

3 tence thereof commencing with line one (1), and ending with the word  
4 "municipality" in line nine (9) thereof, and enacting in lieu thereof  
5 the following:

6 "Any city or town may by ordinance provide terms and conditions  
7 under which its fire fighting equipment and firemen may respond to  
8 calls for fire fighting or other emergency assistance outside its cor-  
9 porate limits, and when so engaged such equipment and men shall be  
10 considered within their jurisdiction, and the city or town shall have  
11 the same governmental immunity as when operating within its cor-  
12 porate limits."

1 SEC. 2. This act shall apply to special charter cities.

1 SEC. 3. This act being deemed of immediate importance shall be-  
2 come effective upon its publication in the Rake Register, a newspaper  
3 published at Thompson, Iowa, and in the Solon Economist, a news-  
4 paper published at Solon, Iowa.

Approved March 26, 1949.

I hereby certify that the foregoing act was published in the Rake Register, April 7,  
1949, and in the Solon Economist, April 14, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 163

### COUNTY LIBRARY SERVICE

S. F. 273

AN ACT to amend or revise sections four hundred four point five (404.5), Code 1946, three hundred seventy-eight point eleven (378.11), three hundred seventy-eight point thirteen (378.13), and three hundred seventy-eight point fifteen (378.15), Code 1946, and sections two (2), nine (9), ten (10), thirteen (13), fourteen (14), and fifteen (15) of chapter one hundred ninety-three (193), Acts of the Fifty-second General Assembly, relating to contracts for library service and the establishment and maintenance of libraries.

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

1 SECTION 1. Section three hundred seventy-eight point eleven  
2 (378.11), Code 1946, is hereby amended by inserting after the word  
3 "county" in line four (4) the following:  
4 "or with the trustees of any county library district".

1 SEC. 2. Section three hundred seventy-eight point thirteen  
2 (378.13), Code 1946, is hereby amended and revised to read as fol-  
3 lows:

4 "such contracts shall provide for the rate of tax to be levied during  
5 the period thereof. They may, by mutual consent of the contracting  
6 parties, be terminated at any time. They may also be terminated  
7 by a majority of the electors, represented by either of the contracting  
8 parties, voting on a proposition to terminate which shall be submitted  
9 by the governing body upon a written petition of electors in a number  
10 not less than five per cent (5%) of those who voted in the area for  
11 governor at the last general election.

12 "The proposition may be submitted at any election provided by law  
13 which covers the area of that seeking to terminate the contract. The  
14 petition shall be presented to the governing body not less than forty  
15 (40) days before the election at which the question is to be sub-  
16 mitted."

1 SEC. 3. Section two (2) of chapter one hundred ninety-three  
2 (193), Acts of the Fifty-second General Assembly, is hereby amended  
3 and revised to read as follows:

4 "A county library district may be established composed of one  
5 county or two or more adjacent counties and may include or exclude  
6 the entirety of a city or town partly within one of the counties.

7 "Electors residing within the proposed district in a number not less  
8 than five per cent (5%) of those voting for governor within said  
9 district at the last general election may petition the board of super-  
10 visors of the county or counties for the establishment of such county  
11 library district. Said petition shall clearly designate the area to be  
12 included in the district.

13 "The board of supervisors of each county containing area within  
14 the proposed district shall submit the proposition to the electors  
15 within their respective counties at any general or primary election  
16 provided said election occurs not less than forty (40) days after the  
17 filing of the petition.

18 "A county library district shall be established, if a majority of the  
19 electors, voting on the proposition and residing outside of cities and  
20 towns maintaining a free public library as provided by section three  
21 hundred seventy-eight point one (378.1), Code 1946, favor it.

22 "The result of the election within cities and towns maintaining a  
23 free public library under the above mentioned provision shall be con-  
24 sidered separately, and no such city or town shall be included within  
25 the county library district unless a majority of its electors, voting  
26 on the proposition, favor its inclusion. In such cases the boundaries  
27 of an established district may vary from those of the proposed district.

28 "After the establishment of a county library district other areas  
29 may be included by mutual agreement of the board of trustees of the  
30 county library district and the governing body of the area sought to  
31 be included."

1 SEC. 4. Section nine (9) of chapter one hundred ninety-three  
2 (193), Acts of the Fifty-second General Assembly, is hereby amended  
3 by adding thereto the following subdivision:

4 "4. By contracting for library service with the trustees of a free  
5 public library of any city or town".

1 SEC. 5. Section nine (9) of chapter one hundred ninety-three  
2 (193), Acts of the Fifty-second General Assembly is hereby amended  
3 by inserting after the word "books" in lines three (3), five (5) and  
4 seven (7) the words "and other educational materials".

1 SEC. 6. Section ten (10) of chapter one hundred ninety-three  
2 (193), Acts of the Fifty-second General Assembly is hereby amended  
3 by adding thereto the following:

4 "Such library treasurer shall be required to furnish a bond con-  
5 ditioned as provided by section sixty-four point two (64.2), Code

6 1946, in such amount as agreed upon by the boards of supervisors and  
7 the cost thereof shall be paid by the counties.”.

1 SEC. 7. Section thirteen (13) of chapter one hundred ninety-three  
2 (193), Acts of the Fifty-second General Assembly is amended by  
3 striking therefrom the sentence beginning in line four (4) and ending  
4 in line nine (9), and substituting in lieu thereof the following:

5 “The board of library trustees shall on or before July 10 of each  
6 year make an estimate of the amount it deems necessary for the  
7 maintenance of the county library and shall transmit said estimate  
8 in dollars to the board or boards of supervisors and to the city and  
9 town councils within the district.”.

1 SEC. 8. Section fourteen (14) of chapter one hundred ninety-  
2 three (193), Acts of the Fifty-second General Assembly is hereby  
3 amended and revised to read as follows:

4 “Chapter three hundred seventy-eight (378), Code 1946, is amended  
5 by adding thereto as a new section the following:

6 ‘Electors of that part of any county residing outside of cities and  
7 towns in a number of not less than twenty-five per cent (25%) of  
8 those who voted for governor at the last general election in said area  
9 may petition the board of supervisors to submit the proposition of  
10 requiring the board of supervisors to provide library service for them  
11 and their area by contract as provided by section three hundred  
12 seventy-eight point eleven (378.11), Code 1946.

13 “Thereafter it shall be the duty of the board of supervisors to sub-  
14 mit the proposition to the voters of the county residing outside of  
15 cities and towns at the next nearest election, primary or general,  
16 provided, however, that said petition shall have been filed not less  
17 than forty (40) days prior to the date of the election at which the  
18 question is to be submitted.

19 “If a majority of those voting upon the proposition favor it the  
20 board of supervisors shall within thirty (30) days thereafter appoint  
21 a board of library trustees from residents of the petitioning area and  
22 whose number, term of office, vacancies and qualifications, other than  
23 residence, shall be the same as provided for trustees of free public  
24 libraries in cities and towns. Vacancies shall be filled by the board of  
25 supervisors.

26 “The board of trustees is authorized to contract with trustees of  
27 any library for library use or service for the benefit of the residents  
28 and area represented by it. The contract so executed shall have all  
29 the force and effect of one executed by a board of supervisors under  
30 the provisions of section three hundred seventy-eight point eleven  
31 (378.11), Code 1946.

32 “The board of supervisors shall thereafter levy annually on the  
33 taxable property of the county outside of cities and towns, a tax of  
34 not more than one (1) mill to create a fund to fulfill the contract  
35 obligations of the trustees appointed by it.”

1 SEC. 9. Section fifteen (15) of chapter one hundred ninety-three  
2 (193), Acts of the Fifty-second General Assembly is hereby amended  
3 and revised to read as follows:

4 “The provisions of this act pertaining to the establishment of a

5 county library district shall not apply to any area receiving library  
6 service from any city or town library under the provisions of chapter  
7 three hundred seventy-eight (378), Code 1946, unless the petition for  
8 a county library district shall, in addition to the required signatures  
9 of electors, be signed by the governing body of the area receiving  
10 library service under contract.”.

1 SEC. 10. Chapter one hundred ninety-three (193), Acts of the  
2 Fifty-second General Assembly is hereby amended by adding thereto  
3 as a new paragraph the following:

4 “Whenever a county library district is established the board of  
5 trustees thereof shall assume all the obligations of the existing con-  
6 tracts made by cities, towns, townships, school corporations or  
7 counties to receive library service from free public libraries.”.

1 SEC. 11. Section three hundred seventy-eight point fifteen  
2 (378.15), Code 1946, is hereby amended by striking the word “one-  
3 fourth” in line five (5) and inserting in lieu thereof the word “one”.

1 SEC. 12. Section four hundred four point five (404.5), Code 1946,  
2 is hereby amended by striking from line three (3) of subsection  
3 twenty-one (21) the word “one-fourth” and substituting in lieu  
4 thereof the word “one”.

Approved May 18, 1949.

## CHAPTER 164

### WATER FRONT LAND IN CITIES AND TOWNS

H. F. 19

AN ACT to amend section three hundred eighty-four point three (384.3), Code 1946, relating to the purchase or acquisition by condemnation of lands by dock boards in cities and towns.

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

1 SECTION 1. Subsection two (2) of section three hundred eighty-  
2 four point three (384.3), Code 1946, is amended by inserting after the  
3 word “harbor,” in line seven (7) the words “water front,”.

1 SEC. 2. This Act being deemed of immediate importance shall take  
2 effect from and after its publication in the Telegraph Herald, a news-  
3 paper published at Dubuque, Iowa, and the Dyersville Commercial, a  
4 newspaper published at Dyersville, Iowa.

Approved February 5, 1949.

I hereby certify that the foregoing act was published in the Telegraph Herald, February 15, 1949, and the Dyersville Commercial, March 2, 1949.

MELVIN D. SYNHORST, *Secretary of State.*