. 58

AN ACT to amend section three hundred ninety-six point twenty-two (396.22), code 1946, relating to the issuance of certain municipal bonds, and to permit cities and towns issuing such bonds for street improvements to pledge the street construction fund to the payment thereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section three hundred ninety-six point twenty-
2 two (396.22), Code 1946, by adding the following:

3 "Any city or town issuing bonds to pay for street improvements as
4 authorized in this section of the code is hereby granted authority to
5 pledge the future avails of its street construction fund as constituted
6 under the provisions of section three hundred twenty-four point sixty-
7 three (324.63), Code 1946, to the payment of the principal and interest
8 of said bonds as the same come due."

1 SEC. 2. Provisions of this act shall apply to cities under special
2 charter.

1 SEC. 3. This act being deemed of immediate importance, shall be in
2 full force and effect from and after its passage and publication in the
3 Progress Review, a newspaper published at La Porte City, Iowa, and
4 the Cedar Falls Daily Record, a newspaper published at Cedar Falls,
5 Iowa.

Approved April 28, 1947.

I hereby certify that the foregoing act was published in the Progress Review, May 1, 1947, and the Cedar Falls Daily Record, May 2, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 211

WATERWORKS GROUP INSURANCE

S. F. 254

AN ACT to amend sections four hundred point one (400.1), four hundred point six (400.6) and four hundred point nine (400.9), code 1946, so as to provide for the deduction of the cost of group insurance from pensions paid retired municipal waterworks employees.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred point one (400.1), Code 1946,
2 is hereby amended by striking the period "." at the end thereof
3 and substituting a comma "," and adding immediately thereafter
4 the following: "or receiving a pension from such board".

1 SEC. 2. Section four hundred point six (400.6), Code 1946, is
2 hereby amended by striking from lines six (6) and seven (7) thereof
3 the words "wages or salary" and by substituting in lieu thereof the
4 following: "wages, salary or pension".

1 SEC. 3. Section four hundred point nine (400.9), Code 1946, is
 2 hereby amended by striking the period "." at the end thereof and by
 3 substituting in lieu thereof a comma "," and by adding immediately
 4 thereafter the following: "unless such employee is retired on a
 5 pension at the termination of active service, in which event the expense
 6 of continuing such life insurance shall be borne by the employee and
 7 the board in the same proportions as during active service."

Approved April 3, 1947.

CHAPTER 212

FIRE DEPARTMENT MAINTENANCE

H. F. 111

AN ACT to amend section four hundred four point five (404.5), code 1946, relating to fire department maintenance fund and the millage rate therein authorized.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred four point five (404.5), sub-
 2 section nine (9), Code 1946, is amended by striking from line four
 3 (4) thereof the word "four" and substituting therefor the words "four
 4 and one-half" and by striking from line six (6) the words "one and
 5 three-fourths" and inserting in lieu thereof the words "two and one-
 6 fourth".

Approved March 18, 1947.

CHAPTER 213

COMFORT STATIONS IN CITIES

H. F. 425

AN ACT relating to taxes for comfort stations.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Subsection fifteen (15) of section four hundred four
 2 point five (404.5), Code 1946, is hereby amended by striking the words
 3 "one-eighth" in line three (3) and inserting in lieu thereof the words
 4 "one-fourth".

Approved April 24, 1947.

CHAPTER 214

CITY OR TOWN LIBRARIES

H. F. 208

AN ACT relating to assessment for library funds in cities and towns.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section four hundred four point five (404.5), Code
- 2 1946, is hereby amended by inserting after the word "cities", in line
- 3 five (5) of subsection nineteen (19) the words "and towns".

Approved April 16, 1947.

CHAPTER 215

COMMUNITY CENTER FUNDS

H. F. 272

AN ACT to amend section four hundred four point five (404.5), code 1946, relating to taxation for community center improvement and maintenance fund and playground or swimming pool maintenance fund.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section four hundred four point five (404.5), sub-
- 2 section twenty-three (23), Code 1946, is hereby amended by inserting
- 3 after the word "district" in line two (2) the following: "or within
- 4 the limits of a city or town having an established playground or
- 5 recreation commission,".
- 6 Further amend by striking the period (.) from the end of said
- 7 subsection and inserting the following: "or of the playground, play-
- 8 grounds, swimming pool or swimming pools; provided, however, that
- 9 the combined millage levy for community center improvement and
- 10 maintenance fund, and the playground or swimming pool maintenance
- 11 fund shall not exceed one and one-fourth mills; provided, however,
- 12 that nothing herein shall be construed to permit the use of any funds
- 13 herein referred to and obtained under this Act to be used to retire
- 14 revenue bonds issued, for the construction of any projects herein
- 15 set forth."

Approved April 16, 1947.

CHAPTER 216
CITY HALL FUNDS
H. F. 35

AN ACT to amend section four hundred four point five (404.5), code 1946, relating to general powers of cities, special charter cities, and towns to levy special taxes to build, purchase or remodel a city or town hall.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Subsection twenty-eight (28), section four hundred
2 four point five (404.5), Code 1946, is hereby repealed and the following
3 enacted in lieu thereof:

4 "City Hall Fund. Any city with a population of more than
5 sixty-five thousand, not exceeding one and one-half mills for not more
6 than twenty years and any city with a population of less than sixty-
7 five thousand and any town, not exceeding one and one-fourth mills
8 for the same period, which in each case shall be used only to build,
9 purchase or remodel any building or structure specifically referred to
10 in section three hundred sixty-eight point forty-one (368.41) and a
11 site therefor."

1 SEC. 2. This Act to be applicable to special charter cities.

1 SEC. 3. This Act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Unionist and
3 Public Forum, a newspaper published at Sioux City, Iowa, and in the
4 Anthon Herald, a newspaper published at Anthon, Iowa.

Approved March 25, 1947.

I hereby certify that the foregoing act was published in the Unionist and Public Forum, April 3, 1947, and the Anthon Herald, April 2, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 217
TAX LIMITATIONS IN TOWNS
H. F. 38

AN ACT to amend section four hundred four point six (404.6), code 1946, relating to limitation of certain taxes by cities and towns.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred four point six (404.6), Code
2 1946, is hereby amended by adding after the word "city" in line six
3 (6) thereof the following: "or town".

Approved February 13, 1947.

CHAPTER 218

SYMPHONY ORCHESTRA TAX

H. F. 102

AN ACT to authorize a tax levy in cities and towns including special charter cities for the purpose of providing a fund for the maintenance or employment of a symphony orchestra and providing for submission of the question of the levying of a tax for such purposes to the voters of such cities and towns.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Cities including special charter cities having a popula-
2 tion of over seventy-five thousand and less than one hundred twenty-
3 five thousand may when authorized as herein provided levy each year
4 a tax of not to exceed one-eighth of a mill for the purpose of providing
5 a fund for the maintenance or employment of a symphony orchestra
6 for musical purposes; provided, however, that where there is main-
7 tained or employed in such city a symphony orchestra, not for profit
8 under chapter five hundred four (504), Code 1946, for educational
9 purposes throughout the entire year, which, as a part of such educa-
10 tional program trains and maintains throughout the entire year
11 subsidiary units of such orchestra whereby the youth of the city
12 receive instruction and training in symphony music, an additional
13 tax of not to exceed one-eighth mill may be levied for such educational
14 purposes without further authorization by an election.

1 SEC. 2. Said authority shall be initiated by a petition signed by
2 ten per cent of the legal voters of the city, as shown by the last
3 municipal election. Said petition shall be filed with the council or
4 commission and shall request that the following question be submitted
5 to the voters at a general municipal election, to-wit: "Shall a tax of
6 not exceeding one-eighth mill be levied each year for the purpose of
7 furnishing a symphony orchestra fund?"

1 SEC. 3. When such petition is filed, the council or commission, shall
2 cause such question to be submitted to the voters at the first following
3 municipal election.

1 SEC. 4. Said levy shall be deemed authorized if a majority of the
2 votes cast at said election be in favor of said proposition, and the
3 council or commission shall then levy a tax sufficient to support or
4 employ such orchestra not to exceed one-eighth mill on the assessed
5 property of such city.

1 SEC. 5. A like petition may at any time be presented to the council
2 or commission asking that the following proposition be submitted,
3 to-wit: "Shall the power to levy a tax for the maintenance or employ-
4 ment of a symphony orchestra be canceled?". Said question shall be
5 presented at any general municipal election as heretofore provided,
6 and if a majority of the votes is cast in favor of said question, no
7 further levy for said purpose shall be made.

1 SEC. 6. All funds derived from said levy shall be expended as set
2 forth in section 1 hereof by the council or commission.

1 SEC. 7. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Pierson

- 3 Progress, a newspaper published at Pierson, Iowa, and the Sioux City
4 Journal-Tribune, a newspaper published at Sioux City, Iowa.

Approved March 18, 1947.

I hereby certify that the foregoing act was published in the Pierson Progress, March 27, 1947, and the Sioux City Journal-Tribune, March 20, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 219

POLICEMEN AND FIREMEN RETIREMENT

H. F. 347

AN ACT to amend sections four hundred eleven point five (411.5), four hundred eleven point six (411.6) and four hundred eleven point eight (411.8), code 1946, relating to retirement systems for policemen and firemen and the administration, benefits and contributions thereunder.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Subsection twelve (12) of section four hundred eleven
2 point five (411.5), Code 1946, is hereby amended by striking there-
3 from paragraph "b" thereof and by re-lettering the remaining para-
4 graphs.

1 SEC. 2. Paragraph "a" of subsection one (1) of section four
2 hundred eleven point six (411.6) is hereby amended by striking from
3 line nine (9) thereof, the words "sixty, or of" and is further amended
4 by striking from lines nine (9), ten (10) and eleven (11) thereof the
5 words "if he has duly exercised the option of retirement at age fifty-
6 five as provided in this chapter" and by inserting in lieu thereof, the
7 words "and shall have served twenty-two years or more in said de-
8 partment".

1 SEC. 3. Paragraph "b" of subsection two (2) of section four
2 hundred eleven point six (411.6), Code 1946, is hereby amended by
3 striking from line two (2) thereof, the words and figures "shall equal
4 1/140" and by inserting in lieu thereof, the words "together with his
5 annuity shall make a total service retirement allowance equal to one-
6 half" and is further amended by striking from lines three (3) and
7 four (4) thereof, the words "multiplied by the number of years of his
8 membership service".

1 SEC. 4. Subsection four (4) of section four hundred eleven point
2 six (411.6), Code 1946, is hereby amended by striking from line three
3 (3) thereof the word "sixty" and inserting in lieu thereof the word
4 "fifty-five".

1 SEC. 5. Subsection seven (7) of section four hundred eleven point
2 six (411.6), Code 1946, is hereby amended by striking from line seven
3 (7) thereof, the word "sixty" and inserting in lieu thereof, the word
4 "fifty-five" and is further amended by striking from line fourteen
5 (14) thereof, the word "sixty" and inserting in lieu thereof, the word
6 "fifty-five".

1 SEC. 6. Paragraph "a" of subsection one (1) of section four
 2 hundred eleven point eight (411.8), Code 1946, is hereby amended by
 3 striking all of said paragraph following the period (.) in line four (4)
 4 thereof, and inserting in lieu thereof, the words and figures "The
 5 rates of contribution payable by members according to their ages
 6 when becoming members shall be as follows:

7	Age when	Rate of
8	becoming	contribution.
9	a member	
10	20	3.91%
11	21	3.97%
12	22	4.04%
13	23	4.11%
14	24	4.18%
15	25	4.26%
16	26	4.33%
17	27	4.41%
18	28	4.48%
19	29	4.56%
20	30	4.64%
21	31	4.72%
22	32	4.80%
23	33	4.88%
24	34	4.97%
25	35	5.05%
26	36	5.14%
27	37	5.22%
28	38	5.31%
29	39	5.40%
30	40	5.50%''

1 SEC. 7. Paragraph "b" of subsection one (1) of section four
 2 hundred eleven point eight (411.8), Code 1946, is hereby amended by
 3 striking all of said paragraph following the word "computed" in line
 4 ten (10) thereof and inserting in lieu thereof, a period (.).

1 SEC. 8. Paragraph "d" of subsection one (1) of section four
 2 hundred eleven point eight (411.8), Code 1946, is hereby amended by
 3 striking all of said paragraph preceding the word "The" in line twenty-
 4 three (23) thereof.

1 SEC. 9. Any member of any retirement system created pursuant
 2 to the provisions of chapter four hundred eleven (411), Code 1946
 3 who, prior to the effective date of this act, shall have contributed to
 4 the annuity saving fund of any such retirement system, any moneys
 5 in excess of the rate of contribution, according to the age of such
 6 member at the time he became a member thereof, as provided in this
 7 act, shall be entitled to have such excess amount credited against such
 8 contributions as shall be due from such member subsequent to the
 9 effective date of this act and no further deductions shall be made from
 10 the salary of such member subsequent to the effective date of this
 11 act until such excess so credited shall have been fully exhausted.

Approved April 23, 1947.

CHAPTER 220

ATHLETIC FACILITIES IN CITIES

S. F. 161

AN ACT to amend sections four hundred sixteen point one hundred thirty-five (416.135) and four hundred sixteen point one hundred thirty-six (416.136), code 1946, and to provide for the construction of and procuring sites for field houses, athletic and recreational facilities.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section four hundred sixteen point one hundred
2 thirty-five (416.135), Code 1946, is hereby amended by adding after
3 the word "pools" in line eight (8) of said section the following: "field
4 house, athletic or recreational facilities,"

1 SEC. 2. That section four hundred sixteen point one hundred thirty-
2 six (416.136), Code 1946, is hereby amended by striking the period
3 at the end of line sixteen (16) and adding thereto the following: "and
4 an additional annual special tax of not to exceed one-half mill on the
5 dollar on all taxable property of the city, to be used for the construction
6 of and procuring a site for a field house, athletic or recreational facil-
7 ities."

Approved April 22, 1947.

CHAPTER 221

TREES AND SHRUBBERY IN CITIES

H. F. 205

AN ACT to amend section four hundred sixteen point one hundred thirty-eight (416.138), code 1946, relating to trees and shrubbery.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred sixteen point one hundred
2 thirty-eight (416.138), Code 1946, is hereby amended by striking
3 from lines ten (10) and eleven (11) the words "pay for the same
4 out of the general fund", and inserting in lieu thereof the words
5 "levy, in addition to the taxes now or hereafter authorized by law,
6 annually upon all taxable property therein a tax of not more than
7 three-eighths of a mill on the dollar for the purpose of planting,
8 caring for, and removing said trees and shrubs".

1 SEC. 2. Section four hundred sixteen point one hundred thirty-
2 eight (416.138), Code 1946, is further amended by striking from line
3 two (2) the words "twenty-five" and inserting in lieu thereof the word
4 "fifteen".

1 SEC. 3. This act shall apply to special charter cities.

Approved April 28, 1947.

CHAPTER 222

DAVENPORT TAX ASSESSMENTS

H. F. 499

AN ACT relating to procedure for the assessment of property and the collection of taxes in any city acting under special charter which levies and collects its own taxes and having a population of more than sixty thousand (60,000).

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Any city acting under special charter which levies
2 and collects its own taxes and has a population of more than sixty
3 thousand (60,000) may by ordinance provide for the dates upon which
4 the board of review shall meet and may provide for the preparation
5 of the tax list to be turned over to the city treasurer for collection
6 and any other matters relating to the assessment and collection of
7 taxes necessary for the proper administration of the tax laws relating
8 to said city.

1 SEC. 2. The provisions of Senate File 46,* Acts of the Fifty-second
2 General Assembly relating to the office of the township assessor and
3 township board of review shall not apply in any city under special
4 charter having a population of more than sixty thousand (60,000)
5 until such time as a city assessor and a city board of review shall have
6 been established under the provisions of Senate File 46, Acts of the
7 52nd General Assembly.

1 SEC. 3. In any township having a population of twenty thousand
2 (20,000) or more situated entirely within the limits of a city under
3 special charter compensation of the township assessor is hereby fixed
4 in the amount of seven dollars fifty cents (\$7.50) per day.

Approved April 16, 1947.

*Chapter 240.

CHAPTER 223

PERSONAL PROPERTY TAX LIEN

H. F. 249

AN ACT to amend section four hundred twenty point two hundred thirty-one (420.231) and four hundred twenty point two hundred thirty-four (420.234), code 1946, relating to the lien of personal property taxes levied by special charter cities which collect their own taxes.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty point two hundred thirty-
2 one (420.231) Code 1946, is hereby amended by inserting at the end
3 thereof the following:
4 " , which lien shall attach to real estate owned by such person on
5 the date when such personal property taxes become delinquent and
6 shall continue for a period of ten years only thereafter."

1 SEC. 2. Section four hundred twenty point two hundred thirty-
 2 four (420.234) Code 1946, is hereby amended by inserting at the end
 3 thereof the following:
 4 " , except as provided in section four hundred twenty point two
 5 hundred thirty-one (420.231), with respect to the lien of personal
 6 property taxes on real estate."

Approved April 22, 1947.

CHAPTER 224

SECRETARY OF STATE TAX COMMISSION

S. F. 209

AN ACT to amend section four hundred twenty-one point thirteen (421.13), code 1946, relating to the duties of the secretary of the Iowa state tax commission.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-one point thirteen
 2 (421.13), Code 1946, is hereby amended by striking from said section,
 3 subsections five (5), six (6), and seven (7).

Approved April 22, 1947.

CHAPTER 225

ASSESSMENT DUTIES OF TAX COMMISSION

H. F. 62

AN ACT relating to the powers of the state tax commission and amending section four hundred twenty-one point seventeen (421.17), code 1946.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Subsection one (1) of section four hundred twenty-one
 2 point seventeen (421.17), Code 1946, is hereby amended by adding
 3 the following:
 4 "1-a. To supervise the activity of all assessors and boards of review
 5 in the state of Iowa; to cooperate with them in bringing about a
 6 uniform and legal assessment of property as prescribed by law.
 7 "The state tax commission shall have the power to order the
 8 reassessment of all or part of the property in any taxing district
 9 in any year. Such reassessment shall be made by the local assessor
 10 according to law under the direction of the state tax commission
 11 and the cost thereof shall be paid in the same manner as the cost of
 12 making an original assessment.
 13 "The state tax commission shall determine the degree of uniformity
 14 of valuation as between the various taxing districts of the state
 15 and shall have the authority to employ competent personnel for the
 16 purpose of performing this duty."

1 SEC. 2. Subsection nine (9) of section four hundred twenty-one
 2 point seventeen (421.17), Code 1946, is hereby amended by adding

3 thereto the following: "The state tax commission shall have the power
 4 to correct errors or obvious injustices in the assessment of any
 5 individual property, but it shall not reduce the valuation of any
 6 individual property except upon the recommendation of the local
 7 board of review and no order of the state tax commission affecting
 8 any valuation shall be retroactive as to any reduction or increase in
 9 taxes payable prior to January 1 of the year in which such order
 10 is issued, or prior to September 1 of the preceding year in cities under
 11 special charter which collect their own municipal levies. Any increase
 12 in individual valuations ordered by the tax commission shall be
 13 subject to right of appeal to the courts under the same procedure as
 14 that provided in the case of increases made by local boards of review.
 15 "The state tax commission shall have the power to order made
 16 effective reassessments or revaluations in any taxing district as to
 17 taxes levied during the current year for collection the following year,
 18 and it may in any year order uniform increases or decreases in valua-
 19 tion of all property or upon any class of property within any taxing
 20 district, such orders to be effective as to taxes levied during the
 21 current year for collection during the following year."

1 SEC. 3. This Act shall apply to cities under special charter.

1 SEC. 4. This Act being deemed of immediate importance, shall
 2 be in full force and effect from and after its passage and publication
 3 in The Sac Sun, a newspaper published at Sac City, Iowa, and The
 4 Odebolt Chronicle, a newspaper published at Odebolt, Iowa.

Approved April 23, 1947.

I hereby certify that the foregoing act was published in The Sac Sun, May 1, 1947,
 and The Odebolt Chronicle, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 226

SALES TAX ON AMUSEMENT DEVICES

H. F. 64

AN ACT to impose a tax upon the gross receipts of commercial amusements; providing for the disposition of the revenue from such tax; and amending section four hundred twenty-two point forty-two (422.42) and section four hundred twenty-two point forty-three (422.43), code 1946.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-two point forty-two
 2 (422.42), Code 1946, is hereby amended by striking the semi-colon (;)
 3 after the word "division" in line seven (7) of subsection five (5)
 4 and inserting the words: "or operating amusement devices or other
 5 forms of commercial amusement from which revenues are derived;"

1 SEC. 2. Section four hundred twenty-two point forty-three
 2 (422.43), Code 1946, is hereby amended by inserting the following
 3 after line twenty (20) of said section:

4 "There is hereby imposed beginning with the first day of July,
 5 1947, a tax of two percent (2%) upon the gross receipts derived from

6 the operation of all forms of amusement devices and commercial amuse-
 7 ment enterprises, other than bowling alleys, operated or conducted
 8 within the State of Iowa, such tax to be collected from the operator in
 9 the same manner as is provided for the collection of taxes upon the
 10 gross receipts of tickets or admission as provided in this section.

11 "The tax thus imposed shall cover all receipts from the operation
 12 of musical devices, weighing machines, shooting galleries, billiard
 13 and pool tables, pin ball machines, slot operated devices selling mer-
 14 chandise not subject to the general sales taxes and on all receipts
 15 from devices or systems where prizes are in any manner awarded
 16 to patrons and upon the receipts from fees charged for participation
 17 in any game or other form of amusement, and generally upon the
 18 gross receipts from any source of amusement operated for profit
 19 not specified herein, and upon the gross receipts from which no tax
 20 is collected for tickets or admission, but no tax shall be imposed upon
 21 any activity exempt from sales tax under the provision of subsection
 22 four (4) of section four hundred twenty-two point forty-five (422.45),
 23 Code 1946. Every person receiving gross receipts from the sources
 24 as defined in this Act shall be subject to all provisions of Division
 25 IV, Chapter four hundred twenty-two (422), Code 1946, relating to
 26 retail sales tax and such other provisions of Chapter four hundred
 27 twenty-two (422), as may be applicable."

1 SEC. 3. All revenues arising under the operation of the provisions
 2 of this Act shall become part of the state general fund.

1 SEC. 4. Nothing herein shall legalize any games of skill or chance
 2 or slot operated devices which are now prohibited by law.

1 SEC. 5. This Act being deemed of immediate importance, shall
 2 be in full force and effect from and after its passage and publication
 3 in *The Odebolt Chronicle*, a newspaper published at Odebolt, Iowa,
 4 and the *Daily Times Herald*, a newspaper published at Carroll, Iowa.

Approved April 17, 1947.

I hereby certify that the foregoing act was published in *The Odebolt Chronicle*, April 24, 1947, and the *Daily Times Herald*, April 24, 1947.

ROLLO H. BERGESON, *Secretary of State*.

CHAPTER 227

TAXATION OF HEAT SERVICE

S. F. 157

AN ACT to amend section four hundred twenty-two point forty-three (422.43), code 1946, and providing for the taxation of sale, furnishing or servicing of heat.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-two point forty-three
 2 (422.43), Code 1946, is hereby amended by inserting after the comma
 3 (,) following the word "water" in line ten (10), the word "heat,";
 4 and by inserting after the comma (,) following the word "water" in
 5 line thirteen (13) the word "heat,".

Approved April 22, 1947.

CHAPTER 228

SALES TAX ON AIRPLANES

S. F. 208

AN ACT to provide for the taxation of airplanes under the Iowa laws relating to sales and use tax; and amending sections four hundred twenty-two point forty-six (422.46), four hundred twenty-three point four (423.4), and three hundred twenty eight point twenty-five (328.25), code 1946.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-two point forty-six
2 (422.46), Code 1946, is hereby amended by adding after line eight
3 (8) the following: "This provision shall not apply to the sale of
4 airplanes."

1 SEC. 2. Section four hundred twenty-three point four (423.4), Code
2 1946, is hereby amended by inserting after the word "property" in
3 line one (1) of subsection three (3) the words "other than airplanes".

1 SEC. 3. Section three hundred twenty-eight point twenty-five
2 (328.25), Code 1946, is hereby amended by inserting after the second
3 comma (,) in line three (3) the words "except state sales or use
4 tax,".

1 SEC. 4. This act being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication
3 in the DeWitt Observer, a newspaper published at DeWitt, Iowa, and
4 The Union Tribune, a newspaper published at Russell, Iowa.

Approved April 22, 1947.

I hereby certify that the foregoing act was published in the DeWitt Observer, May 1, 1947, and The Union Tribune, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 229

SALES TAX REFUNDS TO GOVERNMENTS

S. F. 280

AN ACT relating to refunds of sale and use tax paid on purchases by tax certifying and tax levying governmental bodies of Iowa, or any subdivision or branch thereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Any tax certifying or tax levying body of Iowa or
2 any governmental subdivision thereof may apply to the State Tax
3 Commission for refund of the amount of tax imposed hereunder and
4 paid upon sales to it of any goods, wares or merchandise used for
5 public purposes. Such refund may be obtained only in the following
6 amounts and manner and only under the following conditions:
7 a. On forms furnished by the commission to be within such time
8 as the commission may provide by regulation. The governmental unit
9 claiming a refund shall report to the commission the total amount or
10 amounts valued in money expended directly or indirectly for goods,
11 wares or merchandise used for public purposes by such tax certifying
12 or tax levying body or governmental subdivision thereof.

13 b. On these forms the tax certifying or tax levying body or govern-
14 mental subdivision thereof shall separately list the persons making the
15 sales to it or to its order, together with the dates of the sales and the
16 total amount so expended.

17 c. The tax certifying or tax levying body or governmental sub-
18 division thereof must prove to the satisfaction of the commission
19 that the person making the sales has included the amount thereof
20 in the computation of the gross receipts of such person and that such
21 person has paid the tax levied by this division based upon such compu-
22 tation of gross receipts.

1 SEC. 2. If the commission is satisfied that the foregoing condi-
2 tions and requirements have been complied with they shall refund the
3 amount claimed by the tax certifying or tax levying body or govern-
4 mental subdivision thereof. The refunds herein provided shall not
5 extend to purchases of goods, wares or merchandise used by or in
6 connection with the operation of any municipal utility of such govern-
7 mental unit affording service to the general public.

1 SEC. 3. The provisions of this act shall also apply to purchases
2 by any tax certifying or tax levying body or governmental subdivision
3 thereof which are subject to the use tax provided by Chapter 423, Code
4 of Iowa 1946.

1 SEC. 4. Application for refunds herein provided shall be certified
2 to the state tax commission quarterly and within thirty days after the
3 close of each quarter on March 31st, June 30th, September 30th and
4 December 31st of each year. The state tax commission shall certify
5 to the state comptroller the amount of refund to which each tax
6 certifying body, tax levying body or governmental unit is entitled
7 and the state comptroller is hereby authorized to issue his warrant
8 for the amount of refund to the treasurer thereof.

1 SEC. 5. This act shall become effective as to purchases made on or
2 after July 1, 1947.

1 SEC. 6. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Postville
3 Herald, a newspaper published at Postville, Iowa, and in the Man-
4 chester Press, a newspaper published at Manchester, Iowa.

Approved April 28, 1947.

I hereby certify that the foregoing act was published in the Postville Herald, May 7,
1947, and the Manchester Press, May 8, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 230

Referred to in chapter 1, §88.

GENERAL FUND CREDITS

H. F. 502

AN ACT providing for the crediting to the state general fund of receipts from use tax, sales, corporation and income tax, liquor control receipts and other sources of revenue, and making certain appropriations therefrom.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-two point sixty-two
2 (422.62), Code 1946, is hereby amended by striking from lines seven
3 (7) and eight (8) thereof the words "a special tax fund which fund
4 is hereby created" and substituting in lieu thereof the words "the
5 general fund of the state of Iowa"; also by striking from line twenty-
6 two (22) thereof the words "special tax" and inserting in lieu there-
7 of the words "state general", and by striking from lines twenty-two
8 (22), twenty-three (23), twenty-four (24), twenty-five (25) and
9 twenty-six (26) the words "and the use tax fund in the same pro-
10 portion as collections derived from said funds bear to the total col-
11 lections going into the audit revolving fund during said quarter".

1 SEC. 2. Section four hundred twenty-two point sixty-seven
2 (422.67), Code 1946, is hereby amended by striking from line seven
3 (7) thereof the words "special tax" and inserting in lieu thereof the
4 words "state general".

1 SEC. 3. Section four hundred twenty-two point sixty-nine (422.69),
2 Code 1946, is hereby repealed and the following enacted in lieu there-
3 of:
4 "1. There is hereby appropriated annually the sum of ten million
5 dollars (\$10,000,000.00) from the general fund of the state to the
6 board of social welfare to be credited to the old age assistance fund.*
7 2. There is hereby appropriated annually from the general fund
8 of the state to the state tax commission to be credited to the home-
9 stead credit fund, which fund is hereby created, an amount sufficient
10 to carry out the provisions of chapter 425, Code 1946.
11 The state tax commission shall requisition the state comptroller to
12 issue his warrants on the homestead credit fund payable to the county
13 treasurers of the several counties of the state under the provisions
14 of chapter 425, Code 1946."

1 SEC. 4. Section four hundred twenty-three point twenty-four
2 (423.24), Code 1946, is hereby amended by striking all after line
3 three (3).

1 SEC. 5. Section one hundred twenty-three point fifty (123.50),
2 Code 1946, is hereby amended by striking lines twenty-two (22),
3 twenty-three (23) and twenty-four (24) thereof and inserting in lieu
4 thereof the words and figures "of one million five hundred thousand
5 dollars (\$1,500,000)".

*Additional appropriation, chapter 1, §38.

1 SEC. 6. As of the effective date of this act all balances remaining
 2 in the special tax fund, liquor control fund, use tax fund not other-
 3 wise provided by this act shall be transferred to the state general
 4 fund.

Approved April 22, 1947.

CHAPTER 231

Referred to in chapter 232.

MILITARY SERVICE TAX CREDIT FUND

H. F. 76

AN ACT to establish a military service tax credit fund; providing for the reimburse-
 ment to local taxing districts of taxes levied upon property subject to military
 service tax credit, such credit not to be in excess of twenty-five (25) mills on the
 total of taxes levied; providing for the apportionment of military service tax credit
 to all taxing districts in the state and making an appropriation for the payment
 of military service tax credits as provided by this act.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated from any moneys in
 2 the state treasury not otherwise appropriated, the sum of eight
 3 hundred thousand dollars (\$800,000) to establish a fund to be known
 4 as "the military service tax credit fund", in which fund shall also
 5 be included the amounts credited to the military service tax fund
 6 provided by section 3 of Senate File 41,* Acts of the Fifty-second
 7 General Assembly.

1 SEC. 2. The military service tax credit fund shall be apportioned
 2 each year as hereinafter provided so as to replace all or a portion
 3 of the tax on property eligible for military service tax exemption
 4 in the state, were such property subject to taxation the amount of
 5 such credit to be equal to not more than twenty-five (25) mills upon
 6 the valuation of property subject to the tax which, but for military
 7 service tax exemption, would be payable upon such property in the
 8 taxing district to which such property is located. Sums distributable
 9 from the military service tax credit fund shall be allocated every six
 10 (6) months to the several counties of the state beginning on March
 11 25, 1948, and every six (6) months thereafter; the state tax com-
 12 mission shall certify to the state comptroller the total amount of
 13 money which has been apportioned, or is apportionable to each
 14 county, and the state comptroller is hereby authorized to issue his
 15 warrant to the treasurer of each county payable from the military
 16 service tax credit fund in the amount certified.

1 SEC. 3. On or before August 1 of each year the county auditor
 2 shall certify to the county treasurer all claims for military service
 3 tax exemptions which have been allowed by the board of supervisors.
 4 Such certificate shall list the name of each owner and the legal
 5 description of the property upon which military service tax exemption
 6 has been granted, or the nature of the property upon which such
 7 military service tax exemption has been allowed on property other than

*Chapter 88.

8 real estate. The county treasurer shall forthwith certify to the state
9 tax commission the amount of taxes which would be levied upon
10 each property not in excess of twenty-five (25) mills on each dollar
11 of assessed valuation, at the regular property rate imposed on other
12 real and personal property in the taxing district where such military
13 service tax exemption has been granted, were such property subject
14 to normal property taxation.

1 SEC. 4. On October 1, 1947, and annually thereafter, the state tax
2 commission shall estimate the millage credit not to exceed twenty-
3 five (25) mills to be given to each dollar of eligible military service tax
4 exemption valuation based upon the estimated revenue that may be dis-
5 tributable from the military service tax credit fund for the ensuing
6 year, and shall certify to the county treasurer of each county such
7 millage credit and the amount in dollars thereof. The amount of
8 such credits shall be apportioned by each county treasurer to the
9 several taxing districts. Each taxing district shall receive its propor-
10 tionate share of the military service tax credit allowed on each and
11 every tax exemption allowed in such taxing district, [in the propor-
12 tion that the levy made by such taxing district upon general property
13 taxation by all taxing districts imposing a general property tax to
14 such taxing district]**; provided, however, that the several taxing
15 districts shall not be permitted to withdraw the funds so credited
16 until after the semiannual allocations have been received by the
17 county treasurer, as provided by this act.

1 SEC. 5. In any county in which is located a special charter city
2 which levies and collects its own taxes separately from the county,
3 the county treasurer shall pay to the city treasurer out of the funds
4 apportioned to said county from the military service tax credit fund,
5 the city's share of military service tax credit which share shall be
6 computed by the county treasurer upon each military service tax
7 exemption claimed in said city in the percentage that the total millage
8 levy imposed on taxable property in said city for municipal purposes
9 bears to the total millage levy imposed upon property subject to
10 taxation in said city for all purposes. The intention and purpose of
11 this provision shall be to allot to any such city the same proportionate
12 tax credit received by other cities and towns not under special
13 charter, but this provision shall not be construed in any way to allot
14 to any such city any greater benefits or credits than are provided by
15 this act in other cities and towns.

1 SEC. 6. Section four hundred twenty-seven point six (427.6),
2 Code 1946, is hereby amended by adding the following:
3 "Any person whose claim is denied under the provisions of this
4 act may appeal from the action of the board of supervisors in the
5 district court of the county in which said claimed military service
6 tax exemption is situated by giving written notice of such appeal
7 to the county auditor of said county within twenty days from
8 the date of mailing of notice of such action by the board of supervisors."
9 Should the state tax commission determine, upon investigation,
10 that any claim for military service tax exemption has been allowed

**Amended by chapter 232.

11 by any board of supervisors which is not justifiable under the law
12 and not substantiated by proper facts, the commission may, at
13 any time within one year after the receipt by the state tax commission
14 of the certification of such exemption by any county treasurer,
15 set aside such allowance. Notice of such disallowance shall be given
16 to the county auditor of the county in which such claim has been
17 improperly granted and a written notice of such disallowance shall
18 also be addressed to the claimant at his last known address. Such
19 claimant, or the board of supervisors, may appeal from the action
20 of the state tax commission in the same manner, and in the same
21 time, as provided for appeals from disallowance by the board of
22 supervisors. When such appeal is taken by claimant or by the board
23 of supervisors, the appellant shall, within ten (10) days after the
24 filing of such appeal, notify the chairman of the state tax commission,
25 by registered mail with receipt requested, of the filing of said appeal.
26 In any case, where a claim is so disallowed by the state tax commission
27 and no appeal is taken from such disallowance, any amounts of credits
28 allowed and paid from the military service tax credit fund shall become
29 a lien upon the property on which said credit was originally granted,
30 if still in the hands of the claimant, and not in the hands of a
31 bonafide purchaser, and any amount so erroneously paid shall be
32 collected by the county treasurer in the same manner as other taxes
33 and such collections shall be returned to the state tax commission
34 and credited to the military service tax credit fund. The state
35 tax commission shall also have the authority to institute legal proceed-
36 ings against a military service tax exemption claimant for the
37 collection of all payments made on such disallowed exemptions.
38 Said appeals shall be tried by equitable proceedings.

1 SEC. 7. The state tax commission shall prescribe the form for
2 the making of a verified statement and designation of property
3 eligible for military service tax exemption, and the form for the
4 supporting affidavits required herein, and such other forms as may
5 be necessary for the proper administration of this Act. As soon as
6 practicable after the effective date of this Act, and from time to
7 time thereafter as necessary, the commission shall forward to the
8 county auditors of the several counties of the state, such prescribed
9 sample forms. The commission shall have the power and authority
10 to prescribe rules and regulations, not inconsistent with the provisions
11 of this Act, necessary to carry out and effectuate its purposes.

1 SEC. 8. If the amount of credit apportioned to any property
2 eligible to military service tax exemption under the provisions of
3 this Act in any year shall exceed the total tax, exclusive of any
4 special assessments levied against such property eligible for military
5 service tax exemption then such excess shall be remitted by the county
6 treasurer to the state tax commission to be redeposited in the military
7 service tax credit fund and reallocated the following year by the
8 commission as provided hereunder.

9 In the event any claim for exemption made hereunder has been
10 denied by the board of supervisors, and such action is subsequently
11 reversed on appeal, the same millage credit shall be allowed on the
12 assessed valuation, not to exceed the amount of the military service
13 tax exemption involved in said appeal, as was allowed on other

14 military service tax exemption valuations for the year or years
15 in question, and the state tax commission, the county auditor, and
16 the county treasurer are hereby authorized and directed to make
17 such millage credit and to change their books and records accordingly.

18 In the event the appealing taxpayer has paid one or both of the
19 installments of the tax payable in the year or years in question
20 on such military service tax exemption valuation, remittance shall
21 be made to the county treasurer in the amount of such credit.

22 The amount of such credit shall be allocated and paid from the
23 surplus redeposited in the military tax credit fund provided for in
24 the first paragraph of this section.

1 SEC. 9. In the event any claim is allowed, and subsequently
2 reversed on appeal, any credit made thereunder shall be void, and
3 the amount of such credit shall be charged against the property in
4 question, and the state tax commission, the county auditor and the
5 county treasurer are authorized and directed to correct their books
6 and records accordingly. The amount of such erroneous credit, when
7 collected, shall be returned by the county treasurer to the military
8 service tax credit fund to be reallocated the following year as provided
9 herein.

1 SEC. 10. Payments made under this act for military service tax
2 exemption due and payable during the year 1948 shall be payable
3 from the eight hundred thousand dollar (\$800,000) fund set aside
4 by this Act for the establishment of a military service tax credit
5 fund.

1 SEC. 11. There is hereby appropriated from the state general fund
2 the sum of one million three hundred thousand dollars (\$1,300,000)
3 for the payment of military service tax credit due and payable to
4 the various taxing districts of the state under this Act for the year
5 1949. Should the sum thus appropriated prove insufficient to reimburse
6 the various taxing districts of the state for the amount of taxes which
7 would have been levied against property upon which military service
8 exemption has been allowed, were such property subject to taxation,
9 to the amount of twenty-five (25) mills on each dollar of military
10 service tax exemption valuation, the state tax commission shall
11 allocate the amount available in such percentage as the amount avail-
12 able shall bear to the total amount of claims filed in the entire
13 state. Any balance not required for the payment of military service
14 tax credits in any one year from the funds appropriated shall remain
15 in the military service tax credit fund as a reserve to be applied upon
16 payment of future claims.

Approved April 18, 1947.

CHAPTER 232

MILITARY SERVICE TAX CREDIT FUND

S. F. 501

AN ACT to amend House File seventy-six (76), Acts of the 52d General Assembly, relating to the military service tax credit fund.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. House File seventy-six (76)*, Acts of the 52d General
2 Assembly is hereby amended by striking from section four (4)
3 thereof all of lines twelve (12) and thirteen (13) and to and
4 including the word "district" in line fourteen (14) of the enrolled act**
5 and inserting in lieu thereof the following:
6 "in the proportion that the levy made by such taxing district upon
7 general property bears to the total levy upon all property subject to
8 general property taxation by all taxing districts imposing a general
9 property tax in such taxing district".

Approved April 30, 1947.

*Chapter 231.

**Lines 11, 12, 13, and 14 of the act as printed in chapter 231.

CHAPTER 233

CROP TAX EXEMPTION

H. F. 120

AN ACT to amend section four hundred twenty-seven point one (427.1), code 1946, providing an exemption from taxation of growing agricultural and horticultural crops and products.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Subsection thirteen (13) of section four hundred
2 twenty-seven point one (427.1), Code 1946, is hereby amended by
3 striking the word "The" in line one (1) and inserting in lieu thereof
4 the following: "Growing agricultural and horticultural crops and
5 products, except commercial orchards and vineyards, and all horticultural
6 and".

Approved April 17, 1947.

CHAPTER 234

TAX EXEMPT ORGANIZATIONS

H. F. 67

AN ACT to amend section four hundred twenty-seven point one (427.1), code 1946, and providing for the procedure to be followed in claiming of exemptions from taxation by certain societies and organizations.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-seven point one (427.1),
 2 Code 1946, is hereby amended by adding the following subsection:
 3 "Every society or organization claiming an exemption under the
 4 provisions of either subsection six (6) or subsection nine (9) of this
 5 section shall file with the assessor not later than February first (1st)
 6 of the year for which such exemption is requested, a statement upon
 7 forms to be prescribed by state tax commission, describing the nature
 8 of the property upon which such exemption is claimed and setting out
 9 in detail any uses and income from such property derived from such
 10 rentals, leases or other uses of such property not solely for the
 11 appropriate objects of such society or organization. The assessor,
 12 in arriving at the valuation of any property of such society or organi-
 13 zation, shall take into consideration any uses of the property not for
 14 the appropriate objects of the organization and shall assess in the
 15 same manner as other property, all or any portion of the property
 16 involved which is leased, let or rented and is used regularly for com-
 17 mercial purposes for a profit to any party or individual. In any case
 18 where a portion of the property is used regularly for commercial pur-
 19 poses no exemption shall be allowed upon property so used and the
 20 exemption granted shall be in the proportion of the value of the
 21 property used solely for the appropriate objects of the organization, to
 22 the entire value of the property. No exemption shall be granted upon
 23 any property upon or in which persistent violations of the laws of the
 24 state of Iowa are permitted. Every claimant of an exemption shall,
 25 under oath, declare that no such violations will be knowingly permitted
 26 or have been permitted on or after January first (1st) of the year
 27 for which a tax exemption is requested. Claims for such exemption
 28 shall be verified under oath by the president or other responsible
 29 heads of the organization."

1 SEC. 2. In any case where no such claim for exemption has been
 2 made to the assessor prior to the time his books are completed, such
 3 claims may be filed with the local board of review or with the county
 4 auditor not later than July first (1st) of the year for which such
 5 exemption from taxation is claimed, and a proper assessment shall be
 6 made either by the board of review or by the county auditor, if said
 7 property is all or in part subject to taxation.

1 SEC. 3. No exemption shall be granted upon any property which
 2 is the location of a federal retail liquor sales permit or in which
 3 federally licensed devices not lawfully permitted to operate under the
 4 laws of the state of Iowa are located.

1 SEC. 4. Any taxpayer or any taxing district may make application
 2 to the state tax commission for revocation for any exemption, based
 3 upon alleged violations of the provisions of this Act. The tax com-

4 mission shall also have power on its own motion to set aside any
 5 exemption which has been granted upon property for which exemption
 6 is claimed under this Act. The tax commission shall give notice by
 7 registered mail to the societies or organizations claiming an exemption
 8 upon property, exemption of which is questioned before or by the state
 9 tax commission, and any order made by the state tax commission re-
 10 voking or modifying such exemption shall be subject to appeal to the
 11 district court having jurisdiction in the county in which such property
 12 is located, such appeal to be triable in equity, and to be made within
 13 twenty (20) days after any order revoking such exemption is made
 14 by the state tax commission.

Approved April 28, 1947.

CHAPTER 235

VETERANS' TAX EXEMPTIONS

H. F. 185

AN ACT relating to military service exemptions from taxation.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-seven point three
 2 (427.3), Code 1946, is amended by adding the following subsection:
 3 "The provisions of this section shall apply to personal property
 4 held in partnership but not in excess of the value of the veteran's share
 5 actually held."

1 SEC. 2. This act being deemed of immediate importance, shall be
 2 in full force and effect from and after its passage and publication in
 3 the Hawarden Independent, a newspaper published at Hawarden,
 4 Iowa, and the Sioux County Capital, a newspaper published at Orange
 5 City, Iowa.

Approved March 18, 1947.

I hereby certify that the foregoing act was published in the Hawarden Independent,
 March 20, 1947, and the Sioux County Capital, March 27, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 236

EXCISE TAX ON GRAIN HANDLING

H. F. 178

AN ACT amending section four hundred twenty-eight point ten (428.10), code 1946,
 by removing grain dealers from the provisions thereof and by enacting a new
 section imposing an excise tax on the handling of grain and exempting grain subject
 to such excise from general property taxes.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section four hundred twenty-eight point ten
 2 (428.10), Code 1946, by striking from line two (2) the word "grain";
 3 by striking from line seven (7) the word "grain" and substituting

4 therefor the words "ice and coal"; amend lines eight (8) and nine (9)
5 by striking therefrom the words "granaries or cribs", amend line
6 eight (8) by striking the comma (,) after the word "warehouses" and
7 inserting in lieu thereof the word "or" and striking the comma (,)
8 after the word "icehouses".

1 SEC. 2. Chapter four hundred twenty-eight (428), Code 1946, is
2 hereby amended by inserting as a new section thereof the following:

3 1. **Definitions.** "Person" as used herein means individuals, corpora-
4 tions, firms and associations of whatever form. "Handling or handled"
5 as used herein means the receiving of grain at or in each elevator,
6 warehouse, mill, processing plant or other facility in this state in
7 which it is received for storage, accumulation, sale, processing or
8 for any purpose whatsoever. "Grain" as used herein means wheat,
9 corn, barley, oats, rye, flaxseed, field peas, soybeans, grain sorghums,
10 spelts, and such other products as are usually stored in grain elevators.
11 Such term excludes such seeds after being processed, and the products
12 of such processing when packaged or sacked. The term "processing"
13 shall not include hulling, cleaning, drying, grading or polishing.

14 2. **Tax imposed.** An annual excise tax is hereby levied on such
15 handling of grain in the amount hereinafter provided. All grain so
16 handled shall be exempt from all taxation as property under the laws
17 of this state. The amount of such excise tax shall be a sum equal
18 to one-fourth ($\frac{1}{4}$) mill per bushel upon all grain as herein defined
19 so handled.

20 3. **Statement filing form.** Every person engaged in handling grain
21 shall, on the first day of January of each year and not later than sixty
22 (60) days thereafter, make and file with the assessor a statement of the
23 number of bushels of grain handled by him in that district during
24 the year immediately preceding, or the part thereof, during which
25 he was engaged in handling grain; and on demand the assessor shall
26 have the right to inspect all such person's records thereof. A form
27 for making such statement shall be included in the blanks prescribed
28 by the State Tax Commission. If such statement is not furnished as
29 herein required, section four hundred forty-one point seven (441.7),
30 Code 1946, shall be applicable.

31 4. **Assessment.** The assessor of each such district, from the
32 statement required or from such other information as he may acquire,
33 shall ascertain the number of bushels of grain handled by each person
34 handling grain in his district during the preceding year, or part
35 thereof, and shall assess the amount herein provided to such person
36 under the provisions of this Act.

37 5. **Computation of Tax.** The rate imposed by paragraph two (2)
38 of this section shall be applied to the number of bushels of grain so
39 handled, and the computed amount thereof shall constitute the tax
40 to be assessed.

41 6. **Payment of Tax.** Such specific tax, when determined as aforesaid,
42 shall be entered in the same manner as general personal property taxes
43 on the tax list of the taxing district, and the proceeds of the collection
44 of such tax shall be distributed to the same taxing units and in the
45 same proportion as the general personal property tax on the tax list
46 of said taxing district. All provisions of the law relating to the
47 assessment and collection of personal property taxes and the powers

48 and duties of the county treasurer, county auditor and all other officers
49 with respect to the assessment, collection and enforcement of personal
50 property taxes shall apply to the assessment, collection and enforcement
51 of the tax imposed by this Act.

52 7. **Exemption.** Section four hundred twenty-seven point one
53 (427.1), Code 1946, is hereby amended by adding thereto a new sub-
54 section as follows:

55 "Grain handled, as defined under Chapter four hundred twenty-
56 eight (428)."

Approved April 3, 1947.

CHAPTER 237

TAXATION OF LOAN AGENCIES

H. F. 71

AN ACT to impose a tax upon corporations not organized under the laws of Iowa and upon individuals, partnerships or other nonincorporated agencies engaged in the business of making loans or investments within the state of Iowa on other than real estate security.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Every corporation not organized under the laws of
2 Iowa and every individual, partnership or other nonincorporated
3 agency engaged in the business of making loans or investments within
4 the state of Iowa on other than real estate security, shall annually
5 on or before March 1st furnish to the assessor of taxing district in
6 which its principal place of business is located, a verified statement
7 showing specifically with reference to the next year preceding the
8 first day of January then last past; (1) The total amount of money
9 loaned by such financial corporation or loaning agency on security
10 other than real estate or upon unsecured loans outside the state of
11 Iowa; (2) The total assets of such corporation; (3) The total in-
12 debtedness of such corporation, or loaning agency excluding indebted-
13 ness not relating to the business of loaning money upon security
14 other than real estate, or upon unsecured loans; (4) The location of
15 each place of business maintained within or without the state by
16 such corporation, or loaning agency; (5) The amount of money loaned
17 on security other than real estate or upon unsecured loans by each
18 place of business in Iowa; and such other information as the assessor
19 shall require in order to determine the amount of capital employed in
20 such business within the state of Iowa.

1 SEC. 2. The provisions of this act shall not apply to corporations
2 or agencies which are exempt from taxation under the provisions of
3 the constitution of the United States or federal statutes, or to insur-
4 ance companies subject to tax on gross premiums, under Chapter
5 432, Code 1946, or to corporations organized under the laws of the
6 state of Iowa, except as provided in Section Seven (7) hereof or to
7 rural electrification association loans, or to regularly chartered na-
8 tional and state banks.

1 SEC. 3. There is hereby imposed upon capital employed in the
2 business of making loans or investments within the state of Iowa, as
3 determined under the provisions of this act, a tax of five (5) mills
4 on each dollar of such capital; such tax to be considered a tax upon
5 moneys and credits of such corporations and to be apportioned as
6 provided by law to the various taxing districts, as are the proceeds of
7 other taxes on moneys and credits.

1 SEC. 4. The assessor shall, upon the basis of the return made to him
2 under the provisions of this act, determine the amount of capital
3 employed by the maker of the return in the business of making loans
4 or investments within the state of Iowa on other than real estate
5 security, and shall deduct from the amount thus determined a prorata
6 share of the indebtedness of such corporation, individual, partnership
7 or other nonincorporated agency, appertaining to the loaning of money
8 on other than real estate security, a percentage equal to that which
9 the amount of money loaned by such financial corporation in Iowa,
10 unsecured or upon security other than real estate, bears to the total
11 amount loaned by such loaning agency, unsecured or upon security
12 other than real estate outside the state of Iowa. The amount thus
13 determined shall be assessed as moneys and credits.

1 SEC. 5. The state tax commission shall prescribe forms for the
2 making of returns as provided by this act. Any individual, partnership
3 or agency subject to the provisions of this act and which maintains
4 more than one place of business within the state of Iowa, may elect
5 to make the return provided for by this act to the state tax commis-
6 sion, which shall determine the proper assessment to be made in each
7 taxing district in which such taxpayer maintains a place of business,
8 and the results thereof shall be by the state tax commission promptly
9 certified to the county auditors of the respective counties in which
10 offices are maintained, who shall add such assessments to the tax lists.
11 In making such assessments the state tax commission shall determine
12 the proportion of business done by such taxpayer in each taxing
13 district in which a place of business is maintained, and shall assess in
14 each taxing district an amount in proportion to the business done in
15 such taxing district to the amount of business done in the entire state.

1 SEC. 6. All real and tangible personal property of individuals, cor-
2 porations or agencies subject to the provisions of this act and located
3 within the state of Iowa shall be assessed in the same manner as
4 other real and tangible personal property.

1 SEC. 7. Any corporation incorporated under the laws of the State
2 of Iowa engaged in the business referred to in Section 1 may by filing
3 a statement or return elect to be assessed and taxed in the manner
4 and to the extent provided in the foregoing sections and in each year
5 in which it is so assessed, its shares of stock and moneys and credits
6 shall not be assessed under Chapter 431 or otherwise.

Approved April 28, 1947.

CHAPTER 238

TAXATION OF STOCK SHARES

H. F. 72

AN ACT to provide for the assessment of the shares of stock of certain corporations organized under the laws of Iowa; imposing a tax upon the shares of stocks of such corporations; amending sections four hundred thirty-one point one (431.1), code 1946; amending section four hundred twenty-nine point eleven (429.11), code 1946; amending section four hundred twenty-nine point twelve (429.12), code 1946, and amending section four hundred twenty-nine point thirteen (429.13), code 1946, and amending section four hundred twenty-seven point one (427.1), code 1946.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred thirty-one point one (431.1),
2 Code 1946, is hereby amended by inserting after the word "in" in
3 line thirteen (13) the words: "real estate or tangible personal", and
4 by striking from lines thirteen (13) and fourteen (14) the words:
5 "other than moneys and credits".

6 Further amend said section by adding at the end thereof the
7 following:

8 "Any corporation whose shares of stock are subject to assessment
9 under this section shall be entitled to deduct from the actual value
10 of such shares the actual value of shares owned by it in any other
11 corporation subject to assessment under this section, upon submitting
12 satisfactory proof to the assessor that such shares of stock have been
13 assessed under the provisions of this section to the corporation issuing
14 such shares of stock."

1 SEC. 2. Subsection twenty-one (21) of section four hundred twenty-
2 seven point one (427.1), Code 1946, is hereby repealed.

1 SEC. 3. Section four hundred twenty-nine point eleven (429.11),
2 Code 1946, is hereby amended by striking the comma (,) following
3 the word "loans" in line ten (10), and striking the words "may
4 take advantage of the provisions of this and Sections 429.12 and
5 429.13" from lines ten (10), eleven (11) and twelve (12); and
6 striking the words "by filing" in line thirteen (13), and substituting
7 in lieu thereof the words "shall file".

1 SEC. 4. Section four hundred twenty-nine point twelve (429.12),
2 Code 1946, is hereby amended by striking therefrom lines five (5),
3 six (6) and seven (7) and substituting in lieu thereof the following:
4 "for which he shall receive his actual expenses, including the compensa-
5 tion per diem of his examiners. Such corporation shall also pay to
6 the auditor an annual fee of \$25.00."

1 SEC. 5. Section four hundred twenty-nine point thirteen (429.13),
2 Code 1946, is hereby amended by adding a period (.) after the word
3 "effect" in line nine (9), and striking all of said section following
4 said word "effect" in said line nine (9).

Approved May 2, 1947.

CHAPTER 239

TAX ASSESSMENT VALUATIONS

H. F. 70

AN ACT to amend section four hundred forty-one point four (441.4), code 1946, relating to the assessment of property; and fixing a limit on bonded indebtedness of political and municipal corporations at five per cent of the actual value of the taxable property within such corporations and amending sections seventy-six point three (76.3), two hundred ninety-six point one (296.1), three hundred ninety-six point twenty-two (396.22), four hundred seven point one (407.1), four hundred seven point two (407.2), four hundred sixteen point one hundred thirty-two (416.132), four hundred nineteen point seventy-three (419.73), three hundred eighty-one point seven (381.7), code 1946.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred forty-one point four (441.4), Code
2 1946, is hereby amended by striking the first paragraph and sub-
3 stituting in lieu thereof the following:
4 "All property subject to taxation shall be valued at its actual value
5 which shall be entered opposite each item, and shall be assessed at
6 sixty percent (60%) of such actual value. Such assessed value shall
7 be taken and considered as the taxable value of such property upon
8 which the levy shall be made. The actual value in such cases shall be
9 one and two-thirds times the assessed value as shown by the assess-
10 ment rolls and may be so determined and ascertained."

1 SEC. 2. Section seventy-six point three (76.3), Code 1946, is hereby
2 amended by striking from line three (3) thereof the word "assessed"
3 and inserting in lieu thereof the word "actual".

1 SEC. 3. Section two hundred ninety-six point one (296.1), Code
2 1946, is hereby amended by striking from line eleven (11) thereof
3 the word "assessed" and inserting in lieu thereof the word "actual".

1 SEC. 4. Section three hundred ninety-six point twenty-two (396.22),
2 Code 1946, is hereby amended by striking the word "assessed" in line
3 seventeen (17) thereof and inserting in lieu thereof the word "actual".

1 SEC. 5. Section four hundred seven point one (407.1), Code 1946,
2 is hereby amended by striking from line six (6) thereof the word
3 "assessed" and inserting in lieu thereof the word "actual".

1 SEC. 6. Section four hundred seven point two (407.2), Code 1946,
2 is hereby amended by striking from line five (5) thereof the word
3 "assessed" and inserting in lieu thereof the word "actual".

1 SEC. 7. Section four hundred sixteen point one hundred thirty-
2 two (416.132), Code 1946, is hereby amended by striking from line
3 twenty-one (21) thereof the word "assessed" and inserting in lieu
4 thereof the word "actual".

1 SEC. 8. Section four hundred nineteen point seventy-three (419.73),
2 Code 1946, is hereby amended by striking from line eighteen (18)
3 thereof the word "assessed" and substituting therefor the word
4 "actual".

1 SEC. 9. Section three hundred eighty-one point seven (381.7),
2 Code 1946, is hereby amended by striking from line eighteen (18)

3 thereof the word "assessed" and inserting in lieu thereof the word
4 "actual".

1 SEC. 10. This act shall apply to special charter cities.

1 SEC. 11. This act being deemed of immediate importance shall
2 take effect and be in force from and after its publication in the Cedar
3 Falls Record, a newspaper published at Cedar Falls, Iowa, and in the
4 Hawkeye Gazette, a newspaper published at Burlington, Iowa.

Approved April 28, 1947.

I hereby certify that the foregoing act was published in the Cedar Falls Record, May
2, 1947, and the Hawkeye Gazette, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 240

Referred to in chapter 188, §§ 10, 11 and chapter 222.

COUNTY ASSESSORS

S. F. 46

AN ACT to provide for the assessment of real and personal property in the state of Iowa; creating the office of county assessor as a duty of the county auditor and providing for the selection of deputy county assessors in each county of the state of Iowa; creating the office of city assessor and providing for the selection of city assessors in cities now or hereafter having a population of ten thousand (10,000) or more and less than one hundred and twenty-five thousand (125,000); providing for the establishment of county boards of review in each county of the state of Iowa; providing for city boards of review in cities now or hereafter having a population of ten thousand (10,000) or more and less than one hundred and twenty-five thousand (125,000); and generally providing for the ordinary assessment and equalization of assessments of real and personal property throughout the state of Iowa and providing for the levy of taxes to pay the costs of such assessments; and amending certain sections of the code 1946.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. In every county in the state of Iowa the office of county
2 assessor is hereby created within the office of the county auditor. The
3 county auditor shall be ex officio county assessor. On the effective date
4 of this act the terms of office of all township, city and town assessors
5 shall terminate, other than those of city assessors provided for by this
6 act, and other than those of city assessors provided for by chapter 405,
7 Code 1946.

1 SEC. 2. As soon as practical after the taking effect of this act, the
2 state tax commission shall cause to be held in each county seat of the
3 state, an examination for full time deputy assessors. Notice of such
4 examination shall be posted in a prominent position in the court house
5 of each county seat and notice of such examination shall be published
6 in at least three (3) newspapers of general circulation in each county.
7 Persons desirous of taking such examination shall notify the state tax
8 commission at least ten (10) days before the date fixed by the com-
9 mission for such examination. The examination shall be open to all
10 persons residents of the county for at least one year who desire to
11 present themselves and who have notified the commission as above
12 provided and who are qualified voters and residents of the county. The

13 examination shall be conducted under rules and regulations prescribed
14 by the state tax commission. It shall cover the general field of laws
15 pertaining to the assessment of property taxation in Iowa; laws per-
16 taining to tax exemption; the principles of valuation of real estate;
17 laws pertaining to the assessment of personal property and as to the
18 duties and powers in general of assessors. There shall be taken into
19 consideration in the grading of candidates the executive ability, ex-
20 perience and general reputation of the candidate, including physical
21 condition.

22 Not later than November 15, 1947 the tax commission shall certify
23 to the county auditor of each county the names of eligibles for appoint-
24 ment as deputy assessors, which list shall include all persons who have
25 passed the examination with a grade of not less than seventy (70)
26 per cent. This list shall be in force and effect for two (2) years from
27 the date of certification. Deputy assessors shall be appointed by the
28 county auditor and may be removed by him only for malfeasance,
29 misfeasance or nonfeasance in office.

30 The state tax commission shall when requested by the county auditor
31 conduct a special examination for the purpose of selecting eligibles for
32 appointment as deputy assessors.

1 SEC. 3. Section four hundred forty-two point one (442.1), Code
2 1946, is hereby repealed, and the following substituted in lieu thereof:
3 "There is hereby created a county board of review which shall
4 constitute the board of review for all assessments made by the county
5 assessor. The board shall meet on the first Monday of May at the
6 office of the county assessor and shall sit from day to day until its
7 duties are completed, which shall not be later than the first day of June,
8 and shall adjust assessments by raising or lowering the assessments of
9 any person, partnership, corporation or association as to any of the
10 items of their assessments in such manner as to secure the listing of
11 property at taxable value. It shall also add to the assessment rolls any
12 taxable property not included therein, assessing the same in the name
13 of the owner thereof. All meetings of the board shall be public and it
14 shall keep minutes of its proceedings. The county board of review shall
15 have all the powers of local boards of review now provided by chapter
16 442, Code 1946, and appeal may be taken from any of its acts as pro-
17 vided by section four hundred forty-two point six (442.6), Code 1946.
18 The provisions of sections four hundred five point twenty-two (405.22),
19 and four hundred five point twenty-four (405.24), Code 1946, shall also
20 apply to appeal from county boards of review.

21 The county board of review may, at its election, hold sessions in any
22 incorporated city or town of the county for the purpose of receiving
23 protests against assessments and to perform its duties as a board of
24 equalization. The county board of review shall have no jurisdiction
25 over assessments in cities having a city assessor as provided by this
26 act, or in cities having a city assessor as provided by chapter 405, Code
27 1946.

28 On or before the first day of December, 1947, the board of supervisors
29 in each county shall call a conference which shall include the mayors
30 of all incorporated cities and towns in the county whose property is
31 assessed by the county assessor, members of the county boards of edu-
32 cation as now or hereafter constituted, and members of the board of

33 supervisors. Such conference shall organize for the purpose of selecting
34 a county board of review of not less than three (3) members or more
35 than five (5) as may be deemed desirable by the conference. The mem-
36 bers of the conference when organized shall constitute the appointive
37 board. The board as selected shall include at least one farmer, one
38 registered real estate broker and at least one person experienced in the
39 building and construction field. The assessor shall be clerk of said
40 board. No two members of the board of review shall be citizens of the
41 same town and not more than two members shall be of the same profes-
42 sion or occupation. In selection of the members of the boards of
43 review, and in the determination of all other matters, the county board
44 of supervisors, the mayors and the members of the county board of
45 education shall vote as units, each unit having a single vote, and it
46 shall be necessary for two (2) of the three (3) groups to agree on the
47 selection of any member of the board of review, and in the determina-
48 tion of all other matters. The county board of supervisors shall call
49 a new conference for the naming of an appointive board not later than
50 sixty (60) days before the expiration of the term of the county auditor
51 for the purpose of selecting successors to members of boards of review
52 whose terms shall expire, and the same procedure shall be followed
53 thereafter in the selection of boards of review as provided for the
54 original naming of boards of review under the provisions of this act.

55 The terms of members of the boards of review shall be for four (4)
56 years, beginning with January 1st of the year following their selection
57 but in the case of boards chosen for the first time under this act, the
58 term of one (1) member shall be for one (1) year, one member for two
59 (2) years, and a third member for three (3) years and additional mem-
60 bers for four (4) years each, the length of the term of each member
61 to be determined by lot, and successors of members whose terms expire
62 each year shall be selected in similar manner at future conferences to
63 be called by the board of supervisors. Vacancies in the board of review
64 shall be filled temporarily by the board of supervisors until such time
65 as a regular conference is called for the selection of new members.
66 Members of boards of review may be removed for malfeasance, mis-
67 feasant or nonfeasance in office, by the appointive board.

1 SEC. 4. Each member of the county board of review shall receive
2 compensation for his services at the rate of ten dollars (\$10.00) per
3 diem for the periods they are in session, plus mileage and actual expense
4 incurred in carrying on their duties, all of which shall be paid from
5 county general fund.

1 SEC. 5. In case of any vacancy in the office of the county assessor
2 the chief deputy assessor shall act as temporary county assessor until
3 such time as a new county auditor is selected. If any vacancy occurs
4 among the full time deputies and the qualified list has been exhausted
5 or is no longer in effect, the assessor shall call for an examination for
6 deputy assessors.

1 SEC. 6. Any expenditures incurred under this act prior to January
2 1, 1948, shall be paid from the general fund of the county.

1 SEC. 7. The county board of supervisors shall set up an annual
2 budget for the office of county assessor covering expenditures for each
3 year, during the year beginning January 1, 1948, as provided by chapter

4 344 of the Code. All provisions of chapter 344 shall apply to the office
5 of county assessor. All expenditures made prior to January 1, 1948,
6 under the provisions of this act, for the office of county assessor shall
7 be paid from the county general fund and thereafter from the proceeds
8 of the tax to be levied for the operation of the county assessor's office.

1 SEC. 8. The county board of supervisors is hereby directed to levy a
2 sufficient annual tax to defray expenses of the county assessor and his
3 office. Such tax shall be levied upon taxing districts of the county
4 which are assessed by the county assessor. The amount of tax levied
5 in 1947 for collection in 1948 and each year thereafter, shall be fixed
6 by the board of supervisors.

1 SEC. 9. The county assessor shall be required to furnish such bond
2 for performance of his duties as the board of supervisors may require,
3 and the county shall pay for such bond.

1 SEC. 10. The compensation of the deputies and assistants shall be
2 fixed by the board of supervisors, and such deputies and assistants shall
3 receive actual, necessary expenses as authorized by such board. Perma-
4 nent deputies shall be selected from the list of eligibles as certified by
5 the state tax commission.

1 SEC. 11. The county assessor shall:

2 1. Devote his entire time to the duties of his office and shall not
3 engage in any occupation or business interfering or inconsistent with
4 such duties.

5 2. Cause to be assessed, in accordance with section four hundred
6 forty-one point four (441.4), Code 1946, all the property, personal
7 and real, in his county, except such as is exempt from taxation, or the
8 assessment of which is otherwise provided for by law. Any person who
9 shall refuse to assist in making out a list of his property, or of any
10 property which he is by law required to assist in listing, shall be guilty
11 of a misdemeanor.

12 3. Have access to all public records of the county and, so far as
13 practicable, make or cause to be made a careful examination of all such
14 records and files in order to obtain all available information which may
15 contribute to the accurate listing at its taxable value, and to the
16 proper persons, of all property subject to taxation in his county, except
17 that which is assessed by a city assessor.

18 4. Cooperate with the state tax commission as may be necessary or
19 required, and he shall obey and execute all orders, directions, and in-
20 structions of the state tax commission, insofar as the same may be
21 required by law.

22 5. Have power to apply to the district court of the county for an
23 order to examine witnesses and requiring the production of books and
24 records of any person, firm, association or corporation within the
25 county, whenever he has reason to believe that such person, firm,
26 association or corporation has not listed his or its property as provided
27 by law. The proceeding for the examination of witnesses and examina-
28 tion of the books and records of any such taxpayer, to determine the
29 existence of taxable property, shall be instituted and conducted in the
30 manner provided for the discovery of property under the provisions of
31 Chapter 630, Code 1946. The court shall make an appropriate finding
32 as to the existence of taxable property not listed. All taxable property

33 discovered thereby shall thereupon be assessed by the assessor in the
34 manner provided by law.

35 In all cases where the court finds that the taxpayer has not listed
36 its or his property, as provided by law, and in all hearings where the
37 court decides a matter against the taxpayer, the cost shall be paid by
38 the taxpayer, otherwise they shall be paid by the county. The fees and
39 mileage to be paid witnesses shall be the same as prescribed by law in
40 proceedings in the district courts of this state in civil cases. Where
41 the costs are taxed to the taxpayer they shall be added to the taxes
42 assessed against said taxpayer and his property and shall be collected
43 in the same manner as are other taxes.

44 6. Make up all assessor's books and records as prescribed by the state
45 tax commission.

46 7. Submit on or before May 1 of each year completed assessment
47 rolls to the county board of review.

48 8. Lay before the county board of review such information as he
49 may possess which will aid said board in performing its duties in
50 adjusting the assessments to the valuations required by law.

51 9. Furnish to the state tax commission any information which he
52 may have relative to the ownership of any property that may be
53 assessable within this state, but not assessable or subject to being
54 listed for taxation by him in his county.

1 SEC. 12. A deputy assessor, or if more than one, the first deputy, in
2 the absence or disability of the assessor, shall perform all the duties of
3 or pertaining to the office of the assessor.

1 SEC. 13. At any time prior to the submission of the completed
2 assessment rolls to any board of review, the assessor may make cor-
3 rections in assessments previously made by him and may change
4 assessments when in his judgment the original assessment has been
5 erroneous; provided, however, if the assessor increases any assessment,
6 he shall give notice in writing to the taxpayer, either in person or by
7 mail, prior to the meeting of the board of review.

1 SEC. 14. Neither the county assessor nor any employee of his
2 office shall directly or indirectly contribute any money or anything of
3 value to any candidate, his agent or personal representative, for nomi-
4 nation or election to any office, or to any campaign, nor shall any candi-
5 date, person, representative, agent or committee solicit such contribu-
6 tion or active political support from any such officer or employer. Any
7 person convicted of violating any provision of this act shall immediately
8 be dismissed from office or may be punished as for an indictable mis-
9 demeanor.

1 SEC. 15. Any city having a population of ten thousand (10,000) or
2 more, according to the latest federal census, or which shall attain such
3 population in the future but shall not have a population in excess of one
4 hundred and twenty-five thousand (125,000), may by ordinance provide
5 for the selection of a city assessor and for the assessment of property
6 in such cities under the provisions of chapter 405, Code 1946, as pro-
7 vided by this act.

8 Any city desiring to provide for such assessment under the provisions
9 of chapter 405, Code 1946, shall, not less than sixty (60) days before
10 the expiration of the term of the assessor in office, proceed with the

11 appointment of an examining board as provided by section four hun-
12 dred five point one (405.1), Code 1946, which shall conduct an examina-
13 tion as provided by section four hundred five point three (405.3), Code
14 1946, and an assessor shall be appointed as provided by section four
15 hundred five point four (405.4), Code 1946; such appointment of an
16 assessor shall be subject to the approval of the state tax commission.

1 SEC. 16. The terms of the three members of the examining board
2 in cities to which this act shall become applicable, shall be for four (4)
3 years, except that the term of one member of the first examining board
4 to be appointed shall expire two (2) years from the date of his original
5 appointment, of a second member three (3) years from the date of
6 the original appointment and the third member four (4) years from
7 the date of the original appointment, and the length of the terms of
8 the members initially appointed under this act shall be determined by
9 lot.

1 SEC. 17. The term of office of assessors in cities having a population
2 of ten thousand (10,000) or more and less than one hundred twenty-
3 five thousand (125,000), shall be for four (4) years from the date they
4 assume office. On or before the date of the expiration of the term of
5 the incumbent city assessor, a board of review shall be selected as
6 provided by section four hundred five point thirteen (405.13), Code
7 1946, and the appointive board may decide in any city having a popula-
8 tion of ten thousand (10,000) or more and less than forty thousand
9 (40,000) to select a board of review of three (3) members. In cities
10 having boards of review of five (5) members, the term of one member
11 of the first board to be appointed shall expire in one (1) year after the
12 date of appointment, of a second member two (2) years after the date
13 of appointment, of a third member three (3) years after the date of
14 appointment and of the remaining two (2) members four (4) years
15 after the date of appointment. In cities having three members of the
16 board of review, the term of one member shall expire two (2) years
17 from the date of the original appointment, one member three (3)
18 years from the date of the original appointment, and one member four
19 (4) years from the date of the original appointment. Thereafter the
20 terms of all members of boards of review shall be for four (4) years
21 each. Terms of members originally appointed to the boards shall be
22 determined by lot.

1 SEC. 18. . Until January first following the date this act first becomes
2 applicable to any city, the expenses and compensation of the examining
3 board and all expenses of the city assessor's office and local board of
4 review, including salaries of all personnel, and compensation of the
5 members of the board of review, shall be authorized by the board of
6 supervisors and shall be paid by the county upon approval of the board
7 of supervisors and the court costs and related expenses incident to any
8 assessor shall be paid as now provided by law. Thereafter, all expendi-
9 tures in cities selecting an assessor under this act shall be paid under
10 the provisions of chapter 405, Code 1946.

1 SEC. 19. In cities to which this act becomes applicable in which
2 there is more than one school district, said school districts jointly shall
3 be considered as one taxing body and together shall have but one (1)
4 vote at all meetings of the three (3) taxing bodies.

1 SEC. 20. The taxing bodies by majority vote in any city to which
2 this act is or shall become applicable shall have power to employ ap-
3 praisers or other technical or expert help to assist in the valuation of
4 property, the cost thereof to be paid in the same manner as other ex-
5 penses of the assessor's office on a pro rata basis by school districts,
6 cities and counties which constitute the taxing bodies. The county
7 board of supervisors may employ similar assistance for the county
8 assessor.

1 SEC. 21. Each of the three taxing bodies of cities to which this act
2 is applicable, is hereby authorized and directed to levy a tax sufficient
3 to meet its obligations under the provisions of this act. Such tax shall
4 be levied only on property in the city involved.

1 SEC. 22. The provisions of this act shall apply to cities under special
2 charter.

1 SEC. 23. Any city of ten thousand (10,000) or more population
2 and not more than one hundred twenty-five thousand (125,000) popula-
3 tion not electing to provide for its assessment under the provisions of
4 chapter four hundred five (405), Code 1946, as provided in this act,
5 shall be assessed by the county assessor. Any county assessor shall be
6 eligible for appointment as the assessor in any city having a population
7 of more than ten thousand (10,000) and less than one hundred twenty-
8 five thousand (125,000) but in such event the laws relating to the
9 county assessor and a county board of review shall apply. There shall
10 be no separate city board of review, assessment board or appointing
11 board in any such city. Any city of ten thousand (10,000) or more and
12 less than one hundred twenty-five thousand (125,000) population not
13 desiring to provide for assessment within the provisions of chapter
14 405, Code 1946, as provided by this act shall so certify by resolution of
15 the city council or other municipal governing bodies not less than sixty
16 (60) days before the expiration of the term of the incumbent city
17 assessor, such resolution to be effective for a period of four (4) years
18 from date of passage, and certified to the state tax commission and
19 the county board of supervisors.

1 SEC. 24. The provisions of sections four hundred forty-two point
2 two (442.2) ; four hundred forty-two point three (442.3) ; four hundred
3 forty-two point four (442.4) ; four hundred forty-two point five
4 (442.5) ; four hundred forty-two point six (442.6) ; four hundred forty-
5 two point seven (442.7) ; four hundred forty-two point eight (442.8) ;
6 four hundred forty-two point nine (442.9) ; and four hundred forty-
7 two point eleven (442.11), Code 1946, shall apply to the operation
8 of county and city boards of review.

1 SEC. 25. Amend section sixty-four point eight (64.8), Code 1946,
2 by striking from lines five (5) and six (6) the words "city, town and
3 township assessors" and inserting in lieu thereof the word "assessors".

1 SEC. 26. Amend section sixty-four point twenty-four (64.24), Code
2 1946, subsection two (2) in line four (4) by inserting the word "and"
3 after the first comma (,) ; by inserting a period (.) after the word
4 "constables" and by striking the balance of line four (4).

1 SEC. 27. Amend section one hundred fifty-nine point eleven
2 (159.11), Code 1946, by striking from lines two (2) and three (3)
3 the words "township, town and city".

1 SEC. 28. Amend section two hundred forty-four point eight (244.8),
2 Code 1946, by striking from lines seven (7), eight (8) and nine (9),
3 the following: "The auditors of the several counties shall furnish the
4 assessors with the proper blanks for taking such lists."

1 SEC. 29. Repeal section two hundred ninety-nine point seventeen
2 (299.17), Code 1946, and insert in lieu thereof the following: "The
3 assessor shall at the time of making assessment, record on suitable
4 blanks furnished to him for that purpose, by the secretary of the state
5 board of education, the names, ages, sex and post office addresses of
6 all deaf or blind persons within the county. The county or city assessor
7 shall forward to the secretary of the state board of education such
8 returns within thirty (30) days after the same are completed."

1 SEC. 30. Amend section three hundred thirty-two point nine
2 (332.9), Code 1946, by striking from line four (4) the word "and"
3 and inserting in line five (5) after the comma (,) after the word
4 "engineer", the following "and county assessor,".

1 SEC. 31. Amend section three hundred fifty-one point fifteen
2 (351.15), Code 1946, by striking from line one (1) the word "Each",
3 and by inserting in lieu thereof the word "The", and by striking from
4 line three (3) the word "list" and inserting in lieu thereof the words
5 "cause to be listed".

6 Further amend said section by striking all after the period (.) in
7 line seven (7) thereof and inserting in lieu thereof the following:
8 "For such service, the assessor shall receive, from the domestic animal
9 fund, the sum of ten cents for each dog reported, which fee shall be
10 paid in full when return is made. Such fees shall be considered as
11 earnings of the office and shall, within ten days of the receipt thereof,
12 be paid to the county treasurer and credited to the general fund of
13 the county."

1 SEC. 32. Section three hundred sixty-two point seven (362.7),
2 Code 1946, is hereby amended by striking from line six (6) the word
3 "assessor,".

1 SEC. 33. Section three hundred sixty-two point ten (362.10), Code
2 1946, is hereby amended by inserting a period (.) in lieu of the comma
3 (,) at the end of line four (4) and striking lines five (5) and six (6).

1 SEC. 34. Section four hundred and five point eighteen (405.18),
2 Code 1946, is hereby amended by adding to the final paragraph of
3 subsection four (4) the following: "Such balance of unexpended funds
4 shall be credited to the final payment into the fund by the respective
5 taxing bodies for the next year on an equal basis. The treasurer shall
6 notify such taxing bodies of any such credits to which they are entitled."

1 SEC. 35. Section four hundred sixteen point fifty-two (416.52),
2 Code 1946, is hereby amended by striking from line five (5) the word
3 "assessor,".

1 SEC. 36. Section four hundred sixteen point eighty-eight (416.88),
2 Code 1946, is hereby amended by striking from line six (6) the word
3 "assessor".

1 SEC. 37. Section four hundred nineteen point thirty-seven (419.37),
2 Code 1946, is hereby amended by striking from lines five (5) and six
3 (6), the words: "an assessor,".

1 SEC. 38. Section four hundred nineteen point thirty-eight (419.38),
2 Code 1946, is hereby amended by striking all following the period
3 in line eight (8).

1 SEC. 39. Amend section four hundred nineteen point fifty-five
2 (419.55), Code 1946, by striking from subsection five (5) in line four
3 (4) the word "assessor".

1 SEC. 40. Amend section four hundred twenty point forty-three
2 (420.43)*, Code 1946, by adding the following: "Nothing contained
3 herein shall be deemed to affect the procedure for the assessment of
4 property by the city or county assessor."

1 SEC. 41. Amend section four hundred twenty-eight point eighteen
2 (428.18), Code 1946, by striking from lines three (3) and four (4)
3 the words "of the township or municipality wherein his warehouse
4 is situated."

1 SEC. 42. Section four hundred forty-one point one (441.1), Code
2 1946, is hereby amended by striking lines two (2) and three (3) and
3 by striking from line four (4) the words "in January of each year,
4 and".

1 SEC. 43. Section four hundred forty-one point two (441.2), Code
2 1946, is hereby amended by striking from line two (2) the word
3 "township" and inserting in lieu thereof the words "county or city".

1 SEC. 44. Section four hundred forty-one point ten (441.10), Code
2 1946, is hereby amended by striking from line twelve (12), the words:
3 "first Monday of April", and inserting in lieu thereof the words "first
4 secular day in May".

1 SEC. 45. Section four hundred forty-one point sixteen (441.16),
2 Code 1946, is hereby amended by striking from line three (3) the word
3 "April" and inserting in lieu thereof the word "May".

1 SEC. 46. Section four hundred forty-two point two (442.2), Code
2 1946, is hereby amended by striking from line five (5) the words
3 "section 442.1" and inserting in lieu thereof the words "in section
4 three (3) of this act"; also by striking from lines four (4) and twenty-
5 five (25) the word "local".

1 SEC. 47. Section four hundred forty-two point three (442.3), Code
2 1946, is hereby amended by striking lines one (1) and two (2) and
3 inserting in lieu thereof the following: "The clerk of the city or
4 clerk of the district court."

1 SEC. 48. Section four hundred forty-two point nine (442.9), Code
2 1946, is hereby amended by adding the following: "The county attorney

*Figures supplied by code editor under section 3.1 of the code.

3 shall represent the county assessor and county board of review in all
4 litigation dealing with assessments made by the county assessor”.

1 SEC. 49. Section four hundred forty-two point sixteen (442.16),
2 Code 1946, is hereby amended by adding the following: “It shall also
3 adjust the valuations as between property in any city assessed by a
4 city assessor and property in the same county assessed by the county
5 assessor.”

1 SEC. 50. The following sections of Code 1946, are hereby repealed:
2 Sections thirty-nine point twenty-four (39.24); three hundred fifty-
3 one point twenty-one (351.21); three hundred fifty-nine point forty-
4 eight (359.48); three hundred sixty-three point twenty-nine (363.29);
5 three hundred sixty-three point forty-three (363.43); four hundred
6 nineteen point thirty-nine (419.39); four hundred twenty point twelve
7 (420.12); four hundred twenty point two hundred nine (420.209);
8 four hundred twenty point two hundred ten (420.210); four hundred
9 twenty point two hundred eleven (420.211); four hundred forty-one
10 point nine (441.9); four hundred forty-one point seventeen (441.17);
11 four hundred forty-one point eighteen (441.18); four hundred forty-
12 one point twenty-one (441.21); four hundred forty-two point twelve
13 (442.12); and four hundred forty-two point thirteen (442.13).

1 SEC. 51. If any provision of this act is declared unconstitutional
2 or the applicability thereof is invalid, the constitutionality of the
3 remainder of the act shall not be affected thereby.

1 SEC. 52. Whenever in the laws of this state the words “assessor”
2 or “assessors” appear, singly or in combination with other words,
3 and are not specifically referred to in this act, they shall be deemed
4 to mean and refer to the county or city assessor, as the case may be.

1 SEC. 53. The general provisions of this act shall not be in effect
2 until the first day of January, 1948, except as otherwise specifically
3 provided by this act.

1 SEC. 54. Section three hundred sixty-three point ten (363.10),
2 Code 1946, is hereby amended as follows:

3 1. By striking from line two (2) the comma (,) after the word
4 “mayor” and inserting the word “and”.

5 2. By striking from line two (2) the comma (,) after the word
6 “treasurer” and the words “and assessor” and the comma (,) after
7 the word “assessor”.

8 3. By striking from line nine (9) of said section the words “except
9 assessors”.

Approved April 2, 1947.

CHAPTER 241

INHERITANCE TAX APPRAISERS

S. F. 236

AN ACT to amend section four hundred fifty point twenty-five (450.25), code 1946, relating to compensation of inheritance tax appraisers.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred fifty point twenty-five (450.25),
2 Code 1946, is hereby amended by striking said section and inserting in
3 lieu thereof the following:

4 "Each of said appraisers shall be entitled to receive as compensation
5 a minimum of five dollars and not to exceed ten dollars per day of
6 eight hours each for making each such appraisal. If the claim of
7 any appraiser in connection with the appraisal of one estate is for
8 more than thirty dollars, it shall be itemized and verified and filed
9 with the clerk of the district court in which the estate is pending
10 and notice of hearing on such claim shall be given as shall be prescribed
11 by the court. Upon hearing on any such claim the court shall fix the
12 amount of compensation to be allowed and enter an order therefor in
13 the records of such estate, which allowance shall be taxed as part
14 of the costs of probate."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in The Marshall-
3 town Times-Republican, a newspaper published at Marshalltown, Iowa,
4 and The Madrid Register-News, a newspaper published at Madrid,
5 Iowa.

Approved April 29, 1947.

I hereby certify that the foregoing act was published in The Marshalltown Times-Republican, April 30, 1947, and The Madrid Register-News, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 242

INVESTMENT OF STATE FUNDS

S. F. 282

AN ACT to amend sections four hundred fifty-two point ten (452.10), four hundred fifty-two point eleven (452.11), four hundred fifty-two point twelve (452.12), and four hundred fifty-three point one (453.1), code 1946, relating to the investment of public funds by the treasurer of state.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section four hundred fifty-two point ten
2 (452.10), Code 1946, by adding the following: "However the state
3 treasurer may, with the approval of the executive council, invest any
4 of the public funds not needed for current operating expenses in
5 United States government bonds."

1 SEC. 2. Amend section four hundred fifty-two point eleven (452.11),
2 Code 1946, by adding the following: "The state treasurer shall also

3 file a statement showing the numbers, dates and amounts of all United
4 States government bonds held as part of said public fund."

1 SEC. 3. Amend section four hundred fifty-two point twelve
2 (452.12), Code 1946, by inserting the words "securities and" after the
3 word "of" in line three (3).

1 SEC. 4. Amend section four hundred fifty-three point one (453.1),
2 Code 1946, by inserting after the word "respectively" in line eleven
3 (11) the following: "However, the treasurer of state may, with the
4 approval of the executive council, invest any of the public funds
5 not needed for current operating expenses in liquid or short term
6 United States government bonds and/or certificates."

Approved April 22, 1947.

CHAPTER 243

LEVEE AND DRAINAGE DISTRICTS

H. F. 110

AN ACT to amend section four hundred fifty-five and four tenths (455.4), code 1946, relating to boards of levee and drainage districts.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred fifty-five and four tenths (455.4)*
2 is hereby amended by inserting after the word "chapter" in line
3 two (2) thereof the following: "and Chapter four hundred fifty-seven
4 (457)".

1 SEC. 2. Section four hundred fifty-five and four tenths (455.4)* is
2 hereby amended by adding to said section a new paragraph as follows,
3 to-wit: "The term, or terms, 'engineer' or 'civil engineer' shall mean
4 a civil engineer as designated by Chapter one hundred fourteen (114),
5 code 1946, or a registered professional drainage engineer or a regis-
6 tered professional drainage surveyor."

1 SEC. 3. All laws, or parts of laws, in conflict herewith to the
2 extent of said conflict are hereby repealed.

1 SEC. 4. This Act, being deemed of immediate importance, shall be
2 in force and effect from and after its passage and publication in the
3 Upper Des Moines, a newspaper published at Algona, Iowa, and The
4 Bremer County Independent, a newspaper published at Waverly,
5 Iowa.

Approved February 12, 1947.

*"Code 1946" omitted in enrolled act.

I hereby certify that the foregoing act was published in the Algona Upper Des Moines, February 20, 1947, and The Bremer County Independent, February 19, 1947.

ROLLO H. BERGESON, Secretary of State.

CHAPTER 244
DRAINAGE DITCH OUTLETS
S. F. 101

AN ACT relating to the clean-out of an outlet ditch of an outlet drainage district and providing for the notice and hearing on said clean-out and assessment of said outlet drainage ditch.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred fifty-five point one hundred forty-
2 two (455.142), Code 1946, is amended by inserting after the period (.)
3 following the figures "455.141" in the ninth (9) line of said section, the
4 sentence "After said board has decided that such work should be done,
5 it shall fix a date for hearing on its decision, and it shall give two (2)
6 weeks notice thereof by registered mail to the auditor of the county
7 wherein the land to be assessed for such work is located, and said
8 county auditor shall thereupon immediately notify by registered mail
9 the board or boards of trustees of the districts having supervision
10 thereof, as to said hearing on said contemplated work."

1 SEC. 2. Section four hundred fifty-five point one hundred forty-three
2 (455.143), Code 1946, is amended by inserting after the comma (,) fol-
3 lowing the word "engineer" in line five (5) of said section, the words
4 "such commissioners appointed shall not be residents of any of the
5 districts affected, nor shall any member thereof have any interest in
6 land in any districts affected by the contemplated work."

1 SEC. 3. Section four hundred fifty-five point one hundred forty-
2 three (455.143), Code 1946, is further amended by striking the word
3 "to" in line five (5) of said section and by substituting in lieu thereof
4 the words "such commission shall".

1 SEC. 4. Section four hundred fifty-five point one hundred forty-four
2 (455.144), Code 1946, is amended by adding to the end thereof the
3 following: "On the filing of said report, the board shall fix a time for
4 hearing thereon, and it shall give notice thereof to the auditor of the
5 county in which the land to be assessed for such work is located by
6 registered mail; said county auditor shall thereupon immediately notify
7 by registered mail the board of supervisors, and board or boards of
8 trustees of the districts having supervision thereof, as to said hearing
9 on said commissioner's report."

1 SEC. 5. Section four hundred fifty-five point one hundred forty-five
2 (455.145), Code 1946, is amended by adding to the end of said section
3 the following: "After the final order of the board herein has been
4 made, said board shall notify the county auditor, in the time and
5 manner as provided in the two preceding sections, of said order, and
6 said county auditor shall notify by registered mail the board of super-
7 visors, and said board or boards of trustees, of said final order. Said
8 board of supervisors and said board or boards of trustees, if aggrieved
9 by said final order, may appeal therefrom to the district court of the
10 county in which any of the improvement proposed or done is located."

1 SEC. 6. Any such appeal shall be taken, perfected and conducted in
2 the time and manner provided in sections four hundred fifty-five point

3 ninety-two (455.92), four hundred fifty-five point ninety-four (455.94),
 4 four hundred fifty-five point ninety-five (455.95), four hundred fifty-
 5 five point ninety-six (455.96), four hundred fifty-five point ninety-
 6 seven (455.97), and four hundred fifty-five point ninety-eight (455.98),
 7 Code 1946, for appeals contemplated by said sections.

Approved April 1, 1947.

CHAPTER 245

FLOOD CONTROL

S. F. 400

AN ACT to enable levee and drainage districts heretofore organized under the laws of this state, to cooperate with any agency of the United States government engaged in flood control or reclamation projects which will benefit the lands in such districts and to cooperate toward the construction of improvements by such agencies.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter four hundred fifty-five* (455) of the 1946
 2 Code of Iowa is amended by adding the following:

1 SEC. 2. Whenever Government of the United States acting through
 2 its proper agencies or instrumentalities will undertake the original
 3 construction of improvements or the repair or alteration of existing
 4 improvements which will accomplish the purposes for which the
 5 district was established or aid in the accomplishment thereof and
 6 shall cause to be filed in the office of the auditor of the county in which
 7 said district is located a plan of such improvement or for the repair
 8 or alteration of existing improvements, the Board shall have jurisdic-
 9 tion, power and authority, upon the notice, hearing and determination
 10 hereinafter provided, to adopt such plan of improvement or of repair
 11 or alteration of existing improvements and to provide necessary
 12 right of way therefor, and to pay such portion of all costs and damages
 13 incident to the adoption of such plan, the construction thereunder
 14 and the maintenance and operation of the works as will not be
 15 discharged by the Federal Government under legislation existing at
 16 the time of adoption; also to enter into such agreements with the
 17 United States Government as may be necessary to meet Federal
 18 requirements including the taking over, repair and maintenance of
 19 the works and to perform under such agreements.

1 SEC. 3. The agreement with the Federal Government contemplated
 2 in the preceding section may be entered into by the Board in advance
 3 of the filing of the plan—such agreement to be effective if the plan
 4 is finally adopted. If the plan is approved the Board shall make a
 5 record of any such cooperative agreement.

1 SEC. 4. After the filing of the plan contemplated in Section 1
 2 hereof the Board shall, at its first session thereafter, regular, special
 3 or adjourned, appoint a disinterested and competent civil or drainage

*Words supplied by code editor, see §3.1 of the code.

4 engineer who shall give bond in an amount to be fixed by the board
5 conditioned for the faithful and competent performance of his duties.

1 SEC. 5. The engineer shall examine the plan filed by the Federal
2 agency and the lands affected thereby and shall make and file with
3 the county auditor a full written report which, together with the
4 Federal plan, will show the following:

5 (a) The character and location of all contemplated improvements,
6 and the plats, profiles and specifications thereof.

7 (b) The particular description and acreage of land required from
8 each 40 acre tract or fraction thereof for right of way, borrow pits
9 or other purposes together with Congressional or other description
10 of each tract and the names of the owners thereof as shown by the
11 transfer books in the office of the auditor.

12 (c) A particular description of each forty (40) acre tract or fraction
13 thereof that will be excluded from benefit by adoption of the plan as
14 filed, together with the name of the owners thereof as shown by the
15 transfer books in the office of the auditor.

16 (d) A particular description of each forty (40) acre tract or fraction
17 thereof outside the district which will benefit from adoption of the
18 plan as filed and the name of the owner thereof as shown by the
19 transfer books in the office of the auditor.

20 (e) Such rights of way or portions thereof previously established
21 or acquired as will be rendered unnecessary by adoption of the Federal
22 plan and any unpaid damages awarded therefor.

23 (f) Such other damages previously awarded as will be affected by
24 adoption of the federal plan.

25 (g) The recommendation of the engineer with respect to the
26 adoption of the plan.

1 SEC. 6. Upon the filing of such report the board shall examine
2 and consider the same together with the plan and the commitments
3 involved in its adoption and may require supplemental reports of the
4 engineer or of another disinterested engineer with such data as
5 they may deem necessary or desirable including recommendations
6 for any change or modification, negotiate with the Federal agency
7 involved and amend the plan in such manner as may be mutually
8 agreed upon. The engineer shall make such supplemental reports
9 as may be required by the board or necessitated by amendment of plan.

1 SEC. 7. If upon consideration of the plan or amended plan and
2 the report or reports of the engineer and the commitments involved
3 in the adoption of the plan the board finds that the district will benefit
4 therefrom or the purposes for which the district was established will
5 be promoted thereby, the board shall adopt the same as a tentative
6 plan, entering order to that effect and fixing a date for hearing thereon
7 not less than thirty (30) days thereafter and directing the auditor
8 to cause notice to be given of such hearing as hereinafter provided.

1 SEC. 8. Such notice shall be captioned in the name of the district
2 and shall be directed to the owners, including railroad companies
3 having rights of way, lien holders, encumbrancers and occupants of
4 all lands within the district without naming them, and to all other
5 persons whom it may concern and, naming them, to all owners, lien
6 holders or encumbrancers of lands which an adoption of the plan

7 would exclude from benefits and of lands outside the district which
8 will benefit therefrom, and shall set forth that there is on file in the
9 office of the auditor a plan of construction of the Federal agency
10 (naming it) together with reports of an engineer thereon which the
11 board has tentatively approved, and that such plan may be amended
12 before final action; also the day and hour set for hearing on the
13 adoption of said plan, and that all claims for damages, except claims
14 for land required for right of way or construction, and all objections
15 to the adoption of said plan for any reason must be made in writing
16 and filed in the office of the auditor at or before the time set for
17 hearing. Provisions of this chapter for giving notice, waiver of
18 notice, waiver of objection and damages and adjournment for service
19 contained in sections 455.21 to 455.26 inclusive shall apply with the
20 exception that if notice be given by publication the last publication
21 need not be more than ten (10) days prior to the time set for hearing.

1 SEC. 9. The board may continue the hearing pending decision and
2 may amend the plan but in the event of amendment the board shall
3 continue further hearing to a fixed date. All parties over whom the
4 board then has jurisdiction shall take notice of such further hearing
5 but any new parties rendered necessary by the modification or change
6 of plans shall be served with notice as for the original hearing.

1 SEC. 10. If the board, after consideration of the subject matter,
2 including all objections filed to the adoption of the plan and all claims
3 for damages, shall find that the district will be benefited by adoption
4 of the plan or the purposes for which the district was established is
5 furthered thereby, they shall enter order approving and adopting
6 such final plan. Such order shall have the effect of:

7 (a) Altering the boundaries of the district to conform to the
8 changes effected by the plan adopted.

9 (b) Cancelling all existing awards for damages for property not
10 appropriated for right of way or construction and rendered un-
11 necessary by the plan so adopted.

12 (c) Cancelling all awards previously made for damages other than
13 for right of way or construction but reinstating the claims for such
14 damages which said claims may be amended by the claimants within
15 ten days thereafter.

16 (d) Cancelling all unpaid assessments for benefits on lands excluded
17 from the district by adoption of the plan. The assessments so cancelled
18 shall become part of the costs of the improvement.

19 (e) Establishing as benefited thereby the lands added to the district
20 by adoption of the plan and rendering same subject to classification and
21 assessment.

1 SEC. 11. The board shall thereupon appoint three appraisers of
2 the qualifications prescribed in section 455.30, who shall qualify in
3 the manner therein provided, and shall fix a time for hearing on their
4 report of which all interested parties shall take notice. The appraisers
5 shall view the premises and fix and determine the damages to which
6 each claimant is entitled, including claimants whose awards for
7 damages were cancelled by the order of adoption, and shall place
8 a separate valuation upon the acreage of each owner taken for right
9 of way or other purposes necessitated by adoption of the plan and

10 shall file a report thereof in writing in the office of the auditor at
11 least five days before the date fixed by the board for hearing thereon.
12 Should the report not be filed on time or should good cause for delay
13 exist the board may postpone the time for final action on the subject
14 and, if necessary, may appoint other appraisers. Thereafter the
15 provisions of section 455.32 shall apply.

1 SEC. 12. Appointment of commissioners to assess benefits and
2 classify lands within the district and all proceedings relative to such
3 assessment and classification shall be as otherwise provided in this
4 chapter except that when the lands of the district have previously
5 been classified, the commissioners shall classify and assess only such
6 lands as have been added to the district by adoption of the plan and
7 recommend such changes in existing classifications as are materially
8 affected by the plan so adopted. The board may, upon hearing, adjust
9 the classification of lands affected by the plan.

1 SEC. 13. The board shall levy the costs contemplated in section
2 one hereof upon all of the lands of the district on the basis of the
3 classification for benefits as finally established and the assessments
4 so levied shall be paid in one installment unless the board in its
5 discretion shall provide for the payment thereof in not more than
6 three equal installments with interest at four percent (4%) per
7 annum. The board may issue warrants bearing interest at four
8 percent (4%) per annum against assessments.

1 SEC. 14. The board shall make such subsequent levies as may be
2 necessary to meet the expenses of the district including costs of
3 maintenance, repair and operation of the works.

1 SEC. 15. Except as otherwise provided herein all provisions of
2 chapters 455 to 467 inclusive of the Code of 1946 relative to assessment
3 of damages, appointment of an engineer, employment of counsel,
4 payment for work, levy and collection of drainage and levee assess-
5 ments and taxes, the issue of improvement certificates and drainage
6 or levee bonds, the taking of appeals and the manner of trial thereof
7 and all other proceedings relating thereto shall apply.

1 SEC. 16. The provisions of this act shall be applicable to districts
2 organized or established under the provisions of chapters 457, 458,
3 459, 460, 461, 462, 466 and 467 of the 1946 Code of Iowa.

1 SEC. 17. When a district is in the management of Trustees as
2 provided in Chapter 462 the Board of Trustees shall have the juris-
3 diction to adopt the Federal plan as provided herein and to exercise
4 all other powers herein granted except that any levy shall be made
5 by the Board of Supervisors upon certificate of the amount necessary
6 by the Trustees as provided in Code section 462.28.

1 SEC. 18. If any of the provisions of this chapter shall be held
2 invalid or unconstitutional such invalidity or unconstitutionality shall
3 not affect other provisions of this chapter and to these ends the
4 provisions of this chapter as amended are declared to be severable.

1 SEC. 19. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Sidney

- 3 Argus-Herald, a newspaper published at Sidney, Iowa, and in the
4 Glenwood Opinion-Tribune, a newspaper published at Glenwood, Iowa.

Approved April 30, 1947.

I hereby certify that the foregoing act was published in the Sidney Argus-Herald, May 8, 1947, and the Glenwood Opinion-Tribune, May 8, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 246

HYDROELECTRIC PLANTS

H. F. 532

AN ACT relating to hydro-electric generating plants or projects and making it unlawful for any person, firm, association or corporation to engage in the business of constructing, maintaining or operating a hydro-electric generating plant or system within the state of Iowa without first having obtained from the executive council of the state a certificate of convenience and necessity therefor, and providing the procedure for the obtaining and the issuance of such a certificate, and penalties for violations.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. It shall be unlawful for any person, firm, association
2 or corporation to engage in the business of constructing, maintaining
3 or operating within this State any hydro-electric generating plant
4 or project without first having obtained from the Executive Council
5 of Iowa a certificate of convenience and necessity declaring that
6 the public convenience and necessity require such construction, main-
7 tenance or operation.

1 SEC. 2. No certificate of convenience and necessity shall be issued
2 by the Executive Council except after a public hearing thereon. The
3 Executive Council shall, upon the filing of an application for such
4 a certificate, fix the time of the public hearing thereon and shall
5 prescribe the notice which shall be given by the Applicant. Any
6 interested person, firm, association, corporation, municipality, State
7 Board or Commission may intervene and participate in such proceeding
8 and at such hearing.

1 SEC. 3. Before the Executive Council shall issue a certificate
2 of convenience and necessity, it shall first be satisfied that the public
3 convenience and necessity will be promoted thereby, that the applicant
4 has the financial ability to carry out the terms and conditions imposed,
5 and the applicant has in writing agreed to accept, abide by and comply
6 with such reasonable terms and conditions as the Executive Council
7 may require and impose.

1 SEC. 4. The Executive Council shall prescribe such rules and
2 regulations as it may determine necessary for the administration
3 of the provisions of this act and may amend such regulations at any
4 time.

1 SEC. 5. The Executive Council shall, upon the filing of an applica-
2 tion, require the applicant to deposit with the Secretary of the Execu-
3 tive Council such amount as the Council shall determine, to pay the

4 expenses to be incurred by the Executive Council in its investigations
5 and in conducting the proceedings, and the Executive Council may,
6 from time to time as it deems necessary, require the deposit of addi-
7 tional amounts for such purpose.

1 SEC. 6. The Executive Council may at any time for just cause or
2 upon the failure of the applicant to comply with and to obey the
3 terms and conditions attached to the issuance of any certificate, or
4 when the public convenience and necessity demands, alter, amend
5 or revoke any certificate issued under the provisions of this act.

1 SEC. 7. Any person, firm, association or corporation who shall
2 violate the provisions of section one (1) hereof, shall be guilty of a
3 misdemeanor and upon conviction shall be punished by a fine of not
4 less than one hundred dollars nor more than one thousand dollars,
5 or shall be imprisoned in the County Jail for not less than thirty days
6 nor more than six months, or by both such fine and imprisonment.
7 Each separate day that a violation occurs shall constitute a separate
8 offense.

1 SEC. 8. Any person, firm, association, corporation or municipality
2 which now has already constructed and is now maintaining or oper-
3 ating any such hydro-electric generating plant or project shall, within
4 six months from the effective date of this act, file with the Executive
5 Council an application for a certificate of convenience and necessity
6 to maintain and operate such plant or project. The Executive Council
7 shall thereupon issue to such applicant a certificate of convenience
8 and necessity under the provisions of this act subject to such terms
9 and conditions as in the judgment of the Executive Council the public
10 convenience and necessity require.

1 SEC. 9. If any part of this act shall for any reason be declared
2 invalid, it shall not affect or invalidate any of the other provisions
3 thereof.

1 SEC. 10. This act being deemed of immediate importance shall
2 be in full force and effect after its passage and publication in the
3 Ocheyedan Press, a newspaper published at Ocheyedan, Iowa, and
4 the Lockridge Times, a newspaper published at Lockridge, Iowa.

Approved April 23, 1947.

I hereby certify that the foregoing act was published in the Ocheyedan Press, May 1,
1947, and the Lockridge Times, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 247

RAILWAY CROSSINGS

S. F. 206

AN ACT to repeal sections four hundred seventy-eight point twenty-one (478.21), four hundred seventy-eight point twenty-five (478.25), and four hundred seventy-eight point twenty-six (478.26), code 1946, and to enact a substitute therefor relating to railway crossings with highways, streets and alleys.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred seventy-eight point twenty-one
2 (478.21), Code 1946, is repealed and the following enacted in lieu
3 thereof:

4 "Wherever a railway track crosses or shall hereafter cross a
5 highway, street or alley, the railway company owning such track and
6 the state highway commission, in the case of primary highways, the
7 board of supervisors of the county in which such crossing is located,
8 in the case of secondary roads, or the council of the city or town, in
9 the case of streets and alleys located within such city or town, may
10 agree upon the location and manner of crossing, or upon a separation
11 of grades so as to carry such highway over or under the railway track,
12 and upon any change, alteration, vacation or relocation of such high-
13 way, street or alley, and upon repairs, alteration, or elimination of any
14 crossing, and upon the expense each party shall pay for such changes;
15 provided, however, nothing contained herein shall be construed to
16 affect any of the provisions of chapter 387."

1 SEC. 2. Sections four hundred seventy-eight point twenty-five
2 (478.25) and four hundred seventy-eight point twenty-six (478.26),
3 Code 1946, are repealed.

1 SEC. 3. The provisions of this act shall be applicable to cities under
2 special charter.

Approved February 14, 1947.

CHAPTER 248

CLASSIFICATION OF RAILROADS

S. F. 152

AN ACT to amend section four hundred seventy-nine point ninety-one (479.91), code 1946, relating to classification of railroads by the executive council.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred seventy-nine point ninety-one
2 (479.91), Code 1946, is amended by striking from lines six and seven
3 (6 and 7) the words, "executive council" and inserting in lieu thereof
4 the words, "tax commission".

Approved April 22, 1947.

CHAPTER 249

CORPORATION MERGER OR CONSOLIDATION

H. F. 153

AN ACT to amend chapter four hundred ninety-one (491), Code 1946, to authorize merger or consolidation of corporations.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter four hundred ninety-one (491), Code 1946 is
2 amended by adding thereto the following new sections:

3 **Consolidation and merger.** (1) "Merger" means the uniting of
4 two or more corporations into one corporation in such manner that
5 the corporation resulting from the merger retains its corporate
6 existence and absorbs the other constituent corporation or corporations
7 which thereby lose their or its corporate existence.

8 (2) "Consolidation" means the uniting of two or more corporations
9 into a single new corporation, all of the constituent corporations
10 thereby ceasing to exist as separate entities.

1 SEC. 2. **Procedure for merger.** Any two or more corporations
2 whether heretofore or hereafter organized may merge into one of
3 such corporations in the following manner:

4 The board of directors of each corporation shall, by resolution
5 adopted by a majority vote of the members of each such board,
6 approve a plan of merger setting forth:

7 (a) The names of the corporations proposing to merge, and the
8 name of the corporation into which they propose to merge, which is
9 hereinafter designated as the surviving corporation.

10 (b) The terms and conditions of the proposed merger.

11 (c) The manner and basis of converting the shares of each merging
12 corporation into shares or other securities or obligations of the surviv-
13 ing corporation.

14 (d) A statement of any changes in the articles of incorporation
15 of the surviving corporation to be effected by such merger.

16 (e) Such other provisions with respect to the proposed merger
17 as are deemed necessary or desirable.

1 SEC. 3. **Procedure for consolidation.** Any two or more corporations
2 whether heretofore or hereafter organized may consolidate into a new
3 corporation in the following manner:

4 The board of directors of each corporation, shall by a resolution
5 adopted by a majority vote of the members of each such board, approve
6 a plan of consolidation setting forth:

7 (a) The names of the corporations proposing to consolidate, and
8 the name of the new corporation into which they propose to consolidate,
9 which is hereinafter designated as the new corporation.

10 (b) The terms and conditions of the proposed consolidation.

11 (c) The manner and basis of converting the shares of each corpora-
12 tion into shares, or other securities, or obligations of the new corpora-
13 tion.

14 (d) With respect to the new corporation, all of the statements
15 required to be set forth in articles of incorporation for corporations
16 organized under this chapter.

17 (e) Such other provisions with respect to the proposed consolida-
18 tion as are deemed necessary or desirable.

1 **SEC. 4. Meetings of shareholders.** The board of directors of each
2 corporation, upon approving such plan of merger or plan of consolida-
3 tion, shall, by resolution, direct that the plan be submitted to a vote
4 at a meeting of shareholders, which may be either an annual or a
5 special meeting. Written or printed notice shall be delivered not less
6 than twenty days before such meeting, either personally or by mail,
7 to each shareholder of record entitled to vote at such meeting. Such
8 notice shall state the place, day, hour and purpose of the meeting, and
9 a copy or a summary of the plan of merger or plan of consolidation,
10 as the case may be, shall be included in or enclosed with such notice.

1 **SEC. 5. Approval by shareholders.** At each such meeting, a vote
2 of the shareholders entitled to vote thereat shall be taken on the
3 proposed plan of merger or consolidation. The plan of merger or
4 consolidation shall be approved upon receiving the affirmative vote
5 of the holders of at least two-thirds of the outstanding shares entitled
6 to vote at such meeting, of each of such corporations, unless any class
7 of shares of any such corporations is entitled to vote as a class in
8 respect thereof in which event, as to such corporation, the plan of
9 merger or consolidation shall be approved upon receiving the affirma-
10 tive vote of the holders of at least a majority of the outstanding shares
11 of each such class of shares entitled to vote as a class in respect thereof
12 and two-thirds of the total outstanding shares entitled to vote at such
13 meeting. Any class of shares of any such corporation shall be entitled
14 to vote as a class if the plan of merger or consolidation, as the case may
15 be, contains any provision which, if contained in a proposed amend-
16 ment to articles of incorporation, would entitle such class of shares
17 to vote as a class.

1 **SEC. 6. Articles of merger or consolidation.** Upon such approval,
2 articles of merger or articles of consolidation shall be executed in
3 duplicate by each corporation by its president or a vice president, and
4 verified by him, attested by its secretary or an assistant secretary, and
5 shall be acknowledged and shall set forth:

6 (a) The plan of merger or the plan of consolidation.
7 (b) As to each corporation, the number of shares outstanding,
8 and the number of shares entitled to vote, and, if the shares of any
9 class are entitled to vote as a class, the designation of each such class
10 and the number of outstanding shares thereof entitled to vote.

11 (c) As to each corporation, the number of shares voted for and
12 against such plan respectively, and, if the shares of any class are
13 entitled to vote as a class, the number of shares of each such class voted
14 for and against such plan, respectively.

1 **SEC. 7. Filing articles of merger or consolidation.** A duly executed
2 and acknowledged copy of the articles of merger or consolidation shall
3 be forwarded to the Secretary of State for filing and recording as
4 provided in section four hundred ninety-one point five (491.5) of this
5 chapter, and if a new corporation is created under the provisions of
6 this chapter as the result of consolidation or if an existing Iowa
7 corporation becomes the survivor corporation as the result of a merger
8 the Secretary of State shall then forward said articles to the County

9 Recorder of deeds of the county where the principal place of business
10 of the new corporation or the existing Iowa corporation is located as
11 provided in section four hundred ninety-one point five (491.5) of this
12 chapter.

13 The procedure set forth in sections four hundred ninety-one point
14 six (491.6) to four hundred ninety-one point nine (491.9) inclusive
15 of this chapter shall be applicable to the filing of articles of consolida-
16 tion or merger.

17 If as the result of a consolidation a new Iowa corporation is formed
18 then the fees provided for in section four hundred ninety-one point
19 eleven (491.11) of this chapter shall be applicable. If as the result of
20 a merger an existing Iowa corporation becomes the survivor the
21 articles of merger shall be deemed an amendment to its articles of
22 incorporation and section four hundred ninety-one point twenty
23 (491.20) of this chapter shall be applicable.

1 **SEC. 8. Effective date of merger or consolidation.** Upon the pay-
2 ment of all fees and charges and upon the filing of the articles of
3 consolidation or merger with the Secretary of State the Secretary of
4 State shall issue to the corporation or its representative a certificate
5 of consolidation or a certificate of merger and upon the issuance of
6 said certificate the merger or consolidation shall be effected.

1 **SEC. 9.** Notice of the articles of consolidation or merger shall be
2 given as provided in section four hundred ninety-one point seven
3 (491.7).

1 **SEC. 10. Effect of merger or consolidation.** When such merger or
2 consolidation has been effected:

3 (a) The several corporations parties to the plan of merger or
4 consolidation shall be a single corporation, which, in the case of a
5 merger, shall be that corporation designated in the plan of merger as
6 the surviving corporation, and, in the case of a consolidation, shall
7 be the new corporation provided for in the plan of consolidation.

8 (b) The separate existence of all corporations parties to the plan
9 of merger or consolidation, except the surviving or new corporation,
10 shall cease.

11 (c) Such surviving or new corporation shall have all the rights,
12 privileges, immunities and powers and shall be subject to all the duties
13 and liabilities of a corporation organized under this chapter.

14 (d) Such surviving or new corporation shall thereupon and there-
15 after possess all the rights, privileges, immunities and franchises, as
16 well of a public as of a private nature, of each of the merging or con-
17 solidating corporations; and all property, real, personal and mixed, and
18 all debts due on whatever account, including subscriptions to shares,
19 and all other choses in action, and all and every other interest, of
20 or belonging to or due to each of the corporations so merged or con-
21 solidated, shall be taken and deemed to be transferred to and vested
22 in such single corporation without further act or deed; and the title
23 to any real estate, or any interest therein, vested in any of such cor-
24 porations shall not revert or be in any way impaired by reason of such
25 merger or consolidation.

26 (e) Such surviving or new corporation shall thenceforth be
27 responsible and liable for all the liabilities and obligations of each of

28 the corporations so merged or consolidated; and any claim existing or
29 action or proceeding pending by or against any of such corporations
30 may be prosecuted to judgment as if such merger or consolidation had
31 not taken place, or such surviving or new corporation may be substitut-
32 ed in its place. Neither the rights of creditors nor any liens upon the
33 property of any such corporation shall be impaired by such merger
34 or consolidation.

35 (f) In the case of a merger, the articles of incorporation of the
36 surviving corporation shall be deemed to be amended to the extent, if
37 any, that changes in its articles of incorporation are stated in the
38 articles of merger; and, in the case of a consolidation, the statements
39 set forth in the articles of consolidation and which are required or
40 permitted to be set forth in the articles of incorporation of corpora-
41 tions organized under this chapter shall be deemed to be the articles
42 of incorporation of the new corporation.

43 (g) The aggregate amount of the net assets of the merging or
44 consolidating corporations which was available for the payment of
45 dividends immediately prior to such merger or consolidation, to the
46 extent that the amount thereof is not transferred to stated capital by
47 the issuance of shares or otherwise, shall continue to be available for
48 the payment of dividends by such surviving or new corporation.

1 **SEC. 11. Merger or consolidation of domestic and foreign corpora-**
2 **tions.** One or more foreign corporations and one or more domestic
3 corporations whether heretofore or hereafter organized may be
4 merged or consolidated in the following manner, provided such merger
5 or consolidation is permitted by the laws of the state under which
6 each such foreign corporation is organized:

7 (a) Each domestic corporation shall comply with the provisions
8 of this chapter with respect to the merger or consolidation, as the
9 case may be, of domestic corporations and each foreign corporation
10 shall comply with the applicable provisions of the laws of the state
11 under which it is organized.

12 (b) If the surviving or new corporation, as the case may be,
13 is to be governed by the laws of any state other than this state, it
14 shall comply with the provisions of the statutes of the state of Iowa
15 with respect to foreign corporations if it is to do business in this state,
16 and in every case it shall file with the secretary of state of this state.

17 (1) An agreement that it may be served with process in this state
18 in any proceeding for the enforcement of any obligation of any
19 domestic corporation which is a party to such merger or consolidation
20 and in any proceeding for the enforcement of the rights of a dissenting
21 shareholder of any such domestic corporation against the surviving
22 or new corporation.

23 (2) The appointment of a resident agent as provided for in sub-
24 section six (6) of section four hundred ninety-four point two (494.2)
25 of the Code 1946.

26 (3) An agreement that it will promptly pay to the dissenting share-
27 holders of any such domestic corporation the amount, if any, to
28 which they shall be entitled under the provisions of this act with
29 respect to the rights of dissenting shareholders.

30 Insofar as the state of Iowa is concerned, the effect of such merger

31 or consolidation shall be the same as in the case of the merger or
32 consolidation of domestic corporations, if the surviving or new
33 corporation is to be governed by the laws of this state. If the surviving
34 or new corporation is to be governed by the laws of any state other
35 than this state, the effect of such merger or consolidation shall be the
36 same as in the case of the merger or consolidation of domestic corpora-
37 tions except insofar as the laws of such other state provide otherwise.

1 **SEC. 12. Rights of dissenting shareholders.** If a shareholder of a
2 corporation which is a party to a merger or consolidation shall file
3 with such corporation, prior to or at the meeting of shareholders at
4 which the plan of merger or consolidation is submitted to a vote, a
5 written objection to such plan of merger or consolidation, and shall
6 not vote in favor thereof, and such shareholder, within twenty days
7 after the merger or consolidation is effected, shall make written
8 demand on the surviving or new corporation for payment of the fair
9 value of his shares as of the day prior to the date on which the vote
10 was taken approving the merger or consolidation, the surviving or
11 new corporation shall pay to such shareholder, upon surrender of
12 his certificate or certificates representing said shares, such fair value
13 thereof. Such demand shall state the number and class of the shares
14 owned by such dissenting shareholder. Any shareholder failing to
15 make demand within the twenty day period shall be conclusively
16 presumed to have consented to the merger or consolidation and shall
17 be bound by the terms thereof.

18 If within thirty days after the date on which such merger or
19 consolidation was effected the value of such shares is agreed upon
20 between the dissenting shareholder and the surviving or new corpora-
21 tion payment therefor shall be made within ninety days after the date
22 on which such merger or consolidation was effected, upon the surren-
23 der of his certificate or certificates representing said shares. Upon
24 payment of the agreed value the dissenting shareholder shall cease
25 to have any interest in such shares or in the corporation.

26 If within such period of thirty days the shareholder and the
27 surviving or new corporation do not so agree, then the dissenting
28 shareholder may, within sixty days after the expiration of the thirty
29 day period, file a petition in any court of competent jurisdiction within
30 the state and judicial subdivision thereof in which the registered
31 office or the principal place of business of the surviving or new corpora-
32 tion is situated, asking for a finding and determination of the fair
33 value of such shares, and shall be entitled to judgment against the
34 surviving or new corporation for the amount of such fair value as
35 of the day prior to the date on which such vote was taken approving
36 such merger or consolidation, together with interest thereon at the
37 rate of five percentum per annum to the date of such judgment. The
38 action shall be prosecuted as an equitable action and the practice and
39 procedure shall conform to the practice and procedure in equity cases.
40 The judgment shall be payable only upon and simultaneously with the
41 surrender to the surviving or new corporation of the certificate or
42 certificates representing said shares. Upon payment of the judgment,
43 the dissenting shareholder shall cease to have any interest in such
44 shares, or in the surviving or new corporation. Such shares may be
45 held and disposed of by the surviving or new corporation as it may

46 see fit. Unless the dissenting shareholder shall file such petition
 47 within the time herein limited, such shareholder and all persons
 48 claiming under him shall be conclusively presumed to have approved
 49 and ratified the merger or consolidation and shall be bound by the
 50 terms thereof.

51 The right of a dissenting shareholder to be paid the fair value of
 52 his shares as herein provided shall cease if and when the corporation
 53 shall abandon the merger or consolidation.

54 Shares acquired by the corporation pursuant to the payment of
 55 the agreed value thereof or to the payment of judgment entered
 56 therefor as in this section provided may be held and disposed of by
 57 the corporation as it shall see fit.

1 SEC. 13. **Issuance of stock.** All stock issued in connection with
 2 such merger or consolidation shall be issued pursuant to the provisions
 3 of chapter four hundred ninety-two (492) of the Iowa code and
 4 nothing in this amendment shall be construed as eliminating the
 5 requirements of said chapter.

1 SEC. 14. If any paragraph, sentence or word, or other part of this
 2 act is held to be unconstitutional, it shall not affect the validity of
 3 the remainder thereof, it being the intention of the legislature that the
 4 remaining portion thereof should become the law.

1 SEC. 15. This act being deemed of immediate importance shall
 2 be in full force and effect from and after its passage and publication
 3 in Hudson Herald, a newspaper published at Hudson, Iowa and the
 4 Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa.

Approved March 14, 1947.

I hereby certify that the foregoing act was published in the Hudson Herald, March
 20, 1947, and the Cedar Rapids Gazette, March 18, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 250

MULTIPLE HOUSING ACT

S. F. 213

AN ACT to provide for the formation of associations to purchase or build and own
 residential, business properties upon a co-operative basis. To provide for articles
 of co-operation of such associations and to establish the powers, duties and
 liabilities of the association and the members thereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. **Articles.** Any two or more persons of full age, a
 2 majority of whom shall be citizens of the state, may organize them-
 3 selves for the following or similar purposes: Ownership of residential,
 4 business property on a co-operative basis. A corporation is a person
 5 within the meaning of this act. The organizers shall adopt, and sign
 6 and acknowledge the articles of co-operation, stating the name by
 7 which the co-operation shall be known, the location of its principal
 8 place of business, its business or objects, the number of trustees,
 9 directors, managers or other officers to conduct the same, the names

10 thereof for the first year, the time of its annual meeting, and of annual
 11 meeting of its trustees, or directors and the manner in which the
 12 articles may be amended. Said articles of co-operation shall be filed
 13 with the Secretary of State who shall, if he approves the same indorse
 14 his approval thereon, record the same, and thereafter forward the
 15 same to the county recorder of the county where the principal place
 16 of business is to be located, and there it shall be recorded, and upon
 17 recording be returned to the co-operation. The said articles shall not
 18 be filed by the Secretary of State until a filing fee of \$5.00 is paid,
 19 and upon the payment of said fee and the approval of the articles by
 20 the Secretary of State, he shall issue to said co-operation a certificate
 21 of co-operation as a co-operation not for pecuniary profit.

22 Amendments to the articles may be filed and receive approval as
 23 provided herein for articles, and the fee therefor shall be \$5.00 in each
 24 instance, and no amendment shall be effective until the same is ap-
 25 proved and the fee therefor is paid.

1 **SEC. 2. Powers—Duration.** Upon filing such articles the persons
 2 signing and acknowledging the same and their associates and successors
 3 shall become a body co-operative with the name therein stated and
 4 shall have power;

5 (a) To have perpetual succession by its name, unless a limited period
 6 of duration is stated in its articles of co-operation, or they are sooner
 7 dissolved by three-fourths ($\frac{3}{4}$) vote of all the members thereof, or
 8 by act of the general assembly or by operations of law.

9 (b) To sue and be sued in its co-operative name.

10 (c) To build and construct apartment houses or dwellings.

11 (d) To purchase, take, receive, lease as lessee, take by gift, devise
 12 or bequest, or otherwise acquire, and to own, hold, use and otherwise
 13 deal in and with any real or personal property or any interest therein.

14 (e) To sell, convey, mortgage, pledge, lease as lessor, and otherwise
 15 dispose of all or any part of its property and assets.

16 (f) To make contracts and incur liabilities which may be appropri-
 17 ate to enable it to accomplish any or all of its purposes; to borrow
 18 money for its co-operative purposes at such rates of interest as the
 19 co-operation may determine, to issue its notes, bonds and other obliga-
 20 tions; and to secure any of its obligations by mortgage, pledge, or
 21 deed of trust of all or any of its property.

22 (g) To elect or appoint officers and agents of the co-operation, and
 23 to define their duties and fix their compensation.

24 (h) To make and alter by-laws not inconsistent with its articles of
 25 co-operation or with the laws of this state, for the administration and
 26 the regulation of the affairs of the co-operation.

27 (i) To cease its co-operate activities and surrender its co-operate
 28 franchise.

29 (j) To have and exercise all powers necessary or convenient to
 30 effect any or all of the purposes for which the co-operation is organized.

1 **SEC. 3. Members.** A co-operation may have one or more classes
 2 of members. The designation of such class or classes and the qualifica-
 3 tions and rights of the members of each class shall be set forth in the
 4 articles of co-operation or the by-laws. The co-operation must issue
 5 certificates or deeds evidencing membership or ownership of a particular
 6 interest therein.

1 **SEC. 4. Dividends.** No dividend or distribution of property among
2 the stockholders shall be made until dissolution of the co-operation.

1 **SEC. 5. Trustees or managers.** Such co-operation may, annually
2 or oftener, elect from its members its directors, or managers, at such
3 time and place and in such manner as may be specified in its by-laws,
4 or article of co-operation, who shall have the control and management
5 of its affairs and funds, a majority of whom shall constitute a quorum
6 for the transaction of business, when a vacancy occurs in its governing
7 body, it shall be filled in such manner as shall be provided in the
8 by-laws, or article of co-operation.

9 The trustee may be one or more persons, or may be a corporation
10 and need not be a member and shall be selected by the directors.

1 **SEC. 6. Election of officers.** If an election of trustees, directors or
2 managers shall not be made on the day designated by the by-laws, the
3 society for that cause shall not be dissolved, but such election may
4 take place on any other day directed in the by-laws.

1 **SEC. 7. Re-organizing prior to expiration of term.** The trustees,
2 directors, or members of any co-operation organized under this chapter
3 may reorganize the same, and all the property and rights thereof shall
4 vest in the co-operation as reorganized.

1 **SEC. 8. Re-organizing after expiration of term.** When the term
2 of a co-operation organized under this chapter has expired, but the
3 organization has continued to act as such co-operation, the directors
4 or members thereof may reorganize, and the property and rights
5 therein shall vest in the reorganized co-operation for the use and
6 benefit of all of the members in the original co-operation.

1 **SEC. 9. Amendments of articles.** Any co-operation organized under
2 this chapter may change its name or amend its articles of co-operation
3 by a vote of a majority of the members, in such manner as may be
4 provided in its articles; but if no such provision is made in the articles
5 the same may be amended at any regular meeting or special meeting
6 called for that purpose by the president or secretary or a majority
7 of the board of directors. Notice of any meeting at which it is
8 proposed to amend the articles of co-operation, shall be given by
9 mailing to each member at his last known post-office address at least
10 ten days prior to such meeting, a notice signed by the secretary setting
11 forth the proposed amendments in substance, or by two publications
12 of said notice in some daily or weekly newspaper in general circulation
13 in the county wherein said co-operation has its principal place of
14 business. The last publication of said notice shall be not less than
15 ten days prior to the date of said meeting.

1 **SEC. 10. Record—Effect.** The change or amendment provided for
2 in section nine (9) shall be recorded as the original articles are recorded.
3 From the date of filing such change or amendment for record, the
4 provisions of the previous section having been complied with, the
5 change or amendment shall take effect as a part of the original articles,
6 and the co-operation thus constituted shall have the same rights,
7 powers and franchises, be entitled to the same immunities, and liable
8 upon all contracts to the same extent, as before such change or amend-
9 ment.

1 SEC. 11. The co-operative association shall have the right to
2 purchase real estate for the purpose of erecting apartment houses or
3 apartment buildings and the members shall be the owners thereof. The
4 interest of each individual member shall be evidenced by the issuance
5 of a certificate of ownership or deed to a particular apartment or room
6 therein. Such certificate of ownership or deed shall be executed by the
7 president of the co-operation and attested by its secretary in the name
8 and in the behalf of the co-operation.

1 SEC. 12. The title to the real estate upon which the apartment or
2 other buildings is constructed shall be conveyed to the trustees or
3 trustee who shall hold the said title for the use and benefit of the
4 owners of such apartments or rooms.

1 SEC. 13. **Sale and incumbrance of the premises.** Neither the
2 premises nor the real estate shall be sold by the trustees unless a three-
3 fourths ($\frac{3}{4}$) majority of the owners and the board of directors
4 authorize such sale. No mortgage shall be given by the trustees unless
5 such mortgage is authorized by a resolution of three-fourths ($\frac{3}{4}$) of
6 the owners and the board of directors of the apartments or rooms
7 in said building, and no such mortgage shall be given unless it is given
8 for the purchase of, or repair and maintenance of, such building. Any
9 mortgage executed by the trustees as above provided shall be prior
10 and superior to any mortgage, lien or incumbrance of any individual
11 against any individual apartment or room or the owners interest
12 therein.

1 SEC. 14. **Taxation.** The real estate shall be taxed in the name of
2 the co-operation, and each person owning an apartment or room shall
3 pay his proportionate share of such tax, and each person owning an
4 apartment as a residence and under the qualifications of the laws of
5 the state of Iowa as such shall receive his proportionate Homestead
6 Tax credit and each veteran of the military services of the United
7 States identified as such under the laws of the state of Iowa or the
8 United States shall receive as a credit his veterans tax benefit as
9 prescribed by the laws of the state of Iowa, and as amended.

1 SEC. 15. The members of the co-operation may adopt house rules
2 and by-laws governing the regulation of the premises generally and
3 may adopt rules and regulations as to the maintenance of the individual
4 apartments or rooms as to whether or not said apartments or rooms;

5 (a) Shall be used exclusively as a residence.

6 (b) As to the sale and lease of the individual apartments or rooms.

7 (c) As to the payment of all public services rendered to the apart-
8 ments or rooms.

9 (d) As to any other item or regulation concerning or pertaining to
10 the building, constructing, repair or regulation of the premises or
11 its occupants.

12 The members of the co-operation may, by agreement, contract among
13 themselves as to any regulations, house rules, repairs of premises,
14 addition, construction or any other thing in the conducting of the
15 affairs of the co-operation, but such agreement shall not be binding
16 upon innocent purchasers or incumbrances unless it be recorded in the
17 office of the county recorder in the county in which the co-operation
18 is organized.

1 **SEC. 16. Board of Directors.** Unless otherwise provided in the
2 agreement, it shall be the duty of the board of directors to maintain
3 generally the building and the grounds. They shall keep in repair
4 as far as practical, the outside wall, stairways, roof, halls, and the
5 structure of the building, and the cost thereof shall be contributed to
6 by each of the apartment owners in proportion as their interest appears.
7 And any default in payment thereof by any owner of any apartment
8 may be assessed against such apartment by the board of directors
9 and such apartment shall be liable therefor. The said sums so unpaid
10 shall be a lien against the said apartment, but shall not be a personal
11 liability of the apartment owners, and shall be prior to any existing
12 lien against the owner but shall be subsequent to any lien placed
13 thereon by the trustee, and upon nonpayment upon demand may be
14 enforced as a mortgage against said apartment by the co-operation.

1 **SEC. 17.** The members of the co-operative may contract among
2 themselves with reference to all public service requirements, including
3 heat, light and water supplies, of said building, and unless otherwise
4 provided in the agreement it shall be the duty of the board of directors
5 to furnish such public service requirements and the cost thereof shall
6 be divided proportionately among the apartment owners, and upon
7 nonpayment upon demand, may be enforced as provided by section 16
8 hereof.

9 In the event that the heating plant and the water supply of such
10 apartment is a general heating plant, then the board of directors may
11 furnish fuel and water to said premises, and each apartment without
12 discrimination, and the cost thereof shall be paid by the several
13 apartment owners in proportion to their interest.

1 **SEC. 18. Homestead.** The ownership of an individual apartment
2 shall constitute a homestead and be exempt from execution, provided
3 the owner otherwise qualifies within the laws of the state of Iowa
4 for such exemption.

1 **SEC. 19. Election of Directors.** The directors authorized under this
2 chapter shall be elected by the members of the co-operation. If one
3 member owns more than one apartment he may nevertheless have
4 but one vote at such election. If any apartment or room is owned by
5 more than one member they may, nevertheless, have but one vote at
6 such election. The election of officers shall be made by the board of
7 directors. The officers and board of directors may hire a custodian or
8 janitor for reasonable compensation to generally serve and oversee the
9 apartment building. The annual election of the directors shall be held
10 during the month of January of each year, and they shall serve until
11 their successors are elected and qualified.

12 The board of directors shall elect as officers, a president and a
13 secretary.

14 It shall be the duty of the secretary to keep the records of the
15 co-operation, a correct list of the owners and lessees of each apartment,
16 and all such records shall be submitted to any apartment or room owner
17 upon demand at any reasonable time.

1 **SEC. 20.** This act shall be known and cited as "The Multiple Housing
2 Act of 1947."

1 SEC. 21. Private property of the members shall be exempt from
2 execution for the debts of the co-operation.

1 SEC. 22. This act being deemed of immediate importance, shall be in
2 full force and effect from and after its passage and publication in the
3 Charles City Daily Press, a newspaper published at Charles City, Iowa,
4 and the Hardin County Index, a newspaper published at Eldora, Iowa.

Approved March 28, 1947.

I hereby certify that the foregoing act was published in the Charles City Daily Press,
April 7, 1947, and the Hardin County Index, April 3, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 251

CORPORATION RENEWAL

S. F. 135

AN ACT relating to the execution of renewals of articles of corporations for pecuniary profit.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred ninety-one point thirty-five
2 (491.35), Code 1946, relating to corporations for pecuniary profit, is
3 hereby amended by inserting after the word "meeting" in line ten
4 (10) thereof, the words, "and such amendments, as may be deemed
5 necessary".

1 SEC. 2. Section four hundred ninety-one point thirty-six (491.36),
2 Code 1946, is hereby repealed.

Approved March 12, 1947.

CHAPTER 252

UNIFORM STOCK TRANSFER ACT

H. F. 105

AN ACT concerning the transfer of shares of stock in corporations, making uniform the law relating thereto.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Title to a certificate and to the shares represented
2 thereby can be transferred only, (a) by delivery of the certificate in-
3 dorsed either in blank or to a specified person by the person appearing
4 by the certificate to be the owner of the shares represented thereby,
5 or (b) by delivery of the certificate and a separate document containing
6 a written assignment of the certificate or a power of attorney to sell,
7 assign, or transfer the same or the shares represented thereby, signed
8 by the person appearing by the certificate to be the owner of the shares
9 represented thereby. Such assignment or power of attorney may be
10 either in blank or to a specified person.

11 The provisions of this section shall be applicable although the charter
12 or articles of incorporation or code of regulations or by-laws of the
13 corporation issuing the certificate and the certificate itself, provide
14 that the shares represented thereby shall be transferable only on the
15 books of the corporation or shall be registered by a registrar or trans-
16 ferred by a transfer agent.

1 SEC. 2. Nothing in this act shall be construed as enlarging the
2 powers of an infant or other person lacking full legal capacity, or of
3 a trustee, executor or administrator, or other fiduciary, to make a valid
4 indorsement, assignment or power of attorney.

1 SEC. 3. Nothing in this act shall be construed as forbidding a
2 corporation, (a) to recognize the exclusive right of a person registered
3 on its books as the owner of shares to receive dividends, and to vote
4 as such owner, or (b) to hold liable for calls and assessments a person
5 registered on its books as the owner of shares.

1 SEC. 4. The title of a transferee of a certificate under a power of
2 attorney or assignment not written upon the certificate, and the title
3 of any person claiming under such transferee, shall cease and determine
4 if, at any time prior to the surrender of the certificate to the corpora-
5 tion issuing it, another person, for value in good faith, and without
6 notice of the prior transfer, shall purchase and obtain delivery of such
7 certificate with the indorsement of the person appearing by the certifi-
8 cate to be the owner thereof, or shall purchase and obtain delivery
9 of such certificate and the written assignment or power of attorney of
10 such person, though contained in a separate document.

1 SEC. 5. The delivery of a certificate to transfer title in accordance
2 with the provisions of Section 1, is effectual, except as provided in
3 Section 7, though made by one having no right of possession and having
4 no authority from the owner of the certificate or from the person
5 purporting to transfer the title.

1 SEC. 6. The indorsement of a certificate by the person appearing
2 by the certificate to be the owner of the shares represented thereby is
3 effectual, except as provided in Section 7, though the indorser or
4 transferor, (a) was induced by fraud, duress or mistake, to make the
5 indorsement or delivery, or (b) has revoked the delivery of the certifi-
6 cate, or the authority given by the indorsement or delivery of the
7 certificate, or (c) has died or become legally incapacitated after the
8 indorsement, whether before or after the delivery of the certificate,
9 or (d) has received no consideration.

1 SEC. 7. If the indorsement or delivery of certificate, (a) was
2 procured by fraud or duress, or (b) was made under such mistake as
3 to make the indorsement or delivery inequitable; or if the delivery of
4 a certificate was made (c) without authority from the owner, or (d)
5 after the owner's death or legal incapacity, the possession of the
6 certificate may be reclaimed and the transfer thereof rescinded, unless:

7 (1) The certificate has been transferred to a purchaser for value
8 in good faith without notice of any facts making the transfer wrongful,
9 or,
10 (2) The injured person has elected to waive the injury, or has
11 been guilty of laches in endeavoring to enforce his rights.

12 Any court of appropriate jurisdiction may enforce specifically such
13 right to reclaim the possession of the certificate or to rescind the
14 transfer thereof and, pending litigation, may enjoin the further
15 transfer of the certificate or impound it.

1 SEC. 8. Although the transfer of a certificate or of shares repre-
2 sented thereby has been rescinded or set aside, nevertheless, if the
3 transferee has possession of the certificate or of a new certificate
4 representing part or the whole of the same shares of stock, a subse-
5 quent transfer of such certificate by the transferee, mediately or
6 immediately, to a purchaser for value in good faith, without notice of
7 any facts making the transfer wrongful, shall give such purchaser an
8 indefeasible right to the certificate and the shares represented thereby.

1 SEC. 9. The delivery of a certificate by the person appearing by
2 the certificate to be the owner thereof without the indorsement requisite
3 for the transfer of the certificate and the shares represented thereby,
4 but with intent to transfer such certificate or shares, shall impose an
5 obligation, in the absence of an agreement to the contrary, upon the
6 person so delivering, to complete the transfer by making the necessary
7 indorsement. The transfer shall take effect as of the time when the
8 indorsement is actually made. This obligation may be specifically
9 enforced.

1 SEC. 10. An attempted transfer of title to a certificate or to the
2 shares represented thereby without delivery of the certificate shall
3 have the effect of a promise to transfer and the obligation, if any,
4 imposed by such promise shall be determined by the law governing
5 the formation and performance of contracts.

1 SEC. 11. A person who for value transfers a certificate, including
2 one who assigns for value a claim secured by a certificate, unless a
3 contrary intention appears, warrants— (a) That the certificate is
4 genuine, (b) That he has legal right to transfer it, and (c) That he has
5 no knowledge of any fact which would impair the validity of the
6 certificate.

7 In the case of an assignment of a claim secured by a certificate, the
8 liability of the assignor upon such warranty shall not exceed the
9 amount of the claim.

1 SEC. 12. A mortgagee, pledgee, or other holder for security of a
2 certificate who in good faith demands or receives payment of the debt
3 for which such certificate is security, whether from a party to a draft
4 drawn for such debt, or from any other person, shall not by so doing
5 be deemed to represent or to warrant the genuineness of such certifi-
6 cate, or the value of the shares represented thereby.

1 SEC. 13. No attachment or levy upon shares of stock for which
2 a certificate is outstanding shall be valid until such certificate be
3 actually seized by the officer making the attachment or levy, or be
4 surrendered to the corporation which issued it, or its transfer by the
5 holder be enjoined. Except where a certificate is lost or destroyed, such
6 corporation shall not be compelled to issue a new certificate for the
7 stock until the old certificate is surrendered to it.

1 SEC. 14. A creditor whose debtor is the owner of a certificate shall
2 be entitled to such aid from courts of appropriate jurisdiction, by
3 injunction and otherwise, in attaching such certificate or in satisfying
4 the claim by means thereof as is allowed at law or in equity, in regard
5 to property which cannot readily be attached or levied upon by ordinary
6 legal process.

1 SEC. 15. There shall be no lien in favor of a corporation upon the
2 shares represented by a certificate issued by such corporation and
3 there shall be no restriction upon the transfer of shares so represented
4 by virtue of any by-laws of such corporation, or otherwise, unless the
5 right of the corporation to such lien or the restriction is stated upon
6 the certificate.

1 SEC. 16. The alteration of a certificate, whether fraudulent or not
2 and by whomsoever made, shall not deprive the owner of his title to the
3 certificate and the shares originally represented thereby, and the
4 transfer of such a certificate shall convey to the transferee a good title
5 to such certificate and to the shares originally represented thereby.

1 SEC. 17. Where a certificate has been lost or destroyed, a court of
2 competent jurisdiction may order the issue of a new certificate therefor
3 on service of process upon the corporation and on reasonable notice by
4 publication, and in any other way which the court may direct, to all
5 persons interested, and upon satisfactory proof of such loss or destruc-
6 tion and upon the giving of a bond with sufficient surety to be approved
7 by the court to protect the corporation or any person injured by the
8 issue of the new certificate from any liability or expense, which it or
9 they may incur by reason of the original certificate remaining out-
10 standing. The court may also in its discretion order the payment of the
11 corporation's reasonable cost and counsel fees.

12 The issue of a new certificate under an order of the court as provided
13 in this section, shall not relieve the corporation from liability in
14 damages to a person to whom the original certificate has been or shall
15 be transferred for value without notice of the proceedings or of the
16 issuance of the new certificate.

1 SEC. 18. In any case not provided for by this act, the rules of law
2 and equity, including the law merchant, and in particular the rules
3 relating to the law of principal and agent, executors, administrators
4 and trustees, and to the effect of fraud, misrepresentation, duress or
5 coercion, mistake, bankruptcy, or other invalidating cause, shall govern.

1 SEC. 19. This Act shall be so interpreted and construed as to effectu-
2 ate its general purpose to make uniform the law of those States which
3 enact it.

1 SEC. 20. A certificate is indorsed when an assignment or a power of
2 attorney to sell, assign, or transfer the certificate or the shares repre-
3 sented thereby is written on the certificate and signed by the person
4 appearing by the certificate to be the owner of the shares represented
5 thereby, or when the signature of such person is written without more
6 upon the back of the certificate. In any of such cases a certificate is
7 indorsed though it has not been delivered.

1 SEC. 21. The person to whom a certificate was originally issued
2 is the person appearing by the certificate to be the owner thereof, and

3 of the shares represented thereby, until and unless he indorses the
 4 certificate to another specified person, and thereupon such other
 5 specified person is the person appearing by the certificate to be the
 6 owner thereof until and unless he also indorses the certificate to an-
 7 other specified person. Subsequent special indorsements may be made
 8 with like effect.

1 SEC. 22. (1) In this act, unless the context or subject matter
 2 otherwise requires—

3 "Certificate" means a certificate of stock in a corporation organized
 4 under the laws of this state or of another state whose laws are consist-
 5 ent with this act.

6 "Delivery" means voluntary transfer of possession from one person
 7 to another.

8 "Person" includes a corporation or partnership or two or more
 9 persons having a joint or common interest.

10 To "purchase" includes to take as mortgagee or as pledgee.

11 "Purchaser" includes mortgagee and pledgee.

12 "Shares" means a share or shares of stock in a corporation organized
 13 under the laws of this state or of another state whose laws are consist-
 14 ent with this act.

15 "State" includes state, territory, district and insular possession
 16 of the United States.

17 "Transfer" means transfer of legal title.

18 "Title" means legal title and does not include a merely equitable or
 19 beneficial ownership or interest.

20 "Value" is any consideration sufficient to support a simple contract.
 21 An antecedent or pre-existing obligation, whether for money or not,
 22 constitutes value where a certificate is taken either in satisfaction
 23 thereof or as security therefor.

24 (2) A thing is done "in good faith" within the meaning of this
 25 act, when it is in fact done honestly, whether it be done negligently
 26 or not.

1 SEC. 23. The provisions of this act apply only to certificates issued
 2 after the taking effect of this act.

1 SEC. 24. This act may be cited as the Uniform Stock Transfer Act.

1 SEC. 25. This Act being deemed of immediate importance shall
 2 be in full force and effect after publication in The Daily Times, a
 3 newspaper published at Davenport, Iowa, and The Daily Iowegian and
 4 Citizen, a newspaper published at Centerville, Iowa.

Approved February 10, 1947.

Publication refused by The Daily Times, Davenport, Iowa, February 11, 1947.

I hereby certify that the foregoing act was published in The Daily Iowegian and
 Citizen, February 12, 1947, and the Farm Bureau News, Bettendorf, Iowa, February
 20, 1947, under authority of Section 3.9, Code of Iowa, 1946.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 253

SALES OF SECURITIES

H. F. 128

AN ACT to amend section five hundred two point four (502.4), code 1946, relating to exempt securities, and section five hundred two point five (502.5), code 1946, relating to exempt transactions.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Subsection eight (8) of section five hundred two point
2 four (502.4), Code 1946, is amended by striking the period in line
3 nine (9) and adding the following:
4 “; and any common stock outstanding and in the hands of the
5 public in whole or in part for a period of not less than five years
6 upon which dividends have been paid annually for five years next
7 preceding the year of proposed sale or stock dividends thereon or
8 reclassifications thereof, provided this exemption shall not apply to
9 common stock which has been registered with the Securities and Ex-
10 change Commission at any time during the five years next preceding
11 the date of sale.”

1 SEC. 2. Section five hundred two point five (502.5), Code 1946,
2 is amended by adding at the end thereof the following subsection;
3 “The sale in the ordinary and usual course of business by a regis-
4 tered dealer of any security provided such sale is reasonably related
5 to the current market price of such security at the time of sale, and
6 provided such security is part of an issue which has been outstanding,
7 in whole or in part, in the hands of the public for a period of not less
8 than three years, or stock dividends thereon or reclassifications there-
9 of, and further provided that information as to the issuer of such
10 security is published in a recognized manual of securities, excepting,
11 however, securities of the following classes:
12 (1) Securities of a class which have been registered with the
13 Securities and Exchange Commission at any time during the three
14 years next preceding the date of sale.
15 (2) Securities of a class in respect to which there have been like
16 issues within three years next preceding the date of sale.
17 (3) Securities issued by other than going concerns. This exemption
18 shall not apply to any security whose resale is prohibited by specific
19 order of the Commissioner of Insurance.”

Approved May 1, 1947.

CHAPTER 254

INSURANCE COMMISSIONER

S. F. 298

AN ACT to establish the salary of the insurance commissioner.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred and five point five (505.5), Code
2 1946, is hereby amended by adding thereto the following: “His salary
3 shall be six thousand dollars (\$6000.00) per annum.”

Approved April 18, 1947.

CHAPTER 255

INSURANCE EXAMINERS COMPENSATION

H. F. 527

AN ACT to amend section five hundred seven point four (507.4), code 1946, relating to compensation of insurance examiners and assistant insurance examiners.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred seven point four (507.4), Code
2 1946, is amended by striking from line three (3) the word "two", and
3 by inserting after the word "examiners," in line three (3) the words
4 "at least", and by striking from lines four (4) and five (5) the
5 words "the other" and inserting in lieu thereof the words "and at
6 least one", and by striking from line eighteen (18) the word "fifteen"
7 and inserting in lieu thereof the word "twenty", and by striking from
8 line nineteen (19) the words "twelve dollars fifty cents" and inserting
9 in lieu thereof the words "fifteen dollars".

Approved April 22, 1947.

CHAPTER 256

GROUP INSURANCE

S. F. 192

AN ACT to repeal chapter five hundred nine (509), code 1946, and substituting in lieu thereof the following relating to group insurance.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter five hundred nine (509), Code 1946, is
2 repealed and the following enacted in lieu thereof:

1 SEC. 2. No policy of group life, accident or health insurance shall
2 be delivered in this state unless it conforms to one of the following
3 descriptions:

4 (1) A policy issued to an employer, or to the trustees of a fund es-
5 tablished by an employer, which employer or trustees shall be deemed
6 the policyholder, to insure employees of the employer for the benefit
7 of persons other than the employer, subject to the following require-
8 ments:

9 (a) The employees eligible for insurance under the policy shall be all
10 of the employees of the employer, or all of any class or classes thereof
11 determined by conditions pertaining to their employment. The policy
12 may provide that the term "employees" shall include the employees of
13 one or more subsidiary corporations, and the employees, individual
14 proprietors, and partners of one or more affiliated corporations, pro-
15 prietors or partnerships if the business of the employer and of such
16 affiliated corporations, proprietors or partnerships is under common
17 control through stock ownership, contract, or otherwise. The policy
18 may provide that the term "employees" shall include the individual
19 proprietor or partners if the employer is an individual proprietor or
20 a partnership. The policy may provide that the term "employees"
21 shall include retired employees.

22 (b) The premium for the policy shall be paid by the policyholder,
23 either wholly from the employer's funds or funds contributed by him,
24 or partly from such funds and partly from funds contributed by the
25 insured employees. No policy may be issued on which the entire
26 premium is to be derived from funds contributed by the insured
27 employees. A policy on which part of the premium is to be derived
28 from funds contributed by the insured employees may be placed in
29 force only if at least seventy-five percent of the then eligible em-
30 ployees, excluding any as to whom evidence of individual insurability
31 is not satisfactory to the insurer, elect to make the required contribu-
32 tions. A policy on which no part of the premium is to be derived
33 from funds contributed by the insured employees must insure all
34 eligible employees, or all except any as to whom evidence of individual
35 insurability is not satisfactory to the insurer.

36 (c) The policy must cover at least twenty-five employees at date of
37 issue.

38 (d) The amounts of insurance under the policy must be based upon
39 some plan precluding individual selection either by the employees or
40 by the employer or trustees. No policy may be issued which provides
41 insurance on any employee which together with any other insurance
42 under any group life insurance policies issued to the employer or to
43 the trustees of a fund established by the employer exceeds twenty
44 thousand dollars, except that this limitation shall not apply to amounts
45 of group insurance issued in connection with a pension plan which
46 do not exceed the amount required at normal retirement date to
47 provide the pension specified by the plan.

48 (e) Group accident and health policies may include dependents of
49 the employee.

50 (2) A policy issued to any one of the following to be considered the
51 policyholder:

52 (a) An advisory, supervisory, or governing body or bodies of a
53 regularly organized religious denomination to insure its clergymen,
54 priests, or ministers of the gospel.

55 (b) A teacher's association, to insure its members.

56 (c) A volunteer fire company, to insure all of its members.

57 (d) A fraternal society or association, or any subordinate lodge or
58 branch thereof, to insure its members.

59 (e) A common principal of any group of persons similarly en-
60 gaged between whom there exists a contractual relationship, to insure
61 the members of such group.

62 Provided that the provisions and requirements of subdivision (1) of
63 this section shall apply to such policy and the policyholder and in-
64 sured in like manner as said subdivision (1) of this section applies
65 to employers and employees, except that if a policy is issued to a
66 volunteer fire company, the requirement for twenty-five members
67 shall not apply, and, if issued to a teacher's association, not less than
68 sixty-five percent of the members thereof may be insured.

69 (3) A policy issued to a creditor, who shall be deemed the policy-
70 holder, to insure debtors of the creditor, subject to the following re-
71 quirements:

72 (a) The debtors eligible for insurance under the policy shall be all
73 of the debtors of the creditor whose indebtedness is repayable in in-
74 stallments, or all of any class or classes thereof determined by condi-

75 tions pertaining to the indebtedness or to the purchase giving rise to
76 the indebtedness. The policy may provide that the term "debtors" shall
77 include the debtors of one or more subsidiary corporations, and the
78 debtors of one or more affiliated corporations, proprietors or partner-
79 ships if the business of the policyholder and of such affiliated cor-
80 porations, proprietors or partnerships is under common control
81 through stock ownership, contract, or otherwise.

82 (b) The premium for the policy shall be paid by the policyholder,
83 either from the creditor's funds, or from charges collected from the
84 insured debtors, or from both. A policy on which part or all of the
85 premium is to be derived from the collection from the insured debtors
86 of identifiable charges not required of uninsured debtors shall not
87 include, in the class or classes of debtors eligible for insurance,
88 debtors under obligations outstanding at its date of issue without
89 evidence of individual insurability unless at least seventy-five percent
90 of the then eligible debtors elect to pay the required charges. A policy
91 on which no part of the premium is to be derived from the collection of
92 such identifiable charges must insure all eligible debtors, or all except
93 any as to whom evidence of individual insurability is not satisfactory
94 to the insurer.

95 (c) The policy may be issued only if the group of eligible debtors is
96 then receiving new entrants at the rate of at least one hundred persons
97 yearly, or may reasonably be expected to receive at least one
98 hundred new entrants during the first policy year, and only if the
99 policy reserves to the insurer the right to require evidence of indi-
100 vidual insurability if less than seventy-five percent of the new en-
101 trants become insured.

102 (d) The amount of insurance on the life of any debtor shall at no
103 time exceed the amount owed by him which is repayable in install-
104 ments to the creditor, or ten thousand dollars, whichever is less.

105 (e) The insurance shall be payable to the policyholder. Such pay-
106 ment shall reduce or extinguish the unpaid indebtedness of the debtor
107 to the extent of such payment.

108 (4) A policy issued to a labor union, which shall be deemed the
109 policyholder, to insure members of such union for the benefit of
110 persons other than the union or any of its officials, representatives,
111 or agents, subject to the following requirements:

112 (a) The members eligible for insurance under the policy shall be
113 all of the members of the union or all of any class or classes thereof
114 determined by conditions pertaining to their employment, or to mem-
115 bership in the union, or both.

116 (b) The premium for the policy shall be paid by the policyholder,
117 either wholly from the union's funds, or partly from such funds and
118 partly from funds contributed by the insured members specifically
119 for their insurance. No policy may be issued on which the entire
120 premium is to be derived from funds contributed by the insured
121 members specifically for their insurance. A policy on which part of
122 the premium is to be derived from funds contributed by the insured
123 members specifically for their insurance may be placed in force only
124 if at least sixty-five percent of the then eligible members, excluding
125 any as to whom evidence of individual insurability is not satisfactory
126 to the insurer, elect to make the required contributions. A policy on
127 which no part of the premium is to be derived from funds contributed

128 by the insured members specifically for their insurance must insure
129 all eligible members, or all except any as to whom evidence of indi-
130 vidual insurability is not satisfactory to the insurer.

131 (c) The policy must cover at least twenty-five members at date of
132 issue.

133 (d) The amounts of insurance under the policy must be based upon
134 some plan precluding individual selection either by the members or
135 by the union. No policy may be issued which provides insurance on
136 any union member which together with any other insurance under
137 any group life insurance policies issued to the union exceeds twenty
138 thousand dollars, except that this limitation shall not apply to amounts
139 of group insurance issued in connection with a pension plan which
140 do not exceed the amount required at normal retirement date to
141 provide the pension specified by the plan.

142 (e) Accident and health policies may include dependents of the in-
143 sured.

144 (5) A policy issued to the trustees of a fund established by two or
145 more employers in the same industry or by two or more labor unions,
146 which trustees shall be deemed the policyholder, to insure employees
147 of the employers or members of the unions for the benefit of persons
148 other than the employers or the unions, subject to the following re-
149 quirements:

150 (a) The persons eligible for insurance shall be all of the employees
151 of the employers or all of the members of the unions, or all of any class
152 or classes thereof determined by conditions pertaining to their em-
153 ployment, or to membership in the unions, or both. The policy may
154 provide that the term "employees" shall include the individual pro-
155 prietor or partners if an employer is an individual proprietor or a
156 partnership. The policy may provide that the term "employees" shall
157 include the trustees or their employees, or both, if their duties are
158 principally connected with such trusteeship. The policy may provide
159 that the term "employees" shall include retired employees.

160 (b) The premium for the policy shall be paid by the trustees wholly
161 from funds contributed by the employers of the insured persons. The
162 policy must insure all eligible persons, or all except any as to whom
163 evidence of individual insurability is not satisfactory to the insurer.

164 (c) The policy must cover at least one hundred persons at date of
165 issue.

166 (d) The amounts of insurance under the policy must be based upon
167 some plan precluding individual selection either by the insured per-
168 sons or by the policyholder, employers, or unions. No policy may be
169 issued which provides insurance on any person which, together with
170 any other insurance under any group life insurance policies issued
171 to the trustees, exceeds twenty thousand dollars, except that this
172 limitation shall not apply to amounts of group insurance issued in
173 connection with a pension plan which do not exceed the amount re-
174 quired at normal retirement date to provide the pension specified by
175 the plan.

176 (e) Accident and health policies may include dependents of the
177 insured.

178 (6) A policy issued to any non-profit industrial association (to be
179 deemed the policyholder) incorporated for a period of at least ten
180 years and organized for purposes other than obtaining insurance,

181 subject to the following requirements:

182 (a) If two or more members of the association, or any class or
183 classes of members thereof determined by conditions pertaining to
184 insurance, elect to insure their employees or any class or classes of
185 employees determined by conditions pertaining to employment; and

186 (b) The total number of insured employees must not be less than
187 one thousand, and of these not less than seventy-five percent must be
188 employees of members with at least twenty insured employees each,
189 and further, not more than ten percent may be employees of members
190 with less than ten insured employees each, and

191 (c) The insurance premiums are paid by such members to the as-
192 sociation; each member, insofar as applicable to his own employees,
193 may collect part of the premium from insured employees, and the
194 method of apportionment of the premium payment between himself
195 and his employees may be varied as among individual members; and

196 (d) Not less than seventy-five percent of the eligible employees of
197 each participating member may be insured where the employees pay
198 a part of the premium. The word "employees" as used in this sub-
199 section shall also include the individual members and employees of
200 such association.

201 (e) Accident and health policies may include dependents of the
202 employees.

1 SEC. 3. No policy of group life insurance shall be delivered in this
2 state unless it contains in substance the following provisions, or
3 provisions which in the opinion of the Commissioner are more favor-
4 able to the persons insured or at least as favorable to the persons
5 insured, and more favorable to the policyholder, provided, however,
6 (a) that provisions (6), (7), (8), (9), (10) of this section shall
7 not apply to policies issued to a creditor to insure debtors of such
8 creditor; (b) that the standard provisions required for individual
9 life insurance policies shall not apply to group life insurance policies;
10 and (c) that if the group life insurance policy is on a plan of in-
11 surance other than the term plan, it shall contain a non-forfeiture
12 provision or provisions which in the opinion of the Commissioner is
13 or are equitable to the insured persons and to the policyholder, but
14 nothing herein shall be construed to require that group life insurance
15 policies contain the same non-forfeiture provisions as are required
16 for individual life insurance policies:

17 (1) A provision that the policyholder is entitled to a grace period of
18 thirty-one days for the payment of any premium due except that
19 first, during which grace period the death benefit coverage shall con-
20 tinue in force, unless the policyholder shall have given the insurer
21 written notice of discontinuance in advance of the date of discon-
22 tinuance and in accordance with the terms of the policy. The policy
23 may provide that the policyholder shall be liable to the insurer for
24 the payment of a pro rata premium for the time the policy was in
25 force during such grace period.

26 (2) A provision that the validity of the policy shall not be contested,
27 except for nonpayment of premiums, after it has been in force for
28 two years from its date of issue; and that no statement made by any
29 person insured under the policy relating to his insurability shall be
30 used in contesting the validity of the insurance with respect to which

31 such statement was made after such insurance has been in force
32 prior to the contest for a period of two years during such person's
33 lifetime, nor unless it is contained in a written instrument signed by
34 him.

35 (3) A provision that a copy of the application, if any, of the policy-
36 holder shall be attached to the policy when issued, that all statements
37 made by the policyholder or by the persons insured shall be deemed
38 representations and not warranties, and that no statement made by
39 any person insured shall be used in any contest unless a copy of the
40 instrument containing the statement is or has been furnished to such
41 person or to his beneficiary.

42 (4) A provision setting forth the conditions, if any, under which
43 the insurer reserves the right to require a person eligible for insurance
44 to furnish evidence of individual insurability satisfactory to the in-
45 surer as a condition to part or all of his coverage.

46 (5) A provision specifying an equitable adjustment of premiums or
47 benefits or of both to be made in the event the age of a person insured
48 has been misstated, such provision to contain a clear statement of the
49 method of adjustment to be used.

50 (6) A provision that any sum becoming due by reason of the death
51 of the person insured shall be payable to the beneficiary designated by
52 the person insured, subject to the provisions of the policy in the event
53 there is no designated beneficiary, as to all or any part of such sum,
54 living at the death of the person insured, and subject to any right
55 reserved by the insurer in the policy and set forth in the certificate
56 to pay at its option a part of such sum, not exceeding two hundred
57 fifty dollars, to any person appearing to the insurer to be equitably
58 entitled thereto by reason of having incurred funeral or other ex-
59 penses incident to the last illness or death of the person insured.

60 (7) A provision that the insurer will issue to the policyholder for
61 delivery to each person insured an individual certificate setting forth
62 a statement as to the insurance protection to which he is entitled, to
63 whom the insurance benefits are payable, and the rights and condi-
64 tions set forth in (8), (9) and (10) following if applicable.

65 (8) A provision that if the insurance, or any portion of it, on a
66 person covered under the policy ceases because of termination of em-
67 ployment or of membership in the class or classes eligible for cover-
68 age under the policy, such person shall be entitled to have issued to
69 him by the insurer, without evidence of insurability, an individual
70 policy of life insurance without disability or other supplementary
71 benefits, provided application for the individual policy shall be made,
72 and the first premium paid to the insurer, within thirty-one days after
73 such termination, and provided further that,

74 (a) The individual policy shall, at the option of such person, be on
75 any one of the forms, except term insurance, then customarily issued
76 by the insurer at the age and for the amount applied for;

77 (b) The individual policy shall be in an amount not in excess of the
78 amount of life insurance which ceases because of such termination,
79 provided that any amount of insurance which matures on the date
80 of such termination, or has matured prior thereto as an endowment
81 payable to the person insured, whether in one sum or in installments
82 or in the form of an annuity, shall not, for the purposes of this pro-

83 vision, be included in the amount which is considered to cease because
84 of such termination, and

85 (c) The premium on the individual policy shall be at the insurer's
86 then customary rate applicable to the form and amount of the in-
87 dividual policy, to the class of risk to which such person then belongs,
88 and to his age attained on the effective date of the individual policy.

89 (9) A provision that if the group policy terminates or is amended so
90 as to terminate the insurance of any class of insured persons, every
91 person insured thereunder at the date of such termination whose in-
92 surance terminates and who has been so insured for at least five years
93 prior to such termination date shall be entitled to have issued to him
94 by the insurer an individual policy of life insurance, subject to the
95 same conditions and limitations as are provided by (8) above, except
96 that the group policy may provide that the amount of such individual
97 policy shall not exceed the smaller of (a) the amount of the person's
98 life insurance protection ceasing because of the termination or amend-
99 ment of the group policy, less the amount of any life insurance for
100 which he is or becomes eligible under any group policy issued or rein-
101 stated by the same or another insurer within thirty-one days after
102 such termination, and (b) two thousand dollars.

103 (10) A provision that if a person insured under the group policy dies
104 during the period within which he would have been entitled to have an
105 individual policy issued to him in accordance with (8) or (9) above
106 and before such an individual policy shall have become effective, the
107 amount of life insurance which he would have been entitled to have
108 issued to him under such individual policy shall be payable as a claim
109 under the group policy, whether or not application for the individual
110 policy or the payment of the first premium therefor has been made.

1 SEC. 4. All policies of group accident or health insurance or
2 combination thereof issued in this state shall contain in substance
3 the following provisions:

4 (1) The policy shall have a provision that a copy of the application,
5 if any, of the policyholder shall be attached to the policy when issued,
6 that all statements made by the policyholder or by the persons insured
7 shall be deemed representations and not warranties, and that no
8 statement made by any person insured shall be used in any contest
9 unless a copy of the instrument containing the statement is or has
10 been furnished to such person.

11 (2) A provision that the company will issue to the policyholder for
12 delivery to each person insured under such policy an individual cer-
13 tificate setting forth a statement as to the insurance protection to
14 which he is entitled, to whom the insurance benefits are payable, and
15 such provisions of the policy as are, in the opinion of the Commissioner
16 of Insurance, necessary to inform the holder thereof as to his rights
17 under the policy.

18 (3) A provision that to the group or class thereof originally insured
19 shall be added, from time to time, all new persons eligible to insurance
20 in such group or class.

1 SEC. 5. An insurer may issue policies of individual life, accident,
2 health, hospital, medical or surgical insurance or any combination
3 thereof at reduced rates to employees of a common employer where the
4 total number of employees to be insured is less than twenty-five and

5 more than nine. The premium for such policies must be paid wholly or
6 in part by the employer. If such policies shall provide term life insur-
7 ance renewable only during the continuance of employment with the
8 employer they shall also provide for conversion to a level premium life
9 policy substantially in accordance with the provisions of subsection
10 (8) of Section 3.

1 SEC. 6. Authorized companies.

2 (1) Any level premium life insurance company, organized on the
3 stock or mutual plan and authorized to transact business under the
4 provisions of chapter 508 may, upon complying with the provisions
5 of said chapter and of this chapter, issue contracts providing for
6 group life, or health, or accident insurance, or combinations thereof
7 as defined in this chapter.

8 (2) Any casualty company organized on the stock or mutual plan,
9 or accident and health association authorized to transact business
10 under the provisions of chapter 510 or chapter 515, or a reciprocal
11 or interinsurance exchange organized under the provisions of chapter
12 520, may, by complying with the provisions of said chapters and of
13 this chapter, issue contracts providing for health or accident insur-
14 ance, or combinations thereof, as defined in this chapter.

1 SEC. 7. No policy or certificate of group insurance shall be issued
2 in this state until the form thereof has been filed with the Commission-
3 er of Insurance and approved by him.

1 SEC. 8. Failure to comply with Section 7 shall be deemed sufficient
2 grounds for revocation of the certificate of authority of any company
3 so violating.

1 SEC. 9. Policies of group insurance issued in other states or
2 countries by companies organized in this state may contain any
3 provision required by the laws of the state, territory, district, or
4 country in which the same are issued, anything in section 7 to the
5 contrary notwithstanding.

1 SEC. 10. Policies of group insurance, when issued in this state by
2 any company not organized under the laws of this state, may contain
3 when issued any provision required by the law of the state, territory,
4 or district of the United States under which the company is organized.

1 SEC. 11. Any group policy may contain any other provisions which
2 meet the approval of the Commissioner of Insurance, provided such
3 provisions are not in conflict with the standard provisions of sections
4 3 or 4.

1 SEC. 12. If policyholders are entitled to vote at meetings of a
2 domestic insurance company, each policyholder of a group policy shall
3 be entitled to one vote.

1 SEC. 13. No policy of group insurance, nor the proceeds thereof,
2 when payable to any person insured thereunder, or any beneficiary,
3 shall be liable to attachment, garnishment, or other process, or to
4 be seized, taken, appropriated, or applied by any legal or equitable
5 process or operation of law, to pay any debt or liability of such insured
6 person, or beneficiary, or any other person who may have a right

7 thereunder, either before or after payment; nor shall the proceeds
8 thereof, when not made payable to a named beneficiary, constitute a
9 part of the estate of the person insured for the payment of his debts.

1 SEC. 14. The provisions of section 508.28, relating to medical
2 examination of applicants, shall not apply to insurance written under
3 this chapter.

Approved March 29, 1947.

CHAPTER 257

INSURANCE INVESTMENTS

S. F. 140

AN ACT to amend section five hundred eleven point eight (511.8), code 1946, relating to investments of life insurance companies and associations.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred eleven point eight (511.8), Code
2 1946, is amended by adding thereto immediately after subsection
3 twelve (12) the following new subsections:

4 1. Urban Real Estate. Any real estate located within the conti-
5 nental limits of the United States or the Dominion of Canada, other
6 than property used or to be used primarily for agricultural, horti-
7 cultural, ranching or mining purposes, which produces income or
8 which by suitable improvement will produce income. The term 'real
9 estate' as used in this paragraph shall include a leasehold of real
10 estate. Investments made in accordance with the provisions of this
11 subsection shall not be eligible in excess of five per cent (5%) of
12 the legal reserve.

13 2. Railroad Obligations. Bonds or other evidences of indebtedness
14 which carry a fixed rate of interest and are issued, assumed or
15 guaranteed by any railroad company incorporated under the laws
16 of the United States of America, or of any state, district, insular or
17 territorial possessions thereof, not in reorganization or receivership
18 at the time of such investment, provided that the railroad company

19 a. shall have had for the three year period immediately preceding
20 investment (for which the necessary data for the railroad company
21 shall have been published) a balance of income available for fixed
22 charges which shall have averaged per year not less than one and
23 one-quarter times the fixed charges for the latest year of the period;
24 and

25 b. shall have had for the three year period immediately preceding
26 investment (for which the necessary data for both the railroad
27 company and all Class I railroads shall have been published)

28 (1) a balance of income available for the payment of fixed charges
29 at least as many times greater than the fixed charges for the latest
30 year of the period as the balance of income available for the payment
31 of fixed charges of all Class I railroads for the same three year period
32 is times greater than the amount of all fixed charges for such Class I
33 railroads for the latest year of the period; and

34 (2) an amount of railway operating revenues remaining after
35 deduction of three times the fixed charges for the latest year of the
36 period from the balance of income available for the payment of fixed
37 charges for the three year period, which amount is as great a propor-
38 tion of its railway operating revenues for the same three year period
39 as is the proportion of railway operating revenues remaining for all
40 Class I railroads, determined in the same manner and for the same
41 period as for the railroad.

42 The terms 'Class I railroads', 'balance of income available for the
43 payment of fixed charges', 'fixed charges' and 'railway operating
44 revenues' when used in this subsection, are to be given the same
45 meaning as in the accounting reports filed by a railroad company in
46 accordance with the regulations for common carriers by rail of the
47 Inter-State Commerce Act; provided that the 'balance of income
48 available for the payment of fixed charges' and 'railway operating
49 revenues remaining', as the terms are used in this subsection, shall be
50 computed before deduction of federal income or excess profits taxes;
51 and that in computing 'fixed charges' there shall be excluded interest
52 and amortization charges applicable to debt called for redemption or
53 which will otherwise mature within six months from the time of
54 investment and for the payment of which funds have been or currently
55 are being specifically set aside.

56 The eligibility of railroad obligations described in the first sentence
57 of this subsection shall be determined exclusively as provided herein,
58 without regard to the provisions for qualification contained in sub-
59 sections four (4) and seven (7) of section five hundred eleven point
60 eight (511.8), Code 1946. Provisions for qualification contained in
61 this section shall not be construed as applying to equipment trust
62 obligations, guaranteed stocks, or contingent interest bonds of railroad
63 companies. Investments made in accordance with the provisions of
64 this subsection shall not be eligible in excess of ten per cent (10%)
65 of the legal reserve.

1 SEC. 2. This Act, being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the Norwalk Citizen, a newspaper published at Norwalk, Iowa, and
4 the Winterset Madisonian, a newspaper published at Winterset, Iowa.

Approved March 24, 1947.

I hereby certify that the foregoing act was published in the Norwalk Citizen, April
4, 1947, and the Winterset Madisonian, April 2, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 258.

INSURANCE RISKS

S. F. 370

AN ACT to amend section five hundred fifteen point forty-eight (515.48), code 1946, to provide additional kinds of insurance which may be written in the state of Iowa, and relating to the classification thereof.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section five hundred fifteen point forty-eight (515.48),
 2 Code 1946, is hereby amended by striking all of subsections one (1),
 3 two (2) and three (3) and substituting therefor the following:
 4 1. Insure dwelling houses, stores and all kinds of buildings and
 5 household furniture, and other property against direct or indirect
 6 or consequential loss or damage, including loss of use or occupancy
 7 and the depreciation of property lost or damaged by fire, smoke,
 8 smudge, lightning and other electrical disturbances, collision, falls,
 9 wind, tornado, cyclone, volcanic eruptions, earthquake, hail, frost,
 10 snow, sleet, ice, weather or climatic conditions, including excess or
 11 deficiency of moisture, flood, rain, or draught,* rising of the waters
 12 of the ocean or its tributaries, bombardment, invasion, insurrection,
 13 riot, strikes, labor disturbances, sabotage, civil war or commotion,
 14 military or usurped power, any order of a civil authority made to
 15 prevent the spread of a conflagration, epidemic or castastrophe,
 16 vandalism or malicious mischief, and by explosion whether fire
 17 ensues or not, except explosion on risks specified in subsection six
 18 (6) of this section, provided, however, that there may be insured here-
 19 under the following:
 20 (a) Explosion of pressure vessels (not including steam boilers of
 21 more than fifteen pounds' pressure) in buildings designed and used
 22 solely for residential purposes by not more than four families;
 23 (b) Explosion of any kind originating outside of the insured
 24 building or outside of the building containing the property insured;
 25 and
 26 (c) Explosion of pressure vessels which do not contain steam or
 27 which are not operated with steam coils or steam jackets; and also
 28 against loss or damage by insects or disease to farm crops or products,
 29 and loss of rental value of land used in producing such crops or
 30 products; and against accidental injury to sprinklers, pumps, water
 31 pipes, elevator tanks and cylinders, steam pipes and radiators,
 32 plumbing and its fixtures, ventilating, refrigerating, heating, lighting
 33 or cooking apparatus, or their connections, or conduits or containers
 34 of any gas, fluid or other substance; and against loss or damage to
 35 property of the insured caused by the breakage or leakage thereof;
 36 or by water, hail, rain, sleet or snow seeping or entering through
 37 water pipes, leaks or openings in buildings; and against loss of
 38 and damage to glass, including lettering and ornamentation thereon,
 39 and against loss or damage caused by the breakage of glass; and
 40 against loss or damage caused by railroad equipment, motor vehicles,
 41 airplanes, seaplanes, dirigibles or other aircraft.
 42 Loss by depreciation as herein referred to may include the cost

*According to enrolled act.

43 of repair and replacement and, upon written application of the
 44 insured, the actual cash value of the property insured, as referred
 45 to in the provisions of this chapter relating to coinsurance, may be
 46 held to include the value of depreciation or replacement and repairs
 47 of the property insured.

48 2. Insure the fidelity of persons holding places of private or public
 49 trust, or execute any bond or other obligation whenever the perform-
 50 ance or refraining from any contract, act, duty or obligation is required
 51 or permitted by law to be made, given, or filed, including all bonds
 52 in criminal causes, and insure the maker, drawer, drawee, or indorser
 53 of checks, drafts, bills of exchange, or other commercial paper against
 54 loss by reason of any alteration of such instruments.

55 3. Insure the safe-keeping of books, papers, moneys, stocks, bonds
 56 and all kinds of personal property from loss, damage or destruction
 57 from any cause, and receive them on deposit.

1 SEC. 2. Section five hundred fifteen point forty-eight (515.48),
 2 Code 1946, is further amended by striking therefrom subsections
 3 five a (5.a.), five b (5.b.) and five c (5.c.) and substituting therefor the
 4 following:

5 5. a. Insure any person, his family or dependents, against bodily
 6 injury or death by accident, or against disability on account of sick-
 7 ness, or accident, including the granting of hospital, medical, surgical
 8 and sick care benefits.

9 b. Insure against legal liability, and against loss, damage, or
 10 expense incident to a claim of such liability, arising out of the death
 11 or injury of any person, or arising out of injury to the economic
 12 interests of any person as the result of error or negligence in rendering
 13 expert, fiduciary or professional service.

14 c. Insure against loss or damage to property caused by the accidental
 15 discharge or leakage of water from automatic sprinkler system and
 16 against loss or damage by water or other fluid or substance to any
 17 property resulting from the breakage or leakage of other apparatus
 18 or of water pipes or other conduits or containers or resulting from
 19 casual water entering into cracks or openings in buildings or by
 20 seepage through building walls, but not including loss or damage
 21 resulting from flood; and including insurance against accidental
 22 injury of such sprinklers, pumps, apparatus, conduits or containers.

23 Further amend section five hundred fifteen point forty-eight
 24 (515.48), Code 1946, by adding after paragraph "e" of subsection
 25 five (5) the following new paragraph:

26 "f. Insure against loss of or damage to any property of the insured
 27 resulting from collision of any object with such property."

1 SEC. 3. Section five hundred fifteen point forty-eight (515.48),
 2 Code 1946, is further amended by striking therefrom all of subsection
 3 five d (5.d.) and substituting therefor the following:

4 d. Insure against loss in consequence of accidents or casualties of
 5 any kind to employees, including workmen's compensation, or to
 6 persons or property resulting from any act of an employee, or any
 7 accident or casualty to person or property, or both, occurring in or
 8 connected with the transaction of insured's business, or from the
 9 operation of any machinery connected therewith; or to persons or
 10 property for which loss the insured is legally liable including an

11 obligation of the insurer to pay medical, hospital, surgical, funeral or
12 other benefits irrespective of legal liability of insured.

1 SEC. 4. Section five hundred fifteen point forty-eight (515.48),
2 Code 1946, is further amended by striking therefrom subsections six
3 (6) and nine (9) and substituting therefor the following:

4 6. Insure against loss or injury to person or property, or both, and
5 against loss of rents or use of buildings, and other property growing
6 out of explosion or rupture of boilers, pipes, fly wheels, engines,
7 pressure containers, machinery, and similar apparatus of any kind
8 including equipment used for creating, transmitting, or applying
9 power, light, heat, steam, air conditioning or refrigeration.

10 9. Insure vessels, boats, cargoes, goods, merchandise, freights,
11 specie, bullion, jewelry, jewels, profits, commissions, bank notes, bills
12 of exchange, and other evidence of debt, bottomry, and respondentia
13 interest and every insurance appertaining to or connected with any
14 or all risks or perils of navigation, transit, or transportation, including
15 war risks, on or under any seas or other waters, on land or in the air,
16 or while being assembled, packed, crated, baled, compressed or similarly
17 prepared for shipment or while awaiting the same or during any
18 delays, storage, trans-shipment, or re-shipment, incident thereto,
19 including marine builder's risks; and for loss or damage for which
20 the insured is legally liable to persons or property in connection with
21 or appertaining to marine, inland marine, transit, or transportation
22 insurance, including liability for loss of or damage arising out of
23 or in connection with the construction, repair, maintenance, storage
24 or use of the subject matter of such insurance; and insure against
25 loss or damage to silverware, musical instruments, furs, garments,
26 fine arts, precious stones, jewels, jewelry, gold, silver, and other
27 precious metals or valuable items whether used in business, transporta-
28 tion, trade or otherwise; and insure automobiles, airplanes, seaplanes,
29 dirigibles or other aircraft, whether stationary or being operated
30 under their own power, which include all or any of the hazards of
31 fire, explosion, transportation, collision, loss by legal liability for
32 damage to property resulting from the maintenance and use of auto-
33 mobiles, airplanes, seaplanes, dirigibles, or other aircraft, and loss by
34 burglary or theft, vandalism, malicious mischief, or the wrongful
35 conversion, disposal or concealment of automobiles whether held under
36 conditional sale, contract, or subject to chattel mortgage, or any one
37 or more of such hazards, including insurance against loss by reason
38 of bodily injury to the person including medical, hospital and surgical
39 expense irrespective of legal liability of insured.

1 SEC. 5. Section five hundred fifteen point forty-eight (515.48),
2 Code 1946, is further amended by adding at the end thereof the
3 following:

4 10. Insure any additional risk not specifically included within any
5 of the foregoing classes, which is a proper subject for insurance,
6 is not prohibited by law or contrary to sound public policy, and which,
7 after public notice and hearing, is specifically approved by the com-
8 missioner of insurance, except title insurance or insurance against
9 loss or damage by reason of defective title, encumbrances or otherwise.
10 When such additional kind of insurance is approved by the com-
11 missioner, he shall designate within which classification of risks

12 provided for in section five hundred fifteen point forty-nine (515.49),
 13 Code 1946, it shall fall.

Approved May 1, 1947.

CHAPTER 259

CASUALTY INSURANCE RATES

S. F. 179

AN ACT relating to the regulation of rates for certain casualty insurance including fidelity, surety and guaranty bonds and for all other forms of motor vehicle insurance, and to rating organizations.

Be It Enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Purpose of Act.** The purpose of this Act is to promote
 2 the public welfare by regulating insurance rates to the end that they
 3 shall not be excessive, inadequate or unfairly discriminatory, and
 4 to authorize and regulate co-operative action among insurers in
 5 rate making and in other matters within the scope of this Act. Noth-
 6 ing in this Act is intended (1) to prohibit or discourage reasonable
 7 competition, or (2) to prohibit, or encourage except to the extent nec-
 8 essary to accomplish the aforementioned purpose, uniformity in insur-
 9 ance rates, rating systems, rating plans or practices. This Act shall
 10 be liberally interpreted to carry into effect the provisions of this
 11 section.

1 **SEC. 2. Scope of Act.** This Act applies to casualty insurance,
 2 including fidelity, surety and guaranty bonds, and to all other forms
 3 of motor vehicle insurance, on risks or operations in this state,
 4 written by stock and mutual companies and reciprocal and inter-
 5 insurance exchanges, except:

6 (a) reinsurance, other than joint reinsurance to the extent stated
 7 in section eleven (11);

8 (b) accident and health insurance;
 9 (c) insurance against loss of or damage to aircraft or against
 10 liability, other than workmen's compensation and employers' liability,
 11 arising out of the ownership, maintenance or use of aircraft;

12 (d) insurance written by a county mutual assessment association
 13 as provided in chapter five hundred eighteen (518), Code 1946.

14 If any kind of insurance, subdivision or combination thereof, or
 15 type of coverage, subject to this Act, is also subject to regulation
 16 by another rate regulatory act of this state, an insurer to which both
 17 acts are otherwise applicable shall file with the commissioner of
 18 insurance, hereinafter referred to as "commissioner", a designation
 19 as to which rate regulatory act shall be applicable to it with respect
 20 to such kind of insurance, subdivision or combination thereof, or
 21 type of coverage.

1 **SEC. 3. Making of rates.** (a) All rates shall be made in accordance
 2 with the following provisions:

3 1. Due consideration shall be given to past and prospective loss
 4 experience within and outside this state, to catastrophe hazards, if

5 any, to a reasonable margin for underwriting profit and contingencies,
6 to dividends, savings or unabsorbed premium deposits allowed or
7 returned by insurers to their policyholders, members or subscribers,
8 to past and prospective expenses both countrywide and those specially
9 applicable to this state, and to all other relevant factors within and
10 outside this state;

11 2. The systems of expense provisions included in the rates for use
12 by any insurer or group of insurers may differ from those of other
13 insurers or groups of insurers to reflect the requirements of the
14 operating methods of any such insurer or group with respect to any
15 kind of insurance, or with respect to any subdivision or combination
16 thereof for which subdivision or combination separate expense provi-
17 sions are applicable;

18 3. Risks may be grouped by classifications for the establishment
19 of rates and minimum premiums. Classification rates may be modified
20 to produce rates for individual risks in accordance with rating plans
21 which establish standards for measuring variations in hazards or
22 expense provisions, or both. Such standards may measure any differ-
23 ences among risks that can be demonstrated to have a probable effect
24 upon losses or expenses;

25 4. Rates shall not be excessive, inadequate or unfairly discrimi-
26 natory.

27 (b) Except to the extent necessary to meet the provisions of sub-
28 division four (4) of subsection (a) of this section, uniformity among
29 insurers in any matters within the scope of this section is neither re-
30 quired nor prohibited.

1 SEC. 4. **Rate filings.** (a) Every insurer shall file with the commis-
2 sioner every manual of classifications, rules and rates, every rating plan
3 and every modification of any of the foregoing which it proposes to use.
4 Every such filing shall state the proposed effective date thereof, and
5 shall indicate the character and extent of the coverage contemplated.
6 When a filing is not accompanied by the information upon which the
7 insurer supports such filing, and the commissioner does not have
8 sufficient information to determine whether such filing meets the
9 requirements of the Act, he shall require such insurer to furnish the
10 information upon which it supports such filing and in such event
11 the waiting period shall commence as of the date such information is
12 furnished. The information furnished in support of a filing may
13 include (1) the experience or judgment of the insurer or rating
14 organization making the filing, (2) its interpretation of any statistical
15 data it relies upon, (3) the experience of other insurers or rating
16 organizations, or (4) any other relevant factors. A filing and any
17 supporting information shall be open to public inspection after the
18 filing becomes effective.

19 (b) An insurer may satisfy its obligation to make such filings
20 by becoming a member of, or a subscriber to, a licensed rating
21 organization which makes such filings, and by authorizing the com-
22 missioner to accept such filings on its behalf; provided, that nothing
23 contained in this Act shall be construed as requiring any insurer to
24 become a member of or a subscriber to any rating organization.

25 (c) The commissioner shall review filings as soon as reasonably
26 possible after they have been made in order to determine whether
27 they meet the requirements of this Act.

28 (d) Subject to the exception specified in subsection (e) of this
29 section, each filing shall be on file for a waiting period of fifteen (15)
30 days before it becomes effective, which period may be extended by
31 the commissioner for an additional period not to exceed fifteen (15)
32 days if he gives written notice within such waiting period to the
33 insurer or rating organization which made the filing that he needs
34 such additional time for the consideration of such filing. Upon written
35 application by such insurer or rating organization, the commissioner
36 may authorize a filing which he has reviewed to become effective before
37 the expiration of the waiting period or any extension thereof. A filing
38 shall be deemed to meet the requirements of this Act unless disapproved
39 by the commissioner within the waiting period or any extension
40 thereof.

41 (e) Any special filing with respect to a surety or guaranty bond
42 required by law or by court or executive order or by order, rule or
43 regulation of a public body, not covered by a previous filing, shall
44 become effective when filed and shall be deemed to meet the require-
45 ments of this Act until such time as the commissioner reviews the
46 filing and so long thereafter as the filing remains in effect.

47 (f) Under such rules and regulations as he shall adopt, the com-
48 missioner may, by written order, suspend or modify the requirement
49 of filing as to any kind of insurance, subdivision or combination thereof,
50 or as to classes of risks, the rates for which cannot practicably be
51 filed before they are used. Such orders, rules and regulations shall
52 be made known to insurers and rating organizations affected thereby.
53 The commissioner may make such examination as he may deem
54 advisable to ascertain whether any rates affected by such order meet
55 the standards set forth in subdivision four (4) of subsection (a) of
56 section three (3).

57 (g) Upon the written application of the insured, stating his reasons
58 therefor, filed with and approved by the commissioner, a rate in
59 excess of that provided by a filing otherwise applicable may be used
60 on any specific risk.

61 (h) Beginning ninety (90) days after the effective date of this
62 Act, no insurer shall make or issue a contract or policy except in
63 accordance with filings which are in effect for said insurer as provided
64 in this Act or in accordance with subsection (f) or (g) of this section.

1 **SEC. 5. Disapproval of filings.** (a) If within the waiting period
2 or any extension thereof as provided in subsection (d) of section four
3 (4), the commissioner finds that a filing does not meet the requirements
4 of this Act, he shall send to the insurer or rating organization which
5 made such filing written notice of disapproval of such filing specifying
6 therein in what respects he finds such filing fails to meet the require-
7 ments of this Act and stating that such filing shall not become effective.

8 (b) If within thirty days after a special surety or guaranty filing
9 subject to subsection (e) of section four (4) has become effective, the
10 commissioner finds that such filing does not meet the requirements of
11 this Act, he shall send to the insurer or rating organization which
12 made such filing written notice of disapproval of such filing specifying
13 therein in what respects he finds that such filing fails to meet the
14 requirements of this Act and stating when, within a reasonable period
15 thereafter, such filing shall be deemed no longer effective. Said

16 disapproval shall not affect any contract made or issued prior to the
17 expiration of the period set forth in said notice.

18 (c) If at any time subsequent to the applicable review period pro-
19 vided for in subsection (a) or (b) of this section, the commissioner
20 finds that a filing does not meet the requirements of this Act, he shall,
21 after a hearing held upon not less than ten (10) days' written notice,
22 specifying the matters to be considered at such hearing, to every
23 insurer and rating organization which made such filing, issue an
24 order specifying in what respects he finds that such filing fails to meet
25 the requirements of this Act, and stating when, within a reasonable
26 period thereafter, such filing shall be deemed no longer effective.
27 Copies of said order shall be sent to every such insurer and rating
28 organization. Said order shall not affect any contract or policy made
29 or issued prior to the expiration of the period set forth in said order.

30 (d) Any person or organization aggrieved with respect to any
31 filing which is in effect may make written application to the com-
32 missioner for a hearing thereon, provided, however, that the insurer
33 or rating organization that made the filing shall not be authorized
34 to proceed under this subsection. Such application shall specify the
35 grounds to be relied upon by the applicant. If the commissioner shall
36 find that the application is made in good faith, that the applicant
37 would be so aggrieved if his grounds are established, and that such
38 grounds otherwise justify holding such a hearing, he shall, within
39 thirty (30) days after receipt of such application, hold a hearing upon
40 not less than ten (10) days' written notice to the applicant and to
41 every insurer and rating organization which made such filing.

42 If, after such hearing, the commissioner finds that the filing does
43 not meet the requirements of this Act, he shall issue an order specifying
44 in what respects he finds that such filing fails to meet the requirements
45 of this Act, and stating when, within a reasonable period thereafter,
46 such filing shall be deemed no longer effective. Copies of said order
47 shall be sent to the applicant and to every such insurer and rating
48 organization. Said order shall not affect any contract or policy made
49 or issued prior to the expiration of the period set forth in said order.

50 (e) No manual of classifications, rules, rating plan, or any modifica-
51 tion of any of the foregoing which establishes standards for measuring
52 variations in hazards or expense provisions, or both, and which has
53 been filed pursuant to the requirements of section four (4) of this Act
54 shall be disapproved if the rates thereby produced meet the require-
55 ments of this Act.

1 **SEC. 6. Rating organizations.** (a) A corporation, an unincorpo-
2 rated association, a partnership or an individual, whether located within
3 or outside this state, may make application to the commissioner for
4 license as a rating organization for such kinds of insurance or sub-
5 divisions thereof as are specified in its application and shall file
6 therewith (1) a copy of its constitution, its articles of agreement or
7 association or its certificate of incorporation, and of its bylaws, rules
8 and regulations governing the conduct of its business, (2) a list of
9 its members and subscribers, (3) the name and address of a resident
10 of this state upon whom notices or orders of the commissioner or
11 process affecting such rating organization may be served and (4) a
12 statement of its qualifications as a rating organization. If the com-
13 missioner finds that the applicant is competent, trustworthy and

14 otherwise qualified to act as a rating organization and that its constitu-
15 tion, articles of agreement or association or certificate of incorporation,
16 and its bylaws, rules and regulations governing the conduct of its
17 business conform to the requirements of law, he shall issue a license
18 specifying the kinds of insurance or subdivisions thereof for which the
19 applicant is authorized to act as a rating organization. Every such
20 application shall be granted or denied in whole or in part by the com-
21 missioner within sixty (60) days of the date of its filing with him.
22 Licenses issued pursuant to this section shall remain in effect for three
23 (3) years unless sooner suspended or revoked by the commissioner.
24 The fee for said license shall be twenty-five dollars. Licenses issued
25 pursuant to this section may be suspended or revoked by the com-
26 missioner, after hearing upon notice, in the event the rating organiza-
27 tion ceases to meet the requirements of this subsection. Every rating
28 organization shall notify the commissioner promptly of every change
29 in (1) its constitution, its articles of agreement or association or its
30 certificate of incorporation, and its bylaws, rules and regulations
31 governing the conduct of its business, (2) its list of members and
32 subscribers and (3) the name and address of the resident of this state
33 designated by it upon whom notices or orders of the commissioner or
34 process affecting such rating organization may be served.

35 (b) Subject to rules and regulations which have been approved by
36 the commissioner as reasonable, each rating organization shall permit
37 any insurer, not a member, to be a subscriber to its rating services
38 for any kind of insurance or subdivision thereof for which it is
39 authorized to act as a rating organization. Notice of proposed changes
40 in such rules and regulations shall be given to subscribers. Each
41 rating organization shall furnish its rating services without discrimina-
42 tion to its members and subscribers. The reasonableness of any rule
43 or regulation in its application to subscribers, or the refusal of any
44 rating organization to admit an insurer as a subscriber, shall, at the
45 request of any subscriber or any such insurer, be reviewed by the
46 commissioner at a hearing held upon at least ten (10) days' written
47 notice to such rating organization and to such subscriber or insurer.
48 If the commissioner finds that such rule or regulation is unreasonable
49 in its application to subscribers, he shall order that such rule or
50 regulation shall not be applicable to subscribers. If the rating organiza-
51 tion fails to grant or reject an insurer's application for subscribership
52 within thirty (30) days after it was made, the insurer may request
53 a review by the commissioner as if the application had been rejected.
54 If the commissioner finds that the insurer has been refused admittance
55 to the rating organization as a subscriber without justification, he
56 shall order the rating organization to admit the insurer as a subscriber.
57 If he finds that the action of the rating organization was justified,
58 he shall make an order affirming its action.

59 (c) No rating organization shall adopt any rule the effect of which
60 would be to prohibit or regulate the payment of dividends, savings or
61 unabsorbed premium deposits allowed or returned by insurers to their
62 policyholders, members or subscribers.

63 (d) Co-operation among rating organizations or among rating
64 organizations and insurers in rate making or in other matters within
65 the scope of this Act is hereby authorized, provided the filings resulting
66 from such co-operation are subject to all the provisions of this Act

67 which are applicable to filings generally. The commissioner may
68 review such co-operative activities and practices and if, after a hearing,
69 he finds that any such activity or practice is unfair or unreasonable
70 or otherwise inconsistent with the provisions of this Act, he may
71 issue a written order specifying in what respects such activity or
72 practice is unfair or unreasonable or otherwise inconsistent with the
73 provisions of this Act, and requiring the discontinuance of such
74 activity or practice.

1 **SEC. 7. Deviations.** Every member of or subscriber to a rating
2 organization shall adhere to the filings made on its behalf by such
3 organization except that any such insurer may make written applica-
4 tion to the commissioner for permission to file a uniform percentage
5 decrease or increase to be applied to the premiums produced by the
6 rating system so filed for a kind of insurance, or for a class of
7 insurance which is found by the commissioner to be a proper rating
8 unit for the application of such uniform percentage decrease or
9 increase, or for a subdivision of a kind of insurance (1) comprised
10 of a group of manual classifications which is treated as a separate
11 unit for rate making purposes, or (2) for which separate expense
12 provisions are included in the filings of the rating organization. Such
13 application shall specify the basis for the modification and shall be
14 accompanied by the data upon which the applicant relies. A copy of
15 the application and data shall be sent simultaneously to such rating
16 organization. The commissioner shall set a time and place for a
17 hearing at which the insurer and such rating organization may be
18 heard and shall give them not less than ten (10) days' written notice
19 thereof. In the event the commissioner is advised by the rating
20 organization that it does not desire a hearing, he may, upon the consent
21 of the applicant, waive such hearing. The commissioner shall issue
22 an order permitting the modification for such insurer to be filed if he
23 finds it to be justified and it shall thereupon become effective. He shall
24 issue an order denying such application if he finds that the modifica-
25 tion is not justified or that the resulting premiums would be excessive,
26 inadequate or unfairly discriminatory. Each deviation permitted to
27 be filed shall be effective for a period of one (1) year from the date
28 of such permission unless terminated sooner with the approval of
29 the commissioner.

1 **SEC. 8. Appeal by minority.** Any member of or subscriber to a
2 rating organization may appeal to the commissioner from the action
3 or decision of such rating organization in approving or rejecting any
4 proposed change in or addition to the filings of such rating organiza-
5 tion, and the commissioner shall, after a hearing held upon not less
6 than ten (10) days' written notice to the appellant and to such rating
7 organization, issue an order approving the action or decision of such
8 rating organization or directing it to give further consideration
9 to such proposal, or, if such appeal is from the action or decision of
10 the rating organization in rejecting a proposed addition to its filings,
11 he may, in the event he finds that such action or decision was
12 unreasonable, issue an order directing the rating organization to make
13 an addition to its filings, on behalf of its members and subscribers, in
14 a manner consistent with his findings, within a reasonable time after
15 the issuance of such order.

16 If such appeal is based upon the failure of the rating organization
17 to make a filing on behalf of such member or subscriber which is
18 based on a system of expense provisions which differs, in accordance
19 with the right granted in subdivision two (2) of subsection (a) of
20 section three (3), from the system of expense provisions included in
21 a filing made by the rating organization, the commissioner shall, if
22 he grants the appeal, order the rating organization to make the
23 requested filing for use by the appellant. In deciding such appeal,
24 the commissioner shall apply the standards set forth in section three
25 (3).

1 **SEC. 9. Information to be furnished insureds; hearings and**
2 **appeals of insureds.** Every rating organization and every insurer
3 which makes its own rates shall, within a reasonable time after
4 receiving written request therefor and upon payment of such reasonable
5 charge as it may make, furnish to any insured affected by a rate made
6 by it, or to the authorized representative of such insured, all pertinent
7 information as to such rate.

8 Every rating organization and every insurer which makes its own
9 rates shall provide within this state reasonable means whereby any
10 person aggrieved by the application of its rating system may be heard,
11 in person or by his authorized representative, on his written request
12 to review the manner in which such rating system has been applied
13 in connection with the insurance afforded him. If the rating organiza-
14 tion or insurer fails to grant or reject such request within thirty (30)
15 days after it is made, the applicant may proceed in the same manner
16 as if his application had been rejected. Any party affected by the
17 action of such rating organization or such insurer on such request
18 may, within thirty (30) days after written notice of such action,
19 appeal to the commissioner, who, after a hearing held upon not less
20 than ten (10) days' written notice to the appellant and to such rating
21 organization or insurer, may affirm or reverse such action.

1 **SEC. 10. Advisory organizations.** (a) Every group, association or
2 other organization of insurers, whether located within or outside
3 this state, which assists insurers which make their own filings or
4 rating organizations in rate making, by the collection and furnishing
5 of loss or expense statistics, or by the submission of recommendations,
6 but which does not make filings under this Act, shall be known as an
7 advisory organization.

8 (b) Every advisory organization shall file with the commissioner
9 (1) a copy of its constitution, its articles of agreement or association
10 or its certificate of incorporation and of its bylaws, rules and regula-
11 tions governing its activities, (2) a list of its members, (3) the name
12 and address of a resident of this state upon whom notices or orders
13 of the commissioner or process issued at his direction may be served,
14 and (4) an agreement that the commissioner may examine such
15 advisory organization in accordance with the provisions of section
16 twelve (12) of this Act.

17 (c) If, after a hearing, the commissioner finds that the furnishing
18 of such information or assistance involves any act or practice which
19 is unfair or unreasonable or otherwise inconsistent with the provisions
20 of this Act, he may issue a written order specifying in what respects
21 such act or practice is unfair or unreasonable or otherwise inconsistent

22 with the provisions of this Act, and requiring the discontinuance of
23 such act or practice.

24 (d) No insurer which makes its own filings nor any rating organiza-
25 tion shall support its filings by statistics or adopt rate making recom-
26 mendations, furnished to it by an advisory organization which has
27 not complied with this section or with an order of the commissioner
28 involving such statistics or recommendations issued under subsection
29 (c) of this section. If the commissioner finds such insurer or rating
30 organization to be in violation of this subsection he may issue an
31 order requiring the discontinuance of such violation.

1 **SEC. 11. Joint underwriting or joint reinsurance.** (a) Every
2 group, association or other organization of insurers which engages
3 in joint underwriting or joint reinsurance, shall be subject to regula-
4 tion with respect thereto as herein provided, subject, however, with
5 respect to joint underwriting, to all other provisions of this Act and,
6 with respect to joint reinsurance, to sections twelve (12) and seventeen
7 (17) to twenty-one (21) of this Act.

8 (b) If, after a hearing, the commissioner finds that any activity or
9 practice of any such group, association or other organization is unfair
10 or unreasonable or otherwise inconsistent with the provisions of this
11 Act, he may issue a written order specifying in what respects such
12 activity or practice is unfair or unreasonable or otherwise inconsistent
13 with the provisions of this Act, and requiring the discontinuance of
14 such activity or practice.

1 **SEC. 12. Examinations.** The commissioner shall, at least once in
2 five (5) years, make or cause to be made an examination of each
3 rating organization licensed in this state as provided in section six
4 (6), and he may, as often as he may deem it expedient, make or
5 cause to be made an examination of each advisory organization
6 referred to in section ten (10) and of each group, association or
7 other organization referred to in section eleven (11). The reasonable
8 costs of any such examination shall be paid by the rating organization,
9 advisory organization, or group, association or other organization ex-
10 amined upon presentation to it of a detailed account of such costs.
11 The officer, manager, agents and employees of such rating organiza-
12 tion, advisory organization, or group, association or other organization
13 may be examined at any time under oath and shall exhibit all books,
14 records, accounts, documents, or agreements governing its method of
15 operation. In lieu of any such examination the commissioner may
16 accept the report of an examination made by the insurance supervisory
17 official of another state, pursuant to the laws of such state.

1 **SEC. 13. Rate administration.** (a) **Recording and Reporting Loss**
2 **and Expense Experience.** The commissioner shall promulgate reason-
3 able rules and statistical plans, recently adapted to each of the rating
4 systems on file with him, which may be modified from time to time
5 and which shall be used thereafter by each insurer in the recording
6 and reporting of its loss and countrywide expense experience, in order
7 that the experience of all insurers may be made available at least
8 annually in such form and detail as may be necessary to aid him in
9 determining whether rating systems comply with the standards set
10 forth in section three (3). Such rules and plans may also provide for

11 the recording and reporting of expense experience items which are
12 specially applicable to this state and are not susceptible of determina-
13 tion by a prorating of countrywide expense experience. In promulgat-
14 ing such rules and plans, the commissioner shall give due consideration
15 to the rating systems on file with him and, in order that such rules
16 and plans may be as uniform as is practicable among the several
17 states, to the rules and to the form of the plans used for such
18 rating systems in other states. No insurer shall be required to
19 record or report its loss experience on a classification basis that is
20 inconsistent with the rating system filed by it. The commissioner
21 may designate one or more rating organizations or other agencies
22 to assist him in gathering such experience and making compilations
23 thereof, and such compilations shall be made available, subject to
24 reasonable rules promulgated by the commissioner, to insurers and
25 rating organizations.

26 (b) Interchange of Rating Plan Data. Reasonable rules and
27 plans may be promulgated by the commissioner for the interchange
28 of data necessary for the application of rating plans.

29 (c) Consultation with Other States. In order to further uniform
30 administration of rate regulatory laws, the commissioner and every
31 insurer and rating organization may exchange information and
32 experience data with insurance supervisory officials, insurers and
33 rating organizations in other states and may consult with them with
34 respect to rate making and the application of rating systems.

35 (d) Rules and Regulations. The commissioner may make reasonable
36 rules and regulations necessary to effect the purposes of this Act.

1 **SEC. 14. False or misleading information.** No person or organiza-
2 tion shall wilfully withhold information from, or knowingly give
3 false or misleading information to, the commissioner, any statistical
4 agency designated by the commissioner, any rating organization, or
5 any insurer, which will affect the rates or premiums chargeable under
6 this Act. A violation of this section shall subject the one guilty of
7 such violation to the penalties provided in section seventeen (17)
8 of this Act.

1 **SEC. 15. Assigned risks.** Agreements may be made among insurers
2 with respect to the equitable apportionment among them of insurance
3 which may be afforded applicants who are in good faith entitled to
4 but who are unable to procure such insurance through ordinary
5 methods and such insurers may agree among themselves on the use
6 of reasonable rate modifications for such insurance, such agreements
7 and rate modifications to be subject to the approval of the com-
8 missioner.

1 **SEC. 16. Rebates prohibited.** No agent shall knowingly charge,
2 demand or receive a premium for any policy of insurance except in
3 accordance with the provisions of this Act. No insurer or employee
4 thereof, and no agent, shall pay, allow, or give, or offer to pay, allow,
5 or give, directly or indirectly, as an inducement to insurance, or after
6 insurance has been effected, any rebate, discount, abatement, credit
7 or reduction of the premium named in a policy of insurance, or any
8 special favor or advantage in the dividends or other benefits to accrue
9 thereon, or any valuable consideration or inducement whatever, not

10 specified in the policy of insurance, except to the extent provided for
11 in an applicable filing. No insured named in a policy of insurance, nor
12 any employee of such insured shall knowingly receive or accept,
13 directly or indirectly, any such rebate, discount, abatement, credit or
14 reduction of premium, or any such special favor or advantage or
15 valuable consideration or inducement.

16 Nothing in this section shall be construed as prohibiting the payment
17 of commissions or other compensation to duly licensed agents, nor as
18 prohibiting any insurer from allowing or returning to its participating
19 policyholders, members or subscribers, dividends savings or unabsorbed
20 premium deposits. As used in this section the word "insurance"
21 includes suretyship and the word "policy" includes bond.

1 **SEC. 17. Penalties.** The commissioner may, if he finds that any
2 person or organization has violated any provision of this Act, impose
3 a penalty of not more than fifty dollars (\$50) for each such violation,
4 but if he finds such violation to be wilful he may impose a penalty
5 of not more than five hundred dollars (\$500) for each such violation.
6 Such penalties may be in addition to any other penalty provided by law.

7 The commissioner may suspend the license of any rating organiza-
8 tion or insurer which fails to comply with an order of the commissioner
9 within the time limited by such order, or any extension thereof which
10 the commissioner may grant. The commissioner shall not suspend the
11 license of any rating organization or insurer for failure to comply
12 with an order until the time prescribed for an appeal therefrom has
13 expired or if an appeal has been taken, until such order has been
14 affirmed. The commissioner may determine when a suspension of
15 license shall become effective and it shall remain in effect for the
16 period fixed by him, unless he modifies or rescinds such suspension,
17 or until the order upon which such suspension is based is modified,
18 rescinded or reversed.

19 No penalty shall be imposed and no license shall be suspended or
20 revoked except upon a written order of the commissioner, stating
21 his findings, made after a hearing held upon not less than ten (10)
22 days' written notice to such person or organization specifying the
23 alleged violation.

1 **SEC. 18. Hearing procedure and judicial review.** (a) Any insurer
2 or rating organization aggrieved by any order or decision of the
3 commissioner made without a hearing may, within thirty (30) days
4 after notice of the order to the insurer or organization, make written
5 request to the commissioner for a hearing thereon. The commissioner
6 shall hear such party or parties within twenty (20) days after receipt
7 of such request and shall give not less than ten (10) days' written
8 notice of the time and place of the hearing. Within fifteen (15) days
9 after such hearing, the commissioner shall affirm, reverse or modify
10 his previous action, specifying his reasons therefor. Pending such
11 hearing and decision thereon, the commissioner may suspend or
12 postpone the effective date of his previous action.

13 (b) Nothing contained in this Act shall require the observance at
14 any hearing of formal rules of pleading or evidence.

15 (c) Any order or decision of the commissioner shall be subject
16 to review by writ of certiorari to the district court at the instance
17 of any party in interest.

18 The court shall determine whether the filing of the petition for
19 such writ shall operate as a stay of any such order or decision of the
20 commissioner. The court may, in disposing of the issue before it,
21 modify, affirm or reverse the order or decision of the commissioner
22 in whole or in part.

1 **SEC. 19. Laws affected.** Compliance with this Act shall not be
2 deemed to be a violation of section five hundred fifteen point one
3 hundred thirty-one (515.131), Code 1946.

1 **SEC. 20. Constitutionality.** If any section, subsection, subdivision,
2 paragraph, sentence or clause of this Act is held invalid or un-
3 constitutional, such decision shall not affect the remaining portions
4 of this Act.

1 **SEC. 21.** The provisions of this Act shall be in full force and effect
2 beginning October 1, 1947.

Approved March 24, 1947.

CHAPTER 260

FIRE AND MARINE INSURANCE RATES

S. F. 178

AN ACT relating to the regulation of rates for fire, marine and inland marine insurance, and to rating organizations.

Be It Enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Purpose of Act.** The purpose of this Act is to promote
2 the public welfare by regulating insurance rates to the end that they
3 shall not be excessive, inadequate or unfairly discriminatory, and to
4 authorize and regulate co-operative action among insurers in rate
5 making and in other matters within the scope of this Act. Nothing in
6 this Act is intended (1) to prohibit or discourage reasonable
7 competition, or (2) to prohibit or encourage except to the extent
8 necessary to accomplish the aforementioned purpose, uniformity in
9 insurance rates, rating systems, rating plans or practices. This Act
10 shall be liberally interpreted to carry into effect the provisions of this
11 section.

1 **SEC. 2. Scope of Act.** This Act applies to fire, marine and inland
2 marine insurance and allied lines on risks located in this state written
3 by stock and mutual companies and reciprocal and interinsurance
4 exchanges. Inland marine insurance shall be deemed to include insurance
5 now or hereafter defined by statute, or by interpretation thereof,
6 or if not so defined or interpreted, by ruling of the commissioner of
7 insurance, hereinafter referred to as "commissioner", or as established
8 by general custom of the business, as inland marine insurance.

9 This Act shall not apply:

10 (a) To reinsurance, other than joint reinsurance to the extent
11 stated in section eleven (11);

12 (b) To insurance of vessels or craft, their cargoes, marine builders'
13 risks, marine protection and indemnity, or other risks commonly

14 insured under marine, as distinguished from inland marine, insurance
15 policies;

16 (c) To insurance of hulls of aircraft, including their accessories
17 and equipment, or against liability arising out of the ownership, main-
18 tenance or use of aircraft;

19 (d) To motor vehicle insurance, nor to insurance against liability
20 arising out of the ownership, maintenance or use of motor vehicles.

21 (e) To county mutual assessment associations doing business under
22 chapter five hundred eighteen (518), Code 1946.

23 If any kind of insurance, subdivision or combination thereof, or
24 type of coverage, subject to this Act, is also subject to regulation by
25 another rate regulatory act of this state, an insurer to which both acts
26 are otherwise applicable shall file with the commissioner a designation
27 as to which rate regulatory act shall be applicable to it with respect
28 to such kind of insurance, subdivision or combination thereof, or type
29 of coverage.

1 **SEC. 3. Making of rates.** (a) Rates shall be made in accordance
2 with the following provisions:

3 1. Manual, minimum, class rates, rating schedules or rating plans,
4 shall be made and adopted, except in the case of specific inland marine
5 rates on risks specially rated.

6 2. Rates shall not be excessive, inadequate or unfairly discrimi-
7 natory.

8 3. Due consideration shall be given to past and prospective loss
9 experience within and outside this state, to the conflagration and
10 catastrophe hazards, to a reasonable margin for underwriting profit
11 and contingencies, to dividends, savings or unabsorbed premium
12 deposits allowed or returned by insurer to their policyholders,
13 members or subscribers, to past and prospective expenses both
14 countrywide and those specially applicable to this state, and to all
15 other relevant factors within and outside this state; and in the case
16 of fire insurance rates consideration shall be given to the experience
17 of the fire insurance business during a period of not less than the
18 most recent five year period for which such experience is available.

19 (b) Except to the extent necessary to meet the provisions of sub-
20 division two (2) of subsection (a) of this section, uniformity among
21 insurers in any matters within the scope of this section is neither
22 required nor prohibited.

23 (c) Rates made in accordance with this section may be used subject
24 to the provisions of this Act.

1 **SEC. 4. Rate filings.** (a) Every insurer shall file with the commis-
2 sioner, except as to inland marine risks which by general custom of the
3 business are not written according to manual rates or rating plans,
4 every manual, minimum, class rate, rating schedule or rating plan
5 and every other rating rule, and every modification of any of the
6 foregoing which it proposes to use. Every such filing shall state the
7 proposed effective date thereof, and shall indicate the character and
8 extent of the coverage contemplated. When a filing is not accompanied
9 by the information upon which the insurer supports such filing, and
10 the commissioner does not have sufficient information to determine
11 whether such filing meets the requirements of the Act, he shall require
12 such insurer to furnish the information upon which it supports such

13 filing and in such event the waiting period shall commence as of the
14 date such information is furnished. The information furnished in
15 support of a filing may include (1) the experience or judgment of
16 the insurer or rating organization making the filing, (2) its inter-
17 pretation of any statistical data it relies upon, (3) the experience of
18 other insurers or rating organizations, or (4) any other relevant
19 factors. A filing and any supporting information shall be open to
20 public inspection after the filing becomes effective. Specific inland
21 marine rates on risks specially rated, made by a rating organization,
22 shall be filed with the commissioner.

23 (b) An insurer may satisfy its obligation to make such filings by
24 becoming a member of, or a subscriber to, a licensed rating organiza-
25 tion which makes such filings, and by authorizing the commissioner
26 to accept such filings on its behalf; provided that nothing contained
27 in this Act shall be construed as requiring any insurer to become a
28 member of or a subscriber to any rating organization.

29 (c) The commissioner shall review filings as soon as reasonably
30 possible after they have been made in order to determine whether
31 they meet the requirements of this Act.

32 (d) Subject to the exception specified in subsection (e) of this
33 section, each filing shall be on file for a waiting period of fifteen (15)
34 days before it becomes effective, which period may be extended by
35 the commissioner for an additional period not to exceed fifteen (15)
36 days if he gives written notice within such waiting period to the
37 insurer or rating organization which made the filing that he needs
38 such additional time for the consideration of such filing. Upon written
39 application by such insurer or rating organization, the commissioner
40 may authorize a filing which he has reviewed to become effective
41 before the expiration of the waiting period or any extension thereof.
42 A filing shall be deemed to meet the requirements of this Act unless
43 disapproved by the commissioner within the waiting period or any
44 extension thereof.

45 (e) Specific inland marine rates on risks specially rated by a rating
46 organization shall become effective when filed and shall be deemed to
47 meet the requirements of this Act until such time as the commissioner
48 reviews the filing and so long thereafter as the filing remains in effect.

49 (f) Under such rules and regulations as he shall adopt, the com-
50 missioner may, by written order, suspend or modify the requirement
51 of filing as to any kind of insurance, subdivision or combination
52 thereof, or as to classes of risks, the rates for which cannot practi-
53 cally be filed before they are used. Such orders, rules, and regulations
54 shall be made known to insurers and rating organizations affected
55 thereby. The commissioner may make such examination as he may
56 deem advisable to ascertain whether any rates affected by such order
57 meet the standards set forth in subdivision two (2) of subsection (a)
58 of section three (3).

59 (g) Upon the written application of the insured, stating his
60 reasons therefor, filed with and approved by the commissioner, a rate
61 in excess of that provided by a filing otherwise applicable may be
62 used on any specific risk.

63 (h) Beginning ninety (90) days after the effective date of this
64 Act, no insurer shall make or issue a contract or policy except in
65 accordance with the filings which are in effect for said insurer as

66 provided in this Act or in accordance with subsection (f) or (g) of
67 this section. This subsection shall not apply to contracts or policies
68 for inland marine risks as to which filings are not required.

1 **SEC. 5. Disapproval of filings.** (a) If within the waiting period
2 or any extension thereof as provided in subsection (d) of section four
3 (4), the commissioner finds that a filing does not meet the require-
4 ments of this Act, he shall send to the insurer or rating organization
5 which made such filing, written notice of disapproval of such filing
6 specifying therein in what respects he finds such filing fails to meet
7 the requirements of this Act and stating that such filing shall not

8 become effective.

9 (b) If within thirty (30) days after a specific inland marine rate
10 on a risk specially rated by a rating organization, subject to subsection
11 (e) of section four (4) has become effective, the commissioner finds
12 that such filing does not meet the requirements of this Act, he shall
13 send to the rating organization which made such filing written notice
14 of disapproval of such filing specifying therein in what respects he
15 finds that such filing fails to meet the requirements of this Act and
16 stating when, within a reasonable period thereafter, such filing shall
17 be deemed no longer effective. Said disapproval shall not affect any
18 contract made or issued prior to the expiration of the period set forth
19 in said notice.

20 (c) If at any time subsequent to the applicable review period
21 provided for in subsection (a) or (b) of this section, the commis-
22 sioner finds that a filing does not meet the requirements of this Act, he
23 shall, after a hearing held upon not less than ten (10) days' written
24 notice, specifying the matters to be considered at such hearing, to
25 every insurer and rating organization which made such filing, issue
26 an order specifying in what respects he finds that such filing fails
27 to meet the requirements of this Act, and stating when, within a
28 reasonable period thereafter, such filing shall be deemed no longer
29 effective. Copies of said order shall be sent to every such insurer and
30 rating organization. Said order shall not affect any contract or policy
31 made or issued prior to the expiration of the period set forth in said
32 order.

33 (d) Any person or organization aggrieved with respect to any
34 filing which is in effect may make written application to the commis-
35 sioner for a hearing thereon, provided, however, that the insurer
36 or rating organization that made the filing shall not be authorized
37 to proceed under this subsection. Such application shall specify
38 the grounds to be relied upon by the applicant. If the commissioner
39 shall find that the application is made in good faith, that the
40 applicant would be so aggrieved if his grounds are established,
41 and that such grounds otherwise justify holding such a hearing,
42 he shall, within thirty (30) days after receipt of such application,
43 hold a hearing upon not less than ten (10) days' written notice
44 to the applicant and to every insurer and rating organization which
45 made such filing.

46 If, after such hearing, the commissioner finds that the filing
47 does not meet the requirements of this Act, he shall issue an order
48 specifying in what respects he finds that such filing fails to meet
49 the requirements of this Act, and stating when, within a reasonable

50 period thereafter, such filing shall be deemed no longer effective.
51 Copies of said order shall be sent to the applicant and to every such
52 insurer and rating organization. Said order shall not affect any
53 contract or policy made or issued prior to the expiration of the
54 period set forth in said order.

55 (e) No manual, minimum, class rate, rating schedule, rating plan,
56 rating rule, or any modification of any of the foregoing which has
57 been filed pursuant to the requirements of section four (4) of this
58 Act shall be disapproved if the rates thereby produced meet the
59 requirements of this Act.

1 SEC. 6. **Rating organizations.** (a) A corporation, an unincorpo-
2 rated association, a partnership or an individual, whether located
3 within or outside this state, may make application to the commis-
4 sioner for license as a rating organization for such kinds of insur-
5 ance, or subdivision or class of risk or a part or combination
6 thereof as are specified in its application and shall file therewith
7 (1) a copy of its constitution, its articles of agreement or association
8 or its certificate of incorporation, and of its bylaws, rules and regula-
9 tions governing the conduct of its business, (2) a list of its members
10 and subscribers, (3) the name and address of a resident of this
11 state upon whom notices or orders of the commissioner or process
12 affecting such rating organization may be served and (4) a statement
13 of its qualifications as a rating organization. If the commissioner
14 finds that the applicant is competent, trustworthy and otherwise
15 qualified to act as a rating organization and that its constitution,
16 articles of agreement or association or certificate of incorporation,
17 and its bylaws, rules and regulations governing the conduct of its
18 business conform to the requirements of law, he shall issue a license
19 specifying the kinds of insurance, or subdivision or class of risk
20 or part or combination thereof for which the applicant is authorized
21 to act as a rating organization. Every such application shall be
22 granted or denied in whole or in part by the commissioner within
23 sixty (60) days of the date of its filing with him. Licenses issued
24 pursuant to this section shall remain in effect for three (3) years
25 unless sooner suspended or revoked by the commissioner. The fee
26 for said license shall be twenty-five dollars. Licenses issued pursuant
27 to this section may be suspended or revoked by the commissioner,
28 after hearing upon notice, in the event the rating organization
29 ceases to meet the requirements of this subsection. Every rating
30 organization shall notify the commissioner promptly of every change
31 in (1) its constitution, its articles of agreement or association, or
32 its certificate of incorporation, and its bylaws, rules and regulations
33 governing the conduct of its business, (2) its list of members and
34 subscribers and (3) the name and address of the resident of this
35 state designated by it upon whom notices or orders of the commis-
36 sioner or process affecting such rating organization may be served.

37 (b) Subject to rules and regulations which have been approved
38 by the commissioner as reasonable, each rating organization shall
39 permit any insurer, not a member, to be a subscriber to its rating
40 services for any kind of insurance, subdivision, or class of risk
41 or a part or combination thereof for which it is authorized to act
42 as a rating organization. Notice of proposed changes in such rules

43 and regulations shall be given to subscribers. Each rating organiza-
44 tion shall furnish its rating services without discrimination to its
45 members and subscribers. The reasonableness of any rule or regula-
46 tion in its application to subscribers, or the refusal of any rating
47 organization to admit an insurer as a subscriber, shall, at the request
48 of any subscriber or any such insurer, be reviewed by the commis-
49 sioner at a hearing held upon at least ten (10) days' written notice
50 to such rating organization and to such subscriber or insurer. If
51 the commissioner finds that such rule or regulation is unreasonable
52 in its application to subscribers, he shall order that such rule or
53 regulation shall not be applicable to subscribers. If the rating
54 organization fails to grant or reject an insurer's application for
55 subscribership within thirty (30) days after it was made, the
56 insurer may request a review by the commissioner as if the applica-
57 tion had been rejected. If the commissioner finds that the insurer
58 has been refused admittance to the rating organization as a
59 subscriber without justification, he shall order the rating organiza-
60 tion to admit the insurer as a subscriber. If he finds that the action
61 of the rating organization was justified, he shall make an order
62 affirming its action.

63 (c) No rating organization shall adopt any rule the effect of which
64 would be to prohibit or regulate the payment of dividends, savings
65 or unabsorbed premium deposits allowed or returned by insurers
66 to their policyholders, members or subscribers.

67 (d) Cooperation among rating organizations or among rating
68 organizations and insurers in rate making or in other matters
69 within the scope of this Act is hereby authorized, provided the filings
70 resulting from such cooperation are subject to all the provisions of
71 this Act which are applicable to filings generally. The commissioner
72 may review such cooperative activities and practices and if, after
73 a hearing, he finds that any such activity or practice is unfair or
74 unreasonable or otherwise inconsistent with the provisions of this
75 Act, he may issue a written order specifying in what respects such
76 activity or practice is unfair or unreasonable or otherwise inconsistent
77 with the provisions of this Act, and requiring the discontinuance
78 of such activity or practice.

79 (e) Any rating organization may provide for the examination of
80 policies, daily reports, binders, renewal certificates, endorsements
81 or other evidence of insurance, or the cancellation thereof, and may
82 make reasonable rules governing their submission. Such rules shall
83 contain a provision that in the event any insurer does not within sixty
84 (60) days furnish satisfactory evidence to the rating organization of
85 the correction of any error or omission previously called to its
86 attention by the rating organization, it shall be the duty of the rating
87 organization to notify the commissioner thereof. All information
88 so submitted for examination shall be confidential.

89 (f) Any rating organization may subscribe for or purchase
90 actuarial, technical or other services, and such services shall be
91 available to all members and subscribers without discrimination.

1 SEC. 7. Deviations. Every member of or subscriber to a rating
2 organization shall adhere to the filings made on its behalf by such
3 organization except that any such insurer may make written applica-

4 tion to the commissioner for permission to file a deviation from the
5 class rates, schedules, rating plans or rules respecting any kind of
6 insurance, or class of risk within a kind of insurance or combination
7 thereof. Such application shall specify the basis for the modification
8 and a copy thereof shall also be sent simultaneously to such rating
9 organization. The commissioner shall set a time and place for a
10 hearing at which the insurer and such rating organization may be
11 heard and shall give them not less than ten (10) days' written notice
12 thereof. In the event the commissioner is advised by the rating
13 organization that it does not desire a hearing, he may, upon the
14 consent of the applicant, waive such hearing. In considering the
15 application for permission to file such deviation the commissioner
16 shall give consideration to the available statistics and the principles
17 for rate making as provided in section three (3) of this Act. The
18 commissioner shall issue an order permitting the deviation for
19 such insurer to be filed if he finds it to be justified and it shall there-
20 upon become effective. He shall issue an order denying such applica-
21 tion if he finds that the resulting premiums would be excessive,
22 inadequate or unfairly discriminatory. Each deviation permitted
23 to be filed shall be effective for a period of one (1) year from the
24 date of such permission unless terminated sooner with the approval
25 of the commissioner.

1 **SEC. 8. Appeal by minority.** Any member of or subscriber to a
2 rating organization may appeal to the commissioner from the action
3 or decision of such rating organization in approving or rejecting
4 any proposed change in or addition to the filings of such rating
5 organization and the commissioner shall, after a hearing held upon
6 not less than ten (10) days' written notice to the appellant and to
7 such rating organization, issue an order approving the action or
8 decision of such rating organization or directing it to give further
9 consideration to such proposal, or, if such appeal is from the action
10 or decision of the rating organization in rejecting a proposed addition
11 to its filings, he may, in the event he finds that such action or decision
12 was unreasonable, issue an order directing the rating organization
13 to make an addition to its filings, on behalf of its members and
14 subscribers, in a manner consistent with his findings, within a
15 reasonable time after the issuance of such order.

1 **SEC. 9. Information to be furnished insureds: hearings and**
2 **appeals of insureds.** Every rating organization and every insurer
3 which makes its own rates shall, within a reasonable time after
4 receiving written request therefor and upon payment of such
5 reasonable charge as it may make, furnish to any insured affected
6 by a rate made by it, or to the authorized representative of such
7 insured, all pertinent information as to such rate. Every rating
8 organization and every insurer which makes its own rates shall
9 provide within this state reasonable means whereby any person
10 aggrieved by the application of its rating system may be heard, in
11 person or by his authorized representative, on his written request
12 to review the manner in which such rating system has been applied
13 in connection with the insurance afforded him. If the rating organiza-
14 tion or insurer fails to grant or reject such request within thirty
15 (30) days after it is made, the applicant may proceed in the same

16 manner as if his application had been rejected. Any party affected
17 by the action of such rating organization or such insurer on such
18 request may, within thirty (30) days after written notice of such
19 action, appeal to the commissioner, who, after a hearing held upon
20 not less than ten (10) days' written notice to the appellant and to
21 such rating organization or insurer, may affirm or reverse such action.

1 **SEC. 10. Advisory organizations.** (a) Every group, association
2 or other organization of insurers, whether located within or outside
3 this state, which assists insurers which make their own filings or
4 rating organizations in rate making, by the collection and furnishing of
5 loss or expense statistics, or by the submission of recommendations,
6 but which does not make filings under this Act, shall be known as
7 an advisory organization.

8 (b) Every advisory organization shall file with the commissioner
9 (1) a copy of its constitution, its articles of agreement or association
10 or its certificate of incorporation and of its bylaws, rules and regula-
11 tions governing its activities, (2) a list of its members, (3) the name
12 and address of a resident of this state upon whom notices or orders
13 of the commissioner or process issued at his direction may be served,
14 and (4) an agreement that the commissioner may examine such
15 advisory organization in accordance with the provisions of section
16 twelve (12) of this Act.

17 (c) If, after a hearing, the commissioner finds that the furnishing
18 of such information or assistance involves any act or practice which
19 is unfair or unreasonable or otherwise inconsistent with the provisions
20 of this Act, he may issue a written order specifying in what respects
21 such act or practice is unfair or unreasonable or otherwise inconsis-
22 tent with the provisions of this Act, and requiring the discontinuance
23 of such act or practice.

24 (d) No insurer which makes its own filings nor any rating
25 organization shall support its filings by statistics or adopt rate making
26 recommendations, furnished to it by an advisory organization which
27 has not complied with this section or with an order of the commis-
28 sioner involving such statistics or recommendations issued under
29 subsection (c) of this section. If the commissioner finds such insurer
30 or rating organization to be in violation of this subsection he may
31 issue an order requiring the discontinuance of such violation.

1 **SEC. 11. Joint underwriting or joint reinsurance.** (a) Every
2 group, association or other organization of insurers which engages
3 in joint underwriting or joint reinsurance, shall be subject to regula-
4 tion with respect thereto as herein provided, subject, however, with
5 respect to joint underwriting, to all other provisions of this Act and,
6 with respect to joint reinsurance, to sections twelve (12) and sixteen
7 (16) to twenty (20) of this Act.

8 (b) If, after a hearing, the commissioner finds that any activity
9 or practice of any such group, association or other organization
10 is unfair or unreasonable or otherwise inconsistent with the provisions
11 of this Act, he may issue a written order specifying in what respects
12 such activity or practice is unfair or unreasonable or otherwise
13 inconsistent with the provisions of this Act, and requiring the
14 discontinuance of such activity or practice.

1 **SEC. 12. Examinations.** The commissioner shall, at least once in
2 five (5) years, make or cause to be made an examination of each
3 rating organization licensed in this state as provided in section six
4 (6), and he may, as often as he may deem it expedient, make or cause
5 to be made an examination of each advisory organization referred
6 to in section ten (10) and of each group, association or other organiza-
7 tion referred to in section eleven (11). The reasonable costs of any
8 such examination shall be paid by the rating organization, advisory
9 organization, or group, association or other organization examined
10 upon presentation to it of a detailed account of such costs. The
11 officers, manager, agents and employees of such rating organization,
12 advisory organization, or group, association or other organization
13 may be examined at any time under oath and shall exhibit all books,
14 records, accounts, documents, or agreements governing its method
15 of operation. In lieu of any such examination, the commissioner may
16 accept the report of an examination made by the insurance supervisory
17 official of another state, pursuant to the laws of such state.

1 **SEC. 13. Rate administration.** (a) Recording and Reporting of
2 Loss and Expense Experience. The commissioner shall promulgate
3 reasonable rules and statistical plans, reasonably adapted to each
4 of the rating systems on file with him, which may be modified from
5 time to time and which shall be used thereafter by each insurer
6 in the recording and reporting of its loss and countrywide expense
7 experience, in order that the experience of all insurers may be
8 made available at least annually in such form and detail as may be
9 necessary to aid him in determining whether rating systems comply
10 with the standards set forth in section three (3). Such rules and
11 plans may also provide for the recording and reporting of expense
12 experience items which are specially applicable to this state and
13 are not susceptible of determination by a prorating of countrywide
14 expense experience. In promulgating such rules and plans, the
15 commissioner shall give due consideration to the rating systems on
16 file with him and, in order that such rules and plans may be as
17 uniform as is practicable among the several states, to the rules
18 and to the form of the plans used for such rating systems in other
19 states. No insurer shall be required to record or report its loss
20 experience on a classification basis that is inconsistent with the
21 rating system filed by it. The commissioner may designate one or
22 more rating organizations or other agencies to assist him in gathering
23 such experience and making compilations thereof, and such compila-
24 tions shall be made available, subject to reasonable rules promulgated
25 by the commissioner, to insurers and rating organizations.

26 (b) Interchange of Rating Plan Data. Reasonable rules and plans
27 may be promulgated by the commissioner for the interchange of data
28 necessary for the application of rating plans.

29 (c) Consultation with Other States. In order to further uniform
30 administration of rate regulatory laws, the commissioner and every
31 insurer and rating organization may exchange information and
32 experience data with insurance supervisory officials, insurers and
33 rating organizations in other states and may consult with them with
34 respect to rate making and the application of rating systems.

35 (d) Rules and Regulations. The commissioner may make reason-
36 able rules and regulations necessary to effect the purposes of this Act.

1 **SEC. 14. False or misleading information.** No person or organiza-
2 tion shall wilfully withhold information from, or knowingly give
3 false or misleading information to, the commissioner, any statistical
4 agency designated by the commissioner, any rating organization, or
5 any insurer, which will affect the rates or premiums chargeable
6 under this Act. A violation of this section shall subject the one
7 guilty of such violation to the penalties provided in section sixteen
8 (16) of this Act.

1 **SEC. 15. Rebates prohibited.** No agent shall knowingly charge,
2 demand or receive a premium for any policy of insurance except
3 in accordance with the provisions of this Act. No insurer or employee
4 thereof, and no agent, shall pay, allow, or give, or offer to pay,
5 allow, or give, directly or indirectly, as an inducement to insurance,
6 or after insurance has been effected, any rebate, discount, abatement,
7 credit or reduction of the premium named in a policy of insurance,
8 or any special favor or advantage in the dividends or other benefits
9 to accrue thereon, or any valuable consideration or inducement
10 whatever, not specified in the policy of insurance, except to the extent
11 provided for in an applicable filing. No insured named in a policy
12 of insurance, nor any employee of such insured shall knowingly
13 receive or accept, directly or indirectly, any such rebate, discount,
14 abatement, credit or reduction of premium, or any such special favor
15 or advantage or valuable consideration or inducement.

16 Nothing in this section shall be construed as prohibiting the
17 payment of commissions or other compensation to duly licensed agents,
18 nor as prohibiting any insurer from allowing or returning to its
19 participating policyholders, members or subscribers, dividends
20 savings or unabsorbed premium deposits. As used in this section the
21 word "insurance" includes suretyship and the word "policy" includes
22 bond.

1 **SEC. 16. Penalties.** The commissioner may, if he finds that any
2 person or organization has violated any provision of this Act, impose
3 a penalty of not more than fifty dollars (\$50) for each such violation,
4 but if he finds such violation to be wilful he may impose a penalty
5 of not more than five hundred dollars (\$500) for each such violation.
6 Such penalties may be in addition to any other penalty provided
7 by law.

8 The commissioner may suspend the license of any rating organiza-
9 tion or insurer which fails to comply with an order of the commis-
10 sioner within the time limited by such order, or any extension thereof
11 which the commissioner may grant. The commissioner shall not
12 suspend the license of any rating organization or insurer for failure
13 to comply with an order until the time prescribed for an appeal
14 therefrom has expired or if an appeal has been taken, until such order
15 has been affirmed. The commissioner may determine when a
16 suspension of license shall become effective and it shall remain in
17 effect for the period fixed by him, unless he modifies or rescinds
18 such suspension, or until the order upon which such suspension is
19 based is modified, rescinded or reversed.

20 No penalty shall be imposed and no license shall be suspended or
 21 revoked except upon a written order of the commissioner, stating
 22 his findings, made after a hearing held upon not less than ten (10)
 23 days' written notice to such person or organization specifying the
 24 alleged violation.

1 **SEC. 17. Hearing procedure and judicial review.** (a) Any insurer
 2 or rating organization aggrieved by any order or decision of the
 3 commissioner made without a hearing may, within thirty (30) days
 4 after notice of the order to the insurer or organization make written
 5 request to the commissioner for a hearing thereon. The commissioner
 6 shall hear such party or parties within twenty (20) days after receipt
 7 of such request and shall give not less than ten (10) days' written
 8 notice of the time and place of the hearing. Within fifteen (15) days
 9 after such hearing the commissioner shall affirm, reverse or modify
 10 his previous action, specifying his reasons therefor. Pending such
 11 hearing and decision thereon, the commissioner may suspend or
 12 postpone the effective date of his previous action.

13 (b) Nothing contained in this Act shall require the observance
 14 at any hearing of formal rules of pleading or evidence.

15 (c) Any order or decision of the commissioner shall be subject to
 16 review by writ of certiorari to the district court at the instance of
 17 any party in interest.

18 The court shall determine whether the filing of the petition for such
 19 writ shall operate as a stay of any such order or decision of
 20 the commissioner. The court may, in disposing of the issue before
 21 it, modify, affirm or reverse the order or decision of the commissioner
 22 in whole or in part.

1 **SEC. 18. Laws affected.** Compliance with this Act shall not be
 2 deemed to be a violation of section five hundred fifteen point one
 3 hundred thirty-one (515.131), Code 1946.

1 **SEC. 19. Constitutionality.** If any section, subsection, subdivision,
 2 paragraph, sentence or clause of this Act is held invalid or unconstitu-
 3 tional, such decision shall not affect the remaining portions of this
 4 Act.

1 **SEC. 20.** The provisions of this Act shall be in full force and effect
 2 beginning October 1, 1947.

Approved March 25, 1947.

CHAPTER 261

COMBINATION INSURANCE RISKS

S. F. 139

AN ACT to amend section five hundred fifteen point forty-nine (515.49), code 1946, relative to the combination and limitation on insurance risks.

Be It Enacted by the General Assembly of the State of Iowa:

1 **SECTION 1.** Section five hundred fifteen point forty-nine (515.49),
 2 Code 1946, is amended by striking therefrom subsections two (2)
 3 through five (5), inclusive, and inserting in lieu thereof the following:

4 "2. Any domestic or foreign insurance company authorized in this
5 state to do the business contemplated by either subsection 2 or 5 may
6 in addition to such business insure against the casualties specified in
7 subsections 4 and 6 of section 515.48, and also to insure against theft,
8 larceny, burglary and robbery, or attempt thereat.

9 "3. Any domestic or foreign company authorized in this state to
10 transact the business specified in subsection 5 of section 515.48, if it
11 is possessed of a paid up capital of three hundred thousand dollars,
12 may, in addition to insuring against the casualties specified in sub-
13 section 5 transact the business specified in subsections 2, 3, 4 and 6
14 of said section, and insure against loss of and damage to glass.

15 "4. Any domestic insurance company authorized in this state to
16 transact the business specified in subsection 5 of section 515.48, and
17 possessed of two hundred fifty thousand dollars paid up capital stock,
18 may, in addition to insuring against the casualties specified in sub-
19 section 5, transact the business specified in subsection 4 of said
20 section, and insure against injury or loss to persons or property, or
21 both, contemplated by subsection 6, and may also insure against
22 loss of or damage to glass.

23 "5. Any foreign insurance company authorized in this state to
24 transact the business specified in subsection 5 of section 515.48, if
25 possessed of a paid-up capital or surplus of three hundred thousand
26 dollars, in addition to insuring against the casualties specified in sub-
27 section 5, may insure against the casualties specified in subsection 4
28 and 6 of said section, and also insure against loss of and damage to
29 glass."

1 SEC. 2. Section five hundred fifteen point forty-nine (515.49), Code
2 1946, is further amended by striking from lines fourteen (14), fifteen
3 (15), sixteen (16), seventeen (17), and eighteen (18) of subsection
4 seven (7), the words "paid up capital, except that fidelity and surety
5 companies may be exposed on any one risk or hazard to an amount
6 not exceeding ten percent of their paid-up capital and surplus" and
7 inserting in lieu thereof the words "surplus to policy holders".

1 SEC. 3. Section five hundred fifteen point forty-nine (515.49), Code
2 1946, is further amended by adding thereto the following:

3 "8. Any company organized under chapter 515, Code 1946, or
4 authorized to transact in this state the kinds of insurance business
5 specified in any of the paragraphs of section 515.48, Code 1946, may
6 reinsure risks of every kind or description as now specified in section
7 515.48 and such additional risks as may hereafter be specified by
8 amendment to said section, providing it maintains a surplus to policy
9 holders of not less than one million dollars."

1 SEC. 4. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in The Marion
3 Sentinel, a newspaper published at Marion, Iowa, and in the Kossuth
4 County Advance, a newspaper published at Algona, Iowa.

Approved April 2, 1947.

I hereby certify that the foregoing act was published in The Marion Sentinel, April
3, 1947, and the Kossuth County Advance, April 8, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 262

PUBLICATION OF INSURANCE REPORTS

H. F. 342

AN ACT to amend section five hundred fifteen and ninety hundredths (515.90), code, 1946, relating to the publication of certificates of compliance of corporations formed for the purpose of insurance, other than life insurance.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred fifteen and ninety hundredths
2 (515.90), Code 1946, is hereby amended by striking from lines fourteen
3 (14) to nineteen (19), inclusive, the following sentence: "One publica-
4 tion as above contemplated, shall be made at the seat of government,
5 and in case of companies organized in this state and located elsewhere
6 than in the city of Des Moines, the other shall be made in the county
7 in which the home office of the company is located.", and inserting in
8 lieu thereof the following sentence: "The publications as above con-
9 templated shall be made in newspapers published in different counties,
10 but in the case of companies organized in this state, one publication
11 shall be made in the county in which the home office of the company
12 is located, but no two publications to be made in the same county."

Approved March 31, 1947.

CHAPTER 263

FIRE INSURANCE

S. F. 155

AN ACT to repeal section five hundred fifteen point one hundred thirty-eight (515.138) and section five hundred fifteen point one hundred thirty-nine (515.139), code 1946, and to enact a substitute therefor; to amend sections five hundred fifteen point one hundred nine (515.109), five hundred fifteen point one hundred thirty-one (515.131) and five hundred fifteen point one hundred forty-two (515.142), code 1946; and to repeal sections five hundred fifteen point ninety-nine (515.99), five hundred fifteen point one hundred three (515.103), five hundred fifteen point one hundred four (515.104), five hundred fifteen point one hundred seven (515.107), five hundred fifteen point one hundred seventeen (515.117) and five hundred fifteen point one hundred forty-three (515.143), code 1946; all relating to standard policy provisions in fire insurance contracts.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Fire insurance contract; standard policy provisions;
2 permissible variations.
3 *First.* The printed form of a policy of fire insurance as set forth
4 in subsection sixth shall be known and designated as the "standard
5 policy" to be used in the state of Iowa.
6 *Second.* Standard policy, additions, riders and clauses. It shall
7 be unlawful for any insurance company to issue any policy of fire
8 insurance upon any property in this state except upon automobiles,
9 airplanes, seaplanes, dirigibles, or other aircraft and marine risks
10 other or different from the standard form of fire insurance policy
11 herein set forth.
12 There shall be printed at the head of said policy the name of the

13 insurer or insurers issuing the policy; the location of the home office
14 thereof; a statement whether said insurer or insurers are stock or
15 mutual corporations or are reciprocal insurers; and subject to the
16 approval of the commissioner of insurance, there may be added
17 thereto such device or devices as the insurer or insurers issuing said
18 policy shall desire. Provided, however, that any company organized
19 under special charter provisions may so indicate upon its policy, and
20 may add a statement of the plan under which it operates in this
21 state.

22 The standard policy provided for herein need not be used for
23 effecting reinsurance between insurers.

24 If the policy is issued by a mutual, co-operative or reciprocal
25 insurer having special regulations with respect to the payment by
26 the policyholder of assessments, such regulations shall be printed
27 upon the policy, and any such insurer may print upon the policy
28 such regulations as may be required by its home state or appropriate
29 to its form of organization.

30 *Third.* Binders or other contracts for temporary insurance may
31 be made and shall be deemed to include all the terms of such standard
32 policy and all such applicable endorsements as may be designated in
33 such contract of temporary insurance; except that the cancellation
34 clause of such standard policy, and the clause thereof specifying the
35 hour of the day at which the insurance shall commence, may be
36 superseded by the express terms of such contract of temporary
37 insurance.

38 *Fourth.* Two or more insurers authorized to do in this state
39 the business of fire insurance, may, with the approval of the com-
40 missioner of insurance, issue a combination standard form of policy
41 which shall contain the following:

42 (a) A provision substantially to the effect that the insurers
43 executing such policy shall be severally liable for the full amount of
44 any loss or damage, according to the terms of the policy, or for
45 specified percentages or amounts thereof, aggregating the full amount
46 of such insurance under such policy.

47 (b) A provision substantially to the effect that service of process,
48 or of any notice or proof of loss required by such policy, upon any
49 of the insurers executing such policy, shall be deemed to be service
50 upon all such insurers.

51 *Fifth.* Appropriate forms of other contracts or endorsements,
52 whereby the interest in the property described in such policy shall
53 be insured against one or more of the perils which the insurer is
54 empowered to assume, may be used in connection with the standard
55 policy. Such forms of other contracts or endorsements attached or
56 printed thereon may contain provisions and stipulations inconsistent
57 with the standard policy if applicable only to such other perils. The
58 first page of the standard policy may be rearranged to provide space
59 for the listing of rates and premiums for coverages insured there-
60 under or under endorsements attached or printed thereon, and such
61 other data as may be included for duplication on daily reports for
62 office records.

63 *Sixth.* The form of the standard policy (with permission to sub-
64 stitute for the word "company" a more accurate descriptive term
65 for the type of insurer) shall be as follows:

66 FIRST PAGE OF STANDARD
67 FIRE POLICY

68 No.
69 (Space for insertion of name of company or companies issuing the
70 policy and other matter permitted to be stated at the head of the
71 policy.)

72 (Space for listing amounts of insurance, rates and premiums for
73 the basic coverages insured under the standard form of policy and
74 for additional coverages or perils insured under endorsements at-
75 tached.)

76 IN CONSIDERATION OF THE PROVISIONS AND STIPULATIONS HEREIN OR
77 ADDED HERETO AND OF DOLLARS PREMIUM this Company,
78 for the term of from the day of,
79 19....., to the day of, 19....., at noon,
80 Standard Time, at location of property involved, to an amount not
81 exceeding Dollars, does insure
82 any legal representatives, to the extent of the actual cash value
83 of the property at the time of loss, but not exceeding the amount
84 which it would cost to repair or replace the property with material
85 of like kind and quality within a reasonable time after such loss,
86 without allowance for any increased cost of repair or reconstruction
87 by reason of any ordinance or law regulating construction or repair,
88 and without compensation for loss resulting from interruption of
89 business or manufacture, nor in any event for more than the interest
90 of the insured, against all DIRECT LOSS BY FIRE, LIGHTNING AND BY
91 REMOVAL FROM PREMISES ENDANGERED BY THE PERILS INSURED AGAINST
92 IN THIS POLICY, EXCEPT AS HEREINAFTER PROVIDED, to the property
93 described hereinafter while located or contained as described in this
94 policy, or pro rata for five days at each proper place to which any
95 of the property shall necessarily be removed for preservation from
96 the perils insured against in this policy, but not elsewhere.

97 Assignment of this policy shall not be valid except with the written
98 consent of this Company.

99 This policy is made and accepted subject to the foregoing provisions
100 and stipulations and those hereinafter stated, which are hereby made
101 a part of this policy, together with such other provisions, stipulations
102 and agreements as may be added hereto, as provided in this policy.

103 IN WITNESS WHEREOF, this Company has executed and attested these
104 presents; but this policy shall not be valid unless countersigned by
105 the duly authorized Agent of this Company at

106
107Secretary. President.
108 Countersigned this day of, 19.....
109
110 Agent.

111 SECOND PAGE OF STANDARD FIRE POLICY
112 *Concealment, fraud.* This entire policy shall be void if, whether
113 before or after a loss, the insured has wilfully concealed or mis-
114 represented any material fact or circumstance concerning this insur-
115 ance or the subject thereof, or the interest of the insured therein, or
116 in case of any fraud or false swearing by the insured relating thereto.
117 *Uninsurable and excepted property.* This policy shall not cover
118 accounts, bills, currency, deeds, evidences of debt, money or securities;

119 nor, unless specifically named hereon in writing, bullion or man-
120 uscripts.

121 *Perils not included.* This Company shall not be liable for loss by
122 fire or other perils insured against in this policy caused, directly or
123 indirectly, by: (a) enemy attack by armed forces, including action
124 taken by military, naval or air forces in resisting an actual or an
125 immediately impending enemy attack; (b) invasion; (c) insurrection;
126 (d) rebellion; (e) revolution; (f) civil war; (g) usurped power;
127 (h) order of any civil authority except acts of destruction at the time
128 of and for the purpose of preventing the spread of fire, provided
129 that such fire did not originate from any of the perils excluded by
130 this policy; (i) neglect of the insured to use all reasonable means to
131 save and preserve the property at and after a loss, or when the
132 property is endangered by fire in neighboring premises; (j) nor
133 shall this Company be liable for loss by theft.

134 *Other Insurance.* Other insurance may be prohibited or the amount
135 of insurance may be limited by endorsement attached hereto.

136 Conditions suspending or restricting insurance. Unless otherwise
137 provided in writing added hereto this Company shall not be liable
138 for loss occurring

139 (a) while the hazard is increased by any means within the control
140 or knowledge of the insured; or

141 (b) while a described building, whether intended for occupancy
142 by owner or tenant, is vacant or unoccupied beyond a period of sixty
143 consecutive days; or

144 (c) as a result of explosion or riot, unless fire ensue, and in that
145 event for loss by fire only.

146 Other perils or subjects. Any other peril to be insured against
147 or subject of insurance to be covered in this policy shall be by
148 endorsement in writing hereon or added hereto.

149 *Added provisions.* The extent of the application of insurance under
150 this policy and of the contribution to be made by this Company in
151 case of loss, and any other provision or agreement not inconsistent
152 with the provisions of this policy, may be provided for in writing
153 added hereto, but no provision may be waived except such as by the
154 terms of this policy is subject to change.

155 *Waiver provisions.* No permission affecting this insurance shall
156 exist, or waiver of any provision be valid, unless granted herein or
157 expressed in writing added hereto. No provision, stipulation or
158 forfeiture shall be held to be waived by any requirement or proceed-
159 ing on the part of this Company relating to appraisal or to any
160 examination provided for herein.

161 *Cancellation of policy.* This policy shall be cancelled at any time
162 at the request of the insured, in which case this Company shall, upon
163 demand and surrender of this policy, refund the excess of paid
164 premium above the customary short rates for the expired time. This
165 policy may be cancelled at any time by this Company by giving to
166 the insured a five days' written notice of cancellation with or without
167 tender of the excess of paid premium above the pro rata premium
168 for the expired time, which excess, if not tendered, shall be refunded
169 on demand. Notice of cancellation shall state that said excess premium
170 (if not tendered) will be refunded on demand.

171 *Mortgagee interests and obligations.* If loss hereunder is made

172 payable, in whole or in part; to a designated mortgagee not named
173 herein as the insured, such interest in this policy may be cancelled
174 by giving to such mortgagee a ten days' written notice of cancella-
175 tion.

176 If the insured fails to render proof of loss such mortgagee, upon
177 notice, shall render proof of loss in the form herein specified within
178 sixty (60) days thereafter and shall be subject to the provisions
179 hereof relating to appraisal and time of payment and of bringing
180 suit. If this Company shall claim that no liability existed as to the
181 mortgagor or owner, it shall, to the extent of payment of loss to
182 the mortgagee, be subrogated to all the mortgagee's rights of recovery,
183 but without impairing mortgagee's right to sue; or it may pay off
184 the mortgage debt and require an assignment thereof and of the
185 mortgage. Other provisions relating to the interests and obligations
186 of such mortgagee may be added hereto by agreement in writing.

187 *Pro rata liability.* This Company shall not be liable for a greater
188 proportion of any loss than the amount hereby insured shall bear
189 to the whole insurance covering the property against the peril
190 involved, whether collectible or not.

191 *Requirements in case loss occurs.* The insured shall give im-
192 mediate written notice to this Company of any loss, protect the
193 property from further damage, forthwith separate the damaged and
194 undamaged personal property, put it in the best possible order,
195 furnish a complete inventory of the destroyed, damaged and un-
196 damaged property, showing in detail quantities, costs, actual cash
197 value and amounts of loss claimed; AND WITHIN SIXTY DAYS AFTER
198 THE LOSS, UNLESS SUCH TIME IS EXTENDED IN WRITING BY THIS
199 COMPANY, THE INSURED SHALL RENDER TO THIS COMPANY A PROOF OF
200 LOSS, signed and sworn to by the insured, stating the knowledge and
201 belief of the insured as to the following: the time and origin of
202 the loss, the interest of the insured and of all others in the property,
203 the actual cash value of each item thereof and the amount of loss
204 thereto, all encumbrances thereon, all other contracts of insurance,
205 whether valid or not, covering any of said property, any changes in
206 the title, use, occupation, location, possession or exposures of said
207 property since the issuing of this policy, by whom and for what
208 purpose any building herein described and the several parts thereof
209 were occupied at the time of loss and whether or not it then stood
210 on leased ground, and shall furnish a copy of all the descriptions
211 and schedules in all policies and, if required, verified plans and
212 specifications of any building, fixtures or machinery destroyed or
213 damaged. The insured, as often as may be reasonably required, shall
214 exhibit to any person designated by this Company all that remains
215 of any property herein described, and submit to examinations under
216 oath by any person named by this Company, and subscribe the same;
217 and, as often as may be reasonably required, shall produce for
218 examination all books of account, bills, invoices and other vouchers,
219 or certified copies thereof if originals be lost, at such reasonable time
220 and place as may be designated by this Company or its representative,
221 and shall permit extracts and copies thereof to be made.

222 *Appraisal.* In case the insured and this Company shall fail to
223 agree as to the actual cash value or the amount of loss, then, on
224 the written demand of either, each shall select a competent and

225 disinterested appraiser and notify the other of the appraiser selected
 226 within twenty days of such demand. The appraisers shall first
 227 select a competent and disinterested umpire; and failing for fifteen
 228 days to agree upon such umpire, then, on request of the insured or
 229 this Company, such umpire shall be selected by a judge of a court
 230 of record in the state in which the property covered is located. The
 231 appraisers shall then appraise the loss, stating separately actual
 232 cash value and loss to each item; and, failing to agree, shall submit
 233 their differences, only, to the umpire. An award in writing, so
 234 itemized, of any two when filed with this Company shall determine
 235 the amount of actual cash value and loss. Each appraiser shall be
 236 paid by the party selecting him and the expenses of appraisal and
 237 umpire shall be paid by the parties equally.

238 *Company's options.* It shall be optional with this Company to
 239 take all, or any part, of the property at the agreed or appraised
 240 value, and also to repair, rebuild or replace the property destroyed
 241 or damaged with other of like kind and quality within a reasonable
 242 time, on giving notice of its intention so to do within thirty days
 243 after the receipt of the proof of loss herein required.

244 *Abandonment.* There can be no abandonment to this Company
 245 of any property.

246 *When loss payable.* The amount of loss for which this Company
 247 may be liable shall be payable sixty days after proof of loss, as
 248 herein provided, is received by this Company and ascertainment of
 249 the loss is made either by agreement between the insured and this
 250 Company expressed in writing or by the filing with this Company
 251 of an award as herein provided.

252 *Suit.* No suit or action on this policy for the recovery of any
 253 claim shall be sustainable in any court of law or equity unless all the
 254 requirements of this policy shall have been complied with, and unless
 255 commenced within twelve months next after inception of the loss.

256 *Subrogation.* This Company may require from the insured an
 257 assignment of all right of recovery against any party for loss to the
 258 extent that payment therefor is made by this Company.

259 THIRD PAGE OF STANDARD FIRE POLICY
 260 Attach Form Below This Line
 261 FOURTH PAGE OF STANDARD FIRE POLICY
 262 Standard Fire Insurance Policy

263	Expires	
264	Property	
265		Total
266	Amount \$	Premium \$
267	Insured	

268 SEE INSIDE OF POLICY FOR PERILS COVERED
 269 No.

270 (Space of approximately two (2) inches for use of Agent or Insurer.)

271 (Space of approximately two (2) inches for use of Agent or Insurer.)

272 It is important that the written portions of all policies covering
 273 the same property read exactly alike. If they do not, they should be
 274 made uniform at once.

1 SEC. 2. Section five hundred fifteen point one hundred nine
 2 (515.109), Code 1946, is hereby amended by striking from line two
 3 (2) thereof the words "or permits" and substituting therefor the
 4 words "and of all permits and riders used generally throughout the
 5 state."

1 SEC. 3. Section five hundred fifteen point one hundred thirty-one
 2 (515.131), Code 1946, is hereby amended by striking from line fifteen
 3 (15) thereof the words "or permits" and substituting therefor the
 4 words "and of all permits and riders used generally throughout the
 5 state,".

1 SEC. 4. Section five hundred fifteen point one hundred forty-two
 2 (515.142), Code 1946, is hereby amended by changing the period (.)
 3 at the end of the section to a comma (,) and by adding the following:
 4 "and the group of companies with which the company is financially
 5 affiliated".

1 SEC. 5. Sections five hundred fifteen point ninety-nine (515.99),
 2 five hundred fifteen point one hundred three (515.103), five hundred
 3 fifteen point one hundred four (515.104), five hundred fifteen point
 4 one hundred seven (515.107), five hundred fifteen point one hundred
 5 seventeen (515.117), five hundred fifteen point one hundred thirty-
 6 eight (515.138), five hundred fifteen point one hundred thirty-nine
 7 (515.139), and five hundred fifteen point one hundred forty-three
 8 (515.143), Code 1946, are hereby repealed.

1 SEC. 6. All acts or parts of acts inconsistent with this act are
 2 hereby repealed to the extent of said inconsistency.

1 SEC. 7. If any section, subsection, paragraph, sentence, clause or
 2 phrase of this act is for any reason held to be unconstitutional and
 3 invalid, such unconstitutionality or invalidity shall not affect the
 4 constitutionality or validity of the remaining portions of this act.

Approved April 2, 1947.

CHAPTER 264

DEPUTY BANKING SUPERINTENDENT

S. F. 136

AN ACT to amend section five hundred twenty-four point seven (524.7), code 1946, relating to the compensation of the deputy superintendent of banking.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred twenty-four point seven (524.7),
 2 Code 1946, is amended by striking the period at the end thereof and
 3 adding the following: " provided however that the salary of the deputy

4 superintendent of banking shall not exceed a maximum of fifty-five
5 hundred dollars (\$5500.00) per annum."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Ida County
3 Pioneer Record, a newspaper published at Ida Grove, Iowa, and in the
4 New London Journal, a newspaper published at New London, Iowa.

Approved April 22, 1947.

I hereby certify that the foregoing act was published in the Ida County Pioneer Record, May 1, 1947, and the New London Journal, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 265

BANK FUNDS INVESTED

S. F. 88

AN ACT to amend section five hundred twenty-six point twenty-five (526.25), code 1946, relating to investment of funds by banks.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Subsection five (5) of section five hundred twenty-six
2 point twenty-five (526.25), Code 1946, is amended by striking from
3 line four (4) thereof the words "farm land" and inserting in lieu
4 thereof the words "real estate"; and by striking the words "except
5 that" from line six (6) thereof and inserting in lieu thereof the fol-
6 lowing: "provided, however, that no loan shall be made upon any town
7 or city real estate located beyond the first two (2) tiers of counties of
8 any adjoining state."

1 SEC. 2. This Act being deemed of immediate importance shall be in
2 full force and effect after publication in the Page County Herald-
3 Journal, a newspaper published at Clarinda, Iowa, and the Madrid
4 Register-News, a newspaper published at Madrid, Iowa.

Approved March 31, 1947.

I hereby certify that the foregoing act was published in the Page County Herald-Journal, April 3, 1947, and the Madrid Register-News, April 3, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 266

BANK LOANS TO VETERANS

S. F. 89

AN ACT to amend subsection five (5) of section five hundred twenty-six point twenty-five (526.25), code 1946, relating to investment of funds by banks.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Subsection five (5) of section five hundred twenty-six
2 point twenty-five (526.25), Code 1946, is hereby amended by inserting
3 the following paragraph after paragraph b thereof: "c. Nor shall

4 such limitations and restrictions apply to real estate loans which are
 5 guaranteed or insured by the Administrator of Veterans' Affairs
 6 under the provisions of Title III* of the Servicemen's Readjustment
 7 Act of 1944, as amended, otherwise known as the 'G.I. Bill of Rights',
 8 when such loans fully comply with the provisions of that Act as
 9 amended and with all regulations promulgated thereon; provided the
 10 amount of such loans held at any one time shall not exceed in the
 11 aggregate twenty-five percent (25%) of the assets of such bank and
 12 provided further, that said loans shall be upon real estate located in
 13 Iowa or in the first two (2) tiers of counties in bordering states
 14 adjoining Iowa.

1 SEC. 2. This Act being deemed of immediate importance shall
 2 be in full force and effect after publication in the Page County Herald-
 3 Journal, a newspaper published at Clarinda, Iowa, and the Madrid
 4 Register-News, a newspaper published at Madrid, Iowa.

Approved March 26, 1947.

*58 Stat. L. 291.

I hereby certify that the foregoing act was published in the Page County Herald-
 Journal, March 31, 1947, and the Madrid Register-News, April 3, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 267

BANK CAPITAL

S. F. 90

AN ACT relating to the capital structure of any banks hereafter organized under the laws of this state.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred twenty-eight point one (528.1),
 2 Code 1946, is hereby amended by striking subsections one (1), two
 3 (2), three (3) and four (4) thereof and inserting in lieu thereof the
 4 following:

5 "1. In villages, cities and towns having a population of three
 6 thousand (3,000) or less, the capital shall not be less than twenty-five
 7 thousand dollars (\$25,000.00).

8 2. In cities having a population from three thousand (3,000) but not
 9 exceeding six thousand (6,000), the capital shall not be less than fifty
 10 thousand dollars (\$50,000.00).

11 3. In cities having a population from six thousand (6,000) but not
 12 exceeding fifteen thousand (15,000), the capital shall not be less than
 13 seventy-five thousand dollars (\$75,000.00).

14 4. In cities having a population over fifteen thousand (15,000) the
 15 capital shall not be less than one hundred thousand dollars
 16 (\$100,000.00).

17 No such bank or trust company shall hereafter be authorized to
 18 commence the business of banking until it shall have a paid-in surplus
 19 equal to twenty per cent (20%) of its capital. In addition such bank

20 or trust company shall have a paid-in undivided profits and/or reserve
21 of some reasonable amount but in no instance in excess of twenty per
22 cent (20%) of the capital, as may be prescribed by the state banking
23 board."

1 SEC. 2. This act shall apply to cities and towns under special
2 charter.

Approved March 12, 1947.

CHAPTER 268

PRESERVATION OF BANK RECORDS

S. F. 91

AN ACT relating to bank records and files, the admissibility as evidence of entries therein or a photostatic or photographic reproduction thereof and limiting the time for bringing actions on claims arising therefrom.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Banks shall not be required to preserve or keep their
2 records or files for a longer period than eleven (11) years next after
3 the first day of January of the year following the time of the making
4 or filing of such records or files; provided, however, that ledger sheets
5 showing unpaid balances in favor of depositors of such banks shall not
6 be destroyed.

1 SEC. 2. No liability shall accrue against any bank destroying any
2 such records after the expiration of the time provided in Section one
3 (1), and in any cause or proceedings in which any such records or
4 files may be called in question or be demanded of the bank or any officer
5 or employee thereof, a showing that such records or files have been
6 destroyed in accordance with the terms of this act shall be a sufficient
7 excuse for the failure to produce them.

1 SEC. 3. Any writing or record, or a photostatic or photographic
2 reproduction thereof, of any bank whether in the form of an entry
3 in a book or otherwise, made as a memorandum or record of any act,
4 transaction, occurrence or event, shall be admissible in evidence in
5 proof of said act, transaction, occurrence or event, if made in the
6 regular course of business.

1 SEC. 4. All causes of action against a bank based upon a claim or
2 claims inconsistent with an entry or entries in any bank record or
3 ledger, made in the regular course of business, shall be deemed to have
4 accrued, and shall accrue, one year after the date of such entry or
5 entries; and no action founded upon such a cause may be brought after
6 the expiration of ten (10) years from the date of such accrual. Any
7 such existing cause of action may be commenced in any court of
8 competent jurisdiction within one (1) year after the effective date
9 of this Act.

1 SEC. 5. The provisions of this act, so far as applicable, shall apply
2 to the records of national banks.

Approved February 24, 1947.

CHAPTER 269

CREDIT UNIONS

H. F. 245

AN ACT to amend chapter five hundred thirty-three (533), code 1946, relating to credit unions.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter five hundred thirty-three (533), Code 1946, is
2 hereby amended by inserting the following section at the beginning of
3 said chapter: "**Definition and Purpose.** A credit union is hereby
4 defined as a cooperative, non-profit association, incorporated in
5 accordance with the provisions of this chapter for the purpose of
6 creating a source of credit at a fair and reasonable rate of interest,
7 of encouraging habits of thrift among its members and of providing
8 the opportunity for people to use and control their savings for their
9 mutual benefit."

1 SEC. 2. Chapter five hundred thirty-three (533), Code 1946, is
2 hereby amended by inserting immediately preceding section five
3 hundred thirty-three point one (533.1) the following new section:
4 "**Administration.** The superintendent of banking shall be charged
5 with the execution of the laws of this state relating to credit unions."

1 SEC. 3. Section five hundred thirty-three point one (533.1), Code
2 1946, is hereby amended as follows:

3 1. By striking from line one (1) of subsection one (1) and from
4 line twelve (12) of the last paragraph of said section the word "a".

5 2. By striking from lines six (6), seven (7) and eight (8) of
6 subsection six (6) the words "as articles of incorporation are recorded
7 and indexed".

8 3. By striking out the words "certificate of organization" wherever
9 they appear in said section and inserting the words "articles of
10 incorporation" in lieu thereof and by striking from line three (3)
11 of subsection one (1) and from line two (2) of subsection one (1),
12 paragraph b and from line one (1) of subsection three (3) and
13 from line two (2) of subsection four (4) of said section the word
14 "certificate" and inserting the word "articles" in lieu thereof.

15 4. By striking from line two (2) of subsection one (1), paragraph c
16 the words "not exceed ten" and inserting the words "be five" in lieu
17 thereof.

18 5. By striking from line three (3) of subsection three (3) the
19 word "two" and inserting the word "ten" in lieu thereof.

1 SEC. 4. Section five hundred thirty-three point two (533.2), Code
2 1946, is hereby repealed and the following inserted in lieu thereof:

3 "**Amendments.** The articles of incorporation or the bylaws may be
4 amended by a favorable vote of three-fourths of the members present
5 at any meeting, which number must constitute a quorum provided
6 the proposed amendment was contained in the notice of the meeting.
7 Any and all such amendments must be approved by the superintendent
8 of banking before they become effective."

1 SEC. 5. Section five hundred thirty-three point three (533.3), Code
2 1946, is hereby repealed and the following inserted in lieu thereof:

3 **"Restriction.** No person, firm, corporation, co-partnership, or associa-
 4 tion, except a credit union organized under the provisions of this
 5 chapter or under the federal credit union act or except the Iowa
 6 credit union league, inc. or chapters of said league, shall use a name
 7 or title containing the words "credit union" or any derivation thereof
 8 or shall represent themselves, in their advertising or otherwise, as
 9 conducting business as a credit union.

10 Any person, firm, corporation, co-partnership, or association, upon
 11 conviction of the violation of the provisions of this section shall be
 12 fined not more than five hundred dollars (\$500.00) or imprisoned
 13 not more than one year or both; and may be enjoined from such
 14 continued use of said words, advertising or other representation."

1 **SEC. 6.** Section five hundred thirty-three point four (533.4), sub-
 2 section seven (7), Code 1946, is hereby amended by inserting after
 3 the word "due" in line three (3) thereof the following: ", provided
 4 no such fine shall exceed one percent (1%) per month on amounts in
 5 arrears or five (5) cents, whichever is the larger" and is further
 6 amended by adding the following new subsections:

7 "8. Sue and be sued.

8 9. Make contracts.

9 10. Purchase, hold and dispose of property necessary and incidental
 10 to its operation provided, however, that any property acquired through
 11 foreclosure shall be disposed of within a period not to exceed ten (10)
 12 years.

13 11. Exercise such incidental powers as may be necessary or requisite
 14 to enable it to carry on effectively the business for which it is
 15 incorporated."

1 **SEC. 7.** Section five hundred thirty-three point six (533.6), Code
 2 1946, is hereby repealed and the following inserted in lieu thereof:
 3 **"Reports.** Credit Unions organized under this chapter shall report to
 4 the superintendent of banking annually on or before the first day
 5 of February on blanks supplied by him for that purpose. Additional
 6 reports may be required. If any report remains in arrears for more
 7 than five (5) days, a fine of five (5) dollars for each day such report
 8 remains in arrears may be levied against such offending credit union.
 9 If such report is not returned within thirty (30) days of the due
 10 date, the superintendent of banking may, after written notice to
 11 the president of such credit union of his intention to do so, suspend
 12 or revoke the certificate of approval, take possession of the business
 13 and property of such credit union, and order its dissolution."

1 **SEC. 8.** Chapter five hundred thirty-three (533), Code 1946, is
 2 hereby amended by inserting immediately following section five
 3 hundred thirty-three point six (533.6), a new section as follows:
 4 **"Examinations.** The superintendent of banking shall examine, or
 5 cause to be examined, each credit union annually. Each credit union
 6 and all of its officers and agents shall give to the representatives
 7 of said superintendent free access to all books, papers, securities,
 8 records and other sources of information under their control; and
 9 for the purposes of such examination said representatives shall have
 10 the power to subpoena witnesses, administer oaths, compel the giving
 11 of testimony, and require the submission of documents. A report of

12 such examination shall be forwarded to the president of each credit
13 union within thirty (30) days after the completion of the examination.
14 Within thirty (30) days of the receipt of such report, a meeting
15 of the directors shall be called to consider matters contained in the
16 report and the action taken shall be set forth in the minutes of the
17 Board.

18 The superintendent of banking may require any credit union, whose
19 records are inadequate or whose books have not been balanced as of
20 the end of the month not less than thirty days previously or whose
21 affairs are in an unfavorable condition, to submit to an additional
22 examination each year.

23 Each credit union shall pay to the superintendent of banking a
24 maximum fee for all examinations as follows: During its first three
25 (3) years of operation ten (10) dollars plus twelve and one-half
26 (12½) cents per hundred (100) dollars of assets at the time of the
27 examination and each year thereafter fifteen (15) dollars plus
28 twelve and one-half (12½) cents per hundred (100) dollars of
29 assets at the time of the examination.

30 If it shall appear that any credit union is insolvent or that it has
31 violated any of the provisions of this chapter, the superintendent
32 of banking may, after hearing or giving opportunity for a hearing,
33 order such credit union to correct such condition and shall grant it
34 not less than sixty (60) days within which to comply and failure
35 so to do shall afford the said superintendent grounds to revoke the
36 certificate of approval and to apply to the district court of the district
37 in which such credit union is located for the appointment of a receiver
38 to close up the affairs of such credit union."

1 SEC. 9. Section five hundred thirty-three point seven (533.7),
2 Code 1946, is hereby repealed and the following inserted in lieu
3 thereof: "**Fiscal year—meetings.** The fiscal year of all credit unions
4 shall end December 31. Annual meetings shall be held, and special
5 meetings may be held, in the manner indicated in the bylaws.

6 At all meetings no member shall have more than one vote regardless
7 of the shares held by him. There shall be no voting by proxy. A
8 member other than a natural person may cast a single vote through
9 a delegated agent which agent shall be a member of the organization
10 for which he acts. The majority of members present at any meeting
11 may modify, amend or reverse any act of the board of directors or
12 instruct it to take action not inconsistent with the bylaws or of this
13 chapter."

1 SEC. 10. Section five hundred thirty-three point eight (533.8),
2 Code 1946, is hereby repealed and the following inserted in lieu
3 thereof: "**Elections.** At the organization meeting there shall be
4 elected a board of directors of not less than nine members to hold
5 office for such terms as the bylaws provide and until successors are
6 elected and qualify. At each annual meeting there shall be elected
7 one member to fill each position vacated by reason of expiring terms
8 or other causes. A record of the names and address of the directors,
9 officers and committeemen shall be filed with the superintendent of
10 banking within ten days following each election."

1 SEC. 11. Section five hundred thirty-three point nine (533.9), Code
2 1946, is hereby amended by striking out the first sentence thereof

3 and inserting in lieu thereof the following: "Within five (5) days
4 following the organization meeting and each annual meeting the
5 directors shall elect from their own number a president, vice-president,
6 treasurer and secretary, of whom the last two may be the same
7 individual, and also a credit committee of not less than three (3)
8 members and an auditing committee of three (3) members." and is
9 further amended by striking out all of subsection five (5) of said
10 section and inserting in lieu thereof the following: "Fill vacancies
11 which occur in the board between meetings of the members until the
12 next annual meeting and until successors are elected and qualify."

1 SEC. 12. Section five hundred thirty-three point eleven (533.11),
2 Code 1946, is hereby amended by striking out the word "supervisory"
3 in line one (1) and two (2) of the first paragraph and line one (1)
4 of the last paragraph thereof and inserting in lieu thereof the word
5 "auditing" and is further amended by striking out the last sentence
6 in said section.

1 SEC. 13. Chapter five hundred thirty-three (533), Code 1946, is
2 hereby amended by inserting immediately following section five
3 hundred thirty-three point twelve (533.12) a new section as follows:
4 "Joint accounts. A member may designate any person or persons
5 to hold shares, deposits, and thrift club accounts with him in joint
6 tenancy with the right of survivorship, but no joint tenant, unless
7 a member in his own right, shall be permitted to vote, obtain loans,
8 or hold office or be required to pay an entrance fee. Payment of part
9 or all of such accounts to any of the joint tenants shall, to the extent
10 of such payment, discharge the liability to all."

1 SEC. 14. Section five hundred thirty-three point thirteen (533.13),
2 Code 1946, is hereby repealed and the following inserted in lieu thereof:
3 "Minors. Shares may be issued and deposits accepted in the name of
4 a minor and such shares and deposits may be withdrawn by such
5 minor and payments made on such withdrawals shall be valid. No
6 such minor under sixteen (16) years of age shall be entitled to vote
7 in the meetings of the members either personally or through his par-
8 ent or guardian, nor may he become a director until he shall have
9 reached his eighteenth (18) birthday."

1 SEC. 15. Chapter five hundred thirty-three (533), Code 1946, is
2 hereby amended by inserting a new section immediately following
3 section five hundred thirty-three point thirteen (533.13) as follows:
4 "Trust accounts. If shares and deposits are held in trust, the name
5 and residence of the beneficiary shall be disclosed and the account
6 shall be kept in the name of the holder as trustee for such beneficiary.
7 Such shares and deposits may be withdrawn, upon the death of the
8 trustee, by the beneficiary's legal representative."

1 SEC. 16. Section five hundred thirty-three point fifteen (533.15),
2 Code 1946, is hereby amended by striking out the words "its assets"
3 in lines three (3) and four (4) thereof and by inserting in lieu
4 thereof the words "the sum of its share and deposit account balances".

1 SEC. 17. Section five hundred thirty-three point sixteen (533.16),
2 Code 1946, is hereby amended by inserting at the end thereof the
3 following: "Loans secured by a mortgage or deed of trust upon

4 real property may be made only on unencumbered property located
5 in Iowa and in bordering counties of adjacent states and every such
6 loan shall comply with one of the following conditions:

7 (1) If the terms of the instrument securing such loan call for
8 payment at maturity the loan shall not be for a period in excess of five
9 (5) years and the amount loaned shall not exceed fifty percent (50%)
10 of the appraised value of the property given as security.

11 (2) If the terms of the instrument securing such loan call for
12 installment payments which are sufficient to retire at least forty per-
13 cent (40%) of the principal of the loan within ten (10) years the
14 amount loaned shall not exceed sixty percent (60%) of the appraised
15 value of the property given as security and shall not be for a period
16 in excess of ten (10) years.

17 (3) If the terms of the instrument securing such loan call for
18 monthly installment payments, including principal and interest, at
19 least equal to one percent (1%) of the principal of the loan, the
20 amount loaned shall not exceed eighty percent (80%) of the appraised
21 value of the property given as security.

22 The foregoing restrictions or limitations shall not prevent the
23 renewal or extension of loans and shall not apply to loans which
24 are secured under the provisions of the national housing act, as
25 amended.

26 No credit union shall loan to any one member more than one
27 hundred (100) dollars or ten percent (10%) of its total assets
28 whichever is greater."

1 SEC. 18. Section five hundred thirty-three point seventeen (533.17),
2 Code 1946, is hereby repealed and the following inserted in lieu
3 thereof:

4 "Reserves.

5 (1) *Legal reserve.* All fees and fines shall, after the payment
6 of organization expenses, be added to the legal reserve of the corpora-
7 tion.

8 In addition thereto, at the end of each fiscal year until such time as
9 said legal reserve equals ten percent (10%) of the sum of the share
10 and deposit account balances of the corporation, there shall be
11 transferred to said reserve not less than ten percent (10%) of the
12 corporation's gross income for the year. Thereafter there shall annually
13 be added to said reserve at the end of each fiscal year such percent
14 of the gross earnings, but not exceeding ten percent (10%), as shall
15 be required to maintain said reserve at ten percent (10%) of the
16 sum of the said share and deposit account balances.

17 The legal reserve, including any excess which may be in said
18 reserve at the time this amendment becomes effective, shall belong
19 to the corporation, and shall not be distributed except on dissolution
20 of the credit union. Said legal reserve shall be used to meet losses,
21 except those resulting from an excess of expenses over income.

22 (2) *Special reserve.* However, the superintendent of banking may
23 require a credit union to set aside additional amounts as a special
24 reserve if an examination of its assets should disclose that its legal
25 reserve is inadequate."

1 SEC. 19. Section five hundred thirty-three point eighteen (533.18),
2 Code 1946, is hereby amended by striking from lines one (1) and

3 two (2) the words "On recommendation of the directors, a credit
4 union" and inserting in lieu thereof "The board of directors" and
5 is further amended by adding at the end of said section the following
6 sentence: "At any meeting the members may establish a maximum
7 dividend rate which shall be binding on the directors until changed
8 at a subsequent meeting."

1 SEC. 20. Section five hundred thirty-three point twenty (533.20),
2 Code 1946, is hereby amended by inserting at the end of subsection
3 one (1) the following sentence: "Any member not present at such
4 meeting may, within the next twenty (20) days, vote in favor of
5 dissolution by signing a statement in form approved by the super-
6 intendent of banking and such vote shall have as full force and effect
7 as if cast at such meeting."

1 SEC. 21. All existing credit unions shall amend their bylaws to
2 conform to these amendments not later than December first, 1947,
3 and Sections ten (10) and eleven (11) hereof shall be put into
4 effect at the first annual meeting thereafter.

1 SEC. 22. If any section, sentence, clause or part of this act is for
2 any reason held to be unconstitutional or invalid, such decision shall
3 not affect the remaining portion of this act or the chapter it amends.

Approved April 28, 1947.

CHAPTER 270

FEDERAL INSURED LOANS

H. F. 364

AN ACT to amend certain sections in chapter five hundred thirty-four (534) and section six hundred eighty-two point forty-five (682.45), code 1946, relating to building and loan and incorporated associations and federal insured loans.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section five hundred thirty-four point thirty-two
2 (534.32), Code, 1946, by striking the period (.) after the word
3 "thereof" in line thirty-six (36) and inserting in lieu thereof a comma
4 (,) and by adding the following: "as originally enacted and now, or
5 hereafter amended, and any loans made under the original statute
6 or the statute as amended are hereby authorized, ratified and con-
7 firmed. Also without regard to any other provision of law, savings
8 and loan associations of this state are authorized to buy and sell
9 any secured loan which is insured or guaranteed in any manner in
10 part or in full by the United States or any instrumentality thereof,
11 or by this state or instrumentality thereof, or for which there is
12 a commitment to so insure or guarantee or for which a conditional
13 guarantee has been issued."

1 SEC. 2. Amend section five hundred thirty-four point thirty-eight
2 (534.38), Code, 1946, by striking the period (.) after the word
3 "form" in line three (3) and inserting in lieu thereof a comma (,) and the following: "except that notes made for loans which are

5 insured or guaranteed in any manner in part or in full by the United
6 States or any instrumentality thereof may be made in negotiable form."

1 SEC. 3. Amend section five hundred thirty-four point fifty-one,
2 (534.51), Code, 1946, by striking out the following words, "at book
3 value," in line five of said section.

1 SEC. 4. Amend section five hundred thirty-four point fifty-three
2 (534.53), Code, 1946, by striking the comma (,) after the word
3 "governor" in line fifteen (15) and inserting in lieu thereof a period
4 (.) and by striking the balance of line fifteen (15), all of line sixteen
5 (16), and "dollars per annum." in line seventeen (17).

1 SEC. 5. Amend section five hundred thirty-four point ninety-seven
2 (534.97), Code, 1946, by striking out the word "ten", (10) in line
3 seven (7) and inserting in lieu thereof the word "eleven".

1 SEC. 6. Section six hundred eighty-two point forty-five (682.45),
2 Code 1946, is amended by striking the period at the end of said section
3 and adding thereto the following: "and in real estate loans which
4 are guaranteed or insured by the Administrator of Veterans' Affairs
5 under the provisions of Title III* of the Servicemen's Readjustment
6 Act of 1944, as amended, otherwise known as the 'G. I. Bill of Rights'."

1 SEC. 7. This act being deemed of immediate importance shall
2 be in full force and effect from and after its publication in the
3 Farm Bureau News, a newspaper published at Bettendorf, Iowa,
4 and in the Davenport Times, a newspaper published at Davenport,
5 Iowa.

Approved April 15, 1947.

*58 Stat. L. 291.

I hereby certify that the foregoing act was published in the Farm Bureau News, April
24, 1947, and the Davenport Times, April 18, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 271

BONDED WAREHOUSES

H. F. 400

AN ACT to amend section five hundred forty-three point twenty-eight (543.28), code
1946, relating to bonded warehouses for agricultural products.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred forty-three point twenty-eight
2 (543.28), Code 1946, is amended by adding after the period (.) in
3 line sixteen (16) the following: "No delivery charge shall be made
4 for products sold to the warehouseman whether such product has
5 been in storage or not. The specific delivery charge herein provided
6 shall not be mandatory as to grain received into grain elevators
7 from railroad cars nor as to grain sold by a warehouseman and carried
8 as storage for the purchaser."

Approved April 16, 1947.

CHAPTER 272

IOWA DEVELOPMENT COMMISSION

S. F. 21

AN ACT to repeal chapter five hundred forty-nine (549), code 1946, pertaining to adoption, registration, awarding, revoking and prohibiting the unauthorized use of the trade-mark "Made in Iowa" and the penalty prescribed therefor. To amend chapter twenty-eight (28), code 1946, relating to the adoption, registration and use of the label or trade-mark by the Iowa development commission bearing the words "Made in Iowa" or "Product of Iowa" and providing for authority for the use thereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter five hundred forty-nine (549), Code, 1946, is
2 hereby repealed.

1 SEC. 2. Amend section twenty-eight point seven (28.7), Code 1946,
2 by inserting after subsection three (3), the following:

3 4. To aid in the promotion and development of manufacturing in
4 Iowa, the Iowa development commission, may adopt a label or trade-
5 mark bearing the words "Made in Iowa" or "Product of Iowa" together
6 with any other appropriate design or inscription and this label or
7 trade-mark shall be registered in the office of the secretary of state.

8 a. The Iowa development commission shall have the right to register
9 or file such label or trade-mark under the laws of the United States
10 or any foreign country which permits such registration, making such
11 registration as an association or through an individual for the use and
12 benefit of the Iowa development commission.

13 b. The commission shall grant authority to use such label or
14 trade-mark to such persons or firms who make a satisfactory showing
15 to the commission that the products on which the label or trade-mark
16 is to be used are bona fide Iowa products. Such trade-mark or label
17 use shall be registered with the commission.

18 c. No person, firm, partnership, or corporation shall use the said
19 label or trade-mark or advertise the same, or attach the same on any
20 manufactured article or agricultural product except as provided herein.

1 SEC. 3. Renumber remaining subsections.

Approved February 14, 1947.

CHAPTER 273

SALE OR LEASE OF UTILITY EQUIPMENT

H. F. 21

AN ACT to amend sections five hundred fifty-six point twenty-four (556.24), five hundred fifty-six point twenty-five (556.25) and five hundred fifty-six point twenty-six (556.26), code 1946, relating to conditional sale contracts or lease of utility equipment, the filing thereof and the release and satisfaction thereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Subsection two (2) of section five hundred fifty-six
2 point twenty-four (556.24), Code 1946, is amended by inserting in
3 line one (1) after the word "instrument" the words "or a true copy
4 thereof".

1 SEC. 2. Section five hundred fifty-six point twenty-five (556.25),
 2 Code 1946, is amended by inserting in line two (2) after the word
 3 "authorized" the words "or true copies thereof".

1 SEC. 3. Section five hundred fifty-six point twenty-six (556.26),
 2 Code 1946, is amended by striking all of said section following the
 3 word "assignee" in line six (6) and by inserting in lieu thereof the
 4 following: "by separate instrument to be executed and acknowledged
 5 by the vendor, lessor, or bailor, or his or its assignee, which said
 6 instrument or a photostatic copy thereof shall be filed with the
 7 secretary of state, who shall number and index all such declarations
 8 as provided in section five hundred fifty-six point twenty-five. (556.25)."

Approved April 17, 1947.

CHAPTER 274

EXPECTANT ESTATES

H. F. 429

AN ACT to amend section five hundred fifty-seven point nine (557.9), code 1946, relating to expectant estates.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred fifty-seven point nine (557.9),
 2 Code 1946, is amended by changing the period (.) at the end thereof
 3 to a semi-colon (;) and by adding the following:
 4 "provided that on the petition of the life tenant, with the consent
 5 of the holder of the reversion, the district court may order the sale
 6 of the property in such estate and the proceeds shall be subject to the
 7 order of court until the right thereto becomes fully vested. The
 8 proceedings shall be as in an action for partition."

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 the Mount Vernon Hawkeye Record and The Lisbon Herald, a news-
 4 paper published at Mt. Vernon, Iowa, and the Plain Talk, a newspaper
 5 published at Des Moines, Iowa.

Approved April 18, 1947.

I hereby certify that the foregoing act was published in the Mount Vernon Hawkeye Record and The Lisbon Herald, April 24, 1947, and the Plain Talk, April 24, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 275

POWER OF APPOINTMENT

S. F. 249

AN ACT to amend chapter five hundred fifty-nine (559), code 1946, to define the term "power to appoint" as used therein, and to include within said definition powers of consumption, powers in trust or in the nature of a trust, powers to amend, and all other powers which are in substance or effect powers of appointment, regardless of the language used to create them; to provide for the disclaimer of powers, the release by one donee of his right to exercise a joint power, to provide for release of powers for a period of time and to provide for the delivery of releases and disclaimers of powers.

Be It Enacted by the General Assembly of the State of Iowa:

Chapter five hundred fifty-nine (559), Code 1946, is hereby amended by adding thereto the following:

1 SECTION 1. The term "power to appoint" as used in section five
2 hundred fifty-nine point one (559.1), Code 1946, shall mean and
3 include all powers which are in substance and effect powers of
4 appointment, regardless of the language used in creating them and
5 whether they are (a) general, special or otherwise, (b) vested,
6 contingent or conditional, (c) in gross, appendant, simply collateral,
7 in trust or in the nature of a trust or otherwise, (d) exercisable by
8 an instrument amending, revoking, altering or terminating a trust
9 or an estate, or an interest thereunder or otherwise, (e) exercisable
10 presently or in the future, (f) exercisable in an individual or a fiduciary
11 capacity whether alone or in conjunction with one or more other
12 persons or corporations, (g) powers to invade or consume property,
13 or (h) powers remaining after one or more partial releases have
14 heretofore or hereafter been made with respect to a power to
15 appoint.

1 SEC. 2. If a power to appoint is or may be exercisable by two or
2 more persons either in an individual or fiduciary capacity in conjunc-
3 tion with one another or successively, a release or disclaimer of the
4 power in whole or in part executed by any one of the donees of the
5 power shall be effective to release or disclaim, to the extent therein
6 provided, all right of such person to exercise or to participate in the
7 exercise of the said power, but unless the instrument creating the
8 power otherwise provides, shall not prevent or limit the exercise or
9 participation in the exercise thereof by the other donee or donees.

1 SEC. 3. A release of a power to appoint may also be made for
2 life or lives or for a specified period of time.

1 SEC. 4. A donee of a power to appoint may disclaim the same
2 at any time, wholly or in part, in the same manner and to the same
3 extent as he might release it.

1 SEC. 5. A release or disclaimer may be delivered to any of the
2 following: (a) any person who could be adversely affected by the
3 exercise of the power; or (b) any trustee of the property to which
4 the power relates; or (c) any person specified for such purpose in
5 the instrument creating the power; or (d) the county recorder as
6 provided in section five hundred fifty-nine point one (559.1).

1 SEC. 6. Nothing contained in this chapter as amended shall prevent
2 the release of any power to appoint or the disclaimer thereof in
3 any lawful manner.

1 SEC. 7. This chapter as amended shall be deemed declaratory of
2 the common law of this state and it shall be liberally construed so
3 as to effectuate the intent that all powers to appoint whatsoever shall
4 be releasable.

1 SEC. 8. This chapter as amended shall apply to releases and
2 disclaimers heretofore or hereafter delivered.

1 SEC. 9. If any of the provisions of this chapter as amended shall
2 be held invalid or unconstitutional in relation to any of the applications
3 thereof, such invalidity or unconstitutionality shall not affect other
4 applications thereof or other provisions of this chapter as amended,
5 and to these ends the provisions of this chapter as amended are declared
6 to be severable.

1 SEC. 10. This act being deemed of immediate importance shall
2 be in full force and effect from and after its publication in the
3 Winterset Madisonian, a newspaper published at Winterset, Iowa,
4 and the Adair County Free Press, a newspaper published at Greenfield,
5 Iowa.

Approved April 18, 1947.

I hereby certify that the foregoing act was published in the Winterset Madisonian,
April 23, 1947, and the Adair County Free Press, April 24, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 276

PARTY WALLS

H. F. 163

AN ACT to amend the law as it appears in section five hundred sixty-three point one
(563.1) code 1946, relating to party walls and providing for concrete party walls.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section five hundred sixty-three point one (563.1)
2 Code 1946, be amended by inserting in line five (5) after the word
3 "brick" the following: ", reinforced concrete".

1 SEC. 2. This act being deemed of immediate importance, shall be
2 effective from and after the date of its publication, as required by law,
3 in the Hampton Chronicle, a newspaper published in Hampton, Iowa,
4 and in the Clear Lake Reporter, a newspaper published in Clear Lake,
5 Iowa.

Approved February 27, 1947.

I hereby certify that the foregoing act was published in the Hampton Chronicle,
March 6, 1947, and the Clear Lake Reporter, March 6, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 277

CEMETERY LOTS

H. F. 176

AN ACT relating to the abandonment of cemetery lots.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred sixty-six point twenty (566.20),
 2 Code 1946, is hereby amended by striking out of line two (2) thereof
 3 the words "half lot" and inserting in lieu thereof the words "portion
 4 thereof".

1 SEC. 2. Section five hundred sixty-six point twenty-one (566.21),
 2 Code 1946, is hereby amended by striking out of line three (3) thereof
 3 the word "twenty" and inserting in lieu thereof the word "ten".

1 SEC. 3. Section five hundred sixty-six point twenty-two (566.22),
 2 Code 1946, is amended by striking from line three (3) the word
 3 "twenty-year" and inserting in lieu thereof the word "ten-year".

1 SEC. 4. Section five hundred sixty-six point twenty-four (566.24),
 2 Code 1946, is hereby amended by striking out after the word
 3 "shall" in line three, the words "in writing give the reversionary
 4 owner notice that in fact there has been no such abandonment" and
 5 insert in lieu thereof the words "pay the past due annual care charges
 6 against the lot".

1 SEC. 5. Section five hundred sixty-six point twenty-five (566.25),
 2 Code 1946, is hereby amended by striking out of line four thereof the
 3 words "half lot" and inserting in lieu thereof the words "portion
 4 thereof".

1 SEC. 6. Section five hundred sixty-six point twenty-six (566.26),
 2 Code 1946, is hereby amended by striking out of line two (2) thereof
 3 the words "half lots" and inserting in lieu thereof the words "portions
 4 thereof" and by striking out of lines four (4) and five (5) thereof
 5 the words "half of lot" and inserting in lieu thereof the words "portion
 6 of lot".

Approved April 24, 1947.

CHAPTER 278

MECHANICS' LIENS FOR FORMS

H. F. 250

AN ACT to amend section five hundred seventy-two point one (572.1), code 1946, relating to mechanics' liens.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred seventy-two point one (572.1),
 2 Code 1946, is amended by striking from line six (6) of subsection
 3 four (4) the word "and", and by changing the period (.) after the
 4 word "tile" to a comma (,) and adding the following: "and the use
 5 of forms, accessories, and equipment."

Approved April 9, 1947.

CHAPTER 279

MATERIALS ON PUBLIC IMPROVEMENTS

H. F. 251

AN ACT to amend section five hundred seventy-three point one (573.1), code 1946, relating to labor and materials on public improvements.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section five hundred seventy-three point one (573.1),
- 2 Code 1946, is amended by inserting in line four (4) of subsection
- 3 four (4) after the comma (,) following the word "fuel" the following:
- 4 "and the use of forms, accessories, and equipment,".

Approved April 9, 1947.

CHAPTER 280

VETERANS MINORITY DISABILITIES

S. F. 3

AN ACT to provide for minors to utilize the rights and provisions of the federal servicemen's readjustment act of 1944, as amended, by removing the disability of said minor under the provisions of chapter five hundred ninety-nine (599), code 1946.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Chapter five hundred ninety-nine (599), Code 1946,
- 2 is hereby amended by enacting the following subdivision:
- 3 "The disability of minority of any person otherwise eligible for
- 4 guaranty or insurance of a loan pursuant to the Servicemen's Re-
- 5 adjustment Act of 1944, as amended (38 U.S.C.A. 694, et seq.) and
- 6 of the minor spouse of any eligible veteran, irrespective of his or her
- 7 age, in connection with any transaction entered into pursuant to said
- 8 act, as amended, is hereby removed for all purposes in connection
- 9 with such transaction, including, but not limited to, incurring of
- 10 indebtedness or obligations, and acquiring, encumbering, selling, re-
- 11 leasing or conveying property or any interest therein, and litigating
- 12 or settling controversies arising therefrom, if all or part of any
- 13 obligations incident to such transaction be guaranteed or insured by
- 14 the Administrator of Veterans Affairs pursuant to such act; provided,
- 15 nevertheless, that this act shall not be construed to impose any other
- 16 or greater rights or liabilities than would exist if such person and
- 17 such spouse were under no such disability."

- 1 SEC. 2. This act being deemed of immediate importance shall take
- 2 effect and be in full force from and after its passage and publication
- 3 in the Cedar Falls Record, a newspaper published in Cedar Falls, Iowa,
- 4 and in the Marshalltown Times Republican, a newspaper published in
- 5 Marshalltown, Iowa.

Approved April 22, 1947.

I hereby certify that the foregoing act was published in the Cedar Falls Record, April 25, 1947, and the Marshalltown Times Republican, April 25, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 281

ADOPTION

H. F. 125

AN ACT to amend chapter six hundred (600), code 1946, relating to adoptions and fixing penalties for violation of the law relating to adoptions.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section six hundred point one (600.1), Code
2 1946, by striking from the second and third lines thereof, the words
3 "any Court of record" and inserting in lieu thereof "the District
4 Court".

5 Further amend section six hundred point one (600.1), Code 1946,
6 by striking all after the period (.) in line nine (9) thereof and sub-
7 stituting therefor the following: "If the petitioner be married, the
8 spouse shall join in the petition unless such spouse is a natural parent
9 of the child. An adult may be adopted, and only such provisions of
10 this Chapter shall apply thereto as the Court may order. The Judges
11 of the District Court may designate a Municipal Court Judge to act
12 as Judge in adoption matters with jurisdiction in cases arising in the
13 County in which such Municipal Court is organized.

14 The petition for adoption shall be verified and filed in triplicate
15 and shall state the name, age, race, residence and religious faith as
16 nearly as may be of the petitioner or petitioners and of the child; the
17 marital status of the petitioner or petitioners; the property rights
18 of the child; the name to be given the child after adoption; if the child
19 be an orphan the name and place of residence of its guardian, if any,
20 and if none, of its next of kin; the name of any licensed child placing
21 agency as defined in Chapter two hundred thirty-eight (238), Code
22 1946, to which such child has been permanently committed or released;
23 the relationship of the child to the petitioner or petitioners; and the
24 facts disclosing consent as required in this Act and in section six hun-
25 dred point three (600.3), Code 1946. The Clerk of the Court shall
26 forthwith transmit two copies of said petition to the State Depart-
27 ment of Social Welfare, or the designated qualified person or agency
28 as directed by the court except in cases of children under the jurisdic-
29 tion of the Board of Control of State Institutions, and excepting adult
30 adoptions and cases where the investigation is waived by the Court
31 as authorized by this Chapter. Provided that where the State Depart-
32 ment does not otherwise receive the petition, the clerk shall imme-
33 diately forward one copy thereof to the Department."

1 SEC. 2. Amend section six hundred point two (600.2), Code 1946,
2 by striking from lines one (1) and two (2) thereof the following:
3 "Upon the filing of a petition for the adoption of a minor child the
4 Court" and substituting therefor "The State Department of Social
5 Welfare, or a qualified person or agency named by the court, after an
6 order of the court,".

7 Further amend section six hundred point two (600.2), Code 1946,
8 by striking the second sentence thereof and by adding the following
9 to said section: "The investigation shall be completed and a report
10 with recommendations made to the Court within sixty days from the
11 date of the filing of the petition. No petition shall be granted until

12 the investigation is completed. Nothing herein contained shall pre-
 13 vent the Court from conducting any other investigation which it may
 14 deem necessary or proper. No petition shall be granted until the child
 15 shall have lived for twelve months in the proposed home. Such period
 16 of residence may be shortened by the Court upon good cause shown
 17 when satisfied that the proposed home and the child are suited to
 18 each other. The State Department of Social Welfare may, and upon
 19 order of the Court shall, make a further investigation during the
 20 period of residence and a final report with recommendations to the
 21 Court. The investigation and period of residence may be waived by
 22 the Court where the petitioner or one of the petitioners is related to
 23 the child within the third degree of consanguinity or where the peti-
 24 tioner is married to a natural parent of the child."

1 SEC. 3. Amend section six hundred point three (600.3), Code 1946,
 2 by adding at the end thereof the following: "The consent shall be in
 3 writing and verified and a copy shall be attached to the petition. The
 4 consent shall refer to and be applicable only to the specific adoption
 5 proposed by such petition. Minority of a parent shall not invalidate
 6 a consent."

1 SEC. 4. Amend section six hundred point four (600.4), Code 1946,
 2 by adding at the end thereof the following: "The Court shall provide
 3 for such hearings in adoption proceedings as may be necessary and
 4 shall prescribe notice thereof. All hearings in adoption proceedings
 5 shall be private and conducted only in the presence of those persons
 6 designated by the Court. Upon the time of filing said petition of
 7 adoption, such notice of pendency of adoption proceedings as the Court
 8 shall prescribe shall be given to a divorced parent not having custody
 9 of the child."

1 SEC. 5. Amend section six hundred point seven (600.7), Code 1946,
 2 by inserting after the word "infection" in line three (3) thereof, the
 3 following: "or an otherwise permanent and serious disability".
 4 Further amend section six hundred point seven (600.7), Code 1946,
 5 by striking from lines eleven (11) and twelve (12) thereof the words
 6 "commit the child to the Guardianship of the State Board of Social
 7 Welfare" and substitute therefor the words "refer the child to the
 8 Juvenile Court or take such other action as the case may require".

1 SEC. 6. Amend section six hundred point eight (600.8), Code 1946,
 2 by striking the words "duplicate copy" in line six (6) thereof and
 3 substituting therefor the words "two copies".

1 SEC. 7. Amend Chapter six hundred (600), Code 1946, by adding
 2 the following new section:

3 "Section 600.10. Every person, excepting adopting parents or
 4 adopted child, who discloses any information contained in any adop-
 5 tion papers or proceedings except as may be authorized by order of
 6 court and every person who violates any of the provisions of this
 7 chapter or who intentionally shall make any false statements with
 8 reference to the matters contained herein, shall be guilty of a mis-
 9 demeanor and upon conviction shall be punished accordingly."

Approved April 23, 1947.

CHAPTER 282

JUSTICES OF THE PEACE AND CONSTABLES

H. F. 536

AN ACT to amend section six hundred one point one thirty-one (601.131), code 1946, relating to the compensation of justices of the peace and constables.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section six hundred one point one thirty-one (601.131),
2 Code 1946, is hereby amended by striking therefrom subsections two
3 (2), three (3) and four (4) and inserting in lieu thereof the following:
4 "2. Justices of the peace and constables in townships having a
5 population of under twelve thousand (12,000) shall pay into the county
6 treasury all fees collected each year in excess of the following sums:
7 a. In townships having a population of four thousand (4,000) and
8 under twelve thousand (12,000), justices, one thousand dollars
9 (\$1,000); constables, eight hundred dollars (\$800).
10 b. In all townships having a population of under four thousand
11 (4,000), justices, seven hundred fifty dollars (\$750); constables, six
12 hundred twenty-five dollars (\$625).
13 3. Justices of the peace and constables in townships having a
14 population of under* ten thousand (10,000) shall pay into the county
15 treasury all fees collected each year in excess of the following sums:
16 a. In townships having a population of forty thousand (40,000) or
17 more, justices, twenty-two hundred fifty dollars (\$2250); constables,
18 eighteen hundred seventy-five dollars (\$1875).
19 b. In townships having a population of twenty-eight thousand
20 (28,000) and under forty thousand (40,000), justices, eighteen hun-
21 dred seventy-five dollars (\$1875); constables, fifteen hundred dollars
22 (\$1500).
23 c. In townships having a population of twenty thousand (20,000)
24 and under twenty-eight thousand (28,000), justices, fifteen hundred
25 dollars (\$1500); constables, twelve hundred fifty dollars (\$1250).
26 d. In townships having a population of ten thousand (10,000) and
27 under twenty thousand (20,000), justices, twelve hundred fifty dollars
28 (\$1250); constables, one thousand dollars (\$1,000).
29 4. Justices and constables in all townships having a population of
30 ten thousand (10,000) to fifty thousand (50,000) shall retain such
31 civil and criminal fees as may be allowed by the board of supervisors,
32 not to exceed five hundred dollars (\$500) per annum, and in town-
33 ships having a population over fifty thousand (50,000), not to exceed
34 one thousand dollars (\$1,000) per annum for expenses of their offices
35 actually incurred, and shall pay into the county treasury all the
36 balance of the civil and criminal fees collected by them."

Approved April 28, 1947.

*According to enrolled act.

CHAPTER 283

MUNICIPAL COURT RECORDS

S. F. 64

AN ACT to amend section six hundred two point thirteen (602.13), code, 1946, relating to the records in municipal courts.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. That section six hundred two point thirteen (602.13),
 2 Code 1946, is hereby amended by adding thereto the following new
 3 paragraph:
 4 "The clerk of the Municipal Court may destroy all court files of
 5 civil actions and criminal informations, except those relating to
 6 juvenile proceedings, including adoption, after a period of twenty
 7 years from date of filing".

Approved February 18, 1947.

CHAPTER 284

MUNICIPAL COURT REPORTERS

S. F. 5

AN ACT to amend section six hundred two point forty-six, (602.46), code 1946, relating to compensation of municipal court reporters.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section six hundred two point forty-six (602.46),
 2 Code 1946, is amended by striking from line seven (7) thereof the
 3 word "eight" and substituting in lieu thereof the word "ten".

Approved April 9, 1947.

CHAPTER 285

MUNICIPAL COURT EMPLOYEES

S. F. 72

AN ACT to amend section six hundred two point forty-nine (602.49), code 1946, relating to salaries of municipal court employees.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Amend section six hundred two point forty-nine
 2 (602.49), Code 1946, as follows:
 3 1. Strike from line two (2) of paragraph two (2) the word
 4 "eighteen" and insert the word "twenty-two".
 5 2. Strike from line three (3) of paragraph two (2) the word
 6 "twenty-two" and insert the word "twenty-seven".
 7 3. Strike from line six (6) of paragraph two (2) the word "twenty-
 8 six" and insert the word "thirty-two".
 9 4. Strike from line two (2) of paragraph three (3) the word

- 10 "fifteen hundred" and insert the word "two thousand".
 11 5. Strike from line three (3) of paragraph three (3) the word
 12 "seventeen" and insert the word "twenty-two".
 13 6. Strike from line six (6) of paragraph three (3) the word "two
 14 thousand" and insert the word "twenty-five hundred".

1 SEC. 2. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its passage and publication in
 3 the Clinton Herald, a newspaper published at Clinton, Iowa, and the
 4 Sioux City Journal-Tribune, a newspaper published at Sioux City,
 5 Iowa.

Approved April 10, 1947.

I hereby certify that the foregoing act was published in the Clinton Herald, April 12, 1947, and the Sioux City Journal-Tribune, April 12, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 286

SUPERIOR COURT JUDGES

S. F. 295

AN ACT to amend section six hundred three point forty-three (603.43), code 1946, relating to the salary of a judge of the superior court.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Amend section six hundred three point forty-three
 2 (603.43), Code 1946, by striking from line three (3) of said section
 3 the words "forty-two hundred fifty dollars" and inserting in lieu
 4 thereof the words "forty-seven hundred fifty dollars."

Approved April 14, 1947.

CHAPTER 287

DISTRICT COURT REPORTERS

S. F. 78

AN ACT to amend section six hundred five point eight (605.8) and section six hundred five point nine (605.9), code 1946, relating to compensation of shorthand reporters of the district courts, and to amend section six hundred five point twelve (605.12), code 1946, relating to the taxation of costs.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section six hundred five point eight (605.8), Code
 2 1946, is hereby amended by striking out the word "ten" in line two
 3 (2) and inserting in lieu thereof the word "fifteen".

- 1 SEC. 2. Section six hundred five point nine (605.9), Code 1946, is
 2 hereby amended by striking out the words "twenty-four hundred" in
 3 lines three (3) and four (4) and inserting in lieu thereof the words
 4 "thirty-six hundred".

1 SEC. 3. Amend section six hundred five point twelve (605.12),
 2 Code 1946, by striking from line two (2) thereof the word "six" and
 3 inserting in lieu thereof the word "eight".

1 SEC. 4. This act being deemed of immediate importance shall be
 2 in full force and effect after its publication in the Kossuth County
 3 Advance, a newspaper published at Algona, Iowa, and the Leon Report-
 4 er-Journal, a newspaper published at Leon, Iowa.

Approved April 9, 1947.

I hereby certify that the foregoing act was published in the Kossuth County Advance,
 April 15, 1947, and the Leon Reporter-Journal, April 17, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 288

PUBLICATIONS BY MUNICIPALITIES

H. F. 175

AN ACT to amend chapter six hundred eighteen (618), code 1946, relating to the
 publication of matters of general public importance by municipalities, including
 special charter cities, or other political subdivisions.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter six hundred eighteen (618), Code 1946, is
 2 amended by adding thereto as a new section the following:
 3 "The governing body of any municipality or other political sub-
 4 division of the state is authorized to make publication, as straight
 5 matter or display, of any matter of general public importance, not
 6 otherwise authorized or required by law, by publication in one or
 7 more newspapers, as defined in section six hundred eighteen point three
 8 (618.3), published in and having general circulation in such municipal-
 9 ity or political subdivision, at the legal or appropriate commercial
 10 rate, according to the character of the matter published.
 11 "In the event there is no such newspaper published in such munici-
 12 pality or political subdivision or in the event publication in more than
 13 one such newspaper is desired, publication may be made in any such
 14 newspaper having general circulation in such municipality or political
 15 subdivision."

1 SEC. 2. This act shall include cities and towns under special charter.

Approved February 13, 1947.

CHAPTER 289

MUNICIPAL COURT EXECUTION PROCEEDINGS

S. F. 107

AN ACT to amend section six hundred thirty point one (630.1), code 1946, relating to proceedings auxiliary to execution, in order to give jurisdiction to municipal courts to hear these proceedings.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section six hundred thirty point one (630.1), Code
- 2 1946, is hereby amended by inserting in line four (4) after the comma
- 3 following the word "superior" and before the word "district", the
- 4 following word and comma "municipal,".

Approved April 2, 1947.

CHAPTER 290

EXECUTORS AND ADMINISTRATORS

H. F. 179

AN ACT to amend section six hundred thirty-eight point twenty-five (638.25), code 1946, relating to accounting of executors and administrators.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section six hundred thirty-eight point twenty-five
- 2 (638.25), Code 1946, is hereby amended by adding after the period
- 3 (.) in line 5 the following paragraph:
- 4 "Necessary and extraordinary services shall be construed to also
- 5 include services in connection with real estate and tax matters."

Approved April 3, 1947.

CHAPTER 291

ATTACHMENT PROCEEDINGS

S. F. 108

AN ACT to amend section six hundred thirty-nine point eight (639.8), code 1946, with reference to the amount in value that may be attached by the levying officer when the demand is not founded on contract, in order to give a judge of any of certain courts the power to make an allowance on a petition presented to him of the amount in value of the property that may be attached.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section six hundred thirty-nine point eight (639.8),
- 2 Code 1946, is hereby amended by striking from lines four (4) and five
- 3 (5) of said section the following words: "district or superior court"
- 4 and inserting in lieu thereof "or district court, or the judge of the
- 5 court from which the issuance of a writ of attachment is sought".

Approved April 2, 1947.

CHAPTER 292

SALARY OF SUPREME COURT JUDGES

S. F. 212

AN ACT to amend section six hundred eighty-four point seventeen (684.17), code 1946, providing for the salary to be paid to judges of the supreme court.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section six hundred eighty-four point seventeen
2 (684.17), Code 1946, is amended by striking the words "seventy-five
3 hundred" in line three (3) of said section and inserting in lieu thereof
4 the words "ten thousand," provided that the compensation of Judges
5 during the terms existing at the time of the passage of this act shall
6 be at the rate of seventy-five hundred (\$7500.00) dollars per year until
7 the end of said existing terms.

Approved April 10, 1947.

CHAPTER 293.

AMMUNITION SOLD TO MINORS

H. F. 256

AN ACT relating to the sale of ammunition to minors.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section six hundred ninety-five point twenty-
2 six (695.26) Code 1946, is hereby amended by adding the following
3 sentence thereto: "Nothing herein contained shall prohibit the sale
4 of ammunition to minors who have been licensed to hunt by the state
5 of Iowa and to those minors who by reason of hunting on their own
6 premises are not required by law to have a hunting license."

Approved March 31, 1947.

CHAPTER 294

SLUGS IN COIN MACHINES

H. F. 419

AN ACT to prohibit the manufacture, sale or possession of any token, slug or false coin or use thereof in the operation of any parking meter, vending machine, coin-box telephone or other lawful receptacle or device, and providing a penalty therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Whoever, by means of any token, slug, false or counter-
2 feited coin, or by any other means, method, trick or device whatsoever
3 not lawfully authorized by the owner, lessee, or licensee of any parking
4 meter, vending machine, coin-box telephone or other lawful receptacle
5 designed to receive or be operated by lawful coin of the United States

6 of America in furtherance of or in connection with the sale, use
7 or enjoyment of property or service, knowingly shall operate or
8 cause to be operated, or shall attempt to operate or attempt to cause
9 to be operated, any parking meter, vending machine, coin-box tele-
10 phone, or other lawful receptacle designed to receive or be operated
11 by lawful coin of the United States of America, or whoever shall
12 take, obtain, use or receive, from or by means of any such, meter,
13 machine, coin box or receptacle, any article of value or service, or
14 the use or enjoyment of any facility or service, without depositing in,
15 delivering to and payment into such meter, machine, coin box or
16 receptacle the amount of lawful coin of the United States of America
17 required therefor by the owner, lessee or licensee of such meter,
18 machine, coin box or receptacle shall be fined not more than one
19 hundred dollars (\$100.00), or imprisoned not more than thirty (30)
20 days.

1 SEC. 2. Whoever, with intent to cheat or defraud the owner,
2 lessee, licensee or other person entitled to the contents of any
3 parking meter, vending machine, coin-box telephone or other
4 lawful receptacle designed to receive or be operated by lawful
5 coin of the United States of America in furtherance of or in connection
6 with the sale, use or enjoyment of property or service or other
7 facilities, or whoever, knowingly or having cause to believe that the
8 same is intended for fraudulent or unlawful use on the part of
9 the purchaser, donee or user thereof, shall sell, offer for sale, advertise
10 for sale, possess or give away any token, slug, false or counterfeited
11 coin or any device or substance whatsoever which, when placed,
12 deposited or used in any such meter, machine, coin box or receptacle,
13 will cause the same to operate or function, shall be fined not more than
14 one hundred dollars (\$100.00), or imprisoned not more than thirty
15 days.

16 The sale, offer for sale, advertisement for sale, possession or
17 giving away of any token, slug, false or counterfeited coin or any
18 device or substance whatsoever which, when placed, deposited or
19 used in any parking meter, vending machine, coin-box telephone or
20 other lawful receptacle designed to receive or be operated by lawful
21 coin of the United States of America, will cause the same to operate
22 or function, shall be prima facie evidence, within the meaning of this
23 section, of an intent to cheat or defraud or of knowing or having
24 cause to believe that any such token, slug, false or counterfeited coin,
25 device or substance whatsoever is intended for fraudulent or unlawful
26 use.

1 SEC. 3. The manufacture, sale, offering for sale, advertising for
2 sale or distribution, of a token, disc, blank, washer, check, slug, false
3 coin or other device, whether solid or perforated, with knowledge or
4 reason to believe that such token, disc, blank, washer, check, slug,
5 false coin or other device may be used in substitution for any lawful
6 coin of the United States of America in any parking meter, vending
7 machine, coin-box telephone or other lawful receptacle designed to
8 receive or be operated by lawful coin of the United States of America
9 in connection with the sale, use or enjoyment of property, privilege
10 or service, is hereby prohibited.

11 Whoever violates this section shall be fined not more than five

12 hundred dollars (\$500.00), or imprisoned not more than six (6)
13 months, or both.

1 SEC. 4. The provisions of this Act shall in no manner limit or
2 restrict the manufacture, sale, offering for sale or advertising for
3 sale, or prohibit the possessing, distributing or giving away of proper
4 tokens for use in operation of the facilities or equipment of any
5 electric street railway, urban motor bus company, interurban motor
6 bus company or motor transportation company operating in the
7 State of Iowa.

Approved April 12, 1947.

CHAPTER 295

INJURY TO RAILROAD EQUIPMENT

S. F. 66

AN ACT to amend section seven hundred sixteen and eleven hundredths (716.11), code, 1946, relating to the throwing of stones or other substance or the discharge of fire arms at railroad equipment.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section seven hundred sixteen and eleven hundredths
2 (716.11), Code, 1946, is amended by inserting after the comma (,)
3 following the word "engine" in line five (5) the words "or at any cable,
4 wire or other part of the equipment of any signal system of any
5 railroad".

Approved February 27, 1947.

CHAPTER 296

LABOR UNION MEMBERSHIP

S. F. 109

AN ACT to make it unlawful to discriminate in the employment of any person either because of membership or non-membership in a labor union, organization or association, or to require any person to pay dues or other charges thereto as a condition of employment, and to make it unlawful to deduct labor organization dues or other charges from the compensation of an employee unless the employee has authorized such deduction as provided in this act, and to prescribe penalties for violations and relief by injunction to prevent or stop violations.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. It is declared to be the policy of the state of Iowa that
2 no person within its boundaries shall be deprived of the right to work
3 at his chosen occupation for any employer because of membership in,
4 affiliation with, withdrawal or expulsion from, or refusal to join,
5 any labor union, organization, or association, and any contract which
6 contravenes this policy is illegal and void.

1 SEC. 2. It shall be unlawful for any person, firm, association or
2 corporation to refuse or deny employment to any person because of
3 membership in, or affiliation with, or resignation or withdrawal from,
4 a labor union, organization or association, or because of refusal
5 to join or affiliate with a labor union, organization or association.

1 SEC. 3. It shall be unlawful for any person, firm, association,
2 corporation or labor organization to enter into any understanding,
3 contract, or agreement, whether written or oral, to exclude from
4 employment members of a labor union, organization or association,
5 or persons who do not belong to, or who refuse to join, a labor union,
6 organization or association, or because of resignation or withdrawal
7 therefrom.

1 SEC. 4. It shall be unlawful for any person, firm, association, labor
2 organization or corporation, or political subdivision, either directly
3 or indirectly, or in any manner or by any means as a prerequisite
4 to or a condition of employment to require any person to pay dues,
5 charges, fees, contributions, fines or assessments to any labor union,
6 labor association or labor organization.

1 SEC. 5. It shall be unlawful for any person, firm, association, labor
2 organization or corporation to deduct labor organization dues, charges,
3 fees, contributions, fines or assessments from an employee's earnings,
4 wages or compensation, unless the employer has first been presented
5 with an individual written order therefor signed by the employee,
6 and by his or her spouse, if married, in the manner set forth in
7 section five hundred thirty-nine point four (539.4), Code 1946, which
8 written order shall be terminable at any time by the employee giving
9 at least thirty days written notice of such termination to the
10 employer.

1 SEC. 6. Any person, firm, association, labor organization, or cor-
2 poration or any director, officer, representative, agent or member
3 thereof, who shall violate any of the provisions of this Act or who
4 shall aid and abet in such violation shall be deemed guilty of a
5 misdemeanor.

1 SEC. 7. Additional to the penal provisions of this Act, any person,
2 firm, corporation, association, or any labor union, labor association
3 or labor organization, or any officer, representative, agent or member
4 thereof may be restrained by injunction from doing or continuing
5 to do any of the matters and things prohibited by this Act, and all
6 of the provisions of the law relating to the granting of restraining
7 orders and injunctions, either temporary or permanent, shall be
8 applicable.

1 SEC. 8. If any provision of this Act or the application of such
2 provision to any person or circumstance, shall be held invalid, the
3 remainder of this Act, or the application of such provision to persons
4 or circumstances other than those as to which it is held invalid,
5 shall not be affected thereby.

1 SEC. 9. The provisions of this Act shall not apply to employers
2 or employees covered by the Federal Railroad Labor Act.*

*45 U.S.C. Ch. 8.

1 SEC. 10. This Act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 the Rake Register, a newspaper published at Thompson, Iowa and
 4 the Iowa Falls Citizen, a newspaper published at Iowa Falls, Iowa.

Approved April 28, 1947.

I hereby certify that the foregoing act was published in the Rake Register, May 1, 1947, and the Iowa Falls Citizen, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 297

LABOR BOYCOTTS AND STRIKES

S. F. 111

AN ACT to make unlawful certain acts, boycotts, secondary boycotts, strikes, violence, or concerted action on the part of labor organizations, or the officers, representatives, agents, or a member or members thereof; providing penalties for violations and providing for relief by injunction to prevent or stop violations.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. It shall be unlawful for any labor union, association
 2 or organization, or the officers, representatives, agents or members
 3 thereof, to enter into any contract, agreement, arrangement, combina-
 4 tion or conspiracy for the purpose of, (1) by strikes or threats of
 5 strikes, by violence or threats of violence, by coercion, or (2) by con-
 6 certed refusal to make, manufacture, assemble, or use, handle, trans-
 7 port, deliver or otherwise deal with any articles, products or materials:

8 (a) to force or require any person, firm or corporation to cease
 9 using, selling, handling, transporting or dealing in the goods or
 10 products of any other person, firm or corporation, or

11 (b) to force or require any person, firm or corporation to cease
 12 selling, transporting or delivering goods or products to any other
 13 person, firm or corporation, or

14 (c) to force or require any employer other than their own employer
 15 to recognize, deal with, comply with the demands of, or employ
 16 members of any labor union, association or organization, or

17 (d) to force or require any employer to break an existing collective
 18 bargaining agreement which such employer may have with any labor
 19 union, association or organization.

1 SEC. 2. It shall be unlawful for any labor union, association or
 2 organization, or the officers, representatives, agents, or a member or
 3 members thereof to carry out or attempt to carry out in this State
 4 any contract, agreement, arrangement, combination or conspiracy
 5 declared unlawful in section one (1) of this Act.

1 SEC. 3. It shall be unlawful for any labor union, group, association
 2 or organization, or the officers, representatives, agents or members
 3 thereof, to cause a stoppage or slow-down of the work or a part
 4 of the work of an employer because of a dispute between labor unions,
 5 groups, associations or organizations, or the officers, representatives,

6 agents or members thereof, with respect to jurisdiction over, or the
7 right to do the work or a part of the work of such employer.

1 SEC. 4. Any person, or any labor union, labor association or labor
2 organization or any officer, representative, agent or member thereof
3 who shall violate any of the provisions of this Act shall be deemed
4 guilty of a misdemeanor and shall, upon conviction thereof, be
5 punished by a fine of not more than one hundred dollars or by imprison-
6 ment in the county jail for a period of not more than thirty days.

1 SEC. 5. Additionally to the penal provisions of this Act, any person,
2 or any labor union, labor association or labor organization or any
3 officer, representative, agent or member thereof may be restrained
4 by injunction from doing or continuing to do any of the matters and
5 things prohibited by this Act, and all of the provisions of the law
6 relating to the granting of restraining orders and injunctions, either
7 temporary or permanent, shall be applicable.

1 SEC. 6. If any provision of this Act or the application of such
2 provision to any person or circumstance, shall be held invalid, the
3 remainder of this Act, or the application of such provision to persons
4 or circumstances other than those as to which it is held invalid, shall
5 not be affected thereby.

1 SEC. 7. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 The Wapello Republican, a newspaper published at Wapello, Iowa,
4 and The Muscatine Journal and News-Tribune, a newspaper published
5 at Muscatine, Iowa.

Approved April 29, 1947.

I hereby certify that the foregoing act was published in The Wapello Republican,
May 1, 1947, and The Muscatine Journal and News-Tribune, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 298

IMPERSONATING OFFICERS

S. F. 19

AN ACT to amend section seven hundred forty point five (740.5)* relating to falsely
assuming to be an officer.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section seven hundred forty point five (740.5), Code
2 1946, is hereby amended by striking from lines four (4) and five (5)
3 thereof the words "department of justice" and inserting in lieu thereof
4 the words "Iowa Department of Public Safety".

Approved February 7, 1947.

*"Code 1946" omitted in enrolled act.

CHAPTER 299

ARRESTS

S. F. 184

AN ACT to amend section seven hundred fifty-five point four (755.4), code 1946, relating to arrest.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That section seven hundred fifty-five point four
2 (755.4), Code 1946, be amended by adding thereto the following:
3 "3. Where he has reasonable ground for believing that an indictable
4 public offense has been committed and has reasonable ground for
5 believing that the person to be arrested has committed it.
6 "4. Where he has received from the department of public safety,
7 or from any other peace officer of this state or any other state or the
8 United States an official communication by bulletin, radio, telegraph,
9 telephone, or otherwise, informing him that a warrant has been
10 issued and is being held for the arrest of the person to be arrested
11 on a designated charge."

Approved April 29, 1947.

CHAPTER 300

CLERK OF GRAND JURY

S. F. 244

AN ACT to amend sections seven hundred seventy point nineteen (770.19) and seven hundred seventy point twenty-one (770.21), code 1946, with reference to increasing the compensation of grand jury clerks.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section seven hundred seventy point nineteen
2 (770.19), Code 1946, by striking the word "two" in line two (2)
3 and inserting in lieu thereof the word "eight".
1 SEC. 2. Amend section seven hundred seventy point twenty-one
2 (770.21), Code 1946, by striking the word "four" in line six (6)
3 and inserting in lieu thereof the word "eight".

Approved April 15, 1947.

CHAPTER 301

CLERK OF GRAND JURY

H. F. 82

AN ACT to amend section seven hundred seventy point twenty-one (770.21), code, 1946, relating to compensation of clerk of the grand jury.

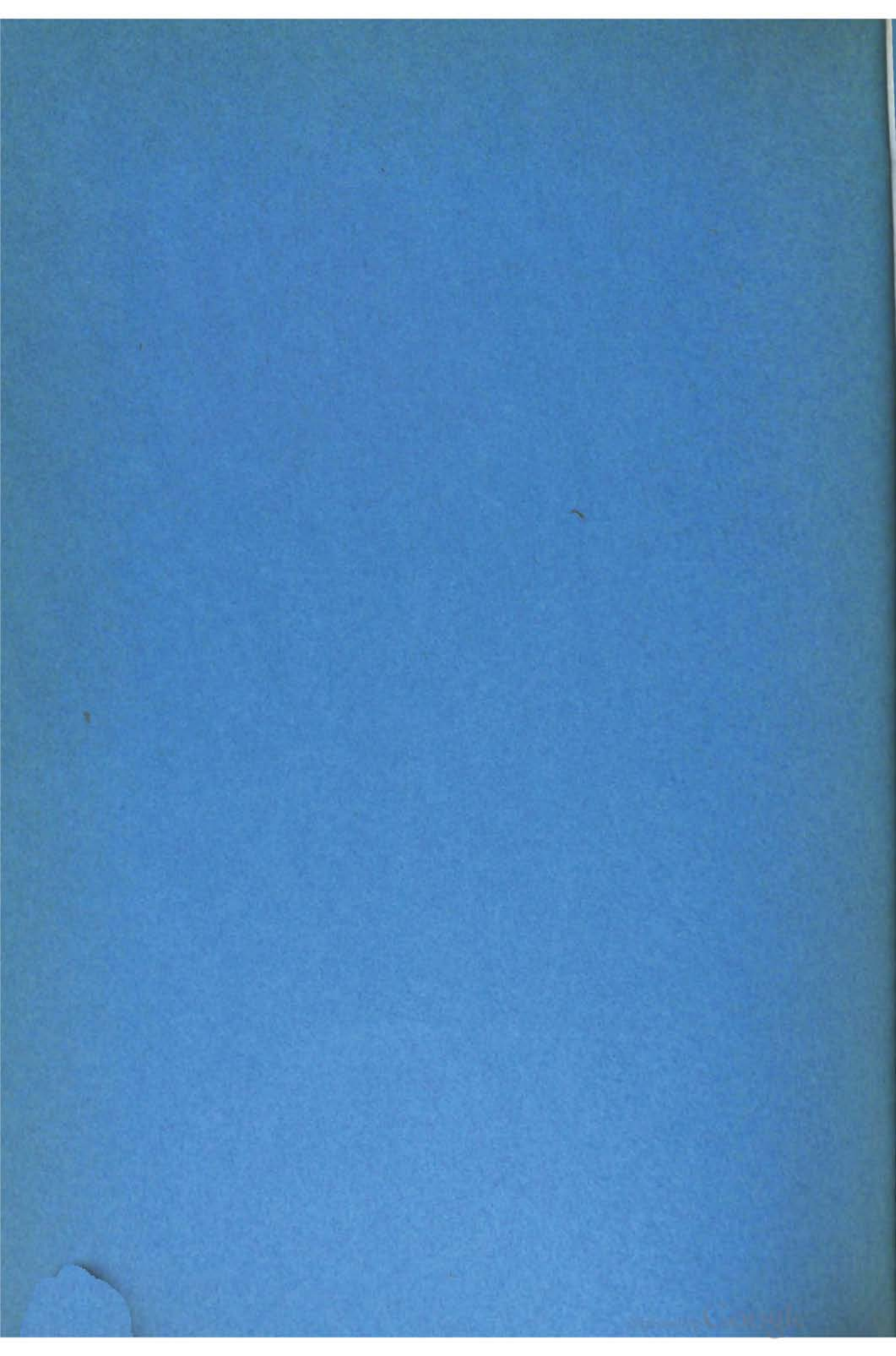
Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section seven hundred seventy point twenty-one
2 (770.21), Code, 1946, is amended by striking from lines seventeen
3 (17) and eighteen (18) the words "twenty-two hundred" and sub-
4 stituting in lieu thereof the words "three thousand."

Approved April 15, 1947.



SPECIAL AND LEGALIZING ACTS



SPECIAL AND LEGALIZING ACTS

CHAPTER 302

RESTORATION OF GOOSE LAKE

S. F. 247

AN ACT to permit the state conservation commission to restore Goose Lake, Greene county, Iowa, and to acquire such lands and rights as are necessary to return same to a suitable wild life area.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Permission is hereby granted the state conservation
2 commission to restore the meandered lake known as Goose Lake in
3 Greene County, Iowa, and to acquire in the name of the state, additional
4 lands and rights, as are necessary to return same to a suitable wild
5 life area.

Approved April 3, 1947.

CHAPTER 303

WAYNE COUNTY LAND PURCHASE

H. F. 189

AN ACT to amend chapter two hundred and fifty (250), Acts of the Fifty-first General Assembly relating to the purchase, conveyance and supervision of certain real estate in Wayne county, Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter two hundred fifty (250), Acts of the Fifty-first
2 General Assembly is hereby amended by striking all of section two
3 (2) and substituting in lieu thereof the following: "The state conser-
4 vation commission shall have the power and authority to approve any
5 and all terms and conditions in connection with the deed and purchase
6 of said real estate".

1 SEC. 2. Further amend said chapter by striking all of section three
2 (3) and substituting in lieu thereof the following: "When the title
3 as approved by said conservation commission to the above described
4 property is vested in the state of Iowa, the conservation commission
5 shall have supervision of said property."

1 SEC. 3. This act, being deemed of immediate importance, shall be
2 in full force and effect immediately upon publication in The Times-
3 Republican, a newspaper published at Corydon, Iowa, and The Salem
4 Weekly News, a newspaper published at Salem, Iowa.

Approved April 24, 1947.

I hereby certify that the foregoing act was published in The Times-Republican, May 1, 1947, and The Salem Weekly News, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 304

CARTER LAKE

S. F. 493

AN ACT to authorize the sale of certain land along the shore of Carter Lake, Pottawattamie County, Iowa, to H. E. Aulman.

WHEREAS, a dispute has arisen as to the ownership of certain ground hereinafter described along the shore of Carter Lake, Pottawattamie County, Iowa, between the State and H. E. Aulman of Pottawattamie County, Iowa; and

WHEREAS, there is now pending certain litigation in the District Court, Pottawattamie County, Iowa, concerning the title to said ground; and

WHEREAS, an agreement has been reached between the Conservation Commission, the Executive Council and H. E. Aulman, as to a settlement of said controversy and a division of the land involved; now therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The action of the Conservation Commission and the
2 Executive Council, authorizing the sale to H. E. Aulman of certain
3 ground in and along the shore of Carter Lake, Pottawattamie County,
4 Iowa, is hereby approved and confirmed and upon receipt of the con-
5 sideration from H. E. Aulman, the Governor be and is hereby au-
6 thorized to issue a patent conveying to H. E. Aulman the following
7 described ground to-wit:

8 That Five and thirty-seven hundredths (5.37) acres tract of made
9 land in Carter Lake, which lies adjoining and easterly of Neptune
10 Place, an Official Plat in Section Sixteen (16), Township Seventy-five
11 North (T 75 N), Range Forty-four West (R 44 W) of the 5th P.M., and
12 in Pottawattamie County, Iowa, and which lies westerly of a line
13 which begins at a point fifty (50) feet north of the south line of
14 said Section Sixteen (16) and twenty-nine hundred ten (2910) feet
15 east of the southwest corner of said Section and upon the produced
16 south line of said Neptune Place, and extends northeasterly to a point
17 four hundred (400) feet east of the northeast corner of said Neptune
18 Place and upon the produced north line of said Neptune Place, except
19 reserving an easement in and to the east seventy (70) feet of said
20 five and thirty-seven hundredths (5.37) acres tract for the use and
21 benefit of the public in access to the lake.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect on its publication in the Nonpariel, a news-
3 paper published at Council Bluffs, Iowa, and in the Glenwood Opinion-
4 Tribune, a newspaper published at Glenwood, Iowa.

Approved April 30, 1947.

I hereby certify that the foregoing act was published in the Nonpariel, May 3, 1947, and the Glenwood Opinion-Tribune, May 8, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 305

NATIONAL FOREST FUNDS

S. F. 322

AN ACT to authorize the treasurer of the state of Iowa to disburse national forest funds now in his hands and belonging to certain counties in the state of Iowa.

WHEREAS, under an Act of Congress of May 23, 1908,* it was provided as follows:

“That hereafter twenty-five per centum of all money received from each national forest during any fiscal year, including the year ending June 30, 1908, shall be paid at the end thereof by the Secretary of the Treasury to the State or Territory in which said national forest is situated to be expended as the State or Territorial legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the national forest is situated. . . .”

And

WHEREAS, a proper distribution of said funds under the provisions of the Act of Congress is to be based on the percentage of national forest land in the respective counties, and the following will indicate the counties, the acres in national forests, and the percentage of the funds due and owing to each county:

County	Acres in National Forests	% of Total Area
Appanoose	1,130	24.67
Davis	646	14.11
Lee	2,403	52.48
Van Buren	400	8.74
	4,579	100.00

And

WHEREAS, no method is provided for the distribution of funds and the same are now in the hands of the Treasurer and should be distributed in the manner provided by the Act of Congress,

NOW, THEREFORE,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the Treasurer of the State of Iowa is hereby
 2 empowered and directed to issue warrants payable to the county
 3 treasurers of Appanoose, Davis, Lee and Van Buren counties for the
 4 amounts due and owing to them and now in his hands as funds derived
 5 from receipts from the national forests located within said counties
 6 according to their proportionate interests in said funds under the
 7 Act of Congress.

1 SEC. 2. The Treasurer of the State of Iowa is directed to disburse
 2 all funds which may hereafter come into his hands under the provisions
 3 of said act on the percentage basis, as is provided by the Act of
 4 Congress of May 23, 1908, relating to receipts from national forests
 5 within the State of Iowa and which percentages are set out in the
 6 recitation of this act.

*35 Stat. L. 260.

1 SEC. 3. Out of the funds paid to such county treasurers, one-half
 2 thereof shall be appropriated and used only for the construction, recon-
 3 struction, improvement, maintenance and repair of any public high-
 4 ways within such county as the county Board of Supervisors shall
 5 direct; the remaining one-half of such amount shall be paid into the
 6 school fund of the county.

Approved April 22, 1947.

CHAPTER 306

WARRANTS CANCELED IN DES MOINES

S. F. 228

AN ACT to empower and obligate the city of Des Moines to cancel certain warrants issued by the said city of Des Moines and subsequently declared illegal and void.

WHEREAS, by Ordinance No. 4266, passed by the City Council of the city of Des Moines, Iowa, on April 22, 1935, the City Council of the city of Des Moines, Iowa, for the fiscal year 1935-36, authorized expenditures for corporate purposes to be made from the General Fund in the amount of one hundred eighty-eight thousand dollars (\$188,000) in excess of the amount previously budgeted for said fiscal year, and thereafter and pursuant to said ordinance made expenditures in said amount from said fund and issued warrants of said city in like amount to evidence such expenditures, which said warrants were paid in whole or in part out of other funds belonging to said city; and

WHEREAS, the corporate purposes for which said expenditures were made and said warrants issued included election expenses, city employees' wages, and materials and supplies used by said city during said fiscal year, for all of which the city of Des Moines enjoyed the use and benefit; and,

WHEREAS, said expenses were incurred and said warrants were issued in good faith and in the belief that they were lawful expenditures and obligations of the city of Des Moines, but thereafter all of said expenditures to said amount were invalidated by the decision of the Supreme Court of Iowa in the case of Clark v. City of Des Moines, 267 N. W. Rep. 97; and,

WHEREAS, of said total expenditures aggregating one hundred eighty-eight thousand dollars (\$188,000) there was collected the sum of seventy-five thousand three hundred forty-one and 24/100 dollars (\$75,341.24) in office receipts, leaving a deficit of one hundred twelve thousand six hundred fifty-eight dollars and 76/100 dollars (\$112,658.76); and,

WHEREAS, in addition thereto there were warrants issued in prior years as follows:

Warrant No.	Date	To Whom Payable	Amount
3-44, 308	June 18, 1931	Harry Barr	5.40
6- 4, 288	October 11, 1935	N. H. Kucharo	17.50
6-10, 415	November 20, 1935	Sanders Motor Co.	5.25
6-11, 494	December 12, 1935	Sanders Motor Co.	3.94
6-13, 444	December 26, 1935	Sanders Motor Co.	4.20

aggregating thirty-six dollars and twenty-nine cents (\$36.29); and,

WHEREAS, a complete list of the aforesaid outstanding warrants, issued prior to April 1, 1936, is now on file in the office of the City Auditor of Des Moines, Iowa, having been filed with and approved by the said city council under Roll Call No. 3600, dated January 5, 1939; and,

WHEREAS, each and all of the aforesaid acts were done and performed by a previous city council and the present council desires to eliminate said existing deficit in the amount of One Hundred twelve thousand six hundred ninety-five dollars and five cents (\$112,695.05), and

WHEREAS, the said city of Des Moines is without power to dispose of the foregoing warrants now held by it; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The City Treasurer of the City of Des Moines, Iowa, is
2 empowered and prior to April 1, 1948 shall deduct from the balance
3 in the General Fund or Consolidated Fund as shown on his records
4 the amount of One Hundred twelve thousand six hundred ninety-five
5 dollars and five cents (\$112,695.05) and the City Auditor is directed
6 to cancel from the record of outstanding warrants the warrants which
7 go to make up the aforesaid amount. The said amount to be deducted
8 from the Treasurer's book balance shall be deducted from any unin-
9 cumbered cash available in the general or consolidated fund on April
10 1, 1947 and April 1, 1948.

11 Thereafter each and all of the foregoing warrants, in all, aggregating
12 the sum of One Hundred twelve thousand six hundred ninety-five
13 dollars and five cents (\$112,695.05) shall be deemed cancelled, void,
14 and of no force and effect, and the City Treasurer of the city of Des
15 Moines shall mark thereon the following, "cancelled pursuant to the
16 terms of Senate File 228 Acts of the Fifty-Second General Assembly
17 of Iowa." The City Auditor shall cancel the said warrants shown by
18 the record of outstanding warrants in like manner.

Approved March 28, 1947.

CHAPTER 307

STATE OFFICE BUILDING

S. F. 473

AN ACT to appropriate additional funds for erecting and equipping an office building on the state capitol ground.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the state the sum of ten dollars (\$10.00), which shall be added to
3 the appropriation made by chapter 16, Acts of the forty-ninth (49)
4 General Assembly, and which shall be expended for the erection and
5 equipping of a state office building in accordance with the provisions of
6 said chapter 16, Acts of the forty-ninth General Assembly.

1 SEC. 2. Notwithstanding the provisions of chapter 19, Acts of
2 the fiftieth (50) General Assembly, there shall be created a Legislative

3 Advisory Committee consisting of three members of the Senate and
4 three members of the House of Representatives to be appointed by the
5 respective presiding officer of the Senate and House, for the purpose of
6 carrying out the legislative intent of this act and of chapter 16, Acts
7 of the forty-ninth (49) General Assembly.

8 The term of the Legislative Advisory Committee shall terminate
9 upon the convening of the fifty-third (53) General Assembly. Any
10 vacancy occurring on the Legislative Advisory Committee shall be
11 filled by the presiding officer of the House in the event the vacancy
12 occurs in the membership of said committee from the House of Repre-
13 sentatives, and by the Lieutenant Governor, in the event the vacancy
14 occurs in the membership of said committee from the Senate.

15 In carrying out the provisions of this Act the Executive Council of
16 the state of Iowa and the Legislative Advisory Committee shall meet
17 jointly at such places as may be determined by the Executive Council,
18 and in determining all matters coming before said meetings it shall
19 require a majority vote of the members of the joint committee of the
20 Executive Council and of the Legislative Advisory Committee.

21 The Legislative Advisory Committee shall meet and organize on
22 the second Monday in May following its appointment, and at the same
23 time and immediately following its organization, meet with the Execu-
24 tive Council in order that the committee and council may advise on
25 carrying out the provisions of this Act, and the provisions of chapter
26 16, Acts of the forty-ninth (49) General Assembly.

1 SEC. 3. Each member of the Legislative Advisory Committee shall
2 be entitled to actual necessary hotel and traveling expenses incurred
3 in the discharge of his duties, upon an itemized certification of the
4 amounts due, filed with the comptroller for audit, and in payment
5 thereof the comptroller shall issue warrants on the state office building
6 fund, from which a sufficient amount is hereby set aside for this pur-
7 pose. In addition, each member of such Legislative Advisory Com-
8 mittee shall receive such compensation for time spent in the discharge
9 of his duties as may be allowed by the General Assembly next con-
10 vening.

1 SEC. 4. In the event the Executive Council and the Legislative
2 Advisory Committee shall in their discretion determine that it would
3 not be to the best interests of the state to proceed with the erection
4 of said office building during the biennium beginning July 1st, 1947,
5 the money appropriated by this act shall be segregated and added to
6 the fund known as the State Office Building Fund to be used for the
7 purposes provided in this act and in chapter 16, Acts of the forty-ninth
8 (49) General Assembly, at such future time as the Executive Council
9 and the Legislative Advisory Committee may determine, and if not
10 previously expended for the purposes provided for herein or provided
11 for in chapter 16, Acts of the forty-ninth (49) General Assembly,
12 shall not revert to the General Fund until such time as the General
13 Assembly may by act or joint resolution provide therefor, anything
14 in any other act or law to the contrary notwithstanding, and the treas-
15 urer of the state of Iowa is hereby empowered to invest any of the
16 funds appropriated by this act, in bonds of the United States govern-
17 ment.

1 SEC. 5. Insofar as chapter 19, Acts of the fiftieth (50) General
2 Assembly is in conflict with this act, the same is hereby repealed.

Approved April 24, 1947.

CHAPTER 308
CAPITOL GROUNDS
S. F. 353

AN ACT to authorize the purchase of real property in the city of Des Moines adjacent to the parcel known as the International Harvester Company property and to provide an appropriation therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the executive council of the state of Iowa be and is
2 hereby authorized to exercise in the name of the state of Iowa an option
3 granted on property to the state of Iowa in a lease executed for the
4 period from May 1, 1946, to April 30, 1947, by Starzinger Company
5 to purchase for the state of Iowa the following described real estate:

6 The east forty (40) feet of lots one (1) and two (2), block G,
7 Griffith's Addition in the City of Des Moines, Iowa,
8 for the sum of six thousand dollars (\$6,000.00) and to give notice of the
9 exercise of said option by registered mail to Starzinger Company at
10 Des Moines, Iowa.

1 SEC. 2. That there is hereby appropriated out of the liquor control
2 act fund of the state of Iowa, not otherwise appropriated, the sum of six
3 thousand dollars (\$6,000.00) to be used by the executive council of the
4 state of Iowa in making purchase in the name of the state of Iowa of
5 the following described real estate:

6 The east forty (40) feet of lots one (1) and two (2), block G,
7 Griffith's Addition in the city of Des Moines, Iowa,
8 said sum of money to be paid unto Starzinger Company on conveyance
9 by said Starzinger Company of the above described real estate by
10 warranty deed and the furnishing of an abstract of title to the state of
11 Iowa showing said property to be free and clear of all liens and
12 incumbrances and requisition for a warrant shall be drawn against
13 said appropriation by the executive council.

1 SEC. 3. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Sheldon
3 Mail, a newspaper published at Sheldon, Iowa, and in the Spencer Daily
4 Reporter, a newspaper published at Spencer, Iowa.

Approved March 26, 1947.

I hereby certify that the foregoing act was published in the Sheldon Mail, April 2, 1947, and the Spencer Daily Reporter, March 31, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 309
CAPITOL GROUNDS
S. F. 354

AN ACT to authorize the purchase of real property in the city of Des Moines adjacent to the parcel known as the International Harvester Company property and to provide an appropriation therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the executive council of the state of Iowa be and
2 is hereby authorized to exercise in the name of the state of Iowa an
3 option granted on property to the state of Iowa in a lease executed
4 for the period from May 1, 1946, to April 30, 1947, by Edward G.
5 Barrick and June Petty to purchase for the state of Iowa the following
6 described real estate:

7 Lot three (3), block G, Griffith's Addition in the city of Des
8 Moines, Iowa,
9 for the sum of seven thousand dollars (\$7,000.00) and to give notice
10 of the exercise of said option by registered mail to Edward G. Barrick
11 and June Petty at Des Moines, Iowa.

1 SEC. 2. That there is hereby appropriated out of the liquor control
2 act fund of the state of Iowa, not otherwise appropriated, the sum of
3 seven thousand dollars (\$7,000.00) to be used by the executive council
4 of the state of Iowa in making purchase in the name of the state of
5 Iowa of the following described real estate:

6 Lot three (3), block G, Griffith's Addition in the city of Des
7 Moines, Iowa,
8 said sum of money to be paid unto Edward G. Barrick and June Petty
9 on conveyance by said Edward G. Barrick and June Petty of the above
10 described real estate by warranty deed and the furnishing of an
11 abstract of title to the state of Iowa showing said property to be free
12 and clear to* all liens and incumbrances and requisition for a warrant
13 shall be drawn against said appropriation by the executive council.

1 SEC. 3. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Cherokee
3 Chief, a newspaper published at Cherokee, Iowa, and in the Estherville
4 Daily News, a newspaper published at Estherville, Iowa.

Approved March 26, 1947.

*According to enrolled act.

I hereby certify that the foregoing act was published in the Cherokee Chief, March 29, 1947, and the Estherville Daily News, March 29, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 310
CAPITOL GROUNDS
S. F. 355

AN ACT to authorize the purchase of real property in the city of Des Moines and to provide an appropriation therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the executive council of the state of Iowa be and is
2 hereby authorized to purchase from the city of Des Moines, Iowa,
3 the alley eighteen (18) feet in width and three hundred sixty (360)
4 feet long which lies east of lots one (1) to six (6) inclusive in block
5 G, Griffith's Addition in the city of Des Moines, Iowa, for a sum not
6 to exceed one dollar (\$1.00).

1 SEC. 2. That there is appropriated out of the liquor control act
2 fund of the state of Iowa, not otherwise appropriated, a sum not to
3 exceed one dollar (\$1.00) to be used by the executive council of the
4 state of Iowa in making purchase in the name of the state of Iowa
5 of the following described real estate:

6 The alley eighteen (18) feet in width and three hundred sixty
7 (360) feet long which lies east of lots one (1) to six (6) inclusive
8 in block G. Griffith's Addition in the city of Des Moines, Iowa,
9 which sum of money is to be paid unto the city of Des Moines, Iowa, on
10 conveyance by said city of Des Moines, Iowa, of the above described real
11 estate by warranty deed and the furnishing of an abstract of title to
12 the state of Iowa showing said property to be free and clear of all
13 liens and incumbrances and requisition for a warrant shall be drawn
14 against said appropriation by the executive council.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Hartley
3 Sentinel, a newspaper published at Hartley, Iowa, and in the Sheldon
4 Sun, a newspaper published at Sheldon, Iowa.

Approved March 26, 1947.

I hereby certify that the foregoing act was published in the Hartley Sentinel, April 3, 1947, and the Sheldon Sun, April 3, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 311
CAPITOL GROUNDS
S. F. 356

AN ACT to authorize the purchase of real property in the city of Des Moines adjacent to the parcel known as the International Harvester Company property and to provide an appropriation therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the executive council of the state of Iowa be and
2 is hereby authorized to exercise in the name of the state of Iowa an
3 option granted on property to the state of Iowa in a lease executed

4 for the period from June 15, 1946, to June 14, 1947, by Sarah Levine
 5 to purchase for the state of Iowa the following described real estate:
 6 The east forty (40) feet of the west one hundred ten (110) feet of
 7 lots one (1) and two (2), Block G, Griffith's Addition in the city
 8 of Des Moines, Iowa,
 9 for the sum of nine thousand five hundred dollars (\$9,500.00) and to
 10 give notice of the exercise of said option by registered mail to Sarah
 11 Levine at Des Moines, Iowa.

1 SEC. 2. That there is hereby appropriated out of the liquor control
 2 act fund of the state of Iowa, not otherwise appropriated, the sum
 3 of nine thousand five hundred dollars (\$9,500.00) to be used by the
 4 executive council of the state of Iowa in making purchase in the name
 5 of the state of Iowa of the following described real estate:
 6 The east forty (40) feet of the west one hundred ten (110) feet
 7 of lots one (1) and two (2), Block G, Griffith's Addition in the city
 8 of Des Moines, Iowa,
 9 said sum of money to be paid unto Sarah Levine on conveyance by said
 10 Sarah Levine of the above described real estate by warranty deed
 11 and the furnishing of an abstract of title to the state of Iowa showing
 12 said property to be free and clear of all liens and incumbrances and
 13 requisition for a warrant shall be drawn against said appropriation
 14 by the executive council.

1 SEC. 3. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its publication in the Beacon, a
 3 newspaper published at Spirit Lake, Iowa, and in the Spencer Times, a
 4 newspaper published at Spencer, Iowa.

Approved March 26, 1947.

I hereby certify that the foregoing act was published in the Beacon, April 3, 1947,
 and the Spencer Times, April 3, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 312

CAPITOL GROUNDS

S. F. 357

AN ACT to authorize the purchase and condemnation of certain property in the city
 of Des Moines, Iowa, and to provide an appropriation therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the executive council of the State of Iowa is hereby
 2 authorized to direct the Attorney General to commence condemnation
 3 proceedings in the name of the State of Iowa for the condemnation or
 4 purchase of the property described as the west seventy (70) feet of lots
 5 one (1) and two (2), block G, Griffith's Addition in the city of Des
 6 Moines, Iowa, which property is now rented by the State of Iowa under
 7 a lease for a period commencing October 1, 1946, and ending September
 8 30, 1966.

1 SEC. 2. That there is hereby appropriated out of the liquor control
2 act fund of the State of Iowa, not otherwise appropriated, a sum not to
3 exceed thirty thousand dollars (30,000.00) to be used by the executive
4 council of the State of Iowa in condemnation or purchasing in the
5 name of the State of Iowa the following described real estate:

6 The west seventy (70) feet of lots one (1) and two (2), block G.
7 Griffith's Addition in the city of Des Moines, Iowa.

8 The amount of the purchase price or the amount of the award in the
9 condemnation proceedings, but not to exceed thirty thousand dollars
10 (\$30,000.00), shall be paid unto the Hubbell Company upon the
11 completion of the condemnation proceedings or purchase and the
12 establishment of the title in the State of Iowa as is provided by law
13 and requisition for a warrant shall be drawn against said appropriation
14 by the executive council.

1 SEC. 3. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in The Everly News,
3 a newspaper published at Everly, Iowa, and in the Peterson Patriot, a
4 newspaper published at Peterson, Iowa.

Approved March 26, 1947.

I hereby certify that the foregoing act was published in The Everly News, April 3,
1947, and the Peterson Patriot, April 4, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 313

ENLARGING CAPITOL GROUNDS

H. F. 280

AN ACT to authorize the purchase of certain property in the city of Des Moines for
use by the state of Iowa and to provide for an appropriation therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the executive council of the state of Iowa be and
2 is hereby authorized to exercise in the name of the state of Iowa an
3 option granted on property to the state of Iowa, dated September 28,
4 1946, by H. Nero, to purchase for the state of Iowa the following
5 described real estate:

6 Number one thousand fourteen (1014) Des Moines Street, Des
7 Moines, Iowa, more particularly described as lot four (4), block
8 thirteen (13) H. Lyons Addition, now included in and forming a part
9 of the city of Des Moines, Polk County, Iowa,
10 for the sum of six thousand five hundred dollars (\$6,500.00) and to
11 give notice of the exercise of said option by registered mail to H. Nero
12 at Des Moines, Iowa.

1 SEC. 2. That there is appropriated out of the funds of the treasury
2 of the state of Iowa not otherwise appropriated the sum of six thousand
3 five hundred dollars (\$6,500.00) to be used by the executive council
4 of the state of Iowa in making purchase in the name of the state of
5 Iowa of the following described real estate:

6 Number one thousand fourteen (1014) Des Moines Street, Des
7 Moines, Iowa, more particularly described as lot four (4), block

8 thirteen (13) H. Lyons Addition, now included in and forming a part
 9 of the city of Des Moines, Polk County, Iowa,
 10 said sum of money to be paid unto H. Nero on conveyance by said
 11 H. Nero of the above described real estate by warranty deed and the
 12 furnishing of an abstract of title to the state of Iowa showing said
 13 property to be free and clear of all liens and incumbrances, and requisition for a warrant shall be drawn against said appropriation by the
 14 executive council.
 15

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in The Alden
 3 Times, a newspaper published at Alden, Iowa, and in the Sumner
 4 Gazette, a newspaper published at Sumner, Iowa.

Approved March 14, 1947.

I hereby certify that the foregoing act was published in The Alden Times, March 20, 1947, and the Sumner Gazette, March 20, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 314

DEBT LIMIT IN CERTAIN TOWNS

S. F. 97

AN ACT to amend sections three hundred ninety-six and twenty-two hundredths (396.22) and four hundred seven and two tenths (407.2), code, 1946, relating to the limit of indebtedness of cities and towns.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred ninety-six and twenty-two
 2 hundredths (396.22), Code, 1946, is hereby amended by inserting after
 3 the word "roll" in line nineteen (19) thereof the following: ", except
 4 that any city or town with a population of one thousand (1000) or less,
 5 which, prior to December 7, 1941, had partially completed the construction of one or more of the above set out projects as a sponsor of
 6 a Federal Work Projects Administration project estimated to cost
 7 one hundred thousand dollars (\$100,000.00), or more, and on which
 8 said project the Federal Government was to contribute seventy
 9 thousand dollars (\$70,000.00), or more, but said Federal Government
 10 thereafter withdrew thirty thousand dollars (\$30,000.00), or more, of
 11 the amount the said Federal Government had allocated to said project,
 12 may, for the purpose of completing said project, or projects, become
 13 indebted to the extent of eight and thirty-three and one-third
 14 hundredths per cent (8.33 1/3%) of the assessed value of the taxable
 15 property of said city or town as shown by the last preceding assessment
 16 roll but not in excess of five per cent (5%) of the actual value of the
 17 taxable property of said city or town as shown by the last preceding
 18 assessment roll."
 19

1 SEC. 2. Section four hundred seven and two tenths (407.2), Code,
 2 1946, is hereby amended by inserting after the word "indebtedness"
 3 in line eight (8) thereof the following: ", except that any city or
 4 town with a population of one thousand (1000) or less, which, prior

5 to December 7, 1941, had partially completed the construction of one
 6 or more of the projects set out in section three hundred ninety-six and
 7 twenty-two hundredths (396.22) of the 1946 Code of Iowa as a sponsor
 8 of a Federal Work Projects Administration project estimated to cost
 9 one hundred thousand dollars (\$100,000.00), or more, and on which
 10 said project the Federal Government was to contribute seventy
 11 thousand dollars (\$70,000.00), or more, but said Federal Government
 12 thereafter withdrew thirty thousand dollars (\$30,000.00), or more,
 13 of the amount that the said Federal Government had allocated to said
 14 project, may, for the purpose of completing said project, or projects,
 15 become indebted to the extent of eight and thirty-three and one-third
 16 hundredths per cent (8.33 1/3%) of the assessed value of the taxable
 17 property of said city or town as shown by the last preceding assessment
 18 roll but not in excess of five per cent (5%) of the actual value of the
 19 taxable property of said city or town as shown by the last preceding
 20 assessment roll"

1 SEC. 3. All laws, or parts of laws, in conflict herewith to the extent
 2 of said conflict are hereby repealed.

1 SEC. 4. This Act, being deemed of immediate importance, shall be
 2 in force and effect from and after its passage and publication in West
 3 Bend Journal, a newspaper published at West Bend, Iowa, and Emmets-
 4 burg Reporter, a newspaper published at Emmetsburg, Iowa.

Approved March 12, 1947.

I hereby certify that the foregoing act was published in the West Bend Journal,
 March 20, 1947, and the Emmetsburg Reporter, March 18, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 315

CITY OF WATERLOO FUND TRANSFER

H. F. 512

AN ACT to authorize cities of fifty thousand (50,000) or more population to increase their budget expenditures and appropriations for the year commencing April 1, 1947 and ending March 31, 1948, in a sum not exceeding thirty thousand dollars (\$30,000) for salary increases of non-elective employees, and legalizing their acts in so doing.

WHEREAS, the cost of living has risen in the City of Waterloo, Iowa, since August, 1946, when the city council prepared the estimated budget for the period from April 1, 1947, to March 31, 1948, and the city council of said City believes that an increase of Ten (\$10.00) Dollars per month should be granted all non-elective city employees, and

WHEREAS, the budget of the City of Waterloo, Iowa, for the period commencing April 1, 1947, and ending March 31, 1948, will have to be increased in the sum of Twenty-six Thousand Four Hundred Forty (\$26,440.00) Dollars if the city employees are to be granted this increase, and

WHEREAS, this sum is available and can be transferred from the sewage disposal fund of the City of Waterloo, Iowa, on a temporary transfer to the other various city funds to be repaid the following year, and

WHEREAS, it would be for the best interests of the city, its citizens and employees to grant this increase; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That cities of fifty thousand (50,000) or more popula-
2 tion are hereby authorized to increase their budget expenditures
3 and their appropriations for the period commencing April 1, 1947
4 and ending March 31, 1948, in an amount not to exceed thirty thousand
5 dollars (\$30,000) for the purpose of raising the salaries of non-
6 elective city employees.

1 SEC. 2. That all such budget increases duly authorized by the
2 city council for the payment of salaries of non-elective city employees
3 to the extent herein set out are hereby legalized and are hereby declared
4 valid obligations of such cities for the period commencing April 1,
5 1947 and ending March 31, 1948, the same in effect as if all the
6 provisions of the budget law relating thereto and particularly section
7 24.14 of the 1946 Code, had been strictly and literally complied with.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in effect from and after its publication in the Waterloo Daily Courier,
3 a newspaper published in the city of Waterloo, Iowa, and in the Cedar
4 Falls Daily Record, a newspaper published in Cedar Falls, Iowa.

Approved April 17, 1947.

I hereby certify that the foregoing act was published in the Waterloo Daily Courier,
April 21, 1947, and the Cedar Falls Daily Record, April 21, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 316

VETERANS' HOUSING PROJECTS

H. F. 233

AN ACT to provide emergency housing for veterans of World War II and their immediate families; to define "veteran of World War II" and "immediate family"; to authorize any city of the first class under commission form of government to acquire real property and improvements thereon provided by the federal government or any agency or instrumentality thereof for housing facilities for employees of an ordnance plant and offered for sale; to provide that no part of the purchase price, or interest thereon, shall be paid from tax revenue; to provide for payments in lieu of taxes through agreement with county board of supervisors and local school districts; to provide for administration, management, control and disposition of any such property which may be acquired.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The term "World War II Veteran" means any resident
2 of Iowa who was a member of the armed forces of the United States
3 at any time on or after December 7, 1941, and who is yet a member
4 thereof, or who has been, or shall hereafter be, discharged or retired
5 from said armed forces under conditions other than dishonorable, or
6 who shall have died while in such military service.

1 SEC. 2. The term "immediate family" shall mean the husband or
2 wife, child (including adopted child or stepchild), parent, grand-
3 parent, brother or sister (whole or half blood) of a World War II
4 veteran.

1 SEC. 3. Whenever in any city of the first class under the commis-
2 sion form of government, the Federal Government, any agency or
3 instrumentality thereof shall have acquired real property and im-
4 proved the same for the purpose of housing employees of a Federal
5 Government Ordnance Plant located within the county in which such
6 city is situated, and the Federal Government, any agency or instru-
7 mentality thereof shall offer the same for sale, such city is hereby
8 authorized to acquire such real property and improvements by gift or
9 purchase for housing World War II veterans and their immediate
10 families who are unable to obtain suitable housing otherwise so long
11 as there are World War II veterans and their immediate families
12 making application for such housing; then to all other applicants in
13 the order as determined by the Veterans Housing Authority established
14 herein. In the acquisition of the property and improvements, title
15 thereto shall be taken in the name of the Veterans Housing Authority.

1 SEC. 4. Such action as is authorized by Section three (3) hereof
2 shall be by resolution of the council of such city, at such price and
3 upon such terms as may be agreed upon between said city council
4 and the seller thereof; provided, however, that no part of such
5 purchase price or interest thereon shall be paid from any municipal
6 income now or hereafter derived from tax sources, and provided
7 further that such purchase price and the operating costs thereafter
8 shall be paid only from the net income of such real property with the
9 improvements thereon; but for the purpose of defraying the cost of
10 such real property and improvements, the Veterans Housing Authority
11 as established herein, is hereby authorized to issue non-negotiable,
12 interest-bearing revenue bonds or other evidences of indebtedness, to
13 the Federal Government, any agency or instrumentality thereof,
14 payable from and secured by the net earnings of such real property
15 and improvements thereon, and said bonds may further be secured
16 by the pledge of the real property and improvements thereon belong-
17 ing to the Veterans Housing Authority, which bonds or other evidences
18 of indebtedness shall not constitute a general obligation of such city
19 or be enforceable in any manner by taxation.

1 SEC. 5. Any such resolution as is contemplated by Section four
2 (4) of this Act shall provide for the appointment of an authority, to
3 be known as the Veterans Housing Authority which shall consist of
4 three members to be appointed by the city council at least one of whom
5 shall be a veteran of any of the wars of the United States. The
6 members shall be persons who have resided within the city for at least
7 five (5) years. They shall file bonds in an amount of not less than
8 ten thousand dollars (\$10,000) each, the premium to be paid by such
9 Veterans Housing Authority and with such sureties as may be approved
10 by the city council. Their terms of office shall be three years and
11 until their successors are appointed and qualified. The members first
12 appointed, however, shall serve for terms of one (1), two (2), and
13 three (3) years respectively. A member of the Veterans Housing

14 Authority may be removed from office by the city council for cause
 15 upon reasonable notice, and hearing by said city council upon the
 16 charges preferred against him by any citizen or person in interest.
 17 Any vacancy on the authority shall be filled by appointment by the
 18 city council for the unexpired term. Said authority shall have the
 19 power either directly or through such agents and employees as it may
 20 designate to own, use, manage, control, operate, rent, sell, transfer,
 21 convey and subdivide such property and improvements thereon in such
 22 manner as to best accomplish the purposes expressed in Section three
 23 (3) of this Act. It shall pay as a part of the operating costs thereof
 24 such amounts in lieu of taxes as may be agreed upon by the said
 25 authority and county board of supervisors, and the board of directors
 26 of the local school district. In order to obtain a basis for such amounts,
 27 real property with the improvements thereon belonging to said author-
 28 ity shall be assessed at the times when the values of all other property
 29 in such city are determined, in the manner provided by law and the
 30 amounts in lieu of taxes shall in no case be less than would have been
 31 paid had the tax rates of such city been applied. The authority shall
 32 make an annual report to the city council.

1 SEC. 6. The powers of the Veterans Housing Authority herein
 2 prescribed shall terminate ten (10) years after the effective date of
 3 this Act, except that the Veterans Housing Authority shall have the
 4 power within one (1) year thereafter to liquidate any property ac-
 5 quired hereunder and the proceeds thereof shall become the property of
 6 the city.

1 SEC. 7. This Act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in The Burlington
 3 Hawkeye Gazette, a newspaper published at Burlington, Iowa, and in
 4 the Mediapolis New Era, a newspaper published at Mediapolis, Iowa,
 5 without expense to the State of Iowa.

Approved March 12, 1947.

I hereby certify that the foregoing act was published in The Burlington Hawkeye
 Gazette, March 15, 1947, and the Mediapolis New Era, March 29, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 317

GOVERNOR'S APPOINTMENTS LEGALIZED

S. F. 500

AN ACT to legalize the appointments of certain public officials by the governor of Iowa
 which have been confirmed by the Senate.

WHEREAS, the laws of Iowa provide that the Governor of Iowa shall
 appoint certain public officials subject to confirmation by the Senate, and

WHEREAS, the time within which such appointments are directed to be
 made varies in certain of these Statutes, and

WHEREAS, due largely to press of business, such appointments to be

made by the Governor have been delayed and some were made after the expiration of the time prescribed therefor, and

WHEREAS, it is the desire of the Legislature to remove any doubt as to the timeliness of such appointments and the legality of same; therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. All appointments to public office made by the Governor
2 of Iowa during the session of the fifty-second General Assembly which
3 have been confirmed by the Senate during said session, are hereby
4 declared to be legal and valid for the offices and terms included in said
5 appointments, and to be of the same force and effect as if such ap-
6 pointments had been made by the Governor within the time prescribed
7 by law and thereafter confirmed by the Senate during said session.

1 SEC. 2. Nothing herein contained shall affect any provision of
2 law relative to the filling of vacancies between sessions of the General
3 Assembly.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in The Madrid
3 Register-News, a newspaper published at Madrid, Iowa, and in the
4 Kossuth County Advance, a newspaper published at Algona, Iowa.

I hereby certify that the foregoing act was published in The Madrid Register-News,
May 1, 1947, and the Kossuth County Advance, May 6, 1947.

ROLLO H. BERGESON, *Secretary of State.*

Approved April 28, 1947.

CHAPTER 318

INFORMATION CENTERS LEGALIZED

S. F. 427

AN ACT to legalize any expenditures heretofore made by boards of supervisors and cities or towns for the establishment and maintenance of information centers for returned veterans.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Any expenditures heretofore made by any county, city
2 or town to pay for the establishment and maintenance of information
3 centers for returned veterans under the auspices of any Iowa In-
4 dustrial and Defense Commission, are hereby legalized.

1 SEC. 2. This act shall apply to special charter cities and cities
2 under the commission form of government.

1 SEC. 3. Nothing contained in Chapter 585, Code 1946, shall apply
2 to the legalizing provisions of this act and any one publication in any
3 county of the state and the proper filing of proof of publication shall
4 be deemed a sufficient publication, regardless of the provisions of said
5 chapter and the requirements thereof.

1 SEC. 4. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Plain

- 3 Talk, a newspaper published at Des Moines, Iowa, and in the American
4 Citizen, a newspaper published at Des Moines, Iowa.

Approved April 22, 1947.

I hereby certify that the foregoing act was published in the Plain Talk, May 1, 1947, and the American Citizen, April 25, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 319

POLICE AND FIREMEN RETIREMENT

S. F. 31

AN ACT to amend chapter four hundred eleven (411), code 1946, and section four hundred eleven point ten (411.10), code 1946, relating to retirement of members of the fire department who served in any branch of the armed forces of the United States or its allies during World War II, and the fund contributed by municipalities for the retirement of such members.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter four hundred eleven (411), Code 1946, is
2 hereby amended by adding thereto the following: "All resolutions and
3 acts of cities and towns made prior to January 1, 1947, restoring to
4 active duty in the police and/or fire departments such members as
5 are provided for in section four hundred eleven point nine (411.9),
6 Code 1946, are hereby legalized and validated, whether such resolu-
7 tions and acts have been made with or without the approval of the
8 medical board provided in section four hundred eleven point nine
9 (411.9), Code 1946, and all the said members shall have full member-
10 ship in benefit rights as provided in chapter four hundred eleven
11 (411), Code 1946."

1 SEC. 2. Section four hundred eleven point ten (411.10), Code 1946,
2 is amended by striking from line thirteen (13) thereof the word "who"
3 and by striking from line fourteen (14) thereof the words "is
4 physically fit".

Approved February 27, 1947.

CHAPTER 320

CHILD CARE PAYMENTS LEGALIZED

S. F. 360

AN ACT to legalize payments made by counties to institutions and contracts between counties and institutions for the care and support of neglected, dependent, and delinquent children where such payments exceed eighteen dollars (\$18) per month for each such child.

WHEREAS, boards of supervisors in various counties have paid to institutions amounts in excess of the eighteen dollars (\$18) authorized by section two hundred forty point five (240.5), Code 1946, for the care and support of neglected, dependent and delinquent children; and

WHEREAS, the cost each month for each such child has in many cases exceeded the amount of eighteen dollars (\$18); and

WHEREAS, due to the economic instability of recent years county officials have found it necessary to allow payments for such care and support in excess of eighteen dollars (\$18); and

WHEREAS, the amounts paid by county officials have been within the sound discretion of such officials so that neglected, dependent and delinquent children should receive proper care and support in keeping with the best interests of the county; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Payments made by various counties to institutions for
2 the care and support of neglected, dependent, and delinquent children
3 in amounts exceeding eighteen dollars (\$18) per month for each
4 child are hereby legalized and validated.

1 SEC. 2. Contracts between counties and such institutions for
2 payments in excess of eighteen dollars (\$18) per month for the care
3 and support of each child placed by the county in such institutions
4 are hereby declared to constitute valid and binding contracts.

1 SEC. 3. Payments in excess of the amount authorized by section
2 two hundred forty point five (240.5), Code 1946, heretofore made
3 by county officers in carrying out the terms of contracts between
4 counties and institutions for the care and support of neglected,
5 dependent, and delinquent children placed in such institutions are
6 hereby legalized and validated.

Approved April 17, 1947.

CHAPTER 321

COUNTY BRIDGE BONDS LEGALIZED

H. F. 389

AN ACT to legalize and validate proceedings authorizing and providing for the issuance, sale and delivery of bridge bonds by counties in Iowa, and provisions made for taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of such counties.

WHEREAS, at an election held on the fifth day of November, 1946, there was submitted to the qualified electors of Muscatine County, Iowa, the following proposition, "Shall Muscatine County be authorized to issue, sell and deliver bridge bonds by the county and levy and collect an annual tax on all of the taxable property within said county to pay the principal and interest on said bonds?" and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and bonds, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest,

NOW, THEREFORE:

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all proceedings heretofore taken pursuant to
2 a favorable election by the Board of Supervisors of any county in
3 Iowa authorizing and providing for the issuance, sale and delivery
4 of bridge bonds by the county and providing for the levy and collection
5 of annual taxes on all of the taxable property therein to pay the
6 interest on and principal of said bonds, are hereby legalized, validated
7 and confirmed, and said bridge bonds issued, sold and delivered
8 pursuant to and in accordance with said proceedings are hereby
9 declared to be legal and to constitute valid and binding obligations
10 of the county.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the West
3 Liberty Index, a newspaper published in the City of West Liberty,
4 Iowa, and in The Muscatine Journal and News Tribune, a newspaper
5 published in Muscatine, Iowa, all without expense to the state.

Approved April 14, 1947.

I hereby certify that the foregoing act was published in the West Liberty Index,
April 24, 1947, and The Muscatine Journal and News Tribune, April 19, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 322

ADAIR COUNTY HOSPITAL LEGALIZING ACT

H. F. 91

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of county memorial hospital bonds by Adair county, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said county.

WHEREAS, the Board of Supervisors of Adair County, Iowa, did heretofore, by resolution authorize and provide for the issuance and delivery of County Memorial Hospital bonds of said county in the principal amount of one hundred thousand dollars (\$100,000) for the purpose of establishing, erecting and equipping a County Public Hospital and procuring a site therefor in said county and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all of the taxable property in said county; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said bonds and proceedings and the provisions made for payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all proceedings heretofore taken by the Board
2 of Supervisors of Adair County, Iowa, authorizing and providing for
3 the issuance, sale and delivery of County Memorial Hospital bonds by

4 Adair County, Iowa, and providing for the levy and collection of annual
 5 taxes to pay the interest on and principal of said bonds, are hereby
 6 legalized, validated, and confirmed and said County Memorial Hospital
 7 bonds issued, sold and delivered pursuant to and in accordance with
 8 said proceedings are hereby declared to be legal and to constitute valid
 9 and binding obligations of said county.

1 SEC. 2. This Act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in The Fontanelle
 3 Observer, a newspaper published in the City of Fontanelle, Iowa, and
 4 in the Adair County Free Press, a newspaper published in Greenfield,
 5 Iowa, all without expense to the State.

Approved February 12, 1947.

I hereby certify that the foregoing act was published in The Fontanelle Observer,
 February 20, 1947, and the Adair County Free Press, February 20, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 323

APPANOOSE COUNTY LEGALIZING ACT

H. F. 118

AN ACT to legalize the action of the county board of supervisors of Appanoose county, Iowa, in making expenditures and approving claims against said county for secondary road maintenance, to legalize said expenditures and said claims as valid and binding obligations of said county, and to authorize said county by its proper officials to pay said indebtedness evidenced by unpaid warrants by the issuance and exchange or sale of funding bonds as authorized by law.

WHEREAS, the board of supervisors of Appanoose County, Iowa, heretofore incurred indebtedness during the year 1946 for the maintenance of secondary roads in said county and during said year and prior to January 1, 1947, said board allowed and authorized the payment of said claims against the maintenance fund of said county, and

WHEREAS, said expenditures were for the purpose of maintaining roads, bridges and culverts, and for necessary material, equipment, repairs, parts, and supplies therefor, and the county of Appanoose is enjoying the use and benefit thereof and said expenditures were necessary to keep said roads in condition for general purposes and for transportation of agricultural and other products and for traffic deemed essential to the community, and said expenditures and the purpose for which they were made were well worth the sum which said county agreed should be paid therefor and the indebtedness of said county at the time said expenditures were made did not and does not now exceed the constitutional limit of indebtedness, and

WHEREAS, the claims so allowed, aggregate the sum of forty-eight thousand one hundred twenty-nine dollars and nineteen cents (\$48,129.19) and were and are bona fide claims against said county and should be paid, and

WHEREAS, at the time of the incurring of said indebtedness there was

no money in the secondary road maintenance fund of said county adequate to pay said indebtedness, and

WHEREAS, doubts have arisen as to the authority of the board of supervisors to make said expenditures, incur said indebtedness, approve said claims and order the payment thereof and it is deemed advisable that said doubts and all questions concerning the validity of said indebtedness and said proceedings be forever put at rest; now therefore

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the acts and proceedings of the board of super-
2 visors of the county of Appanoose making such expenditures and
3 incurring said indebtedness by said county and approving said claims
4 and ordering the payment thereof be and the same are hereby legalized
5 and validated.

1 SEC. 2. That the aforesaid claims against the county of Appanoose
2 in the aggregate sum of forty-eight thousand one hundred twenty-nine
3 dollars and nineteen cents (\$48,129.19) be and the same are hereby
4 legalized and declared to be binding, valid, legal general obligations
5 and indebtedness of said county, and said county through its proper
6 officers is authorized to issue and exchange or sell bonds to fund said
7 indebtedness as provided by the laws of the state of Iowa.

1 SEC. 3. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its passage and publication in
3 the Centerville Daily Iowegian and Citizen, a newspaper published
4 in Centerville, Iowa, and in the Moulton Weekly Tribune, a newspaper
5 published in Moulton, Iowa, without expense to the state of Iowa.

Approved March 26, 1947.

I hereby certify that the foregoing act was published in the Centerville Daily Iowegian and Citizen, March 29, 1947, and the Moulton Weekly Tribune, April 3, 1947.
ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 324

DES MOINES COUNTY LEGALIZING ACT

H. F. 40

AN ACT to legalize action of the board of supervisors of Des Moines county, in making expenditures for erection of improvements at county home out of the poor fund.

WHEREAS, the board of supervisors of Des Moines County, has erected a garage at the Des Moines County Home for the use of the home and employees therein, during the year 1945, and made the payment of seven thousand five hundred fifty-two dollars and ninety-one cents (\$7552.91) towards the construction thereof, out of the poor fund; and

WHEREAS, doubts have arisen as to the legality of such proceedings, and it is deemed advisable to put such doubts at rest:

NOW THEREFORE

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The action of the board of supervisors of Des Moines
2 County, Iowa, in making expenditures for the construction of a garage
3 at the county home in the sum of seven thousand five hundred fifty-two
4 dollars and ninety-one cents (\$7552.91) out of the county poor fund
5 during the year 1945 is hereby declared to be legal, valid and binding.

1 SEC. 2. This Act being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 The Burlington Hawkeye Gazette, a newspaper published at Burlington,
4 Iowa, and the Mediapolis New Era, a newspaper published at
5 Mediapolis, Iowa, such publication to be without expense to the state.

Approved March 26, 1947.

I hereby certify that the foregoing act was published in The Burlington Hawkeye Gazette, March 28, 1947, and the Mediapolis New Era, March 28, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 325

GRUNDY COUNTY LEGALIZING ACT

S. F. 273

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of liberty memorial bonds by Grundy county, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said county.

WHEREAS, the board of supervisors of Grundy County, Iowa, did heretofore, in reliance upon a special county election held on February 14, 1947, by resolution authorize and provide for the issuance and delivery of liberty memorial bonds of said county in the principal amount of two hundred thousand dollars (\$200,000) for the purpose of establishing, erecting and equipping a memorial hospital and procuring a site therefor in said county and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all of the taxable property in said county; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings, election and bonds and the provisions made for payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest, Now, Therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all proceedings heretofore taken by the board of
2 supervisors of Grundy County, Iowa, and the special county election
3 of February 14, 1947, authorizing and providing for the issuance,
4 sale and delivery of liberty memorial bonds by Grundy County, Iowa,
5 and providing for the levy and collection of annual taxes to pay the
6 interest on and principal of said bonds, are hereby legalized, validated,
7 and confirmed and said liberty memorial bonds issued, sold and deliv-

8 ered pursuant to and in accordance with said proceedings are hereby
 9 declared to be legal and to constitute valid and binding obligations of
 10 said county.

1 SEC. 2. This act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in The Grundy
 3 Register, a newspaper published in the city of Grundy Center, Iowa,
 4 and in the Reinbeck Courier, a newspaper published in Reinbeck, Iowa,
 5 all without expense to the state.

Approved March 24, 1947.

I hereby certify that the foregoing act was published in The Grundy Register,
 March 27, 1947, and the Reinbeck Courier, March 27, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 326

MARSHALL COUNTY LEGALIZING ACT

S. F. 437

AN ACT to legalize and validate the proceedings of the board of supervisors of Marshall county, Iowa and the election thereunder, relating to the submission to the electors of the proposition for the levying of a tax for the completion of buildings on the fair grounds in Marshalltown, Marshall county, Iowa.

WHEREAS, Marshall County, Iowa is a county having a population between thirty-five thousand (35,000) and forty thousand (40,000) as shown by the last federal census and having an incompleated structure valued at fifteen thousand dollars (\$15,000) or more, and

WHEREAS, the provisions of section one hundred seventy-four point seventeen (174.17), Code 1946, required the Board of Supervisors of a county qualifying thereunder to levy a tax of two mills upon all the taxable property of the county over a two year period only provided such levy has first been approved by the majority of the electors of said county at a general election, and

WHEREAS, the Board of Supervisors of Marshall County, Iowa, notwithstanding the provisions of said section one hundred seventy-four point seventeen (174.17), Code 1946, did submit upon proper ballots to the electors of said county at the general election on November 5, 1946, after notice thereof by publication in the official newspapers of said county for four weeks previous to said election, the first publication thereof being on September 23, 1946 and the remaining publications being weekly thereafter on the same day of the week, the following proposition:

“SHALL THE FOLLOWING TAX BE LEVIED? YES

NO

“Shall the County of Marshall, in the State of Iowa, levy a tax of one mill upon all the taxable property of the County, for the years 1947 and 1948 as authorized by Section 174.17 of the 1946 Code of Iowa, for the completion of buildings located on the Fair Grounds in Marshalltown, Marshall County, Iowa, such fund to be known as Fair Ground Special Construction Fund.”

and,

WHEREAS, at the general election November 5, 1946, in said county there were three thousand seven hundred and eighty-one (3781) affirmative votes and two thousand two hundred and fifty-six (2256) negative votes upon the proposition as herein designated, and

WHEREAS, doubts have arisen as to the validity of the proposition submitted to the electors of said county and as to the validity of the tax to be levied thereunder, and it is deemed advisable to put such doubts and all others that might arise forever at rest; now therefore

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all proceedings heretofore taken by the Board of
2 Supervisors of Marshall County, Iowa in submitting the proposition to
3 the electors of said county for the levy of a tax of one mill upon all
4 taxable property of the county for the years 1947 and 1948 as
5 authorized by section one hundred seventy-four point seventeen
6 (174.17), Code 1946 for the completion of buildings located on the
7 fair grounds in Marshalltown, Marshall County, Iowa be and the
8 same are hereby legalized and validated as fully and with the same
9 force and effect as though done and performed in strict compliance
10 with the express provision of said section, and any tax levied by the
11 same board in compliance with the proposition as submitted to the
12 electors of said county shall be construed as being in conformity with
13 the provisions of said section.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Marshall-
3 town Times-Republican, a newspaper published in Marshalltown, Iowa,
4 and in the State Center Enterprise, a newspaper published in State
5 Center, Iowa. The publication herein provided for shall be without
6 cost to the State of Iowa.

Approved April 22, 1947.

I hereby certify that the foregoing was published in the Marshalltown Times-Republican, April 25, 1947, and the State Center Enterprise, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 327

VAN BUREN COUNTY LEGALIZING ACT

S. F. 440

AN ACT to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of county hospital bonds by Van Buren county, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said county.

WHEREAS, the Board of Supervisors of Van Buren County, Iowa, did heretofore, in reliance upon a special county election held on June 3, 1946, by resolution authorize and provide for the issuance and delivery of County Hospital Bonds of said County in the principal amount of one hundred thousand dollars (\$100,000) for the purpose of establishing, erecting and equipping a county public hospital and procuring a site therefor in said

county, and by said resolution provided for the payment of the interest on and the principal of said bonds by the levy and collection of annual taxes on all the taxable property in said county; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings, election and bonds and the provisions made for payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest, Now, Therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all proceedings heretofore taken by the Board of
2 Supervisors of Van Buren County, Iowa, and the Special County elec-
3 tion of June 3, 1946, authorizing and providing for the issuance, sale
4 and delivery of county hospital bonds by Van Buren County, Iowa, and
5 providing for the levy and collection of annual taxes to pay the interest
6 on and principal of said bonds, are hereby legalized, validated, and
7 confirmed and said county hospital bonds sold, issued and delivered,
8 or to be issued and delivered, pursuant to and in accordance with said
9 proceedings are hereby declared to be legal and to constitute valid and
10 binding obligations of said county.

1 SEC. 2. - This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Record-
3 Republican, a newspaper published in Bonaparte, Iowa, and in the Tri-
4 County News, a newspaper published in Farmington, Iowa, all without
5 expense to the state.

Approved March 29, 1947.

I hereby certify that the foregoing act was published in the Record-Republican, April 3, 1947, and the Tri-County News, April 3, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 328

WORTH COUNTY LEGALIZING ACT

H. F. 503

AN ACT to legalize proceedings of the board of supervisors of Worth county, Iowa, with respect to payment of a claim of the Northwood Fire Co. in the sum of \$165.52 arising from damage to fire truck on July 20, 1946.

WHEREAS, the board of supervisors of Worth County, Iowa did pay from their general fund the sum of \$165.52 which was the cost of repairing the fire truck owned by the Northwood Fire Co.; and

WHEREAS, doubts have arisen concerning the legality or validity of said proceedings and it is deemed advisable to put said doubts at rest; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. All proceedings of the board of supervisors of Worth
2 County, Iowa, with respect to payment of the claim of the Northwood
3 Fire Co. in the sum of \$165.52 arising from damage to fire truck on
4 July 20, 1946, are hereby legalized and validated.

Approved April 14, 1947.

CHAPTER 329

PRISONER OF WAR CAMP AT ALGONA

S. F. 478

AN ACT to legalize and validate proceedings authorizing acceptance of conveyance of lands known as "the Prisoner of War Camp", Algona, Iowa, with certain buildings and facilities thereon, from the United States of America by the city of Algona, Iowa, subject to provisions for reversion of title to the United States in the event of breach of conditions stipulated in said deed.

WHEREAS, the United States of America, acting by and through War Assets Administrator under and pursuant to Executive Order 9689, dated January 31, 1946, and powers and authority contained in the provisions of the Surplus Property Act of 1944 (58 Stat. 765); and the powers and authorities contained in the provisions of the Federal Airport Act of 1946 (60 Stat. 170), and War Assets Administration Regulation No. 1 as amended, in consideration of the development and operation of the premises conveyed as a public airport in perpetuity and for benefit which will accrue to the United States of America from the continued use of such property as an airport, conveyed by Quit Claim Deed to the City of Algona, Iowa, and to its successors in function a tract of real estate situated in Kossuth County, Iowa, consisting of 221.3 acres, more or less, and known as the "Prisoner of War Camp", Algona, Iowa, (W. A. A. No. W-Iowa-16) together with certain facilities thereon, and,

WHEREAS, said property was so conveyed subject to each and all of the following conditions, namely:

"PROVIDED, that the title to the said premises shall automatically revert to the United States if and in the event that the Administrator of Civil Aeronautics, or his successor in function, determines that the premises have not been developed for airport purposes within a reasonable period of time after the date hereof, or that after having been so developed the premises have ceased to be used or necessary for airport purposes.

"Said land was duly declared surplus and assigned to the War Assets Administrator for disposal, acting pursuant to Executive Order 9689 and War Assets Regulation No. 1 as amended.

"AND the Grantee for and in consideration of the property conveyed hereby does for itself and its successors in function, covenant and agree as follows:

First: That the Grantee will develop an airport upon the lands herein demised;

Second: That such airport will be operated as a public airport on fair and reasonable terms and without unjust discrimination;

Third: That any subsequent transfer of the property interest conveyed hereby will be made subject to all of the covenants, conditions and limitations contained in this instrument;

Fourth: That in the event of breach of any condition or covenant herein imposed, then the Administrator of Civil Aeronautics of the U. S. Department of Commerce or his successor may immediately enter and possess himself of title to the herein demised premises for and on behalf of the United States of America.

Fifth: That in the event of breach of any condition or covenant herein

imposed, the Grantee will, upon demand by the Administrator of Civil Aeronautics of the United States Department of Commerce, take such action, including the prosecution of suit, or execute such instruments, as may be necessary and required to evidence transfer of title to the herein demised premises to the United States of America.”

And, WHEREAS, the City of Algona, pursuant to proper proceedings of the Council thereof, heretofore accepted said conveyance by instrument in writing in which it did accept and bind itself by all of the terms and conditions of said deed of conveyance, and,

WHEREAS, doubt has arisen concerning the validity and legal sufficiency of the action of the City Council of the City of Algona, Iowa, in accepting said conveyance and obligating itself and the citizens thereof under the express provisions of code section 565.6, Code 1946, and under the provisions and conditions contained in said conveyance, including the development of the airport upon the lands demised and the expenditure of municipal funds therefore,* in order to put all such doubts forever at rest, NOW THEREFORE,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all of the proceedings heretofore taken by the
2 City Council of the City of Algona, Iowa, providing for the acceptance
3 of the conveyance of those lands in Kossuth County, Iowa, known
4 as the “Prisoner of War Camp”, Algona, Iowa, (W.A.A. No. W-Iowa-
5 16) containing 221.3 acres, more or less, together with the described
6 facilities thereon, subject to all of the terms and conditions stipulated
7 in said deed of conveyance, including the obligation upon the City to
8 develop an airport upon the lands so conveyed and the expenditure
9 of municipal funds therefore* are hereby legalized, validated and con-
10 firmed and declared to be as legal and valid as if every provision of
11 law had been fully complied with, notwithstanding any irregularity,
12 omission or defect in connection therewith, regardless of any limita-
13 tions upon the right, power or authority of said City of Algona, Iowa,
14 to acquire such property pursuant to the provisions of Code Section
15 565.6, Code 1946, or any other statute relating to the right, power
16 and authority of the city council of Algona, Iowa, to acquire in any
17 manner lands for airport purposes.

Approved April 22, 1947.

*According to enrolled act.

CHAPTER 330

PRISONER OF WAR CAMP AT CLARINDA

S. F. 483

AN ACT to legalize and validate proceedings authorizing acceptance of conveyance of lands known as "Clarinda Prisoner of War Camp" Clarinda, Iowa, with certain buildings and facilities thereon, from the United States of America by the city of Clarinda, Iowa, subject to provisions for reversion of title to the United States in the event of breach of conditions stipulated in said deed.

WHEREAS, the United States of America, acting by and through War Assets Administrator under and pursuant to Executive Order 9689, dated January 31, 1946, and powers and authority contained in the provisions of the Surplus Property Act of 1944 (58 Stat. 765); and the powers and authorities contained in the provisions of the Federal Airport Act of 1946 (60 Stat. 170), and War Assets Administration Regulation No. 1 as amended, in consideration of the development and operation of the premises conveyed as a public airport in perpetuity and for benefit which will accrue to the United States of America from the continued use of such property as an airport, conveyed by Quit Claim Deed to the City of Clarinda, and to its successors in function a tract of real estate situated in Page County, Iowa, consisting of 292.73 acres, more or less, and known as the "Clarinda Prisoner of War Camp", Clarinda, Iowa, (W.A.A. No. W-Iowa-10) together with certain facilities thereon, and,

WHEREAS, said property was so conveyed subject to each and all of the following conditions, namely:

"PROVIDED, that the title to the said premises shall automatically revert to the United States if and in the event that the Administrator of Civil Aeronautics, or his successor in function, determines that the premises have not been developed for airport purposes within a reasonable period of time after the date hereof or that after having been so developed the premises have ceased to be used or necessary for airport purposes.

"Said land was duly declared surplus and assigned to the War Assets Administrator for disposal, acting pursuant to Executive Order 9689 and War Assets Regulation No. 1 as amended.

"AND the Grantee for and in consideration of the property conveyed hereby does for itself and its successors in function, covenant and agree as follows:

First: That the grantee will develop an airport upon the lands herein demised;

Second: That such airport will be operated as a public airport on fair and reasonable terms and without unjust discrimination;

Third: That any subsequent transfer of the property interest conveyed hereby will be made subject to all of the covenants, conditions and limitations contained in this instrument;

Fourth: That in the event of breach of any condition or covenant herein imposed, then the Administrator of Civil Aeronautics of the U. S. Department of Commerce or his successor may immediately enter and possess himself of title to the herein demised premises for and on behalf of the United States of America.

Fifth: That in the event of breach of any condition or covenant herein

imposed, the Grantee will, upon demand by the Administrator of Civil Aeronautics of the United States Department of Commerce, take such action, including the prosecution of suit, or execute such instruments, as may be necessary and required to evidence transfer of title to the herein demised premises to the United States of America."

And, WHEREAS, the City of Clarinda, pursuant to proper proceedings of the Council thereof, heretofore accepted said conveyance by instrument in writing in which it did accept and bind itself by all of the terms and conditions of said deed of conveyance, and,

WHEREAS, doubt has arisen concerning the validity and legal sufficiency of the action of the city council of the City of Clarinda, Iowa, in accepting said conveyance and obligating itself and the citizens thereof under the express provisions of code section 565.6, Code 1946, and under the provisions and conditions contained in said conveyance, including the development of the airport upon the lands demised and the expenditure of municipal funds therefor, in order to put all such doubts forever at rest, Now, Therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all of the proceedings heretofore taken by the
2 City Council of the City of Clarinda, Iowa, providing for the acceptance
3 of the conveyance of those lands in Page County, Iowa, known as
4 the "Clarinda Prisoner of War Camp", Clarinda, Iowa, (W.A.A. No.
5 W-Iowa-10) containing 292.73 acres, more or less, together with the
6 described facilities thereon, subject to all of the terms and conditions
7 stipulated in said deed of conveyance, including the obligations upon
8 the City to develop an airport upon the lands so conveyed and the
9 expenditure of municipal funds therefor are hereby legalized,
10 validated and confirmed and declared to be as legal and valid as if
11 every provision of law had been fully complied with, notwithstanding
12 any irregularity, omission or defect in connection therewith, regard-
13 less of any limitations upon the right, power or authority of said
14 City of Clarinda, Iowa, to acquire such property pursuant to the
15 provisions of Code Section 565.6, Code 1946, or any other statute
16 relating to the right, power and authority of the city council of
17 Clarinda, Iowa, to acquire in any manner lands for airport purposes.

Approved April 22, 1947.

CHAPTER 331

CEDAR RAPIDS LEGALIZING ACT

S. F. 204

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of park bonds by the city of Cedar Rapids, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said city.

WHEREAS, the city council of the city of Cedar Rapids, Iowa, did heretofore by resolution adopted on January 27, 1947, authorize and provide for the issuance and delivery of park bonds of said city in the principal amount

of \$60,000 for the purpose of permanently improving lands theretofore acquired for park purposes in and for said city and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all the taxable property in said city; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said bonds and proceedings and the provisions made for the payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest;

NOW, THEREFORE,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all proceedings heretofore taken by the city council
2 of the city of Cedar Rapids, Iowa, authorizing and providing for the
3 issuance, sale and delivery of park bonds by the city of Cedar Rapids,
4 Iowa, and providing for the levy and collection of annual taxes to pay
5 the interest on and principal of said bonds, are hereby legalized, vali-
6 dated and confirmed, and said park bonds issued, sold and delivered
7 pursuant to and in accordance with said proceedings are hereby de-
8 clared to be legal and to constitute valid and binding obligations of
9 said city.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Cedar
3 Rapids Tribune, a newspaper published in the city of Cedar Rapids,
4 Iowa, and in the Marion Sentinel, a newspaper published in Marion,
5 Iowa, all without expense to the state.

Approved April 23, 1947.

I hereby certify that the foregoing act was published in the Cedar Rapids Tribune, May 1, 1947, and the Marion Sentinel, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 332

CITY OF CEDAR RAPIDS LEGALIZING ACT

H. F. 515

AN ACT to legalize and validate the proceedings authorizing and providing for the payment of certain expenditures made by the city of Cedar Rapids, Iowa, for improvements at the site of temporary homes for veterans of World War II and declaring said proceedings to be enforceable obligations of said city.

WHEREAS, the City Council of the City of Cedar Rapids, Iowa, did heretofore by resolution authorize and provide for the improvement of a site for the location of temporary housing facilities for veterans of World War II, said improvements consisting of water main, sewer, lights and roadways; the amount of said expenditure being \$12,000 and said expenditure being made in connection with a Federal Public Housing Project for veterans of World War II, and

WHEREAS, doubt has arisen concerning the validity and legal sufficiency of said resolution and the provisions made for the payment of said

improvements, and it is deemed advisable to put certain doubts and all others that might arise concerning same forever at rest;

NOW, THEREFORE,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all proceedings heretofore taken by the City
2 Council of the City of Cedar Rapids, Iowa, authorizing and providing
3 for the payment of certain improvements in connection with the
4 establishment of temporary homes for veterans of World War II
5 are hereby legalized, validated and confirmed and said obligations are
6 hereby declared to be legal and to constitute valid and binding
7 obligations of said city.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its publication in the Cedar
3 Rapids Gazette, a newspaper published in the City of Cedar Rapids,
4 Iowa, and in the Marion Sentinel, a newspaper published in the city
5 of Marion, Iowa, all without expense to the state.

Approved April 9, 1947.

I hereby certify that the foregoing act was published in the Cedar Rapids Gazette, April 16, 1947, and the Marion Sentinel, April 10, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 333

CITY OF CLINTON LEGALIZING ACT

H. F. 358

AN ACT to legalize the actions of the city council and the city clerk of the city of Clinton, Iowa, in making expenditures, incurring indebtedness, and issuing warrants and certificates of indebtedness on the general fund of the city of Clinton, in the amounts of sixteen thousand six hundred thirty-two dollars and forty-three cents (\$16,632.43), to the fire maintenance fund in the amount of fifteen thousand four hundred sixty-eight dollars and seventy cents (\$15,468.70), for street department salaries in the amount of ten thousand eight hundred eighty-nine dollars and thirty-five cents (\$10,889.35), and to other funds of the city of Clinton, Iowa, in the amount of five thousand five hundred ninety-two dollars and thirteen cents (\$5,592.13), and providing that the total indebtedness thus incurred of forty-eight thousand five hundred eighty-two dollars and sixty-one cents (\$48,582.61) shall constitute a legal, binding and valid obligation of the city of Clinton, Iowa.

WHEREAS, the city of Clinton, Iowa, because of increased cost of operation of the functions of city government due to large increases in population and inflationary conditions which have existed in recent years has been unable to meet the necessary and legitimate costs of operation of the municipal government of the city of Clinton, and

WHEREAS, the city of Clinton has become indebted to the amount of forty-eight thousand five hundred eighty-two dollars and sixty-one cents (\$48,582.61) which cannot be paid from current revenues without greatly hampering the operation of municipal government in the city of Clinton, and

WHEREAS, each and every obligation incurred as set forth in the title of this act was for the benefit of the general welfare and good of the citizens of Clinton, Iowa, now, therefore

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the action of the City council of the city of Clinton,
2 Iowa, in incurring indebtedness in excess of budget appropriations and
3 anticipated revenues in the sum of forty-eight thousand five hundred
4 eighty-two dollars and sixty-one cents (\$48,582.61), including obliga-
5 tions of sixteen thousand six hundred thirty-two dollars and forty-
6 three cents (\$16,632.43) to the general fund, fifteen thousand four
7 hundred sixty-eight dollars and seventy cents (\$15,468.70) to the
8 fire maintenance fund, ten thousand eight hundred eighty-nine dollars
9 and thirty-five cents (\$10,889.35) to the street department fund, and
10 five thousand five hundred ninety-two dollars and thirteen cents
11 (\$5,592.13) in miscellaneous unpaid bills chargeable to other funds,
12 be and the same are hereby legalized and such obligations are hereby
13 declared to constitute legal, binding and valid obligations and evidences
14 of indebtedness of said city.

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in The
3 Clinton Herald, a newspaper published in Clinton, Iowa, and in the
4 Dewitt Observer, a newspaper published at Dewitt, Iowa, without
5 expense to the state.

Approved March 25, 1947.

I hereby certify that the foregoing act was published in The Clinton Herald, March 26, 1947, and the Dewitt Observer, March 27, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 334

CITY OF INDEPENDENCE LEGALIZING ACT

H. F. 196

AN ACT to legalize the action of the city council of the city of Independence, Iowa, in respect to the purchase of a tract of land near the city of Independence, Iowa, for the construction of a municipal airport.

WHEREAS, on the 22nd day of January, 1945, the city council of the city of Independence, Iowa, passed a resolution to purchase the following described real estate: "The east one-half (1/2) of section two (2), township eighty-eight (88), range ten (10), except the east four (4) rods thereof, legally described as follows:

E fr 1/2 NE ex E4r sec. 2-88-10

W fr 1/2 NE sec. 2-88-10

NE SE ex E4r sec. 2-88-10

NW SE sec. 2-88-10

SW SE sec. 2-88-10

SE SE ex E4r sec. 2-88-10

This section 2-88-10 is fractional,"
for a municipal airport site.

WHEREAS, pursuant to the aforementioned resolution the city of Independence, Iowa, did purchase the aforescribed real estate and paid therefor the sum of twenty-three thousand dollars (\$23,000.00) out of the general fund; and

WHEREAS, doubt has arisen as to the legality and validity of the action of the said city council in making said purchase and paying therefor the aforementioned sum; now therefore

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That proceedings had and action taken by the said city
2 of Independence, Iowa, and its city council in purchasing, on January
3 22, 1945, the following described real estate, to-wit:
4 "The east one-half ($\frac{1}{2}$) of section two (2), township eighty-eight
5 (88), range ten (10), except the east four (4) rods thereof, legally
6 described as follows:
7 E fr $\frac{1}{2}$ NE ex E4r sec. 2-88-10
8 W fr $\frac{1}{2}$ NE sec. 2-88-10
9 NE SE ex E4r sec. 2-88-10
10 NW SE sec. 2-88-10
11 SW SE sec. 2-88-10
12 SE SE ex E4r sec. 2-88-10
13 This section 2-88-10 is fractional,"
14 and paying therefor the sum of twenty-three thousand dollars
15 (\$23,000.00) out of the general fund, for a municipal airport site
16 be and are hereby legalized and validated.

1 SEC. 2. This act being deemed of immediate importance, shall
2 be in full force and effect from and after its passage and publication
3 in the Bulletin Journal, a newspaper published at Independence, Iowa,
4 and in the Independent, a newspaper published at Independence, Iowa,
5 such publication to be without expense to the state.

Approved April 11, 1947.

The Independent, a newspaper published at Independence, Iowa, having failed to publish this act, the same was forwarded to the Independence Conservative, a newspaper published at Independence, Iowa, for publication as provided by section 3.9, Code of Iowa.
ROLLO H. BERGESON, *Secretary of State.*

I hereby certify that the foregoing act was published in the Bulletin Journal, May 1, 1947, and the Independence Conservative, April 30, 1947.
ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 335

LANSING LEGALIZING ACT

S. F. 424

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of water revenue bonds by the town of Lansing, Iowa and the provisions made for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said town.

WHEREAS, the council of the town of Lansing, Allamakee County, Iowa, did heretofore by resolution adopted on February 24, 1947, authorize and

provide for the issuance, sale and delivery of water revenue bonds of said town in the principal amount of \$5,000 and by said resolution provided for the payment of the interest on and principal of said bonds from the revenue of the municipal waterworks of said town; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said bonds and proceedings and the provisions made for the payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. All proceedings heretofore taken by the council of the
2 town of Lansing, Iowa, authorizing and providing for the issuance,
3 sale and delivery of water revenue bonds by the town of Lansing, Iowa,
4 and providing for the payment of the principal of and interest on said
5 bonds from the revenue of the municipal waterworks of said town, are
6 hereby legalized, validated and confirmed and said water revenue bonds
7 issued, sold and delivered pursuant to and in accordance with said
8 proceedings are hereby declared to be legal and to constitute valid and
9 binding obligations of said town payable only from such revenue, but
10 said bonds shall not be a corporate indebtedness of said town, nor shall
11 said town be authorized to levy ad valorem taxes to pay either principal
12 thereof or interest thereon.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Allamakee
3 Journal, a newspaper published in Lansing, Iowa, and in the Waukon
4 Republican & Standard, a newspaper published in Waukon, Iowa, all
5 without expense to the state.

Approved April 22, 1947.

I hereby certify that the foregoing act was published in the Allamakee Journal, April 30, 1947, and the Waukon Republican & Standard, April 29, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 336

TOWN OF MANILLA LEGALIZING ACT

S. F. 444

AN ACT to legalize and validate the election and all proceedings of the town council and town officials of the town of Manilla, Iowa, in calling and holding a special election in the town of Manilla, Iowa, on the 18th day of March, 1946, on the proposition of erecting and equipping a community memorial building under the provisions of chapter 33, code of Iowa, 1939, and the issuance and sale of bonds in the amount of twenty thousand (\$20,000.00) dollars, and the levying of an annual tax for the payment of said bonds.

WHEREAS, a special election was held in the Town of Manilla, Iowa, on March 18, 1946, on the following proposition:

"Shall the Town of Manilla, Iowa, erect and equip a memorial building as provided in Chapter 33, Code of Iowa, 1939, and issue bonds in the sum of Twenty Thousand (\$20,000.00) Dollars to cover the expense of the same?" and

WHEREAS, there were twenty three per cent. (23%) more votes cast at said special election than at the last preceding municipal election and three hundred per cent. (300%) more votes were cast at said special election than at the next succeeding municipal election, and

WHEREAS, the public measure thus voted upon was carried by a majority of approximately seventy five per cent. (75%) of the total votes cast, such majority being approximately one hundred fifteen per cent. (115%) of the total votes cast at the last preceding municipal election, and approximately three hundred per cent. (300%) of the total votes cast at the next succeeding municipal election, and

WHEREAS, pursuant to said election, plans have been made to secure a site for said building and bonds in the amount of Twenty Thousand (\$20,000.00) Dollars, have been authorized and sold, but not yet issued, and

WHEREAS, some questions have arisen as to the validity and legality of the election and of the proceedings of the town council and town officials in calling and holding such special election and as to the validity and sufficiency of the authority of the Town of Manilla, Iowa, to contract indebtedness and to issue Liberty Memorial Bonds and to levy a tax in payment thereof, which questions and all others that may arise, should be forever put at rest;

NOW THEREFORE:

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the election and all proceedings of the town
2 council of the Town of Manilla, Iowa, and of the mayor and other
3 officials of the Town of Manilla, Iowa, in calling and holding the
4 special election held in the Town of Manilla, Iowa, on the 18th day
5 of March, 1946, and of the election itself, on the proposition of erecting
6 and equipping a community memorial building under Chapter 33 of
7 the Code of Iowa, 1939, and the contracting of indebtedness for such
8 purposes not exceeding Twenty Thousand (\$20,000.00) Dollars and
9 levying a tax annually upon the taxable property in the Town of
10 Manilla, Iowa, for the payment of such bonds and interest thereon,
11 are hereby validated and legalized and shall constitute full authority
12 for the contracting of indebtedness, (whether before or after the
13 passage of this Act) the issuance in 1947 of Liberty Memorial Bonds
14 in the sum of Twenty Thousand (\$20,000.00) Dollars, for the purposes
15 set forth in said proposition and the levying of an annual tax on
16 all taxable property in the Town of Manilla, Iowa, for the payment
17 of such bonds and the interest thereon and the Liberty Memorial
18 Bonds in the sum of not to exceed Twenty Thousand (\$20,000.00)
19 Dollars, issued, sold and delivered pursuant to said election and this
20 Act, are hereby declared to be legal and to constitute, when so issued,
21 valid and binding obligations and indebtedness of the Town of Manilla,
22 Iowa.

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its publication, without expense
3 to the State, in the Manilla Times, a newspaper published at Manilla,

4 Iowa, and in the Denison Review, a newspaper published at Denison,
5 Iowa.

Approved April 10, 1947.

I hereby certify that the foregoing act was published in the Manilla Times, April 17, 1947, and the Denison Review, April 15, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 337

ORANGE CITY LEGALIZING ACT

S. F. 499

AN ACT to legalize the annexation of town owned park to the incorporated town of Orange City, Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the resolution of the town council of the in-
2 corporated town of Orange City, Iowa, adopted April 10, 1947 to annex
3 the south twenty (20) acres of the north forty-four (44) acres of the
4 east half of the southwest quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) of Section thirty-two
5 (32) Township Ninety-five (95), North, Range forty-four (44) West
6 of the Fifth P. M., Sioux County, Iowa according to United States
7 Government Survey, owned by said town, to make said territory a part
8 of said town, be and the same is hereby legalized.

1 SEC. 2. This act shall be in full force and effect from and after
2 its publication in the Sioux County Capital, a weekly newspaper
3 published at Orange City, Iowa, and the Sioux Center News, a weekly
4 newspaper published in Sioux Center, Iowa.

Approved April 30, 1947.

I hereby certify that the foregoing act was published in the Sioux County Capital, May 15, 1947, and the Sioux Center News, May 8, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 338

CITY OF PELLA LEGALIZING ACT

S. F. 79

AN ACT to legalize and validate proceedings taken by the city council of the city of Pella, Iowa, authorizing and providing for the construction of extensions and improvements to its municipal electric light and power plant and the issuance and sale of revenue bonds to defray the cost thereof and pledging the net future revenues to pay said bonds.

WHEREAS, during the year 1944 and subsequent years the City Council of Pella, Iowa, adopted proceedings from time to time pursuant to the provisions of sections six thousand one hundred thirty-four point o-one (6134.01) to six thousand one hundred thirty-four point eleven (6134.11), both inclusive, of the Code of Iowa, 1939, as amended, providing for hearings and lettings on proposed extensions and improvements, to the

municipal electric light and power plant of said City and for the construction thereof, to meet the increased needs of the community for electric current and entered into contracts for materials and labor and incidental costs thereof, said contracts to be paid solely and only from the cash available from past net earnings of said utility and from the proceeds of the sale of revenue bonds payable solely and only from the future net earnings of said utility, and said extensions and improvements are in process of completion, and

WHEREAS, the City Council on the 3rd day of January, 1947, adopted proceedings for the issuance and sale of revenue bonds in the amount of \$360,000 for the purpose of defraying the cost to that amount of said extensions and improvements and in said proceedings provided for the pledge of the net future revenues of said utility to pay the principal of and interest on said bonds, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and contracts, notices given and publications or omissions thereof and concerning the provisions pledging the net revenues of said utility as aforesaid and it is deemed advisable to put said doubts and all others that might arise forever at rest;

NOW, THEREFORE,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all proceedings heretofore taken by the City
2 Council of the City of Pella, Iowa, in connection with the extensions
3 and improvements of the municipal electric light and power plant and
4 contracts therefore* referred to in the preamble hereof and authoriz-
5 ing and providing for the issuance and sale of Light Plant Revenue
6 Bonds of said City in the amount of \$360,000, and pledging the net
7 future revenues of said utility to pay the principal and interest of said
8 bonds are hereby legalized, validated and confirmed and said Revenue
9 Bonds issued and delivered pursuant to and in accordance with said
10 proceedings are hereby declared to be legal and to constitute valid
11 and binding obligations of said City according to their tenor, payable
12 solely and only out of said net future revenues of said utility.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Pella
3 Chronicle, a newspaper published at Pella, Iowa, and in the Des Moines
4 Register, a newspaper published at Des Moines, Iowa. The publication
5 herein provided shall be without cost to the State of Iowa.

Approved February 13, 1947.

*According to enrolled act.

I hereby certify that the foregoing act was published in the Pella Chronicle, February 20, 1947, and the Des Moines Register, February 18, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 339

BETTENDORF SCHOOL DISTRICT LEGALIZING ACT

H. F. 492

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds by the independent school district of Bettendorf, in the county of Scott, state of Iowa, and the provisions made for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, the board of directors of the independent school district of Bettendorf, in the county of Scott, state of Iowa, did heretofore, by resolution and in reliance upon an election theretofore held in and for said school district, authorize and provide for the issuance, sale and delivery of school building bonds of said school district in the principal amount of seventy-five thousand dollars (\$75,000) for the purpose of building an addition to the present grade school building in and for said school district and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all the taxable property in said school district, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said bonds and proceedings and the provisions made for the payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest; NOW, THEREFORE,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all proceedings heretofore taken by the board
2 of directors of the independent school district of Bettendorf, in the
3 county of Scott, state of Iowa, authorizing and providing for the
4 issuance, sale and delivery of school building bonds by the independent
5 school district of Bettendorf, in the county of Scott, state of Iowa, and
6 providing for the levy and collection of annual taxes to pay the interest
7 on and the principal of said bonds, are hereby legalized, validated
8 and confirmed, and said school building bonds issued, sold and delivered
9 pursuant to and in accordance with said proceedings are hereby
10 declared to be legal and to constitute valid and binding obligations
11 of said school district.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Farm Bureau
3 News, a newspaper published in the city of Bettendorf, Iowa, and
4 in the Davenport Daily Times, a newspaper published in the city
5 of Davenport, Iowa, all without expense to the state.

Approved April 10, 1947.

I hereby certify that the foregoing act was published in the Farm Bureau News, April 18, 1947, and the Davenport Daily Times, April 12, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 340

GARNER SCHOOL DISTRICT LEGALIZING ACT

S. F. 482

AN ACT to legalize and validate the proceedings, of the board of directors of the independent school district of Garner in the county of Hancock, state of Iowa, in calling and holding an election on March 10, 1947, on the proposition of issuing bonds of said school district in the amount of eighty thousand dollars for the purpose of constructing, reconstructing, and equipping additional school facilities.

WHEREAS, at an election on the tenth day of March, 1947, there was submitted to the qualified electors of the Independent School District of Garner, in the County of Hancock, State of Iowa, the following proposition:

"Shall the Independent School District of Garner, County of Hancock, State of Iowa, issue bonds in the amount of Eighty Thousand dollars (\$80,000.00) for the purpose of constructing, reconstructing and equipping additional school facilities?" and

WHEREAS, said proposition was declared carried at said election by more than sixty per cent of the total votes cast for and against said proposition at said election, there being 215 votes cast "YES" and 124 votes cast "NO", and

WHEREAS, doubts have arisen as to the validity and legal sufficiency of said election and proceedings and as to the authority to issue and sell said bonds on the basis of said election and to levy and collect taxes to pay the principal and interest of said bonds as the same will become due, and it is deemed advisable to put said doubts and all others that may arise concerning same forever at rest; NOW THEREFORE,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. All proceedings heretofore taken by the Board of
2 Directors of the Independent School District of Garner, in the County
3 of Hancock, State of Iowa, relating to the calling and holding of
4 an election on March 10, 1947 and all proceedings of said Board of
5 Directors predicated upon said election providing for the issuance,
6 sale and delivery of bonds of said School District in the amount of
7 Eighty Thousand Dollars (\$80,000.00) and for the levy and collection
8 of annual taxes to pay the interest on and principal of said bonds,
9 are hereby legalized, validated and confirmed and bonds issued,
10 sold and delivered pursuant to and in accordance with said proceedings
11 are hereby declared to be legal and to constitute valid and binding
12 obligations of said School District.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Britt News
3 Tribune, a newspaper published* Britt, Iowa, and in the Garner
4 Leader and Signal, a newspaper published at Garner, Iowa, said
5 publications to be without expense to the State.

Approved April 17, 1947.

*According to enrolled act.

I hereby certify that the foregoing act was published in the Britt News Tribune, April 23, 1947, and the Garner Leader and Signal, April 23, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 341

VINTON SCHOOL DISTRICT LEGALIZING ACT

H. F. 216

AN ACT to legalize and validate the proceedings relating to the organization of the consolidated independent school district of Vinton, in the county of Benton, state of Iowa, the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds by said school district and the provisions made for the payment of said bonds and declaring bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, pursuant to notice a special election was held on October 2, 1946, on the question of establishing within Benton County, Iowa, a school district designated the "Consolidated Independent School District of Vinton, Benton County, Iowa", and more than a majority of the votes cast at said election were in favor of establishment of said school district and thereafter pursuant to an election the board of directors for said school district was organized on October 29, 1946; and

WHEREAS, thereafter at an election held within said school district on December 19, 1946, more than sixty per cent of the votes cast on the proposition were in favor of the issuance of bonds of said school district, and in reliance upon said election said board of directors by resolution authorized and provided for the issuance of school building bonds of said school district in the principal amount of three hundred fifty thousand dollars (\$350,000) and for the levy of taxes to pay said bonds including interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings relating to the organization of said school district, the proceedings and provisions made for the issuance of said bonds and for the payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest; Now, Therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all proceedings relating to the organization of said
2 school district, known as the Consolidated Independent School District
3 of Vinton, in the county of Benton, state of Iowa, and all proceedings
4 heretofore taken by the board of directors thereof authorizing and
5 providing for the issuance, sale and delivery of school building bonds
6 by said school district and providing for the levy and collection of
7 annual taxes to pay the interest on and principal of said bonds, are
8 hereby legalized, validated and confirmed and said school building
9 bonds issued, sold and delivered pursuant to and in accordance with
10 said proceedings are hereby declared to be legal and to constitute
11 valid and binding obligations of said school district.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Cedar Valley
3 Daily Times, a newspaper published in the City of Vinton, Iowa, and
4 in the Belle Plaine Union, a newspaper published in the City of Belle
5 Plaine, Iowa, all without expense to the state.

Approved March 14, 1947.

I hereby certify that the foregoing act was published in the Cedar Valley Daily Times, March 18, 1947, and the Belle Plaine Union, March 20, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 342

WEST DES MOINES SCHOOL DISTRICT LEGALIZING ACT

H. F. 116

AN ACT to legalize action of the board of directors of the independent school district of West Des Moines, in buying real estate for schoolhouse site, and in selling said real estate.

WHEREAS, the board of directors of the Independent School District of West Des Moines, purchased during the year 1946, the following described premises, situated in the county of Polk and state of Iowa, to-wit:

Lots nine (9), ten (10), eleven (11), eighteen (18), nineteen (19), twenty (20), twenty-one (21) and twenty-two (22) in Maryland Heights, an official plat in Polk County, Iowa, for a school house site and made payment therefor; and

WHEREAS, the board of directors of the Independent School District of West Des Moines, after said purchase discovered that because of building restrictions said premises would not be suitable for a schoolhouse site; and

WHEREAS, during the year 1946, the board of directors of the Independent School District of West Des Moines, sold the said real estate; and

WHEREAS, doubts have arisen as to the legality of such proceedings, and it is deemed advisable to put such doubts to rest:

NOW THEREFORE

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The action of the board of directors of the Independent
2 School District of West Des Moines, in purchasing and selling the
3 following described premises, situated in the county of Polk and state
4 of Iowa, to-wit:

5 Lots nine (9), ten (10), eleven (11), eighteen (18), nineteen
6 (19), twenty (20), twenty-one (21) and twenty-two (22) in
7 Maryland Heights, an official plat in Polk County, Iowa,
8 during the year 1946 is hereby declared to be legal, valid and binding.

1 SEC. 2. This act being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the West Des Moines Express, a newspaper published at West Des
4 Moines, Iowa and the Altoona Herald, a newspaper published at
5 Altoona, Iowa, such publications to be without expense to the state.

Approved March 26, 1947.

I hereby certify that the foregoing act was published in the West Des Moines Express, April 10, 1947, and the Altoona Herald, April 3, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 343
CORPORATION STOCK ISSUES LEGALIZED
S. F. 315

AN ACT to legalize certain issues of capital stocks of Iowa corporations, upon compliance herewith.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Any corporation organized under the laws of this state
2 which, prior to January 1, 1947, issued capital stock for property
3 without complying with section four hundred ninety-two point six
4 (492.6), Code 1946, and obtaining approval pursuant to section four
5 hundred ninety-two point seven (492.7), Code 1946, may within ninety
6 (90) days after the effective date of this act, make application for
7 the approval of the issuance of such stock.

8 The Executive Council of the State of Iowa shall have the power
9 to receive, consider and act upon any such application as though
10 said application had been duly filed prior to the issuance of such stock.

1 SEC. 2. Any corporation organized under the laws of this state
2 which prior to January 1, 1947, failed to comply with the provisions
3 of section four hundred ninety-two point nine (492.9), Code 1946,
4 but which subsequently did in the first annual corporation report filed
5 by such corporation following such failure, correctly report the amount
6 of its capital stock issued, may within ninety (90) days after the
7 effective date of this Act, file with the Secretary of State of Iowa, a
8 certificate as to unreported issues; and such certificate shall have the
9 same force and effect as certificates filed within the time required by
10 the provisions of said section four hundred ninety-two point nine
11 (492.9), Code 1946.

1 SEC. 3. Nothing in this act contained shall affect or be construed
2 as affecting pending litigation.

1 SEC. 4. This act being deemed of immediate importance, shall be
2 effective from and after the date of its publication, as required by
3 law in the Baxter New Era, a newspaper published at Baxter, Iowa,
4 and in the American Citizen, a newspaper published at Des Moines,
5 Iowa.

Approved April 4, 1947.

I hereby certify that the foregoing act was published in the Baxter New Era, April 9, 1947, and the American Citizen, April 11, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 344

BOOMHOWER HARDWARE COMPANY

H. F. 30

AN ACT to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted articles of incorporation of the Boomhower Hardware Company and to provide for the renewal of the charter of the said Boomhower Hardware Company.

WHEREAS, the period of the corporate existence of the Boomhower Hardware Company, a corporation organized under the laws of the state of Iowa, with its principal place of business in the city of Mason City, Iowa, expired on the ninth day of July, 1937, and through inadvertence the same was not renewed within the period prescribed by statute, and

WHEREAS, the Boomhower Hardware Company has continued thereafter to conduct its business and affairs as a corporation, and

WHEREAS, on the thirty-first day of October, 1946, the adjourned annual meeting of the stockholders of the said corporation was called by the president for the purpose of renewing and extending the said corporation for a period of twenty (20) years from July 9, 1937, and adopting the amended and substituted Articles of Incorporation, and

WHEREAS, the Boomhower Hardware Company has filed the said amended and substituted Articles of Incorporation together with a notice of renewal of the said corporation with the secretary of state of the state of Iowa, and has paid the proper renewal fees and recording fees, and has in all other particulars complied with the provisions of the statutes relating to renewals of corporations; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all proceedings had with respect to the renewal of
2 the corporate existence of the Boomhower Hardware Company, a
3 corporation, with its principal place of business in Mason City, Iowa,
4 and all corporate acts of said corporation, its officers and directors,
5 since the expiration of the corporate existence of said corporation on
6 the ninth day of July, 1937, are hereby legalized and shall have the
7 same force and effect as though the said proceedings have been adopted
8 pursuant to law and within the period prescribed by the statute, and
9 shall be held and considered as a renewal and extension of the period
10 of the corporate existence of said corporation, which expired on July
11 9, 1937, and all corporate acts and proceedings in connection with the
12 renewal and extension of said corporation and the adoption of the
13 renewal, amended and substituted Articles of Incorporation, are
14 hereby declared to be valid and legal.

1 SEC. 2. The secretary of state is hereby authorized and directed to
2 acknowledge and file for record the notice of renewal of said corpora-
3 tion previously delivered to him by said corporation, and to issue a
4 Certificate of Renewal to the Boomhower Hardware Company, said
5 renewal to extend the corporate existence of said Corporation for a
6 period of twenty (20) years from July 9, 1937, which Certificate of
7 Renewal shall have the same force and effect as though issued upon
8 proper and timely application by said Corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
2 pending litigation, if any, involving said Corporation.

1 SEC. 4. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Mason
3 City Globe-Gazette, a newspaper published at Mason City, Iowa, and
4 in the Clear Lake Reporter, a newspaper published at Clear Lake,
5 Iowa, without cost to the state.

Approved February 11, 1947.

I hereby certify that the foregoing act was published in The Mason City Globe-Gazette, February 14, 1947, and the Clear Lake Reporter, February 20, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 345

DUBUQUE BOAT AND BOILER COMPANY

S. F. 289

AN ACT legalizing the renewal of the articles of incorporation of the Dubuque Boat and Boiler Company.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the renewal of the Articles of Incorporation of
2 the Dubuque Boat and Boiler Company of Dubuque, Iowa, and all
3 of its acts and proceedings, be and the same are hereby legalized and
4 declared to be as legal, sufficient and binding in all respects as if the
5 Notice of the Renewal of the Articles of Incorporation thereof had
6 been published within three (3) months after the filing of the certificate
7 showing the stockholder proceedings resulting in the Renewal of
8 the Articles of Incorporation and the Articles of Incorporation, both
9 of which were filed in the Office of the Secretary of State of the State
10 of Iowa, on or about the 12th day of September, 1946, and as if
11 proof of such publication had been filed in the Office of the Secretary
12 of State as provided by law, and all other requirements of law had
13 been fulfilled.

1 SEC. 2. Nothing herein contained shall be construed to affect
2 pending litigation.

1 SEC. 3. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Telegraph
3 Herald, a newspaper published at Dubuque, Iowa, and the Cascade
4 Pioneer, a newspaper published at Cascade, Iowa, which publications
5 shall be without expense to the State of Iowa.

Approved April 17, 1947.

I hereby certify that the foregoing act was published in the Telegraph Herald, April 21, 1947, and the Cascade Pioneer, April 24, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 346

FIDELITY FIREWORKS COMPANY LEGALIZING ACT

H. F. 537

AN ACT to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of amended, substituted and renewal articles of incorporation of Fidelity Fireworks Company, and to provide for the renewal of the charter of said company.

WHEREAS, the period of the corporate existence of the Fidelity Fireworks Company, a corporation, organized under the laws of the State of Iowa, with its principal place of business in the City of Fort Dodge, Iowa, expired on the 2nd day of February, 1945, and through inadvertence the same was not renewed within the period prescribed by statute, AND

WHEREAS, Fidelity Fireworks Company has continued thereafter to conduct its business and affairs as a corporation, AND

WHEREAS, on the 5th day of April, 1947, a special meeting of the stockholders was called and held for the purpose of extending and renewing the said corporation for a period of twenty years from February 2, 1945, and adopting the amended, substituted and renewal articles of incorporation, AND

WHEREAS, Fidelity Fireworks Company has filed the said amended, substituted and renewal articles of incorporation, together with a certificate of renewal of such corporation, with the Secretary of State of the State of Iowa, and has paid the proper renewal fees and recording fees, and has in all other particulars complied with the provisions of the statutes relating to renewals of corporations, Now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. All proceedings had with respect to the renewal of the
2 corporate existence of Fidelity Fireworks Company, a corporation with
3 its principal place of business in Fort Dodge, Iowa, and all corporate
4 acts of said corporation, its officers and stockholders, since the expira-
5 tion of the corporate existence of said corporation on the 2nd day of
6 February, 1945, are hereby legalized and shall have the same force
7 and effect as though the said proceedings had been adopted pursuant
8 to law and within the period prescribed by the statute, and shall be
9 held and considered as a renewal and extension of the period of the
10 corporate existence of said corporation, which expired on February 2,
11 1945, and all corporate acts and proceedings of said corporation, in-
12 cluding the proceedings in connection with the renewal and extension
13 of said corporation and the adoption of the amended, substituted and
14 renewal articles of incorporation, are hereby declared to be valid and
15 legal.

1 SEC. 2. The Secretary of State is hereby authorized and directed
2 to acknowledge and file and record the certificate of renewal of said
3 corporation previously delivered to him by said corporation, and to
4 issue a certificate of renewal to Fidelity Fireworks Company, said
5 renewal to extend the corporate existence of said corporation for a
6 period of twenty (20) years from February 2, 1945, which certificate

7 of renewal shall have the same force and effect as though issued upon
8 proper and timely application of said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
2 pending litigation, if any, involving said corporation, or any claims
3 outstanding against said corporation.

1 SEC. 4. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the Fort Dodge Messenger and Chronicle, a newspaper published in
4 Fort Dodge, Iowa, and in The Dayton Review, a newspaper published
5 in Dayton, Iowa, without expense to the State of Iowa.

Approved April 23, 1947.

I hereby certify that the foregoing act was published in the Fort Dodge Messenger
and Chronicle, April 25, 1947, and The Dayton Review, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 347

MORNINGSIDE LUMBER & COAL COMPANY

H. F. 31

AN ACT to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted and renewal articles of incorporation of the Morningside Lumber & Coal Company and to provide for the renewal of the charter of the said Morningside Lumber & Coal Company.

WHEREAS, the period of the corporate existence of the Morningside Lumber & Coal Company, a Corporation, organized under the laws of the state of Iowa, with its principal place of business in the city of Sioux City, Iowa, expired on the fifth day of April, 1946, and through inadvertence the same was not renewed within the period prescribed by statute, and

WHEREAS, on the twelfth day of November, 1946, the adjourned annual meeting of the stockholders of the said Corporation was called by the president for the purpose of renewing and extending the said Corporation for a period of twenty (20) years from April 5, 1946, and adopting the amended substituted and renewal Articles of Incorporation, and

WHEREAS, the Morningside Lumber & Coal Company has filed the said amended substituted and renewal Articles of Incorporation together with a notice of renewal of the said Corporation with the secretary of state of the state of Iowa, and has paid the proper renewal fees and recording fees, and has in all other particulars complied with the provisions of the statutes relating to renewals of corporations; now, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That all proceedings had with respect to the renewal
2 of the corporate existence of the Morningside Lumber & Coal Company,
3 a corporation, with its principal place of business in Sioux City, Iowa,
4 and all corporate acts of said corporation, its officers and directors,
5 since the expiration of the corporate existence of said corporation on
6 the fifth day of April, 1946, are hereby legalized and shall have the

7 same force and effect as though the said proceedings had been adopted
8 pursuant to law and within the period prescribed by the statute, and
9 shall be held and considered as a renewal and extension of the period
10 of the corporate existence of said corporation, which expired on April
11 5, 1946, and all corporate acts and proceedings of said corporation,
12 including the proceedings in connection with the renewal and exten-
13 sion of said corporation and the adoption of the amended, substituted
14 and renewal Articles of Incorporation, are hereby declared to be valid
15 and legal.

1 SEC. 2. The secretary of state is hereby authorized and directed to
2 acknowledge and file for record the notice of renewal of said corpora-
3 tion previously delivered to him by said corporation, and to issue a
4 certificate of renewal to the Morningside Lumber & Coal Company,
5 said renewal to extend the corporate existence of said corporation for
6 a period of twenty (20) years from April 5, 1946, which certificate of
7 renewal shall have the same force and effect as though issued upon
8 proper and timely application by said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
2 pending litigation, if any, involving said corporation.

1 SEC. 4. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Sioux City
3 Journal-Tribune, a newspaper published in Sioux City, Iowa, and in
4 The Daily Reporter and Sioux City Stylus, a newspaper published
5 in Sioux City, Iowa, without cost to the state.

Approved February 11, 1947.

I hereby certify that the foregoing act was published in the Sioux City Journal-Tribune, February 14, 1947, and The Daily Reporter and Sioux City Stylus, February 14, 1947.

ROLLO H. BERGESON, *Secretary of State.*

JOINT RESOLUTIONS

JOINT RESOLUTIONS

CHAPTER 348

TERMS OF PRESIDENTS OF UNITED STATES

S. J. R. 10

A JOINT RESOLUTION ratifying a proposed amendment to the constitution of the United States of America, relating to the term of office of the president.

WHEREAS, both Houses of the 80th Congress of the United States of America by constitutional majority of two-thirds thereof, made the following proposition to amend the constitution of the United States of America in the following words, to-wit:

"JOINT RESOLUTION

Proposing an amendment to the constitution of the United States relating to the terms of office of the President.

RESOLVED by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), that the following Article is hereby proposed as an amendment to the constitution of the United States which shall be valid to all intents and purposes as part of the constitution when ratified by the Legislatures of three-fourths of the several states:

"ARTICLE—

1 SECTION 1. No person shall be elected to the office of the President
2 more than twice, and no person who has held the office of President,
3 or acted as President, for more than two years of a term, to which
4 some other person was elected President, shall be elected to the office
5 of the President more than once. But this Article shall not apply
6 to any person holding the office of President when this Article was
7 proposed by the Congress, and shall not prevent any person who may
8 be holding the office of President, or acting as President during the
9 term within which this Article becomes operative, from holding the
10 office of President, or acting as President during the remainder of
11 such term.

1 SEC. 2. This Article shall be inoperative unless it shall have been
2 ratified as an amendment to the constitution by the Legislatures of
3 three-fourths of the several states within 7 years from the date of
4 its submission to the states by the Congress,"

THEREFORE,

Be It Resolved and Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Ratification. That the said proposed amendment to
2 the constitution of the United States of America as set forth herein
3 be and the same is hereby ratified and consented to by the State of
4 Iowa and by the General Assembly thereof.

1 SEC. 2. Certification. Be it further resolved and enacted, that
2 certified copies of this enactment and resolution be forwarded by

3 the Governor of this state to the Secretary of State of the United States
 4 at Washington, D.C., and to the presiding officers of each house of the
 5 Congress of the United States.

Approved April 3, 1947.

I, Robert D. Blue, Governor of the state of Iowa, hereby certify that a copy of this Resolution has been forwarded to the Honorable George C. Marshall, Secretary of State of the United States, and to the Honorable Arthur H. Vandenberg, President of the United States Senate, and the Honorable Joseph W. Martin, Jr., Speaker of the House of Representatives of Congress.

ROBERT D. BLUE
 Governor.

CHAPTER 349

SUCCESSION TO OFFICE OF GOVERNOR

H. J. R. 1

A JOINT RESOLUTION proposing an amendment to article IV of the constitution of the state of Iowa relating to the succession of the lieutenant governor to act as governor in the event of the death or disability of the governor, together with the succession of officers following the lieutenant governor to the office of governor.

Be It Resolved by the General Assembly of the State of Iowa:

1 SECTION 1. That Article IV, section 17 of the constitution of
 2 the state of Iowa be amended by adding thereto the following para-
 3 graph:

4 "In case of the death, resignation, failure to qualify, inability to
 5 qualify, or other disability of the candidate for Governor who received
 6 the largest number of votes at the last general election for the
 7 ensuing term, the powers and duties of the office of Governor for
 8 the ensuing term, or until the disability is removed, shall devolve
 9 upon the candidate for Lieutenant Governor who received the largest
 10 number of votes at the last general election for the ensuing term,
 11 and he shall assume the powers and duties of Governor upon the
 12 completion of the canvass of the votes for Governor and Lieutenant
 13 Governor by the General Assembly."

1 SEC. 2. Be It Further Resolved that Article IV, section 19 of the
 2 constitution of the state of Iowa be amended by adding thereto the
 3 following paragraph:

4 "If the Governor, Lieutenant Governor, President pro tem of the
 5 Senate, and the Speaker of the House of Representatives are all by
 6 reason of death, resignation or otherwise, incapable of performing
 7 the duties of the office of Governor, the members of the Executive
 8 Council of the state of Iowa shall immediately convene the General
 9 Assembly of the state of Iowa by proclamation, and the General
 10 Assembly shall immediately elect a Governor, Lieutenant Governor,
 11 President pro tem of the Senate, and Speaker of the House of
 12 Representatives, who shall serve until their successors are elected
 13 and qualified."

1 SEC. 3. Be it further resolved that the foregoing proposed amend-
 2 ment be and the same is hereby referred to the General Assembly
 3 to be chosen at the next general election and that the Secretary of
 4 State cause the same to be published as provided by law.

Approved April 16, 1947.

CHAPTER 350

HOME FOR GOVERNOR

H. J. R. 3

A JOINT RESOLUTION providing for the acquisition of a home for the governor of the state of Iowa, the appointment of a committee in relation thereto, and prescribing its powers and providing for an appropriation for that purpose.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby appropriated from the funds received
2 or to be received on interest-bearing securities held by the state
3 treasury, the sum of seventy-five thousand dollars (\$75,000.00) or
4 so much thereof as may be necessary to provide a home for the
5 governor of the state of Iowa, at the seat of government.

1 SEC. 2. The funds herein appropriated or as much thereof as may
2 be necessary shall be used by the executive council of the state, to-
3 gether with three members of the Senate to be appointed by the
4 President of the Senate, and three members of the House to be ap-
5 pointed by the Speaker of the House, who shall act as a joint com-
6 mittee; the majority of this committee shall acquire, remodel, furnish
7 and equip a suitable and adequate property; or a majority of this
8 committee may acquire real estate and provide architectural services,
9 erect, furnish and equip a suitable and adequate home from such funds
10 as provided herein or as much thereof as may be necessary.

1 SEC. 3. The committee is hereby authorized and empowered to carry
2 on all negotiations to acquire a governor's home and to enter into any
3 and all contracts necessary to be made and to bind the state of Iowa
4 in all matters pertaining to the purposes of this Resolution, and a
5 majority of said committee is hereby vested with these powers.
6 Requisition for warrants shall be drawn against said appropriation
7 by the secretary of the executive council upon direction by a ma-
8 jority of said committee.

1 SEC. 4. This Resolution being deemed of immediate importance
2 shall be in full force and effect from and after its publication in
3 the Lockridge Times, a newspaper published at Lockridge, Iowa, and
4 in the Durant News, a newspaper published at Durant, Iowa.

Approved April 22, 1947.

I hereby certify that the foregoing act was published in the Lockridge Times, May 1, 1947, and the Durant News, May 1, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 351

HIGHWAY INVESTIGATION COMMITTEE

S. J. R. 9

A JOINT RESOLUTION creating a special committee to investigate the primary and secondary road problems of Iowa and to recommend a program of improvement and maintenance of both primary and secondary roads and means of financing such program, defining the powers and duties of said committee, and providing for payment of the expense of said committee.

WHEREAS, an adequate system of improved highways, both primary and secondary, is a paramount necessity of the people of the State of Iowa, and

WHEREAS, any highway improvement program necessarily extends over a considerable period of years and requires large sums of money in its execution, and

WHEREAS, the proper repair and maintenance of such highway system is of vital importance to render the maximum of service from the funds expended for such highway improvements, and

WHEREAS, it is apparent that the General Assembly should have available for its consideration the facts concerning the primary and secondary roads of Iowa and the finances relating thereto,

Now, THEREFORE,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. A special committee of twelve (12) members is hereby
2 created. Said committee shall consist of four (4) members of the
3 Senate of the 52nd General Assembly to be appointed by the President
4 of the Senate, four (4) members of the House of Representatives
5 of the 52nd General Assembly, to be appointed by the Speaker of
6 the House of Representatives, and four (4) citizens of the State
7 of Iowa to be appointed by the Governor. Not more than three of
8 the members of said committee appointed respectively by the Governor,
9 the President of the Senate, and the Speaker of the House of Repre-
10 sentatives shall be members of the same political party. Any vacancy in
11 the membership of the committee shall be filled by appointment in
12 the same manner, by the same official, and from the same group as
13 the original appointment. The committee shall choose a chairman
14 from its members and shall adopt rules for the conduct of its
15 proceedings.

1 SECTION 2. It shall be the duty of said committee to make a compre-
2 hensive study of the primary and secondary road problems of
3 the State of Iowa, and the financial problems relating thereto.

4 To that end, the committee shall make a study of the present and
5 probable future traffic on the highways, investigate the present state
6 of improvement of the highways, formulate a program for the future
7 construction or reconstruction of the highways as the committee may
8 deem necessary or desirable, study the problem of the repair and
9 maintenance of the highways, and consider the matter of the safety

10 of traffic on the highways and the elimination of traffic hazards.
11 The committee shall also make a comprehensive study of primary
12 and secondary road finances for both construction and maintenance
13 work, and shall suggest ways and means for providing any additional
14 funds which the committee may deem necessary.

1 SECTION 3. The committee shall have the cooperation of the state
2 highway commission and its staff in the performance of the duties
3 herein imposed, and is authorized to call on any department of the
4 state government for assistance in obtaining information deemed
5 useful to the committee.

1 SECTION 4. The committee shall have access to all public records
2 pertaining to highways, including expenditures and taxes therefor,
3 and shall be given the cooperation of all public officials. The committee
4 may hold public hearings as it may deem proper, and may consult
5 with the U. S. Public Roads Administration or with the highway
6 authorities of any state.

7 The committee shall generally have all the powers of a legislative
8 committee or of a joint legislative committee. The chairman or any
9 member of the committee shall have power to administer oaths.

1 SECTION 5. The committee shall enter into its duties as soon as the
2 membership has been appointed. It shall make a report including
3 drafts of proposed bills, to the Governor, on or before November 15,
4 1948. Upon the making of its said report to the Governor, the com-
5 mittee shall stand discharged of its duties hereunder. The Governor
6 shall cause to be printed the necessary number of copies of said
7 report and shall mail copies of said printed report to the elected
8 members of the 53rd General Assembly on or before December 15,
9 1948.

1 SECTION 6. The committee is hereby empowered to employ a secre-
2 tary and such other employees as are necessary for the proper conduct
3 of the business of the committee, and to fix the compensation of such
4 employees. All members of the committee shall be reimbursed for
5 the actual and necessary expenses incurred by them in the discharge of
6 their duties. Members of the committee appointed by the Governor
7 shall receive a compensation of ten dollars (\$10.00) per day for
8 days actually engaged in work of the committee. Legislative members
9 of the committee shall receive as compensation such amounts as the
10 53rd General Assembly may allow.

11 The executive council shall provide the committee with a suitable
12 office and with necessary office supplies and equipment for the conduct
13 of its business.

1 SECTION 7. The compensation and expense of committee members
2 and employees, the cost of office supplies and other expenses of the com-
3 mittee incurred in the performance of the duties herein imposed, and
4 the cost of printing the committee's report, but not exceeding twenty
5 thousand dollars (\$20,000.00) in total amount, shall be paid by the
6 state highway commission out of the primary road fund. The sum
7 of twenty thousand dollars (\$20,000.00) or so much thereof as may
8 be necessary, is hereby appropriated out of the primary road fund
9 for the purposes herein contemplated.

10 The chairman of the committee shall certify the expenses of the
 11 committee as herein provided, to the state highway commission. Upon
 12 certification thereof, such expenses shall be paid by the state highway
 13 commission in the same manner as other expenses of the state highway
 14 commission.

1 SECTION 8. This Resolution being deemed of immediate importance,
 2 shall be in full force and effect upon its publication in the Villisca
 3 Review, a newspaper published in Villisca, Iowa, and the Davis County
 4 Republican, a newspaper published in Bloomfield, Iowa.

Approved April 16, 1947.

I hereby certify that the foregoing act was published in the Villisca Review, April 24,
 1947, and the Davis County Republican, April 22, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 352

BUILDING CODE COUNCIL

S. J. R. 3

A JOINT RESOLUTION providing for the appointment of a state building code council by the governor to prepare a modern and uniform state building code establishing minimum standards for buildings to be used by the public together with a proposed revision and codification of the laws of Iowa relating to building construction, providing for the scope of the work of the council, providing for a report of the council to the governor, and making an appropriation to carry out the provisions of the resolution.

WHEREAS, the life, health, safety and economy of the citizens of the State of Iowa are affected by and depend upon safe and sound construction; and

WHEREAS, the State of Iowa through acts of the legislature and municipalities through city ordinances, have endeavored to protect citizens through the adoption of laws, regulations and codes; and

WHEREAS, the present statutes concerning building construction and building codes of most cities contain numerous conflicts, uncertainties and omissions which are detrimental to and interfere with safe, sound, healthful, efficient and economic construction; and

WHEREAS, greater economy and safety can be effected by the availability of a modern and uniform code for the entire State of Iowa; and

WHEREAS, there is urgent need for minimum standards of practice and construction for public buildings to alleviate particularly fire hazards and losses; and

WHEREAS, all new developments in the methods, materials and technical knowledge related to building construction should be utilized to full advantage in the expenditure of public funds; and

WHEREAS, there will be a large amount of building construction for public and private use in the postwar period; now therefor,*

*According to enrolled act.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The Governor of the state of Iowa shall appoint, within
2 sixty (60) days after the passage of this act, a Building Code Council
3 of ten (10) members. The membership of this Council shall include
4 two (2) Engineers, two (2) General Contractors, all four experienced
5 in building construction, two (2) Architects and four (4) Laymen at
6 least two (2) of whom shall be members of the General Assembly.
7 The Council shall have the power to make final decisions in all matters
8 pertaining to the preparation of a proposed uniform State Building
9 Code of Iowa; they shall elect one of their members to act as chairman.
10 The Council shall employ a Technical Secretary and clerical assistants
11 and prescribe their duties. The Council shall be assisted by an
12 ex-officio Advisory Committee including a representative of the State
13 Architect, the State Fire Marshal, the Director of Public Health
14 Engineering of the Department of Health, the State Board of Educa-
15 tion, the Superintendent of Public Instruction, the Attorney General,
16 the Commissioner of Labor, and the State Building Code Central
17 Committee which consists of members officially designated by estab-
18 lished organizations in Iowa interested in buildings to be used by the
19 public.

1 SEC. 2. The Council shall prepare, or cause to be prepared with
2 the aid of a Technical Secretary and the Advisory Committee, a
3 proposed modern and uniform State Building Code with a declaration
4 of principles regarding minimum standards for the State of Iowa; this
5 Code shall include the revision and codification of the present laws of
6 Iowa in all matters relating to building construction; this Code shall
7 in no way restrict or be applicable to private farm buildings and to one
8 or two family dwellings. The Council shall be empowered to conduct
9 fact-finding surveys and necessary investigations. The Council shall
10 be empowered to call for consultation qualified persons in the field of
11 building construction and such matters as relate thereto; and to pay
12 such persons their expenses and such compensation as may be deter-
13 mined by the Council. The Council shall adopt such rules and regula-
14 tions as it may deem necessary to govern its own procedure. The
15 Council may call upon state, county and municipal agencies for
16 information and assistance. The Council shall enter upon their duties
17 within thirty (30) days after their appointment by the Governor and
18 their duties shall terminate upon the completion of their report to the
19 Governor; but, they shall be available to the General Assembly for
20 consultation during the consideration of the proposed uniform State
21 Building Code. The Council shall complete and file with the Governor
22 a report upon a uniform State Building Code not later than sixty (60)
23 days preceding the convening of the Fifty-Third (53d) General
24 Assembly; and, thereupon, the Governor shall cause one-thousand
25 copies of the same to be printed and have copies placed in the hands
26 of the members of the Fifty-Third (53d) General Assembly, as early
27 as possible prior to the convening of the said Fifty-Third (53d)
28 General Assembly and in addition have copies available for municipali-
29 ties and other interested groups. During and after the preparation
30 of the report of the Council to be submitted to the Governor, state
31 agencies, school districts and municipalities choosing by ordinance
32 may utilize standards of practice as such become available from the

33 work and said report or in portions of sections thereof not in conflict
34 with the laws of Iowa.

1 SEC. 3. The members of the Council shall receive no compensations
2 but shall receive their actual and necessary expenses including travel
3 incurred in the performance of their duties. The Council shall be
4 empowered to choose and shall fix the salary of the Technical Secretary,
5 who shall not be a member of the Council. The Technical Secretary
6 shall attend the meetings of the Council and serve as its secretary,
7 and shall have general charge of the work of the council, subject to
8 its orders and direction, and shall serve at the pleasure of the Council.
9 The Council shall also fix and pay the salaries of such clerical assistants
10 as may be necessary. All salaries of said employees and expenses
11 incurred by the Council shall be verified and approved by the chairman
12 thereof and referred to the State Comptroller who shall issue warrants
13 for the same from funds hereinafter appropriated to the Council.

1 SEC. 4. There is hereby appropriated from the General Fund of
2 the State the sum of fifteen thousand dollars (\$15,000.00) or so much
3 thereof as may be necessary for the purpose of carrying out the
4 provisions of this Joint Resolution. At the termination of the duties of
5 said Council any unexpended funds are to revert to the General Fund
6 of the State of Iowa.

1 SEC. 5. This Joint Resolution being deemed of immediate im-
2 portance shall be in full force and effect from and after publication in
3 The Red Oak Express, a newspaper published at Red Oak, Iowa, and
4 the Glenwood-Opinion Tribune, a newspaper published at Glenwood,
5 Iowa.

Approved March 20, 1947.

I hereby certify that the foregoing act was published in The Red Oak Express,
March 27, 1947, and the Glenwood-Opinion Tribune, March 27, 1947.

ROLLO H. BERGESON, *Secretary of State.*

CHAPTER 353

MENTAL HEALTH AUTHORITY

H. J. R. 10

A JOINT RESOLUTION to designate a "Mental Health Authority" in the state of Iowa through which the U. S. public health service can deal in connection with the benefits that the state of Iowa can derive from the provisions of the national mental health act which has been enacted by the congress of the United States.

WHEREAS, the 79th Congress of the United States enacted Public Law 487 which amends the Public Health Service Act to provide for research relating to psychopathic disorders and to aid in the developing of more effective methods of prevention, diagnosis and treatment of such disorders and,

WHEREAS, said law contemplates the granting of money to the several states for such purpose, and

WHEREAS, said law will not require the appropriation of any money at this time in order for the state of Iowa to receive such benefits, and

WHEREAS, said law further provides that the several states must designate a "Mental Health Authority" through which such funds may be channelled, and

WHEREAS, there is now available from the Federal Government for the current year for such purpose approximately \$57,000 for the state of Iowa, and

WHEREAS, the Psychopathic Hospital at Iowa City, the Board of Control of State Institutions, the Department of Health, and the private hospitals in the state of Iowa, are all interested in receiving the benefits of this law, and

WHEREAS, it is desirable that a policy making committee be established to advise and direct the "Iowa Mental Health Authority" as to the manner in which such funds shall be expended.

Be It Resolved by the General Assembly of the State of Iowa:

1 SECTION 1. The Psychopathic Hospital at Iowa City, Iowa, through
2 its Director is hereby designated as the "Iowa Mental Health Author-
3 ity" for the purpose of directing the benefits of Public Law 487* of
4 the 79th Congress of the United States and said Iowa Mental Health
5 Authority shall direct such program and disburse any funds in
6 connection therewith by and with the consent and approval of the
7 Committee on Mental Health hereinafter named in Section 2,

1 SEC. 2. There is hereby created the Committee for Mental Health
2 Hygiene for the state of Iowa, which committee shall consist of the
3 Director of the Psychopathic Hospital at Iowa City, Iowa, the Director
4 of Mental Institutions under the Board of Control of the state of
5 Iowa, the Commissioner of Health of the state of Iowa, one member
6 of the Board of Control, designated by said Board, and one practicing
7 psychiatrist representing the private mental hospitals in this state
8 to be appointed by the governor.

1 SEC. 3. It shall be the duty of the committee for Mental Hygiene to
2 formulate the policies for the carrying out of the provisions of Public
3 Law 487* of the 79th Congress of the United States and said committee
4 shall direct the "Iowa Mental Health Authority" as to the projects
5 to be undertaken under said law and the disbursement of any funds
6 made available under said law.

1 SEC. 4. The Iowa Mental Health Authority shall disburse any
2 funds in connection with mental health hygiene as contemplated in
3 this resolution under the supervision of the comptroller of the state
4 of Iowa.

Approved April 29, 1947.

*60 Stat. L.—.

CHAPTER 354

AMES SEWAGE DISPOSAL

S. J. R. 11

A JOINT RESOLUTION to authorize the state board of education to co-operate with the city of Ames in the construction, operation and maintenance of a sewage disposal plant and system to serve both the Iowa state college and the city of Ames and to pay to said city certain sums therefor.

WHEREAS, the 49th General Assembly appropriated the sum of \$220,000 to the State Board of Education for repairs, replacements and alterations at the Iowa State College based on a request submitted by the State Board of Education; and

WHEREAS, said request included among other things the reconstruction, repair and enlargement of the sewage disposal plant serving the Iowa State College, at an estimated cost of \$100,000; and

WHEREAS, because of the war emergency the reconstruction of said sewage disposal plant has necessarily been postponed; and

WHEREAS, the 50th General Assembly continued this appropriation in force in order that the funds so appropriated may be available at the conclusion of the war emergency, and the projects provided for therein may be constructed as soon thereafter as possible; and

WHEREAS, the city of Ames, Iowa has under consideration the replacement of its sewage disposal plant and extension of its sewage system and proposes to construct a new plant and sewers of sufficient capacity to properly convey and treat the sewage of the Iowa State College; and

WHEREAS, it appears that the best interests of the Iowa State College and of the city of Ames would best be served if one sewage system is constructed to provide such service for the entire community; now therefore

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The State Board of Education is hereby authorized
 2 to pay to the city of Ames toward the construction of a sewage
 3 disposal plant and sewage system extension by the city of Ames to
 4 serve both the Iowa State College and the said city, the sum of
 5 \$100,000 which was previously appropriated and allocated for the
 6 purpose of reconstructing and enlarging the sewage disposal plant
 7 of the Iowa State College and sufficient additional funds appropriated
 8 for repairs, replacements and alterations at the Iowa State College
 9 which when combined with the \$100,000 previously appropriated will
 10 equal a sum which bears the same ratio to the total cost of said system
 11 and plant as the use or sewage load imposed upon said system and
 12 plant by state owned property within said City bears to its total use
 13 or sewage load, not to exceed a total of \$200,000.

1 SEC. 2. The State Board of Education and the city of Ames, Iowa
 2 are empowered to enter into an agreement whereby the Iowa State
 3 College shall contribute toward the cost of operation and maintenance
 4 of said sewage disposal plant and system in proportion to its use
 5 of said plant and system.

Approved April 17, 1947.

CHAPTER 355
SCHOOL DIRECTORY
S. J. R. 14

A JOINT RESOLUTION directing the state department of public instruction to compile and furnish to the members of the 53rd General Assembly on or before January 10, 1949, a complete list of the names of school employees, including all superintendents, assistant superintendents, department heads, directors of departments, supervisors, principals, coaches, instructors, teachers, and all other persons employed on the instructional staff, and the total compensation paid or to be paid to each of them for the school years 1947-1948 and 1948-1949.

WHEREAS, the General Assembly of the State of Iowa appropriates money for aid to the public schools of the state; and

WHEREAS, the compensation of school employees constitutes the major portion of school expenditures; and

WHEREAS, the information as to the amounts of annual compensation of school employees is not available, and such information is deemed important and necessary so that the needs of the public schools may be determined; now, therefore,

Be It Resolved by the General Assembly of the State of Iowa:

1 SECTION 1. That the department of Public Instruction be and is
2 hereby instructed to compile and furnish to each of the members of the
3 53rd General Assembly of the state of Iowa on or before January 10,
4 1949, a complete list of the names of employees, superintendents,
5 assistant superintendents, department heads, directors of depart-
6 ments, supervisors, principals, coaches, instructors, teachers and all
7 persons employed on the instructional staff of each school district,
8 including each school district maintaining an accredited high school,
9 and set out the total compensation paid for or to be paid to each of
10 them for the school years 1947-1948 and 1948-1949.

Approved April 29, 1947.

CHAPTER 356
BOILER AND STOKER AT MT. PLEASANT HOSPITAL
S. J. R. 5

A JOINT RESOLUTION providing for approval of a contract between the state board of control and the Winger Construction Company, Ottumwa, Iowa, and the LaCledé Stoker Company, St. Louis, Missouri, for the purchase of a new straight tube, 500 H.P. boiler and chain grate stoker for the Mt. Pleasant state hospital.

WHEREAS, the boiler inspector for the Fidelity and Casualty Company inspected the two oldest boilers at the Mt. Pleasant State Hospital on September 9, 1946, and called attention to fairly deep general pitting on the internal surface of the drums, and to the leakage of several of the tubes and the state of the brickwork and baffles, and

WHEREAS, in the opinion of the State Board of Control and the State

Architect, it was imperative to replace the said boilers which were originally installed in 1925, and

WHEREAS, bids based upon plans and specifications were advertised and notices mailed to 10 boiler companies and contractors and 5 stoker contractors for the purchase of a new boiler, and

WHEREAS, bids were received for a new boiler from Carsten* Brothers, Ackley, Iowa, and the Winger Construction Company, Ottumwa, Iowa; and bids were received for the chain grate stoker from the LaClede Stoker Company, St. Louis,* Missouri, the Illinois Stoker Company, Alton, Illinois, and Carstens* Brothers, Ackley, Iowa, and

WHEREAS, the low bid on the boiler was submitted by the Winger Construction Company in the sum of \$38,500.00, and the low bid for the chain grate stoker was submitted by the LaClede Stoker Company in the sum of \$7,881.00, and

WHEREAS, service of the two new boilers, installed in 1939, may be interrupted at any time for a number of causes, and it is absolutely necessary to have uninterrupted service at an institution of this kind, and

WHEREAS, the Board of Control fully realized the increased costs of all materials, and also realized that before prices on this type of equipment recedes sufficiently to warrant a delay they may face a situation, the seriousness of which would more than offset any financial savings that might be gained, and

WHEREAS, it is the considered opinion of the Board of Control and the State Architect that the bids should be accepted and the new boiler installed at this time, and that this expenditure is for the best interests of the State of Iowa, and

WHEREAS, Section 1, Chapter 3 of the Acts of the 51st General Assembly of the State of Iowa, provides that no funds appropriated therefrom for capital improvements at State Institutions shall be made without approval of the joint legislative Committee on Retrenchment and Reform, and

WHEREAS, said Committee is not now in existence, and

WHEREAS, there are sufficient funds in the capital improvement account with which to pay for said boiler and chain grate stoker,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The proposed contract between the State Board of
2 Control and the Winger Construction Company, Ottumwa, Iowa, for
3 the purchase and installation of one new Straight Tube, 500 HP Boiler
4 for the sum of \$38,500 at the Mt. Pleasant State Hospital is for the
5 best interests of the State of Iowa and such contract is approved.

1 SEC. 2. The proposed contract between the State Board of Control
2 and the LaClede Stoker Company, Alton,* Illinois, for the purchase and
3 installation of one Chain Grate Stoker for the aforesaid boiler for
4 the sum of \$7,881.00 is for the best interests of the State of Iowa
5 and such contract is approved.

*According to enrolled act.

1 SEC. 3. This joint resolution being deemed of immediate importance
2 shall be in full force and effect from and after its passage and pub-
3 lished* in the Bedford Times Press, a newspaper published in Bedford,
4 Iowa, and the Clarence Sun, a newspaper published in Clarence, Iowa.

Approved March 12, 1947.

*According to enrolled act.

I hereby certify that the foregoing act was published in the Bedford Times Press,
March 20, 1947, and the Clarence Sun, March 20, 1947.

ROLLO H. BERGESON, *Secretary of State.*

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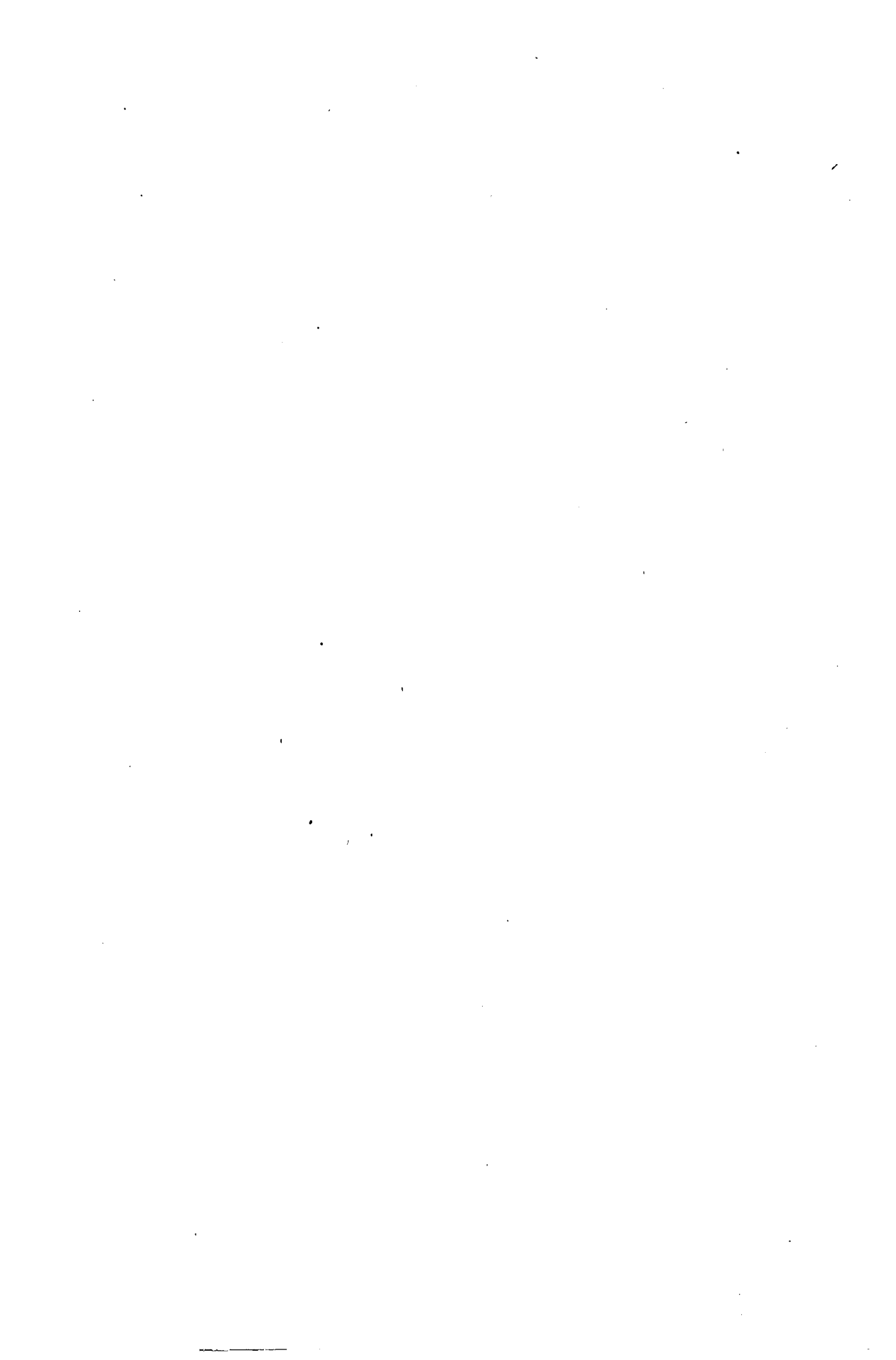
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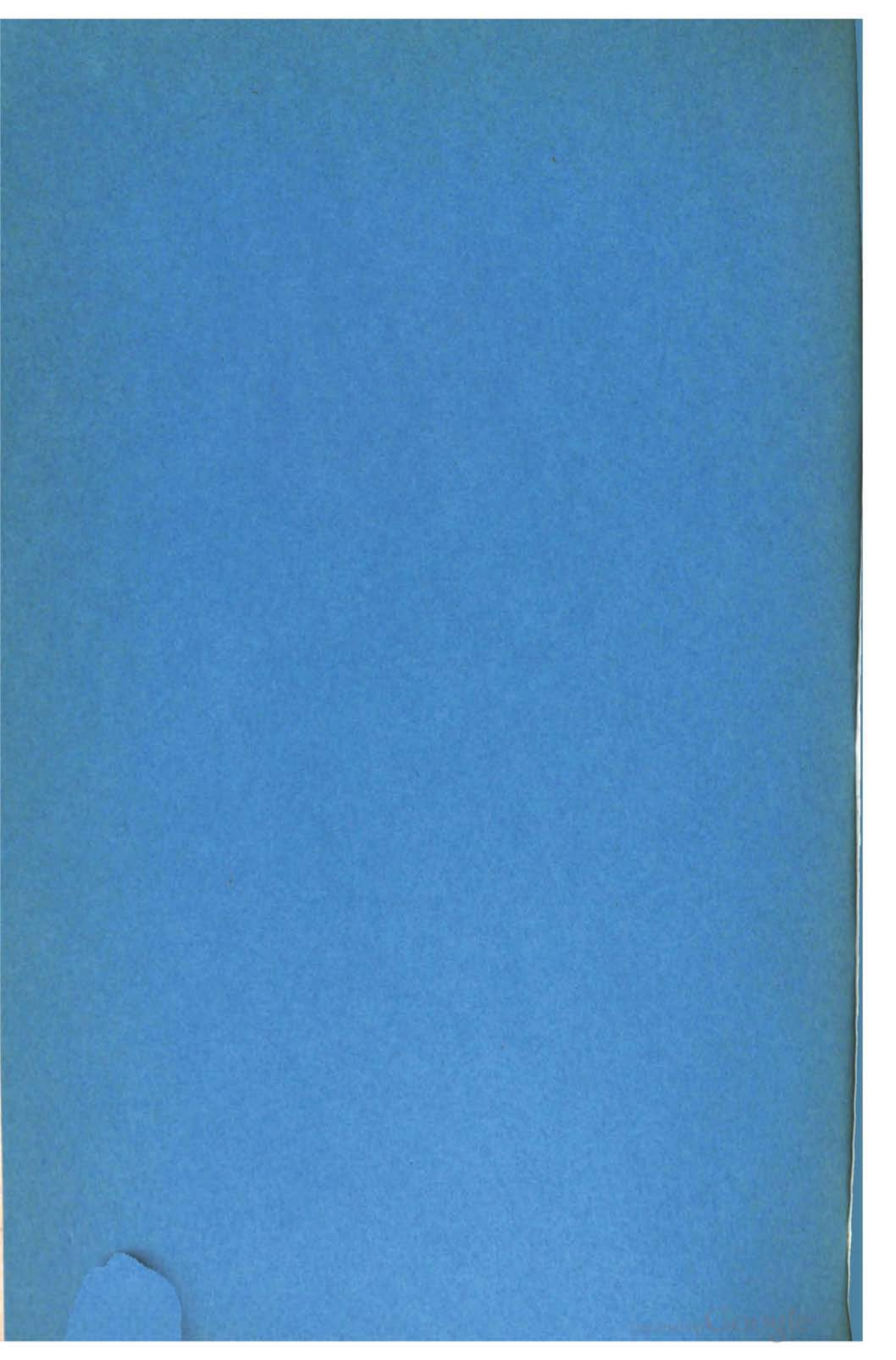
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