

Iowa. Laws, statutes, etc.

State of Iowa
1953

ACTS AND JOINT RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

Fifty-fifth General Assembly

OF THE

STATE OF IOWA



CHARLES W. BARLOW
CODE EDITOR

WAYNE A. FAUPEL
DEPUTY CODE EDITOR

Published by the
STATE OF IOWA
Des Moines

CERTIFICATE

STATE OF IOWA
Office of Code Editor

I, Charles W. Barlow, 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-fifth General Assembly of the State of Iowa.



June, 1953.

Section 622.59 of the 1950 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-fifth 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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v
STATE OFFICERS

STATE ROSTER

List of elective 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 Melvin D. Synhorst, Secretary of State, for insertion in the published volume of Session Laws for the Fifty-fifth General Assembly in accordance with the requirements of Code section 14.10 (3), 1950 Code of Iowa.

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

ELECTIVE OFFICERS (Terms ending December 31, 1954)

Name and Office	County from which originally chosen
GOVERNOR	
William S. Beardsley.....	Warren
Norma M. Mathis, Executive Secretary.....	Polk
LIEUTENANT GOVERNOR	
Leo Elthon.....	Worth
Ivene Nelson, Secretary.....	Worth
SECRETARY OF STATE	
Melvin D. Synhorst.....	Sioux
James R. Locke, Deputy.....	Tama
AUDITOR OF STATE	
Chet B. Akers.....	Wapello
Edward J. Kallemyr, Deputy.....	Polk
TREASURER OF STATE	
M. L. Abrahamson.....	Boone
Charles Dayton, Deputy.....	Washington
SECRETARY OF AGRICULTURE	
Clyde Spry	Woodbury
Loyd Van Patten, Deputy.....	Warren
ATTORNEY GENERAL	
*Leo A. Hoegh.....	Lucas
Clarence A. Kading, First Assistant.....	Marion
Oscar Strauss, Assistant.....	Polk
Kent Emery, Assistant.....	Polk
Henry W. Wormley, Assistant.....	Plymouth
Herman W. Walter, Assistant.....	Pottawattamie
Earle S. Smith, Assistant.....	Story
Folsom Everest, Assistant.....	Pottawattamie
Raphael R. R. Dvorak, Assistant.....	Tama
SUPERINTENDENT OF PUBLIC INSTRUCTION	
Jessie M. Parker.....	Winnebago
J. P. Street, Deputy.....	Cass
COMMERCE COMMISSION	
Carl W. Reed, Chairman.....	Howard
David B. Long.....	Polk
John M. Ropes.....	Polk
George L. McCaughan, Secretary.....	Polk
Ernest Porter, Commerce Counsel.....	Polk

*Appointed to fill vacancy.

STATE OFFICERS—Continued

APPOINTIVE OFFICERS

Name and Office	City or Town from which originally chosen	Term Ending
ACCOUNTANCY BOARD		
Albert A. Augustine.....	Des Moines	June 30, 1953
Edgar S. Gage, Jr.....	Mason City	June 30, 1955
C. B. Knobbe.....	Des Moines	June 30, 1954
ADJUTANT GENERAL		
Brig. Gen. Fred C. Tandy.....	Des Moines	June 30, 1955
Lt. Col. Donald B. Johnson, Assistant.....	Des Moines	June 30, 1955
AERONAUTICS COMMISSION		
Guy C. Richardson.....	Jefferson	June 30, 1957
Joe Newburgh	Dubuque	June 30, 1957
Harry Tyler	Villisca	June 30, 1955
Harry Coffie	Estherville	June 30, 1955
P. E. Norris.....	Centerville	June 30, 1959
Norbert S. Locke, Director.....	Des Moines	
APPEAL BOARD (Education, Control and Fair Board Contracts)		
Glenn D. Sarsfield, Comptroller, Chairman.....		
No other appointments of record.		
APPEAL BOARD (Public Contracts and Bonds)		
C. B. Akers.....	State Auditor	
M. L. Abrahamson.....	State Treasurer	
Glenn D. Sarsfield.....	State Comptroller	
ARCHITECTURAL EXAMINERS		
John Brooks	Des Moines	June 30, 1957
Charles Altfillisch	Decorah	June 30, 1957
Karl M. Waggoner.....	Mason City	June 30, 1957
Arthur Ebeling	Davenport	June 30, 1956
William L. Perkins.....	Chariton	June 30, 1956
ARMORY BOARD		
Fred C. Tandy, Adjutant General.....	Des Moines	To serve at
Colonel O. P. Bennett.....	Mapleton	the pleasure
Colonel Carlton K. Smith.....	Cedar Rapids	of the
Arthur H. Neumann.....	Des Moines	Governor
Vacancy		
BANKING BOARD		
N. P. Black, Superintendent of Banking, Chm.....	Perry	June 30, 1957
Fred Gruenwald	Davenport	June 30, 1953
H. Lee Houston.....	Columbus Junction.....	June 30, 1953
Harry S. Lekwa.....	Ackley	June 30, 1953
Wm. R. Remien.....	Atlantic	June 30, 1953
BANKING SUPERINTENDENT		
N. P. Black.....	Perry	June 30, 1957
H. R. Jackson, Deputy.....	Des Moines	
BASIC SCIENCE (Board of Examiners)		
David G. Moberley.....	Indianola	June 30, 1959
Dr. Earle A. Davis.....	Storm Lake	June 30, 1959
Benjamin H. Peterson.....	Cedar Rapids	June 30, 1957
Chester H. Werkman.....	Ames	June 30, 1955
Dr. Leland P. Johnson.....	Des Moines	June 30, 1955
Elmer W. Hertel.....	Waverly	June 30, 1957

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
BOARD OF CONTROL		
Robert Jones	Chariton	June 30, 1955
Robert C. Lappen.....	Des Moines	June 30, 1959
Henry W. Burma.....	Allison	June 30, 1957
(Mrs.) Esther Wright, Secretary.....	Des Moines	
BOARD OF EDUCATION		
Robert P. Munger.....	Sioux City	July 1, 1957
Dwight G. Rider.....	Fort Dodge	July 1, 1955
Harry B. Hagemann.....	Waverly	July 1, 1957
Mrs. Estelle E. Archie.....	Shenandoah	July 1, 1957
Richard H. Plock.....	Burlington	July 1, 1955
V. B. Hamilton.....	Hampton	July 1, 1955
Roy E. Stevens.....	Ottumwa	July 1, 1959
Mrs. Laura Jean Brooks.....	Mount Vernon	July 1, 1959
Clifford Strawman	Anamosa	July 1, 1959
David Dancer, Secretary.....		
BOARD OF EDUCATIONAL EXAMINERS		
Jessie M. Parker, Superintendent of Public Instruction, President		
Dr. J. W. Maucker.....	Cedar Falls	June 30, 1953
Earl Roadman	Sioux City	June 30, 1953
Chas. H. Tye.....	Orange City	June 30, 1953
Fred Johansen	Clarinda	June 30, 1953
BOARD OF ENGINEERING EXAMINERS		
W. Grant Cunningham.....	Secretary	
Clifford P. Lewellen.....	Cedar Rapids	June 30, 1955
A. H. Cunningham.....	Storm Lake	June 30, 1955
Cecil E. Ewen.....	Fort Dodge	June 30, 1953
Frank H. Beinhauer.....	Davenport	June 30, 1953
L. O. Stewart.....	Ames	June 30, 1955
BOARD OF HEALTH		
Ex-Officio Members:		
William S. Beardsley.....	Governor	
Melvin D. Synhorst.....	Secretary of State	
Chet B. Akers.....	Auditor of State	
M. L. Abrahamson.....	Treasurer of State	
Clyde Spry	Secretary of Agriculture	
Members:		
Herbert W. Rathe, M.D.....	Waverly	January, 1955
H. E. Stroy, M.D.....	Osceola	January, 1955
Prince E. Sawyer, M.D.....	Sioux City	January, 1955
Milford E. Barnes, M.D.....	Iowa City	January, 1955
Fred Sternagel, M.D.....	West Des Moines.....	January, 1955
<i>Commissioner of Health</i>		
Edmund G. Zimmerer, M.D.....	Des Moines	June 30, 1957
Practice Act Examining Boards:		
<i>Barber Examiners</i>		
William Convey	Cedar Rapids	June 30, 1955
Lew W. Skinner.....	Council Bluffs	June 30, 1953
Clyde Kenyon	Des Moines	June 30, 1954
<i>Chiropody Examiners</i>		
M. D. Marr.....	Cedar Rapids	June 30, 1955
Dr. D. T. Mowbray.....	Waterloo	June 30, 1954
Dr. Ralph C. Kirkwood.....	Des Moines	June 30, 1953

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
<i>Chiropractic Examiners</i>		
Dr. J. V. Poulsen.....	Melcher	June 30, 1955
Dr. H. T. Opsahl.....	Decorah	June 30, 1954
Dr. C. J. Christensen.....	DeWitt	June 30, 1953
<i>Cosmetology Examiners</i>		
Louise Whaley	Webster City	June 30, 1955
Bernice Wickard	Des Moines	June 30, 1954
Inga Jepson	Clinton	June 30, 1953
<i>Dental Examiners</i>		
Dr. Lloyd A. Chatterton.....	Clinton	June 30, 1955
Dr. G. H. Hospers.....	Waterloo	June 30, 1954
Dr. C. V. Lehman.....	Cedar Rapids	June 30, 1956
Dr. D. J. Fitzgerald.....	Mason City	June 30, 1955
Dr. Henry M. Willits.....	Dubuque	June 30, 1953
<i>Embalmer Examiners</i>		
August Brandt, Jr.....	Dallas Center	June 30, 1953
William J. Witt.....	Elkader	June 30, 1955
William G. DeJong.....	Keokuk	June 30, 1954
<i>Medical Examiners</i>		
Dr. George H. Scanlon.....	Iowa City	June 30, 1955
Dr. H. E. Farnsworth.....	Storm Lake	June 30, 1953
Dr. M. A. Royal.....	Des Moines	June 30, 1954
<i>Nurse Examiners</i>		
Sister Mary Immaculata (Lamey).....	Dubuque	June 30, 1956
Hedvig A. Fredin, R.N.....	Des Moines	June 30, 1957
Adelaide Beers	Burlington	June 30, 1955
Etta H. Rasmussen.....	Cedar Rapids	June 30, 1953
Sister Mary Estella.....	Council Bluffs	June 30, 1954
<i>Optometry Examiners</i>		
Dr. Alfred J. Meyer.....	Davenport	June 30, 1954
Dr. Ralph J. Hayes.....	Harlan	June 30, 1955
Dr. Henry W. Knutson.....	Mason City	June 30, 1953
<i>Osteopathic Examiners</i>		
Dr. Harold D. Meyer.....	Algona	June 30, 1955
Dr. Marvin E. Green.....	Storm Lake	June 30, 1953
Dr. W. S. Edmund.....	Red Oak	June 30, 1954
<i>Hospital Advisory Council</i>		
Sister Mary Edmunda.....	Dubuque	June 30, 1956
Dr. D. H. Grau.....	Muscatine	June 30, 1956
Dr. Elbert E. Munger.....	Spencer	June 30, 1956
Gerhard Hartman	Iowa City	June 30, 1955
Dr. C. R. Harken.....	Osceola	June 30, 1955
Roy Hawkins	Leon	June 30, 1955
Tom Purcell	Hampton	June 30, 1954
Miss Anna C. Carlson.....	Ida Grove	June 30, 1954
Mrs. Ralph D. Jacobson.....	Boone	June 30, 1954
Mrs. A. D. Wiese.....	Manning	June 30, 1953
Harold Wright	Sioux City	June 30, 1953
Miss Esther Squires.....	Washington	June 30, 1953
Dr. Edmund G. Zimmerer, Commissioner of Health, Chairman, Ex-officio		

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
BUDGET AND FINANCIAL CONTROL COMMITTEE		
Senator Jay C. Colburn, Chairman.....	Harlan	Jan. 31, 1955
Senator J. Kendall Lynes.....	Plainfield	Jan. 31, 1957
Senator Herman M. Knudson.....	Clear Lake	Jan. 31, 1955
Senator George E. O'Malley.....	Des Moines	Jan. 31, 1957
Senator X. T. Prentis.....	Mount Ayr	Jan. 31, 1955
Representative Henry H. Stevens.....	Scranton	Jan. 31, 1957
Representative G. T. Kuester.....	Griswold	Jan. 31, 1955
Representative Dewey E. Goode.....	Bloomfield	Jan. 31, 1955
Representative Andrew G. Frommelt.....	Dubuque	Jan. 31, 1957
Representative A. C. Hanson.....	Inwood	Jan. 31, 1957
CAPITOL IMPROVEMENT COMMISSION		
Senator George L. Scott.....	West Union	
Senator Thomas J. Dailey.....	Burlington	
Senator Henry W. Washburn.....	Hastings	
Representative G. M. Ludwig.....	Tiffin	
Representative Guy G. Butler.....	Rolfe	
Representative Russell A. Patrick.....	Hawarden	
CAR DISPATCHER		
Walter J. Ruther.....	Clarence	At the pleasure of the Governor
CLERK OF SUPREME COURT		
Helen O. Galvin.....	Pleasantville	Dec. 31, 1954
CODE EDITOR		
Charles W. Barlow.....	Mason City	Dec. 31, 1954
Wayne A. Faupel, Deputy.....	Clear Lake	
COMMISSION, FOR THE BLIND		
Donald W. Overbeay.....	Vinton	Ex-officio
Mrs. King Palmer.....	Des Moines	June 30, 1958
Ralph M. Kauffman.....	Maquoketa	June 30, 1954
COMPTROLLER		
Glenn D. Sarsfield.....	Des Moines	At the pleasure of the Governor
CONSERVATION COMMISSION		
Joe Stanton	Des Moines	June 30, 1957
C. A. Dinges.....	Emmetsburg	June 30, 1955
Floyd S. Pearson.....	Decorah	June 30, 1957
E. G. Trost.....	Fort Dodge	June 30, 1957
George M. Foster.....	Ottumwa	June 30, 1959
J. D. Reynolds.....	Creston	June 30, 1959
Mrs. Emmett Hannon.....	Council Bluffs	June 30, 1955
CUSTODIAN		
Fred Willis	Des Moines	Dec. 31, 1954
DISPLACED PERSONS COMMITTEE		
Mrs. Mary Huncke, Chairman.....	State Board of Social Welfare	
Melvin D. Synhorst.....	Secretary of State	
Frank Ehman	1647 Beaver Ave.....	Des Moines
James McDonald	600 Teachout Bldg.....	Des Moines
Forrest Seymour	Register & Tribune.....	Des Moines
Mrs. Robert C. Lappen.....	694 Polk Blvd.....	Des Moines
Kirk Fox	715 50th St.....	Des Moines
Rev. John J. Gorman.....		Granger
George Westby	3141 49th St.....	Des Moines

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
EMPLOYMENT AGENCY COMMISSION		
Melvin D. Synhorst.....	Secretary of State	
Willard F. Russell.....	Industrial Commissioner	
Frank B. Means.....	Labor Commissioner	
EMPLOYMENT SECURITY COMMISSION		
J. C. Blodgett.....	Cedar Rapids	June 30, 1957
Claude M. Stanley.....	Corning	June 30, 1959
Carl B. Stiger.....	Toledo	June 30, 1955
M. L. Abrahamson, Treasurer of State, Ex-officio		
EXECUTIVE COUNCIL		
William S. Beardsley, Governor.....	New Virginia	Dec. 31, 1954
Melvin D. Synhorst, Secretary of State.....	Orange City	Dec. 31, 1954
Chet B. Akers, Auditor of State.....	Ottumwa	Dec. 31, 1954
M. L. Abrahamson, Treasurer of State.....	Bocne	Dec. 31, 1954
Clyde Spry, Secretary of Agriculture.....	Bronson	Dec. 31, 1954
W. Grant Cunningham, Secretary..... Des Moines		
FAIR BOARD		
Members:		
H. L. Pike, President.....	Whiting	
W. J. Campbell, Vice President.....	Jesup	
L. B. Cunningham, Secretary.....	Des Moines	
N. W. McBeath, Treasurer.....	Des Moines	
Ex-officio Members:		
William S. Beardsley, Governor.....		
Clyde Spry, Secretary of Agriculture.....		
J. H. Hilton, President, Iowa State College.....		
GEOLOGICAL BOARD		
William S. Beardsley, Governor.....		
C. B. Akers, Auditor of State.....		
Virgil M. Hancher, President, University of Iowa.....		
J. H. Hilton, President Iowa State College.....		
P. S. Helmick, President, Iowa Academy of Science, Drake University		
GEOLOGIST		
H. Garland Hershey.....	Iowa City	To serve at the pleasure of Geological Board
HIGHWAY COMMISSION		
John R. Hattery.....	Nevada	June 30, 1955
Sanford Zeigler.....	Fairfield	June 30, 1955
Mel M. Graham.....	Audubon	June 30, 1957
Robert Keir.....	Spencer	June 30, 1955
Frank R. Kerrigan.....	Dubuque	June 30, 1957
Edward F. Koch, Chief Engineer..... Ames		
HISTORY AND ARCHIVES DEPARTMENT		
Claude Cook, Curator.....	Montgomery County	
Emory English, Assistant Editor—Annals.....	Polk County	
HISTORICAL SOCIETY		
Mrs. Margaret Hinderman.....	Wapello	June 30, 1954
Henry K. Peterson.....	Council Bluffs	June 30, 1954
Mrs. Martha Brunk.....	Des Moines	June 30, 1954
Mrs. Helen Vanderburg.....	Shell Rock	June 30, 1954
Mrs. John Hammill.....	Britt	June 30, 1954
Mrs. Georgianna Amsden.....	Webster City	June 30, 1954
Mrs. Ann Lomas.....	Red Oak	June 30, 1954
Mrs. Esther Narey.....	Spirit Lake	June 30, 1954
W. D. Howlette.....	Des Moines	June 30, 1954

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
INDUSTRIAL COMMISSIONER		
Willard F. Russell.....	Toledo	June 30, 1955
Charles H. Greenley, Deputy.....	Des Moines	

INSURANCE COMMISSIONER		
Charles R. Fischer.....	Onawa	June 30, 1955
Samuel C. Orebaugh, First Deputy.....	Des Moines	
Donald Harlow, Second Deputy.....	Des Moines	

COMMITTEE ON INTERSTATE CO-OPERATION

Ex-officio Members:

William S. Beardsley, Governor.....	
Leo A. Hoegh, Attorney General.....	
M. L. Abrahamson, Treasurer of State.....	
Chet B. Akers, Auditor of State.....	
Melvin D. Synhorst, Secretary of State.....	

Legislative Members:

Senator J. T. Dykhouse.....	Rock Rapids
Senator W. Eldon Walter.....	Beaman
Senator John P. Berg.....	Cedar Falls
Senator James H. Nesmith.....	Kellogg
Senator Charles W. Nelson.....	Packwood
Senator Duane E. Dewel.....	Algona
Senator DeVere Watson.....	Council Bluffs
Representative Fred Schwengel.....	Davenport
Representative R. O. Burrows, Sr.....	Belle Plaine
Representative Glenn E. Robinson.....	Manchester
Representative L. A. Falvey.....	Albia
Representative Carl H. Ringgenberg.....	Ames
Representative Jacob Van Zwol.....	Paullina
Representative Albert Weiss.....	Denison

IOWA DEVELOPMENT COMMISSION

Charles E. Dove.....	Dubuque	June 30, 1954
G. E. Whitehead.....	Perry	Convening of next G. A.
Otto Knudsen	Eagle Grove	June 30, 1956
Marion L. Shugart.....	Council Bluffs	June 30, 1956
George Paul	Brooklyn	Convening of next G. A.
C. S. Van Eaton.....	Sioux City	Convening of next G. A.
Fred Schwengel	Davenport	Convening of next G. A.
Karl E. Madden.....	Davenport	June 30, 1955
Robert C. Wyth.....	Cedar Falls	June 30, 1957
Clyde Hendrix	Clinton	June 30, 1956
E. Howard Hill.....	Minburn	June 30, 1954

LABOR COMMISSIONER

Frank B. Means.....	Manilla	June 30, 1955
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LAW EXAMINERS

Leo A. Hoegh, Attorney General, Chairman.....		
Byron Sifford	Sioux City	June 30, 1954
A. B. Howland.....	Des Moines	June 30, 1954
Ingalls Swisher	Iowa City	June 30, 1953
E. P. Donohue.....	New Hampton	June 30, 1953
Leon W. Powers.....	Denison	June 30, 1954

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
LIBRARY COMMISSION		
William S. Beardsley, Governor.....		
T. G. Garfield, Supreme Court Justice.....		
Jessie M. Parker, Supt. of Public Instruction.....		
Librarian, Law:		
W. R. C. Kendrick.....	Des Moines	June 30, 1953
Geraldine Dunham, Deputy.....	Des Moines	June 30, 1953
Librarian, Medical:		
Dr. Jeanette Dean Throckmorton.....	Des Moines	June 30, 1953
Librarian, Traveling:		
Blanche A. Smith.....	Indianola	
LIQUOR COMMISSION		
A. A. Coburn.....	Cherokee	July 1, 1955
R. F. Swift.....	Harlan	July 1, 1953
Harold E. Wolfe.....	Mason City	July 1, 1957
H. E. Atwell, Secretary.....	Chariton	
LIQUOR WAREHOUSE ADVISORY COMMITTEE		
Senator Stanley L. Hart.....	Keokuk	
Senator Philip T. Hedin.....	Davenport	
Senator Harry E. Watson.....	Sanborn	
Representative Lawrence Putney.....	Gladbrook	
Representative Raymond Cornick.....	New London	
Representative J. O. Watson, Jr.....	Indianola	
MERIT SYSTEM COUNCIL		
N. T. Chadderdon.....	Marshalltown	Dec. 31, 1955
Gerard Schultz.....	Indianola	Dec. 31, 1954
L. Curtise Wood.....	Cedar Rapids	Dec. 31, 1953
MINE INSPECTORS		
Clarence Chapman.....	Albia	June 30, 1955
William Jervis.....	Des Moines	June 30, 1955
NATURAL RESOURCES COUNCIL		
Chris Jensen.....	Audubon	July 1, 1957
Ewald G. Trost.....	Fort Dodge	July 1, 1957
Mrs. Addison Parker.....	Des Moines	July 1, 1953
Harold McKinley.....	St. Ansgar	July 1, 1953
Dr. H. Garland Hershey.....	Iowa City	July 1, 1955
Dean F. M. Dawson.....	Iowa City	July 1, 1955
G. L. Ziemer, Director.....	Des Moines	
Mrs. Martha Rud, Secretary-Treasurer.....	Des Moines	
PAROLE BOARD		
Mrs. Virginia Bedell.....	Spirit Lake	July 1, 1955
Otto H. Henningsen.....	Clinton	July 1, 1957
C. E. Godfrey.....	Albia	July 1, 1959
R. W. Bobzin, Secretary.....		
PERMIT BOARD		
Martin Lauterbach, Chairman.....	State Tax Commission	
C. B. Akers.....	Auditor of State	
Melvin D. Synhorst.....	Secretary of State	
H. E. Evers, Secretary.....		

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
PHARMACY EXAMINERS		
Charles F. Griffin.....	Mapleton	June 30, 1955
Geo. Gillman.....	Fort Dodge	June 30, 1953
Oscar G. Fladt.....	Burlington	June 30, 1954
J. F. Rabe, Secretary.....		
PRINTING BOARD		
C. B. Akers, Auditor of State, Ex-officio.....		
Leo A. Hoegh, Attorney General, Ex-officio.....		
Melvin D. Synhorst, Secretary of State, Ex-officio.....		
Richard R. Eby.....	Moulton	June 30, 1953
Fred G. Edwards.....	Davenport	June 30, 1954
S. W. Needham, Superintendent.....	Ames	
R. Everett McFarland, Asst. Superintendent.....	Indianola	
PUBLIC SAFETY COMMISSIONER		
Pearl McMurry	Corydon	June 30, 1955
REAL ESTATE COMMISSION		
Melvin D. Synhorst, Secretary of State, Chairman.....		
Hal H. Lang.....	Sioux City	June 30, 1955
Alfred Dement	Anita	June 30, 1955
Reuben R. Hargrove.....	Bloomfield	June 30, 1957
Allan F. Beck.....	Mason City	June 30, 1957
E. A. Hart, Director.....	Des Moines	
REPORTER OF THE SUPREME COURT		
Charles W. Barlow, Reporter.....	Mason City	Dec. 31, 1954
Alice L. Foarde, Deputy.....	Des Moines	
SOCIAL WELFARE BOARD		
Luke L. Caffrey.....	Cresco	June 30, 1955
Mrs. Mary Huncke.....	Des Moines	June 30, 1959
Rolla R. Glenn.....	Osceola	June 30, 1957
R. H. Whitlatch, Secretary.....		
SOIL CONSERVATION COMMITTEE		
Kenneth M. Wagner.....	West Liberty	June 30, 1955
Lawrence L. Garton.....	Alta	June 30, 1959
Chris H. Jensen.....	Audubon	June 30, 1957
James W. Foster.....	Albia	June 30, 1955
J. F. Ingels.....	Maynard	June 30, 1955
Clyde Spry, Secretary of Agriculture.....		
Dean Floyd Andre, Iowa State College.....		
Othie R. McMurry, Executive Secretary.....		
TAX COMMISSION		
J. Frank Hamilton.....	Maquoketa	June 30, 1955
Martin Lauterbach	Alden	June 30, 1959
Ray E. Johnson.....	Muscatine	June 30, 1957
UNIFORM STATE LAWS		
Mason Ladd	Iowa City	June 30, 1956
J. C. Pryor.....	Burlington	June 30, 1956
F. M. Miller.....	Des Moines	June 30, 1956

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
VOCATIONAL EDUCATION AND REHABILITATION		
Jessie M. Parker, Supt. of Public Instruction.....		
Dwight Rider	Fort Dodge	
Frank B. Means.....	Manilla	
VOTING MACHINE COMMISSIONERS, STATE BOARD OF		
Irvin G. Wyatt.....	Clinton	
Dan J. Rhodes.....	Fort Dodge	
Elizabeth L. Kitterman.....	Ottumwa	
WATCHMAKING EXAMINERS		
E. L. Scott,.....	Fort Dodge	June 30, 1954
W. O. Herteen.....	Iowa City	June 30, 1953
Howard E. Kelly.....	Denison	June 30, 1954
Arnold King	Ottumwa	June 30, 1955
Charles R. Chaffee.....	Council Bluffs	June 30, 1953
Ray A. Wiley, Executive Secretary.....	Des Moines	
WORLD WAR I BONUS BOARD		
Brig. Gen. Fred C. Tandy, Adjutant General.....		
M. L. Abrahamson, Treasurer of State.....		
C. B. Akers, Auditor of State.....		
R. J. Laird.....		
Edwin H. Curtis, Executive Secretary.....		
*WORLD WAR II SERVICE COMPENSATION BOARD		
Brig. Gen. Fred C. Tandy, Adjutant General.....		
M. L. Abrahamson, Treasurer of State.....		
C. B. Akers, Auditor of State.....		
E. W. McNeil.....	Montezuma	
J. Lyle Musmaker.....	Greenfield	
Ray Yenter, Executive Secretary.....	Iowa City	

*See chapter 55 of this volume.

JUDICIAL DEPARTMENT

JUDICIAL DEPARTMENT

JUDGES OF THE SUPREME COURT

C. F. Wennerstrum.....	Chariton	Dec. 31, 1958
T. G. Garfield.....	Ames	Dec. 31, 1958
Ralph A. Oliver.....	Sioux City	Dec. 31, 1958
*Robert L. Larson.....	Iowa City	Dec. 31, 1954
John E. Mulroney.....	Fort Dodge	Dec. 31, 1954
W. A. Smith.....	Dubuque	Dec. 31, 1954
Wm. L. Bliss.....	Mason City	Dec. 31, 1956
Norman R. Hays.....	Knoxville	Dec. 31, 1956
G. K. Thompson.....	Cedar Rapids	Dec. 31, 1956

JUDGES OF THE DISTRICT COURT

First Judicial District

*G. L. Norman.....	Keokuk	Dec. 31, 1954
J. R. Leary.....	Fort Madison	Dec. 31, 1954

Second Judicial District

Elmer K. Daugherty.....	Ottumwa	Dec. 31, 1954
Harold V. Levis.....	Chariton	Dec. 31, 1954
Edward L. Simmons.....	Centerville	Dec. 31, 1954
Heinrich C. Taylor.....	Bloomfield	Dec. 31, 1954

Third Judicial District

*Harvey J. Kittleman.....	Corning	Dec. 31, 1954
Charles J. Lewis.....	Mount Ayr	Dec. 31, 1954
Tedford W. Miles.....	Corydon	Dec. 31, 1954

Fourth Judicial District

L. B. Forsling.....	Sioux City	Dec. 31, 1954
Ralph W. Crary.....	Sioux City	Dec. 31, 1954
Geo. W. Prichard.....	Onawa	Dec. 31, 1954
Ralph C. Prichard.....	Sioux City	Dec. 31, 1954

Fifth Judicial District

S. E. Prall.....	Indianola	Dec. 31, 1954
Geo. H. Sackett.....	Perry	Dec. 31, 1954
Phil R. Wilkinson.....	Winterset	Dec. 31, 1954

Sixth Judicial District

Frank Bechly.....	Montezuma	Dec. 31, 1954
J. G. Patterson.....	Oskaloosa	Dec. 31, 1954
R. G. Yoder.....	Sigourney	Dec. 31, 1954

Seventh Judicial District

W. L. Keck.....	Maquoketa	Dec. 31, 1954
Glenn D. Kelly.....	Davenport	Dec. 31, 1954
W. A. Newport.....	Davenport	Dec. 31, 1954
Merritt L. Sutton.....	Clinton	Dec. 31, 1954
Matthew Westrate.....	Muscatine	Dec. 31, 1954

Eighth Judicial District

Harold D. Evans.....	Iowa City	Dec. 31, 1954
James P. Gaffney.....	Marengo	Dec. 31, 1956

Ninth Judicial District

O. S. Franklin.....	Des Moines	Dec. 31, 1954
Russell Jordan.....	Des Moines	Dec. 31, 1954
Dring D. Needham.....	Des Moines	Dec. 31, 1954
Joseph E. Meyer.....	Des Moines	Dec. 31, 1954
Edwin C. Moore.....	Des Moines	Dec. 31, 1954
Tom K. Murrow.....	Des Moines	Dec. 31, 1954

*Appointed to fill vacancy.

JUDICIAL DEPARTMENT—Continued

Tenth Judicial District

Shannon B. Charlton.....	Manchester	Dec. 31, 1954
George C. Heath.....	Waterloo	Dec. 31, 1954
Paul L. Kildee.....	Waterloo	Dec. 31, 1954

Eleventh Judicial District

*Harvey H. Uhlenhopp.....	Hampton	Nov. 2, 1954
John M. Schaupp.....	Fort Dodge	Dec. 31, 1954
G. R. Hill.....	Clarion	Dec. 31, 1954
H. C. Nichol.....	Ames	Dec. 31, 1954

Twelfth Judicial District

T. A. Beardmore.....	Charles City	Dec. 31, 1954
Tom Boynton	Forest City	Dec. 31, 1956
William P. Butler.....	Mason City	Dec. 31, 1954
M. H. Kepler.....	Northwood	Dec. 31, 1956

Thirteenth Judicial District

W. H. Antes.....	West Union	Dec. 31, 1954
T. H. Goheen.....	Calmar	Dec. 31, 1956
George B. Richter.....	Waukon	Dec. 31, 1954

Fourteenth Judicial District

Fred M. Hudson.....	Pocahontas	Dec. 31, 1954
Harry E. Narey.....	Spirit Lake	Dec. 31, 1956
G. W. Stillman.....	Algona	Dec. 31, 1954

Fifteenth Judicial District

Harold E. Davidson.....	Clarinda	Dec. 31, 1954
Vernon Johnson	Sidney	Dec. 31, 1956
R. Kent Martin.....	Atlantic	Dec. 31, 1954
Bennett Cullison	Harlan	Dec. 31, 1954
Chas. Roe	Council Bluffs	Dec. 31, 1954

Sixteenth Judicial District

F. H. Cooney.....	Carroll	Dec. 31, 1954
R. L. McCord.....	Sac City	Dec. 31, 1954
Bruce M. Snell.....	Ida Grove	Dec. 31, 1954

Seventeenth Judicial District

B. F. Thomas.....	Traer	Dec. 31, 1954
M. C. Farber.....	Marshalltown	Dec. 31, 1954

Eighteenth Judicial District

M. C. Hamiel.....	Tipton	Dec. 31, 1954
J. E. Heiserman.....	Anamosa	Dec. 31, 1954
Floyd Philbrick	Cedar Rapids	Dec. 31, 1954
Charles Penningroth	Cedar Rapids	Dec. 31, 1954

Nineteenth Judicial District

John G. Chalmers.....	Dubuque	Dec. 31, 1954
Milton J. Glenn.....	Dubuque	Dec. 31, 1954

Twentieth Judicial District

Paul H. McCoid.....	Mount Pleasant	Dec. 31, 1954
E. O. Newell.....	Burlington	Dec. 31, 1956

Twenty-first Judicial District

R. G. Rodman.....	Cherokee	Dec. 31, 1954
O. S. Thomas.....	Rock Rapids	Dec. 31, 1956
M. D. Van Oosterhout.....	Orange City	Dec. 31, 1954

*Appointed to fill vacancy.

JUDICIAL DEPARTMENT—Continued

JUDGES OF THE MUNICIPAL AND SUPERIOR COURTS

Municipal Courts

Judges	Address	Clerks	Reporters	
Albert Steinberg	Ames.....	Edna Samuelson	Irene Sogard	
Cosgrove Walsh	Burlington.....	Marceline K. Ita.....		
W. A. McCullough.....	Clinton.....	Albert J. Meyer.....	Ethelda R. Level Mrs. Kathryn Miller	
Allan Ardell	Council Bluffs.....	Lucille M. Madden.....		
Andrew J. Nielsen.....	Council Bluffs.....			
Howard W. Brooks.....	Des Moines.....	Walter R. Priebe.....		
Charles S. Cooter.....	Des Moines.....			
Don L. Tidrick.....	Des Moines.....			
Harry B. Grund.....	Des Moines.....			
R. M. O'Bryon.....	Marshalltown.....	Etta Northup		
Berry J. Sisk.....	Sioux City.....	Harry E. Harbeck.....		Richard F. Tedrow
George M. Paradise.....	Sioux City.....			
Geo. J. Sager.....	Waterloo.....	E. W. Koepke.....	Eve M. Leonard	
Ben G. Howrey.....	Waterloo.....			

Superior Courts

Judges	Address	Clerks	Reporters
Wm. J. Matias.....	Cedar Rapids.....	Maude M. Krebs.....	Imogen B. Emery
Frank W. Oertel.....	Keokuk.....		

CONGRESSIONAL DIRECTORY

United States Senators

Guy M. Gillette.....	Cherokee	Dec. 31, 1954
Bourke B. Hickenlooper.....	Cedar Rapids	Dec. 31, 1956

Representatives in Congress

1. Thomas E. Martin.....	Iowa City	Dec. 31, 1954
2. Henry O. Talle.....	Decorah	Dec. 31, 1954
3. H. R. Gross.....	Waterloo	Dec. 31, 1954
4. Karl M. LeCompte.....	Corydon	Dec. 31, 1954
5. Paul Cunningham	Des Moines	Dec. 31, 1954
6. James I. Dolliver.....	Fort Dodge	Dec. 31, 1954
7. Ben F. Jensen.....	Exira	Dec. 31, 1954
8. Charles B. Hoeven.....	Alton	Dec. 31, 1954

SENATORS IN GENERAL ASSEMBLY

NAME	Address	Age	Occupation	Dist	Counties Composing District	Former Legislative Service
*Anderson, Carl T.	Wellman	63	Farmer	10	Henry, Washington	53 54
*Bateson, R. R. (Rex)	Eldora	55	Lawyer	37	Hamilton, Hardin, Wright	52 52X 53 54
*Bekman, Elmer K.	Ottumwa	52	Lawyer	13	Wapello	48 49 50 50X 51 52 52X 53 54
Bellman, G. D.	Indianola	58	Farmer	11	Clarke, Warren	
*Berg, John P.	Cedar Falls	64	Business	38	Black Hawk, Grundy	46 46X 47 48 49 50 50X 51 52 52X 53 54
Boothby, Laurence M.	Cleghorn	57	Farmer	46	Cherokee, Ida, Plymouth	52 52X 53 54
Byers, Frank C.	Marion	69	Lawyer	26	Linn	43 44 45 45X 46 46X 47 48 49 50 50X 51 52 52X 53 54
Clark, Ted D.	Mystic	32	Merchant	3	Appanoose, Davis	53 54
*Colburn, Jay C.	Harlan	58	Farmer, Implem't Dealer	18	Cass, Shelby	49 50 50X 51 52 52X 53 54
*Dailey, Thomas J.	Burlington	38	Lawyer	9	Des Moines	54
Dewel, Duane E.	Algona	51	Publisher	49	Emmet, Kossuth, Palo Alto	51 52 52X
Dykhouse, J. T.	Rock Rapids	62	Real Estate, Insurance	24	Lyon, Osceola, Sioux	47 48 49 50 50X 51 52 52X 53 54
Elijah, Earl	Clarence	65	Farmer	23	Cedar, Jackson, Jones	
*Fishbaugh, Earl C., Jr.	Shenandoah	43	Lawyer	7	Fremont, Page	46 46X 47 48 49 50 50X 52 52X 53 54
Grimstead, Jacob	Lake Mills	47	Grocer	41	Mitchell, Winnebago, Worth	
*Hart, Stanley L.	Keokuk	56	Farmer	1	Lee	47 48 49 50 50X 51 52 52X 53 54
*Hedin, Philip T.	Davenport	70	Real Estate	21	Scott	50 50X 51 52 52X 54
Heideman, Henry	Rockwell City	63	Business, Farmer (retired)	27	Calhoun, Webster	
Johnson, A. J.	Elkader	53	Banking, Insurance	36	Clayton	
Knudson, Herman M.	Clear Lake	65	Retired	43	Cerro Gordo, Franklin, Hancock	46 46X 48 49 50 50X 51 52 52X 53 54
Larson, Thomas C.	Blockton	43	Farmer	6	Adams, Taylor	
*Linnevoold, William	Decorah	75	Insurance	42	Howard, Winneshiek	52 52X 53 54
*Lord, Herman B.	Muscatine	59	Manufacturer	20	Louisa, Muscatine	52 52X 53 54
Lucas, J. G.	Madrid	72	Publisher	31	Boone, Story	51 52 52X
Lynes, J. Kendall	Plainfield	49	Farmer	39	Bremer, Butler	49 50 50X 51 52 52X 53 54
Miller, Leon N.	Knoxville	47	Lawyer	15	Marion, Monroe	
*Molison, W. C.	Grinnell	49	Farmer	12	Keokuk, Poweshiek	54
*Myrland, E. C.	Onawa	60	Farmer	34	Crawford, Harrison, Monona	52 52X 53 54
Nelson, Charles W.	Packwood	44	Chick Hatcheryman	2	Jefferson, Van Buren	47 48
*Nesmith, James H.	Kellogg	49	Manufacturer's Repr.	29	Jasper	54
Nolan, D. C.	Iowa City	50	Lawyer	25	Iowa, Johnson	
*O'Malley, George E.	Des Moines	47	Lawyer	30	Polk	53 54
*Oltman, R. J.	Storm Lake	49	Dentist	50	Buena Vista, Humboldt, Pocahontas	54
Prentis, X. T.	Mount Ayr	56	Merchant	5	Decatur, Ringgold, Union	48 49 50 50X 51 53 54
Risk, Don	Independence	56	Savings and Loan	33	Buchanan, Delaware	53 54
Sayre, Lorin B.	Winterset	70	Retired Schoolman	16	Adair, Madison	
Schoening, Erwin	Bryant	56	Farmer, Cattle Feeder	22	Clinton	
Scott, George L.	West Union	65	Farmer	40	Allamakee, Fayette	46 46X 47 48 49 50
Stewart, C. Emory	Rose Hill	55	Farmer	14	Mahaska	
Stuart, W. C.	Chariton	32	Lawyer	4	Lucas, Wayne	

SENATORS IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Dist	Counties Composing District	Former Legislative Service
*Utzig, Arnold	Dubuque	59	Shoe Merchant	35	Dubuque	50 50X 51 52 52X 53 54
Van Eaton, Charles S.	Sioux City	63	Food Stores	32	Woodbury	51 52 52X 53 54
*Vest, Alan	Sac City	41	Lawyer	48	Carroll, Greene, Sac	54
Walter, W. Eldon	Beaman	54	Farmer, Stockman	28	Marshall	49 50 50X 51 52 52X 53 54
Washburn, Henry W.	Hastings	53	Farmer	8	Mills, Montgomery	53 54
Watson, DeVere	Council Bluffs	59	Lawyer	19	Pottawattamie	49 50 50X 51 52 52X 53 54
Watson, Harry E.	Sanborn	46	Farmer	47	Clay, Dickinson, O'Brien	51 52 52X 53 54
*Weichman, Harry E.	Newhall	60	Farmer (retired)	45	Benton, Tama	47 48 49 50 50X 51 52 52X 53 54
Whitehead, G. E.	Perry	60	Publisher	17	Audubon, Dallas, Guthrie	50 50X 51 53 54
*Zastrow, Ralph W.	Charles City	63	Lawyer	44	Chickasaw, Floyd	50 50X 51 52 52X 53 54

*Holdover Senators

REPRESENTATIVES IN GENERAL ASSEMBLY

NAME	Address	Age	Occupation	County	Former Legislative Service
Abel, L. W.	Guttenberg	52	Businessman, Farmer	Clayton	54
Armstrong, Otto	Ottumwa	72	Farmer	Wapello	
Ballhagen, Wayne W.	New Hartford	38	Merchant, Farmer	Butler	
Bass, Elmer A.	Red Oak	64	Farmer	Montgomery	51 52 52X 53 54
Beck, Robert K.	Centerville	37	Publisher	Appanoose	
Bloedel, A. S.	Tabor	76	Hardware Merchant	Fremont	54
Brockmeyer, John	Lime Springs	62	Farmer	Howard	54
Brown, Carroll L.	Oskaloosa	39	Farmer	Mahaska	52 52X 53 54
Brown, Mahlon N.	What Cheer	28	Attorney	Keokuk	
Brownlie, John	Winterset	71	Retired Farmer	Madison	53 54
Buck, Howard C.	State Center	53	Farmer	Marshall	53 54
Burrows, R. O., Sr.	Belle Plaine	53	Publisher	Benton	54
Burtch, Charles R.	Osage	59	Farmer	Mitchell	
Butler, Guy G.	Rolfe	65	Farmer, Banker	Pocahontas	52 52X 54
Carlson, Robert	Sioux City	57	Oil Business	Woodbury	49 50 50X 51
Christiansen, W. R.	Northwood	57	Retired County Auditor	Worth	
Cooksey, Paul	Spencer	29	Lawyer	Clay	54
Cornick, Raymond	New London	63	Farmer	Henry	53 54
Darrington, W. E.	Persia	48	Farmer	Harrison	54
Eckels, Penn	Britt	70	Farmer	Hancock	52 52X 53 54
Edgington, Floyd P.	Sheffield	53	Farmer	Franklin	
Fairchild, Bert K.	Ida Grove	61	Farmer	Ida	53 54
Falvey, L. A.	Albia	51	Lumberman, Banker	Monroe	
Frey, T. J.	Neola	51	Publisher	Pottawattamie	54
Frommelt, Andrew G.	Dubuque	31	Business Representative	Dubuque	

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Gallup, Lee	Libertyville	56	Farmer	Jefferson	53 54
Goode, Dewey E.	Bloomfield	54	Produce Dealer	Davis	45 45X 46 46X 47 48 49 50 50X 53 54
Hadden, Roy	Castana	48	Farmer	Monona	
Hanson, A. C.	Inwood	61	Livestock Farm	Lyon	45 45X 53 54
Harris, Fay L.	Greenfield	59	Soil Conservation	Adair	53 54
Hawkins, R. B.	Leon	67	Lawyer	Decatur	50 50X 51 52
Hendrix, W. C.	Letts	63	Farmer	Muscatine	52 52X 53 54
Henry, Jim O.	Carson	56	Farmer, Stock Raising	Pottawattamie	
Hinchliffe, Charles F.	Baldwin	58	Farmer	Jackson	
Hoover, Earl T.	Mount Ayr	69	Retired Farmer	Ringgold	
Hoth, Elmer A.	Postville	52	Hardware Dealer	Allamakee	
Huisman, Robert	Sibley	58	Farmer	Osceola	54
Jones, Alfred E.	Osceola	32	Restaurant Owner	Clarke	54
Judd, William N.	Clinton	65	Retired R.R. Yardmaster	Clinton	47 48 49 50 54
Kerr, Francis L.	Manilla	65	Farmer	Shelby	52
Klemesrud, Theo.	Thompson	50	Editor-Publisher	Winnebago	50 50X 51 52 52X 53 54
Koch, Frank	West Bend	67	Retired Publisher, Printer	Palo Alto	52 52X 54
Kosek, Ernest	Cedar Rapids	45	Businessman	Linn	52 52X 53 54
Kudsk, Soren S.	Carroll	60	Retired Store Manager	Carroll	
Kuester, G. T.	Griswold	64	Farmer	Cass	46 46X 47 48 49 50 50X 51 52 52X 53 54
Lauer, Grant	Eldorado	59	Insurance, Farm Manager	Fayette	
Lisle, Vern	Clarinda	46	Manufacturer	Page	53 54
Lucken, J. Henry	Akron	56	Farmer	Plymouth	52 52X 53 54
Ludwig, G. M.	Tiffin	56	Farmer, Radio Commentator	Johnson	54
Lynes, William S.	Waverly	59	Drainage Engineer	Bremer	52 52X 53 54
Mallonee, L. Dee	Audubon	62	Lawyer	Audubon	54
McFarlane, Arch W.	Waterloo	67	Wholesale Fuel	Black Hawk	36 37 38 38X 39 42 42X 43 44 45 45X 46 46X 48 49 50 50X 51 52 52X 54
McNeal, Clark H.	Belmond	33	Broker, Farm Manager	Wright	54
McWhorter, Ray S.	Burt	62	Farmer	Kossuth	
Mensing, A. L.	Lowden	56	Merchant	Cedar	54
Meyer, Dwight W.	Odebolt	51	Farmer	Sac	53 54
Miller, Earl A.	Cedar Falls	49	Farmer	Black Hawk	53 54
Moore, Kenneth R.	Morning Sun	38	Lawyer	Louisa	54
Mooty, W. L.	Grundy Center	46	Businessman, Farmer, Lawyer	Grundy	54
Morris, Conway E.	Dallas Center	58	Farmer	Dallas	54
Nelson, Gladys S.	Newton	57	Housewife	Jasper	54
Nelson, Harold Lum	Sioux City	47	Lawyer	Woodbury	49 50 50X 52 52X 53 54
Nicholson, Kirk R.	Bedford	50	Farmer	Taylor	54
Novak, Emil L.	Fairfax	36	Livestock Farmer	Linn	
Oberman, Claude	Yarmouth	63	Farmer	Des Moines	54
Oppedahl, Edward	Renwick	62	Livestock Farmer	Humboldt	54
Palmer, Ernest, Jr.	Fort Madison	38	Lawyer	Lee	53 54

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Parker, Paul	Des Moines	31	Lawyer	Polk	
Patrick, Russell A.	Hawarden	52	Farmer	Sioux	52 52X 53 54
Paul, George L.	Brooklyn	49	Farmer	Poweshiek	52X 53 54
Pedrick, Frank	Ottumwa	56	Hardware Merchant	Wapello	54
Pendleton, Wendell	Storm Lake	32	Attorney	Buena Vista	54
Peters, John M.	Fort Dodge	25	Attorney	Webster	
Peterson, Amos C.	Nashua	60	Retired Farmer	Chickasaw	
Pim, Raymond T.	Lucas	55	Farmer	Lucas	
Putney, Lawrence	Gladbrook	52	Merchant, Farmer	Tama	51 52 52X 53 54
Ramsayer, Harry W.	Washington	56	Hatcheryman	Washington	54
Reilly, Robert C.	Dubuque	48	Merchant	Dubuque	48 49 50 50X 51 52 52X 53
Ringgenberg, Carl H.	Ames	57	Farmer	Story	54
Robinson, Glenn E.	Manchester	49	Attorney	Delaware	50 50X 51 52 52X 53 54
Ryan, Earl C.	Des Moines	56	Attorney	Polk	54
Sar, Martin E.	Charles City	66	Farmer	Floyd	54
Scheerer, Chester A.	Boone	53	Farmer	Boone	
Schroeder, Jack	Davenport	27	Lawyer	Scott	54
Schwengel, Fred	Davenport	45	Insurance Business	Scott	51 52 52X 53 54
Sersland, Hillman H.	Decorah	46	Merchant, Farmer	Winneshiek	
Shaff, David O.	Camanche	28	Lawyer	Clinton	
Sherod, Clayton D.	Birmingham	73	Farmer	Van Buren	53 54
Smith, Roy J.	Spirit Lake	63	Farm Manager	Dickinson	53 54
Soeth, Max M.	Estherville	52	Farmer	Emmet	54
Steers, Edward J.	Creston	37	Merchant	Union	
Stephenson, O. C.	Corydon	62	Farmer, Insurance	Wayne	
Stevens, Henry H.	Scranton	59	Farmer	Greene	51 52 52X 53 54
Strawman, Clifford M.	Anamosa	63	Lawyer, Farmer	Jones	51 52 52X 53 54
Tate, W. H. "Bill"	Mason City	52	Insurance, Real Estate	Cerro Gordo	54
Thompson, Frank R.	Guthrie Center	36	Attorney	Guthrie	
Turner, Ira L.	Malvern	70	Farmer	Mills	52 52X
Turner, W. Oliver	Corning	67	Farmer	Adams	49 50
Van Zwol, Jacob	Paullina	59	Life Insurance	O'Brien	53 54
Vermeer, Elmer H.	Pella	32	Farmer	Marion	
Voigtmann, Fred	Marengo	63	Director of Relief	Iowa	54
Walker, John A.	Williams	40	Farmer	Hamilton	52 52X 53 54
Walter, Paul M.	Union	47	Farmer	Hardin	53 54
Watson, J. O., Jr.	Indianola	49	Lawyer	Warren	
Weiss, Albert	Denison	67	Retired Farmer, Businessman	Crawford	52 52X 53 54
Weston, L. O.	Stanley	50	Farmer	Buchanan	53 54
Whitney, W. E.	Aurelia	43	Farm Manager	Cherokee	
Wilson, Melvin	Rockwell City	62	Semi-retired	Calhoun	48 49 50 50X

OFFICERS OF THE FIFTY-FIFTH GENERAL ASSEMBLY

OFFICERS OF THE HOUSE

<i>Speaker</i> —William S. Lynes.....	Waverly
<i>Speaker Pro Tempore</i> —Vern Lisle.....	Clarinda
<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.....	Diagonal
<i>Law Clerk</i> —Robert L. Ulstad.....	Fort Dodge
<i>Journal Clerk</i> —Mary F. Royal.....	Des Moines
<i>Journal Clerk</i> —Dorothy Harris.....	Des Moines
<i>Journal Clerk & Clip Sheet Clerk</i> —Marguerite Davis.....	Des Moines
<i>Engrossing Clerk</i> —Gail Hansen.....	Woodward
<i>Chief Enrolling Clerk</i> —Bess A. Okey.....	Des Moines
<i>Assistant Enrolling Clerk</i> —Lois Guinn.....	Des Moines
<i>Assistant Enrolling Clerk</i> —Marguerite Hermann.....	Des Moines
<i>Assistant Enrolling Clerk</i> —Mildred Hall.....	Des Moines
<i>Secretary to Chief Clerk</i> —Madge Clark.....	Des Moines
<i>Clerk to Chief Clerk</i> —Frances Best.....	Des Moines
<i>Payroll Clerk</i> —Jacqueline Day.....	Des Moines
<i>Supervisor of Clerks</i> —Anne Van Laningham.....	Des Moines
<i>Speaker's Secretary</i> —Margaret Rader.....	Waterloo
<i>Index Clerk</i> —Sara G. Goodman.....	Des Moines
<i>Secretary to Law Clerk</i> —Phyllis Hall.....	Des Moines
<i>Sergeant-at-Arms</i> —Phil A. Estensen.....	Webster City
<i>Assistant Sergeant-at-Arms</i> —W. F. Hathaway.....	Des Moines
<i>Chief Doorkeeper</i> —John Nelson.....	Jewell
<i>Bill Clerk</i> —Alvin J. Crail.....	Des Moines
<i>Assistant Bill Clerk</i> —V. A. Shaffer.....	Murray
<i>Assistant Bill Clerk</i> —Tom Davis.....	Des Moines
<i>File Clerk</i> —Louis O. Linstrum.....	Des Moines
<i>File Clerk</i> —J. R. James.....	Gladbrook
<i>Supply Clerk</i> —Mary Freels.....	Clinton
<i>Supply Clerk</i> —Elsie Mae Tuttle.....	Williams
<i>Postmistress</i> —Gladys Black.....	Des Moines

OFFICERS OF THE SENATE

<i>President</i> —Leo Elthon.....	Fertile
<i>President Pro Tempore</i> —Stanley L. Hart.....	Keokuk
<i>Secretary</i> —Carroll A. Lane.....	Carroll
<i>Assistant Secy. and Journal Clerk</i> —Edna Gillespie.....	Des Moines
<i>Law and Reading Clerk</i> —James L. Bennett.....	Des Moines
<i>Asst. Law and Reading Clerk</i> —Richard Berglund.....	Des Moines
<i>Secretary's Stenographer</i> —Ruth E. Fisher.....	Des Moines
<i>Lieutenant Governor's Stenographer</i> —Sylvia Elthon.....	Fertile
<i>Assistant Journal Clerk</i> —Sue Reed.....	Des Moines
<i>Secretary's Clerk</i> —Catherine Sullivan.....	Des Moines
<i>Engrossing Clerk</i> —Maretta Blanchard.....	Des Moines
<i>Enrolling Clerk</i> —Kathryn Lepley.....	Des Moines
<i>Payroll Clerk</i> —Dorothy Dykhous.....	Rock Rapids
<i>Special Clerk</i> —Marie Spencer.....	West Des Moines
<i>Assistant Enrolled Bills Clerk</i> —Frances Ashley.....	Des Moines
<i>Assistant Enrolled Bills Clerk</i> —Ada M. Jolley.....	Adel
<i>Assistant Enrolled Bills Clerk</i> —Helen Andresen.....	Des Moines
<i>Supply Clerk</i> —Louise Miller.....	New Virginia
<i>Sergeant-at-Arms</i> —Frank Buck.....	Ames
<i>Assistant Sergeant-at-Arms</i> —Walter A. Keith.....	Des Moines
<i>Chief Doorkeeper</i> —Albert Marshall.....	Northwood
<i>Bill Clerk</i> —Harry Upham.....	Fredricksburg
<i>File Clerk</i> —JoAnn Dancer.....	Des Moines
<i>File Clerk</i> —Corn Hoon.....	Des Moines
<i>Assistant File Clerk</i> —Dennis Montgomery.....	Des Moines
<i>Assistant File Clerk</i> —David Abram.....	Des Moines
<i>Assistant File Clerk</i> —Donald Abram.....	Des Moines
<i>Assistant File Clerk</i> —Richard E. Oltman.....	Storm Lake
<i>Postmistress</i> —Nancy Page.....	Bedford

CONDITION OF STATE TREASURY

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, 1952

Fiscal Year Ending June 30, 1951

	Balance July 1, 1950	Total Receipts and Transfers	Total Available	Total Warrants Redeemed Treasurer's Checks Issued and Transfers	Balance June 30, 1951
General Revenue	\$ 87,466,898.02	\$109,077,864.91	\$147,465,259.24	\$ 87,079,718.88	\$ 29,898,965.81
Transfers		920,996.81		50,486,579.55	
General Revenue					
Special Reserve Fund.....	30,000,000.00		30,000,000.00		30,000,000.00
Trust Funds	51,748,212.59	84,584,189.00	176,602,436.92	112,497,948.43	63,732,142.23
Transfers		40,325,035.33		872,846.26	
Special Funds					
(Comptroller Warrants)	18,747,007.03	41,186,874.37	118,336,648.07	98,818,195.52	18,952,952.50
Transfers		58,402,966.67		565,500.05	
Special Funds					
(Treasurer Checks)	918,307.28	82,644,829.57	84,070,866.11	34,585,071.50	748,492.90
Transfers		512,729.26		48,787,801.71	
TOTAL.....	<u>\$138,870,424.92</u>	<u>\$417,604,785.42</u>	<u>\$556,475,210.34</u>	<u>\$413,142,656.90</u>	<u>\$143,332,553.44</u>
Balance July 1, 1950.....					\$138,870,424.92
Receipts and Transfers.....					417,604,785.42
TOTAL.....					<u>\$556,475,210.34</u>
Disbursements and Transfers.....					413,142,656.90
Balance June 30, 1951.....					<u>\$143,332,553.44</u>

Fiscal Year Ending June 30, 1952

	Balance July 1, 1951	Total Receipts and Transfers	Total Available	Total Warrants Redeemed Treasurer's Checks Issued and Transfers	Balance June 30, 1952
General Revenue	\$ 29,898,965.81	\$109,816,482.53	\$140,555,698.43	\$ 71,018,827.24	\$ 25,040,523.69
Transfers		840,245.09		44,496,587.50	
General Revenue					
Special Reserve Fund.....	30,000,000.00		30,000,000.00		30,000,000.00
Trust Funds	63,782,142.23	86,407,020.76	190,312,376.36	116,358,827.61	73,575,216.23
Transfers		40,173,213.37		378,332.52	
Special Funds					
(Comptroller Warrants)	18,952,952.50	43,452,880.59	115,180,267.20	97,162,009.58	17,561,533.37
Transfers		52,774,424.11		456,714.25	
Special Funds					
(Treasurer Checks)	748,492.90	84,103,575.20	84,852,070.78	35,455,281.44	940,489.36
Transfers		2.88		48,486,299.98	
TOTAL.....	<u>\$143,332,553.44</u>	<u>\$417,567,844.33</u>	<u>\$560,900,397.77</u>	<u>\$413,782,630.12</u>	<u>\$147,117,767.65</u>
Balance July 1, 1951.....					\$143,332,553.44
Receipts and Transfers.....					417,567,844.33
TOTAL.....					<u>\$560,900,397.77</u>
Disbursements and Transfers.....					413,782,630.12
Balance June 30, 1952.....					<u>\$147,117,767.65</u>

APPROPRIATIONS TO STATE DEPARTMENTS

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

DEPARTMENT	SECTION	DEPARTMENT	SECTION
Aeronautics Commission	1	Insurance Department	27
Agriculture Department	2	Labor Bureau	6
Attorney General	3	Library Board	28
Auditor of State	4	Mine Examining Board	29
Blind, Commission for	5	Mine Inspectors	30
Code Editor	45	National Guard and State Guard	31
Commerce Commission	7	Natural Resources Council	32
Comptroller	8	Parole Board	33
Conservation Commission	9	Pharmacy Examiners	34
Control, Board of	10	Pioneer Lawmakers	35
Council of State Government	11	Printing Board	36
Custodian	12	Public Instruction, Department of	37
Development Commission	13	Public Safety, Department of	38
District Court Judges	14	Real Estate Commission	39
Education, Board of	15	Secretary of State	40
Educational Examiners	16	Soldiers' Bonus Board	41
Employment Security Commission	51	Spanish American War Veterans	42
Executive Council	17	Supreme Court	43
Fair Board	18	Supreme Court, Clerk of	44
Geological Survey	19	Supreme Court Reporter	45
Governor	20	Tax Commission	46
Grand Army	21	Treasurer of State	47
Health Department	22	Uniform Laws Commission	48
Historical Society	25	Vocational Education Board	49
History and Archives	24	Vocational Rehabilitation	50
Hoover Birthplace Society	23	World War Orphans' Aid	41
Industrial Commissioner	26		

LAWS

OF THE

Fifty-fifth General Assembly

OF THE

STATE OF IOWA

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE
CAPITAL OF THE STATE, BEGUN ON THE TWELFTH DAY OF JANUARY,
AND ENDED ON THE TWENTY-NINTH DAY OF APRIL, A. D. 1953,
IN THE ONE HUNDRED SEVENTH YEAR OF THE STATE

APPROPRIATIONS

For additional appropriations, see chapters
56, 71, 72, 86, 255, 256, 257, 258, 294, 295.

CHAPTER 1

DEPARTMENTAL APPROPRIATIONS

H. F. 514

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, funds for various departments and various divisions thereof, of the state of Iowa, for the purposes provided by law, and to amend section six hundred five point one (605.1), Code 1950, relating to salaries of judges of the district court, and section six hundred five point two (605.2), Code 1950, relating to expenses of the justices of the supreme court.

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

AERONAUTICS COMMISSION

1	SECTION 1. For the Aeronautics Commission there is hereby ap-	
2	propriated from the general fund of the state to the state aviation fund	
3	for each year of the biennium beginning July 1, 1953, and ending June	
4	30, 1955, the sum of four thousand six hundred dollars (\$4,600.00) or	
5	so much thereof as may be necessary to be made available in accordance	
6	with the provisions of chapter eight (8), Code 1950:.....\$	4,600.00
7	Grand total of all appropriations for all purposes	
8	for each year of the biennium for the aeronautics com-	
9	mission	\$ 4,600.00

AGRICULTURE, DEPARTMENT OF

1	SEC. 2. For the department of agriculture there is hereby appro-	
2	riated from the general fund of the state for each year of the bien-	
3	ni-um beginning July 1, 1953, and ending June 30, 1955, the sum of five	
4	hundred eighty-one thousand dollars (\$581,000.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	MAIN OFFICE	
7	For salary of secretary of agriculture.....	\$ 7,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	178,000.00
10	Total for main office.....	\$ 185,000.00
11	(1) AGRICULTURAL STATISTICS	
12	For state aid	\$ 16,000.00
13	(2) ANIMAL HEALTH AND VETERINARY	
14	For salary of chief of animal health.....	\$ 6,300.00
15	For control of 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	154,530.00
20	Total for animal health and veterinary.....	\$ 160,830.00
21	(3) BARBERRY ERADICATION	
22	For state aid	\$ 4,600.00
23	(4) BEE INSPECTION	
24	For state aid	\$ 12,000.00
25	(5) BEEF PRODUCERS' ASSOCIATION	
26	For state aid	\$ 10,000.00
27	(6) CROP IMPROVEMENT	
28	For state aid	\$ 3,000.00
29	(7) CROP PEST	
30	For state aid	\$ 7,000.00
31	(8) DAIRY ASSOCIATION	
32	For state aid	\$ 9,200.00
33	(9) DAIRY CALF CLUB	
34	For state aid	\$ 2,000.00
35	(10) DAIRY SPECIALISTS AND BACTERIOLOGIST	
36	For salaries, support, maintenance and miscellaneous	
37	purposes	\$ 39,000.00
38	(11) ENTOMOLOGY	
39	For salaries, support, maintenance and miscellaneous	
40	purposes	\$ 14,000.00
41	(12) HATCHERY INSPECTION	
42	For state hatchery inspection.....	\$ 11,000.00
43	(13) HORSE BREEDERS' ASSOCIATION	
44	For state aid	\$ 8,000.00
45	(14) HORTICULTURAL SOCIETIES	
46	For state aid	\$ 8,800.00
47	(15) IOWA STATE SHEEP ASSOCIATION	
48	For state aid	\$ 8,000.00
49	(16) MARKET NEWS (POULTRY)	
50	For state aid	\$ 4,600.00

51	(17) POULTRY ASSOCIATION, SHORT COURSES AND		
52	ACHIEVEMENT SHOWS		
53	For state aid	\$	8,000.00
54	(18) RESTAURANT AND HOTEL INSPECTION		
55	For additional inspection of hotels and restaurants,		
56	salaries, support, maintenance and miscellaneous		
57	purposes	\$	18,400.00
58	(19) SOIL CONSERVATION		
59	For salaries, support and miscellaneous purposes.....	\$	28,610.00
60	(20) SWINE BREEDERS' ASSOCIATION		
61	For state aid	\$	10,000.00
62	(21) VEGETABLE GROWERS' ASSOCIATION		
63	For state aid	\$	5,100.00
64	(22) VETERINARY EXAMINERS		
65	For per diem and expense.....	\$	360.00
66	(23) WEATHER BUREAU		
67	For state aid	\$	7,500.00
68	Grand total of all appropriations for all purposes for		
69	each year of the biennium for the department of agri-		
70	culture and divisions thereof.....	\$	581,000.00

ATTORNEY GENERAL

1	SEC. 3. For the office of attorney general there is hereby appro-		
2	priated from the general fund of the state for each year of the bien-		
3	niun beginning July 1, 1953, and ending June 30, 1955, the sum of		
4	sixty-three thousand five hundred sixty dollars (\$63,560.00) or so		
5	much thereof as may be necessary to be used in the following manner:		
6	For salary of attorney general	\$	8,000.00
7	For salaries, support, maintenance and miscellaneous		
8	purposes	\$	55,560.00
9	Grand total of all appropriations for all purposes for		
10	each year of the biennium for the office of attorney		
11	general	\$	63,560.00

AUDITOR OF STATE

1	SEC. 4. 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 bien-		
3	niun beginning July 1, 1953, and ending June 30, 1955, the sum of two		
4	hundred two thousand dollars (\$202,000.00) or so much thereof as		
5	may be necessary to be used in the following manner:		
6	For salary of state auditor	\$	7,000.00
7	For salaries, support, maintenance and miscellaneous		
8	purposes	\$	183,000.00
9	BUILDING AND LOAN DIVISION		
10	For salaries, support, maintenance and miscellaneous		
11	purposes	\$	12,000.00
12	Grand total of all appropriations for all purposes for		
13	each year of the biennium for the office of auditor of		
14	state	\$	202,000.00

BLIND, IOWA COMMISSION FOR THE

1	SEC. 5. For the office of the commission for the blind there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1953, and ending June 30, 1955, the sum	
4	of twenty-eight thousand seven hundred twenty dollars (\$28,720.00)	
5	or so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salary of director	\$ 4,300.00
8	For salaries, support, maintenance and miscella-	
9	neous	\$ 24,420.00
		<hr/>
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the office of the commis-	
12	sion for the blind	\$ 28,720.00

BUREAU OF LABOR

1	SEC. 6. 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, 1953, and ending June 30, 1955, the sum of eighty thousand	
4	eight hundred forty dollars (\$80,840.00) or so much thereof as may	
5	be necessary to be used in the following manner:	
6	For the salary for commissioner of bureau of labor....	\$ 4,600.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 76,240.00
		<hr/>
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the bureau of labor..	\$ 80,840.00

COMMERCE COMMISSION, IOWA STATE

1	SEC. 7. For the department of the commerce commission there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1953, and ending June 30, 1955, the	
4	sum of two hundred five thousand one hundred fifty dollars	
5	(\$205,150.00) or so much thereof as may be necessary to be used in	
6	the following manner:	
7	GENERAL ADMINISTRATION	
8	For salaries of commissioners (3 at \$5,800.00	
9	each)	\$ 17,400.00
10	For salary of secretary.....	\$ 5,300.00
11	For salaries, support, maintenance and miscellaneous	
12	purposes	\$ 95,670.00
		<hr/>
13	Total for general administration of the commerce	
14	commission	\$ 118,370.00
15	CLASS RATE CASES	
16	For salaries, support, maintenance and miscellaneous	
17	purposes	\$ 1,840.00
18	MOTOR TRANSPORTATION DIVISION	
19	For salaries, support, maintenance and miscellaneous	
20	purposes	\$ 49,450.00

21	WAREHOUSE DIVISION	
22	For salaries, support, maintenance and miscellaneous	
23	purposes	\$ 35,490.00
24	Grand total of all appropriations for all purposes for	
25	each year of the biennium for the department of the	
26	commerce commission	\$ 205,150.00

COMPTROLLER, OFFICE OF STATE

1	SEC. 8. For the office of state comptroller there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niun beginning July 1, 1953, and ending June 30, 1955, the sum of one	
4	hundred twenty-nine thousand dollars (\$129,000.00) or so much there-	
5	of as may be necessary to be used in the following manner:	
6	For state comptroller salary.....	\$ 7,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 122,000.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of state comp-	
11	troller	\$ 129,000.00

CONSERVATION COMMISSION, STATE

1	SEC. 9. For the office of the conservation commission there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1953, and ending June 30, 1955, the	
4	sum of four hundred seventy-four thousand five hundred dollars	
5	(\$474,500.00) or so much thereof as may be necessary to be used in	
6	the following manner:	
7	For salary of director.....	\$ 6,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes of the office and maintenance of state parks,	
10	purchase of land and general improvements and for the	
11	construction and improvements of roads and highways	
12	under its control.....	\$ 468,500.00
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for the conservation com-	
15	mission	\$ 474,500.00

CONTROL, BOARD OF

1	SEC. 10. For the board of control there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1953, and ending June 30, 1955, the sum of two hundred	
4	fifteen thousand one hundred fifty dollars (\$215,150.00) 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, including salaries for three (3) board mem-	
8	bers at \$6,500.00 each.....	\$ 201,350.00

9	For institutional state roads.....	\$ 13,800.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the board of control.....	\$ 215,150.00

COUNCIL OF STATE GOVERNMENT

1	SEC. 11. For the council of state government there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1953, and ending June 30, 1955, the sum	
4	of five thousand dollars (\$5,000.00) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For support of the council of state government.....	\$ 5,000.00
7	Grand total of all appropriations for all purposes for	
8	each year of the biennium for the council of state gov-	
9	ernment	\$ 5,000.00

CUSTODIAN

1	SEC. 12. For the office of the custodian there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niium beginning July 1, 1953, and ending June 30, 1955, the sum of	
4	three hundred twenty-eight thousand six hundred seventy dollars	
5	(\$328,670.00) or so much thereof as may be necessary to be used in the	
6	following manner:	
7	For salary of custodian.....	\$ 4,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	\$ 290,310.00
10	For maintenance, repairs, replacements, alterations	
11	or equipment of public buildings and grounds of the	
12	state of Iowa, subject to approval of the Executive	
13	council	\$ 34,360.00
14	Grand total of all appropriations for all purposes for	
15	each year of the biennium for the office of the custo-	
16	dian	\$ 328,670.00

DEVELOPMENT COMMISSION, THE IOWA

1	SEC. 13. 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, 1953, and ending June 30, 1955, the sum	
4	of one hundred thousand dollars (\$100,000.00) 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	For Civilian Defense.....	\$ 20,000.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the Iowa Development	
11	commission	\$ 100,000.00

DISTRICT COURT JUDGES

1 SEC. 14. For the district court judges there is hereby appropriated
 2 from the general fund of the state for each year of the biennium be-
 3 ginning July 1, 1953, and ending June 30, 1955, the sum of five hun-
 4 dred sixty-five thousand dollars (\$565,000.00) or so much thereof as
 5 may be necessary to be used in the following manner:
 6 For salaries of the judges of the district courts of
 7 Iowa (70 judges)\$ 520,000.00
 8 For traveling expenses of judges and court reporters
 9 in and out of districts.....\$ 45,000.00

10 Grand total of all appropriations for all purposes
 11 for each year of the biennium for district court judges
 12 and reporters\$ 565,000.00
 13 Section six hundred five point one (605.1), Code 1950, is amended by
 14 striking from lines two (2) and three (3) the words "seven thousand
 15 dollars per year" and substituting in lieu thereof the words "eight
 16 thousand dollars per year, provided that the compensation of judges
 17 during the terms existing at the time of the passage of this act shall
 18 be at the rate of seven thousand dollars per year until the end of said
 19 existing terms."

EDUCATION, STATE BOARD OF

1 SEC. 15. 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, 1953, and ending June 30, 1955, the sum
 4 of sixty-three thousand eight hundred eighty dollars (\$63,880.00) or
 5 so much thereof as may be necessary to be used in the following
 6 manner:
 7 For salary of secretary.....\$ 6,500.00
 8 For salaries, support, maintenance and miscellaneous
 9 purposes\$ 48,180.00

10 \$ 54,680.00
 11 Board members to receive a per diem of \$20.00 per
 12 day and shall not exceed \$800 per year per member.
 13 For institutional roads.....\$ 9,200.00

14 Grand total of all appropriations for all purposes for
 15 each year of the biennium for the office of board of
 16 education\$ 63,880.00

EDUCATIONAL EXAMINERS, BOARD OF

1 SEC. 16. For the board of educational examiners there is hereby
 2 appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1953, and ending June 30, 1955, the sum
 4 of seventy-three thousand seven hundred fifty-five dollars (\$73,755.00)
 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\$ 41,980.00

9	For revision of office procedure.....	\$ 31,775.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for board of educational	
12	examiners	\$ 73,755.00

EXECUTIVE COUNCIL

1	SEC. 17. For the office of the executive council there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1953, and ending June 30, 1955, the sum	
4	of four hundred fifty-two thousand five hundred twenty dollars	
5	(\$452,520.00) or so much thereof as may be necessary to be used in	
6	the following manner:	
7	For secretary of executive council.....	\$ 4,500.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	\$ 448,020.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the office of the executive	
12	council	\$ 452,520.00

FAIR BOARD, IOWA STATE

1	SEC. 18. For the state fair board there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1953, and ending June 30, 1955, the sum of fifty thou-	
4	sand dollars (\$50,000.00) or so much thereof as may be necessary to	
5	be used in the following manner:	
6	The salary of the secretary of the state fair board shall be six	
7	thousand five hundred dollars (\$6,500.00) per annum to be paid out of	
8	the funds of the state fair board.	
9	For maintenance, insurance and operating expenses..	\$ 40,000.00
10	For premiums	\$ 10,000.00
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the state fair board.....	\$ 50,000.00

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 bien-	
3	niun beginning July 1, 1953, and ending June 30, 1955, the sum of	
4	one hundred two thousand dollars (\$102,000.00) 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	\$ 71,000.00
8	Lead and zinc exploration.....	\$ 5,000.00
9	Stream gauging and siltation, salaries, support and	
10	miscellaneous	\$ 26,000.00
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for geological survey.....	\$ 102,000.00

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 be-
 3 ginning July 1, 1953, and ending June 30, 1955, the sum of thirty-three
 4 thousand five hundred dollars (\$33,500.00) or so much thereof as may
 5 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	\$	21,500.00
			33,500.00

9 Grand total of all appropriations for all purposes for
 10 each year of the biennium for the office of governor...\$ 33,500.00

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 the
 3 year beginning July 1, 1953, and ending June 30, 1954, the sum of five
 4 hundred dollars (\$500.00) or so much thereof as may be necessary to
 5 be used in the following manner:

6 Notwithstanding the provisions of section 19.15, Code 1950, all
 7 records, regalia and property of the Grand Army of the Republic, De-
 8 partment of Iowa, Women's Relief Corps, Sons of Union Veterans and
 9 all other auxiliary groups now in room four (4), basement of the
 10 Capitol building shall be transferred to the History and Archives build-
 11 ing, there to be placed in substantially the same arrangements, under
 12 the direction of the curator, and the executive council is hereby au-
 13 thorized and directed to make such transfer. The curator is hereby
 14 directed to make adequate space available and to prepare a suitable and
 15 proper display in the History and Archives Building depicting the part
 16 of the State of Iowa in the War of the Rebellion, listing the engage-
 17 ments in which Iowa troops participated, stating the Iowa communities
 18 from which the various units were recruited, and, by pictures, maps,
 19 trophies, mementoes and all visual aids possible, tell to the people of
 20 Iowa the glorious history of our state in the Civil War.

21	For the expenses of such transfer and for salaries,		
22	support, maintenance and miscellaneous purposes of		
23	said department	\$	500.00
			500.00

24 Grand total of all appropriations for all purposes for
 25 each year of the biennium for the department of the
 26 grand army of the republic.....\$ 500.00

27 At the end of the ensuing biennium any unobligated amount from
 28 said appropriation shall revert to the general fund of the state.

HEALTH, STATE DEPARTMENT OF

1 SEC. 22. For the department of health there is hereby appropriated
 2 from the general fund of the state for each year of the biennium be-
 3 ginning July 1, 1953, and ending June 30, 1955, the sum of four hun-
 4 dred fifty-nine thousand seven hundred seventy dollars (\$459,770.00)
 5 or so much thereof as may be necessary to be used in the following
 6 manner:

7	GENERAL OFFICE (Central Administration)		
8	For salary of commissioner.....	\$	8,000.00
9	For salaries, support, maintenance and miscellaneous		
10	purposes	\$	45,000.00
11	Total for general office.....	\$	53,000.00
12	(1) CANCER CONTROL		
13	For salaries, support, maintenance and miscellaneous		
14	purposes	\$	9,200.00
15	(2) DENTAL HYGIENE		
16	For salaries, support, maintenance and miscellaneous		
17	purposes	\$	2,940.00
18	(3) HOSPITAL SURVEY AND PLANNING		
19	For salaries, support, maintenance and miscellaneous		
20	purposes	\$	45,670.00
21	(4) MATERNAL AND CHILD HEALTH		
22	For salaries, support, maintenance and miscellaneous		
23	purposes	\$	11,610.00
24	(5) PREVENTABLE DISEASES, SERUM CENTER AND		
25	BLOOD BANK		
26	For salaries, support, maintenance and miscella-		
27	neous	\$	22,000.00
28	(6) PUBLIC HEALTH ENGINEERING AND		
29	INDUSTRIAL HYGIENE		
30	For salaries, support, maintenance and miscellaneous		
31	purposes	\$	75,060.00
32	(7) PUBLIC HEALTH NURSING		
33	For salaries, support, maintenance and miscellaneous		
34	purposes	\$	6,160.00
35	(8) TUBERCULOSIS CONTROL		
36	For salaries, support and maintenance of mobile units for mass		
37	x-ray tuberculosis case finding, interpretation of x-ray films, follow-up		
38	work on active tuberculosis cases, supervision and direction of tuber-		
39	culosis control work, and miscellaneous purposes.....	\$	50,000.00
40	(9) VENEREAL DISEASE CONTROL		
41	For salaries, support, maintenance and miscellaneous		
42	purposes	\$	11,880.00
43	(10) VITAL STATISTICS		
44	For salaries, support, maintenance and miscellaneous		
45	purposes	\$	90,000.00
46	Sub-total for public health administrative activities..	\$	377,520.00
47	LICENSURE AND REGISTRATION		
48	(11) BARBERS' EXAMINING BOARD		
49	For compensation, support, maintenance and miscel-		
50	laneous purposes	\$	26,000.00
51	(12) CHIROPRACTIC EXAMINING BOARD		
52	For compensation, support, maintenance and miscel-		
53	laneous purposes	\$	4,000.00
54	(13) COSMETOLOGY EXAMINING BOARD		
55	For compensation, support, maintenance and miscel-		
56	laneous purposes	\$	27,850.00

57	(14) DENTAL EXAMINING BOARD	
58	For compensation, support, maintenance and miscel-	
59	laneous purposes	\$ 2,500.00
60	(15) EMBALMERS EXAMINING BOARD	
61	For compensation, support, maintenance and miscel-	
62	laneous purposes	\$ 2,300.00
63	(16) LICENSURE AND REGISTRATION	
64	(Central Administration)	
65	For salaries, support, maintenance and miscellaneous	
66	purposes	\$ 13,650.00
67	(17) MEDICAL EXAMINING BOARD	
68	For compensation, support, maintenance and miscel-	
69	laneous purposes	\$ 2,100.00
70	(18) OPTOMETRY EXAMINING BOARD	
71	For compensation, support, maintenance and miscel-	
72	laneous purposes	\$ 1,250.00
73	(19) OSTEOPATHY EXAMINING BOARD	
74	For compensation, support, maintenance and miscel-	
75	laneous purposes	\$ 2,200.00
76	(20) CHIROPODY EXAMINING BOARD	
77	For compensation, support, maintenance and miscel-	
78	laneous purposes	\$ 400.00
79	Sub-total for division of licensure and registration....	\$ 82,250.00
80	Grand total of all appropriations for all purposes for	
81	each year of the biennium for the department of health	
82	and the various divisions thereof.....	\$ 459,770.00

HERBERT HOOVER BIRTHPLACE SOCIETY

1	SEC. 23. 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, 1953, and ending June 30, 1955, the sum of	
4	five thousand four hundred dollars (\$5,400.00) 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	\$ 5,400.00
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the Herbert Hoover	
10	Birthplace society	\$ 5,400.00

HISTORY AND ARCHIVES, IOWA STATE DEPARTMENT OF

1	SEC. 24. For the department of history and archives there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1953, and ending June 30, 1955, the	
4	sum of sixty thousand five hundred dollars (\$60,500.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of curator.....	\$ 4,500.00
7	For salaries, support, maintenance, miscellaneous	

8	purposes and extra book binding.....	\$ 56,000.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the department of	
11	history and archives.....	\$ 60,500.00

HISTORICAL SOCIETY, THE STATE.
IOWA CITY

1	SEC. 25. For the historical society at Iowa City there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1953, and ending June 30, 1955, the sum	
4	of sixty-three thousand dollars (\$63,000.00) or so much thereof as	
5	may be necessary to be used in the following manner:	
6	For historian	\$ 5,000.00
7	For salaries, support, maintenance and miscellane-	
8	ous purposes	\$ 58,000.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the historical society at	
11	Iowa City	\$ 63,000.00

INDUSTRIAL COMMISSIONER

1	SEC. 26. For the industrial commissioner there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niennium beginning July 1, 1953, and ending June 30, 1955, the sum of	
4	thirty-six thousand eight hundred fifty dollars (\$36,850.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of commissioner.....	\$ 5,500.00
7	For salaries, support, maintenance, travel expense,	
8	state share of employment retirement fund and miscel-	
9	laneous purposes	\$ 31,350.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the industrial commis-	
12	sioner	\$ 36,850.00

INSURANCE DEPARTMENT OF IOWA

1	SEC. 27. 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, 1953, and ending June 30, 1955, the sum	
4	of eighty-two thousand six hundred forty dollars (\$82,640.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of commissioner.....	\$ 7,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 75,640.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of the insurance	
11	commission	\$ 82,640.00

LIBRARIES, IOWA STATE

1	SEC. 28. For the board of trustees there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1953, and ending June 30, 1955, for state libraries, the	
4	sum of one hundred eight thousand six hundred sixty-five dollars	
5	(\$108,665.00) or so much thereof as may be necessary to be used in	
6	the following manner:	
7	LAW DIVISION	
8	For salary of librarian	\$ 4,200.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes	\$ 23,120.00
		<hr/>
11	Total for law division.....	\$ 27,320.00
12	(1) MEDICAL DIVISION	
13	For salary of librarian.....	\$ 4,200.00
14	For salaries, support, maintenance and miscellaneous	
15	purposes	\$ 21,100.00
		<hr/>
16	Total for medical division.....	\$ 25,300.00
17	(2) TRAVELING DIVISION	
18	For salary of librarian.....	\$ 4,200.00
19	For salaries, support, maintenance and miscellaneous	
20	purposes	\$ 51,845.00
		<hr/>
21	Total for traveling division.....	\$ 56,045.00
		<hr/>
22	Grand total of all appropriations for all purposes for	
23	each year of the biennium for the library commission....	\$ 108,665.00

MINE EXAMINING BOARD

1	SEC. 29. For the mine examining board there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1953, and ending June 30, 1955, the sum of two	
4	thousand seven hundred sixty dollars (\$2,760.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For per diem and expenses.....	\$ 2,760.00
		<hr/>
7	Grand total of all appropriations for all purposes	
8	for each year of the biennium for the mine examin-	
9	ing board	\$ 2,760.00

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	
3	the biennium beginning July 1, 1953, and ending June 30, 1955, the	
4	sum of thirteen thousand seven hundred thirty dollars (\$13,730.00)	
5	or so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salary of two (2) mine inspectors at \$4,200.00	
8	each	\$ 8,400.00

9	For salaries, support, maintenance and miscellane-	
10	ous purposes	5,330.00
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for the department of	
13	mine inspectors	\$ 13,730.00

NATIONAL GUARD AND STATE GUARD

1	SEC. 31. For the national guard and the state guard there is here-	
2	by appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1953, and ending June 30, 1955, the	
4	sum of six hundred thousand dollars (\$600,000.00) or so much there-	
5	of as may be necessary to be used in the following manner:	
6	For salary of adjutant general.....	\$ 7,000.00
7	For salaries	172,105.00
8		\$ 179,105.00
9	For support, maintenance and armories.....	\$ 420,895.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the national guard	
12	and state guard	\$ 600,000.00

NATURAL RESOURCES COUNCIL, IOWA

1	SEC. 32. For the Iowa natural resources council there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1953, and ending June 30, 1955, 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 miscellane-	
7	ous purposes	\$ 50,000.00
8	Grand total of all appropriations for all purposes	
9	for each year of the biennium for the Iowa natural re-	
10	sources council	\$ 50,000.00

PAROLE, BOARD OF

1	SEC. 33. 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, 1953, and ending June 30, 1955, the sum of seventy-	
4	four thousand six hundred seventy-six dollars (\$74,676.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	Board of parole salaries (3 members at \$4,500.00	
7	each)	\$ 13,500.00
8	For salary of secretary and superintendent of parole	
9	agents	5,000.00
10	For salaries, support, maintenance and miscellane-	
11	ous purposes	56,176.00
12	Grand total of all appropriations for all purposes	
13	for each year of the biennium for the board of parole..	\$ 74,676.00

PHARMACY EXAMINERS

1	SEC. 34. For the pharmacy examining board there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1953, and ending June 30, 1955, the sum	
4	of thirty-two thousand six hundred sixty dollars (\$32,660.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	GENERAL OFFICE	
7	For salary of secretary and narcotic supervisor.....\$	4,500.00
8	For salaries, support, maintenance and miscellane-	
9	ous purposes	15,460.00
10	Total for general office.....\$	19,960.00
11	(1) UNIFORM NARCOTIC LAW DIVISION—	
12	ILLEGAL ENFORCEMENT	
13	For salaries, support, maintenance and miscellane-	
14	ous purposes in making investigations of illegal sales.\$	9,940.00
15	(2) UNIFORM NARCOTIC LAW DIVISION—	
16	LEGAL ENFORCEMENT	
17	For salaries, maintenance and miscellaneous pur-	
18	poses of legal sales	2,760.00
19	Grand total of all appropriations for all purposes	
20	for each year of the biennium for the pharmacy exam-	
21	ining board	\$ 32,660.00

PIONEER LAWMAKERS

1	SEC. 35. 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, 1953, and ending June 30, 1955, the sum of one	
4	hundred dollars (\$100.00) or so much thereof as may be necessary	
5	to be used in the following manner:	
6	For miscellaneous purposes	\$ 100.00
7	Grand total of all appropriations for all purposes	
8	for each year of the biennium for the pioneer law-	
9	makers	\$ 100.00

PRINTING BOARD, THE

1	SEC. 36. For the state printing board there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1953, and ending June 30, 1955, the sum of three	
4	hundred thirty-five thousand dollars (\$335,000.00) or so much there-	
5	of as may be necessary to be used in the following manner:	
6	GENERAL OFFICE	
7	For salary of superintendent.....\$	5,300.00
8	For salaries, support, maintenance and miscellane-	
9	ous purposes	54,700.00
10	Total for general office.....\$	60,000.00
11	PRINTING AND BINDING	
12	For necessary printing and binding authorized by	

13 law for the General Assembly and for all state depart-
 14 ments that have not been provided for in department
 15 appropriations\$ 275,000.00

16 Grand total of all appropriations for all purposes
 17 for each year of the biennium for the state printing
 18 board\$ 335,000.00

19 This section is not to be construed or interpreted to include the
 20 expense of any printing for any of the following departments, bu-
 21 reaus, boards or associations:

22 Agricultural societies; animal health and veterinary division of
 23 agricultural department for elimination of bovine tuberculosis and
 24 brucellosis; board of accountancy; architectural examiners; banking
 25 department including receivership division; basic science; board of
 26 control institutions; board of education institutions; board of educa-
 27 tional examiners; board of engineering examiners; board of nurse
 28 examiners; conservation commission; cosmetology division of depart-
 29 ment of health; farmers' institutes; indigent hospital; hotel and
 30 restaurant fund; Iowa beef producers association; Iowa crop im-
 31 provement association; Iowa department of the Grand Army of the
 32 Republic; Iowa state poultry breeders' association; Iowa swine breed-
 33 ers' association; Iowa liquor control commission; Iowa unemployment
 34 compensation commission; motor vehicle fuel tax division; psycho-
 35 pathic hospital; short course; state board of vocational education;
 36 state library and all divisions thereof; state permit board; truck op-
 37 erators division; and any and every agency activity, and undertaking
 38 that has a fund for general support.

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

53 The following departments are hereby limited to their demands
 54 for printing during the biennial period beginning July 1, 1953, and
 55 ending June 30, 1955, to an amount not to exceed the following:

56 Academy of Science, \$5,800.00; Agriculture, Department of, \$36,-
 57 000.00; Attorney General, \$8,000.00; Auditor of State, \$12,000.00;
 58 Bureau of Labor, \$2,400.00; Commerce Commission, \$18,000.00;
 59 Comptroller, Office of State, \$40,000.00; Control, Board of, \$4,000.00;
 60 Custodian, \$300.00; Education, State Board of, \$5,500.00; Educa-
 61 tional Examiners, Board of, \$3,000.00; Executive Council, \$1,000.00;
 62 Fair Board, Iowa State, \$3,000.00; Geological Survey, \$20,000.00;
 63 Governor, \$4,000.00; Health, State Department of, \$30,000.00; His-
 64 tory and Archives, \$6,600.00; Horticulture, \$4,000.00; Industrial

65 Commissioner, \$3,200.00; Insurance Department, \$10,000.00; Mine
 66 Inspectors, \$1,500.00; National Guard, \$4,600.00; Natural Resources
 67 Council, \$6,000.00; Parole, Board of, \$1,300.00; Pharmacy Examin-
 68 ers, \$1,700.00; Public Instruction, Department of, \$56,000.00; Real
 69 Estate Commission, Iowa, \$5,000.00; Secretary of State, \$10,000.00;
 70 Supreme Court, \$200.00; Supreme Court, Clerk of, \$2,300.00; Su-
 71 preme Court, Reporter, \$500.00; Tax Commission, State \$160,000.00;
 72 Treasurer of State, \$10,000.00; it is however, provided that in case
 73 of emergency, the budget and financial control committee may author-
 74 ize increased amounts where necessary.

PUBLIC INSTRUCTION, DEPARTMENT OF

1 SEC. 37. 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, 1953, and ending June 30, 1955, the sum
 4 of three hundred twenty-four thousand three hundred ninety dollars
 5 (\$324,390.00) or so much thereof as may be necessary to be used in
 6 the following manner:

7	GENERAL OFFICE	
8	For salary of superintendent of public instruction..\$	7,000.00
9	For salaries and of this amount, not to exceed \$4,-	
10	900.00, for the administration and conference fund....	149,500.00
11	Total main office	156,500.00
12	(1) SPECIAL EDUCATION (HANDICAPPED	
13	CHILDREN) DIVISION	
14	For salaries	\$ 61,270.00
15	(2) SCHOOL LUNCH PROGRAM	
16	For salaries (Should Federal appropriations be	
17	stopped for public school lunches then this money	
18	should revert to the general fund)	\$ 37,720.00
19	Total school lunch program.....	\$ 37,720.00
20	OTHER EXPENSES (Consolidated)	
21	Travel and contingent	\$ 40,020.00
22	General office supplies	\$ 780.00
23	Books and periodicals	\$ 690.00
24	Bond premiums	\$ 460.00
25	Equipment aid for handicapped children.....	\$ 5,520.00
26	Revision and study school courses.....	\$ 2,760.00
27	To match federal funds for school building survey...\$	12,000.00
28	Veterans educational program.....	\$ 460.00
29	I.B.M. Service	\$ 1,610.00
30	Television kinescopes	\$ 4,600.00
31	Total other expenses	\$ 68,900.00
32	Grand total of all appropriations for all purposes	
33	for each year of the biennium for the department of	
34	public instruction and the various divisions thereof...\$	324,390.00

PUBLIC SAFETY, DEPARTMENT OF

1 SEC. 38. For the department of public safety there is hereby ap-
 2 propriated from the general fund of the state for each year of the

3	biennium beginning July 1, 1953, and ending June 30, 1955, the sum	
4	of two million five hundred ninety-four thousand seven hundred fifty	
5	dollars (\$2,594,750.00) or so much thereof as may be necessary to	
6	be used in the following manner:	
7	DIVISION OF ADMINISTRATION	
8	For salary of commissioner.....	\$ 6,500.00
9	For salaries, support, maintenance and miscellane-	
10	ous purposes	26,680.00
		<hr/>
11		\$ 33,180.00
12	(1) DIVISION OF ACCIDENT STATISTICS AND	
13	PUBLIC LIABILITY	
14	For salaries, support, maintenance and miscellane-	
15	ous purposes	\$ 172,270.00
		<hr/>
16	(2) DIVISION OF CRIMINAL INVESTIGATION	
17	For salary of chief of criminal investigation.....	5,800.00
18	For salaries, support, maintenance, miscellaneous	
19	purposes, and the peace officers' retirement, accident	
20	and disability system, provided in chapter 97A, Code	
21	of 1950	\$ 124,200.00
		<hr/>
22		\$ 130,000.00
23	(3) DIVISION OF FIRE MARSHAL	
24	For salary of fire marshal.....	\$ 4,400.00
25	For salaries, support, maintenance and miscellane-	
26	ous purposes	39,400.00
		<hr/>
27		\$ 43,800.00
28	(4) DIVISION OF HIGHWAY PATROL	
29	For salary of chief of highway patrol.....	\$ 5,300.00
30	For salaries, support, maintenance, miscellaneous	
31	purposes and the peace officers' retirement, accident	
32	and disability system provided by Chapter 97A, Code	
33	of 1950	1,360,710.00
		<hr/>
34		\$1,366,010.00
35	(5) DIVISION OF MOTOR REGISTRATION	
36	For salary of superintendent.....	\$ 4,400.00
37	For steel plates.....	115,000.00
38	For title law administration.....	50,000.00
39	For salaries, support, maintenance and miscellane-	
40	ous purposes	225,600.00
		<hr/>
41		\$ 395,000.00
42	(6) DIVISION OF OPERATORS AND CHAUFFEURS	
43	LICENSE	
44	For salaries, support, maintenance and miscellane-	
45	ous purposes	\$ 250,000.00
		<hr/>
46	(7) DIVISION OF RADIO COMMUNICATION	
47	For salary of superintendent.....	\$ 4,400.00
48	For salary, support, maintenance and miscellaneous	
49	purposes	152,310.00
		<hr/>
50		\$ 156,710.00

51	(8) DIVISION OF SAFETY EDUCATION	
52	For salaries, support, maintenance and miscellane-	
53	ous purposes	\$ 47,780.00
54		<u>\$ 47,780.00</u>
55	Grand total of all appropriations for all purposes	
56	for each year of the biennium for the department of	
57	public safety and all divisions thereof.....	\$2,594,750.00

REAL ESTATE COMMISSION, IOWA

1	SEC. 39. For the Iowa real estate commission there is hereby ap-	
2	propriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum	
3	of eighteen thousand eight hundred twenty dollars (\$18,820.00) or	
4	so much thereof as may be necessary to be used in the following	
5	manner:	
6		
7	For salary of director.....	\$ 4,500.00
8	For salaries, support, maintenance and miscellane-	
9	ous purposes	<u>14,320.00</u>
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the Iowa real estate	
12	commission	\$ 18,820.00

SECRETARY OF STATE

1	SEC. 40. For the office of secretary of state there is hereby appro-	
2	priated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of	
3	thirty-five thousand six hundred fifty dollars (\$35,650.00) or so much	
4	thereof as may be necessary to be used in the following manner:	
5		
6	For salary of secretary of state.....	\$ 7,000.00
7	For salaries, support, maintenance and miscellane-	
8	ous purposes	<u>28,650.00</u>
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the office of secre-	
11	tary of state	\$ 35,650.00

SOLDIERS' BONUS BOARD, WORLD WAR ORPHANS' EDUCATION AID

1	SEC. 41. For the Iowa soldiers' bonus board there is hereby appro-	
2	priated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum	
3	of five thousand five hundred twenty dollars (\$5,520.00) or so much	
4	thereof as may be necessary to be used in the following manner:	
5		
6	For the purpose of administration and aiding in the	
7	education of children of honorable discharged soldiers,	
8	sailors, marines, nurses or other component part of	
9	the military forces of this state or nation.....	<u>\$ 5,520.00</u>
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the soldiers' bonus	
12	board	\$ 5,520.00

SPANISH-AMERICAN WAR VETERANS

1	SEC. 42. For the Spanish-American war veterans there is hereby	
2	appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1953, and ending June 30, 1955, the	
4	sum of three thousand dollars (\$3,000.00) or so much thereof as may	
5	be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellane-	
7	ous purposes	\$ 3,000.00
8	Grand total of all appropriations for all purposes	
9	for each year of the biennium for the Spanish-Amer-	
10	ican war veterans	\$ 3,000.00

SUPREME COURT

1	SEC. 43. 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, 1953, and ending June 30, 1955, the sum of one hundred thirty	
4	thousand one hundred fifty dollars (\$130,150.00) or so much thereof	
5	as may 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.....	\$ 90,000.00
8	For salaries, support, maintenance and miscellane-	
9	ous purposes	\$ 39,920.00
10	Rules of procedure	\$ 230.00
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for the supreme court.	\$ 130,150.00
13	Section six hundred five point two (605.2), Code 1950, is amended	
14	by inserting before the word "court" in line two (2) thereof the	
15	words "or supreme".	

SUPREME COURT, CLERK OF

1	SEC. 44. 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 beginning July 1, 1953, and ending June 30, 1955, the sum	
4	of fourteen thousand two hundred ten dollars (\$14,210.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of chief clerk.....	\$ 4,800.00
7	For salaries, support, maintenance and miscellane-	
8	ous purposes	\$ 9,410.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the office of the clerk	
11	of supreme court	\$ 14,210.00

SUPREME COURT, REPORTER OF AND CODE EDITOR

1	SEC. 45. 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, 1953,	
4	and ending June 30, 1955, the sum of twenty-four thousand seven	

5	hundred fifty dollars (\$24,750.00) or so much thereof as may be neces-	
6	sary to be used in the following manner:	
7	For salary of code editor.....	\$ 5,800.00
8	For salary of deputy code editor.....	\$ 5,300.00
9	For salaries, support, maintenance and miscellane-	
10	ous purposes	\$ 13,650.00
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for the department of	
13	reporter of supreme court and code editor.....	\$ 24,750.00

TAX COMMISSION, STATE

1	SEC. 46. For the state tax commission there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1953, and ending June 30, 1955, the sum of nine	
4	hundred twenty thousand dollars (\$920,000.00) or so much thereof as	
5	may be necessary to be used in the following manner:	
6	For salary of commissioners (3 at \$6,000.00 each)...	\$ 18,000.00
7	For salaries, support, maintenance and miscellane-	
8	ous purposes	\$ 802,000.00
9	New punch card system.....	\$ 100,000.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the state tax com-	
12	mission	\$ 920,000.00

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, 1953, and ending June 30, 1955, the sum	
4	of sixty-two thousand forty dollars (\$62,040.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salary of treasurer	\$ 7,000.00
7	For salaries, support, maintenance and miscellane-	
8	ous purposes	\$ 55,040.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the department of	
11	treasurer of state.....	\$ 62,040.00

UNIFORM LAWS, COMMISSION ON

1	SEC. 48. For the commission on uniform laws there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1953, and ending June 30, 1955, the sum	
4	of twelve hundred dollars (\$1,200.00) 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 commis-	

9	sion on uniform laws.....	\$	900.00
10	Grand total of all appropriations for all purposes		
11	for each year of the biennium for the commission on		
12	uniform laws	\$	1,200.00

VOCATIONAL EDUCATION, BOARD OF

1 SEC. 49. For the board of vocational education there is hereby
 2 appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1953, and ending June 30, 1955, the sum
 4 of fifty-five thousand seven hundred sixty dollars (\$55,760.00) or so
 5 much thereof as may be necessary to be used in the following manner:
 6 For salaries, support, maintenance and miscellane-
 7 ous purposes

		\$	55,760.00
--	--	----	-----------

8 Grand total of all appropriations for all purposes
 9 for each year of the biennium for the board of voca-
 10 tional education

		\$	55,760.00
--	--	----	-----------

VOCATIONAL EDUCATION, BOARD OF
 VOCATIONAL REHABILITATION DIVISION

1 SEC. 50. For the board of vocational education, vocational re-
 2 habilitation division there is hereby appropriated from the general
 3 fund of the state for each year of the biennium beginning July 1,
 4 1953, and ending June 30, 1955, the sum of two hundred twenty-five
 5 thousand dollars (\$225,000.00) or so much thereof as may be neces-
 6 sary to be used in the following manner:
 7 For salaries, support, maintenance, and miscellane-
 8 ous purposes

		\$	225,000.00
--	--	----	------------

9 Grand total of all appropriations for all purposes
 10 for each year of the biennium for the board of voca-
 11 tional education, vocational rehabilitation division.....

		\$	225,000.00
--	--	----	------------

1 SEC. 51. For the Iowa Employment Security Commission for the
 2 administration of chapter ninety-six (96), Code 1950 (Iowa Employ-
 3 ment Security Law) there is hereby appropriated from the general
 4 fund of the state for each year of the biennium beginning July 1,
 5 1953, and ending June 30, 1955, the sum of five thousand dollars
 6 (\$5,000.00), or so much thereof as may be necessary to be used in
 7 the following manner:
 8 Provided that this appropriation shall not be expended or made
 9 available for expenditure in any manner which would permit its sub-
 10 stitution for or a corresponding reduction in federal funds which in
 11 the absence of this appropriation would be available to finance the ex-
 12 penditures for the administration of the Iowa Employment Security
 13 Commission. Provided further that no funds so appropriated shall
 14 be used for the operation of a teachers' placement service.
 15 For salaries, support, maintenance and miscellane-
 16 ous purposes

		\$	5,000.00
--	--	----	----------

17 For the Iowa Employment Security Commission for the administra-
 18 tion of House Files 138 and 139, Acts of the 55th General Assembly,

19 there is hereby appropriated from the general fund of the state of
 20 Iowa for each year of the biennium beginning July 1, 1953, and ending
 21 June 30, 1955, the sum of one hundred twenty-five thousand dollars
 22 (\$125,000.00), or so much thereof as may be necessary to be used in
 23 the following manner:

24 For salaries, support, maintenance and miscellane-
 25 ous purposes for the administration of House File 138
 26 and 139, Acts of the 55th General Assembly.....\$ 125,000.00

27 The salary for each member of the Iowa Employment Security Com-
 28 mission shall be six thousand dollars (\$6,000.00) for each year of the
 29 biennium beginning July 1, 1953, and ending June 30, 1955, and shall
 30 be in full compensation for all services, and provisions made in any
 31 other Act or statutes for salary of the members of the Iowa Employ-
 32 ment Security Commission shall be ineffective and void.

1 SEC. 52. All salaries provided for in this Act are in lieu of all
 2 existing statutory salaries, for the positions provided herein, and shall
 3 be payable in equal monthly or semi-monthly installments, and shall
 4 be in full compensation for all services except as otherwise expressly
 5 provided.

1 SEC. 53. Where any provisions of the laws of this state are in con-
 2 flict with this Act the provisions of this Act shall govern for the
 3 biennium.

1 SEC. 54. No department or commission of state located in the city
 2 of Des Moines shall expend any funds for the publication or distribu-
 3 tion of books or pamphlets or reports unless the publication thereof
 4 be expressly required by law or approved by the budget and financial
 5 control committee and the state printing board.

1 SEC. 55. That the budget and financial control committee is hereby
 2 instructed and directed to make a full and comprehensive survey re-
 3 garding the possible use of permanent license plates with removable
 4 date tags for the state of Iowa, and to include such survey in the
 5 report of said budget and financial control committee to the Fifty-
 6 sixth General Assembly.

Approved May 25, 1953.

CHAPTER 2

BOARD OF CONTROL APPROPRIATIONS

H. F. 485

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the board of control for salaries, support, maintenance, repairs, replacements, alterations or equipment of institutions under said 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 of
 2 the state of Iowa for each year of the biennium beginning July 1,
 3 1953, and ending June 30, 1955, for the board of control of state in-
 4 stitutions for salaries, support, maintenance, repairs, replacements,

5 alterations or equipment and miscellaneous purposes for all institu-
 6 tions under the control of said board the sum of eleven million seven
 7 hundred fifty-two thousand four hundred eighty dollars (\$11,752,-
 8 480.00) or so much thereof as may be necessary to be used for the
 9 following purposes to-wit:

MENTAL HEALTH INSTITUTE

Cherokee

1 SEC. 2. For the Mental Health Institute 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, 1953, and ending June 30, 1955,
 4 the sum of one million three hundred fifty-four thousand three hun-
 5 dred fifty dollars (\$1,354,350.00) or so much thereof as may be
 6 necessary to be used in the following manner:

7	For salaries	\$ 827,341.00
8	For support and maintenance.....	460,657.00
9	For repairs, replacements, alterations or equipment..	66,352.00
10	Total for Mental Health Institute, Cherokee.....	\$1,354,350.00

MENTAL HEALTH INSTITUTE

Clarinda

1 SEC. 3. For the Mental Health Institute at Clarinda, Iowa, there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1953, and ending June 30, 1955, the
 4 sum of one million three hundred fifty-four thousand three hundred
 5 fifty dollars (\$1,354,350.00) or so much thereof as may be necessary
 6 to be used in the following manner:

7	For salaries	\$ 827,341.00
8	For support and maintenance.....	460,657.00
9	For repairs, replacements, alterations or equipment	66,352.00
10	Total for Mental Health Institute, Clarinda.....	\$1,354,350.00

GLENWOOD STATE SCHOOL

Glenwood

1 SEC. 4. For the Glenwood State School at Glenwood, Iowa, there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1953, and ending June 30, 1955, the
 4 sum of one million two hundred eighty-eight thousand three hundred
 5 dollars (\$1,288,300.00) or so much thereof as may be necessary to be
 6 used in the following manner:

7	For salaries	\$ 770,030.00
8	For support and maintenance.....	471,120.00
9	For repairs, replacements, alterations or equipment	47,150.00
10	Total for Glenwood State School, Glenwood.....	\$1,288,300.00

MENTAL HEALTH INSTITUTE

Independence

- 1 SEC. 5. For the Mental Health Institute 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, 1953, and ending June
 4 30, 1955, the sum of one million three hundred fifty-four thousand
 5 three hundred fifty dollars (\$1,354,350.00) or so much thereof as
 6 may be necessary to be used in the following manner:
- | | | |
|---|---|----------------|
| 7 | For salaries | \$ 827,341.00 |
| 8 | For support and maintenance..... | 460,657.00 |
| 9 | For repairs, replacements, alterations or equipment | 66,352.00 |
| | | \$1,354,350.00 |
- 10 Total for Mental Health Institute, Independence.....\$1,354,350.00

MENTAL HEALTH INSTITUTE

Mount Pleasant

- 1 SEC. 6. For the Mental Health Institute at Mount Pleasant, Iowa,
 2 there is hereby appropriated from the general fund of the state for
 3 each year of the biennium beginning July 1, 1953, and ending June
 4 30, 1955, the sum of one million three hundred fifty-four thousand
 5 three hundred fifty dollars (\$1,354,350.00) or so much thereof as may
 6 be necessary to be used in the following manner:
- | | | |
|---|---|----------------|
| 7 | For salaries | \$ 827,341.00 |
| 8 | For support and maintenance..... | 460,657.00 |
| 9 | For repairs, replacements, alterations or equipment | 66,352.00 |
| | | \$1,354,350.00 |
- 10 Total for Mental Health Institute, Mount Pleasant....\$1,354,350.00

STATE HOSPITAL AND SCHOOL

Woodward

- 1 SEC. 7. For the State Hospital and School at Woodward, Iowa, there
 2 is hereby appropriated from the general fund of the state for each
 3 year of the biennium beginning July 1, 1953, and ending June 30,
 4 1955, the sum of one million two hundred ninety-three thousand nine
 5 hundred twenty dollars (\$1,293,920.00) or so much thereof as may
 6 be necessary to be used in the following manner:
- | | | |
|---|---|----------------|
| 7 | For salaries | \$ 795,880.00 |
| 8 | For support and maintenance..... | 416,310.00 |
| 9 | For repairs, replacements, alterations or equipment | 81,730.00 |
| | | \$1,293,920.00 |
- 10 Total for State Hospital and School, Woodward.....\$1,293,920.00

ANNIE WITTENMYER HOME, THE IOWA

Davenport

- 1 SEC. 8. For The Iowa Annie Wittenmyer Home at Davenport, Iowa,
 2 there is hereby appropriated from the general fund of the state for
 3 each year of the biennium beginning July 1, 1953, and ending June 30,
 4 1955, the sum of five hundred eighteen thousand two hundred ten

5	dollars (\$518,210.00) or so much thereof as may be necessary to be	
6	used in the following manner:	
7	For salaries	\$328,170.00
8	For support and maintenance.....	159,200.00
9	For repairs, replacements, alterations or equipment....	25,840.00
10	For vocational training, occupational therapy and	
11	equipment	5,000.00
12	Total for The Iowa Annie Wittenmyer Home,	
13	Davenport	\$518,210.00

SOLDIERS HOME, IOWA

Marshalltown

1	SEC. 9. For the Iowa Soldiers Home at Marshalltown, Iowa, there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1953, and ending June 30, 1955,	
4	the sum of four hundred ninety-one thousand one hundred thirty	
5	dollars (\$491,130.00) or so much thereof as may be necessary to be	
6	used in the following manner:	
7	For salaries	\$355,115.00
8	For support and maintenance.....	114,935.00
9	For repairs, replacements, alterations or equipment....	21,080.00
10	Total for Iowa Soldiers Home, Marshalltown.....	\$491,130.00

JUVENILE HOME, STATE

Toledo

1	SEC. 10. 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, 1953, and ending June 30, 1955, the	
4	sum of three hundred thousand eight hundred dollars (\$300,800.00)	
5	or so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salaries	\$174,080.00
8	For support and maintenance.....	108,520.00
9	For repairs, replacements, alterations or equipment	15,700.00
10	For vocational training, occupational therapy and	
11	equipment	2,500.00
12	Total for state Juvenile Home, Toledo.....	\$300,800.00

MEN'S REFORMATORY

Anamosa

1	SEC. 11. For the Men's Reformatory at Anamosa, Iowa, there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1953, and ending June 30, 1955, the	
4	sum of seven hundred eighty-two thousand five hundred thirty dol-	
5	lars (\$782,530.00) or so much thereof as may be necessary to be used	
6	in the following manner:	

7	For salaries	\$429,780.00
8	For support and maintenance.....	312,020.00
9	For repairs, replacements, alterations or equipment....	33,230.00
10	For vocational training, occupational therapy and	
11	equipment	7,500.00
12	Total for Men's Reformatory, Anamosa.....	\$782,530.00

TRAINING SCHOOL FOR BOYS

ELDORA

1 SEC. 12. For the Training School for Boys at Eldora, Iowa, there
 2 is hereby appropriated from the general fund of the state for each
 3 year of the biennium beginning July 1, 1953, and ending June 30,
 4 1955, the sum of four hundred forty-two thousand six hundred dollars
 5 (\$442,600.00) or so much thereof as may be necessary to be used in
 6 the following manner:

7	For salaries	\$247,140.00
8	For support and maintenance.....	146,400.00
9	For repairs, replacements, alterations or equipment....	36,560.00
10	For vocational training, occupational therapy and	
11	equipment	12,500.00
12	Total for Training School for Boys, Eldora.....	\$442,600.00

PENITENTIARY, STATE

Fort Madison

1 SEC. 13. For the State Penitentiary at Fort Madison, Iowa, there
 2 is hereby appropriated from the general fund of the state for each
 3 year of the biennium beginning July 1, 1953, and ending June 30, 1955,
 4 the sum of nine hundred twenty-six thousand six hundred thirty dol-
 5 lars (\$926,630.00) or so much thereof as may be necessary to be used
 6 in the following manner:

7	For salaries	\$520,410.00
8	For support and maintenance.....	351,450.00
9	For repairs, replacements, alterations or equipment....	52,270.00
10	For vocational training and equipment.....	2,500.00
11	Total for State Penitentiary, Fort Madison.....	\$926,630.00

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, 1953, and ending June
 4 30, 1955, the sum of one hundred eighty thousand fifty dollars (\$180,-
 5 050.00) or so much thereof as may be necessary to be used in the
 6 following manner:

7	For salaries	\$107,220.00
8	For support and maintenance.....	52,880.00

9	For repairs, replacements, alterations or equipment..	18,450.00
10	For vocational training and equipment.....	1,500.00
11	Total for Training School for Girls, Mitchellville.....	\$180,050.00

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 for
 3 each year of the biennium beginning July 1, 1953, and ending June
 4 30, 1955, the sum of one hundred ten thousand nine hundred ten dol-
 5 lars (\$110,910.00) or so much thereof as may be necessary to be used
 6 in the following manner:

7	For salaries	\$ 60,780.00
8	For support and maintenance.....	32,880.00
9	For repairs, replacements, alterations, or equipment..	14,750.00
10	For vocational training and equipment.....	2,500.00
11	Total for Women's Reformatory, Rockwell City.....	\$110,910.00

Approved April 22, 1953.

CHAPTER 3

FIRE DAMAGE AT STATE INSTITUTIONS

H. F. 456

AN ACT to appropriate funds to the board of control for the repair to buildings and for the restoration and replacement of furniture, fixtures, equipment and other items of institutional property damaged by fire in the auditorium at the state penitentiary at Fort Madison on January 12, 1953, and in the laundry building at the Cherokee mental health institute on February 9, 1953.

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 to the board of control the sum of sixty-eight thousand dol-
 3 lars (\$68,000.00), or so much thereof as may be necessary to be used
 4 for the following purposes:

5 (a) At the State Penitentiary, Fort Madison, Iowa, for restoring
 6 the auditorium building and restoring or replacing furniture, fixtures,
 7 furnishings, and equipment damaged or destroyed by fire January 12,
 8 1953,\$56,500.00.

9 (b) At the Cherokee Mental Health Institute, Cherokee, Iowa, for
 10 restoring the laundry building and restoring or replacing furniture,
 11 fixtures, furnishings, equipment and other items of institutional prop-
 12 erty, including bedding, linens and clothing damaged or destroyed by
 13 fire February 9, 1953,\$11,500.00.

1 SEC. 2. Any unexpended balance of the funds herein appropriated
 2 as of June 30, 1955, shall revert to the general fund of the state.

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 Donnellson Review, a newspaper published at Donnellson, Iowa,
4 and the Cherokee Daily Times, a newspaper published at Cherokee,
5 Iowa.

Approved March 25, 1953.

I hereby certify that the foregoing Act, House File 456, was published in The Donnellson Review, Donnellson, Iowa, April 2, 1953, and in the Cherokee Daily Times, Cherokee, Iowa, March 30, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 4

BOARD OF CONTROL CAPITAL IMPROVEMENTS

H. F. 487

AN ACT to appropriate funds for certain capital improvements for institutions under the board of control including construction of new buildings, repairs, improvements, replacements or alterations, and providing for the joint control of the expenditure thereof by the board of control and the budget and financial control committee.

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 to the board of control the sum of three million seven hun-
3 dred thousand dollars (\$3,700,000.00) to be used in the following
4 manner to-wit:

5 To supplement any of the appropriations for capital improvement
6 items included in chapter three (3), Acts of the Fifty-first General
7 Assembly, in chapter twelve (12), Acts of the Fifty-second General
8 Assembly and in chapter three (3), Acts of the Fifty-third General
9 Assembly, or for any other capital expenditure the board of control
10 may deem necessary for the proper and necessary function of any
11 institution under its jurisdiction.

1 SEC. 2. Before any of the funds herein appropriated shall be ex-
2 pended it shall be determined by the state board of control with the
3 approval of the budget and financial control committee that the ex-
4 penditure shall be for the best interest of the state.

1 SEC. 3. When contracts, plans and specifications or plan of opera-
2 tion for an improvement for which funds are herein appropriated has
3 been accepted by the state board of control, and approved and certi-
4 fied by the budget and financial control committee, the state comp-
5 troller shall allocate the funds for each such 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. The board of control and the budget and financial control
2 committee are hereby authorized to obtain federal grants to the state
3 to be used in connection with the funds above appropriated or di-
4 verted for such construction purpose.

1 SEC. 6. The governor and budget and financial control committee
2 are hereby directed to transfer from the special reserve fund created
3 by the provisions of chapter forty-four (44), Acts of the Fifty-third

4 General Assembly, a sufficient fund to provide for the specific alloca-
 5 tions required to be made by the comptroller under this act, unless
 6 the comptroller and governor certify to the budget and financial con-
 7 trol committee that in their judgment there are sufficient funds avail-
 8 able in the general fund for the operation of state government at that
 9 time so as to make the use of the special reserve fund unnecessary
 10 during said biennium.

Approved April 25, 1953.

CHAPTER 5

BOARD OF CONTROL FUNDS TRANSFERRED

H. F. 486

AN ACT transferring all unallocated balances of the appropriation made by chapter three (3), Acts of the Fifty-first General Assembly, to the state board of control, including all subsequent transfers made thereto, to the board of control capital improvement fund created by chapter three (3), Acts of the Fifty-third General Assembly.

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

1 SECTION 1. On the effective date of this Act there shall be trans-
 2 ferred the balance of any funds appropriated to the state board of
 3 control by chapter three (3), Acts of the Fifty-first General Assem-
 4 bly, including all subsequent transfers made thereto, to the fund cre-
 5 ated and established by chapter three (3), Acts of the Fifty-third
 6 General Assembly. The balances, when transferred, shall be subject
 7 to the same use and control on expenditure as provided in chapter
 8 three (3), Acts of the Fifty-third General Assembly.

1 SEC. 2. The balance of the foregoing appropriated funds directed
 2 herein to be transferred shall be such funds remaining from the appro-
 3 priation made by chapter three (3), Acts of the Fifty-first General
 4 Assembly, including subsequent transfers made thereto, but exclud-
 5 ing therefrom amounts which have heretofore been expressly allocated
 6 to a specific project through appropriate action by the budget and
 7 financial control committee and the comptroller.

1 SEC. 3. The comptroller is hereby directed to make the transfer on
 2 the books in his office and to certify to the treasurer of the state the
 3 fact that the transfers herein directed have been made and have been
 4 so entered upon the books in his office.

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 Centerville Daily Iowegian and Citizen, a newspaper published at
 4 Centerville, Iowa, and in The Traer Star Clipper, a newspaper pub-
 5 lished at Traer, Iowa.

Approved April 22, 1953.

I hereby certify that the foregoing Act, House File 486, was published in the Center-
 ville Daily Iowegian and Citizen, Centerville, Iowa, April 25, 1953, and in The Traer
 Star Clipper, Traer, Iowa, May 1, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 6

BOARD OF EDUCATION APPROPRIATION

H. F. 515

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the board of education for the support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of education, and to amend chapter two hundred sixty-two (262), Code 1950, relating to payment of tuition for elementary or high school students residing on land under the control of the state 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, 1953, and
3 ending June 30, 1955, for the support, maintenance, repairs, replace-
4 ments, alterations or equipment of all institutions under the control
5 of the state board of education, the sum of twenty-four million seven
6 hundred five thousand one hundred sixty-five dollars (\$24,705,165.00)
7 or so much thereof as may be necessary, and for the following purposes
8 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 bien-
3 nium beginning July 1, 1953, and ending June 30, 1955, the sum of
4 seven million eight hundred twenty-nine thousand five hundred dol-
5 lars (\$7,829,500.00) or so much thereof as may be necessary to be
6 used in the following manner:
7 For salaries, support, maintenance and miscellane-
8 ous purposes\$7,187,000.00
9 For repairs, replacements, alterations or equip-
10 ment 639,200.00
11 For Lakeside laboratory 3,300.00
12 Total for the state university of Iowa.....\$7,829,500.00

UNIVERSITY HOSPITAL

1 SEC. 3. For the purpose of carrying out the purpose of chapter two
2 hundred fifty-five (255), Code 1950, there is hereby appropriated
3 from the general fund of the state for each year of the biennium
4 beginning July 1, 1953, and ending June 30, 1955, the sum of three
5 million eight hundred thirty-two thousand seven hundred dollars
6 (\$3,832,700.00) or so much thereof as may be necessary to be used
7 in the following manner:
8 For salaries, support, maintenance and for medical
9 and surgical treatment of indigent patients at the uni-
10 versity hospital\$3,635,200.00
11 For repairs, replacements, alterations or equip-
12 ment 197,500.00
13 Total for the university hospital.....\$3,832,700.00

PSYCHOPATHIC HOSPITAL

1 SEC. 4. For the psychopathic hospital for the purpose of chapter
 2 two hundred twenty-five (225), Code 1950, there is hereby appropri-
 3 ated from the general fund of the state for each year of the biennium
 4 beginning July 1, 1953, and ending June 30, 1955, the sum of three
 5 hundred seventy-five thousand six hundred eighty-six dollars (\$375,-
 6 686.00) or so much thereof as may be necessary to be used in the
 7 following manner:

8 For salaries, support, maintenance and for the care, 9 treatment and maintenance of committed and voluntary 10 public patients therein	\$ 357,286.00
11 For repairs, replacements, alterations or equip- 12 ment	18,400.00
13 Total for the psychopathic hospital.....	\$ 375,686.00

BACTERIOLOGICAL LABORATORY

1 SEC. 5. For the bacteriological laboratory there is hereby ap-
 2 propriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1953, and ending June 30, 1955, the sum
 4 of one hundred ninety-eight thousand three hundred dollars (\$198,-
 5 300.00) or so much thereof as may be necessary to be used in the man-
 6 ner and under the authority provided in chapter two hundred sixty-
 7 three (263), Code 1950:

8 For salaries, support, maintenance and miscellane- 9 ous purposes	\$ 196,100.00
10 For repairs, replacements, alterations or equip- 11 ment	2,200.00
12 Total for bacteriological laboratory.....	\$ 198,300.00

HOSPITAL-SCHOOL

1 SEC. 6. For the hospital-school there is hereby appropriated from
 2 the general fund of the state for each year of the biennium beginning
 3 July 1, 1953, and ending June 30, 1955, the sum of two hundred ninety-
 4 three thousand nine hundred dollars (\$293,900.00) 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 1950.

7 For salaries, support, maintenance and miscellane- 8 ous purposes	\$ 293,900.00
9 Total for hospital-school	\$ 293,900.00

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS

Ames

1 SEC. 7. For the Iowa state college of agriculture and mechanic arts
 2 there is hereby appropriated from the general fund of the state for
 3 each year of the biennium beginning July 1, 1953, and ending June 30,
 4 1955, the sum of seven million six hundred thirty-six thousand four

5	hundred seventy-eight dollars (\$7,636,478.00) or so much thereof as	
6	may be necessary to be used in the following manner:	
7	For salaries, support, maintenance and miscellane-	
8	ous purposes:	
9	For instruction and administration.....	\$4,531,501.00
10	For research	1,601,875.00
11	For extension	903,102.00
12	For repairs, replacements, alterations or equip-	
13	ment	600,000.00
		<hr/>
14	Total for the Iowa state college of agriculture and	
15	mechanic arts	\$7,636,478.00

IOWA STATE TEACHERS COLLEGE

Cedar Falls

1	SEC. 8. For the Iowa state teachers college there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1953, and ending June 30, 1955, the sum	
4	of two million eight hundred twenty-two thousand seven hundred	
5	thirty dollars (\$2,822,730.00) or so much thereof as may be necessary	
6	to be used in the following manner:	
7	For salaries, support, maintenance and miscellane-	
8	ous purposes	\$2,614,750.00
9	For repairs, replacements, alterations or equip-	
10	ment	207,980.00
		<hr/>
11	Total for Iowa state teachers college.....	\$2,822,730.00

IOWA SCHOOL FOR THE DEAF

Council Bluffs

1	SEC. 9. For the Iowa school for the deaf there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niennium beginning July 1, 1953, and ending June 30, 1955, the sum of	
4	five hundred eighteen thousand one hundred ninety-one dollars (\$518,-	
5	191.00) or so much thereof as may be necessary to be used in the	
6	following manner:	
7	For salaries, support, maintenance and miscellane-	
8	ous purposes	\$ 502,691.00
9	For repairs, replacements, alterations or equip-	
10	ment	15,500.00
		<hr/>
11	Total for the Iowa school for the deaf.....	\$ 518,191.00

IOWA BRAILLE AND SIGHT-SAVING SCHOOL

Vinton

1 SEC. 10. For the Iowa braille and sight-saving school there is
2 hereby appropriated from the general fund of the state for each year
3 of the biennium beginning July 1, 1953, and ending June 30, 1955, the
4 sum of three hundred twenty-three thousand seven hundred dollars

5	(\$323,700.00) or so much thereof as may be necessary to be used in	
6	the following manner:	
7	For salaries, support, maintenance and miscellane-	
8	ous purposes	\$ 303,200.00
9	For repairs, replacements, alterations or equip-	
10	ment	20,500.00
11	Total for the Iowa braille and sight-saving school....	\$ 323,700.00

STATE SANATORIUM

Oakdale

1	SEC. 11. For the state sanatorium at Oakdale, Iowa, there is here-	
2	by appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1953, and ending June 30, 1955, the	
4	sum of eight hundred seventy-three thousand nine hundred eighty dol-	
5	lars (\$873,980.00) or so much thereof as may be necessary to be used	
6	in the following manner:	
7	For salaries, support, maintenance and miscellane-	
8	ous purposes	\$ 853,480.00
9	For repairs, replacements, alterations or equip-	
10	ment	20,500.00
11	Total for state sanatorium, Oakdale, Iowa.....	\$ 873,980.00

12	Grand total of all appropriations to the board of	
13	education for all purposes for all institutions under	
14	said board of education.....	\$24,705,165.00

1	SEC. 12. The budget of total expenditures for each institution	
2	under the control of the state board of education, including state ap-	
3	propriations and such other receipts as may be available for the same	
4	purpose as the state appropriations, during the biennium shall not	
5	exceed the budget for each institution as hereinafter set forth, except	
6	the board of education may, in the event of an emergency or necessity,	
7	which may arise at any particular institution under its control, expend	
8	more than the amount budgeted for such institution which expenditure	
9	shall be made out of increase in receipts of such institution, such in-	
10	crease in receipts meaning receipts in excess of the estimation of	
11	receipts of the respective institutions as set forth in the appropriations	
12	proposals submitted to the general assembly, provided that thirty days	
13	prior to such proposed increased expenditure the board shall report	
14	in writing to the state comptroller the specific purpose of such addi-	
15	tional expenditure and the source and amount of funds available there-	
16	for, and further said board shall set out in its biennial report to the	
17	governor and the next general assembly such increased expenditure,	
18	the purpose thereof, and the source and amount of funds used therefor.	
19	No funds appropriated by this Act or receipts, which may be used for	
20	the same purpose as said appropriations, may be used for capital im-	
21	provements.	
22	State university of Iowa.....	\$18,262,000.00
23	Iowa state college.....	21,159,912.00
24	Iowa state teachers college.....	6,095,460.00
25	University hospital	10,442,600.00

26	Psychopathic hospital	874,800.00
27	Bacteriological laboratory	444,600.00
28	Hospital school	587,800.00
29	Iowa school for the deaf.....	1,056,382.00
30	Iowa braille and sight-saving school.....	657,400.00
31	State sanatorium	1,930,960.00

32 Total budget for all institutions under the state
 33 board of education for the biennium beginning July 1,
 34 1953, and ending June 30, 1955.....\$61,511,914.00

1 SEC. 13. Chapter eight (8), Code 1950, shall apply to this Act.

1 SEC. 14. Chapter two hundred sixty-two (262), Code 1950, is here-
 2 by amended by adding thereto the following: "The state board of
 3 education shall pay to the local school boards the tuition payments
 4 for the elementary or high school education of students residing on
 5 land owned by the state and under the control of the state board of
 6 education. Such payments shall be made from funds of the respec-
 7 tive institutions other than state appropriations."

Approved May 21, 1953.

CHAPTER 7

BOARD OF EDUCATION CAPITAL IMPROVEMENTS

S. F. 433

AN ACT to appropriate funds for certain capital improvements for institutions under the board of education including construction of new buildings, repairs, improvements, replacements or alterations, and providing for the joint control of the expenditure thereof by the board of education and the budget and financial control committee.

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

1 SECTION 1. For the following institutions under the control of the
 2 state board of education there is appropriated from the general fund
 3 of the state the sum of three million four hundred fourteen thousand
 4 three hundred thirty-eight dollars (\$3,414,338) or so much thereof as
 5 may be necessary.

1 SEC. 2. Said sum shall be allocated in the following amounts:

2	State University of Iowa	
3	Remodeling to improve the care and treatment of polio and	
4	pediatric patients	\$295,800
5	Completing the hospital school and equipment.....	202,638
6	Boiler generator	315,000
7	Steam distribution and replacements.....	255,000
8	Sewers	35,000
9	Iowa State College	
10	Equipment for science building.....	250,000
11	Beef cattle nutrition barn and laboratory.....	250,000
12	Dairy cattle nutrition barn and laboratory.....	250,000
13	Addition to cooling tower.....	30,000

14	Addition of dust remover on ash system.....	7,000
15	Continuation of the program of replacement of cables and	
16	installations in new conduit systems.....	40,000
17	Replacement of transformers at various locations.....	25,000
18	Additions to present filtration plant.....	45,000
19	New well, well house, and piping.....	25,000
20	Acid treatment of wells #6 and #7.....	5,000
21	Installing additional fire hydrants.....	15,000
22	Storm sewer extensions.....	30,000
23	Replacement of tunnel piping.....	50,000
24	Modernizing classrooms, offices, and laboratories in chem-	
25	istry building	70,000
26	Repairing and rebuilding laboratory equipment in chem-	
27	istry building	175,000
28	Replacing heating coils in chemistry building.....	9,000
29	Iowa State Teachers College	
30	Campus laboratory school unit B.....	550,000
31	Purchase of Billman land.....	35,000
32	Completion and payment and equipping campus laboratory	
33	building unit A.....	97,000
34	State Sanatorium at Oakdale	
35	Two hundred thousand gallon elevated water storage tank	
36	with tie lines to deep wells.....	46,000
37	Completion of second floor and basement of addition to	
38	building #52, patients' wing.....	150,900
39	Replacement of automobiles and trucks.....	6,000
40	Repairs to plumbing, heating, and electrical lines in hospital	
41	building	12,000
42	Pointing, caulking, and water-proofing brick buildings.....	10,000
43	Iowa School for the Deaf at Council Bluffs	
44	Razing present condemned apartment building and erecting	
45	a dwelling of 4 two-bedroom apartments.....	52,000
46	Replacing old and dangerous ammonia refrigeration system	
47	with freon unit.....	2,500
48	Replacing worn out, unsanitary sinks and tables in bakery	
49	and kitchen	1,000
50	Replacing campus equipment.....	2,500
51	Relining boilers in power plant.....	2,000
52	Replacing printing press in printing department.....	12,000
53	New equipment in metal working department.....	4,000
54	Iowa Braille and Sight-Saving School at Vinton	
55	Steam distribution header and building.....	12,000
56	Repairing porches on main building.....	20,000
57	Repairing eaves on main building.....	20,000

1 SEC. 3. Before any of the funds herein appropriated shall be ex-
2 pended it shall be determined by the state board of education with the
3 approval of the joint legislative budget and financial and control com-
4 mittee that the expenditure shall be for the best interests of the state.

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

1 SEC. 5. 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 legis-
4 lative budget and financial and control committee, the state treasurer is
5 authorized and directed to sell sufficient securities herein provided in
6 section four (4) of this Act to cover the cost of said improvements.

1 SEC. 6. Upon the completion of any project as set forth in this Act,
2 any unobligated balance remaining may be used for any repairs needed
3 at the respective institution.

1 SEC. 7. The board of education and the joint legislative budget and
2 financial and control committee are hereby authorized to accept federal
3 grants to the state to be used in connection with the funds above ap-
4 propriated or diverted for such construction purpose.

1 SEC. 8. The provisions of all acts or statutes in conflict or incon-
2 sistent with the provisions of this Act are hereby repealed.

1 SEC. 9. If any section, subsection, paragraph, sentence, clause or
2 phrase of this Act is for any reason held to be unconstitutional or in-
3 valid, such unconstitutionality or invalidity shall not affect the consti-
4 tutionality or validity of the remaining portions of this Act. The gen-
5 eral assembly hereby declares that it would have passed this Act and
6 each section, subsection, paragraph, sentence, clause or phrase hereof
7 irrespective of whether any one or more of the sections, paragraphs,
8 sentences, clauses or phrases be declared unconstitutional.

1 SEC. 10. The governor and budget and financial control committee
2 are hereby directed to transfer from the special reserve fund created
3 by the provisions of chapter forty-four (44), Acts of the Fifty-third
4 General Assembly, a sufficient fund to provide for the specific alloca-
5 tions required to be made by the comptroller under this Act, unless the
6 comptroller and governor certify to the budget and financial control
7 committee that in their judgment there are sufficient funds available
8 in the general fund for the operation of state government at that time
9 so as to make the use of the special reserve fund unnecessary during
10 said biennium.

Approved April 29, 1953.

CHAPTER 8

BOARD OF EDUCATION CAPITAL IMPROVEMENTS

S. F. 432

AN ACT to appropriate funds for certain capital improvements for institutions under the board of education including construction of new buildings, repairs, improvements, replacements or alterations, and providing for the joint control of the expenditure thereof by the board of education and the budget and financial control committee.

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

1 SECTION 1. For the following institutions under the control of the
2 state board of education there is appropriated from the general fund
3 of the state the sum of one million five hundred thirty-five thousand
4 dollars (\$1,535,000) or so much thereof as may be necessary.

1 SEC. 2. Said sum shall be allocated in the following amounts:
 2 State University of Iowa
 3 Medical research center and equipment.....\$900,000
 4 Iowa State College
 5 Veterinary diagnostic laboratory..... 600,000
 6 Iowa Braille and Sight-Saving School
 7 Superintendent's new home and furnishings..... 35,000

1 SEC. 3. Before any of the funds herein appropriated shall be ex-
 2 pended it shall be determined by the state board of education with the
 3 approval of the joint legislative budget and financial and* control com-
 4 mittee that the expenditure shall be for the best interests of the state.

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

1 SEC. 5. 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 legis-
 4 lative budget and financial and* control committee, the state treasurer
 5 is authorized and directed to sell sufficient securities herein provided
 6 in section four (4) of this Act to cover the cost of said improvements.

1 SEC. 6. Upon the completion of any project as set forth in this Act,
 2 any unobligated balance remaining may be used for any repairs needed
 3 at the respective institution.

1 SEC. 7. The board of education and the joint legislative budget and
 2 financial and* control committee are hereby authorized to accept fed-
 3 eral grants to the state to be used in connection with the funds above
 4 appropriated or diverted for such construction purpose.

1 SEC. 8. The provisions of all acts or statutes in conflict or incon-
 2 sistent with the provisions of this Act are hereby repealed.

1 SEC. 9. If any section, subsection, paragraph, sentence, clause or
 2 phrase of this Act is for any reason held to be unconstitutional or in-
 3 valid, such unconstitutionality or invalidity shall not affect the constitu-
 4 tionality or validity of the remaining portions of this Act. The general
 5 assembly hereby declares that it would have passed this Act and each
 6 section, subsection, paragraph, sentence, clause or phrase hereof irre-
 7 spective of whether any one or more of the sections, paragraphs, sen-
 8 tences, clauses or phrases be declared unconstitutional.

1 SEC. 10. The governor and budget and financial control committee
 2 are hereby directed to transfer from the special reserve fund created
 3 by the provisions of chapter forty-four (44), Acts of the Fifty-third
 4 General Assembly, a sufficient fund to provide for the specific alloca-
 5 tions required to be made by the comptroller under this Act, unless the
 6 comptroller and governor certify to the budget and financial control
 7 committee that in their judgment there are sufficient funds available
 8 in the general fund for the operation of state government at that time
 9 so as to make the use of the special reserve fund unnecessary during
 10 said biennium.

Approved April 29, 1953.

*According to enrolled Act.

CHAPTER 9

AMES AND IOWA CITY SCHOOL APPROPRIATIONS

S. F. 446

AN ACT to direct and authorize payments to Iowa City Public Schools, Iowa City, Iowa, and the Independent School District of Ames, Iowa, out of appropriations made to the University of Iowa, and Iowa State College, on account of pupils residing in tax free housing units.

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

1 SECTION 1. It is hereby directed and authorized that out of the
2 appropriation to the university of Iowa at Iowa City, made by chapter
3 six (6), section two (2), "For salaries, support, maintenance and mis-
4 cellaneous purposes", Acts of the Fifty-fourth General Assembly, the
5 sum of thirty-six thousand six hundred eighty-three dollars eighty-
6 seven cents (\$36,683.87) be paid to the Iowa City public schools, Iowa
7 City, Iowa, claim number one hundred seventy-nine (179), in full set-
8 tlement of all claims which it may have against the state of Iowa, on
9 account of pupils residing in tax free housing units on the campus of
10 the state university at Iowa City and attending Iowa City public
11 schools.

1 SEC. 2. It is hereby directed and authorized that out of the appropria-
2 tion to Iowa state college at Ames, made by chapter six (6), section
3 seven (7), "For general education", Acts of the Fifty-fourth General
4 Assembly, the sum of fifty-one thousand five hundred ninety-three dol-
5 lars twelve cents (\$51,593.12) be paid to the independent school dis-
6 trict, Ames, Iowa, claim number one hundred eighty-four (184), in
7 full settlement of all claims which it may have against the state of
8 Iowa, on account of pupils residing in tax free housing units on the
9 campus of Iowa state college at Ames and attending the Ames public
10 schools.

1 SEC. 3. The state comptroller is hereby authorized to issue his war-
2 rants to the above named schools in the amounts stated.

1 SEC. 4. Acceptance of said sums by the above named schools shall
2 be in full settlement of all claims against the state of Iowa growing out
3 of the operation of the housing units in said cities.

Approved April 29, 1953.

CHAPTER 10

SOCIAL WELFARE DEPARTMENT APPROPRIATIONS

H. F. 506

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the social welfare department for the purpose of aid to blind fund, aid to dependent children fund, child welfare fund, emergency relief fund and the old-age assistance fund, and to repeal sections two hundred forty-nine point forty-four (249.44), two hundred thirty-nine point ten (239.10) and two hundred forty-one point twenty-five (241.25), Code 1950, and enact substitutes in lieu thereof, relating to the confidential nature of certain records pertaining to the recipients under the laws relating to old-age assistance, dependent children and aid for the blind; providing for issuance of reports showing disbursements to recipients with public access thereto; prohibiting certain uses of this information and providing penalty for violation thereof.

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

1 SECTION 1. For the social welfare department there is hereby ap-
2 propriated from the general fund of the state for each year of the bien-
3 nium beginning July 1, 1953, and ending June 30, 1955, the sum of
4 seven million three hundred twenty thousand dollars (\$7,320,000.00)
5 to be used in the following manner:

6	For aid to blind fund.....	\$ 410,000.00
7	For aid to dependent children fund.....	2,200,000.00
8	For child welfare fund.....	300,000.00
9	For emergency relief fund.....	10,000.00
10	For old-age assistance fund (in addition to ten mil- 11 lion dollars (\$10,000,000.00) appropriated for this pur- 12 pose by section two hundred forty-nine point thirty-six 13 (249.36), Code 1950).....	4,400,000.00
14	Grand total of all appropriations for all purposes for 15 each year of the biennium for the social welfare de- 16 partment	\$ 7,320,000.00

1 SEC. 2. No more than the amount herein appropriated to each fund,
2 plus the unexpended balance in each fund on June 30, 1953, shall be
3 expended from state funds for the purposes of each said fund during
4 the biennium beginning July 1, 1953, and ending June 30, 1955, except
5 that the amount of one hundred thousand dollars (\$100,000.00) in the
6 emergency relief fund on June 30, 1953, shall be reverted to the general
7 fund of the state, pursuant to statute.

1 SEC. 3. No payment for aid to dependent children shall be made
2 unless and until the county board of social welfare, with the advice of
3 the county attorney shall certify that the parent receiving the aid for
4 the children is cooperating in legal actions and other efforts to obtain
5 support money for said children from the persons legally responsible
6 for said support.

1 SEC. 4. Section two hundred forty-nine point forty-four (249.44),
2 Code 1950, is hereby repealed and the following enacted in lieu thereof:
3 "All applications, investigation reports and case records shall be
4 privileged communications and held confidential, subject to use and
5 inspection only by persons authorized by law in connection with their
6 official duties relating to financial audits and the administration of the
7 provisions of this chapter.

8 "Provided, however, that the county board of social welfare shall
9 prepare and file in its office on or before the thirtieth (30th) day of
10 each January, April, July and October a report showing the names and
11 addresses of all recipients receiving assistance under this chapter, to-
12 gether with the amount paid to each during the preceding quarter.
13 Each report so filed shall be securely fixed in a record book to be used
14 only for such reports made under this chapter and chapters two hun-
15 dred thirty-nine (239) and two hundred forty-one (241). The record
16 book shall be and the same is hereby declared to be a public record,
17 open to public inspection at all times during the regular office hours
18 of the respective county boards of social welfare. Each person who
19 desires to examine said records, other than in pursuance of official
20 duties as hereinbefore provided, shall sign a written request to exam-
21 ine the same, which shall contain an agreement on the part of the
22 signer that he will not utilize any information gained therefrom for
23 commercial or political purposes.

24 "It shall be unlawful for any person, body, association, firm, corpora-
25 tion or any other agency to solicit, disclose, receive, make use of or
26 to authorize, knowingly permit, participate in or acquiesce in the use
27 of any lists, names or other information obtained from the reports
28 above provided for, for commercial or political purposes, and a viola-
29 tion of this provision shall constitute a misdemeanor punishable by a
30 fine of not to exceed two thousand dollars (\$2,000.00) or by imprison-
31 ment in the county jail not to exceed one (1) year or by both such fine
32 and imprisonment."

1 SEC. 5. Section two hundred thirty-nine point ten (239.10), Code
2 1950, is hereby repealed and the following enacted in lieu thereof:

3 "All applications, investigation reports and case records shall be
4 privileged communications and held confidential, subject to use and
5 inspection only by persons authorized by law in connection with their
6 official duties relating to financial audits and the administration of
7 the provisions of this chapter.

8 "Provided, however, that the county board of social welfare shall
9 prepare and file in its office on or before the thirtieth (30th) day of
10 each January, April, July and October a report showing the names and
11 addresses of all recipients receiving assistance under this chapter, to-
12 gether with the amount paid to each during the preceding quarter.
13 Each report so filed shall be securely fixed in a record book to be used
14 only for such reports made under this chapter and chapters two hun-
15 dred forty-one (241) and two hundred forty-nine (249). The record
16 book shall be and the same is hereby declared to be a public record,
17 open to public inspection at all times during the regular office hours
18 of the respective county boards of social welfare. Each person who
19 desires to examine said records, other than in pursuance of official
20 duties as hereinbefore provided, shall sign a written request to exam-
21 ine the same, which shall contain an agreement on the part of the
22 signer that he will not utilize any information gained therefrom for
23 commercial or political purposes.

24 "It shall be unlawful for any person, body, association, firm, corpora-
25 tion or any other agency to solicit, disclose, receive, make use of or to
26 authorize, knowingly permit, participate in or acquiesce in the use of
27 any lists, names or other information obtained from the reports above
28 provided for, for commercial or political purposes, and a violation of

29 this provision shall constitute a misdemeanor punishable by a fine of
 30 not to exceed two thousand dollars (\$2,000.00) or by imprisonment in
 31 the county jail not to exceed one (1) year or by both such fine and im-
 32 prisonment.”.

1 SEC. 6. Section two hundred forty-one point twenty-five (241.25),
 2 Code 1950, is hereby repealed and the following enacted in lieu thereof:
 3 “All applications, investigation reports and case records shall be
 4 privileged communications and held confidential, subject to use and
 5 inspection only by persons authorized by law in connection with their
 6 official duties relating to financial audits and the administration of the
 7 provisions of this chapter.

8 “Provided, however, that the county board of social welfare shall
 9 prepare and file in its office on or before the thirtieth (30th) day of
 10 each January, April, July and October a report showing the names and
 11 addresses of all recipients receiving assistance under this chapter, to-
 12 gether with the amount paid to each during the preceding quarter.
 13 Each report so filed shall be securely fixed in a record book to be used
 14 only for such reports made under this chapter and chapters two hun-
 15 dred thirty-nine (239) and two hundred forty-nine (249). The record
 16 book shall be and the same is hereby declared to be a public record,
 17 open to public inspection at all times during the regular office hours
 18 of the respective county boards of social welfare. Each person who
 19 desires to examine said records, other than in pursuance of official
 20 duties as hereinbefore provided, shall sign a written request to exam-
 21 ine the same, which shall contain an agreement on the part of the
 22 signer that he will not utilize any information gained therefrom for
 23 commercial or political purposes.

24 “It shall be unlawful for any person, body, association, firm, corpora-
 25 tion or any other agency to solicit, disclose, receive, make use of or to
 26 authorize, knowingly permit, participate in or acquiesce in the use of
 27 any lists, names or other information obtained from the reports above
 28 provided for, for commercial or political purposes, and a violation of
 29 this provision shall constitute a misdemeanor punishable by a fine of
 30 not to exceed two thousand dollars (\$2,000.00) or by imprisonment
 31 in the county jail not to exceed one (1) year or by both such fine and
 32 imprisonment.”.

Approved May 28, 1953.

CHAPTER 11

SPECIFIED SCHOOL AID

H. F. 502

AN ACT to make an appropriation from the general fund of the state of Iowa to the department of public instruction for specified school aid and to the board for vocational education as provided in chapter two hundred fifty-eight (258), Code 1950, as amended.

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 to the department of public instruction for each year

3 of the biennium beginning July 1, 1953, and ending June 30, 1955,
 4 the sum of six hundred forty-seven thousand five hundred dollars
 5 (\$647,500.00), or so much thereof as may be necessary, to be used
 6 in the following manner:

7	Aid to handicapped children (special education), as provided in	
8	chapter two hundred eighty-one (281), Code 1950, to include thirty	
9	thousand dollars (\$30,000.00) for hearing tests.....	\$526,000.00
10	Normal Institute	49,500.00
11	Mining camp school emergency.....	27,000.00
12	Mining camp schools state aid.....	45,000.00
18	Total	\$647,500.00

1 SEC. 2. There is hereby appropriated from the general fund of the
 2 state of Iowa to the Board of Vocational Education for each year of
 3 the biennium beginning July 1, 1953, and ending June 30, 1955, the
 4 sum of one hundred thousand dollars (\$100,000.00), or so much there-
 5 of as may be necessary to supplement the permanent fund provided in
 6 chapter two hundred fifty-eight (258), Code 1950, as amended by the
 7 Fifty-fourth General Assembly.

Approved April 22, 1953.

CHAPTER 12
 SCHOOL TRANSPORTATION AID

H. F. 494

AN ACT to appropriate from the general fund of the state of Iowa, six million dollars (\$6,000,000.00) to the department of public instruction for state aid for transportation as provided by chapter two hundred eighty-five (285), Code 1950.

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 to the department of public instruction for each year
 3 of the biennium beginning July 1, 1953, and ending June 30, 1955,
 4 the sum of three million dollars (\$3,000,000), or so much thereof as
 5 may be necessary, for state aid for transportation as provided by
 6 chapter two hundred eighty-five (285), Code 1950.

1 SEC. 2. Amend section two hundred eighty-five point one (285.1),
 2 paragraph "a", Code 1950, by striking from lines one (1) and two (2)
 3 the words "inside the limits of" and inserting in lieu thereof the words
 4 "in a district wherein is located".

Approved April 22, 1953.

CHAPTER 13

SUPPLEMENTAL AID TO SCHOOLS

H. F. 496

AN ACT to appropriate from the general fund of the state of Iowa, six million dollars (\$6,000,000) to the department of public instruction for supplemental aid to certain school districts of the state, and to amend chapter two hundred eighty-six (286), Code 1950.

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 to the department of public instruction for each year
3 of the biennium beginning July 1, 1953, and ending June 30, 1955, the
4 sum of three million dollars (\$3,000,000) or so much thereof as may
5 be necessary for supplemental aid to such school districts of the state
6 as qualify under provisions of chapter two hundred eighty-six (286),
7 Code 1950, provided, however, that no school district shall receive
8 financial aid under the provisions of said Code chapter for reimburse-
9 ment for any year in which a school tax levy for the general fund of
10 at least ten (10) mills was not made in such district.

1 SEC. 2. Amend section two hundred eighty-six point four (286.4),
2 Code 1950, by striking from line seven (7) the word "seventy-five" and
3 inserting in lieu thereof the word "ninety".

1 SEC. 3. Amend section two hundred eighty-six point four (286.4),
2 Code 1950, by striking from line eight (8) the words "one hundred
3 twenty-five" and inserting in lieu thereof the words "one hundred
4 forty-five".

1 SEC. 4. Amend section two hundred eighty-six point five (286.5),
2 Code 1950, by striking from line four (4) the word "seventy-five" and
3 inserting in lieu thereof the word "ninety".

1 SEC. 5. Amend section two hundred eighty-six point five (286.5),
2 Code 1950, by striking from line nine (9) the words "one hundred
3 twenty-five" and inserting in lieu thereof the words "one hundred
4 forty-five".

Approved April 29, 1953.

CHAPTER 14

GENERAL AID FOR SCHOOLS

H. F. 497

AN ACT to appropriate twenty-four million dollars (\$24,000,000.00) from the general fund of the state of Iowa to the department of public instruction to general state aid for school districts as provided by chapter two hundred eighty-six A (286A), Code 1950.

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 department of public instruction for each

3 year of the biennium beginning July 1, 1953, and ending June 30,
 4 1955, the sum of twelve million dollars (\$12,000,000.00), or so much
 5 thereof as may be necessary, for general state aid to school districts
 6 as provided by chapter two hundred eighty-six A (286A), Code 1950,
 7 provided, however, that no school district shall receive financial aid
 8 under the provisions of said Code chapter in the event a school tax
 9 levy for the general fund of at least eight (8) mills was not made
 10 in such district for the preceding year.

Approved May 25, 1953.

CHAPTER 15

SCHOOL AID APPROPRIATIONS

H. F. 495

AN ACT to appropriate from the general fund of the state of Iowa to the department of public instruction twenty thousand dollars (\$20,000.00) for use as a revolving fund for the veterans administration, and seven thousand five hundred dollars (\$7,500.00) for the school lunch program.

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 the biennium beginning July 1, 1953, and ending June
 3 30, 1955, to the department of public instruction the sum of twenty
 4 thousand dollars (\$20,000.00) or so much thereof as may be neces-
 5 sary for the use of the veterans education program to be used as a
 6 revolving fund to pay, salaries and travel of personnel which will be
 7 reimbursed by the veterans administration.

8 Total\$20,000.00

1 SEC. 2. There is hereby appropriated from the general fund of the
 2 state for the biennium beginning July 1, 1953, and ending June 30,
 3 1955, to the department of public instruction the sum of seven thou-
 4 sand five hundred dollars (\$7,500.00) or so much thereof as may be
 5 necessary to be used as a revolving fund to cover warehousing, han-
 6 dling, and transportation of direct distribution of federal surplus
 7 commodities which will be reimbursed by charging pro rata costs of
 8 these items to receiving schools and institutions.

9 Total\$ 7,500.00

Approved April 22, 1953.

CHAPTER 16

CONSERVATION COMMISSION APPROPRIATION

S. F. 452

AN ACT to appropriate from the general fund of the state of Iowa to the state conservation commission for emergency work and certain other construction work.

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

1 SECTION 1. There is hereby appropriated and set out of the gen-
 2 eral fund of the state from any moneys not otherwise appropriated,

3 to the state conservation commission the sum of eight hundred forty-
 4 three thousand dollars (\$843,000.00) or so much thereof as may be
 5 necessary for the treatment of waters or emergency work to maintain
 6 state owned lakes and waters but said funds appropriated and set
 7 aside by this Act shall not be expended until it shall be determined by
 8 the conservation commission with approval of the budget and financial
 9 control committee that its expenditures shall be for the best interests
 10 of the state.

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 pro-
 3 visions of section one (1) of this Act in securities of the United States
 4 Government.

1 SEC. 3. When contracts, plans and specifications for improvements
 2 for which funds are herein appropriated have been accepted by the
 3 conservation commission, and approved and certified by the budget
 4 and financial control committee of the state of Iowa, the state treas-
 5 urer is authorized and directed to sell sufficient securities herein pro-
 6 vided in section two (2) of this Act to cover the cost of said improve-
 7 ment.

1 SEC. 4. The state conservation commission is hereby authorized
 2 and directed to expend for systematic treatment of the waters of Storm
 3 Lake, Buena Vista County, Iowa with copper sulphate or other chem-
 4 ical during the years 1953 and 1954 for treatment of blue-green algae
 5 the sum of twenty-five thousand dollars (\$25,000.00) or so much
 6 thereof as may be necessary from the sum appropriated in section 1
 7 hereof.

Approved May 21, 1953.

CHAPTER 17

CONSERVATION COMMISSION CLAIMS APPROPRIATIONS

S. F. 437

AN ACT to direct and authorize payment to certain persons in settlement of claims arising out of administration of the conservation commission.

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

1 SECTION 1. It is hereby directed and authorized that payment be
 2 made out of the administration fund provided by section one hundred
 3 seven point seventeen (107.17), subsection three (3), Code 1950,
 4 of the conservation commission of the state of Iowa to the following
 5 named persons the amounts set opposite their respective names, in
 6 full settlement of all claims which they may have against the state
 7 of Iowa on arising out of administration of the state conservation
 8 commission:

9 Claimant	Claim No.	Amount
10 George A. Graham		
11 Storm Lake, Iowa	156	\$ 434.00
12 Drainage District No. 151		
13 Greene County		
14 Jefferson, Iowa	213	3,887.27

1 SEC. 2. The state comptroller is hereby authorized to issue his
 2 warrants to the above named parties in the amounts stated. The
 3 acceptance of such sums of the above named parties shall be in full
 4 settlement of all claims against the state of Iowa growing out of the
 5 above described claims. The state treasurer is directed to pay the
 6 same from the designated fund.

Approved April 27, 1953.

CHAPTER 18

DEPARTMENT OF PUBLIC SAFETY RADIO APPROPRIATION

H. F. 434

AN ACT to appropriate from the general fund of the state of Iowa to the department of public safety for the purpose of various capital improvements for the division of radio communication.

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

1 SECTION 1. There is hereby appropriated to the division of radio
 2 communication, department of public safety, from the general fund
 3 of the state the sum of ninety one thousand three hundred dollars
 4 (\$91,300.00) to be used for two radio buildings, moving and replacing
 5 two radio towers, four repeater housing units, building, equipment
 6 and tower for new base station, moving one repeater, moving two
 7 radio stations and for additional repeaters, towers and associated
 8 equipment.

1 SEC. 2. Before any of the fund herein appropriated shall be ex-
 2 pended it shall be determined by the department of public safety, with
 3 the approval of the executive council, that the expenditure shall be
 4 for the best interests of the state.

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 as
 3 provided by law, in the Davis County Republican, a newspaper pub-
 4 lished at Bloomfield, Iowa, and in the Fort Madison Evening Demo-
 5 crat, a newspaper published at Fort Madison, Iowa.

Approved April 22, 1953.

I hereby certify that the foregoing Act, House File 434, was published in the Davis County Republican, Bloomfield, Iowa, April 28, 1953, and in the Fort Madison Evening Democrat, Fort Madison, Iowa, April 25, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 19

HIGHWAY COMMISSION APPROPRIATION

H. F. 361

AN ACT authorizing expenditures by state highway commission from the primary road fund for the biennium beginning July 1, 1953, and ending June 30, 1955.

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, 1953, and ending June 30, 1955, not to exceed eleven
4 million seven hundred seven thousand sixty-nine dollars (\$11,707,-
5 069.00) or so much thereof as may be necessary to be used in the
6 following manner:

7 For support of the state highway commission, engineering, testing
8 materials and administration of primary and secondary road work
9 \$2,252,069.00
10 For maintenance of primary road system..... \$9,455,000.00

1 SEC. 2. The state highway commission is further authorized to ex-
2 pend under the supervision and direction of the attorney general from
3 the primary road fund for each year of the biennium beginning July
4 1, 1953, and ending June 30, 1955, not to exceed fifteen thousand dol-
5 lars (\$15,000.00) or so much thereof as may be necessary for the pur-
6 pose of paying costs and expenses of litigation arising from or pertain-
7 ing to primary roads or farm-to-market roads. Any balance unused
8 during the first fiscal year of the biennium shall be carried over and
9 augment the amount authorized for the second year of the biennium,
10 and at the end of the biennium any balance shall revert to the primary
11 road fund.

Approved March 25, 1953.

CHAPTER 20

WORKMEN'S COMPENSATION FOR HIGHWAY EMPLOYEES

H. F. 364

AN ACT to appropriate funds from the primary road fund to the industrial commis-
sioner 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 commis-
2 sioner from the primary road fund for each year of the biennium be-
3 ginning July 1, 1953, and ending June 30, 1955, the sum of forty thou-
4 sand dollars (\$40,000.00) or so much thereof as may be necessary for
5 the purpose of paying properly established claims of or on behalf of
6 employees or dependents of employees of the state highway commis-
7 sion who are injured or killed while on duty as provided by chapter
8 eighty-five (85), Code 1950.

Approved March 25, 1953.

CHAPTER 21

AUDITOR OF HIGHWAY COMMISSION

H. F. 363

AN ACT to appropriate funds to the state comptroller from the primary road 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 the primary road fund for each year of the biennium beginning
3 July 1, 1953, and ending June 30, 1955, the sum of six thousand five
4 hundred dollars (\$6,500.00) or so much thereof as may be necessary
5 for the purpose of paying the salary, travel, bond premium and miscel-
6 laneous expenses of the auditor of the highway commission.

Approved March 25, 1953.

CHAPTER 22

MOTOR VEHICLE FUEL TAX REFUNDS

H. F. 509

AN ACT to appropriate funds 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 begin-
3 ning July 1, 1953, and ending June 30, 1955, the sum of six thousand
4 one hundred seventy dollars (\$6,170.00) or so much thereof as may
5 be necessary for use in employing help and defraying other expenses
6 in writing motor vehicle fuel tax refund warrants and keeping neces-
7 sary records.

Approved April 22, 1953.

CHAPTER 23

INAUGURAL EXPENSE

H. F. 331

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 state
2 treasury, not otherwise appropriated, the sum of one thousand six hun-
3 dred sixty dollars (\$1,660.00), or so much thereof as may be necessary,
4 to pay the expenses incurred on account of the inaugural ceremonies
5 and reception. Warrants shall be drawn upon the treasury for the
6 sum herein appropriated in favor of the adjutant general upon the
7 filing of vouchers therefor with the 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 the
 3 Oskaloosa Tribune Press, a newspaper published at Oskaloosa, Iowa,
 4 and the Neola Gazette Reporter, a newspaper published at Neola, Iowa.

Approved March 25, 1953.

I hereby certify that the foregoing Act, House File 331, was published in the Oskaloosa Tribune Press, Oskaloosa, Iowa, April 3, 1953, and in the Neola Gazette Reporter, Neola, Iowa, April 9, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 24

MISCELLANEOUS EXPENSE OF GENERAL ASSEMBLY

H. F. 517

AN ACT making appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-fifth 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, or so
 3 much thereof as may be necessary in payment of miscellaneous ex-
 4 penses incurred or authorized by the Fifty-fifth General Assembly:
 5 A. C. Gustafson, Chief Clerk of the House, for postage
 6 and miscellaneous expenses after adjournment. (This shall
 7 be in addition to postage left over in the House post office
 8 after the session has adjourned).....\$ 150.00
 9 Carroll A. Lane, Secretary of the Senate, for postage
 10 and miscellaneous expenses after adjournment. (This shall
 11 be in addition to postage left over in the Senate post office
 12 after the session has adjourned).....\$ 100.00
 13 Executive Council for legislative photographs, tele-
 14 phone, telegraph, supplies, postage and miscellaneous ex-
 15 pense incurred during the 55th General Assembly and sub-
 16 sequent to its adjournment and prior to the convening of
 17 the 56th General Assembly.....\$7,500.00
 18 A. C. Gustafson for stenographic expense and postage
 19 during the interim prior to the convening of the 55th Gen-
 20 eral Assembly\$ 390.00
 21 A. C. Gustafson for postage and miscellaneous expense
 22 from April 13 to April 25.....\$ 30.50
 23 Office Machine Supply Company, for servicing type-
 24 writers\$ 5.00
 25 Olsan Florists, for flowers for House Memorial Session..\$ 18.00
 26 Bowles, Andrews & Towne, for services in connection
 27 with the survey of the Old Age and Survivors' Insurance
 28 bill, authorized by the Senate..... 1,751.07
 29 Storey Kenworthy Company, for supplies..... 20.16
 30 Lillian Leffert, an amount sufficient to pay her for serv-
 31 ices rendered in the final days of the session in the enroll-
 32 ment of bills at the rate of \$15.00 per day.

33	J. Henry Lucken, in reimbursement of expenses in-	
34	curred on trip to Las Vegas, Nevada, in accordance with	
35	House Concurrent Resolution 18.....	124.80
36	Storey Sound Recorder Company, for Soundsciber	
37	equipment for Senate.....	625.00

1 SEC. 2. There is hereby appropriated a sum sufficient to pay the
2 per diem compensation made necessary by Senate Concurrent Resolu-
3 tion No. 20 for services required of officers and employees of the
4 Fifty-fifth General Assembly after final adjournment.

1 SEC. 3. There is hereby appropriated an additional sum of forty
2 thousand dollars (\$40,000.00) or so much thereof as may be neces-
3 sary for the payment of the cost of printing for the Fifty-fifth Gen-
4 eral Assembly, and the state comptroller is hereby authorized to
5 issue warrants against said appropriation upon requisition by the
6 superintendent of printing.

1 SEC. 4. There is hereby appropriated to the budget and financial
2 control committee the sum of two hundred dollars (\$200.00) or as
3 much thereof as may be necessary to provide permanent windshield
4 decals for members of the legislature.

1 SEC. 5. There is hereby appropriated to the executive council the
2 sum of six hundred dollars (\$600.00) for the repair and reupholster-
3 ing of the seats in the Senate galleries.

1 SEC. 6. 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 Guthrie Center Times, a newspaper published at Guthrie Center,
4 Iowa, and The Record-Herald and Indianola Tribune, a newspaper
5 published at Indianola, Iowa.

Approved May 21, 1953.

I hereby certify that the foregoing Act, House File 517, was published in The Guthrie Center Times, Guthrie Center, Iowa, May 28, 1953, and in The Record-Herald and Indianola Tribune, Indianola, Iowa, May 26, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 25

STATE AID TO FAIRS

H. F. 507

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the state fair board for the purpose of state aid to agricultural societies.

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

1 SECTION 1. For the state fair board for the purpose of state aid
2 to agricultural societies there is hereby appropriated from the gen-
3 eral fund of the state for each year of the biennium beginning July
4 1, 1953, and ending June 30, 1955, the sum of two hundred thousand
5 dollars (\$200,000.00) or so much thereof as may be necessary to be
6 used in the following manner:

7 For state aid to agricultural societies, two hundred thousand dol-
8 lars (\$200,000.00).

9 The foregoing appropriation for state aid to agricultural societies
10 shall be deemed conditional on full compliance with all other statutes
11 which regulate and prescribe the conditions under which such aid is
12 payable. In no case shall any county receive more than two thou-
13 sand one hundred dollars (\$2,100.00) except that in a county where
14 there are two definitely separate county extension offices, each such
15 society shall receive state aid in such amount as it would be entitled
16 to if it were the only society in the county. In counties having more
17 than one fair entitled to state aid, the state aid available for the
18 county shall be prorated to said fairs on the basis of cash premiums
19 paid by said fairs.

Approved April 25, 1953.

CHAPTER 26

SOIL CONSERVATION APPROPRIATION

H. F. 508

AN ACT to appropriate from the general fund of the state of Iowa to the state soil conservation committee the sum of seven hundred thousand dollars (\$700,000.00) to carry on soil conservation work in soil conservation districts as provided in chapter four hundred sixty-seven A (467A), Code 1950.

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 to the state soil conservation committee the sum of
3 three hundred fifty thousand dollars (\$350,000.00) for each year of
4 the biennium beginning July 1, 1953, and ending June 30, 1955, or so
5 much thereof as may be necessary, to carry on soil conservation work
6 in soil conservation districts organized under the soil conservation
7 districts law of the state of Iowa. The fund will be used as follows:

8 1. Aid to soil conservation districts for district commissioners' ex-
9 penses, stationery, postage and other uses as they may be authorized
10 by the state soil conservation committee; five hundred dollars
11 (\$500.00) per district. Total fifty thousand dollars (\$50,000.00).

12 2. Personnel (technicians and clerical personnel), and their neces-
13 sary expenses including office rental, equipment and materials to be
14 assigned to the soil conservation districts by the state soil conservation
15 committee on a need basis; three hundred thousand dollars (\$300,-
16 000.00).

Approved April 29, 1953.

CHAPTER 27

MOTOR VEHICLE REGISTRATION REFUNDS

S. F. 423

AN ACT to make appropriations to certain persons in settlement of claims for refunds for motor vehicle license.

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 reimbursement fund of the state of Iowa to the following named
 3 persons the amounts set opposite their respective names in full settle-
 4 ment of all claims which they may have against the state of Iowa on
 5 account of surrender of motor vehicle license and refund therefore,
 6 to-wit:

7 Claimant	8 Claim No.	9 Amount
10 Ted P. Wentz 11 2131 Avenue L 12 Fort Madison, Iowa	58	\$ 5.25
13 Albert Beach 14 R. R. 1 15 Fort Madison, Iowa	63	5.00
16 Tom D. Phalen 17 517 Fourth Street, S. E. 18 Mason City, Iowa	64	4.00
19 Mrs. Russell Phillips 20 Rockwell, Iowa	65	5.00
21 Lee Pickert 22 Lisbon, Iowa	72	18.00
23 M. A. Andrew 24 R. R. 1 25 Ogden, Iowa	81	4.50
26 B. J. Sinkler 27 New Sharon, Iowa	82	14.00
28 Clarence R. York 29 356 Ninth Street 30 Marion, Iowa	151	1.00
31 Dean Farnsworth 103 East Nishua Shenandoah, Iowa	202	9.50

1 SEC. 2. The commissioner of public safety is hereby authorized
 2 to issue his checks to the above named parties in the amounts stated.

1 SEC. 3. The acceptance of said sums of 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 29, 1953.

CHAPTER 28

CLAIMS APPROPRIATIONS

S. F. 422

AN ACT to make appropriations to certain named persons in settlement of claims made against the state of Iowa.

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

1	SECTION 1. There is hereby appropriated out of the old age assist-		
2	ance fund of the state of Iowa to the following named persons and/or		
3	firms the amounts set opposite their respective names in full settle-		
4	ment of all claims which they may have against the state of Iowa,		
5	to-wit:		
6		Claim Nature of Claim—	
7	Claimant	No. Burial Expense	Amount
8	Janeba Funeral Home	5 Mary Vosmek	\$150.00
9	Cedar Rapids, Iowa		
10	Strueber Funeral Home	7 Teresa Hurley	150.00
11	Dubuque, Iowa		
12	Johnston & Morgan	10 Nellie Minnick	150.00
13	Lisbon, Iowa		
14	Traul Funeral Home	11 Henry Daggett	125.00
15	Ottumwa, Iowa		
16	Schutter & Son	13 John L. Hoveland	150.00
17	Buffalo Center, Iowa		
18	Didesch Funeral Home	19 Mary Ellen Connelly	150.00
19	Dubuque, Iowa		
20	Sietsema & Fritz	34 Samuel Fischer	116.67
21	Ackley, Iowa		
22	C. A. Carty	48 Laura Werkmeister	44.30
23	Earlville, Iowa		
24	Wilson-Hull Funeral Home	71 Bergetta Jurgensen	150.00
25	Holstein, Iowa		
26	L. R. Pierce	74 David Orwig	50.00
27	Morning Sun, Iowa		
28	Schroeder Funeral Home	83 Mary Ann Love	150.00
29	Boone, Iowa		
30	S. C. Snider Funeral Home	84 William Kaalberg	150.00
31	West Liberty, Iowa		
32	Monger Funeral Home	97 Lee Owens	150.00
33	Fairfield, Iowa		
34	Behr's Funeral Home	98 Ellen A. Connors	150.00
35	Dubuque, Iowa		
36	Zimmerman & Sons	101 Ned DeWitt	150.00
37	Bussey, Iowa		
38	Bybee & Davis Funeral	107 Ben C. Roush	150.00
39	Home, Knoxville, Iowa		
40	Swan Funeral Home	108 Charles G. Stonebraker	150.00
41	Independence, Iowa		

	Claimant	Claim No.	Nature of Claim— Burial Expense	Amount
42	Richards Funeral Home	109	Mrs. Kathryn Oliver	150.00
43	Winterset, Iowa			
44	Brandt Funeral Home	120	Morrison T. Snow	150.00
45	Dallas Center, Iowa			
46	B. C. Peffers Funeral	138	Hyrceanus Fisher	150.00
47	Home, Belle Plaine, Iowa			
48	L. R. Pierce	173	Wesley Robertson	115.50
49	Morning Sun, Iowa			
50	Manning O'Toole Funeral	175	Edgar Griffey	150.00
51	Home, Sioux City, Iowa			
52	Manning O'Toole Funeral	176	Helen Dawson	150.00
53	Home, Sioux City, Iowa			
54	Huebner Funeral Home	185	Samuel Steers	150.00
55	Denison, Iowa			
56	F. R. Sheckler & Sons	194	Ecklus Louisa Antoine	150.00
57	Nora Springs, Iowa			
58	Huebner Funeral Home	199	Henry W. Miller	150.00
59	Denison, Iowa			
60	Zimmerman Funeral Home	203	Christopher C. Simmons	60.00
61	Lovilia, Iowa			
62	O'Keefe & Towne	206	Joseph Regenold	150.00
63	Waterloo, Iowa			
64	Fry & Holland Funeral	208	Clarence E. Spurgeon	150.00
65	Home, Vinton, Iowa			
66	Campbell Funeral Home	215	Eliza Lewman	150.00
67	Batavia, Iowa			
68	Griffith Funeral Home	224	Roy H. Barkalow	75.00
69	Muscatine, Iowa			
70	McGann Funeral &	227	Laura Helmke	150.00
71	Ambulance Service			
72	South Bend, Indiana			
73	Schroeder Funeral Home	231	John C. Clark	150.00
74	Boone, Iowa			

Approved April 29, 1953.

CHAPTER 29

CLAIMS APPROPRIATIONS

S. F. 444

AN ACT to make appropriations to certain named persons in settlement of claims made against the state of 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 the following named persons and/or firms the			
3	amount set opposite their respective names in full settlement of all			
4	claims which they may have against the state of Iowa, to-wit:			
5		Claim		
6	Claimant	No.	Nature of Claim	Amount
7	Charles R. Funaro			
8	Des Moines, Iowa	1	Collision	\$ 60.09
9	Norman R. Matson			
10	Anamosa, Iowa	2	Amputation of finger	210.00
11	County Treasurer	3	Agricultural Land	
12	Kossuth County, Iowa		Credit tax refund	380.60
13	Mutual Fire & Automomobile Insurance Company			
14	Cedar Rapids, Iowa	6	Collision	176.17
15	Farmers Insurance Group			
16	Des Moines, Iowa	9	Collision	228.04
17	Edwin G. Beastrom			
18	Cedar Rapids, Iowa	9A	Collision	50.00
19	Jack Dreesen			
20	Jolley, Iowa	15	Loss of fingers	630.00
21	County Treasurer	16	Agricultural Land	
22	Grundy County, Iowa		Credit tax refund	7,277.78
23	County Treasurer	17	Agricultural Land	
24	Franklin County, Iowa		Credit tax refund	3.47
25	County Treasurer	18	Agricultural Land	
26	Pottawattamie County, Iowa		Credit tax refund	1,233.79
27	Roy Johnson			
28	Cherokee County, Iowa	21	Property Damage	21.60
29	County Treasurer	23	Agricultural Land	
30	Plymouth County, Iowa		Credit tax refund	67.45
31	Betty J. O'Flaherty			
32	Woodward, Iowa	24	Property Damage	16.14
33	Motors Insurance Corp.			
34	Des Moines, Iowa	25	Collision	333.45
35	County Treasurer	29	Agricultural Land	
36	Van Buren County, Iowa		Credit tax refund	1,520.48
37	Richard L. Gunsenhauser			
38	Muscatine, Iowa	30	Property Damage	59.70
39	Iowa Farm Mutual Insurance Company			
40	Des Moines, Iowa	31	Collision	850.00
41	W. Lawrence Oliver			
42	Des Moines, Iowa	33	Property Damage	110.25

	Claim No.	Nature of Claim	Amount
45 Webster Mutual			
46 Insurance Company			
47 Des Moines, Iowa	36	Collision	875.46
48 James J. McCullough			
49 Sioux City, Iowa	38	Collision	50.00
50 County Treasurer	40	Agricultural Land	
51 Appanoose County, Iowa		Credit tax refund	218.79
52 County Treasurer	42	Agricultural Land	
53 O'Brien County, Iowa		Credit tax refund	191.37
54 Arthur Baker			
55 Anamosa, Iowa	43	Collision	4,088.40
56 Clara Baker			
57 Waterloo, Iowa	44	Collision	120.58
58 August and Elbert Resch			
59 Spirit Lake, Iowa	45	Property Damage	250.00
60 County Treasurer	47	Agricultural Land	
61 Mills County, Iowa		Credit tax refund	108.37
62 Lawrence Putney			
63 Gladbrook, Iowa	49	Expenses	32.16
64 County Treasurer	50	Agricultural Land	
65 Keokuk County, Iowa		Credit tax refund	40.64
66 County Treasurer	51	Agricultural Land	
67 Hardin County, Iowa		Credit tax refund	14.08
68 Western Assurance Company			
69 Des Moines, Iowa	52	Collision	216.15
70 Howard G. Evans			
71 Des Moines, Iowa	52A	Collision	25.00
72 Thomas J. Mulgrew & Co.			
73 Dubuque, Iowa	53	Coal	211.13
74 City of Madrid			
75 Madrid, Iowa	54	Property Damage	58.80
76 Edward Bauerle			
77 Davenport, Iowa	57	Collision	10.50
78 Andrew V. Reinken			
79 Spirit Lake, Iowa	62	Collision	95.00
80 Charles Johnson			
81 Des Moines, Iowa	66	Collision	28.20
82 Iowa Farm Mutual			
83 Insurance Company			
84 Des Moines, Iowa	67	Property Damage	11.88
85 James A. Reid			
86 Algona, Iowa	68	Property Damage	10.00
87 Glenn L. Seidel			
88 Davenport, Iowa	73	Claim arising from lease	128.00
89 Florence Stines			
90 Waterloo, Iowa	77	Refund of Notary's Fee	5.00
91 W. A. Kilberger			
92 Swisher, Iowa	78	Property Damage	52.60
93 County Treasurer			
94 Black Hawk County,	79	Agricultural Land	
95 Iowa		Credit tax refund	304.29

	Claimant	Claim No.	Nature of Claim	Amount
96	Herbert C. Green			
97	Des Moines, Iowa	80	Collision	46.78
98	Emmet County			
99	Estherville, Iowa	85	Refund of Use Tax	20.63
100	County Treasurer	86	Agricultural Land	
101	Howard County, Iowa		Credit tax refund	6.98
102	Des Moines Packing Co.			
103	Des Moines, Iowa	88	Collision	51.06
104	Iowa Farm Mutual			
105	Insurance Company			
106	Des Moines, Iowa	91	Property Damage	312.63
107	Fred Fredericks			
108	Marion, Iowa	92	Property Damage	10.00
109	Iowa Farm Mutual			
110	Insurance Company			
111	Des Moines, Iowa	93	Collision	346.11
112	Oren Phipps			
113	Farragut, Iowa	94	Collision	10.00
114	Ralph and Mildred Bennett			
115	Des Moines, Iowa	95	Liability	800.00
116	Stomac Motor Express			
117	Fort Dodge, Iowa	96	Express charges	1.50
118	Forrest Hatfield			
119	Woodward, Iowa	99	Property Damage	63.70
120	Iowa Farm Mutual			
121	Insurance Company			
122	Des Moines, Iowa	100	Collision	341.30
123	County Treasurer	103	Agricultural Land	
124	Mitchell County, Iowa		Credit tax refund	686.07
125	County Treasurer	104	Agricultural Land	
126	Story County, Iowa		Credit tax refund	55.44
127	Dean L. and Billy J. Husted			
128	Des Moines, Iowa	106	Liability	800.00
129	Boone-Story Drainage			
130	District No. 1			
131	Nevada, Iowa	110	Assessments	797.37
132	County Treasurer	111	Agricultural Land	
133	Page County, Iowa		Credit tax refund	569.66
134	R. R. R. Dvorak			
135	Des Moines, Iowa	112	Salary	1,750.00
136	County Treasurer	113	Agricultural Land	
137	Hamilton County, Iowa		Credit tax refund	217.64
138	Vernita Adams			
139	Elliott, Iowa	115	Liability	2,195.46
140	Dean De Voss			
141	Elliott, Iowa	116	Liability	25.02
142	Ralph De Voss			
143	Elliott, Iowa	117	Liability	415.98
144	Lynn Adams			
145	Elliott, Iowa	118	Liability	679.80

	Claimant	Claim No.	Nature of Claim	Amount
146	The Des Moines Company			
147	Des Moines, Iowa	121	Unexpired Lease	3,370.00
148	Merville Caldwell			
149	Independence, Iowa	122	Property Damage	96.66
150	Glen Kiger			
151	Mt. Pleasant, Iowa	123	Collision	212.60
152	Fred Moeller			
153	Davenport, Iowa	126	Collision	24.60
154	Emmet County			
155	Estherville, Iowa	130	Assessments	491.91
156	Cerro Gordo County			
157	Mason City, Iowa	131	Assessments	36.95
158	Fremont County			
159	Sidney, Iowa	132	Assessments	999.27
160	Pocahontas County			
161	Pocahontas, Iowa	133	Assessments	261.84
162	Emmet County			
163	Estherville, Iowa	134	Assessments	687.01
164	Chickasaw County	141	Agricultural Land	
165	New Hampton, Iowa		Credit tax refund	7.69
166	Langan Paper Company			
167	Des Moines, Iowa	143	Bill for Supplies	310.14
168	John W. Roby			
169	Vancouver, B. C., Canada	144	Collision	143.46
170	Midwest American Mutual			
171	Insurance Company			
172	Des Moines, Iowa	145	Property Damage	241.38
173	G. A. and Lois Currier			
174	Spirit Lake, Iowa	146	Property Damage	50.00
175	Chicago, Rock Island			
176	& Pacific R.R. Company			
177	Cedar Rapids, Iowa	154	Freight charges	9.23
178	George W. Smith, Jr.,			
179	Des Moines, Iowa	155	Liability	420.00
180	Floyd Beghtel			
181	Cedar Falls, Iowa	159	Property Damage	77.05
182	Lake Township			
183	Consolidated School			
184	Dickens, Iowa	161	Refund	102.60
185	Buena Vista County			
186	Hospital			
187	Storm Lake, Iowa	162	Refund of Use Tax	1,116.56
188	Iowa Methodist Hospital	163	Patrolman's	
189	Des Moines, Iowa		Hospital Bill	647.20
190	Dr. Ralph A. Dorner	163A	Patrolman's	
191	Des Moines, Iowa		Medical Bill	250.00
192	Sidney Feintech			
193	Des Moines, Iowa	164	Property Damage	184.27
194	Harold F. Achenbach			
195	Webster City, Iowa	168	Collision	100.69

	Claimant	Claim No.	Nature of Claim	Amount
196	Muscatine County			
197	Muscatine, Iowa	169	Assessment	3,819.22
198	Independent School District			
199	Corning, Iowa	170	Refund of Sales Tax	112.00
200	Johnson County			
201	Iowa City, Iowa	174	Bridge Repairs	1,033.67
202	H. Leibunguth			
203	Cedar Falls, Iowa	177	Fire Damage	50.00
204	Sena Rownd			
205	Cedar Falls, Iowa	177A	Fire Damage	15.00
206	Madison County			
207	Winterset, Iowa	180	Refund of Sales Tax	1,668.65
208	Winterset Public School			
209	Winterset, Iowa	183	Refund of Sales Tax	35.79
210	Consolidated School			
211	Atkins, Iowa	187	Refund of Sales Tax	98.67
212	Gardiner Consolidated			
213	School, Bouton, Iowa	188	Refund of Sales Tax	80.81
214	Crystal Lake Independent			
215	Consolidated School	189	Refund of Sales Tax	136.04
216	Crystal Lake, Iowa			
217	Otter Creek Township			
218	Alburnett, Iowa	192	Refund of Sales Tax	198.68
219	Chester Hagan, Atkins, Iowa	195	Property Damage	10.00
220	Iowa Farm Mutual			
221	Insurance Company			
222	Des Moines, Iowa	196	Property Damage	52.30
223	Lucas Public School			
224	Lucas, Iowa	197	Refund of Sales Tax	73.80
225	Federated Mutual Imple-			
226	ment and Hardware			
227	Insurance Company			
228	Des Moines, Iowa	198	Property Damage	161.34
229	The Central National			
230	Insurance Company			
231	Omaha, Nebr.	204	Property Damage	82.39
232	John R. Rhoades			
233	Woodward, Iowa	205	Property Damage	50.00
234	Marion County	209	Agricultural Land	
235	Knoxville, Iowa		Credit tax refund	50.08
236	Community Memorial			
237	Hospital Clarion, Iowa	216	Refund of Use Tax	498.23
238	Nodaway Drainage District			
239	Clarinda, Iowa	217	Assessment	4,476.41
240	Lucas County	218	Agricultural Land	
241	Chariton, Iowa		Credit tax refund	1,104.58
242	Webster County	219	Agricultural Land	
248	Fort Dodge, Iowa		Credit tax refund	277.59
244	Allamakee County			
245	Waukon, Iowa	220	Refund of Sales Tax	1,266.95

	Claimant	Claim No.	Nature of Claim	Amount
246	Ivan Brown			
247	Spirit Lake, Iowa	221	Liability	240.80
248	St. Joseph Mercy Hospital			
249	Sioux City, Iowa	222	Hospital Bill	51.35
250	Dr. McCuistion,			
251	Gibbon & Thoman			
252	Sioux City, Iowa	223	Medical Bills	60.00
253	Henry County	225	Agricultural Land	
254	Mt. Pleasant, Iowa		Credit tax refund	82.44
255	Hardin County	226	Agricultural Land	
256	Eldora, Iowa		Credit tax refund	2,358.51
257	Lester Storey			
258	Des Moines, Iowa	228	Collision	62.30
259	Pilot Mound Consolidated			
260	School			
261	Pilot Mound, Iowa	229	Refund of Sales Tax	92.48
262	The Columbia Institution			
263	for the Deaf			
264	Washington, D. C.	230	Supplemental Scholarship	34.35
265	Marion County	233	Agricultural Land	
266	Knoxville, Iowa		Credit tax refund	20.60
267	Lake Park Consolidated			
268	School			
269	Lake Park, Iowa	235	Refund of Sales Tax	1,069.79
270	Decatur County Hospital			
271	Leon, Iowa	236	Refund of Sales Tax	811.21
272	Buena Vista County			
273	Hospital			
274	Storm Lake, Iowa	237	Refund of Sales Tax	861.34
275	Emmet County			
276	Estherville, Iowa	238	Refund of Use Tax	20.63
277	City of Davenport			
278	Davenport, Iowa	239	Refund of Sales Tax	368.96
279	Van Buren County			
280	Hospital Fund			
281	Keosauqua, Iowa	240	Refund of Sales Tax	869.84
282	Independent School District			
283	Perry, Iowa	241	Refund of Use Tax	75.55
284	Bettendorf Independent			
285	School District			
286	Bettendorf, Iowa	244	Refund of Sales Tax	448.28
287	Sioux County			
288	Orange City, Iowa	245	Refund of Use Tax	38.00
289	Grundy County Memorial			
290	Hospital			
291	Grundy Center, Iowa	247	Refund of Sales Tax	2,172.28

1 SEC. 2. The state comptroller is hereby authorized and directed to
2 issue his warrants to the above named persons in the amounts set
3 opposite their names, respectively, and the treasurer of the 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
 2 be in full settlement of all claims they may hold against the state
 3 of Iowa and the Iowa state highway commission, on account of
 4 damages as above indicated, claims for which were presented to the
 5 joint claims committee of the Fifty-fifth General Assembly.

Approved April 27, 1953.

CHAPTER 30

CLAIMS APPROPRIATIONS

S. F. 445

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		Claim	Nature of	
5	Claimant	Number	Claim	Amount
6	Wayne Wolverton	H-1-53	Collision	\$ 50.00
7	Adair, Iowa			
8	Iowa Home Mutual Cas. Co.	H-2-53	Collision	169.51
9	Des Moines, Iowa			
10	Penaluna Transfer	H-3-53	Collision	87.34
11	Hampton, Iowa			
12	Winfred Ross, Jr.	H-4-53	Collision	325.00
13	Council Bluffs, Iowa			
14	Ardis Moore	H-5-53	Collision	41.50
15	Council Bluffs, Iowa			
16	Francis X. Guardipee	H-8-53	Property	
17	Sarasota, Florida		Damage	81.96
18	Ronald H. Hobbs	H-11-53	Collision	181.43
19	Gilman, Iowa			
20	Donald D. Harvey	H-14-53	Collision	5.00
21	Goldfield, Iowa			
22	Iowa Farm Mutual Ins. Co.	H-15-53	Collision	27.99
23	Des Moines, Iowa			
24	Thos. C. & Bernice M. Anderson	H-16-53	Collision	50.00
25	Whitewater, Wisconsin			
26	Travellers Insurance Co.	H-17-53	Collision	475.82
27	Milwaukee, Wisconsin			
28	Iowa Home Mut. Casualty Co.	H-18-53	Collision	481.34
29	Des Moines, Iowa			
30	Robert Bradley	H-19-53	Collision	50.00
31	Moulton, Iowa			
32	Union Automobile Indem. Co.	H-21-53	Collision	221.02
33	Washington, Iowa			

	Claimant	Claim Number	Nature of Claim	Amount
34	Jake Nieuwendorp	H-22-53	Garden	
35	Sheldon, Iowa		Damage	60.00
36	Fern Eads	H-26-53	Collision	9.35
37	Omaha, Nebraska			
38	Mrs. Irmgard Mortensen	H-34-53	Collision	92.25
39	Newport News, Virginia			
40	Iowa Farm Mutual Ins. Co.	H-35-53	Collision	56.80
41	Des Moines, Iowa			
42	E. Howard Hill	H-36-53	Collision	10.00
43	Minburn, Iowa			
44	Howard Teater	H-37-53	Tire Damage	77.21
45	Centerville, Iowa			
46	Harold Beyer	H-38-53	Collision	664.02
47	Dows, Iowa			
48	Arlene Huffman	H-39-53	Collision	200.00
49	Charles City, Iowa			
50	American Casualty Co.	H-40-53	Collision	232.15
51	Chicago, Illinois			
52	Griffith Laboratories, Inc.	H-41-53	Collision	50.00
53	Chicago, Illinois			
54	Mrs. Roy Gay	H-44-53	Household Goods	
55	Lime Springs, Iowa		Damage	29.20
56		H-48-53	Collision	286.54
57	Lewis W. Taylor			
58	Grinnell, Iowa			
59	C. W. Stearns	H-54-53	Property Damage	32.10
60	Omro, Wisconsin			
61	Employers Mutual Cas. Co.	H-55-53	Collision	629.92
62	Des Moines, Iowa			
63	Arthur G. Kersey	H-62-53	Collision	200.56
64	Marshalltown, Iowa			
65	Cook's Hatchery	H-65-53	Collision	51.26
66	Spirit Lake, Iowa			
67	Allied Mutual Cas. Co.	H-68-53	Collision	344.04
68	Des Moines, Iowa			
69	John Snittjer	H-69-53	Collision	50.00
70	Wellsburg, Iowa			
71	Keith Lucas	H-70-53	Property Damage	109.98
72	Sperry, Iowa			
73	Hans Serk	H-71-53	Property Damage	10.71
74	Holstein, Iowa			
75	Basil Willett	H-72-53	Collision	51.50
76	Murray, Iowa			
77	City of Rock Rapids	H-74-53	Fire Hydrant	
78	Rock Rapids, Iowa		Damage	149.17
79				
80	Pacific Nat'l. Fire Ins. Co.	H-75-53	Collision	612.32
81	Portland, Maine			
82	Harold A. Rodman	H-76-53	Collision	50.00
83	Portland, Maine			

	Claim Number	Nature of Claim	Amount
Claimant			
84 Iowa Hdwe. Mut. Ins. Co.	H-77-53	Collision	54.32
85 Mason City, Iowa			
86 Louis Leifer	H-78-53	Collision	50.00
87 Council Bluffs, Iowa			
88 Lorenze C. Mallgren	H-80-53	Collision	38.64
89 Rock Island, Illinois			
90 Iowa Hdwe. Mut. Ins. Co.	H-81-53	Collision	273.81
91 Mason City, Iowa			
92 Mrs. Rosepearl Tharp	H-82-53	Collision	50.00
93 Des Moines, Iowa			
94 Independence Produce Co.	H-90-53	Collision	331.51
95 Independence, Iowa			
96 Mutual Benefit Life Ins. Co.	H-92-53	Collision	100.00
97 Ames, Iowa			
98 The Travelers Ins. Co.	H-93-53	Collision	32.92
99 Des Moines, Iowa			
100 Irving Weber	H-94-53	Collision	50.00
101 Iowa City, Iowa			
102 Alfred J. Peterson	H-95-53	Collision	46.57
103 Kensett, Iowa			
104 William Ehrle	H-96-53	Collision	43.57
105 Homestead, Iowa			
106 Dean Redinger	H-99-53	Collision	188.54
107 Cainsville, Missouri			
108 B. W. Kugler	H-101-53	Collision	25.00
109 Oelwein, Iowa			
110 Motors Insurance Corp.	H-102-53	Collision	309.69
111 Des Moines, Iowa			
112 Chicago & N. W. Ry. System	H-104-53	Damage to Signal	262.27
113 Chicago, Illinois			
114 Ludeking Garage	H-107-53	Collision	300.00
115 Waukon, Iowa			
116 Iowa Elec. Light & Power Co.	H-108-53	Transmis- sion Line Damage	123.74
117 Cedar Rapids, Iowa			
118			
119 Arthur Kennedy	H-111-53	Collision	239.34
120 Riceville, Iowa			
121 Duane A. Bergren	H-112-53	Collision	50.00
122 Villisca, Iowa			
123 Iowa Nat'l. Mut. Ins. Co.	H-113-53	Collision	169.02
124 Cedar Rapids, Iowa			
125 Fred H. Pinnow	H-115-53	Collision	21.25
126 Omaha, Nebraska			
127 Omer Schultz	H-116-53	Collision	50.00
128 Malcom, Iowa			
129 Allied Mut. Cas. Co.	H-117-53	Collision	140.62
130 Des Moines, Iowa			
131 Service Fire Ins. Co.	H-119-53	Collision	310.00
132 St. Paul, Minnesota			
133 Ivan J. Davis, Sr.	H-120-53	Collision	30.50
134 Vinton, Iowa			

	Claimant	Claim Number	Nature of Claim	Amount
135	Snow Brothers	H-121-53	Collision	295.09
136	Oak Park, Illinois			
137	Paul Gabrielson	H-122-53	Collision	17.26
138	Oelwein, Iowa			
139	Cedar Valley Produce Co.	H-123-53	Collision	27.57
140	Osage, Iowa			
141	Vernon Brown	H-124-53	Collision	28.49
142	Laurel, Iowa			
143	Frank McDonald	H-125-53	Collision	32.49
144	Albia, Iowa			
145	Lane's Bottling Company	H-126-53	Collision	191.25
146	Sioux City, Iowa			
147	Jerome Feldt	H-127-53	Collision	267.08
148	Dubuque, Iowa			
149	Russell McVey	H-128-53	Property	
150	Carlisle, Iowa		Damage	25.00
151	Shelby Cemetery Assn.	H-130-53	Gate Post	
152	Shelby, Iowa		Damage	54.05
153	Melvin Brown	H-131-53	Collision	143.50
154	Armstrong, Iowa			
155	Employers Mut. Ins. Co.	H-132-53	Collision	51.99
156	Des Moines, Iowa			
157	Roland Petersen	H-133-53	Collision	50.00
158	Walnut, Iowa			
159	George Weis	H-134-53	Collision	46.25
160	Muscatine, Iowa			
161	State Farm Insurance Co.	H-135-53	Collision	193.56
162	Bloomington, Illinois			
163	Kirk G. Dennis	H-136-53	Collision	50.00
164	Red Oak, Iowa			
165	Independence Body Shop	H-137-53	Collision	14.25
166	and Robert Hall			
167	Independence, Iowa			
168	Leo Smith	H-138-53	Collision	60.37
169	Scranton, Iowa			
170	Witwer Grocer Company	H-139-53	Collision	910.06
171	Marshalltown, Iowa			
172	Allied Mut. Cas. Co.	H-142-53	Collision	54.23
173	Des Moines, Iowa			
174	Leonard Pierson	H-143-53	Collision	50.00
175	Charles City, Iowa			
176	Lloyd's of Minneapolis	H-144-53	Collision	184.25
177	Minneapolis, Minnesota			
178	Hillie Drees	H-145-53	Collision	100.00
179	Thief River Falls, Minn.			
180	Elmer Seibert	H-146-53	Collision	585.26
181	Milburn, Iowa			
182	Frank Kelberger	H-148-53	Collision	66.81
183	Cedar Rapids, Iowa			
184	Lester Larson	H-150-53	Collision	75.00
185	Waukon, Iowa			

	Claimant	Claim Number	Nature of Claim	Amount
186	Iowa Farm Mut. Ins. Co.	H-152-53	Collision	50.83
187	Des Moines, Iowa			
188	Edward A. Clements	H-153-53	Collision	10.00
189	Tipton, Iowa			
190	Iowa Farm Mut. Ins. Co.	H-156-53	Collision	389.15
191	Des Moines, Iowa			
192	Lee Strait	H-157-53	Collision	10.00
193	Milton, Iowa			
194	Iowa Farm Mut. Ins. Co.	H-158-53	Collision	30.83
195	Des Moines, Iowa			
196	Albert Boess	H-159-53	Collision	10.00
197	Hawkeye, Iowa			
198	Iowa Farm Mut. Ins. Co.	H-162-53	Collision	229.71
199	Des Moines, Iowa			
200	Roy F. Kapple	H-163-53	Collision	10.00
201	Corning, Iowa			
202	Iowa Farm Mut. Ins. Co.	H-164-53	Collision	103.97
203	Des Moines, Iowa			
204	Scott McMahan	H-165-53	Collision	10.00
205	West Liberty, Iowa			
206	Iowa Farm. Mut. Ins. Co.	H-166-53	Collision	40.12
207	Des Moines, Iowa			
208	Robert Sliger	H-167-53	Collision	10.00
209	Northboro, Iowa			
210	Kenneth Duwe	H-169-53	Collision	15.73
211	Monona, Iowa			
212	A. L. Griffin	H-171-53	Sewer	
213	Washington, Iowa		Connection	
214			Damage	106.07
215	Chris Mellinger	H-173-53	Property	
216	West Burlington, Iowa		Damage	49.12
217	Dr. G. A. Fry	H-175-53	Collision	70.39
218	Vinton, Iowa			
219	C. M. Welsh	H-178-53	Collision	23.85
220	Wadena, Iowa			
221	Motors Insurance Corp.	H-179-53	Collision	41.89
222	Des Moines, Iowa			
223	William K. Smith	H-180-53	Collision	50.00
224	Mason City, Iowa			
225	Gen. Acc'd., Fire & Life	H-181-53	Collision	104.13
226	Assurance Co.			
227	Dubuque, Iowa			
228	Walter J. Lewis	H-182-53	Collision	100.00
229	Dubuque, Iowa			
230	Ray J. Pipke	H-184-53	Collision	292.19
231	Milwaukee, Wisconsin			
232	Phillip Samolinski	H-185-53	Collision	187.55
233	Milwaukee, Wisconsin			
234	John H. Alexander	H-190-53	Collision	200.00
235	Gravity, Iowa			

	Claimant	Claim Number	Nature of Claim	Amount
236	Herman Boyer	H-191-53	Collision	211.82
237	Elgin, Iowa			
238	Yellow Cab Company	H-195-53	Collision	498.79
239	Mason City, Iowa			
240	National Indemnity Co.	H-196-53	Collision	852.38
241	Omaha, Nebraska			
242	Wilbert Klingler	H-197-53	Loss of Cattle	1,730.48
243	Donnellson, Iowa			
244	Robert L. Seals	H-199-53	Collision	60.09
245	Centerville, Iowa			
246	R. E. Sorensen	H-202-53	Collision	132.94
247	Council Bluffs, Iowa			
248	LeRoy Stilwell	H-203-53	Collision	31.00
249	Swan, Iowa			
250	C. J. Stillman	H-204-53	Collision	81.88
251	Emmetsburg, Iowa			
252	Ruth Bailey	H-205-53	Collision	12.00
253	Toronto, Canada			
254	Chris Schmidt	H-209-53	Collision	50.85
255	Manning, Iowa			
256	Olson Brothers	H-210-53	Property Damage	26.35
257	Waukee, Iowa			
258	Carl Fromm, Jr.	H-215-53	Collision	16.54
259	Burlington, Iowa			
260	Iowa Farm Mut. Ins. Co.	H-216-53	Collision	18.50
261	Des Moines, Iowa			
262	Charles Shelton	H-217-53	Collision	10.00
263	Chariton, Iowa			
264	George Leibfried	H-218-53	Loss of Alfalfa	50.00
265	Durango, Iowa			
266	General Casualty Co.	H-220-53	Collision	93.56
267	Des Moines, Iowa			
268	Ward's Motor Implement, Inc.	H-221-53	Collision	50.00
269	Scranton, Iowa			
270	Maynard Odden	H-225-53	Property Damage	76.57
271	Mason City, Iowa			
272	Russell-Miller Milling Co.	H-226-53	Collision	301.85
273	Sioux City, Iowa			
274	Mrs. Iona F. Zoffka	H-229-53	Collision	164.84
275	Boone, Iowa			
276	Midwest American Mut. Ins. Co.	H-230-53	Collision	61.05
277	Des Moines, Iowa			
278	Woodrow Brandenburg	H-231-53	Collision	50.00
279	Creston, Iowa			
280	Mrs. Wayne Short	H-232-53	Collision	94.23
281	Fairfax, Iowa			
282	Robert Musgrove	H-233-53	Collision	254.15
283	Unionville, Missouri			
284	Forrest D. Blakesley	H-235-53	Collision	275.79
285	Mason City, Iowa			

	Claimant	Claim Number	Nature of Claim	Amount
286	Robert J. Murphy	H-237-53	Collision	55.35
287	Iowa Falls, Iowa			
288	Gamble-Robinson Co.	H-238-53	Collision	85.97
289	Minneapolis, Minnesota			
290	Iowa Farm Mut. Ins. Co.	H-241-53	Collision	860.13
291	Des Moines, Iowa			
292	Kenneth J. Busch	H-242-53	Collision	10.00
293	Gladbrook, Iowa			
294	John Newkirk	H-243-53	Collision	4,823.30
295	Gladbrook, Iowa			
296	Wayne Bloom	H-245-53	Collision	151.00
297	Red Oak, Iowa			
298	Farmers Mut. Hail Ins. Co. of Iowa	H-246-53	Collision	1,276.00
299	Des Moines, Iowa			
300	Allied Mut. Cas. Co.	H-248-53	Collision	1,300.00
301	Des Moines, Iowa			
302	Paul A. Beymer	H-249-53	Collision	200.95
303	Diagonal, Iowa			
304	Mrs. Harriett Jessup	H-250-53	Collision	460.05
305	Diagonal, Iowa			
306	Mrs. August Schultz	H-252-53	Collision	1,000.00
307	Kellogg, Iowa			
308	Earl A. Iliff	H-254-53	Collision	50.00
309	Fort Dodge, Iowa			
310	Earl Johnson	H-256-53	Collision	157.71
311	Lake City, Iowa			

1 SEC. 2. The state comptroller is hereby authorized and directed to
2 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
5 fund of the state of Iowa.

1 SEC. 3. Receipt of said sums by said persons respectively, shall
2 be in full settlement of all claims they may hold against the state of
3 Iowa, the Iowa state highway commission, on account of damages as
4 above indicated, claims for which were presented to the joint claims
5 committee of the Fifty-fifth General Assembly.

Approved April 27, 1953.

CHAPTER 31

MISCELLANEOUS CLAIMS APPROPRIATIONS

S. F. 443

AN ACT to make appropriations to the Hopedale School, Linn county Relief Department, Ideal Cash Coal Company, and to authorize and direct payment to Commerce Clearing House.

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

1 SECTION 1. There is hereby appropriated out of the state sinking
2 fund for public deposits of the state of Iowa to Hopedale School No.

3 7, Union, Iowa, claim number 172, in the sum of five hundred eleven
4 dollars and ninety-seven cents (\$511.97) in full settlement of all claims
5 which it may have against the state of Iowa because of loss of bal-
6 ance of school funds deposited in the Citizens Bank of Union, Iowa.

1 SEC. 2. There is hereby appropriated out of the old age assistance
2 fund of the state of Iowa to the following named persons and/or
3 firms the amounts set opposite their respective names in full settle-
4 ment of all claims which they may have against the state of Iowa,
5 to-wit:

6	Claimant	Claim Number	Nature of Claim Obsolete Warrant	Amount
7	Linn County Relief Dept.	171	Mabel Bassett	\$70.50
8	Cedar Rapids, Iowa			
9	Ideal Cash Coal Co.	166	Mary E. Hendrix	40.50
10	Keokuk, Iowa			
11				

1 SEC. 3. It is hereby directed and authorized that payment be made
2 out of the trust fund of the Iowa Aeronautics commission as pro-
3 vided by chapter three hundred twenty-eight (328), Code 1950, the
4 sum of one hundred seventy-five dollars (\$175) to Commerce Clear-
5 ing House, Chicago, Illinois, claim number 87 in full settlement of all
6 claims which it may have against the state of Iowa on account of
7 subscription to its services.

1 SEC. 4. The state comptroller is hereby authorized to issue his
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 respective
4 funds above specified.

1 SEC. 5. The acceptance of said sum by the above parties shall be
2 in full settlement of all claims against the state of Iowa growing out
3 of the above described claims.

Approved April 25, 1953.

CHAPTER 32

APPROPRIATION TO JAMES SHAVER

S. F. 440

AN ACT to make appropriation to James Shaver on settlement of claim against the state of 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 James Shaver, Waterloo, Iowa, claim number
3 sixty (60), the sum of fourteen thousand dollars (\$14,000.00), pay-
4 able fifty dollars (\$50.00) per month in full settlement of all claims
5 said James Shaver may have against the state of Iowa on account of
6 injury sustained while an inmate at Fort Madison penitentiary.

1 SEC. 2. The state comptroller is authorized to issue the monthly
2 warrant of fifty dollars (\$50.00) to the said James Shaver and upon

3 the death of said claimant any unexpended balance after funeral ex-
4 penses have been paid shall revert to the state of Iowa.

1 SEC. 3. There is hereby appropriated from the general fund of the
2 state of Iowa the sum of seven hundred fifty dollars (\$750.00) to be
3 expended in the discretion of the state comptroller for vocational re-
4 habilitation of James Shaver.

1 SEC. 4. The state comptroller is hereby authorized to issue his war-
2 rents for expenditures for said vocational rehabilitation of claimant
3 and any unexpended balance in said fund for vocational rehabilitation
4 on June 30, 1957, shall revert to the state of Iowa.

Approved April 27, 1953.

CHAPTER 38

ARMAND COMPANY APPROPRIATION

S. F. 441

AN ACT to make appropriations to the Armand Company on account of real estate lease.

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 sixteen thousand five hundred dollars
3 (\$16,500.00) to the Armand Company in full settlement of all claims
4 which it may have on account of a lease entered into on December 28,
5 1948 by and between the Armand Company and the state of Iowa,
6 covering land and building located at 124 Des Moines Street, Des
7 Moines, Iowa.

1 SEC. 2. The state comptroller is hereby authorized to issue his war-
2 rant to the above named claimant upon receipt by the state comp-
3 troller and executive council from said claimant of a written release
4 of the state from all liability arising out of or in connection with said
5 lease and occupation of the premises thereunder. The treasurer is
6 hereby directed to pay the same from the designated funds or accounts
7 of the state of Iowa.

Approved April 25, 1953.

CHAPTER 34

PUBLIC EMPLOYEES RETIREMENT STUDY COMMITTEE APPROPRIATION

S. F. 368

AN ACT to make appropriations to certain named persons in settlement of claims against the state of 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 the following named persons the amount set

3 opposite their respective names in full settlement of all claims which
 4 they may have against the state of Iowa for services rendered and
 5 expenses incurred as members of the special study committee created
 6 under the provisions of House Joint Resolution No. 10, Acts of the
 7 Fifty-fourth General Assembly, to wit:

8	Herman B. Lord	Muscatine, Iowa	\$2,648.25
9	Arch McFarlane	Waterloo, Iowa	665.65
10	Wilmot C. Hendrix	Letts, Iowa	1,250.00
11	Albert L. Mensing	Lowden, Iowa	822.22
12	John Schoen	Sioux City, Iowa	79.68
13	Ralph W. Zastrow	Charles City, Iowa	1,056.00
14	W. C. Molison	Grinnell, Iowa	771.15
15	George E. Miller	Harlan, Iowa	80.00
16	Fred K. Schmidt	Eldora, Iowa	82.50

1 SEC. 2. There is hereby appropriated out of the general fund of
 2 the state of Iowa, to G. M. Ludwig of Iowa City, Iowa, the sum of
 3 two hundred eighty dollars (\$280.00) in full settlement of all claims
 4 that he may have against the state of Iowa on account of all services
 5 rendered in assisting the special study committee created under the
 6 provisions of House Joint Resolution 10, Acts of the Fifty-fourth
 7 General Assembly.

1 SEC. 3. This law, being of immediate importance, shall be effective
 2 from and after its publication in the Waterloo Daily Courier, a news-
 3 paper published in Waterloo, Iowa, and the Grinnell Herald-Register,
 4 a newspaper published in Grinnell, Iowa.

Approved April 23, 1953.

I hereby certify that the foregoing Act, Senate File 368, was published in the Water-
 loo Daily Courier, Waterloo, Iowa, April 27, 1953, and in the Grinnell Herald-Register,
 Grinnell, Iowa, April 30, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 35

OFFICE BUILDING ADVISORY COMMITTEE APPROPRIATION

S. F. 369

AN ACT to make appropriations to Fern E. Sharp, Elkader, Iowa; Philip T. Hedin,
 Davenport, Iowa; Stanley L. Hart, Keokuk, Iowa; Morse E. Crosier, Coggon, Iowa;
 Howard E. Brookings, Oakland, Iowa; G. T. Clark, Knoxville, 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 Fern E. Sharp, Elkader, Iowa, the sum of four
 3 hundred dollars (\$400.00) in full settlement of all claims which he
 4 may have against the State of Iowa on account of services rendered
 5 as a member of the Legislative Advisory Committee, State Office
 6 Building.

1 SEC. 2. There is hereby appropriated out of the general fund of
 2 the State of Iowa, to Philip T. Hedin, Davenport, Iowa, the sum of
 3 three hundred eighty dollars (\$380.00) in full settlement of all claims

4 which he may have against the State of Iowa on account of services
5 rendered as a member of the Legislative Advisory Committee, State
6 Office Building.

1 SEC. 3. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Stanley L. Hart, Keokuk, Iowa, the sum of four
3 hundred dollars (\$400.00) in full settlement of all claims which he
4 may have against the State of Iowa on account of services rendered
5 as a member of the Legislative Advisory Committee, State Office
6 Building.

1 SEC. 4. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Morse E. Crosier, Coggon, Iowa, the sum of four
3 hundred dollars (\$400.00) in full settlement of all claims which he
4 may have against the State of Iowa on account of services rendered
5 as a member of the Legislative Advisory Committee, State Office
6 Building.

1 SEC. 5. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Howard E. Brookings, Oakland, Iowa, the sum
3 of three hundred sixty dollars (\$360.00) in full settlement of all claims
4 which he may have against the State of Iowa on account of services
5 rendered as a member of the Legislative Advisory Committee, State
6 Office Building.

1 SEC. 6. There is hereby appropriated out of the general fund of
2 the State of Iowa, to G. T. Clark, Knoxville, Iowa, the sum of three
3 hundred dollars (\$300.00) in full settlement of all claims which he
4 may have against the State of Iowa on account of services rendered
5 as a member of the Legislative Advisory Committee, State Office
6 Building.

1 SEC. 7. The state comptroller is hereby authorized to issue war-
2 rants 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. This Act being deemed of immediate importance shall be
2 in full force and effect on its publication in The Nashua Reporter, a
3 newspaper published at Nashua, Iowa, and in the Hampton Chronicle,
4 a newspaper published at Hampton, Iowa.

Approved April 23, 1953.

I hereby certify that the foregoing Act, Senate File 369, was published in The Nashua Reporter, Nashua, Iowa, April 30, 1953, and in the Hampton Chronicle, Hampton, Iowa, April 30, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 36

TOLL ROAD STUDY COMMITTEE APPROPRIATION

S. F. 439

AN ACT to make appropriations to members of toll road study committee, namely: John Ruan, H. J. Morgan, Glenn G. Cooper, Harry E. Watson, Francis L. Kerr, Carroll L. Brown, Charles S. Van Eaton, Louis J. Kehoe, Harry J. Wilford, Karl E. Madden, and F. W. Parrott.

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 in full settlement of all claims which
4 they may have against the state of Iowa on account of services ren-
5 dered as a member of the toll road study committee, to-wit:

6	John Ruan.....	\$ 80.00
7	H. J. Morgan.....	247.71
8	Glenn G. Cooper.....	143.50
9	Harry E. Watson.....	526.06
10	Francis L. Kerr.....	242.05
11	Carroll L. Brown.....	333.58
12	Charles S. Van Eaton.....	54.00
13	Louis J. Kehoe.....	251.76
14	Harry J. Wilford.....	187.50
15	Karl E. Madden.....	153.60
16	F. W. Parrott.....	209.00

1 SEC. 2. The state comptroller is hereby authorized to issue his war-
2 rants to the above named parties in the amounts stated, and the treas-
3 urer is hereby directed to pay the same from the designated funds or
4 accounts of the state of Iowa.

1 SEC. 3. The acceptance of said sums 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.

1 SEC. 4. This Act being deemed of immediate importance shall take
2 effect and be in full force from and after its publication in The West
3 Des Moines Express, a newspaper published at West Des Moines, Iowa,
4 and in the Oskaloosa Daily Herald, a newspaper published at Oska-
5 loosa, Iowa.

Approved April 25, 1953.

I hereby certify that the foregoing Act, Senate File 439, was published in The West Des Moines Express, West Des Moines, Iowa, May 14, 1953, and in the Oskaloosa Daily Herald, Oskaloosa, Iowa, May 1, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 37

PUBLIC UTILITY STUDY COMMITTEE APPROPRIATION

S. F. 438

AN ACT to make appropriations to the members of the study committee of public utilities, namely: George O'Malley, Frank Byers, DeVere Watson, Fred Schwengel, Dwight Meyer, J. E. Hansen, E. J. Van Nostrand, and Clarence Updegraff.

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 in full settlement of all claims which	
4		they may have against the state of Iowa on account of services ren-	
5		dered as a member of the study committee of public utilities, to-wit:	
6	George O'Malley	\$ 254.00	
7	Frank Byers	684.28	
8	DeVere Watson	803.07	
9	Fred Schwengel	742.89	
10	Dwight Meyer	649.88	
11	J. E. Hansen.....	601.89	
12	E. J. Van Nostrand.....	405.13	
13	Clarence Updegraff	1,940.95	

1 SEC. 2. The state comptroller is hereby authorized to issue his
2 warrants to the above named parties in the amounts stated, and the
3 treasurer is hereby directed to pay the same from the designated funds
4 or accounts of the state of Iowa.

1 SEC. 3. The acceptance of said sums 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.

1 SEC. 4. This Act being deemed of immediate importance shall take
2 effect and be in full force from and after its publication in The West
3 Des Moines Express, a newspaper published at West Des Moines,
4 Iowa, and in the Oskaloosa Daily Herald, a newspaper published at
5 Oskaloosa, Iowa.

Approved April 25, 1953.

I hereby certify that the foregoing Act, Senate File 438, was published in The West Des Moines Express, West Des Moines, Iowa, May 14, 1953, and in the Oskaloosa Daily Herald, Oskaloosa, Iowa, May 1, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 38

INTERSTATE CO-OPERATION APPROPRIATION

H. F. 433

AN ACT to make appropriations to members of the committee on interstate cooperation, namely; Paul E. McCarville, Raymond R. Gillespie, W. Eldon Walter, Herman B. Lord, James H. Nesmith, John P. Berg, Estate of Edward S. Parker, Fred Schwengel, Carl H. Ringgenberg, Albert Weiss, Glenn E. Robinson, Harry Nielsen, Katheryn C. Metz, R. O. Burrows, Sr.

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 in full settlement of all claims which	
4	they may have against the state of Iowa on account of services ren-	
5	dered as a member of the committee on interstate cooperation, to-wit:	
6	Paul McCarville	\$498.74
7	Raymond R. Gillespie.....	298.00
8	W. Eldon Walter.....	408.36
9	Herman B. Lord.....	351.25
10	James H. Nesmith.....	414.18
11	John P. Berg.....	473.70
12	Estate of Edward S. Parker.....	228.02
13	Fred Schwengel	333.80
14	Carl H. Ringgenberg.....	390.01
15	Albert Weiss	524.38
16	Glenn E. Robinson.....	286.25
17	Harry Nielsen	215.44
18	Katheryn C. Metz.....	267.44
19	R. O. Burrows, Sr.....	288.29

1 SEC. 2. The state comptroller is hereby authorized to issue his
2 warrants to the above named parties in the amounts stated, and the
3 treasurer is hereby directed to pay the same from the designated
4 funds or accounts of the state of Iowa.

1 SEC. 3. The acceptance of said sums 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 March 25, 1953.

CHAPTER 39

GENERAL CONTINGENT FUND

H. F. 362

AN ACT creating the general contingent fund of the state for the biennium beginning July 1, 1953, and appropriating thereto the sum of two million dollars from the general fund of the state, specifying the purposes for which the appropriation may be used, and providing for a report of the dispositions made of the 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 bien-
2 nium beginning July 1, 1953, and ending June 30, 1955, is hereby

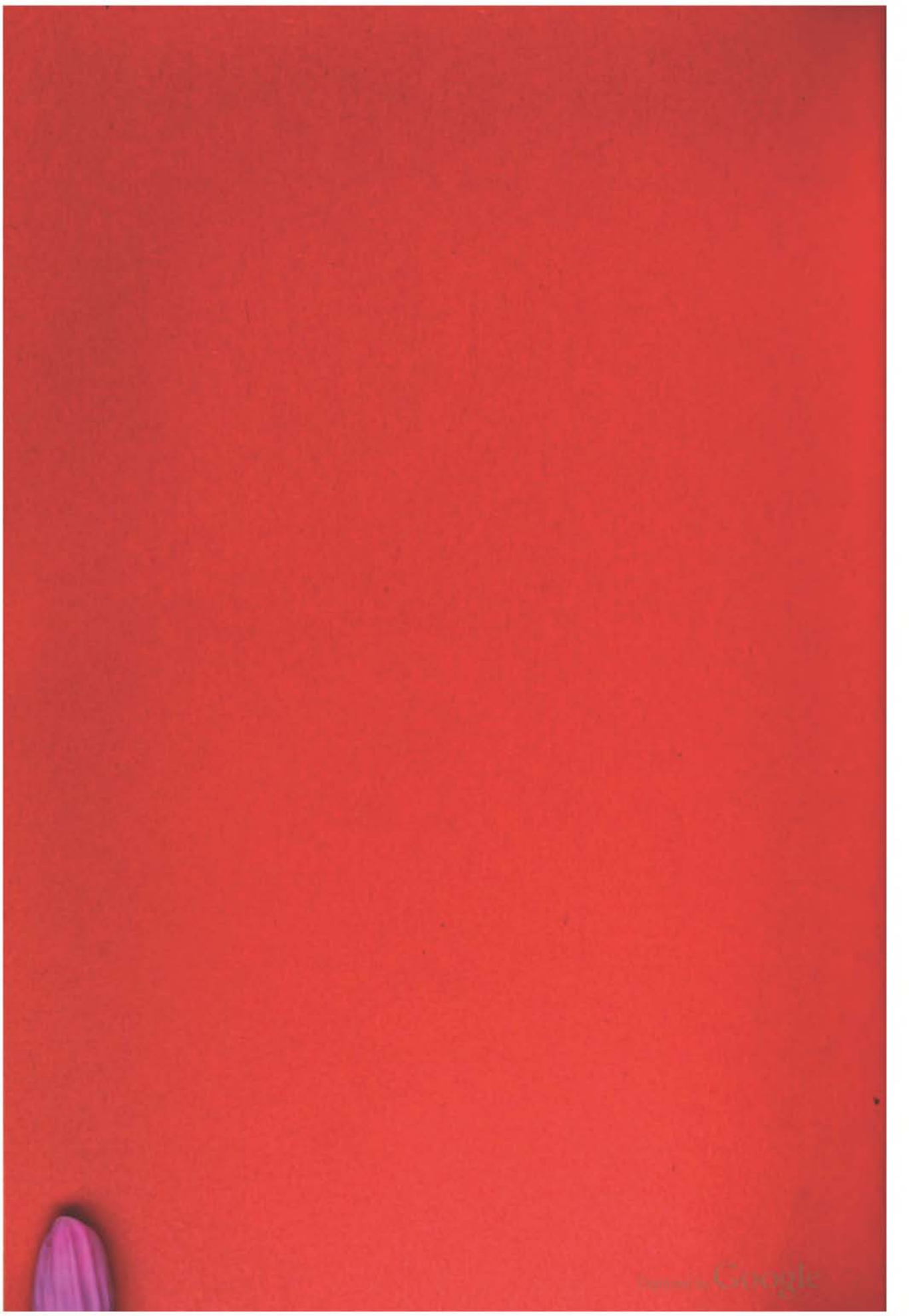
3 created and said fund shall consist of the sum of two million dollars
4 (\$2,000,000.00) hereby appropriated thereto from the general fund
5 of the state. Said contingent fund shall be administered by the budget
6 and financial control committee and allocations therefrom may be made
7 only for contingencies arising during the biennium which are legally
8 payable from the funds of the state. Subject to the payment of the
9 compensation and the expenses of members of the budget and finan-
10 cial control committee, authorized by section five (5), chapter forty-
11 four (44), Acts of the Fifty-fourth General Assembly, and subject
12 to its use for the payment of obligations incurred under the provi-
13 sions of chapter forty-four (44), section four (4), subsection six (6),
14 Acts of the Fifty-fourth General Assembly, no allocation from said
15 fund shall be made for the administration of, or carrying out, the
16 provisions of an act passed by the Fifty-fifth General Assembly which
17 does not contain an appropriation. Nor shall the budget and financial
18 control committee allocate any funds for any purpose or project which
19 was, or should have been, presented to the general assembly by way
20 of a bill and which failed to become enacted into law. A report of the
21 dispositions made of the fund during the first eighteen months of
22 the biennium shall be made by the budget and financial control com-
23 mittee to the state comptroller prior to the convening of the Fifty-
24 sixth General Assembly and by him included in the printed budget.
25 Any balance in said contingent fund as of June 30, 1955, shall revert
26 to the general fund of the state.

27 Upon the request of the adjutant general, the budget and financial
28 control committee is authorized to provide from the general contin-
29 gent fund such funds as the said committee deems necessary and in
30 the best interest of the state for the acquisition, construction, expansion,
31 rehabilitation and conversion of facilities for the administration
32 and training of units of the Iowa National Guard and the Iowa State
33 Guard, in accordance with the provisions of Public No. 783 Eighty-
34 first Congress.

Approved April 22, 1953.

GENERAL LAWS

See also chapters 1, 6, 10, 12, 13 and 14



GENERAL LAWS

(TEMPORARY)

CHAPTER 40

WORLD WAR SERVICE COMPENSATION

S. F. 372

AN ACT to authorize the World War II service compensation board to pay World War II service compensation to applicants who file applications therefor between January 1, 1951 and June 30, 1953, inclusive, and to make an appropriation therefor.

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

1 SECTION 1. There is hereby reappropriated from the funds appro-
2 priated by chapter fifty-four (54), Laws of the Fifty-fourth General
3 Assembly, which remain to the credit of the World War II service
4 compensation fund and are not needed for the purpose of carrying
5 out the provisions of section two (2) of that Act, an amount sufficient
6 to carry out the provisions of section two (2) of this Act.

1 SEC. 2. The World War II service compensation board is hereby
2 authorized to pay World War II service compensation as provided for
3 by the provisions of chapter thirty-five A (35A), Code 1950, to appli-
4 cants who file claims for such compensation between the dates of Jan-
5 uary 1, 1951 and June 30, 1953, inclusive, provided such applicants
6 are otherwise found eligible for such compensation according to the
7 conditions and provisions of chapter thirty-five A (35A), Code 1950.

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 Daily Rec-
3 ord, a newspaper published at Cedar Falls, Iowa, and the Cherokee
4 Daily Times, a newspaper published at Cherokee, Iowa.

Approved April 17, 1953.

I hereby certify that the foregoing Act, Senate File 372, was published in the Daily Record, Cedar Falls, Iowa, April 20, 1953, and in the Cherokee Daily Times, Cherokee, Iowa, May 5, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 41

VETERANS' HOUSING

H. F. 500

AN ACT to amend chapter one hundred fifty-one (151), section twenty-two (22), Acts of the Fifty-fourth General Assembly, relating to veterans' housing.

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

1 SECTION 1. Amend chapter one hundred fifty-one (151), section
2 twenty-two (22), Acts of the Fifty-fourth General Assembly, by strik-

3 ing from line three (3) the words "federally or state" and insert in
4 lieu thereof the words "federally, state or municipally".

1 SEC. 2. Further amend chapter one hundred fifty-one (151), sec-
2 tion twenty-two (22), Acts of the Fifty-fourth General Assembly, by
3 adding the following new sentence thereto: "The provisions of this
4 section shall apply only for three (3) years from the date this Act
5 becomes effective."

Approved April 22, 1953.

CHAPTER 42

SERVICE MEN'S INCOME TAX

S. F. 81

AN ACT providing for the deduction from gross income of persons taxable under the provisions of chapter* four hundred twenty-two point eight (422.8), Code 1950, of the first two thousand dollars (\$2,000.00) of compensation from the federal government to persons in the armed forces of the United States during the period beginning January 1, 1952 and ending December 31, 1954, and repealing chapter forty-three (43), Laws of the 51st General Assembly.

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

1 SECTION 1. Subsection two (2) of section four hundred twenty-
2 two point eight (422.8), Code 1950, is hereby amended by adding
3 thereto the following provisions:

4 "The first two thousand dollars (\$2,000.00) of compensation from
5 the federal government each year of any person in the armed forces
6 of the United States for military services performed during the
7 period beginning January 1, 1952 and ending December 31, 1954.
8 There shall also be exempt from the gross income of any such person
9 subsistence or dependency allowance made either to him or to his
10 dependents by the government of the United States as a result of his
11 services in the armed forces, and any payments received by him in
12 the form of pensions, disability allowances or for rehabilitation or
13 educational purposes arising from his services. This exemption shall
14 be in addition to the two thousand dollars (\$2,000.00) exempt by
15 reason of compensation for services rendered and shall not be termi-
16 nated upon his discharge from service.

17 "Compensation of all kinds received by or payable to any person
18 by reason of services in the armed forces of the United States from
19 the period beginning January 1, 1952 and ending December 31, 1954,
20 who shall die while a member of the armed forces of the United
21 States or as a result of wounds or illness incurred while performing
22 such services.

23 "The state tax commission shall have the power to make refunds
24 to persons affected by the provisions of this Act, who have paid state
25 individual income taxes during the period covered by this Act, which
26 payments would be reduced or annulled through the application of
27 these subsections. Such refunds shall be granted under such rules
28 and regulations as the state tax commission may provide. Claims for

*According to enrolled Act.

29 such refunds shall not be barred by the provisions of section four
30 hundred twenty-two point sixty-six (422.66), Code 1950."

1 SEC. 2. Chapter forty-three (43) Laws of the 51st General As-
2 ssembly is hereby repealed.

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 Council
3 Bluffs Nonpareil, a newspaper published at Council Bluffs, Iowa, and
4 in The Evening Sentinel, a newspaper published at Shenandoah, Iowa.

Approved April 16, 1953.

I hereby certify that the foregoing Act, Senate File 81, was published in the Council Bluffs Nonpareil, Council Bluffs, Iowa, April 18, 1953, and in The Evening Sentinel, Shenandoah, Iowa, April 18, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 48

CLOSED RECEIVERSHIPS

H. F. 273

AN ACT limiting the time in which actions may be brought to recover funds of closed receiverships held by the department of banking on the first day of February, 1953, and making provision for the disposition of such funds.

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

1 SECTION 1. No action based upon any claim arising or existing
2 prior to the first day of February, 1953, shall be maintained either at
3 law or in equity in any court to recover any part of the funds of closed
4 receiverships held by the receivership division of the department of
5 banking of the state of Iowa on the first day of February, 1953, unless
6 such claimant by himself or by his attorney or agent, or if he be a
7 minor or under legal disability, by his guardian, trustee or either par-
8 ent, shall within sixty (60) days from and after June 1, 1953, com-
9 mence an action against the superintendent of banking alleging such
10 claim and demanding recovery thereon.

1 SEC. 2. In the event that any action or actions be commenced as
2 provided in the foregoing section the superintendent of banking shall
3 segregate from the funds of closed receiverships of the receivership
4 division of the department of banking held by the said department
5 on the first day of February, 1953, a sum equal to the amount of each
6 such claim, and shall hold the funds so segregated pending final dis-
7 position of the claim for which the particular funds were segregated.

1 SEC. 3. Within fifteen (15) days from and after expiration of the
2 time within which actions may be commenced, as provided by section
3 one (1) of this Act, the department of banking shall transfer to the
4 general fund of the state of Iowa all funds of closed receiverships of
5 the receivership division of the department of banking held by said
6 department of banking on the first day of February, 1953, over and
7 above the amount of such funds segregated under the provisions of
8 section two (2) of this Act, and with the exception that the depart-

9 ment of banking shall retain the sum of two thousand dollars
10 (\$2000.00) to be used to pay expenses of the receivership division of
11 the department. As each action for which funds have been segregated
12 is settled or finally adjudicated, the superintendent of banking shall
13 immediately transfer to the general fund of the state of Iowa, the bal-
14 ance remaining from the amount segregated for such action after
15 payment of any settlement amount or judgment entry resulting from
16 such action.

1 SEC. 4. This Act being deemed of immediate importance shall be-
2 come effective upon its publication in The Monticello Express, a news-
3 paper published at Monticello, Iowa, and in The Anamosa Eureka, a
4 newspaper published at Anamosa, Iowa.

Approved April 10, 1953.

I hereby certify that the foregoing Act, House File 273, was published in The Monticello Express, Monticello, Iowa, April 16, 1953, and in The Anamosa Eureka, Anamosa, Iowa, April 16, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

GENERAL LAWS (PERMANENT)

CHAPTER 44

PRINTING APPROPRIATION

H. F. 480

AN ACT to amend section two point ten (2.10), Code 1950, relating to the appropriation for legislative printing.

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

1 **SECTION 1.** Section two point ten (2.10), Code 1950, is hereby
2 amended by striking from line three (3) the words "thirty-five thou-
3 sand" and inserting in lieu thereof the following words: "seventy-
4 five thousand".

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 publica-
3 tion in The Sheldon Mail, a newspaper published in Sheldon, Iowa, and
4 in The Daily Freeman-Journal, a newspaper published in Webster
5 City, Iowa.

Approved April 22, 1953.

I hereby certify that the foregoing Act, House File 480, was published in The Sheldon Mail, Sheldon, Iowa, April 29, 1953, and in The Daily Freeman-Journal, Webster City, Iowa, April 25, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 45

BUDGET AND FINANCIAL CONTROL COMMITTEE

H. F. 80

AN ACT to amend section one (1), chapter forty-four (44), Acts of the Fifty-fourth General Assembly in reference to membership on the budget and financial control committee.

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

1 **SECTION 1.** Amend chapter forty-four (44), section one (1), Acts
2 of the Fifty-fourth General Assembly by striking the period at the end
3 thereof and inserting in lieu thereof the following: "; provided, how-
4 ever, that when the membership of the minority party is not more than
5 ten percent of the total membership of their respective house, then in
6 that case, there shall be four members appointed from the majority
7 party and one member appointed from the minority party of such house.
8 The presiding officers of the senate and house, in appointing such
9 members to the budget and financial control committee, shall make the
10 appointments, so far as is practicable, to represent each congressional
11 district of the state."

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 Sac Sun, a newspaper published at Sac City, Iowa, and in the
4 Waterloo Daily Courier, a newspaper published at Waterloo, Iowa.

Approved February 10, 1953.

I hereby certify that the foregoing Act, House File 30, was published in The Sac Sun, Sac City, Iowa, February 12, 1953, and in the Waterloo Daily Courier, Waterloo, Iowa, February 12, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 46

STATE FAIR FUNDS

H. F. 168

AN ACT relating to the designation of funds created and maintained by the state fair board which shall not be construed as prohibited by the provisions of chapter eight (8), Code 1950, and to amend section eight point thirty-two (8.32), Code 1950.

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

1 SECTION 1. Section eight point thirty-two (8.32), Code 1950, is
2 hereby amended by striking from lines seven (7) and eight (8) of
3 the last paragraph thereof the words and period (.) "fifty thousand
4 dollars." and inserting in lieu thereof the following: "three hundred
5 thousand dollars, provided, however, that any expenditure from said
6 fund shall be subject to the approval of the executive council. Neither
7 shall the provisions of this chapter be construed to prohibit the state
8 fair board from retaining an additional sum of not to exceed three
9 hundred fifty thousand dollars to be used in carrying out the provi-
10 sions of chapter one hundred seventy-three (173).".

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 Fort Madison Evening Democrat, a newspaper published at
4 Fort Madison, Iowa, and in the Davis County Republican, a news-
5 paper published at Bloomfield, Iowa.

Approved April 8, 1953.

I hereby certify that the foregoing Act, House File 168, was published in the Fort Madison Evening Democrat, Fort Madison, Iowa, April 16, 1953, and in the Davis County Republican, Bloomfield, Iowa, April 14, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 47

CENTRAL PRINTING DEPARTMENT

S. F. 377

AN ACT providing for the establishment of a centralized printing department under the control of the state printing board bestowing upon the state printing board powers and duties to effectuate such establishment and to repeal section fifteen point thirty-three (15.33), Code 1950.

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

Chapter fifteen (15), Code of 1950, is hereby amended by adding thereto the following:

1 SECTION 1. A centralized printing department be and is hereby
2 established under the jurisdiction of the state printing board.

1 SEC. 2. With the exception only of mimeographs and similar dup-
2 licators, no department or agency of the state located in the city of
3 Des Moines shall possess or operate any presses, machines of the
4 offset type, varitypes and other printing machinery, and all such
5 presses, machines of the offset type, varitypes and other printing
6 equipment owned by the State of Iowa or possessed by any of its
7 departments or agencies operating such equipment in the city of Des
8 Moines shall be centralized in a state building at the city of Des
9 Moines to be and remain under the control of the state printing board.

1 SEC. 3. The state printing board is hereby authorized and directed:

2 1. To possess itself of all such presses, machines of the offset type,
3 varitypes and other printing equipment, inventory all of such de-
4 scribed equipment, and through the executive council sell such of the
5 above described machinery and equipment as is no longer necessary
6 or is unfit for use.

7 2. To maintain such machinery and equipment and in its discre-
8 tion, when such equipment is outmoded and becomes obsolescent, to
9 purchase machinery and equipment for replacement purposes.

10 3. To make such printing department, its machinery and equip-
11 ment available for the state printing services when in its discretion
12 it is to the best interests of the state that it, rather than the contract
13 procedure provided by section fifteen point six (15.6), Code of 1950,
14 shall be used; and to effectuate this power and direction, the state
15 printing board shall adopt suitable rules and regulations for the ad-
16 ministration and fulfillment of the power and direction hereby im-
17 posed.

18 4. To install and maintain an accurate accounting system appropri-
19 ate and fitted to the purposes and the operations of this department.
20 Each official, board, department, commission or agency shall requisition
21 the state printing board for its printing needs, accompanying
22 such requisition with a statement of costs of compilation and edi-
23 torial work upon the material to be published.

24 5. To avoid duplication, overlapping and redundancy of pamphlets
25 and publications, other than official documents and books and publi-
26 cations authorized by chapters fourteen (14) and seventeen (17),
27 Code of 1950, to examine the contents of proposed pamphlets or publi-
28 cations and to approve or disapprove such pamphlets or publica-
29 tions only for such reason; and to effectuate this power, the state

30 printing board shall adopt rules and regulations for its administra-
31 tion.

1 SEC. 4. Each official, board, department, commission or agency
2 located outside the city of Des Moines, who maintains printing equip-
3 ment, or does any printing for the state or its departments shall like-
4 wise keep an accurate cost system and make report each June 30th to
5 the printing board of such amounts, and these shall be included in
6 the biennial report of the state printing board.

1 SEC. 5. Each official, board, department, commission and agency,
2 who as part of its membership fee provides pamphlets and books,
3 shall furnish all the costs of such publications. These costs shall be
4 included in their printing budget.

1 SEC. 6. Section fifteen point thirty-three (15.33), Code of 1950,
2 be and is hereby amended by adding thereto the following:
3 "Each official, board, department, commission or agency of the
4 state shall file as part of its budget its estimate of expenditures for
5 printing for the ensuing biennium and such expenditure shall be paid
6 from its official, board, department, commission or agency appropria-
7 tion. Provided that such official, board, department, commission or
8 agency as possess a contingent or support or other fund in the state
9 treasury from which its printing costs are paid shall operate there-
10 under until July 1, 1955. Section fifteen point thirty-three (15.33),
11 Code of 1950, shall be operative and in full force and effect until
12 July 1, 1955, and shall then stand repealed."

1 SEC. 7. All mimeographed paper, envelopes and other paper stock
2 to be used in their Des Moines offices shall be drawn by the several
3 state departments and agencies from the state printing board with
4 its approval and charged to the several officials, boards, departments,
5 commissions or agencies and paid from the printing appropriation
6 of each board, official, department, commission or agency.

Approved April 17, 1953.

CHAPTER 48

PRINTED MATTER TO ASSEMBLY MEMBERS

S. F. 165

AN ACT to amend section sixteen point thirteen (16.13), Code 1950, in regard to printed matters furnished to members of the general assembly.

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

1 SECTION 1. Amend section sixteen point thirteen (16.13), Code
2 1950, by striking said section and substituting the following in lieu
3 thereof: "Assembly Members. The official reports, the miscellaneous
4 documents and other publications upon request, and the completed
5 journals of the general assembly and ten (10) copies of the Official
6 Register, shall be sent to each member of the general assembly, and,
7 so far as they are available, additional copies upon their request."

Approved March 26, 1953.

CHAPTER 49

DISTRIBUTION OF CODE AND SESSION LAWS

S. F. 334

AN ACT to amend sections sixteen point twenty-four (16.24), sixteen point twenty-five (16.25), and sixteen point twenty-eight (16.28), Code 1950, relating to the free distribution of the Code and of the Acts of each general assembly.

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

1 SECTION 1. Section sixteen point twenty-four (16.24), Code 1950,
2 is hereby amended as follows:

3 1. Strike "125" from line two (2), subsection one (1), and insert
4 in lieu thereof "100".

5 2. Strike from subsection ten (10) the words "state officer" in line
6 one (1) and insert in lieu thereof "elective state officer".

7 3. Amend subsection eleven (11) by adding after the word "offices"
8 in line two (2), the words "and each major subdivision thereof".

9 4. Amend subsection sixteen (16), by adding after the word "re-
10 corder," in line three (3), the words "county assessor,".

11 5. Amend subsection seventeen (17) by striking all after "congress"
12 in line one (1), and add in lieu thereof the words "and the library of
13 the United States Supreme Court . . . 1 copy each".

14 6. Amend subsection eighteen (18) by striking all after "arts" in
15 line three (3) and add in lieu thereof the words "and the libraries at
16 the state university and state teachers college . . . 1 copy each".

17 7. Strike all of subsection 23.

1 SEC. 2. Amend section sixteen point twenty-five (16.25), Code
2 1950, as follows:

3 1. Amend subsection nine (9) by adding thereto the words "upon
4 their request".

5 2. Add a new subsection thereto as follows: "To the library of the
6 supreme court of the United States . . . 1 copy".

1 SEC. 3. Amend section sixteen point twenty-eight (16.28), Code
2 1950, as follows:

3 1. By striking from subsection seven (7), line one (1), "90" and
4 insert in lieu thereof "75".

5 2. Amend subsection eight (8) by striking all after "county" in
6 line one (1), and insert in lieu thereof the words "clerk of district
7 court in each county . . . 1 copy".

Approved April 29, 1953.

CHAPTER 50

LEGISLATIVE BULLETIN

S. F. 82

AN ACT to amend section sixteen point thirty-one (16.31), Code 1950, relating to printing of legislative bulletin.

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

1 SECTION 1. Amend section sixteen point thirty-one (16.31), Code
2 1950, by striking all of said section and inserting in lieu thereof the
3 following:
4 "The superintendent of printing shall throughout each legislative
5 session compile and cause to be printed a cumulative bulletin of bills
6 and joint resolutions which bulletin shall contain a brief history of
7 each bill, and detailed information as to the status of legislation and
8 shall be conveniently indexed. The bulletin shall be printed and deliv-
9 ered one (1) day before the mid-term recess of each legislature and
10 thereafter twenty-five (25) days after the end of said recess. The last
11 issue of each bulletin shall be brought down to the time of final ad-
12 journalment and shall be promptly furnished to all members of the Gen-
13 eral Assembly and to such others as the superintendent may deter-
14 mine."

Approved February 9, 1953.

CHAPTER 51

IOWA YEAR BOOK OF AGRICULTURE

S. F. 145

AN ACT to amend subsection one (1), section seventeen point twenty (17.20), Code 1950, and section one hundred fifty-nine point ten (159.10), Code 1950, relating to the Iowa Year Book of Agriculture.

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

1 SECTION 1. Subsection one (1), section seventeen point twenty
2 (17.20), Code 1950, is hereby amended as follows:
3 1. By striking from line one (1) thereof the word "year".
4 2. By striking from line one (1) thereof the word "annually" and
5 substituting in lieu thereof the word "biennially".

1 SEC. 2. Section one hundred and fifty-nine point ten (159.10), Code
2 1950, is hereby amended by striking the word "year" from line one (1)
3 and line sixteen (16) thereof.

Approved March 17, 1953.

CHAPTER 52
STATE BUILDINGS

S. F. 417

AN ACT relating to repairs, rebuilding or restoration of state buildings or property and to amend sections nineteen point seven (19.7) and nineteen point eighteen (19.18), Code 1950.

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

1 **SECTION 1.** Section nineteen point seven (19.7), Code 1950, is
2 amended by adding at the end thereof the following:

3 "Any such project for repair, rebuilding or restoration of state
4 property for which no specific appropriation has been made, which
5 when completed will cost more than one hundred thousand dollars,
6 shall, before work is begun thereon, be subject to approval or rejec-
7 tion by the budget and financial control committee."

1 **SEC. 2.** Section nineteen point eighteen (19.18), Code 1950, is
2 amended by adding at the end thereof the following:

3 "Any such project for repairing of buildings or grounds at the seat
4 of government for which no specific appropriation has been made,
5 which when completed will cost more than one hundred thousand dol-
6 lars, shall, before work is begun thereon, be subject to approval or
7 rejection by the budget and financial control committee."

Approved April 17, 1953.

CHAPTER 53
LOCAL BUDGETS

H. F. 459

AN ACT to amend chapter twenty-four (24), Code 1950, relating to local budgets and to provide for amendment of budget estimates.

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

1 **SECTION 1.** Chapter twenty-four (24), Code 1950, is amended by
2 inserting immediately following section twenty-four point nine (24.9)
3 the following new section:

4 "Budget estimates adopted and certified in accordance with this
5 chapter may be amended and increased as the need arises to permit
6 appropriation and expenditure during the fiscal year covered by such
7 budget of unexpended cash balances on hand at the close of the pre-
8 ceding fiscal year and which cash balances had not been estimated and
9 appropriated for expenditure during the fiscal year of the budget
10 sought to be amended, and also to permit appropriation and expendi-
11 ture during the fiscal year covered by such budget of amounts of cash
12 anticipated to be available during such year from sources other than
13 taxation and which had not been estimated and appropriated for ex-
14 penditure during the fiscal year of the budget sought to be amended.
15 Such amendments to budget estimates may be considered and adopted
16 at any time during the fiscal year covered by the budget sought to

17 be amended, by filing such amendments and upon publishing the same
 18 and giving notice of the public hearing thereon in the manner re-
 19 quired in section twenty-four point nine (24.9). Within twenty (20)
 20 days of the decision or order of the certifying or levying board, such
 21 proposed amendment of the budget shall be subject to protest, hearing
 22 on such protest, appeal to the State Appeal Board and review by such
 23 body, all in accordance with the provisions of sections twenty-four
 24 point twenty-six (24.26), twenty-four point twenty-seven (24.27),
 25 twenty-four point twenty-eight (24.28), twenty-four point twenty-
 26 nine (24.29), twenty-four point thirty (24.30) and twenty-four point
 27 thirty-one (24.31), Code 1950, so far as applicable. Amendments to
 28 budget estimates adopted or issued under the provisions of this sec-
 29 tion shall not be considered as within the provisions of section twenty-
 30 four point fourteen (24.14).”.

1 SEC. 2. Section twenty-four point three (24.3), Code 1950, is
 2 amended by striking from lines nine (9) through twenty-four (24)
 3 the following:

4 “The estimate of such total income other than taxation, for cities
 5 over seventy-five thousand population, shall be computed as follows
 6 in each fund; the estimate of that portion of this income which is
 7 derived from licenses, fees, fines and other miscellaneous items of
 8 income other than taxes, shall be no larger than the actual collection
 9 of these different items of income, but not including transfers from
 10 other funds, during the preceding twelve months ending June 30.
 11 Also, to such total estimate, may be added any new source of income
 12 other than taxes but only after it shall actually have been authorized
 13 by the city council and such estimate of this new source of income
 14 must be reasonable.”.

1 SEC. 3. Section twenty-four point three (24.3), Code 1950, is
 2 amended by striking from lines twenty-seven (27) through thirty-
 3 six (36) the following:

4 “In cities over seventy-five thousand population, the amount pro-
 5 posed to be raised by taxation may be five and twenty-seven hun-
 6 dredths percent larger than the amount proposed to be expended as
 7 provided in subsection three after deducting balances from the pre-
 8 ceding year if any, and income from sources other than taxation.
 9 Nothing herein shall be construed as permitting a tax levy in excess
 10 of the millage rates elsewhere provided.”.

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 LeMars
 3 Wednesday Sentinel, a newspaper published in LeMars, Iowa, and in
 4 The Sibley Gazette-Tribune, a newspaper published in Sibley, Iowa.

Approved April 7, 1953.

I hereby certify that the foregoing Act, House File 459, was published in the LeMars
 Wednesday Sentinel, LeMars, Iowa, April 15, 1953, and in The Sibley Gazette-Tribune,
 Sibley, Iowa, April 16, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 54

MILITARY CODE

S. F. 155

AN ACT to repeal chapter twenty-nine (29), Code 1950, (military code of Iowa), and to enact a substitute therefor.

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

1 SECTION 1. The following words, terms, and phrases when used in
2 this Act shall have the respective meanings herein set forth:

3 1. "Militia" shall mean the forces provided for in the Constitution
4 of Iowa.

5 2. "National guard" shall mean the Iowa units, detachments and
6 organizations of the national guard of the United States and the air
7 national guard of the United States as such forces are defined in the
8 National Defense Act and acts amendatory thereto, the Iowa national
9 guard and the Iowa air national guard.

10 3. "Company" shall mean the smallest administrative military unit
11 and shall include a company of infantry, engineers, signal corps, a
12 flight of the air service, a battery of field artillery, or any similar
13 organization in any branch authorized by federal law for this state,
14 including a permanent detachment.

15 4. "Battalion" shall mean two or more companies grouped together
16 by competent orders for command purposes including battalions as
17 shown in appropriate federal tables of organization.

18 5. "Active state service" shall be understood and construed to be
19 service on behalf of the state, in case of public disaster, riot, tumult,
20 breach of the peace, resistance of process, or whenever any of the
21 foregoing is threatened, whenever called upon in aid of civil authori-
22 ties, or under martial law, or at encampments whether ordered by
23 state or federal authority, or upon any other duty requiring the entire
24 time of the organization or person, except when called or ordered into
25 the federal service of the United States.

26 6. "Federal service" shall mean service exclusively under federal
27 laws and regulations.

28 7. "On duty" shall mean and include drill periods, all other training,
29 and service which may be required under state or federal law, regu-
30 lations, or orders, and the necessary travel of an officer or enlisted
31 man to the place of performance of such duty and return home after
32 performance of such duty, but shall not include federal service.

33 8. "In service of the United States" and "Not in service of the
34 United States" used herein, shall have the same meaning as such
35 terms have in the National Defense Act of congress (39 Stat. L. ch.
36 134), approved June 3, 1916, and amendments thereto.

37 9. "Officer" shall mean and include commissioned officers and war-
38 rant officers.

39 10. "Law and regulations" means and includes state and federal
40 law and regulations.

41 11. "Advisory council" shall mean a board of officers composed of
42 the general officers, regimental commanders and commanders of sep-
43 arate battalions of the Iowa national guard and the senior commander
44 of the Iowa air national guard.

45 12. Except when otherwise expressly defined herein military words,

46 terms and phrases shall have the meaning commonly ascribed to them
47 in the military profession.

1 SEC. 2. There is hereby created the Iowa national guard and the
2 Iowa air national guard. The Iowa national guard shall be composed
3 of such organized land forces, individual officers, state headquarters,
4 and detachments, as may be prescribed from time to time by proper
5 authority. The Iowa air national guard shall be composed of such
6 organized air forces, individual officers, state headquarters, and de-
7 tachments, as may be prescribed from time to time by proper author-
8 ity.

1 SEC. 3. The Iowa units, detachments, and organizations of the
2 national guard of the United States and the air national guard of the
3 United States shall consist of such units, detachments, and organiza-
4 tions, as may be specified by the secretary of defense with the approval
5 of the governor, in accordance with law and regulations.

1 SEC. 4. The organization, armament, equipment and discipline of
2 the national guard, and the militia when called into active state serv-
3 ice, except as hereinafter specifically provided, shall be the same as
4 that which is now or may be hereafter prescribed under the provisions
5 of federal law and regulations as to those requirements which are
6 mandatory therein, but as to those things which are optional therein
7 they shall become effective when an order or regulation to that effect
8 shall have been promulgated by the governor.

1 SEC. 5. The national guard shall be subject to the provisions of
2 federal law and regulations relating to the government, discipline and
3 uniforming thereof, and to the provisions of this Act, and to regula-
4 tions published pursuant hereto.

1 SEC. 6. The military forces of the state of Iowa shall consist of the
2 national guard and the militia.

1 SEC. 7. The governor shall be the commander-in-chief of the mili-
2 tary forces, except so much thereof as may be in federal service. The
3 governor may employ the military forces of the state for the defense
4 or relief of the state, the enforcement of its laws, and the protection
5 of life and property therein and he shall have the power, in cases of
6 insurrection, invasion, or breaches of peace, or imminent danger
7 thereof, to order into active state service such of the military forces
8 of the state as he may deem proper, under the command of such officer
9 as he may designate.

1 SEC. 8. The governor shall have the power to order into active state
2 service such, of the military forces of the state as he may deem proper,
3 under command of such officer as he may designate for the purpose of
4 aiding the civil authorities of any political subdivision of the state in
5 maintaining law and order in such subdivision in cases of breaches
6 of the peace or imminent danger thereof, if the law enforcement offi-
7 cers of such subdivision are unable to maintain law and order, and
8 the civil authorities request such assistance.

1 SEC. 9. The governor may order the national guard into camp for
2 field training for such period or periods as he may direct. He may,
3 in his discretion, order such organizations or personnel of the national

4 guard, as he may deem proper, to active state service, or duty, or to
5 assemble for purposes of drill, instruction, parade, ceremonies, guard
6 and escort duty, and schools of instruction, and prescribe all regula-
7 tions and requirements therefor.

8 The governor shall also provide for the participation of the national
9 guard, or any portion thereof, in field training at such times and places
10 as may be designated by the secretary of defense.

1 SEC. 10. The governor may order such inspections of the different
2 organizations, units, and personnel of the national guard as he may
3 deem proper and necessary.

4 The form and mode of inspection shall be prescribed by the adjutant
5 general.

1 SEC. 11. There shall be an adjutant general of the state who shall
2 be appointed and commissioned by the governor upon the recommen-
3 dation of a majority of the advisory council. When a majority of the
4 members of the advisory council are in federal service in time of war,
5 said appointment shall be made by the governor without such recom-
6 mendation. The rank of the adjutant general shall be at least that of
7 brigadier general and he shall hold office for a term of four years. At
8 the time of his appointment he shall be a federally recognized commis-
9 sioned officer of the national guard with not less than ten years mili-
10 tary service in the armed forces of this state or of the United States,
11 at least five of which have been commissioned service, and who shall
12 have reached the grade of a field officer. He shall be removed only
13 upon conviction of a felony or upon conviction by a court-martial.

1 SEC. 12. The adjutant general shall have control of the military
2 department, and perform such duties as pertain to the office of the
3 adjutant general under law and regulations. He shall superintend
4 the preparation of all letters and reports required by the United States
5 from the state, and perform all the duties prescribed by law. He shall
6 have charge of the state military reservations, and all other property
7 of the state kept or used for military purposes. It shall be the duty of
8 the adjutant general to cause an inventory to be taken at least once
9 each year of all military stores, property and funds under his jurisdic-
10 tion. In each year preceding a regular session of the general as-
11 sembly he shall prepare a detailed report of the transactions of his
12 office, the expenses thereof, and such other matters as shall be required
13 by the governor for the period since the last preceding report, and the
14 governor may at any time require a similar report.

15 The adjutant general shall make and preserve by counties a perma-
16 nent registry of the graves of all persons who shall have served in the
17 military or naval forces of the United States in time of war, and whose
18 mortal remains rest in Iowa.

19 The adjutant general is authorized to enter into an agreement with
20 the secretary of defense to operate the water plant at Camp Dodge
21 for the use and benefit of the United States, and the state of Iowa
22 upon such terms and conditions as shall be approved by the governor.

1 SEC. 13. The adjutant general, with the approval of the governor,
2 is authorized to expend from the funds appropriated for the support
3 and maintenance of the national guard, and the permanent Camp
4 Dodge improvement fund, such amounts as he may deem necessary

5 for the purchase of additional land, constructing, equipping, and im-
6 proving state military reservations, installations, and firing ranges,
7 owned or leased by the state of Iowa or the United States for the use
8 and benefit of the national guard and for the maintenance of all such
9 facilities.

1 SEC. 14. The adjutant general shall have authority to operate or
2 lease any of the facilities at Camp Dodge. Any income or revenue
3 derived from such operation or leasing shall be deposited with the
4 state treasurer as a Camp Dodge permanent improvement fund.

1 SEC. 15. The adjutant general, from the funds appropriated for the
2 support and maintenance of the national guard, shall procure and
3 issue to the members of the national guard, entitled thereto, merit or
4 service badges for such service and periods of service under such regu-
5 lations and according to the design and pattern thereof, as may be
6 determined by the adjutant general. Members of the national guard
7 who, by order of the president, have served or shall serve in federal
8 forces during national emergency, shall be entitled to count the period
9 of such federal service toward the procurement of a service badge.

1 SEC. 16. There shall be an assistant adjutant general of the state
2 who shall be appointed by the governor, upon the recommendation of
3 the adjutant general. He shall have such rank as is consistent with
4 federal law and regulations and at the time of his appointment shall
5 be a federally recognized commissioned officer of the national guard
6 with not less than five years service in the national guard or in the
7 armed forces of the United States, at least three years of which shall
8 have been commissioned service and he shall have reached the grade
9 of captain.

10 The assistant adjutant general shall serve in the office of the adju-
11 tant general and aid him by performing such duties as the adjutant
12 general may assign him. In the absence or disability of the adjutant
13 general he shall perform the duties of that office as acting adjutant
14 general.

1 SEC. 17. The military and naval staff of the governor shall consist
2 of the adjutant general, who shall be the chief of staff; the assistant
3 adjutant general, who shall be the assistant chief of staff and such
4 aides, residents of the state, as the governor may appoint, or may
5 detail from the armed forces of the state.

6 The aides appointed shall be commissioned at a rank not higher
7 than the military rank of colonel or the naval rank of captain, except
8 in the case of a person who holds or has held a higher rank in the
9 armed forces of the state or nation in which case the commission may
10 issue for such higher rank.

1 SEC. 18. The governor, pursuant to federal authority, shall detail,
2 upon recommendation of the adjutant general, a federally recognized
3 commissioned officer of the national guard who shall be property and
4 disbursing officer of the United States for the state of Iowa. Such
5 officer may be removed upon the recommendation of the adjutant
6 general.

7 The property and disbursing officer shall receipt and account for
8 all funds and property belonging to the United States in possession

9 of the national guard, and shall make such returns and reports con-
10 cerning the same as may be required by the secretary of defense. He
11 shall render, through the department of defense, such accounts of
12 federal funds intrusted to him for disbursement as may be required.
13 Before entering upon the performance of his duties as property and
14 disbursing officer he shall be required to give good and sufficient bond
15 to the United States, the amount thereof to be determined by the
16 secretary of defense, for the faithful performance of his duties and
17 for the safe-keeping and proper disposition of the federal property
18 and funds intrusted to his care. The said property and disbursing
19 officer may also be the quartermaster and property officer of the state.

1 SEC. 19. There shall be detailed a federally recognized commis-
2 sioned officer of the national guard to be the quartermaster and prop-
3 erty officer of the state, and as such, shall have charge of and be
4 accountable for, under the adjutant general, all state military prop-
5 erty, and who may be the United States property and disbursing offi-
6 cer. He shall keep such property returns and reports on the same
7 and shall give such bond to the state of Iowa as the governor may
8 direct.

1 SEC. 20. Officers of the national guard, shall be selected from the
2 classes of persons having the qualifications prescribed by federal law
3 and regulations. They shall be appointed by the governor upon the
4 recommendation of their superiors in the chain of command, pro-
5 vided that they shall have successfully passed such tests as to physical,
6 moral, and professional fitness, as shall be prescribed by law and regu-
7 lations. Each officer shall take an oath of office and shall hold office
8 until he shall have attained the maximum age of retirement that is
9 prescribed by federal law or regulations pertaining to officers of the
10 armed forces of the United States, unless his commission or warrant
11 is sooner vacated by resignation, death or as hereinafter provided.
12 In case the officer has no immediate superiors, within the state, in the
13 chain of command, he shall be appointed, as above provided, upon
14 the recommendation of the adjutant general. A commission shall
15 designate the arm or branch of service in which the officer is com-
16 missioned.

1 SEC. 21. In addition to the powers and duties prescribed in this
2 Act, all officers of the national guard shall have the same powers and
3 perform like military duties as officers of similar rank and position
4 in the armed forces of the United States insofar as may be authorized
5 by law. Officers are authorized to administer oaths in all matters
6 connected with the service.

1 SEC. 22. The moral character, capacity and general fitness for the
2 service of any national guard officer may be determined at any time
3 by an efficiency board as provided by federal law and regulations.
4 Commissions or warrants of officers of the national guard may be
5 vacated upon resignation, absence without leave for three months,
6 upon the recommendation of an efficiency board, or pursuant to sen-
7 tence of a court-martial. Any officer permanently removing from the
8 state shall resign his commission or warrant upon request of the
9 adjutant general or make application to be placed upon the inactive
10 list, and upon failure to do so, his commission or warrant shall be

11 revoked by the governor. Officers rendered surplus by the disband-
12 ment of their organization shall be disposed of as provided by law
13 and regulations. Subject to the approval of their superior command-
14 ers and the adjutant general officers may, upon their own application,
15 be placed on the inactive list, as such list may be authorized by law
16 and regulations.

1 SEC. 23. Any officer of the national guard who shall have served
2 as such officer for a period of not less than ten years in the national
3 guard, or who shall have served, for a period of not less than ninety
4 days, in the armed forces of the United States during any war, and
5 who is honorably discharged therefrom, and who shall have served
6 as such officer in the national guard for a period of not less than five
7 years, who resigns or is retired, or who is now or may hereafter be-
8 come disabled and retired, may, upon his request in writing to the
9 adjutant general, stating his grounds therefor, be placed, by order
10 of the commander-in-chief, on a roll in the office of the adjutant gen-
11 eral to be known as the "roll of retired officers". Any officer regis-
12 tered on the roll of retired officers is entitled to wear the uniform of
13 the rank last held by him on state or other occasions of ceremony,
14 when the wearing of such uniform is not in conflict with federal law.
15 The adjutant general shall have the power, on good cause shown,
16 to retire any officer, as herein provided, in the next higher grade than
17 that held by said officer during his military service.

1 SEC. 24. There shall be maintained in the office of the adjutant
2 general a list to be known as the unassigned list, to which officers
3 may be transferred, pending their resignation or removal from the
4 service. Any officer may be transferred by the adjutant general to
5 such unassigned list upon the recommendation of his commanding
6 officer, either immediate or remote. Before such transfer is made the
7 adjutant general shall notify the officer, either in person or by regis-
8 tered letter mailed to his last known address of the intended transfer.
9 The officer shall have ten days from the date of mailing of said notice
10 in which to apply to the adjutant general for an efficiency board.
11 Should the officer fail to apply for an efficiency board, the transfer
12 shall be made upon the expiration of the ten-day period. If the officer
13 requests an efficiency board, the adjutant general will be governed by
14 the finding of such board. All officers transferred to such unassigned
15 list shall remain subject to military discipline and to courts-martial
16 for military offenses to the same extent and in like manner as if upon
17 the active list.

1 SEC. 25. All enlistments in the national guard shall be as prescribed
2 by federal law and regulations.

1 SEC. 26. The number and grade of officers and enlisted men in the
2 state headquarters and headquarters detachment shall be as prescribed
3 by federal law and regulations, but in case of war, invasion, in-
4 surrection, riot or imminent danger thereof, the governor may tem-
5 porarily increase such force to meet such emergency.

6 All officers appointed to the state headquarters and headquarters
7 detachment shall have had previous military experience and shall hold
8 their positions until they shall have reached the age of retirement
9 herein provided, unless retired prior to that time by reason of resigna-

10 tion, disability, or for cause to be determined by an efficiency board or a
11 court-martial, as the exigencies of the case may warrant, legally con-
12 vened for that purpose, and vacancies among said officers shall be
13 filled by appointment from the officers of the national guard.

1 SEC. 27. Officers and enlisted men while in active state service
2 shall receive the same pay and allowances as are paid for the same
3 rank or grade for service in the armed forces of the United States.
4 When in active state service, except when such service is for the pur-
5 pose of training, enlisted men shall receive additional pay in the sum
6 of three dollars per day; provided, however, that no employee of the
7 state who receives pay from the state as such employee during said
8 active state service shall receive the additional pay herein provided
9 for enlisted men.

10 In the event any officer or enlisted man shall be killed while on duty
11 or in active state service, in line of duty, or shall die as the result of
12 injuries received or as a result of illness or disease contracted while
13 on duty or in active state service, in line of duty, his dependents, as
14 defined by the workmen's compensation law of the state, shall receive
15 the maximum compensation provided by the said law.

16 Any officer or enlisted man who suffers injuries or contracts dis-
17 ease, in line of duty, while on duty or in active state service, shall
18 receive hospitalization and medical treatment, and during the period
19 that he is totally disabled from engaging in any gainful occupation he
20 shall also receive the pay and allowances of his grade. In the event of
21 partial disability, he shall be allowed such partial pay and allowances
22 as may be determined by a board of three officers to be appointed by
23 the governor. At least one member of the board shall be a medical
24 officer.

25 Any claim for death, illness, or disease contracted in line of duty
26 while on duty or in active state service, shall be filed with the adjutant
27 general within six months from the date of death or contraction of
28 the illness or disease.

29 All payments herein provided for shall be paid on the approval of
30 the adjutant general by warrant drawn against any state funds not
31 otherwise appropriated.

32 In the event benefits for death, injuries, or illness are paid in part
33 by the federal government, the state shall pay only the balance neces-
34 sary to constitute the above designated amounts.

35 No payment received by any officer or enlisted man under the pro-
36 visions of this section shall bar the right of such officer or enlisted
37 man, or their heirs or representatives, to recover damages from any
38 partnership, corporation, firm or persons whomsoever who otherwise
39 would be liable, nor shall any such sums received under the provisions
40 of this section reduce the amount of damages recoverable by such
41 officer, enlisted man, or their heirs or representatives, against any
42 partnership, corporation, firm or persons whomsoever who other-
43 wise would be liable.

1 SEC. 28. All officers and employees of the state, or a subdivision
2 thereof, or a municipality therein, who are members of the national
3 guard, organized reserves or any component part of the military,
4 naval, or air forces or nurse corps of this state or nation, or who are
5 or may be otherwise inducted into the military service of this state

6 or of the United States, shall, when ordered by proper authority to
7 active state or federal service, be entitled to a leave of absence from
8 such civil employment for the period of such active state or federal
9 service, without loss of status or efficiency rating, and without loss
10 of pay during the first thirty (30) days of such leave of absence.
11 The proper appointing authority may make a temporary appoint-
12 ment to fill any vacancy created by such leave of absence.

1 SEC. 29. When in active state service, the compensation of officers
2 and enlisted men and expenses of the national guard and claims for
3 death, injury and illness of the members thereof, incurred in line of
4 duty, shall be paid out of any funds in the state treasury not otherwise
5 appropriated.

1 SEC. 30. An inactive national guard may be organized and main-
2 tained in such manner as may be prescribed or authorized by law and
3 regulations.

1 SEC. 31. It shall be unlawful for any body of men, other than the
2 national guard and the troops of the United States, to associate them-
3 selves together as a military organization within the limits of this
4 state without the written permission of the governor, which he may
5 at any time revoke, but this provision shall not prevent civic, social,
6 or benevolent organizations from wearing uniforms and swords not
7 in conflict with the other provisions of this Act.

1 SEC. 32. The sum of three hundred dollars annually or so much
2 thereof as is necessary, is hereby allowed to each company or other
3 unit of the national guard for the procurement, construction, and
4 maintenance of a rifle or pistol range. The payments herein pro-
5 vided shall be made from the funds appropriated for the support and
6 maintenance of the national guard.

1 SEC. 33. Each company or similar unit of the national guard show-
2 ing attendance and actual drill of those present for such drills as are
3 prescribed in compliance with the national defense act or amendments
4 thereto, or substitutes therefor, and such regulations as may be pre-
5 scribed from time to time by the secretary of defense, pursuant
6 thereto, shall receive an annual allowance for military purposes, in
7 the sum of five dollars per capita, to be paid in semiannual install-
8 ments on the basis of two dollars and fifty cents per capita. For the
9 purpose of computing each semiannual installment the per capita
10 strength shall be the average enlisted strength of the unit, for that
11 semiannual period, provided however, that in the event the average
12 attendance of any unit during any semiannual period falls below fifty
13 per cent of the average enlisted strength of such unit in that period,
14 such allowance shall not be paid for that period. The semiannual
15 periods herein referred to shall begin January 1 and July 1. Such
16 allowance shall be paid from the funds appropriated for the support
17 and maintenance of the national guard, and the adjutant general shall
18 prescribe regulations governing its expenditure.

1 SEC. 34. The commanding officer of a company receiving clothing
2 or equipment for the use of his command shall distribute same to the
3 members of his command, taking receipts and requiring the return
4 of each article at such time and place as he shall direct.

5 Upon the direction of any company commander it shall be the duty
6 of the county attorney, to bring action in the name of the state of
7 Iowa against any person for the recovery of any property issued by
8 said company commander or his predecessor, or for the value thereof
9 as set forth in the price list promulgated by the federal government.

10 All sums so collected shall be paid to such company commander and
11 used for the replacement of military property charged to the organi-
12 zation.

1 SEC. 35. All arms, clothing, equipment, and other military prop-
2 erty furnished or issued by the federal government or the state or for
3 which an allowance has been made, shall be used for military purposes
4 only, and each officer and enlisted man upon being separated from the
5 military forces of the state, or upon demand of his commanding offi-
6 cer, shall forthwith surrender such military property in his possession
7 to said commanding officer. Any member of the national guard who
8 shall neglect to return to the armory of the unit, or place in charge
9 of the commanding officer of the organization to which he belongs, any
10 arms, clothing, equipment, or other military property or portion
11 thereof, belonging to the federal government or the state, upon being
12 notified by said commanding officer to do so, shall be guilty of a mis-
13 demeanor.

1 SEC. 36. Every person who shall willfully or wantonly injure or
2 destroy any articles of arms, clothing, equipment, or other military
3 property furnished or issued by the federal government or the state,
4 and refuses to make good such injury or loss; or who shall sell, dis-
5 pose of, secrets* or remove the same with intent to sell or dispose of it,
6 shall be punished by a fine of not less than one hundred dollars nor
7 more than five hundred dollars, or be imprisoned in the county jail
8 for not more than four months, or by both such fine and imprisonment.

1 SEC. 37. Each officer responsible or accountable for property for
2 military use, or funds of the state or of the United States, shall exe-
3 cute and deliver to the adjutant general a bond therefor, with sureties
4 to be approved by the governor, and payable to the state, in such
5 amount as may be fixed by the governor, conditioned for the proper
6 care, use, and return in good order, wear, use and unavoidable loss
7 and damage excepted, of all such state and United States property,
8 and the proper care and faithful disbursement and accounting of all
9 such funds coming into the hands of such officer. Provided, however,
10 that the adjutant general, with the approval of the governor, may
11 obtain an adequate indemnity bond covering all or part of the officers
12 so accountable or responsible, in which case the officers so covered
13 shall not be required to furnish individual bonds as hereinbefore pro-
14 vided.

15 Upon the violation of any of the conditions of any bond executed
16 and delivered under the provisions of this section, action thereon shall
17 be brought by the adjutant general on behalf of the state. It shall
18 be the duty of the attorney general of the state to prosecute all actions
19 upon such bonds. No further payments shall be made under any pro-
20 vision of this Act to the accountable officer of any organization or unit

*According to enrolled Act.

21 who does not fully and satisfactorily account to the adjutant general
22 for all moneys theretofore paid to him under any provision of this Act.

1 SEC. 38. Any officer or enlisted man of the national guard who
2 knowingly makes any false certificate of muster or false return of
3 federal or state property or funds in his possession shall be guilty of
4 a misdemeanor.

1 SEC. 39. Any officer or enlisted man of the national guard who
2 willfully neglects or refuses to apply all money, in his possession drawn
3 from the state treasury, to the purpose for which such money was
4 appropriated or who fails or refuses to account for or return any state
5 or federal property or funds in his possession shall be guilty of the
6 crime of embezzlement by bailee and punished accordingly.

1 SEC. 40. No member of the national guard shall wear the uniform
2 thereof while not on duty without permission from competent author-
3 ity. No person, firm, or corporation, other than a military organiza-
4 tion or the members of veterans of such organizations organizing for
5 the benefit of all its members, shall incorporate under the name of, or
6 adopt any trade name which embodies the name or designation, offi-
7 cially or generally recognized as the name of a military organization
8 now or heretofore in existence, or any distinctive part of such name.
9 Any person found guilty of a violation of any of the provisions of this
10 section shall be punished by a fine of not less than fifty dollars nor
11 more than one hundred dollars, or by imprisonment in the county jail
12 not to exceed thirty days.

13 Any person who, without authority under the laws of the United
14 States or of one of the states, wears the uniform of, or a distinctive
15 part of the uniform of the uniform of *the armed forces of the United
16 States, shall be guilty of a misdemeanor, and shall be punished as pro-
17 vided in this section.

1 SEC. 41. Every officer and enlisted man of the national guard shall
2 be exempt from jury duty. No member of the national guard shall
3 be arrested, or served with any summons, order, warrant, or other
4 civil process after having been ordered to any duty, or while going to,
5 attending, or returning from, any place to which he is required to
6 go for military duty. Nothing herein shall prevent his arrest by order
7 of a military officer or for a felony or breach of the peace committed
8 while not in the actual performance of his duty. The articles of
9 equipment personally owned by such members shall be exempt from
10 seizure or sale for debt. Every member of the national guard who
11 has faithfully served the full term of his commission, warrant or en-
12 listment, shall, upon application, be entitled to an honorable discharge,
13 exempting him from military duty except in time of war or public
14 danger.

1 SEC. 42. Any person who shall trespass upon any military reserva-
2 tion, camp, or armory, in violation of the orders of the commander
3 thereof, or officer charged with the responsibility therefor, or shall
4 molest, or interfere with any member of the national guard, in the
5 discharge of his duty, shall be guilty of a misdemeanor. The com-

*According to enrolled Act.

6 manding officer of such force may order the arrest of such person and
7 cause him to be delivered to a peace officer or magistrate.

1 SEC. 43. No person, firm, or corporation, shall discriminate against
2 any officer or enlisted man of the national guard because of his mem-
3 bership therein. No employer, or agent of any employer, shall dis-
4 charge any person from employment because of being an officer or
5 enlisted man of the military forces of the state, or hinder or prevent
6 him from performing any military service he may be called upon to
7 perform by proper authority. Any person violating any of the pro-
8 visions of this section shall be punished by a fine of not to exceed one
9 hundred dollars, or by imprisonment in the county jail for a period
10 of not to exceed thirty days.

1 SEC. 44. Whenever the national guard is called into service under
2 proclamation of the governor for the performance of any duties con-
3 templated in this Act any person who willfully assaults, or fires at, or
4 throws any dangerous missiles at, against, or upon any member or
5 body of the national guard so engaged, or civil officer or other persons
6 lawfully aiding or assisting them in the discharge of their duties, shall
7 be deemed guilty of a felony and upon conviction shall be imprisoned
8 in the state penitentiary for not more than two years.

1 SEC. 45. When a military district is established under martial law,
2 the chief justice or an associate justice of the supreme court may,
3 upon written agreement of the parties or their attorneys, on good
4 cause being shown, order any civil or criminal case on file in the office
5 of the clerk of any court of record within the military district trans-
6 ferred to any court of record outside of the military district. The said
7 cause shall be docketed without fee and proceed in all respects with
8 the same force and effect as though transferred on a change of venue.
9 When the said military district is dissolved, the cause and all pro-
10 ceedings in connection therewith may be retransferred by the supreme
11 court to the original court, where it shall be redocketed without fee.

1 SEC. 46. The governor may establish within such military district
2 a military court or commission to take jurisdiction and cognizance of
3 all public offenses against the peace and dignity of the state, and the
4 violation of ordinances and military rules and regulations which are
5 now, or may hereafter be, promulgated or enacted for the preservation
6 of law and order and the public safety.

7 The military court or commission may make such orders, judg-
8 ments, and decrees in civil cases as may be agreed upon by the litigants
9 or their attorneys, or as may be necessary because of an emergency
10 or to prevent waste, with the same force and effect as though made
11 and entered by a judge of the district court in regular term time.
12 The said court or commission shall have full power and authority to
13 issue all necessary process for the conduct of its proceedings, and like
14 power to compel the attendance of witnesses therein as are exercised
15 by civil courts of the state.

1 SEC. 47. Troops occupying a military district established under
2 martial law, may, if necessary, pursue, arrest and subpoena persons
3 wanted in said military district, anywhere within the state of Iowa.
4 All peace officers of the state shall serve process and execute the

5 orders of a military court in the same way and to the same extent
6 as corresponding instruments of civil courts.

1 SEC. 48. In default of payment of any fine imposed by any military
2 court acting under martial law, or by any courts-martial, the offender
3 shall be committed to any county jail designated by any court of this
4 state for a period equal to one day for each three dollars of fine im-
5 posed and unpaid.

1 SEC. 49. The keepers and wardens of all county jails or state in-
2 stitutions are required to receive and confine all military offenders or
3 other persons when delivered to them, under a certificate of commit-
4 ment of a military court or commanding officer, for and during the
5 term of sentence or confinement as set forth in said commitment.

1 SEC. 50. The commanding officer and members of any of the mili-
2 tary forces engaged in the suppression of an insurrection, the disper-
3 sion of a mob, or the enforcement of the laws, shall have the same
4 immunity as peace officers.

1 SEC. 51. In the event any suit or proceeding shall be commenced
2 in any court by any person against any officer of the military forces
3 for any act done by such officer in his official capacity in the discharge
4 of any duty under this Act, or against any enlisted man acting under
5 the authority or order of any such officer, or by virtue of any warrant
6 issued by him pursuant to law, it shall be the duty of the attorney
7 general or state judge advocate, upon the request of the adjutant
8 general, to defend any member of the military forces of the state
9 against whom any such suit or proceeding has been instituted. The
10 costs of such defense shall be paid out of any funds in the state treas-
11 ury not otherwise appropriated. Before any suit or proceeding shall
12 be filed or maintained against any officer or enlisted man as herein
13 provided, the plaintiff shall be required to give security, to be ap-
14 proved by the court in a sum not less than one hundred dollars to
15 secure the costs. If the plaintiff fails to recover judgment, such costs
16 shall be taxed and judgment rendered therefor against him and his
17 sureties. When troops are called into active state service by the gov-
18 ernor under martial law or as aid to the civil authorities, in addition
19 to his other duties, any judge advocate on duty with such troops may
20 be appointed by the attorney general as an assistant attorney general,
21 without pay for his services for acting in such capacity.

1 SEC. 52. No action or proceeding shall be maintained against any
2 officer appointing a military court or against any member of a mili-
3 tary court or commission, officer or agent acting under its authority,
4 or reviewing its proceedings, on account of the imposition of a fine
5 or penalty or for the execution of a sentence of any person, unless it
6 be shown that such officer, member or agent has acted from motives
7 of malice.

1 SEC. 53. Whenever the United States is invaded or in danger of
2 invasion from any foreign nation, or of rebellion against the authority
3 of the government of the United States, or the president is unable,
4 with the regular forces at his command, to execute the laws of the
5 union, it shall be lawful for the president to call forth such number

6 of the national guard as he may deem necessary to assist in repelling
7 such invasion, suppressing such rebellion, or to assist in enabling him
8 to execute such laws, and to issue his orders for that purpose, through
9 the governor to such officers of the national guard as he may think
10 proper; and the president may specify, in his call, the period for
11 which such service is required, and the guard so called forth shall
12 continue to serve during the term so specified, either within or without
13 the territory of the United States, unless sooner relieved by order of
14 the president.

15 Whenever the president shall require, in any of the designated in-
16 stances, more troops than can be supplied by the national guard, the
17 governor shall, in his discretion, organize forthwith such other national
18 guard forces as he may deem necessary, or order into the service of
19 the United States so many of the unorganized militia of the state as
20 is required, designating the same by draft if a sufficient number do
21 not volunteer, and shall commission officers therefor.

22 Officers and enlisted men called into federal service through the
23 national guard shall upon completion of such service continue to serve
24 the balance of their enlistment period the same as though it had not
25 been interrupted by such service.

1 SEC. 54. The senior line commander of troops of the Iowa national
2 guard shall receive an annual expense allowance in the sum of one
3 thousand eight hundred dollars, payable during each calendar year,
4 in such sums and at such times as requested by the said commander,
5 provided however, that no payment shall be made during such time
6 as the Iowa national guard is in federal service.

1 SEC. 55. The adjutant general is hereby authorized to procure in-
2 surance against the liability of officers and enlisted men of the national
3 guard, and employees of the adjutant general by reason of claims for
4 bodily injuries, death, or property damage, made upon such officers,
5 enlisted men and employees resulting from their operation of a motor
6 vehicle while in the performance of their duties.

1 SEC. 56. The adjutant general is hereby authorized to appoint a
2 claims board or boards each composed of not less than three nor more
3 than five officers of the national guard, to consider, investigate and
4 settle claims to be paid out of funds not otherwise appropriated, on
5 account of damage to or loss or destruction of private property, both
6 real and personal, or personal injury or death, when such damage,
7 loss, destruction, injury or death is caused as an incident to the train-
8 ing, practice, operation or maintenance of the national guard where
9 the amount of such claim does not exceed one thousand dollars; pro-
10 vided, that no claim shall be considered unless presented within one
11 year after the occurrence of the accident or incident out of which
12 such claim arises; provided further, that any such settlements made
13 by such boards shall be subject to approval (1) by the adjutant gen-
14 eral and (2) by the executive council; provided further, that any such
15 settlements made by such boards, approved by the adjutant general
16 and approved by the executive council shall be final and conclusive
17 for all purposes, notwithstanding any other provision of law to the
18 contrary; provided further, that no claim shall be allowed hereunder
19 arising from accident or incident occurring while the unit, detach-

20 ment, or organization of the Iowa national guard involved is in fed-
21 eral service.

1 **SEC. 57.** The governor shall appoint an armory board which shall
2 consist of the adjutant general, at least two officers from the active
3 commissioned personnel of the national guard, and at least one other
4 person, who is a citizen of the state of Iowa, of good moral character.
5 One member of such board shall have had at least five years experi-
6 ence in the building construction trade. The board shall meet at
7 such times and places as are ordered by the governor. The members,
8 so appointed, shall serve at the pleasure of the governor. Civilian
9 members of the board shall receive compensation of ten dollars and
10 actual expenses for each day actually employed under the provisions
11 of this Act.

12 The board shall be empowered to acquire land or real estate by pur-
13 chase, contract for purchase, gift, bequests or condemnation and to
14 acquire, own, contract for the construction of, erect, purchase, main-
15 tain, alter, operate, and repair armories when funds for the same
16 are made available by the federal government, the state of Iowa,
17 municipalities, corporations or individuals. The title to such property
18 so acquired shall be taken in the name of the state of Iowa and such
19 real estate may be sold by the executive council, upon recommendation
20 of the board, when no longer needed for the purpose for which it was
21 acquired.

22 In carrying out the provisions of this section, the armory board may :

23 1. borrow money.

24 2. mortgage any real estate acquired and the improvements erected
25 thereon when purchasing or improving the same, in order to secure
26 necessary loans.

27 3. pledge the rents, profits, and income received from any such
28 property for the discharge of obligations executed.

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

32 1. from the net rents, profits, and income arising from the property
33 so pledged or mortgaged.

34 2. from the net rents, profits, and income which have not been
35 pledged for other purposes arising from any other armory or like
36 improvement under the control and management of said board, or,

37 3. from the income derived from gifts and bequests for armory
38 purposes under the control of the armory board.

39 All property, real or personal, acquired by, and all bonds, de-
40 bentsures or other written evidences of indebtedness, given as security
41 by said board, shall be exempt from taxation.

42 When property acquired by the armory board, under the provisions
43 of this law, shall be free and clear of all indebtedness, the title of such
44 property shall pass to the state of Iowa.

45 There shall be no liability to the state of Iowa under the provisions
46 of this section. No member of the armory board and no member of
47 the state executive council shall be held to any personal or individual
48 liability for any action taken by them under the provisions of this Act.

49 The board shall fix the amount to be paid to commanding officers
50 of each division, brigade, regiment, battalion, company, or other unit

51 of the national guard for headquarters expenses and shall provide by
52 regulation how the same shall be disbursed by such commanding offi-
53 cers. The actions of the army board shall be subject to the approval
54 of the governor.

55 The allowances made by the armory board shall, when approved by
56 the governor, be paid from the funds appropriated for the support
57 and maintenance of the national guard.

1 SEC. 58. The armory board as lessee, may lease property to be
2 used for armory purposes. Leases may be made for any term not
3 to exceed twenty years. Rents under such leases shall be paid from
4 funds appropriated for the support and maintenance of the national
5 guard.

6 Leases made under the provisions of this section may provide for
7 an option to purchase the leased property and may make provision
8 for the application upon the purchase price of rental payments made
9 under the lease.

1 SEC. 59. All action of the armory board in connection with the
2 acquiring of land or real estate, or improvements thereon, or the dis-
3 posal of same, or the creation of any indebtedness, shall be with the
4 approval of the state executive council.

1 SEC. 60. All personal and real property held and used for armory
2 or military purposes shall be exempt from taxation; and it shall be
3 lawful for any county or city or town which owns public utilities
4 to grant to any organization or unit of the national guard, which is
5 stationed in such place, the free use of such public utilities.

1 SEC. 61. The system of discipline of the national guard shall con-
2 form generally to that of the armed forces of the United States and
3 all personnel on duty or in active state service shall be subject to the
4 punitive and disciplinary provisions of this Act. Trial and punish-
5 ment by civil authorities shall not bar trial and punishment or dis-
6 missal from the service by court-martial for any military offense in-
7 volved.

1 SEC. 62. Under such regulations as the adjutant general may pre-
2 scribe, the commanding officer of any detachment, company, or higher
3 command may, for minor offenses, impose disciplinary punishment
4 upon officers and enlisted men of his command without intervention of
5 a court-martial, unless the accused demands trial by court-martial.

6 The disciplinary punishment for officers authorized by this section
7 may include admonition, reprimand, withholding privileges, restric-
8 tions to certain specified limits for not to exceed one week and if
9 imposed by a general officer, forfeiture of not to exceed one-half of
10 the officer's pay for a period not to exceed two weeks.

11 For enlisted personnel the disciplinary punishment authorized by
12 this section may include admonition, reprimand, withholding of priv-
13 ileges not exceeding one week and when in field training may in addi-
14 tion include extra fatigue for not to exceed one week and restrictions
15 within certain specified limits for not to exceed one week, but shall
16 not include forfeiture of pay or confinement under guard.

1 SEC. 63. The following delinquencies, as defined by the Uniform
2 Code of Military Justice of the United States, are hereby declared to

- 3 be military offenses for which an offender will be punished according
 4 to law as a court-martial may direct, within the limitations set forth
 5 by the Table of Maximum Punishments of the Uniform Code of Military
 6 Justice.
- 7 1. Fraudulent enlistment. (Art. 83)
 - 8 2. False official statement. (Art. 107)
 - 9 3. Absence without leave. (Art. 86)
 - 10 4. Disrespect toward or insulting national or state officials. (Art.
 11 88)
 - 12 5. Disrespect toward a superior officer in the execution of his office.
 13 (Art. 89)
 - 14 6. Assaulting or disobeying a superior officer in the execution of
 15 his office. (Art. 90)
 - 16 7. Insubordinate conduct toward a non-commissioned officer in the
 17 execution of his office. (Art. 91)
 - 18 8. Mutiny or sedition. (Art. 94)
 - 19 9. Releasing a prisoner without proper authority. (Art. 96)
 - 20 10. Drunkenness on duty. (Art. 112)
 - 21 11. Conduct unbecoming an officer and a gentleman. (Art. 133)
 - 22 12. Conduct to the prejudice of good order and military discipline.
 23 (Art. 134)
 - 24 13. Frauds against the Government. (Art. 132)

1 SEC. 64. Any member of the national guard may prefer charges
 2 against any other person subject to the provisions of this Act.

1 SEC. 65. Apprehension is the taking into custody of a person. Any
 2 person authorized under regulations governing the national guard to
 3 apprehend persons subject to this Act or to trial thereunder may do
 4 so upon reasonable belief that an offense has been committed and that
 5 the person apprehended committed it.

1 SEC. 66. Arrest is the restraint of a person by an order not im-
 2 posed as a punishment for an offense directing him to remain within
 3 certain specified limits. Confinement is the physical restraint of a
 4 person.

5 An enlisted man may be ordered into arrest or confinement by any
 6 commissioned officer by an order, oral or written, delivered in person
 7 or through other members of the national guard. A commanding offi-
 8 cer may authorize warrant officers, or non-commissioned officers to
 9 order enlisted men of his command or subject to his authority into
 10 arrest or confinement.

11 An officer subject to this Act or to trial thereunder may be ordered
 12 into arrest or confinement only by a commanding officer to whose
 13 authority he is subject, by an order, oral or written, delivered in per-
 14 son or by another officer. The authority to order officers into arrest
 15 or confinement may not be delegated.

16 No person shall be ordered into arrest or confinement except for
 17 probable cause.

18 Nothing in this section shall be construed to limit the authority of
 19 persons authorized to apprehend offenders to secure the custody of an
 20 alleged offender until proper authority may be notified.

1 SEC. 67. Any person subject to this Act charged with an offense
 2 under this Act shall be ordered into arrest or confinement, as cir-

3 cumstances may require; but when charged only with an offense nor-
4 mally tried by a summary court-martial, such person shall not ordi-
5 narily be placed in confinement. When any person subject to this
6 Act is placed in arrest or confinement prior to trial, immediate steps
7 shall be taken to inform him of the specific wrong of which he is ac-
8 cused and to try him or to dismiss the charges and release him.

1 SEC. 68. No provost marshal, commander of a guard, or master at
2 arms, shall refuse to receive or keep any prisoner committed to his
3 charge by an officer of the military forces of this state, when the com-
4 mitting officer furnishes a statement, signed by him, of the offense
5 charged against the prisoner.

6 Every commander of a guard or master at arms to whose charge a
7 prisoner is committed shall, within twenty-four hours after such com-
8 mitment or as soon as he is relieved from guard, report to the com-
9 manding officer the name of such prisoner, the offense charged against
10 him, and the name of the person who ordered or authorized the com-
11 mitment.

1 SEC. 69. The military courts of this state for the national guard
2 shall be:

- 3 1. Courts of inquiry
- 4 2. General courts-martial
- 5 3. Special courts-martial
- 6 4. Summary courts-martial

7 They shall be constituted like, and have cognizance of the same sub-
8 jects, and possess like powers, except as to punishments, as similar
9 courts provided for by the laws and regulations governing the armed
10 forces of the United States, and the proceedings of courts-martial of
11 the national guard shall follow the forms and modes of procedure pre-
12 scribed for said similar courts. The jurisdiction of the courts herein
13 provided is not limited to the geographical area of Iowa.

1 SEC. 70. Courts of inquiry, to consist of one or more officers, may,
2 and on the request of any officer involved shall, be instituted by the
3 governor for the purpose of investigating the conduct of any officer,
4 or any accusation or imputation against him, or any actions made
5 the subject of military complaint. Such court of inquiry shall, with-
6 out delay, report a statement of facts and, when required, the evidence
7 adduced and an opinion with recommendations thereon to the gover-
8 nor, who may, in his discretion, thereupon order court-martial for the
9 trial of the officer whose conduct has been inquired into.

1 SEC. 71. General courts-martial may be convened by order of the
2 governor or any general officer and such courts shall have the power
3 to impose punishment for the commission of a misdemeanor or felony
4 in accordance with the statutory provisions of the criminal code of
5 Iowa relating to the misdemeanor or felony involved; to sentence to
6 forfeiture of pay and allowances; to reprimand; to dismissal or dis-
7 honorable discharge from the service; to reduction of non-commis-
8 sioned officers to the ranks. Any two or more of such punishments
9 may be combined in the sentences imposed by such courts.

1 SEC. 72. The commanding officer of each garrison, fort, post, camp,
2 or station, brigade, regiment, detached battalion or other detached
3 command, may appoint special courts-martial; but such special courts-
4 martial may in any case be appointed by superior authority when
5 such authority deems it desirable. Special courts-martial shall have
6 power to try any person subject to military law, except an officer, for
7 any crime or offense made punishable by this Act. Special courts-
8 martial shall have jurisdiction only of misdemeanors and minor mili-
9 tary offenses and punishment imposed by such courts for misdemea-
10 nors shall be in accordance with the statutory provisions of the criminal
11 code of Iowa relating to the misdemeanors involved.

1 SEC. 73. The commanding officer of each garrison, fort, post, camp,
2 or station, regiment, detached battalion, company, or other detach-
3 ment of the national guard may appoint for such place or command a
4 summary court to consist of one officer, who shall have power to ad-
5 minister oaths and to try the enlisted men of such place or command
6 for breaches of discipline and violation of laws governing such organ-
7 izations; and said court, when satisfied of the guilt of such enlisted
8 man may impose fines not exceeding twenty-five dollars for any single
9 offense; may sentence non-commissioned officers to reduction to the
10 ranks; may impose a forfeiture not to exceed two-thirds of his pay for
11 thirty days. The proceedings of such courts shall be informal and the
12 minutes thereof shall be the same as prescribed for summary courts
13 of the armed forces of the United States.

1 SEC. 74. All courts-martial, including summary courts, shall have
2 power to sentence to confinement in lieu of fines authorized to be im-
3 posed; provided, that such sentences of confinement shall not exceed
4 one day for each three dollars of fine authorized.

1 SEC. 75. No sentence imposed by a general courts-martial shall be
2 ordered into execution until approved by the governor.

3 No sentence imposed by a special courts-martial shall be ordered
4 into execution until approved by the authority appointing the court.

1 SEC. 76. Presidents of courts-martial and summary-court officers
2 shall have power to issue warrants to arrest accused persons and to
3 bring them before the courts for trial whenever such persons shall
4 have disobeyed an order in writing from the convening authority
5 to appear before such court, a copy of the charge or charges having
6 been delivered to the accused with such order, and to issue subpoenas
7 and subpoenas duces tecum and to enforce by attachment attendance
8 of witnesses and the production of books and papers and to sentence
9 for a refusal to be sworn or to answer as provided in actions before
10 civil courts.

11 Military personnel executing the provisions of this section shall have
12 all the powers and immunities of peace officers.

1 SEC. 77. Military courts are empowered to issue all process, in-
2 cluding writs and warrants necessary and proper to carry into
3 full effect the powers vested in said courts. Such process may be di-
4 rected to appropriate military personnel, the sheriff of any county or
5 any other peace officer of the state and shall be in such form as may,
6 from time to time, be prescribed by the adjutant general. It shall be

7 the duty of all persons herein provided to whom such process may be
8 so directed to execute the same and make return of their acts there-
9 under according to the requirements of the same.

10 The keepers and wardens of all city or county jails and of all other
11 jails, penitentiaries or prisons, designated by the governor or the
12 adjutant general of the state, shall receive the bodies of persons com-
13 mitted by the process of a military court and confine them in the man-
14 ner provided by law for civilian offenders.

15 No public officer shall demand or be entitled to receive any fees or
16 charges for receiving, executing, returning, or rendering any services
17 in connection with any process of a military court, or for receiving or
18 confining a person in jail or custody under such process.

1 SEC. 78. Fines may be paid to a court or to an officer executing
2 its process. The amount of any fine imposed may be noted upon any
3 state roll or account for pay of the delinquent and deducted from any
4 pay or allowance due or thereafter to become due him, until said fine
5 is liquidated. Any sum so deducted from any state pay or allowance
6 shall be turned into the court which imposed the fine and shall be paid
7 over by the officer receiving the same in like manner as provided for
8 other fines and moneys collected.

9 The proceeds of all fines in summary, general, and special courts-
10 martial cases shall be paid to the adjutant general and paid into the
11 maintenance fund of the national guard, and all costs of prosecution
12 shall be paid out of the same fund.

1 SEC. 79. The president of a general or a special court-martial, or
2 a summary court officer may each appoint by warrant, and at any
3 time remove, one or more marshals, each of whom shall, before enter-
4 ing upon his duties, execute a bond to the state in the penal sum of
5 one thousand dollars, with sufficient sureties, to be approved by the
6 president of the court or officer appointing him, for the faithful per-
7 formance of his duties and the prompt payment of all moneys col-
8 lected by him. Each marshal shall perform the usual duties of such
9 marshals and shall execute any process, or order issued by such presi-
10 dent or court or officer, and perform all acts and duties by this section
11 imposed on or authorized to be performed by any sheriff, marshal,
12 or constable. A bond given as herein provided may be prosecuted for
13 breach of the conditions thereof, in the name of the state, by a judge
14 advocate of the national guard, and all moneys recovered shall be paid
15 to the maintenance fund of the national guard.

1 SEC. 80. No action or proceeding shall be prosecuted or maintained
2 against a member of a military court or officer or person acting under
3 its authority or reviewing its proceeding on account of the approval
4 or imposition or execution of any sentence or the imposition or col-
5 lection of a fine or penalty, or the execution of any warrant, writ,
6 execution, or process, of a military court.

1 SEC. 81. The jurisdiction of the courts and boards established by
2 this Act shall be presumed.

1 SEC. 82. All matters relating to the organization, discipline, and
2 government of the military forces not otherwise provided for in this

3 Act, shall be decided by the custom, regulations, and usage of the
4 armed forces of the United States.

IOWA STATE GUARD

1 SEC. 83. Whenever any part of the national guard is in federal
2 service the governor may activate such part of the unorganized mi-
3 litia, to be designated the "Iowa State Guard", as he may deem neces-
4 sary, subject to provisions of federal law and regulations relating to
5 such military organizations.

1 SEC. 84. The powers and duties of the governor, the adjutant gen-
2 eral and the assistant adjutant general, with relation to the Iowa
3 State Guard shall be the same as those powers and duties prescribed
4 in this Act for such officers with relation to the national guard.

1 SEC. 85. In the event the state headquarters of the national guard
2 is inducted into federal service, the governor shall appoint a chief of
3 staff for the Iowa State Guard.

1 SEC. 86. The provisions of this Act pertaining to the administra-
2 tion and employment of the national guard shall be applicable to the
3 Iowa State Guard. The rules and regulations relating to, appoint-
4 ment of officers, enlistments, term and conditions of service in, and
5 discharge from, the Iowa State Guard shall be such as are directed by
6 the governor.

1 SEC. 87. The powers and duties of officers and enlisted men of the
2 Iowa State Guard shall be the same as those prescribed in this Act for
3 officers and enlisted men of the national guard and the punitive and
4 disciplinary provisions of this Act relating to the national guard shall
5 be applicable to the Iowa State Guard.

1 SEC. 88. The provisions of this Act relating to immunity from suit
2 and exemption from personal liability of members of the national
3 guard shall apply to members of the Iowa State Guard.

1 SEC. 89. Officers and enlisted men of the Iowa State Guard while
2 in active state service shall receive the same pay, allowances, and com-
3 pensation as provided by law for members of the Iowa national guard.

1 SEC. 90. Any expense necessary for organizing, equipping, and
2 maintaining the Iowa State Guard shall be paid on approval of the
3 governor by warrant drawn on any state funds not otherwise appro-
4 priated, or funds now or hereafter appropriated for the maintenance
5 of the national guard.

1 SEC. 91. The Iowa State Guard shall not be called, ordered or in
2 any manner drafted as such into the military service of the United
3 States. However, no person shall by reason of his membership in the
4 Iowa State Guard be exempt from federal military service under fed-
5 eral law.

POWERS OF ATTORNEY EXECUTED BY SERVICE PERSONNEL

1 SEC. 92. Except as otherwise provided in this Act no agency cre-
2 ated by a power of attorney in writing given by a principal who is at

3 the time of execution, or who after executing such power of attorney
 4 becomes, either a member of the armed forces of the United States, or
 5 a person serving as a merchant seaman outside the limits of the United
 6 States included within the 48 states and the District of Columbia, or
 7 a person outside said limits by permission, assignment or direction
 8 of any department, in connection with any activity pertaining to or
 9 connected with the prosecution of any war in which the United States
 10 is then engaged, shall be revoked or terminated by the death of the
 11 principal, as to the agent or other person who, without actual knowl-
 12 edge or actual notice of the death of the principal, shall have acted
 13 or shall act, in good faith, under or in reliance upon such power of
 14 attorney or agency, and any action so taken, unless otherwise invalid
 15 or unenforceable, shall be binding on the heirs, devisees, legatees, or
 16 personal representatives of the principal.

17 Except as otherwise provided in this Act no report or listing either
 18 official or otherwise, of "missing" or "missing in action" shall con-
 19 stitute or be interpreted as constituting actual knowledge or actual
 20 notice of the death of such principal or notice of any facts indicating
 21 the same, or shall operate to revoke the agency.

1 SEC. 93. An affidavit, executed by an attorney in fact or agent,
 2 setting forth that he has not or had not, at the time of doing any act
 3 pursuant to the power of attorney, received actual knowledge or ac-
 4 tual notice of the revocation or termination of the power of attorney,
 5 by death or otherwise, or notice of any facts indicating the same, shall,
 6 in the absence of fraud, be conclusive proof of the nonrevocation or
 7 non-termination of the power at such time. If the exercise of the
 8 power requires execution and delivery of any instrument which is re-
 9 cordable under the laws of this state, such affidavit (when authenti-
 10 cated for record in the manner prescribed by law) shall likewise be
 11 recordable.

1 SEC. 94. Sections 92 to 93, inclusive, of this Act, shall not operate
 2 to alter, invalidate, or in any manner affect any express provision for
 3 revocation or termination contained in any power of attorney.

1 SEC. 95. Chapter twenty-nine (29), Code of Iowa, 1950, as
 2 amended is hereby repealed.

Approved April 2, 1953.

CHAPTER 55

WORLD WAR COMPENSATION BOARD

H. F. 471

AN ACT terminating the World War II service compensation board and to transfer all meetings, records and business pertaining to the said board to the office of the state auditor beginning July 5, 1953 and to amend certain sections of the Code 1950 relating thereto.

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

1 SECTION 1. The World War II Service Compensation Board is
 2 hereby abolished. On the date of July 5, 1953, all records, property,

3 and business pertaining to said board shall be turned over to the
4 office of the state auditor and thereafter shall be administered by
5 the state auditor.

1 SEC. 2. Section thirty-five A point seven (35A.7), Code 1950, is
2 amended by striking from line two (2) the words "said board" and
3 inserting in lieu thereof the words "state auditor".

1 SEC. 3. Section thirty-five A point seven (35A.7), Code 1950, is
2 further amended by striking from line seven (7), the word "board"
3 and inserting in lieu thereof the words "state auditor".

1 SEC. 4. Section thirty-five A point seven (35A.7), Code 1950, is
2 further amended by striking from line thirteen (13) the word "board"
3 and inserting in lieu thereof the words "state auditor".

1 SEC. 5. Section thirty-five A point seven (35A.7), Code 1950, is
2 further amended by striking from line seventeen (17) the word
3 "board" and inserting in lieu thereof the words "state auditor".

1 SEC. 6. Section thirty-five A point seven (35A.7), Code 1950, is
2 further amended by striking from line thirty (30) the word "board"
3 and inserting in lieu thereof the words "state auditor".

1 SEC. 7. Section thirty-five A point seven (35A.7), Code 1950, is
2 further amended by striking from line thirty-three (33) the word
3 "board" and inserting in lieu thereof the words "state auditor".

1 SEC. 8. Section thirty-five A point seven (35A.7), Code 1950, is
2 further amended by striking from line forty (40) the word "board"
3 and inserting in lieu thereof the words "state auditor".

1 SEC. 9. Section thirty-five A point seven (35A.7), Code 1950, is
2 further amended by striking from line forty-eight (48) the word
3 "board" and inserting in lieu thereof the words "state auditor".

1 SEC. 10. Section thirty-five A point seven (35A.7), Code 1950, is
2 further amended by striking from line fifty (50) the word "board"
3 and inserting in lieu thereof the words "state auditor".

1 SEC. 11. Section thirty-five A point seven (35A.7), Code 1950, is
2 further amended by striking from line fifty-two (52) the word
3 "board" and inserting in lieu thereof the words "state auditor".

1 SEC. 12. Section thirty-five A point eight (35A.8), Code 1950, is
2 amended by striking from lines four (4) and five (5) the words "serv-
3 ice compensation board" and inserting the words "state auditor".

1 SEC. 13. Section thirty-five A point eight (35A.8), Code 1950, is
2 further amended by striking from lines five (5) and six (6) the
3 words "said board" and inserting in lieu thereof the words "state
4 auditor".

1 SEC. 14. Section thirty-five A point ten (35A.10), Code 1950, is
2 amended by striking the section in its entirety.

1 SEC. 15. The state auditor is hereby vested with authority to per-
2 form any acts required of the World War II Service Compensation
3 Board in carrying out the provisions of section two (2) of chapter
4 fifty-four (54), Acts of the Fifty-fourth (54th) General Assembly.

Approved April 15, 1953.

CHAPTER 56

SERVICE COMPENSATION FUND

S. F. 129

AN ACT to revert four hundred and fifty thousand dollars (\$450,000.00) from World War II service compensation fund to the general fund of the state of Iowa.

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

1 SECTION 1. There is hereby reverted to the general fund of the
2 state of Iowa the sum of four hundred and fifty thousand dollars
3 (\$450,000.00) from funds appropriated for World War II Service
4 Compensation Board by chapter 54 Acts of the 54th General Assembly
5 of Iowa.

Approved March 17, 1953.

CHAPTER 57

LIBERTY MEMORIAL BONDS

H. F. 445

AN ACT to amend chapter thirty-seven (37), Code 1950, relating to liberty memorial bonds.

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

1 SECTION 1. That section thirty-seven point six (37.6), Code 1950,
2 is hereby amended by striking from line twelve (12) thereof the fol-
3 lowing words: "less than five nor".

1 SEC. 2. Section thirty-seven point seven (37.7), Code 1950, is here-
2 by amended by striking the comma (,) following the word "county"
3 in line three (3), together with the words "city, or town".

1 SEC. 3. Chapter thirty-seven (37), Code 1950, is hereby amended
2 by adding thereto the following new section:
3 "For the purpose of liquidating any such liberty memorial bonds
4 issued by cities and towns pursuant to the provisions of this chapter,
5 together with interest thereon, taxes shall be levied by such cities
6 and towns in accordance with chapter seventy-six (76), Code 1950,
7 and said bonds and interest thereon shall be payable through the debt
8 service fund."

Approved April 3, 1953.

CHAPTER 58

SENATORIAL DISTRICTS

S. F. 294

AN ACT to amend chapter forty-one (41), Code 1950, relating to senatorial districts.

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

- 1 SECTION 1. Section forty-one point one (41.1), Code 1950, is
2 amended as follows:
- 3 1. Strike subsection thirty-eight (38) of section forty-one point one
4 (41.1) and substitute in lieu thereof the following: "38. Blackhawk
5 County shall constitute the thirty-eighth (38th) district."
6 2. Strike subsection thirty-nine (39) and substitute in lieu thereof
7 the following: "39. Bremer County, Butler County and Franklin
8 County shall constitute the thirty-ninth (39th) district."
9 3. Strike subsection forty-three (43) and substitute in lieu thereof
10 the following: "43. Cerro Gordo County and Hancock County shall
11 constitute the forty-third (43rd) district."
12 4. Strike subsection forty-five (45) and substitute in lieu thereof the
13 following: "45. Benton County, Grundy County, and Tama County
14 shall constitute the forty-fifth (45th) district."

- 1 SEC. 2. This Act shall be effective as to the nomination and election
2 of the senators from the forty-fifth (45th) and thirty-eighth (38th)
3 districts in 1954, and shall be effective as to the nomination and elec-
4 tion of the senators in the thirty-ninth (39th), and forty-third (43rd)
5 districts in 1956, but shall not affect the terms of office of senators now
6 holding certificates of election from the present senatorial districts of
7 Iowa, and in the event any vacancy shall occur in senatorial districts
8 thirty-nine (39) and forty-three (43), prior to the second Monday
9 in January, 1957, it shall be filled on the basis of the senatorial dis-
10 tricts now existing.

Approved April 17, 1953.

CHAPTER 59

VOTING BY ARMED FORCES

H. F. 213

AN ACT to permit members of the armed forces to vote in primary and general elections and to provide for the amendment of certain sections of the Code 1950, relating to election requirements.

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

- 1 SECTION 1. Section forty-three point eleven (43.11), Code 1950, is
2 hereby amended as follows:
- 3 1. Strike in line two (2), subsection one (1), the word "thirty" and
4 insert in lieu thereof the word "seventy".
5 2. Strike in line five (5), subsection two (2), the word "sixty" and
6 insert in lieu thereof the words "one hundred".

7 3. Strike in line five (5), subsection two (2), the word "forty" and
8 insert in lieu thereof the word "eighty".

1 SEC. 2. Section forty-three point twenty-one (43.21), Code 1950,
2 is hereby amended as follows:

3 1. Strike from line nine (9) the word "thirty" and insert in lieu
4 thereof the word "seventy".

5 2. Strike from line twelve (12) the word "thirty" and insert in
6 lieu thereof the word "seventy".

1 SEC. 3. Section forty-three point twenty-two (43.22), Code 1950,
2 is hereby amended by striking the word "thirty" from line two (2)
3 and inserting in lieu thereof the word "seventy".

1 SEC. 4. Section forty-three point seventy-three (43.73), Code 1950,
2 is hereby amended by striking the word "fifteen" from line one (1)
3 and inserting in lieu thereof the word "seventy".

1 SEC. 5. Section forty-three point ninety (43.90), Code 1950, is
2 hereby amended by striking the word "thirty" from line ten (10) and
3 inserting in lieu thereof the word "seventy".

1 SEC. 6. Nominations made under provisions of chapter forty-four
2 (44), chapter forty-five (45), Code 1950, which are required to be
3 filed in the office of the secretary of the state shall be filed in said office
4 not more than one hundred (100) nor less than eighty (80) days prior
5 to the date of the general election to be held in November; and those
6 nominations which are required to be filed in the office of the county
7 auditor shall be filed in said office not less than seventy (70) days prior
8 to the date of said general election.

1 SEC. 7. Section forty-four point four (44.4), Code 1950, is hereby
2 amended as follows:

3 1. Strike from line nine (9) the word "twenty" and insert in lieu
4 thereof the word "seventy-five".

5 2. Strike from line eleven (11) the word "eight" and insert in lieu
6 thereof the word "sixty-five".

7 3. Strike from line thirteen (13) all of the remainder of said sec-
8 tion after the word "said" and insert in lieu thereof the following:
9 "eighty (80) or seventy (70) days, as the case may be, objections
10 shall be filed within three (3) days after the filing of the certificate,
11 provided such vacancies shall be filled not later than seventy-five (75)
12 days prior to the election in the case of offices, certificate for which
13 is required to be filed in the office of the secretary of state, and not
14 later than sixty-five (65) days prior to the election in case of offices,
15 certificate for which is required to be filed in the office of the county
16 auditor."

1 SEC. 8. Section forty-four point nine (44.9), Code 1950, is hereby
2 amended as follows:

3 1. Strike from line eight (8) the word "thirty" and insert in lieu
4 thereof the word "seventy-five".

5 2. Strike from line ten (10) the word "twenty-five" and insert in
6 lieu thereof the word "sixty-five".

1 SEC. 9. Section forty-four point fourteen (44.14), Code 1950, is
2 hereby amended by striking from line three (3) of subsection 1 after

3 the word "than" all of the remainder of subsection 1 and all of sub-
4 section 2 and inserting in lieu thereof the following: "one hundred
5 (100) nor less than eighty (80) days before the general election, and
6 such certificates for all other offices, except for cities and towns, shall
7 be filed with the county auditor not more than ninety (90) nor less
8 than seventy (70) days before the general election."

1 SEC. 10. The term "Armed Forces of the United States", as used
2 in this Act shall mean the army, navy, marine corps, and air force of
3 the United States.

1 SEC. 11. Whenever registration is required in order to vote at
2 either the primary election or general election, in the case of voters in
3 the armed forces of the United States, the affidavit upon the ballot
4 envelope of such voter, otherwise qualified, shall constitute a sufficient
5 registration, whether the registration required be under the provi-
6 sions of chapter forty-seven (47) or chapter forty-eight (48), Code
7 1950.

1 SEC. 12. The provisions of sections fifty-three point two (53.2),
2 fifty-three point four (53.4) and fifty-three point five (53.5), Code
3 1950, shall not apply in connection with the primary and general elec-
4 tions in the case of a qualified elector of the state of Iowa serving in
5 the armed forces of the United States; in any such case an application
6 for ballot as provided for in said sections shall not be required and an
7 absent voter's ballot shall be sent or made available to any such voter
8 upon a request being made therefor as provided for in this Act. All
9 official ballots to be voted by qualified absent voters in the armed forces
10 of the United States at the primary election and the general election
11 shall be printed prior to fifty-five (55) days before the said respective
12 elections and shall be available for transmittal to such qualified electors
13 in the armed forces of the United States fifty-five (55) days prior to
14 the respective elections. The provisions of chapter fifty-three (53),
15 Code 1950, shall apply to absent voting by qualified voters in the
16 armed forces of the United States at said elections except as modified
17 by the provisions of this Act.

1 SEC. 13. Request in writing for ballot for the primary election
2 and for the general election may be made by any member of the armed
3 forces of the United States who is or will be a qualified voter on the
4 day of the election at which said ballot is to be cast, at any time prior
5 to either of said elections, the request stating for which election the
6 request is made. In the case of the general election such request may
7 likewise be made, not more than seventy (70) days before said elec-
8 tion, for and on behalf of a voter in the armed forces of the United
9 States by a spouse, parent, adult brother, adult sister, or adult child
10 of any such voter, residing in the county of said voter's residence, pro-
11 vided that any such request made by other than the voter may be re-
12 quired to be made on forms prescribed by the Iowa servicemen's ballot
13 commission.

14 A request shall show the residence (including street address, if any)
15 of the voter, the age of the voter, and length of residence in the city,
16 town or township, county and state, and shall designate the address
17 to which the ballot is to be sent, and in the case of the primary elec-

18 tion, the party affiliation of such voter. Such request shall be made
19 to the county auditor of the county of the voter's residence, provided
20 that if the request is made by the voter to any elective state, city, town
21 or county official, the said official shall forward it to the county auditor
22 of the county of the voter's residence, and such request so forwarded
23 shall have the same force and effect as if made direct to the county
24 auditor by the voter.

25 The county auditor shall immediately on the fifty-fifth (55th) day
26 prior to the particular election transmit ballots to the voter by mail or
27 otherwise, postage prepaid, as may be directed by the Iowa service-
28 men's ballot commission, requests for which are in his hands at that
29 time, and thereafter so transmit ballots immediately upon receipt of
30 requests for same. A request for ballot for the primary election which
31 does not state the party affiliation of the voter making the request shall
32 be void and of no effect. A request which does not show that the person
33 for whom ballot is requested will be a qualified voter in the precinct in
34 which said ballot is to be cast on the day of the election for which the
35 ballot is requested, shall not be honored; provided that a request which
36 states the age and the city or town, including street address, if any,
37 or township, and county wherein the voter resides, and which shows
38 a sufficient period of residence, shall be sufficient to show that he is
39 such a qualified voter. A request by the voter containing substantially
40 the information required herein shall be sufficient.

41 If the affidavit on the ballot envelope shows that the affiant is not
42 a qualified voter on the day of the election at which said ballot is
43 offered for voting, the envelope shall not be opened, but the envelope
44 and ballot contained therein shall be preserved and returned by the
45 judges of election to the county auditor, who shall preserve same for
46 the period of time and under the conditions provided for in sections
47 fifty point twelve (50.12) to fifty point fifteen (50.15), Code 1950,
48 inclusive.

1 SEC. 14. The county auditor of each county shall establish and
2 maintain a record of all requests for ballots which are made, and of
3 all ballots transmitted, and the manner of transmittal, from and re-
4 ceived in his office under the provisions of this Act. In the event more
5 than one request for absent voter's ballot for a particular election shall
6 be made to the county auditor by or on behalf of a voter in the armed
7 forces of the United States, the request first received shall be honored,
8 except that if one of the requests is made by the voter himself, and a
9 request on his behalf has not been previously honored, such request of
10 the voter shall be honored in preference to a request made on his be-
11 half by another. Not more than one ballot shall be transmitted by the
12 county auditor to any voter for a particular election. In the event the
13 county auditor shall receive more than one absent voter's ballot, pro-
14 vided for by this Act, from or purporting to be from any one voter for
15 a particular election, all of said ballots so received from or purporting
16 to be from such voter shall be null and void, and the county auditor
17 shall not deliver any of said ballots to the judges of election, but shall
18 retain them in his office, and preserve them for the period and under the
19 conditions provided for in sections fifty point twelve (50.12) to
20 fifty point fifteen (50.15), Code 1950, inclusive.

1 SEC. 15. Notwithstanding the provision as to time found in sec-
2 tion fifty-three point eleven (53.11), Code 1950, any qualified voter in
3 the armed forces of the United States may personally appear in the
4 office of the county auditor of the county of his residence and there
5 vote an absent voter's ballot at any time not earlier than fifty-five (55)
6 days before the primary or general election, as the case may be.

1 SEC. 16. The envelopes used in connection with voting by absent
2 voter's ballot by voters who are members of the armed forces of the
3 United States, shall have stamped or printed on them the words
4 "Serviceman's Ballot" and a designation of the election at which said
5 ballot is to be cast, either "Primary Election" or "General Election",
6 as the case may be.

1 SEC. 17. Any commissioned officer in the armed forces of the
2 United States, or any person authorized by the Government of the
3 United States to administer oaths to members of the armed forces of
4 the United States are authorized to administer and attest any oath re-
5 quired in connection with the voting of an absent voter's ballot by a
6 voter in the armed forces of the United States. Such officer or person
7 shall show his rank and branch of service or other legal qualifications
8 in connection with his signature in attesting any oath.

1 SEC. 18. There is hereby created the "Iowa Servicemen's Ballot
2 Commission", which shall be composed of the secretary of state, who
3 is the state official charged with the conduct and supervision of elec-
4 tions and who shall be chairman of the commission, and four other
5 members who shall be appointed in the following manner, to-wit: On
6 or before January 15, the respective chairmen of the state central
7 committees of the two political parties which cast the largest and sec-
8 ond largest number of votes for governor at the next preceding gen-
9 eral election, as shown by the records in the office of the secretary of
10 state, shall each designate two members, qualified electors of the state
11 of Iowa, from his political party for membership on said commission
12 and notify the governor thereof in writing; the governor shall im-
13 mediately upon receipt of such notification appoint said persons so
14 designated as members of the commission and issue his commission
15 of appointment therefor; in the event either of said state chairmen
16 shall fail to so make such designation and notification of either or
17 both of said designates within said ten (10) days, the governor shall
18 immediately thereafter make the appointment thereto from the mem-
19 bership of the political party of the chairman failing to make such
20 designation and notification and issue his commission of appointment
21 therefor. The commissioners appointed shall qualify by subscribing
22 the oath provided in section sixty-three point ten (63.10), Code 1950.
23 The members of the commission shall be reimbursed their actual ex-
24 penses in the performance of their duties, but shall receive no compen-
25 sation for their services.

1 SEC. 19. The said commission is authorized and empowered:

2 1. To make rules and regulations for the purpose of carrying out
3 the provisions and intent of this Act;

4 2. To prescribe and direct the preparation of specially printed bal-
5 lots, envelopes and other papers of different size and weight to be

6 used in connection with absent voting by voters in the armed forces
7 of the United States, if, in the discretion of the commission, it shall
8 determine that such a special ballot and other papers will facilitate
9 voting by such voters; provided that the content of any such specially
10 printed matter shall be the same as that used for absent voters gener-
11 ally in the particular precinct in which said serviceman's ballot is to
12 be cast, and provided further that such ballots, envelopes and other
13 papers shall be substantially uniform in size and weight throughout
14 the state; and provided further that the provisions of section forty-
15 nine point fifty-six (49.56), Code 1950, establishing the maximum
16 cost of printing ballots, shall not govern as to the cost of any specially
17 printed ballots authorized by this Act, but the cost of printing any
18 such specially printed ballots by the several counties shall not exceed
19 an amount, per thousand such ballots or fraction thereof, which may
20 be determined by the state printing board upon the basis of cost and
21 weight of paper, size of ballots and type measurements;

22 3. To prescribe any forms that are not otherwise prescribed by
23 law, and which in the judgment of the commission are necessary to
24 facilitate the carrying out of the purposes and intent of this Act;

25 4. To arrange for special transportation of ballots either in co-
26 operation with the government of the United States through any
27 authorized instrumentality thereof or otherwise, and to that end
28 the commission is empowered to direct the county auditors of the
29 several counties of the state to send ballots to voters in the armed
30 forces of the United States other than in the usual course of mail;

31 5. To employ such clerical assistance as it may require in carrying
32 out its functions, to purchase and requisition any office supplies it
33 may require, and certify for payment the expenses of carrying out
34 its functions;

35 6. To call upon any department or division of the state government
36 for information and assistance in connection with carrying out the
37 provisions of this Act;

38 7. To cooperate with any authorized departments, agencies and
39 instrumentalities of the government of the United States in effecting
40 the intent and purposes of this Act.

1 SEC. 20. In order to establish uniformity in size, weight and other
2 characteristics of the ballot and facilitate its distribution and return,
3 the state printing board shall upon direction of the "Iowa Service-
4 men's Ballot Commission" purchase any material needed for any spe-
5 cial ballots, envelopes and other printed matter, and sell any such ma-
6 terials to the several counties of the state at cost plus handling and
7 transportation costs.

8 There is hereby appropriated to the state printing board from the
9 general fund of the state such sums as may be necessary to purchase
10 any materials provided for herein. The proceeds from sale of such
11 materials to counties shall be turned into the general fund of the state
12 upon receipt of same by the state printing board.

1 SEC. 21. In the event the government of the United States or any
2 branch, department, agency or other instrumentality thereof shall
3 make provision for sending of any voting matter provided for in this
4 Act through the mails postage free, or otherwise, the election officials

5 of the state of Iowa and of the several counties of the state are author-
6 ized to make use thereof under the direction of the Iowa servicemen's
7 commission.

1 SEC. 22. The provisions of this Act as to absent voting shall apply
2 only to absent voters in the armed forces of the United States. The
3 provisions of chapter fifty-three (53), Code 1950, shall apply to all
4 other qualified voters not members of the armed forces of the United
5 States, unaffected by any provision of sections three (3) to twelve
6 (12), both inclusive, of this Act.

*See chapter 60.

1 SEC. 23. There is hereby appropriated to the Iowa servicemen's
2 ballot commission from the general fund of the state such sums as are
3 necessary for it to pay its expenses and perform its functions under
4 this Act. Warrants shall be drawn by the comptroller upon certifica-
5 tion by the chairman of the commission, or in the event of his inability
6 or unavailability to act by three members of the commission.

1 SEC. 24. This Act shall be liberally construed in order to provide
2 means and opportunity for qualified voters of the state of Iowa serving
3 in the armed forces of the United States to vote at the primary and
4 general elections.

1 SEC. 25. The provision or provisions of this Act which are incon-
2 sistent with any provision or provisions of any other existing statute
3 or any part of any such other existing statute, shall prevail. Likewise,
4 the provision or provisions of any other existing statute or any part
5 of any other existing statute which is not inconsistent with this Act,
6 shall prevail.

Approved April 6, 1953.

CHAPTER 60

VOTING BY ARMED FORCES

H. F. 505

AN ACT to amend House File 213, Acts of the Fifty-fifth General Assembly, relating to voting by the armed forces.

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

1 SECTION 1. Amend House File 213, Acts of the Fifty-fifth General
2 Assembly, by striking from section twenty-two (22) the following:
3 " , unaffected by any provision of sections three (3) to twelve (12),
4 both inclusive, of this Act".

Approved April 25, 1953.

CHAPTER 61

USE OF PARTY DESIGNATIONS ON BALLOT

H. F. 185

AN ACT to amend section forty-three point one hundred twenty-one (43.121), Code 1950, relating to the use of established party designations by candidates nominated by nonparty organizations or by petition.

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

- 1 SECTION 1. Amend section forty-three point one hundred twenty-
- 2 one (43.121), Code 1950, by placing a comma after the word "peti-
- 3 tion" in line three (3) thereof, and inserting the following: "or by
- 4 nonparty organizations,".
- 5 Section forty-three point one hundred twenty-one (43.121), Code
- 6 1950, is further amended by placing a comma after the word "name"
- 7 in line five (5) of said section, and inserting the following: "or any
- 8 part thereof,".

Approved April 25, 1953.

CHAPTER 62

PREPARATION OF BALLOTS

H. F. 2

AN ACT to amend section forty-three point twenty-eight (43.28), Code 1950, and to repeal section forty-three point twenty-nine (43.29), Code 1950, relating to the preparation of election ballots.

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

- 1 SECTION 1. In counties where two representatives are to be elected
- 2 to the General Assembly at a general or special election the names of
- 3 candidates shall be arranged and printed on the ballots in the follow-
- 4 ing manner:
- 5 The county auditor shall prepare a list of the election precincts of
- 6 his county, by arranging the various townships, towns and cities in
- 7 the county in alphabetical order, and the wards or precincts in each
- 8 city, town, or township in numerical order under the name of such city,
- 9 town, or township. He shall then arrange the surnames of each po-
- 10 litical party's candidates for such offices alphabetically for the respec-
- 11 tive offices for the first precinct on the list; thereafter, for each po-
- 12 litical party occupying an odd-numbered position on the ballot he shall
- 13 reverse the position of the candidates' names in each succeeding pre-
- 14 cinct, and for each political party occupying an even-numbered position
- 15 on the ballot he shall reverse the position of the candidates' names in
- 16 each succeeding group of two precincts beginning with the third and
- 17 fourth, followed by the fifth and sixth and so on through the list of
- 18 precincts.
- 1 SEC. 2. Amend section forty-three point twenty-eight (43.28),
- 2 Code 1950, by adding:
- 3 "The procedure for arrangement of names on ballots provided in

4 this section shall likewise be substantially followed in primary elec-
5 tions in political subdivisions of less than a county."

1 SEC. 3. Section forty-three point twenty-nine (43.29), Code 1950,
2 is hereby repealed.

Approved February 25, 1953.

CHAPTER 63

CHAIRMAN OF ELECTION BOARD

H. F. 217

AN ACT to amend section forty-nine point fifteen (49.15), Code 1950, to provide a chairman of election boards.

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

1 SECTION 1. Section forty-nine point fifteen (49.15), Code 1950, is
2 hereby amended by adding thereto the following: "The board of
3 supervisors shall also designate one member of said election board to
4 be the chairman of that board, and of the counting board, if any, with
5 authority over the mechanics of the work of said boards."

Approved April 22, 1953.

CHAPTER 64

POLICE AT POLLING PLACES

H. F. 183

AN ACT relating to the compensation of special policemen at polling places and to amend section forty-nine point one hundred seventeen (49.117), Code 1950.

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

1 SECTION 1. Section forty-nine point one hundred seventeen
2 (49.117), Code 1950, is amended by striking from line five (5) the
3 words, "two dollars a day" and inserting in lieu thereof the following,
4 "fifty cents an hour".

Approved April 22, 1953.

CHAPTER 65

SICK LEAVE FOR STATE POLICE

S. F. 88

AN ACT to amend section seventy-nine point one (79.1), Code 1950, relating to salaries, vacations and sick leave for state employees.

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

1 SECTION 1. Section seventy-nine point one (79.1), Code 1950, is
2 hereby amended by adding thereto after the period in line twenty

3 (20) the following: "Provided, however, that notwithstanding the
 4 foregoing limitations, uniformed members of the Division of highway
 5 safety and uniformed force and members of the Division of criminal
 6 investigation and bureau of identification, except clerical workers,
 7 of the department of public safety may upon the recommendation of
 8 the commissioner with the approval of the Executive Council, be
 9 granted additional leave of absence with pay, for injuries sustained
 10 in line of duty."

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 Pocahon-
 3 tas Record-Democrat, a newspaper published at Pocahontas, Iowa,
 4 and in The Humboldt Republican, a newspaper published at Hum-
 5 boldt, Iowa.

Approved April 29, 1953.

I hereby certify that the foregoing Act, Senate File 88, was published in the Pocahontas Record-Democrat, Pocahontas, Iowa, May 7, 1953, and in The Humboldt Republican, Humboldt, Iowa, May 8, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 66

SAFETY PROVISIONS IN MINES

H. F. 368

AN ACT to amend chapter eighty-two (82) relating to mines and state mine inspectors, and to amend sections eighty-two point thirteen (82.13), eighty-two point eighty (82.80), relating to the office of local mine inspectors, sections eighty-two point eighty-one (82.81), eighty-two point ninety (82.90), eighty-two point one hundred two (82.102), eighty-two point one hundred three (82.103), eighty-two point one hundred four (82.104), eighty-two point one hundred twenty-five (82.125), Code 1950, to promote greater safety in mines and to conform with certain requirements of public law 552, laws of the 82nd Congress, approved July 16, 1952, to repeal subsections five (5) and six (6) of section eighty-two point one hundred twenty-seven (82.127), Code 1950, which are obsolete, relating to mines other than coal mines and to provide greater safety in such mines.

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

1 SECTION 1. Amend section eighty-two point thirteen (82.13), Code
 2 1950, by striking from line eleven (11) the words "one hundred
 3 eighty" and substituting in lieu thereof the words "three hundred".

1 SEC. 2. Amend section eighty-two point eighty (82.80), Code 1950,
 2 by striking from lines one (1) and two (2) the words "from the solid".

1 SEC. 3. Amend section eighty-two point eighty-one (82.81), Code
 2 1950, by striking from lines four (4), five (5), six (6), and seven
 3 (7), the words "scraper, or tool that is not tipped on each end
 4 thereof with at least five inches of brass, copper, or other nonspark-
 5 ing metal," and substituting in lieu thereof the words "unless such
 6 tamper be made of wood,".

1 SEC. 4. Amend section eighty-two point ninety (82.90), Code 1950,
 2 by striking all of that portion of said section after the word "dusty,"

3 in line four (4) and substituting in lieu thereof the words "shall
4 cause the same to be sprinkled or rock dusted at least once each week.
5 Provided, however, that if the state mine inspector finds that any
6 mine requires sprinkling or rock dusting oftener than once a week in
7 order to promote the safety of persons and property in such mine,
8 the operator of such mine shall cause the same to be sprinkled or
9 dusted from time to time other than once a week when so ordered by
10 the state mine inspector."

1 SEC. 5. Amend section eighty-two point one hundred two (82.102),
2 Code 1950, by striking the entire section and substituting in lieu
3 thereof the following: "notwithstanding the fact that coal mines in
4 Iowa are classified as non-gassy, where the inspector finds that the
5 air at the working face, roof, or rib contains more than twenty-five
6 hundredths of one percentum (.25%) of methane gas when tested by
7 a permissible methane gas detector or a permissible flame safety lamp,
8 the mine inspector shall immediately forbid the use of any kind of
9 open lights in the mine and the operator shall then furnish and keep
10 in good order electric cap-lamps of a kind approved by the United
11 States Bureau of Mines, in addition to the flame safety lamps required
12 to make an examination for gas."

1 SEC. 6. Amend section eighty-two point one hundred three
2 (82.103), Code 1950, by striking the entire section and substituting
3 in lieu thereof the following:

4 "Any mine regularly employing fifteen (15) or more men under-
5 ground shall make a pre-shift examination with a safety lamp or a
6 methane gas detector within four (4) hours prior to the start of
7 every shift on each working day. Such examination shall be made
8 by a competent employee certified by the state board of mine exam-
9 iners as qualified to perform such an examination. A safety lamp or
10 methane gas detector shall not be required during daily inspections
11 made at any other time except as hereinafter provided. Provided,
12 however, that in longwall operations, an examination of the face shall
13 not be required until such time as the removal of coal from in front
14 of the face shall make such examination possible. Such examination
15 shall be made with a safety lamp or a methane gas detector every day
16 which the mine produces coal.

17 "The pre-shift examination and the examination provided for long-
18 wall mines shall include testing of the roof in each working place and
19 the person making such examination shall put his initials and the
20 date of such examination on a suitable marker in each of the places
21 examined, and a daily record of such examinations shall be kept at
22 the office of the mine.

23 "Notwithstanding the number of persons employed in any mine,
24 where the state mine inspector finds that a pre-shift or other exami-
25 nation would provide greater safety in any mine or reduce the danger
26 of accidents, the state mine inspector may order such examinations
27 as he shall find to be required.

28 "When the operator of any mine uses explosives in shooting coal
29 from the solid or otherwise, he shall designate a person to make the
30 above mentioned examinations and such operator shall also designate
31 an alternate, who may be the foreman of the mine, to make examina-
32 tions when the regular examiner is not available. Provided, however,

33 that persons so designated by the mine operator shall be limited to
 34 those persons who shall have appeared before the board of mine exam-
 35 iners at their regular meetings and demonstrated, to the satisfaction
 36 of the board, their knowledge of the construction and operation of
 37 the flame safety lamp and the methane gas detector, approved by the
 38 Bureau of Mines, and demonstrate their proficiency in making exam-
 39 inations for the detection of methane gas and air deficiency in coal
 40 mines.”.

1 SEC. 7. Amend section eighty-two point one hundred four (82.104),
 2 Code 1950, by striking the entire section and substituting in lieu
 3 thereof the following:

4 “In order to promote safety in coal mines of this state, there shall
 5 be a suitable check-in and check-out system maintained by the opera-
 6 tor of every underground mine in this state, which system shall first
 7 be approved by the state mine inspector, such check-in and check-out
 8 system shall be such as to insure that every person other than the
 9 shot firer shall have left the mine before any shots are fired.”.

1 SEC. 8. Amend section eighty-two point one hundred twenty-five
 2 (82.125), Code 1950, by striking the word “five” from line two (2)
 3 thereof and substituting in lieu thereof the word “fifteen”. Further
 4 amend section eighty-two point one hundred twenty-five (82.125),
 5 Code 1950, by striking from line four (4) the word “ten” and sub-
 6 stituting in lieu thereof the word “twenty”.

1 SEC. 9. Subsections five (5) and six (6) of section eighty-two
 2 point one hundred twenty-seven (82.127), Code 1950, are hereby re-
 3 pealed.

Approved April 7, 1953.

CHAPTER 67

MINE INSPECTION CO-OPERATION

H. F. 388

AN ACT to amend section eighty-two point fourteen (82.14), Code 1950, to provide authority to the state mine inspector to cooperate with the United States Bureau of Mines, its director, agents and inspectors, in carrying out the provisions of Public Law 552, Laws of the 82nd Congress, and to promote cooperation between the state and federal government in promoting safety in coal mines.

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

1 SECTION 1. Section eighty-two point fourteen (82.14), Code 1950,
 2 is hereby amended by adding thereto the following paragraph:

3 “The mine inspector shall have power to cooperate with the United
 4 States Bureau of Mines, its director, agents, and inspectors, in carry-
 5 ing out the provisions of Public Law 552, Laws of the 82nd Congress,
 6 approved July 16, 1952, or any other agency of the federal govern-
 7 ment for providing safety in mines of this state in such reasonable
 8 manner as may be necessary to qualify for cooperative inspections of
 9 coal mines of this state by state and federal agencies, including the

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10 authority to make such reports in form and containing such informa-
 11 tion as the Director of United States Bureau of Mines may from time
 12 to time prescribe and require.”.

Approved March 31, 1953.

CHAPTER 68

CHIROPODISTS

H. F. 190

AN ACT to amend section eighty-five point twenty-seven (85.27), Code 1950, and chapter fifty-nine (59), Acts of the Fifty-fourth General Assembly, by adding the word “chiropractical” so as to allow payment for medical services rendered by doctors of chiropody to employees under the workmen’s compensation Act.

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 1950, is hereby amended by adding to line three (3) following the
 3 comma after the word “chiropractic” the word “chiropractical”.

1 SEC. 2. Chapter fifty-nine (59), Acts of the Fifty-fourth General
 2 Assembly, is hereby amended by adding to line eleven (11) of section
 3 one (1) following the word “chiropractic” the following: “, chiro-
 4 podical”.

Approved April 22, 1953.

CHAPTER 69

DEPUTY INDUSTRIAL COMMISSIONERS

S. F. 229

AN ACT to repeal section eighty-six point two (86.2), Code 1950, relating to the appointment of deputy industrial commissioners, and to enact a new section in lieu thereof.

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

1 SECTION 1. Section eighty-six point two (86.2), Code 1950, is
 2 hereby repealed, and insert in lieu thereof the following new section:
 3 “The commissioner may appoint three (3) deputy industrial com-
 4 missioners for whose acts he shall be responsible and who shall serve
 5 during the pleasure of the commissioner.”

Approved April 16, 1953.

CHAPTER 70

UNEMPLOYMENT COMPENSATION

H. F. 337

AN ACT to amend chapter ninety-six (96), Code 1950, relating to the payment of unemployment compensation; to preserve the benefit rights of an individual entering the armed forces of the United States; to provide that such an individual shall not be disqualified for voluntarily leaving his employment to enter such armed forces; to provide that the time spent by such individual in such armed forces shall be excluded from the individual's base period; to provide that the benefit year of any such individual shall be extended by the time spent in such armed forces, and to provide notices.

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

1 SECTION 1. Notwithstanding any other provision of chapter nine-
2 ty-six (96), Code 1950, to the contrary, any individual in good faith
3 leaving his employment after July 1, 1951, and prior to July 1, 1955,
4 to join the armed forces of the United States, and who does so join,
5 or who attempting to so join is rejected, shall not be disqualified under
6 the provisions of subsection one (1) of section ninety-six point five
7 (96.5), Code 1950, for voluntarily leaving his employment.

1 SEC. 2. Any benefit year as defined in subsection sixteen (16) of
2 section ninety-six point nineteen (96.19), Code 1950, of any individual
3 shall be extended by any time spent after June 30, 1951, and prior
4 to July 1, 1955, by such individual after the beginning of such benefit
5 year in the armed forces of the United States.

1 SEC. 3. Any calendar quarter commencing after June 30, 1951,
2 and ending prior to July 1, 1955, the greater portion of which is spent
3 by such individual in the armed forces of the United States, shall not
4 be considered as any portion of the base period provided for in subsec-
5 tion seventeen (17), of section ninety-six point nineteen (96.19),
6 Code 1950.

1 SEC. 4. Whenever an employee is separated from his employment
2 for the purpose of joining the armed forces of the United States, the
3 employee shall notify the employer in writing of his acceptance and
4 date of reporting for service and the employer shall, within fifteen
5 (15) days after said notice from the employee, notify the Iowa employ-
6 ment security commission of such separation and date of termination
7 of wages on a form furnished by the commission.

Approved April 10, 1953.

CHAPTER 71

OLD AGE AND SURVIVORS' INSURANCE SYSTEM REPEAL

H. F. 139

AN ACT repealing chapter ninety-seven (97), Code 1950, as amended by the Fifty-fourth General Assembly; providing for the protection of the rights of public employees who were subject to coverage under the provisions of said chapter ninety-seven (97), as amended; authorizing the payment of retroactive federal social security coverage for public employees from funds contributed by the employers and employees under the provisions of said chapter ninety-seven (97), as amended; providing for certain refunds of payments made into the old age and survivors' insurance trust fund by employees; providing for the administration of funds and assets of the Iowa old age and survivors' insurance system by the Iowa employment security commission; providing for the future payment of benefits to which individuals subject to coverage under the provisions of said chapter ninety-seven (97), as amended, are entitled as provided in this Act, and creating an Iowa old age and survivors' insurance liquidation fund.

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

- 1 SECTION 1. Chapter ninety-seven (97), Code 1950, as amended
2 by the Fifty-fourth General Assembly, is hereby repealed, subject
3 to the provisions which follow:
 - 4 1. Any person being paid any benefits under the provisions of
5 sections ninety-seven point thirteen (97.13), ninety-seven point four-
6 teen (97.14), ninety-seven point fifteen (97.15), ninety-seven point
7 sixteen (97.16), ninety-seven point seventeen (97.17) and ninety-
8 seven point eighteen (97.18), chapter ninety-seven (97), Code 1950,
9 as amended, as of the effective date of this Act, shall continue to re-
10 ceive such benefits as though that chapter had not been repealed.
 - 11 2. Any person who became entitled to any benefits under the pro-
12 visions of sections ninety-seven point thirteen (97.13), ninety-seven
13 point fourteen (97.14), ninety-seven point fifteen (97.15), ninety-
14 seven point sixteen (97.16), ninety-seven point seventeen (97.17),
15 ninety-seven point eighteen (97.18), and ninety-seven point nine-
16 teen (97.19), chapter ninety-seven (97), Code 1950, as amended,
17 through the retirement or death of any person prior to the effective
18 date of this Act shall be paid the same benefits upon proper applica-
19 tion, subsequent to the effective date of this Act, as though that
20 chapter had not been repealed.
 - 21 3. Any individual who was, as of the effective date of this Act,
22 a fully insured individual as defined in section ninety-seven point
23 forty-five (97.45), subsection six (6), Code 1950, as amended, and
24 who would be a fully insured individual at age 65, on the basis of
25 service prior to such effective date (but who is not under public em-
26 ployment as of such date), shall be entitled to receive, in the event
27 of his reaching 65 years of age after the effective date of this Act,
28 not less than the same individual primary benefit he would have re-
29 ceived under the provisions of section ninety-seven point thirteen
30 (97.13), Code 1950, as amended, had he been eligible for retirement
31 as of that date as though chapter ninety-seven (97), Code 1950, as
32 amended, had not been repealed. Any individual who was as of the
33 effective date of this Act, a fully insured individual as defined in
34 section ninety-seven point forty-five (97.45), subsection six (6),
35 Code 1950, as amended, and who would be fully insured at age of
36 65, on the basis of service prior to such effective date, and who is as

37 of the effective date of this Act, under public employment, and also
38 under coverage of a federal civil service retirement plan, shall be
39 entitled to receive after reaching sixty-five (65) years of age, pro-
40 vided he is no longer in public employment, not less than the same
41 individual primary benefit he would have received under the pro-
42 visions of section ninety-seven point thirteen (97.13), Code 1950,
43 as amended, had he been eligible for retirement as of that date, as
44 though chapter ninety-seven (97), Code 1950, as amended, had not
45 been repealed; and any wife, widow, child or other dependent of
46 such individual would become entitled to any benefits as provided
47 by chapter ninety-seven (97), Code 1950, as amended, after the
48 effective date of this Act, shall be entitled to receive benefits as pro-
49 vided by chapter ninety-seven (97), Code 1950, as though that chap-
50 ter had not been repealed.

51 4. Any wife, widow, child, or other dependent of any fully insured
52 individual who left employment or died prior to the effective date
53 of this Act, who would become entitled to any benefit as provided
54 by chapter ninety-seven (97), Code 1950, as amended, after the ef-
55 fective date of this Act, shall be entitled to receive benefits as pro-
56 vided by chapter ninety-seven (97), Code 1950, as amended, as
57 though that chapter had not been repealed.

58 5. Any currently insured individual under the terms of subsection
59 seven (7) of section ninety-seven point forty-five (97.45), Code 1950,
60 as amended, who is not in Iowa public employment as of the effective
61 date of this Act, shall continue to be a currently insured individual
62 against death for the period designated in said subsection and the
63 provisions of coverage for benefit purposes under said subsection
64 shall apply to such individuals as they would have applied as though
65 chapter ninety-seven (97), Code 1950, as amended, had not been
66 repealed.

1 SEC. 2. There is hereby created as a special fund, separate and
2 apart from all other public moneys or funds of this state, the "Iowa
3 Old Age and Survivors' Insurance Liquidation Fund," this fund to
4 consist of all unexpended moneys collected under the provisions of
5 chapter ninety-seven (97), Code 1950, as amended, together with
6 all interest thereon, and also to include all securities and other assets
7 acquired by and through the use of the moneys belonging to the Iowa
8 old age and survivors' insurance trust fund, and any other moneys
9 that may be paid into this fund. There is hereby transferred to the
10 Iowa old age and survivors' insurance liquidation fund all funds and
11 assets of the old age and survivors' insurance trust fund created by
12 the provisions of section ninety-seven point five (97.5), Code 1950.
13 There shall also be deposited in the Iowa old age and survivors' in-
14 surance liquidation fund all receipts after the effective date of this
15 Act as a result of the collection of taxes or other moneys, as pro-
16 vided by section ninety-seven point eight (97.8), Code 1950.

17 1. The treasurer of state is hereby made the custodian and trustee
18 of this fund and shall administer the same in accordance with the
19 directions of the Iowa employment security commission, hereafter
20 referred to as the "commission". It shall be the duty of the trustee:

21 a. To hold said trust funds.

22 b. Under the direction of the commission and as designated by
23 the commission, invest such portion of said trust funds as are not

24 needed for current payment of benefits, in interest-bearing securities
25 issued by the United States, or interest-bearing bonds issued by the
26 state of Iowa, or bonds issued by counties, school districts and/or
27 general obligations or limited levy bonds issued by municipal cor-
28 porations in this state as authorized by law; also to sell and dispose
29 of same when needed for the payment of benefits.

30 c. Disburse such trust funds upon warrants drawn by the comp-
31 troller pursuant to the order of the employment security commission.

32 2. All moneys which are paid or deposited into this fund are
33 hereby appropriated and made available to the commission to be
34 used only for the purposes herein provided:

35 a. To be used by the commission for the payment of claims for
36 benefits.

37 b. To be used by the commission for the payment in accordance
38 with any agreement with the Federal Social Security Administra-
39 tion of amounts required to obtain retroactive federal social security
40 coverage of Iowa public employees, dating from January 1, 1951,
41 and for the payment of refunds which were authorized by the pro-
42 visions of section ninety-seven point seven (97.7), Code 1950, and
43 for the payment of such other refunds to employees as may be au-
44 thorized by the General Assembly, and such other purposes as may
45 be authorized by the General Assembly.

46 3. The Iowa employment security commission shall be vested with
47 authority to administer the Iowa old age and survivors' insurance
48 liquidation fund and shall also administer all other provisions of
49 this Act.

50 4. Any public employee subject to coverage under the provisions
51 of chapter ninety-seven (97), Code 1950, as amended, in public
52 service as of the date of the repeal of said chapter, and who has not
53 applied for and qualified for benefit payments under the provisions
54 of chapter ninety-seven (97), Code 1950, as amended, who had con-
55 tributed to the Iowa old age and survivors' insurance fund prior to
56 the repeal of said chapter ninety-seven (97), as amended, shall be
57 entitled to a refund of contributions paid into the Iowa old age and
58 survivors' insurance fund by such employee without interest, but
59 there shall be deducted from the amount of any such refund any
60 amount which has been or will be paid in his behalf as his contribu-
61 tion as an employee to obtain retroactive federal social security cov-
62 erage. Any former public employee not in public service as of the
63 date of this Act who has contributed to the Iowa old age and sur-
64 vivors' insurance fund, his beneficiaries or estate, when no benefit
65 has been paid under chapter ninety-seven (97), Code 1950, based
66 upon such employee's prior record, shall be entitled to a refund of
67 seventy-five (75%) percent of all contributions paid by him into
68 said fund, without interest. The commission shall prescribe rules
69 and regulations in regard to the granting of such refunds. In the
70 event of such refund any individual receiving the same shall be
71 deemed to have waived any and all rights in behalf of himself or
72 any beneficiary or his estate to further benefits under the provisions
73 of chapter ninety-seven (97), Code 1950, as amended.

74 5. Any employee in public service as of the effective date of this
75 Act may, in lieu of receiving the cash refund of his contributions,
76 elect to come under the coverage of any new retirement system

77 which may be created by the general assembly, to which he is eligible,
78 with credits toward future benefits in consideration of his prior
79 contributions and length of service, and may direct the transfer of
80 the amount payable to him to the assets of such new retirement
81 system.

82 6. In the payment of any benefits in the future, as a result of the
83 provisions of chapter ninety-seven (97), Code 1950, as amended,
84 the commission shall follow the same procedure as provided by
85 said chapter ninety-seven (97), as amended, as though said chapter
86 had not been repealed, except the requirements of section ninety-
87 seven point twenty-one, subsection four (4), paragraph "a" (97.21-
88 4a), and ninety-seven point twenty-one, subsection five (5) (97.21-
89 5) shall not be applicable, but no primary benefit, based upon em-
90 ployment prior to the effective date of this Act, shall be paid to any
91 individual for any month during which he receives compensation
92 for work in any position which would have been subject to cover-
93 age under the provisions of said chapter ninety-seven (97), as
94 amended, if his earnings for such month exceed one hundred dol-
95 lars, nor shall any benefit be paid to a wife or dependent of such
96 employee for such month.

1 SEC. 3. The Iowa Employment Security Commission is author-
2 ized to enter into arrangements with the Federal Bureau of Employ-
3 ment Security whereby services performed by the commission and
4 its employees both under this chapter and under the Iowa Employment
5 Security chapter shall be equitably apportioned between the funds
6 provided for the administration of said chapters. The money spent
7 for rentals, supplies, and equipment used by the commission in ad-
8 ministering both chapters shall be equitably apportioned and charged
9 against said funds.

1 SEC. 4. As used in this Act, unless clearly indicated by the con-
2 text to the contrary, all references to employment or service refer to
3 employment or service in Iowa public employment.

1 SEC. 5. This Act, being deemed of immediate importance, shall be
2 in full force and effect as of June 30, 1953, after its publication in
3 the Grinnell Herald-Register, a newspaper published at Grinnell,
4 Iowa, and the Daily Record, a newspaper published at Cedar Falls,
5 Iowa, anything in the Code to the contrary notwithstanding.

Approved May 25, 1953.

I hereby certify that the foregoing Act, House File 139, was published in the Grinnell Herald-Register, Grinnell, Iowa, May 28, 1953, and in the Daily Record, Cedar Falls, Iowa, May 27, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 72

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

H. F. 140

AN ACT creating an Iowa public employees' retirement system, providing for the administration of such retirement system by the Iowa employment security commission; creating an Iowa public employees' retirement fund and providing for the investment and expenditure thereof; creating an Iowa advisory investment board and prescribing the appointment and duties thereof; imposing a tax of three and one-half percent (3½%) of the taxable wages paid to public employees who are members of the retirement system by public employers, the proceeds of such tax to be used for the payment of benefits or refunds provided by this Act; providing for the imposition of a tax upon public employers equal to three and one-half per cent (3½%) of all the wages paid by the employer to employees who are members of the Iowa public retirement system, the proceeds of such tax to be used for the payment of benefits or refunds provided by this Act; prescribing the duties of the Iowa employment security commission in relation to the administration of this Act; providing for the payment to employees who are members of this system, or to their beneficiaries, of retirement benefits provided by this Act; providing for refunds to Iowa public employees who are members of the system under certain conditions prescribed by this Act; making an appropriation of five hundred thousand dollars (\$500,000) from the special reserve fund of the state of Iowa for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, or so much thereof as may be necessary, into the retirement fund for the maintenance of the retirement system upon a sound actuarial basis; transferring the assets of the old age and survivors' liquidation fund to the Iowa public employees' retirement fund—all relating to the establishment and administration of the Iowa public employees' retirement system.

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

1 SECTION 1. A public employees' retirement system is hereby creat-
2 ed and established to become effective as of the effective date of this
3 Act, and to be known as the "Iowa Public Employees' Retirement
4 System" hereinafter called the "system".

1 SEC. 2. The purpose of this chapter is to promote economy and
2 efficiency in the public service by providing an orderly means whereby
3 employees who become superannuated may, without hardship or prej-
4 udice, be replaced by more capable employees, and to that end provid-
5 ing a retirement system which will provide for the payment of an-
6 nuities to public employees, thereby enabling the employees to care for
7 themselves in retirement, and which by its provisions will improve
8 public employment within the state, reduce excessive personnel turn-
9 over and offer suitable attraction to high-grade men and women to
10 enter public service in the state.

1 SEC. 3. The Iowa employment security commission, hereinafter
2 called the "commission", shall be vested with authority to administer
3 the Iowa public employees' retirement system.

1 SEC. 4. It shall be the duty of the commission to administer this
2 chapter; and it shall have power and authority to adopt, amend, or
3 rescind such rules and regulations, to employ such persons, make such
4 expenditures, require such reports, make such investigations, and
5 take such other action as it deems necessary or suitable to that end.
6 Such rules and regulations shall be effective upon complying with
7 chapter fifty-one (51), Acts of the Fifty-fourth General Assembly.
8 Not later than the fifteenth day of December of each year, the com-
9 mission shall submit to the governor a report covering the adminis-
10 tration and operation of this chapter during the preceding fiscal year

11 and shall make such recommendations for amendments to this chap-
12 ter as the commission deems proper. Such report shall include a bal-
13 ance sheet of the moneys in the Iowa public employees' retirement
14 fund.

1 SEC. 5. Subject to other provisions of this chapter, the commission
2 is authorized to appoint, fix the compensation, and prescribe the duties
3 and powers of such officers, accountants, attorneys, experts, actuaries,
4 and other persons as may be necessary in the performance of its duties.
5 The commission shall classify its positions and shall establish salary
6 schedules and minimum personnel standards for the positions so clas-
7 sified. All positions shall be filled by persons selected and appointed
8 on the basis of competency and fitness for the position to be filled. The
9 commission shall not appoint or employ any person who is an officer or
10 committee member of any political party organization or who holds
11 or is a candidate for any elective public office. The commission shall
12 establish and enforce fair and reasonable regulations based upon
13 ratings of efficiency and fitness and for terminations for cause. The
14 commission may delegate to any such person so appointed such power
15 and authority as it deems reasonable and proper for the effective ad-
16 ministration of this chapter, and may in its discretion bond any person
17 handling moneys or signing checks hereunder. The commission is
18 authorized to enter into arrangements with the federal bureau of em-
19 ployment security whereby services performed by the commission and
20 its employees both under this chapter and under the Iowa employment
21 security chapter shall be equitably apportioned between the funds
22 provided for the administration of said chapters. That money spent
23 for rentals, supplies and equipment used by both agencies shall be
24 equitably apportioned and charged against said funds.

1 SEC. 6. The commission may in its discretion destroy or dispose
2 of such original reports or records as have been properly recorded or
3 summarized in the permanent records of the commission and are
4 deemed by the commission no longer necessary to the proper admin-
5 istration of this chapter. Such destruction or disposition shall be made
6 only by order of the commission and such order shall be spread on the
7 minutes of the commission. Any moneys received from the disposition
8 of such records shall be deposited to the credit of the public employees'
9 retirement fund.

1 SEC. 7. 1. There is hereby created as a special fund, separate and
2 apart from all other public moneys or funds of this state, the "Iowa
3 Public Employees' Retirement Fund", hereafter called the "retirement
4 fund". This fund shall consist of all moneys collected under this chap-
5 ter, together with all interest, dividends and rents thereon, and shall
6 also include all securities or investment income and other assets ac-
7 quired by and through the use of the moneys belonging to this fund
8 and any other moneys that have been paid into this fund.

9 2. The treasurer of the state of Iowa is hereby made the custodian
10 and trustee of this fund and shall administer the same in accordance
11 with the directions of the commission. It shall be the duty of the
12 trustee:

13 (a) To hold said trust funds.

14 (b) Invest such portion of said trust funds as in the judgment of

15 the commission are not needed for current payment of benefits under
16 this chapter in interest-bearing securities issued by the United States,
17 or interest-bearing bonds issued by the state of Iowa, or bonds issued
18 by counties, school districts and/or general obligations or limited levy
19 bonds issued by municipal corporations in this state as authorized
20 by law, or other investments authorized by insurance companies in
21 this state.

22 (c) Disburse such trust funds upon warrants drawn by the comp-
23 troller pursuant to the order of the commission.

24 3. All moneys which are paid or deposited into this fund are hereby
25 appropriated and made available to the commission to be used only for
26 the purposes herein provided:

27 (a) To be used by the commission for the payment of retirement
28 claims for benefits under this chapter, or such other purposes as may
29 be authorized by the general assembly.

30 (b) To be used by the commission to pay refunds provided for in
31 this chapter.

1 SEC. 8. A board shall be established to be known as the "Advisory
2 Investment Board of the Iowa Public Employees' Retirement System",
3 hereinafter called the "board", whose duties shall be to advise and
4 confer with the commission in matters relating to the investment of
5 the trust funds of the Iowa public employees' retirement system. The
6 powers of the board shall be purely advisory and the commission shall
7 not be bound in the making of any investment by the recommendations
8 of the board. The board shall consist of five members. Three of the
9 members shall be appointed by the governor, one of whom shall be an
10 executive of a domestic life insurance company, one an executive of a
11 state or national bank operating within the state of Iowa, and the
12 third shall be an executive of a major industrial corporation located
13 within the state of Iowa. The chairman of the social security commit-
14 tee of the house of representatives of the general assembly and the
15 chairman of the social security committee of the senate of the general
16 assembly shall be ex officio members of the board. Members appointed
17 by the governor shall be paid their actual expenses incurred in per-
18 formance of their duties and shall receive in addition thereto the sum
19 of twenty-five dollars for each day of service not exceeding forty (40)
20 days per year. Ex officio members shall receive their actual expenses
21 incurred in the performance of their duties. The appointive terms
22 of the members appointed by the governor shall be for a period of
23 six (6) years dating from July first of the year in which they are
24 appointed, but the governor shall designate, in the case of the original
25 appointees, one who shall serve for a period of two (2) years, a second
26 who shall serve for a period of four (4) years, and a third who shall
27 serve for a period of six (6) years. In the event of vacancy, through
28 resignation or any other cause, in the membership of the board, the
29 governor shall have the power of appointment. Appointees to this
30 board shall be subject to confirmation by a two-thirds vote of the
31 senate, but in the event of interim appointments, such confirmation
32 shall be necessary at the next session of the senate.

1 SEC. 9. Taxes unpaid on the date on which they are due and pay-
2 able as prescribed by the commission, shall bear interest at the rate
3 of one-half of one percentum per month from and after such date until

4 payment plus accrued interest is received by the commission, pro-
5 vided that the commission may prescribe fair and reasonable regula-
6 tions pursuant to which such interest shall not accrue with respect to
7 taxes required. Interest collected pursuant to this section shall be
8 paid into the Iowa public employees' retirement fund.

9 1. If within thirty days after due notice the employer defaults in
10 payment of taxes or interest thereon, the amount due shall be collected
11 by civil action in the name of the commission, and the employer ad-
12 judged in default shall pay the costs of such action. Civil actions
13 brought under this section to collect taxes or interest thereon shall be
14 heard by the court at the earliest possible date and shall be entitled to
15 preference upon the calendar of the court over all other civil actions.

16 2. The employer shall pay its tax or contribution from funds avail-
17 able and is directed to pay same from tax money or from any other
18 income of the political subdivision.

19 3. Every political subdivision is hereby authorized and directed to
20 levy a tax sufficient to meet its obligations under the provisions of this
21 chapter.

1 SEC. 10. In any case in which the commission finds the employer
2 has paid taxes thereon which have been erroneously paid, and has
3 filed application for an adjustment thereof, the commission shall make
4 such adjustment, compromise or settlement and make such refund of
5 such payments as it finds just and equitable in the premises. Refunds
6 so made shall be charged to the fund to which the erroneous collections
7 have been credited and shall be paid to the claimant without interest.
8 Any claim for such refund shall be made within three years of date of
9 payment and not thereafter. For lack of time and cause, adjustments,
10 compromises or refunds may be made by the commission on its own
11 initiative.

1 SEC. 11. In addition to all other taxes, there is hereby levied upon
2 each employer, as defined in section 41, and also upon each employee,
3 as defined in section 41, a tax equal to three and one-half percent
4 ($3\frac{1}{2}\%$) of the wages paid by the employer to the employee for any
5 service performed after June 30, 1953, while such employee is a mem-
6 ber of the system.

1 SEC. 12. The employer shall furnish to all employees a written
2 statement in a form prescribed by the commission suitable for reten-
3 tion by the employee, showing the wages paid to the employee after
4 July 1, 1953. Each statement shall cover a calendar year, or one, two
5 or three quarters, whether or not within the same calendar year,
6 and shall show the name of the employee, the period covered by the
7 statement, the total amount of wages paid within such period, and the
8 amount of tax imposed by this chapter with respect to such wages.
9 Each statement shall be furnished to the employee not later than thirty
10 days following the period covered by the statement, except that if the
11 employee leaves the employ of the employer, this final statement shall
12 be furnished within thirty days after the last payment of wages is
13 made to the employee. The employer may, at its option, furnish such
14 a statement to any employee at the time of each payment of wages to
15 the employee during any calendar quarter, in lieu of a statement cov-
16 ering each quarter, and, in such case, the statement may show the date
17 of payment of wages in lieu of the period covered by the statement.

1 SEC. 13. For the purposes of the state income tax, the tax imposed
2 by this chapter shall not be allowed as a deduction to the taxpayer in
3 computing his net income for any year in which such tax is deducted
4 from his wages.

1 SEC. 14. The taxes deducted from the wages of the employee by
2 the employer shall be matched by the employer making the deduction
3 and forwarded to the commission for recording and deposited with the
4 treasurer of state to the credit of the Iowa public employees' retire-
5 ment fund. Such taxes as deducted by the employer shall be paid in
6 such manner, at such times and under such conditions, either by
7 copies of payrolls or other methods necessary or helpful in securing
8 proper identification of the taxpayer, as may be prescribed by the com-
9 mission.

1 SEC. 15. The commission shall have full power and authority to
2 make rules and regulations and to establish procedures, not inconsis-
3 tent with the provisions of this chapter, which are necessary or
4 appropriate to carry out such provisions and shall adopt reasonable
5 and proper rules and regulations to regulate and provide for the nature
6 and extent of the proofs and evidence and the method of taking and
7 furnishing the same in order to establish the right to benefits here-
8 under.

1 SEC. 16. The commission is directed to make findings of fact,
2 and decisions as to the rights of any individual applying for a pay-
3 ment under this chapter. Whenever requested by any such individual
4 or by any other person who makes a showing in writing that his or
5 her rights may be prejudiced by any decision the commission has
6 rendered, it shall give such applicant and such other individual reason-
7 able notice and opportunity for a hearing with respect to such decision,
8 and, if a hearing is held, shall, on the basis of evidence adduced at the
9 hearing, affirm, modify, or reverse its findings of fact and such deci-
10 sion. The commission is further authorized, on its own motion, to hold
11 such hearings and to conduct such investigations and other proceed-
12 ings as it may deem necessary or proper for the administration of this
13 chapter. In the course of any hearing, investigation, or other proceed-
14 ings, it may administer oaths and affirmations, examine witnesses, and
15 receive evidence. Evidence may be received at any hearing before the
16 commission even though inadmissible under rules of evidence appli-
17 cable to court procedure.

1 SEC. 17. The commission shall establish and maintain records of
2 the amount of wages paid to each individual subject to coverage under
3 this Act and shall maintain a record of the contribution of each indi-
4 vidual, and also of the contribution made by each employer in behalf
5 of said individuals and such records shall be the basis for the compila-
6 tion of the retirement benefits provided under this Act. Such records
7 shall be evidence for the purpose of proceedings before the commis-
8 sion or any court of the amounts of such wages and the periods in
9 which they were paid, and the absence of an entry as to an individu-
10 al's wages in such records for any period shall be evidence that no
11 wages were paid such individual in such period.

1 SEC. 18. After the expiration of each calendar year and prior to
2 July 1 of the succeeding year, the commission shall furnish each cov-

3 ered individual with a statement of his accumulated credits under this
4 chapter up to the end of such calendar year. The commission shall mail
5 such statement to each employer not later than June 30 of the succeed-
6 ing calendar year. The employer shall distribute such statements to
7 its employees, and the records of the commission as shown by said
8 statement as to the wages of such individual for such year and the
9 periods of payment shall be conclusive for the purpose of this chapter,
10 except as hereinafter provided.

1 SEC. 19. If, prior to the expiration of six months following the de-
2 livery of such statement, it is brought to the attention of the com-
3 mission that any entry of such wages in such records is erroneous, or
4 that any item of such wages has been omitted from the records, the
5 commission may correct such entry or include such omitted item in
6 its records, as the case may be. Written notice of any revision of any
7 such entry which is adverse to the interest of any individual shall be
8 given to such individual in any case where such individual has pre-
9 viously been notified by the commission of the amount of wages and of
10 the period of payments shown by such entry. Upon request in writing
11 made prior to the expiration of six months immediately following the
12 giving of the statement provided for in section 18, the commission shall
13 afford any individual, or after his death shall afford his beneficiary
14 or any other person so entitled in the judgment of the commission, rea-
15 sonable notice and opportunity for hearing with respect to any entry
16 or alleged omission of wages of such individual in such record, or any
17 revision of any such entry. If a hearing is held, the commission shall
18 make findings of fact and a decision based upon the evidence adduced
19 at such hearing and shall revise its records accordingly. Any party
20 aggrieved by the decision of the commission under this section or
21 section 20 hereof may appeal to the district court in the manner as
22 provided in section 29 hereof.

1 SEC. 20. After the expiration of six months, as provided for in
2 section 19, and no appeal has been taken, the commission shall revise
3 any entry or include in its records any omitted item of wages to con-
4 form its records with tax or wage reports or portions of tax reports.
5 Notice shall be given of such conditions and to such individuals as is
6 provided for revisions under section 19. Upon request, notice and
7 opportunity for hearing with respect to any such entry, omission or
8 revision shall be afforded under such conditions and to such individuals
9 as is provided for in section 19 hereof, but no evidence shall be intro-
10 duced at any such hearing except with respect to conformity of such
11 records with such tax reports.

1 SEC. 21. Within thirty days after any decision of the commission
2 under sections 19 and 20 hereof, such decision shall be reviewable by
3 commencing a civil action in the district court of the state of Iowa as
4 provided in section 29 of this Act.

1 SEC. 22. For the purpose of any hearing, investigation, or other
2 proceeding authorized or directed under this chapter, or relative to
3 any other matter within its jurisdiction hereunder, the commission
4 and/or appeal referee shall have the power to issue subpoenas requir-
5 ing the attendance and testimony of witnesses and the production of
6 any evidence that relates to any matter under investigation or in ques-

7 tion before the commission. Such attendance of witnesses and produc-
8 tion of evidence at the designated place of such hearing, investigation,
9 or other proceedings may be required from any political subdivision
10 in the state. Subpoenas of the commission shall be served by anyone
11 authorized by it (a) by delivering a copy thereof to the individual
12 named therein, or (b) by registered mail addressed to such individual
13 at his last dwelling place or principal place of business. A verified re-
14 turn by the individual so serving the subpoena setting forth the manner
15 of service, or, in the case of service by registered mail, the return post
16 office receipt therefor signed by the individual so served, shall be
17 proof of service. Witnesses so subpoenaed shall be paid the same fees
18 and mileage as are paid witnesses in the district courts of the state of
19 Iowa. In the discharge of the duties imposed by this chapter, the chair-
20 man or an appeal referee and any duly authorized representative or
21 member of the commission shall have power to administer oaths and
22 affirmations, take depositions, certify to official acts, and issue sub-
23 poenas to compel the attendance of witnesses and the production of
24 books, papers, correspondence, memoranda, and other records deemed
25 necessary as evidence in connection with the administration of this
26 chapter.

1 SEC. 23. In case of contumacy by, or refusal to obey a subpoena
2 duly served upon any person, any district court of the state of Iowa
3 for the district in which said person charged with contumacy or re-
4 fusals to obey is found or resides or transacts business, upon applica-
5 tion by the commission, shall have jurisdiction to issue an order re-
6 quiring such person to appear and give testimony, or to appear and
7 produce evidence, or both. Any failure to obey such order of the court
8 may be punished by said court as contempt thereof.

1 SEC. 24. No person so subpoenaed or ordered shall be excused from
2 attending and testifying or from producing books, records, correspond-
3 ence, documents, or other evidence on the ground that the testimony
4 or evidence required of him may tend to incriminate him or subject
5 him to a penalty or forfeiture; but no person shall be prosecuted or
6 subjected to any penalty or forfeiture for, or on account of, any trans-
7 action, matter or thing concerning which he is compelled, after having
8 claimed his privilege against self-incrimination, to testify or produce
9 evidence, except that such person so testifying shall not be exempt from
10 prosecution and punishment for perjury committed in so testifying.

1 SEC. 25. A representative designated by the commission and here-
2 inafter referred to as a deputy, shall promptly examine applications
3 for retirement benefits and on the basis of facts found by him shall
4 either determine whether or not such claim is valid and if valid, the
5 month with respect to which benefits shall commence, the monthly
6 benefit amount payable, and the maximum duration thereof. The
7 deputy shall promptly notify the applicant and any other interested
8 party of the decision and the reasons therefor. Unless the applicant
9 or other interested party, within thirty calendar days after such noti-
10 fication was mailed to his last known address, files an appeal from
11 such decision, to the appeal referee as provided in section 26, such
12 decision shall be final and benefits shall be paid or denied in accord
13 therewith.

1 SEC. 26. Unless such appeal is withdrawn, an appeal referee to be
2 designated by the commission for this purpose, after affording the
3 parties reasonable opportunity for fair hearing, shall affirm or modify
4 the findings of fact and decision of the deputy. At said hearing all of
5 the evidence taken and the proceedings had shall be taken and fully
6 reported by a certified shorthand reporter. Said reporter shall promptly
7 transcribe said evidence and proceedings and certify to same. The
8 said transcript shall then be made available for use by the commission
9 and by the courts at subsequent appeals, if any. The parties shall be
10 duly notified of such referee's decision, together with its reasons there-
11 for, which shall be deemed to be the final decision of the commission
12 unless, within thirty days after the date of notification or mailing of
13 such decision, further appeal is initiated pursuant to section 27.

1 SEC. 27. Anyone aggrieved by the decision of the appeal referee
2 may, at any time before such appeal referee decision becomes final,
3 petition the commission for review of such appeal referee's decision.
4 The commission shall review the record made before the appeal referee,
5 but no additional evidence shall be heard. On the basis of such record
6 the commission shall either affirm, modify, or reverse the decision of
7 the appeal referee and shall determine the rights of the appellant on
8 the basis of such record. It shall promptly notify the appellant and
9 any other interested party by written decision.

1 SEC. 28. Any decision of the commission in the absence of an
2 appeal therefrom, as herein provided, shall become final thirty days
3 after the date of notification or mailing thereof, and judicial review
4 thereof shall be permitted only after any party claiming to be ag-
5 grieved thereby has exhausted his remedies before the commission,
6 as provided by this chapter. The commission shall be deemed to be a
7 party to any judicial action involving any such decision and may be
8 represented in any such judicial action by any qualified attorney who
9 is a regular salaried employee of the commission or who has been des-
10 ignated by the commission for that purpose or, at the commission's
11 request, by the attorney general.

1 SEC. 29. At any time prior to such commission decision becoming
2 final, any party aggrieved thereby may secure judicial review thereof
3 by commencing an action in the district court of the county in which
4 the claimant was last employed or resides, provided that if the claimant
5 does not reside in the state of Iowa the action shall be brought in the
6 district court of Polk county, Iowa, against the commission for the
7 review of this decision, in which action any other parties to the pro-
8 ceeding before the commission shall be made a defendant. In such
9 action a petition, which need not be verified but which shall state the
10 grounds upon which a review is sought, shall be served on a member
11 of the commission or upon such person as the commission may desig-
12 nate, and such service shall be deemed completed service on all parties,
13 but there shall be left with the parties so served as many copies of the
14 petition as there are defendants, and the commission shall forthwith
15 mail one such copy to each such defendant. When service is completed
16 such petition shall be filed by appellant with the clerk of the district
17 court who shall docket said cause in the same manner as provided for
18 other civil actions. The commission shall, within sixty days after the

19 notice of appeal has been served on the commission, certify and file
20 with said district court all documents and papers and a transcript of
21 all testimony taken in the matter, together with the findings of fact
22 and decision of the commission therein. With such transcript the com-
23 mission shall file its answer. The transcript, as certified and filed by
24 the commission, shall be the record upon which the appeal shall be
25 heard, and no additional evidence shall be heard. In the absence of
26 fraud, any findings of fact by the commission after notice and hear-
27 ing, as herein provided, shall be binding on the court on appeal when
28 supported by substantial and competent evidence. The commission
29 may also, in its discretion, certify to such courts, questions of law
30 involving any decision by it. Such actions, and the questions so cer-
31 tified, shall be heard in a summary manner and shall be given prece-
32 dence over all other civil cases except cases arising under the work-
33 men's compensation law and the employment security law of this state.

1 SEC. 30. Any order or decision of the commission may be modi-
2 fied, reversed, or set aside on one or more of the following grounds and
3 no other:

- 4 1. If the commission acted without or in excess of its power.
- 5 2. If the order or decree was procured by fraud.
- 6 3. If the facts found by the commission do not support the order or
7 decree.
- 8 4. If there is not sufficient competent evidence in the record to war-
9 rant the making of the order or decision.

1 SEC. 31. When the district court, on appeal, reverses or sets aside
2 an order or decision of the commission, it may remand the case to the
3 commission for further proceedings in harmony with the holdings of
4 the court, or it may enter the proper judgment, as the case may be.
5 Such judgment or decree shall have the same force and effect as if
6 action had been originally brought and tried in said court.

1 SEC. 32. An appeal may be taken from any final order, judgment,
2 or decree of the district court to the supreme court of Iowa, in the
3 same manner, but not inconsistent with the provisions of this chapter,
4 as is provided in civil cases. It shall not be necessary in any judicial
5 proceeding under this section, to enter exceptions to the rulings of the
6 commission and no bond shall be required for entering such appeal.
7 Upon the final determination of such judicial proceeding the commis-
8 sion shall enter an order in accordance with such determination. A
9 petition for judicial review shall not act as a supersedeas or stay unless
10 the commission shall so order.

1 SEC. 33. Upon final decision of the commission, or upon final judg-
2 ment of any court of competent jurisdiction, that any person is entitled
3 to any payment or payments under this chapter, the commission shall
4 certify to the state comptroller the name and address of the person so
5 entitled to receive such payment or payments, the amount of such pay-
6 ment or payments, and the time at which such payment or payments
7 should be made, and the commission, through the state comptroller,
8 shall make payment in accordance with the certification of the commis-
9 sion provided, that where a review of the commission decision is or
10 may be sought under section 28, certification of payment may be with-
11 held pending such review. The state comptroller shall not be held

12 personally liable for any payment or payments made in accordance
13 with a certification by the commission.

1 SEC. 34. When it appears to the commission that the interest of
2 an applicant entitled to a payment would be served thereby, certifica-
3 tion of payment may be made, regardless of the legal competency or
4 incompetency of the individual entitled thereto, either for direct pay-
5 ment to such applicant, or for his use and benefit to a relative or some
6 other person.

1 SEC. 35. Any payment made after June 30, 1953, under the condi-
2 tions set forth in the preceding section, shall be a complete settlement
3 and satisfaction of any claim, right, or interest in and to such pay-
4 ment.

1 SEC. 36. The commission is authorized to delegate to any member,
2 officer, or employee of the commission designated by it any of the
3 powers conferred upon it by this Act and is authorized to be repre-
4 sented by its own attorneys in any court in any case or proceeding
5 arising under the provisions of said Act.

1 SEC. 37. The commission may prescribe rules and regulations gov-
2 erning the recognition of agents or other persons, other than attorneys
3 as hereinafter provided, representing claimants before the commis-
4 sion, and may require of such agents or other persons, before being
5 recognized as representatives of claimants, that they shall show that
6 they are of good character and in good repute, possessed of the neces-
7 sary qualifications to enable them to render such claimants valuable
8 service, and otherwise competent to advise and assist such claimants
9 in the presentation of their cases. An attorney in good standing who
10 is admitted to practice before the district or supreme court of the state,
11 shall be entitled to represent claimants before the commission upon
12 filing with the commission a certificate of his right to so practice from
13 the presiding judge or clerk of any such court.

1 SEC. 38. The commission may, by rule and regulation, prescribe
2 the maximum fees which may be charged for services performed in
3 connection with any claim before the commission under this chapter,
4 and any agreement in violation of such rules and regulations shall be
5 void. Any person who shall, with intent to defraud, in any manner
6 wilfully and knowingly deceive, mislead, or threaten any claimant or
7 prospective claimant or beneficiary under this chapter by word, cir-
8 cular, letter or advertisement, or who shall knowingly charge or collect
9 directly or indirectly any fee in excess of the maximum fee, or make
10 any agreement directly or indirectly to charge or collect any fee in
11 excess of the maximum fee, prescribed by the commission, shall be
12 deemed guilty of a misdemeanor and, upon conviction thereof, shall
13 for each offense be punished by a fine not exceeding five hundred dol-
14 lars (\$500.00) or by imprisonment not exceeding one year, or both.

1 SEC. 39. The right of any person to any future payment under
2 this chapter shall not be transferable or assignable, at law or in equity,
3 and none of the moneys paid or payable or rights existing under this
4 chapter shall be subject to execution, levy, attachment, garnishment,
5 or other legal process, or to the operation of any bankruptcy or in-

6 solvency law. These moneys shall also be exempt from taxation, either
7 as income or as personal property.

1 SEC. 40. Whoever, for the purpose of causing an increase in any
2 payment authorized to be made under this chapter, or for the purpose
3 of causing any payment to be made where no payment is authorized
4 under this chapter, shall wilfully make or cause to be made any false
5 statement or representation as to the amount of any wages paid or
6 received for the period during which earned or unpaid, knowing it to
7 be false or whoever makes or causes to be made any false statement
8 of a material fact knowing it to be false in any application for any
9 payment under this chapter, or whoever wilfully makes or causes to be
10 made any false statement, representation, affidavit, or document in
11 connection with such an application knowing them to be false, shall be
12 guilty of a misdemeanor and upon conviction thereof shall be fined not
13 more than one thousand dollars (\$1,000.00) or imprisoned for not
14 more than one year, or both.

1 SEC. 41. When used in this chapter:

2 1. For the purpose of this Act the term, "wages", means all re-
3 muneration for employment; including the cash value of remunera-
4 tion paid in any medium other than cash, but not including the cash
5 value of remuneration paid in any medium other than cash necessitated
6 by the convenience of the employer, such amount as agreed upon by
7 employer and employee and reported to the commission by the em-
8 ployer shall be conclusive of the value of remuneration in a medium
9 other than cash; except that such term shall not include—

10 That part of the remuneration which, after remuneration equal to
11 four thousand dollars (\$4,000.00) has been paid to an individual with
12 respect to employment during any calendar year or any part of any
13 calendar year after the effective date of this Act, is paid to such in-
14 dividual with respect to such employment.

15 2. The term, "employment", means any service performed under an
16 employer-employee relationship under the provisions of this chapter.

17 3. (a) The term, "employer", means the state of Iowa, the counties,
18 municipalities and public school districts therein and all of the political
19 subdivisions thereof and all of their departments and instrumental-
20 ities, all hereinafter called political subdivisions, as of the effective date
21 of this Act.

22 (b) The term, "employee", means any individual who is in em-
23 ployment as defined in this chapter, except

24 (1) Members of the general assembly, elective officials in positions
25 for which the compensation is on a fee basis, elective officials of school
26 districts, elective officials of townships, and elective officials of other
27 political subdivisions who are in part-time positions.

28 (2) Such persons who are members of any other retirement system
29 in the state which is maintained in whole or in part by the public con-
30 tributions other than persons who are covered under the provisions of
31 chapter ninety-seven (97), Code 1950, as amended by the Fifty-fourth
32 General Assembly on the date of the repeal of said chapter, under the
33 provisions of House File 139, Acts of the Fifty-fifth General Assembly.

34 4. The masculine form of expression shall be deemed to include the
35 feminine.

36 5. "System" means the retirement plan as contained herein or as
37 duly amended.

38 6. "Abolished system" means the Iowa old age and survivors' insur-
39 ance system repealed by House File 139, Acts of the Fifty-fifth General
40 Assembly, 1953.

41 7. "Contributions" or "taxes" means the payments to the fund as
42 provided herein, by the employer and/or by the members, necessary
43 to provide the benefits of the retirement system.

44 8. "Member" means an individual who is a member of the retire-
45 ment system created by this chapter.

46 9. "Accumulated contributions of a member" means the total ob-
47 tained, as of any date, by accumulating each individual contribution by
48 the member at two percent (2%) interest, compounded annually, from
49 the end of the calendar year in which such contribution was made to the
50 first day of the month of such date.

51 10. "Service" means uninterrupted service under this Act by an
52 employee from the date he last entered employment of the employer
53 until the date his employment shall be terminated by death, retirement,
54 resignation or discharge; provided, however, the service of any em-
55 ployee shall not be deemed to be interrupted by:

56 (a) Service in the armed forces of the United States during a period
57 of war or national emergency, provided the employee was employed
58 by the employer immediately prior to entry into such armed forces, and
59 further provided the employee was released from such service and
60 returns to employment with the employer within ninety days of the
61 date on which he shall have the right of release from such service or
62 within such longer period as may be provided by the laws of the
63 United States applicable thereto.

64 (b) Leave of absence or vacation authorized by the employer for a
65 period not exceeding twelve months.

66 (c) The termination at the end of the school year of the contract of
67 employment of an employee who is a teacher in the public schools of
68 the state of Iowa, provided the employee enters into a further contract
69 of employment as a teacher in the public schools of the state of Iowa
70 for the next succeeding school year.

71 (d) Temporary or seasonal interruptions in service such as service
72 of school bus drivers, school teachers, instructors at Iowa state college,
73 the state university of Iowa, or Iowa state teachers college, employees
74 in state schools or hospital dormitories or other positions when the
75 temporary suspension of service does not terminate the period of em-
76 ployment of the employee.

77 11. "Prior service" means any service by an employee rendered at
78 any time prior to the effective date of this Act, except any such service
79 while the employee was a public elected official.

80 12. "Years of prior service" means the total of all periods of prior
81 service of a member. In the determination of such total years of prior
82 service any fraction of the total in excess of an integral number of
83 years which is at least six months shall be deemed to be a complete year
84 and any smaller fraction shall be disregarded.

85 13. "Beneficiary" means the person or persons entitled to receive
86 any benefits at the death of a member payable under this Act who has
87 or have been designated in writing by the member and filed with the
88 commission, or if no such designation is in effect at the time of death

89 of the member or if no person so designated is living at that time, then
90 the beneficiary shall be the estate of the member.

91 14. "Reserve" means the amount required, as of any date, under the
92 actuarial assumptions of the retirement system, to provide benefits
93 under the retirement system based upon contributions of members
94 and employers as of said date, and credits to members on account of
95 service prior to July 1, 1953.

96 15. "Actuarial equivalent" means a benefit of equal value when
97 computed upon the basis of such actuarial tables as are adopted by
98 the commission.

99 16. For purposes of this Act "interest earned" shall be determined
100 on the following basis:

101 (a) interest earnings shall be on an accrued basis,

102 (b) capital gains and losses, realized or unrealized, shall not be in-
103 cluded, and

104 (c) the interest rate shall be based upon mean invested assets of
105 the retirement fund.

1 SEC. 42. Each employee whose employment commences after the
2 effective date of this Act or who has not qualified for credit for prior
3 service rendered prior to the effective date of this Act, or any publicly
4 elected official of the state or any of its political subdivisions, other
5 than members of the general assembly, elective officials in positions
6 for which the compensation is on a fee basis, elective officials of school
7 districts, elective officials of townships, and elective officials of other
8 political subdivisions who are in part-time positions, shall become a
9 member upon the first day of the month following the month in which
10 such employee is employed. He shall continue to be a member so long
11 as he continues in public employment except that he shall cease to be a
12 member if after making said election he joins another retirement
13 system in the state which is maintained in whole or in part by public
14 contributions or payments which has been in operation prior to the
15 effective date of this Act and was subsequently liquidated and may
16 have thereafter been reestablished. However, the participation in such
17 other retirement system shall be voluntary and shall not be a condition
18 for continuance of employment. The term "employee" as used herein
19 shall not include any individual performing any service in any calendar
20 quarter in which the remuneration for such service does not equal or
21 exceed the sum of two hundred dollars (\$200.00) or any services per-
22 formed during school vacations or outside of school hours by individ-
23 uals who are students and who devote their time and efforts chiefly
24 to their studies, rather than to incidental employment.

1 SEC. 43. Each member in service on the effective date of this Act
2 who made contributions under the abolished system, and who has not
3 applied for and qualified for benefit payments under the abolished
4 system, shall receive credit for years of prior service in the determina-
5 tion of retirement allowance payments under any of the provisions of
6 this chapter, provided (a) such member elects to become a member on
7 or before October 1, 1953, (b) such member has not made application
8 for a refund of such part of his contributions under the abolished
9 system as is payable under the provisions of the act repealing chapter
10 ninety-seven (97), Code 1950, as amended by the Fifty-fourth General
11 Assembly, and (c) such member gives written authorization prior to

12 October 1, 1953, to the commission to credit to the retirement fund
13 the amount of his contribution which would be subject to claim for
14 refund. The amount so credited shall, after such transfer, be con-
15 sidered as a contribution to the system made as of the effective date of
16 this Act by the member and shall be included as such in the determina-
17 tion of the amount of any accumulated contributions payable under
18 this chapter in the event of the death prior to retirement or termina-
19 tion of employment of the member, but shall not be included in the
20 accumulated contributions of the member in the determination of the
21 amount of any retirement allowance payable under this chapter. Pro-
22 vided, however, an employee who was under a contract of employment
23 as a teacher in the public schools of the state of Iowa at the end of the
24 school year 1952-1953, or any person covered by the provisions of (c)
25 or (d) of subsection 9,* of section 41 shall be considered as in service
26 as of the effective date of this Act if they were members of the abolished
27 system.

28 Any person with a record of thirty (30) years as a public employee
29 in the state of Iowa prior to July 1, 1947, and who is not eligible for
30 prior service credit under other provisions of this section, shall be
31 entitled to a credit for years of prior service in the determination of
32 the retirement allowance payment under any of the provisions of this
33 chapter, provided such public employee makes application to the em-
34 ployment security commission for such credit for prior public service,
35 accompanied by such verification of his claim as the commission may
36 require. His allowance for prior service credits shall be computed in
37 the same manner as otherwise provided in this section, but shall not
38 exceed the sum of four hundred fifty dollars (\$450.00) nor be less than
39 three hundred dollars (\$300.00) per annum. Any such person shall be
40 entitled to receive retirement allowances contributed as provided by
41 this chapter, effective from the date of application to the employment
42 security commission, provided such application is approved.

1 SEC. 44. Each member shall designate on a form to be furnished
2 by the commission a beneficiary for any death benefits payable here-
3 under on the death of such member. Such designation may be changed
4 from time to time by the member by filing a new designation with the
5 commission.

1 SEC. 45. A member may retire on the first day of any month coin-
2 ciding with or following the date he attains the age of sixty-five upon
3 written notification to the commission, setting forth at what time the
4 retirement is to become effective, provided such effective date shall be
5 after his last day of service. A member shall retire from the employ-
6 ment of the employer no later than the first day of the month coincid-
7 ing with or next following the date he attains the age of seventy,
8 except as otherwise provided in section 46 following.

1 SEC. 46. A member may, on the request of the employer, remain
2 in the active employ of the employer beyond the date he attains the
3 age of seventy for such period or periods as the employer from time
4 to time shall approve. The member shall retire from the employment
5 of the employer at the end of the last approved period, on the first day
6 of the month next following or coinciding with such date.

*Subsection 10 probably intended.

1 SEC. 47. A member may retire from the employment of the em-
2 ployer on the first day of any month coinciding with or next following
3 the date he attains the age of fifty-five and prior to the date he attains
4 the age of sixty-five, upon written notification to the commission, made
5 by the member, setting forth at what time the retirement is to become
6 effective, provided that such effective date shall be after his last day
7 of service, and after the filing of such notice, but shall not be less than
8 thirty days or more than ninety days subsequent to the filing of such
9 notice.

1 SEC. 48. Anything in this chapter to the contrary notwithstand-
2 ing, should a retired member be at any time in regular full-time em-
3 ployment after his retirement under any of the provisions of this
4 chapter, his retirement allowance payments under this chapter shall
5 cease as long as he remains in service. Upon any later retirement
6 under any of the provisions of this chapter such member shall receive a
7 retirement allowance based upon (a) contributions, if any, under this
8 chapter, of the member and of his employer on his behalf due to his
9 service while a member during his period of reemployment, plus (b)
10 the amount of his retirement allowance payable prior to his reemploy-
11 ment, increased on an actuarial basis for the period between his date
12 of reemployment and his date of later retirement.

1 SEC. 49. A member shall upon retirement at or after the date he
2 attains the age of sixty-five receive a monthly retirement allowance
3 which shall commence on such retirement date and shall be continued
4 on the first day of each month thereafter during his lifetime. The
5 amount of each such monthly retirement allowance shall be determined
6 as the sum of one (1) and two (2) following:

7 1. The actuarial equivalent of the total under this chapter of the
8 contributions of the member and the contributions of his employer on
9 his behalf due to his service after the effective date of this Act while a
10 member, with interest earned thereon not to exceed two percent (2%)
11 per annum to be added at the end of each calendar year, from the end
12 of the calendar year in which such contribution was made to the date
13 the retirement allowance is to commence.

14 2. One-third of one percent ($\frac{1}{3}\%$) of the monthly rate of the total
15 wages not in excess of three thousand dollars (\$3,000.00) annually
16 received by the member during the twelve consecutive months of his
17 period of prior service for which such total wages were at their greatest
18 amount multiplied by the years of prior service of the member credited
19 hereunder, if any.

1 SEC. 50. A member shall upon retirement at age fifty-five or later,
2 under the provisions of section 47 receive a monthly retirement allow-
3 ance which shall commence on the date of such retirement and shall
4 be continued on the first day of each month thereafter during his life-
5 time.

6 The amount of each monthly retirement allowance shall be deter-
7 mined in the same manner as provided in section forty-nine (49), ex-
8 cept that the amount of any monthly retirement allowance so
9 determined in accordance with subsection two (2) of section forty-
10 nine (49) shall be reduced on an actuarial equivalent basis for the
11 period that the retirement date precedes the first day of the month
12 next following or coinciding with the date he attains the age of sixty-

13 five (65).

14 If the monthly retirement allowance of any member as computed
15 under the provisions of section forty-nine (49) or section fifty (50)
16 shall be less than eight and thirty-three hundredths dollars (\$8.33)
17 per month, such retirement allowance shall be payable semiannually,
18 commencing on the member's retirement date, equal in amount to the
19 actuarial equivalent of the monthly retirement allowance otherwise
20 payable.

1 SEC. 51. Each member shall have the right at any time prior to
2 his retirement date to elect to have his retirement allowance payable
3 under the option hereinafter set forth in this section in lieu of the re-
4 tirement allowance otherwise payable to him upon retirement under
5 any of the provisions of the retirement system. The amount of any
6 optional retirement allowance shall be the actuarial equivalent of the
7 amount of such retirement allowance otherwise payable to him. The
8 member shall make such an election by written request to the com-
9 mission and such an election will be subject to the approval of the
10 commission.

11 1. A member may elect to receive a decreased retirement allowance
12 during his lifetime and have such decreased retirement allowance (or
13 a designated fraction thereof) continued after his death to another
14 person, called a contingent annuitant, during the lifetime of the con-
15 tingent annuitant. In case of such an election, no death benefits, as
16 might otherwise be provided by this chapter, will be payable upon the
17 death of either the member or the contingent annuitant after the mem-
18 ber's retirement.

19 2. The election by a member or the contingent annuitant of the op-
20 tion stated under subsection 1 of this section shall be null and void if
21 the member dies prior to retirement.

22 3. A member who had elected to take the option stated in subsection
23 1 of this section may, at any time prior to his retirement, revoke such
24 an election by written notice to the commission.

1 SEC. 52. 1. If a member dies prior to the date his first retirement
2 allowance is payable under the retirement system, the accumulated
3 contributions by the member at date of death will be payable to his
4 beneficiary.

5 2. If a member dies after the date his first retirement allowance is
6 payable under the retirement system, the excess, if any, of the accumu-
7 lated contributions by the member as of said date, over the total
8 monthly retirement allowances received by him under the retirement
9 system will be paid to his beneficiary unless the retirement allowance
10 is then being paid in accordance with subsection 1 of section 51.

11 3. Other than as provided above in subsections 1 and 2 of this sec-
12 tion, or section 51, all rights to any benefits under the retirement sys-
13 tem will cease upon the death of a member.

1 SEC. 53. All rights to all benefits under the retirement system will
2 cease upon a member's termination of employment with the employer
3 prior to his retirement, other than by death, except as provided here-
4 after:

5 1. Upon the termination of employment with the employer prior to
6 retirement other than by death of a member, the accumulated contri-
7 butions by the member at the date of such termination will be paid to

8 such member, except as may be provided in subsection 2 and subsec-
9 tion 5 of this section.

10 2. If the employment with the employer of a member is terminated
11 prior to his retirement, other than by death, but after he has either
12 (a) attained the age of forty-eight and completed at least eight years
13 of service, or (b) has attained the age of fifty-five, he shall re-
14 ceive a monthly retirement allowance commencing on the first day of
15 the month next following or coinciding with the date he attains the
16 age of sixty-five, if he is then alive, or, if the member so elects in ac-
17 cordance with section 47 of this chapter, commencing on the first day
18 of any month coinciding with or next following the date he attains the
19 age of fifty-five and prior to the date he attains the age of sixty-five,
20 and continuing on the first day of each month thereafter during his
21 lifetime, provided the member does not receive prior to the date his
22 retirement allowance is to commence, a refund of his accumulated con-
23 tributions under any of the provisions of this chapter. The amount
24 of each such monthly retirement allowance shall be determined as
25 provided in either section 49 of this chapter or in section 50 of this
26 chapter, whichever is applicable, but if such monthly benefit is less
27 than eight and thirty-three hundredths dollars (\$8.33) per month, it
28 shall be paid semiannually as provided in section 50.

29 3. A member who is entitled to the benefits of subsection 2 of this
30 section shall have the right, prior to the commencement of his retire-
31 ment allowance, to receive a refund of his accumulated contributions,
32 and in the event of the death of the member prior to the commencement
33 of his retirement allowance and prior to the receipt of any such refund
34 the benefits of subsection 1 of section 51 of this chapter shall be paid.

35 4. No member shall be entitled to any refund based upon any credit
36 for prior service as determined under the provisions of section 43 or
37 for any portion of any contribution made by an employer unless other-
38 wise provided by this Act.

39 5. Any member whose employment is terminated after he has ac-
40 cumulated five or more years of employment, either under the provi-
41 sions of this Act or as a result of prior service credits, may elect to
42 leave his accumulated contributions in the retirement fund. A mem-
43 ber shall not be considered as having terminated his employment if he
44 accepts other employment in the state of Iowa under which he is eli-
45 gible to membership in the Iowa public employees' retirement system,
46 within three (3) months after he has left public employment. In the
47 event he returns to public employment at any time within five years
48 after this termination of employment he shall be entitled to resume
49 membership in the system with the same credits for prior service
50 and accumulated contributions that he had earned when his original
51 employment was terminated. No interest shall be credited on his ac-
52 cumulated contributions nor on his employer's accumulated contri-
53 butions during the period from the time of his termination of employ-
54 ment to his resumption of employment. Any member who has resumed
55 employment under the provisions of this subsection shall not be eli-
56 gible for any second period of absence from membership as a result
57 of termination of service until he shall have been employed for a pe-
58 riod of five years or more from the date of resumption of employment.
59 Unless a member terminating employment elects at the time or prior
60 to the time his employment is terminated, his accumulated contribu-

61 tions shall be returned to him. In any case, where a member elects not
62 to receive his accumulated contributions and does not resume public
63 service within five years from the date of termination of employment,
64 his accumulated contributions shall be refunded to him, at the end of
65 the five years immediately following his termination of employment,
66 or in the event of his prior death, to his beneficiary or his estate, but
67 in no case shall interest be allowed upon his accumulated contribu-
68 tions for any period he is not an employee.

69 Any member who elects not to withdraw his accumulated contri-
70 butions upon termination of employment may at any time request
71 the return of his accumulated contributions, but if he receives such
72 return of contributions he shall be deemed to have waived all claims
73 for any other benefits from the fund.

1 SEC. 54. There is hereby appropriated from the special reserve
2 fund of the state of Iowa for each year of the biennium beginning July
3 1, 1953, and ending June 30, 1955, the sum of five hundred thousand
4 dollars (\$500,000.00) or so much thereof as may be necessary, to the
5 retirement fund, in addition to any amounts payable as provided under
6 section 11 of this chapter, such amount to be known as the "Accrued
7 Liability Contribution". The accrued liability contribution shall be
8 that annual amount required to provide for the liquidation, prior to
9 July 1, 1998, of the liability for retirement allowances payable under
10 this chapter arising from the prior service of members credited under
11 this chapter. The unfunded accrued liability at any particular time
12 shall be the excess, if any, of the present value of retirement allowances
13 due to prior service, over the sum of (a) the net total accumulated ac-
14 crued liability contributions (after adjustment for retirement allow-
15 ance payments due to prior service) and (b) any assets transferred
16 to the retirement fund in accordance with section fifty-six (56) of this
17 Act, with interest on such sum at the rates of interest earned each year
18 on the retirement fund. Accrued liability contributions shall be deter-
19 mined on actuarial bases adopted by the commission. Such contribu-
20 tions shall be determined by the commission after each valuation of the
21 assets and liabilities of the system, and shall continue in force until a
22 new valuation is made. At least sixty (60) days prior to each regular
23 session of the general assembly, the commission shall certify to the
24 state comptroller and the governor the amount of the accrued liability
25 contributions payable hereunder, and the amount so ascertained shall
26 be included in the governor's budget message and appropriation bills
27 submitted to the general assembly.

1 SEC. 55. Anything in this chapter to the contrary notwithstand-
2 ing, the sum of all the amounts payable in any year by the state of
3 Iowa under section 54 of this chapter shall not exceed five hundred
4 thousand dollars (\$500,000.00).

1 SEC. 56. The assets of the old age and survivors' liquidation fund,
2 established by House File 139, Acts of the Fifty-fifth General Assem-
3 bly, and any future payments or assets payable to the old age and sur-
4 vivors' liquidation fund, are hereby transferred to the retirement fund
5 and all payments hereafter due in accordance with the provisions of
6 said Act shall be paid from the retirement fund, and the liability for
7 such payments shall be considered as allowances arising from prior
8 service as provided in section 54.

1 SEC. 57. The commission shall prepare and distribute to the em-
2 ployees, at the expense of the state and in such a manner as it shall
3 deem appropriate, information concerning the retirement system.

1 SEC. 58. To enable the commission to perform its functions, the
2 employer shall upon the request of the commission supply full and
3 timely information to the commission of all matters relating to the
4 pay of all members, date of birth, their retirement, death or other
5 cause for termination of employment, and such other pertinent facts
6 as the commission may require.

1 SEC. 59. The commission shall employ an actuary as its technical
2 adviser. The compensation of the actuary and of other employees shall
3 be fixed by the commission within the appropriations made therefor.

1 SEC. 60. At least once in each two-year period, the commission
2 shall cause an actuarial investigation to be made of all experience
3 under the retirement system. Pursuant to such an investigation, the
4 commission shall, from time to time, determine upon an actuarial basis
5 the condition of the system and shall report to the general assembly
6 its findings and recommendations. The commission shall adopt from
7 time to time mortality tables and all other necessary factors for use
8 in all actuarial calculations required in connection with the retire-
9 ment system.

1 SEC. 61. The commission shall cause an annual valuation to be
2 made of the assets and liabilities of the retirement system and shall
3 prepare an annual statement of the amounts to be contributed by the
4 employer under this chapter, and shall publish annually such valu-
5 ation of the assets and liabilities and the statement of receipts and
6 disbursements of the retirement system.

1 SEC. 62. Every employee accepting employment or continuing in
2 employment shall as long as he continues to be a member and has
3 not become a member of another retirement system in the state which
4 is maintained in whole or in part by public contributions or payments
5 be deemed to consent and agree to any deductions from his compen-
6 sation required by this chapter and to all other provisions thereof.

1 SEC. 63. Nothing in this Act shall be deemed to exclude from cov-
2 erage, under the provisions of this Act, any public employee who is not
3 on or as of the effective date of this Act, a member of another retire-
4 ment system supported by public funds. All such employees and their
5 employers shall be required to make contributions as specified as to
6 other public employees and employers.

7 Nothing in this Act shall be deemed to prohibit the reestablishment
8 of a retirement system supported by public funds which had been
9 in operation prior to the effective date of this Act and was subsequently
10 liquidated.

1 SEC. 64. None of the laws of this state regulating insurance or
2 insurance companies shall apply to the commission or to the Iowa
3 public employees' retirement system or any of its funds.

1 SEC. 65. The right is reserved to the general assembly to alter,
2 amend, or repeal any provision of this chapter or any application

3 thereof to any person, provided, however, that to the extent of the
 4 funds in the retirement system the amount of benefits which at the
 5 time of any such alteration, amendment, or repeal shall have accrued
 6 to any member of the system shall not be repudiated, provided further
 7 however, that the amount of benefits accrued on account of prior serv-
 8 ice shall be adjusted to the extent of any unfunded accrued liability
 9 then outstanding.

1 SEC. 66. Each member of the Iowa employment security commis-
 2 sion shall be paid for his services, in addition to his compensation now
 3 provided in section 96.10, Code 1950, the sum of one thousand dollars
 4 (\$1,000.00) per year, payable monthly, to be paid from the funds
 5 hereby appropriated for the administration of this chapter.

1 SEC. 67. There is hereby appropriated out of the Iowa public em-
 2 ployees' retirement system fund, for each year of the biennium be-
 3 ginning July 1, 1953, and ending June 30, 1955, a sum sufficient to
 4 pay the costs of the administration of this Act.

1 SEC. 68. Nothing in this Act shall be interpreted as removing the
 2 Iowa employment security commission out from under the provisions
 3 of section eight point five (8.5), Code 1950, as amended by chapter
 4 forty-five (45), Acts of the Fifty-fourth General Assembly.

Approved May 25, 1953.

CHAPTER 73

FEDERAL SOCIAL SECURITY FOR PUBLIC EMPLOYEES

H. F. 138

AN ACT to provide for the coverage of certain officers and employees of the state of Iowa, of interstate instrumentalities jointly created by the state of Iowa and any other state or states, and of local governments of the state of Iowa, under the old age and survivors' insurance provisions of Title II of the federal Social Security Act, as amended; to prescribe the powers and duties of the Iowa employment security commission in respect to such coverage, imposing taxes upon public employees and public employers to cover the cost of said coverage, and authorizing the levy of taxes by public employers to provide funds for the payment of the tax imposed upon public employers.

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

1 SECTION 1. In order to extend to employees of the state and its
 2 political subdivisions and to the dependents and survivors of such em-
 3 ployees, the basic protection accorded to others by the Old Age and
 4 Survivors' Insurance System embodied in the Social Security Act,
 5 Title II of the Federal Social Security Act, it is hereby declared to be
 6 the policy of the general assembly, subject to the limitations of this
 7 Act, that such steps be taken as to provide such protection to em-
 8 ployees of the state and its political subdivisions on as broad a basis
 9 as is permitted under the Social Security Act, Title II.

1 SEC. 2. For the purposes of this Act:

2 1. The term "wages" means all remuneration for employment as de-
 3 fined herein, including the cash value of all remuneration paid in any

4 medium other than cash, except that such term shall not include that
5 part of such remuneration which, even if it were for "employment"
6 within the meaning of the Federal Insurance Contribution Act, would
7 not constitute "wages" within the meaning of that Act.

8 2. The term "employment" means any service performed by an
9 employee in the employ of the state, or any political subdivision there-
10 of, for such employer, except (1) service which in the absence of an
11 agreement entered into under this Act would constitute "employ-
12 ment" as defined in the Social Security Act; or (2) service which un-
13 der the Social Security Act may not be included in an agreement be-
14 tween the state and the federal security administrator entered into
15 under this Act.

16 3. The term "employee" includes elective and appointive officials of
17 the state or any political subdivision thereof, except members of the
18 general assembly, elective officials in positions, the compensation for
19 which is on a fee basis, elective officials of school districts, elective
20 officials of townships, and elective officials of other political subdivi-
21 sions who are in part time positions.

22 4. The term "employer" means the state of Iowa and all of its politi-
23 cal subdivisions which employ persons eligible to coverage under an
24 agreement entered into by this state and the federal security adminis-
25 trator under the provisions of the Social Security Act, Title II, of
26 the Congress of the United States as amended.

27 5. The term "state agency" means the Iowa employment security
28 commission.

29 6. The term "political subdivision" includes an instrumentality (1)
30 of the state of Iowa, (2) of one or more of its political subdivisions or
31 (3) of the state and one or more of its political subdivisions, but only
32 if such instrumentality is a juristic entity which is legally separate and
33 distinct from the state or subdivision and only if its employees are not
34 by virtue of their relation to such juristic entity employees of the state
35 or subdivisions.

36 7. The term "Social Security Act" means the Act of Congress ap-
37 proved August 14, 1935, Chapter 531, 49 Stat. 620, officially cited as
38 the "Social Security Act", Title II (including regulations and require-
39 ments issued pursuant thereto) as such Act has been and may from
40 time to time be amended.

41 8. The term "Federal Insurance Contributions Act" means sub-
42 chapter A of Chapter 9 of the Federal Internal Revenue Code as such
43 code has been and may from time to time be amended.

44 9. The term "Federal Security Administrator" means the admin-
45 istrator of the Federal Security Agency (or his successor in function),
46 and includes any individual to whom the Federal Security Adminis-
47 trator has delegated any of his functions under the Social Security
48 Act, Title II, with respect to coverage under such Act of employees of
49 states and their political subdivisions.

1 **SEC. 3. Federal-state Agreement.** The state agency, with the ap-
2 proval of the governor and the attorney general, is hereby authorized
3 to enter on behalf of the state into an agreement with the Federal
4 Security Administrator, consistent with the terms and provisions of
5 this Act, for the purpose of extending the benefits of the Federal Old
6 Age and Survivors' Insurance System to employees of the state or

7 any political subdivision thereof with respect to services specified in
8 such agreement which constitute "employment" as defined in section
9 two (2) of this Act. Such agreement may contain such provisions
10 relating to coverage, benefits, contributions, effective date, modifica-
11 tion and termination of the agreement, administration, and other
12 appropriate provisions as the state agency and Federal Security Ad-
13 ministrator shall agree upon, but, except as may be otherwise required
14 by or under the Social Security Act, Title II, as to the services to be
15 covered, such agreement shall provide in effect that:

16 1. Benefits will be provided for employees whose services are cov-
17 ered by the agreement (and their dependents and survivors) on the
18 same basis as though such services constituted employment within the
19 meaning of Title II of said Social Security Act.

20 2. The state will pay to the secretary of the treasury, at such time
21 or times as may be prescribed under the Social Security Act, Title II,
22 contributions with respect to wages (as defined in section two (2) of
23 this Act), equal to the sum of taxes which would be imposed by sec-
24 tions 1400 and 1410 of the Federal Insurance Contributions Act, if
25 the services covered by the agreement constituted employment within
26 the meaning of that Act.

27 3. Such agreement shall be effective with respect to services in em-
28 ployment covered by the agreement performed after a date specified
29 therein, but in no event may it be effective with respect to any such
30 services performed prior to the first day of the calendar year in which
31 such agreement is entered into or in which the modification of the
32 agreement making it applicable to such services is entered into, pro-
33 vided that in the case of an agreement or modification made after the
34 effective date of this Act and prior to January 1, 1954, such agreement
35 or modification of the agreement shall be made effective with respect
36 to any such services performed on or after January 1, 1951.

37 4. All services which constitute employment as defined in section
38 two (2), and are performed in the employ of the state, or any politi-
39 cal subdivision, by employees of the state, or of any political subdivi-
40 sion, shall be covered by the agreement.

1 SEC. 4. Any instrumentality jointly created by this state and any
2 other state or states is hereby authorized, upon the granting of like
3 authority by such other state or states, (a) to enter into an agree-
4 ment with the Federal Security Administrator whereby the benefits
5 of the Federal Old Age and Survivors' Insurance System shall be ex-
6 tended to employees of such instrumentality, (b) to require its em-
7 ployees to pay (and for that purpose to deduct from their wages) con-
8 tributions equal to the amounts which they would be required to pay
9 under section five (5) if they were covered by an agreement made pur-
10 suant to section three (3), and (c) to make payments to the secretary
11 of the treasury in accordance with such agreement, including pay-
12 ments from its own funds, and otherwise to comply with such agree-
13 ments. Such agreement shall, to the extent practicable, be consistent
14 with the terms and provisions of section three (3) and other provi-
15 sions of this Act.

1 SEC. 5. Every employee whose services are covered by an agree-
2 ment entered into under section three (3) shall be required to pay
3 for the period of such coverage into the contribution fund established

4 by section twelve (12), a tax which is hereby imposed with respect to
5 wages received during the calendar year of 1953, equal to one and one-
6 half per centum ($1\frac{1}{2}\%$) of such wages; with respect to wages re-
7 ceived during the calendar years 1954 to 1959, both inclusive, not to
8 exceed two per centum (2%) of such wages; with respect to wages
9 received during the calendar years 1960 to 1964, both inclusive, not
10 to exceed two and one-half per centum ($2\frac{1}{2}\%$) of such wages; with
11 respect to wages received during the calendar years 1965 to 1969, both
12 inclusive, not to exceed three per centum (3%) of such wages; and
13 with respect to wages after December 31, 1969, not to exceed three
14 and one-fourth per centum ($3\frac{1}{4}\%$) of such wages. Such payment
15 shall be considered a condition of employment as a public employee.
16 Taxes deducted from the wages of the employee by the employer and
17 taxes imposed upon the employer shall be forwarded to the state agency
18 for recording and shall be deposited with the treasurer of state to the
19 credit of the contribution fund established by section twelve (12) of
20 this chapter.

1 SEC. 6. The tax imposed by sections five (5) and fourteen (14)
2 shall be collected by each employer from the employee by deducting
3 the amount of the tax from wages as and when paid, but failure to
4 make such deduction shall not relieve the employee from liability for
5 such taxes.

1 SEC. 7. For the purpose of the state income tax, the tax imposed
2 by this chapter shall be allowed as a deduction to the taxpayer in
3 computing his net income for the year in which such tax is deducted
4 from his wages.

1 SEC. 8. The employer shall furnish to all employees a written state-
2 ment in a form prescribed by the state agency suitable for retention
3 by the employees, showing the wages paid to the employee after Jan-
4 uary 1, 1953. Each statement shall cover a calendar year, or one,
5 two or three quarters, whether or not within the same calendar year,
6 and shall show the name of the employee, the period covered by the
7 statement, the total amount of wages paid within such period, and
8 the amount of tax imposed by this chapter with respect to such wages.
9 Each statement shall be furnished to the employee not later than
10 thirty (30) days following the period covered by the statement, ex-
11 cept that, if the employee leaves the employ of the employer, this
12 final statement shall be furnished within thirty (30) days after the
13 last payment of wages is made to the employee. The employer may,
14 at its option, furnish such a statement to any employee at the time of
15 each payment of wages to the employee during any calendar quarter,
16 in lieu of a statement covering such quarter, and, in such case, the
17 statement may show the date of payment of wages in lieu of the pe-
18 riod covered by the statement.

1 SEC. 9. If more or less than the correct amount of the tax imposed
2 by section five (5) is paid or deducted with respect to any remunera-
3 tion, proper adjustments, or refund if adjustment is impracticable,
4 shall be made in such manner and at such times as the state agency
5 shall prescribe.

1 SEC. 10. In addition to all other taxes there is hereby imposed upon
2 each employer as defined in section two (2) subsection four (4) of

3 this chapter, a tax equal to the following per centum of the wages
 4 paid by the employer to each employee: with respect to wages received
 5 during the calendar year 1953, equal to one and one-half per centum
 6 ($1\frac{1}{2}\%$) of such wages; with respect to wages received during the
 7 calendar years 1954 to 1959, both inclusive, not to exceed two per
 8 centum (2%) of such wages; with respect to wages received during the
 9 calendar years 1960 to 1964, both inclusive, not to exceed two and
 10 one-half per centum ($2\frac{1}{2}\%$) of such wages; with respect to wages
 11 received during the calendar years 1965 to 1969, both inclusive, not
 12 to exceed three per centum (3%) of such wages; and with respect to
 13 wages received after December 31, 1969, not to exceed three and one-
 14 fourth per centum ($3\frac{1}{4}\%$) of such wages. The employer shall pay
 15 its tax or contribution from funds available and is directed to pay
 16 same from tax money or from any other income available. The politi-
 17 cal subdivision is hereby authorized and directed to levy in addition
 18 to all other taxes a property tax sufficient to meet its obligations under
 19 the provisions of this chapter, if such tax levy is necessary because
 20 other funds are not available.

1 SEC. 11. Such taxes as deducted by the employer from the earnings
 2 of employees or upon the employers shall be paid in such manner, at
 3 such times and under such conditions as may be prescribed by the
 4 state agency. If more or less than the correct amount of the tax im-
 5 posed upon the employer is paid or deducted, proper adjustments or
 6 refund, if adjustment is impracticable, shall be made in such manner
 7 and at such times as the state agency shall prescribe.

1 SEC. 12. There is hereby established in the office of the treasurer
 2 of state a special fund to be known as the contribution fund. Such
 3 fund shall consist of, and there shall be deposited in such fund: (a)
 4 all taxes, interest, and penalties collected under sections 5, 10 and
 5 11; (b) all moneys appropriated thereto under this Act; (c) any prop-
 6 erty or securities and earnings thereof acquired through the use of
 7 moneys belonging to the fund; (d) interest earned upon any moneys
 8 in the fund, and (e) all sums recovered upon the bond of the custo-
 9 dian or otherwise for losses sustained by the fund and all other moneys
 10 received for the fund from any other source. Subject to the provi-
 11 sions of this Act, the state agency is vested with full power, authority
 12 and jurisdiction over the fund, including all moneys and property or
 13 securities belonging thereto, and may perform any and all acts whether
 14 or not specifically designated, which are necessary to the administra-
 15 tion thereof and are consistent with the provisions of this Act. All
 16 moneys in this fund shall be mingled and undivided.

1 SEC. 13. The contribution fund shall be established and held sep-
 2 arate and apart from any other funds or moneys of the state and shall
 3 be used and administered exclusively for the purpose of this Act.
 4 Withdrawals from such fund shall be made for, and solely for, pay-
 5 ment of amounts required to be paid to the secretary of the treasury
 6 pursuant to an agreement entered into under section 3, or the payment
 7 of refunds provided for in this Act.

1 SEC. 14. Any elective official of the state of Iowa, or any of its
 2 political subdivisions, who becomes subject to federal social security
 3 coverage under the provisions of the agreement referred to in section

4 3 of this Act shall, not later than October 1, 1953, pay into the con-
5 tribution fund established by section 12 a tax sufficient to pay in his
6 behalf an amount equal to three percent (3%) of his compensation
7 received as a public official for each year or portion thereof that he
8 has served as a public elective official since January 1, 1951, not to
9 exceed thirty-six hundred dollars (\$3600.00) for any year of service.
10 The employment security commission shall collect the tax hereby im-
11 posed and the proceeds from such tax shall be used for the purpose of
12 obtaining retroactive federal social security coverage for elective offi-
13 cials, for the period beginning January 1, 1951, in the same manner
14 as is provided in the case of other public employees by the provisions
15 in subsection "b" of section two (2) of House File 139, Laws of the
16 Fifty-fifth General Assembly in order to obtain retroactive federal
17 social security coverage during this period of time, such contribution
18 to be collected and guaranteed by the employer. The employment
19 security commission will pay any such amount contributed to provide
20 for retroactive federal social security coverage for the individual in
21 question in the same manner as other payments are made for retro-
22 active coverage of public employees.

1 SEC. 15. From the contribution fund the custodian of the fund
2 shall pay to the secretary of the treasury of the United States such
3 amounts and at such time or times as may be directed by the state
4 agency in accordance with any agreement entered into under section
5 3 of this Act and the Social Security Act, Title II.

1 SEC. 16. The treasurer of state shall be ex officio treasurer and
2 custodian of the contribution fund and shall administer such fund in
3 accordance with the provisions of this Act and the directions of the
4 state agency and shall pay all warrants drawn upon it in accordance
5 with the provisions of this section and with such regulations as the
6 state agency may prescribe pursuant thereto.

1 SEC. 17. There is hereby authorized to be appropriated annually
2 from the general fund of the state of Iowa to the contribution fund,
3 in addition to the taxes collected and paid into the contribution fund,
4 such additional sums as are found to be necessary in order to make
5 payments to the secretary of the treasury of the United States which
6 the state is obliged to make pursuant to any agreement entered into
7 under section 3.

1 SEC. 18. The state agency shall make and publish such rules and
2 regulations, not inconsistent with the provisions of this Act, as it finds
3 necessary or appropriate to the efficient administration of the func-
4 tions with which it is charged under this Act, and the state agency
5 shall comply with regulations relating to payments and reports as may
6 be prescribed by the Federal Security Administrator.

1 SEC. 19. The Iowa Employment Security Commission is authorized
2 to enter into arrangements with the Federal Bureau of Employment
3 Security whereby services performed by the commission and its em-
4 ployees both under this chapter and under the Iowa Employment Se-
5 curity chapter shall be equitably apportioned between the funds pro-
6 vided for the administration of said chapters. The money spent for
7 rentals, supplies, and equipment used by the commission in administer-

8 ing both chapters shall be equitably apportioned and charged against
9 said funds.

1 SEC. 20. This Act, being deemed of immediate importance, shall be
2 in full force and effect from and after its publication in The Tipton
3 Advertiser, a newspaper published at Tipton, Iowa, and in the Charles
4 City Daily Press, a newspaper published at Charles City, Iowa.

Approved April 22, 1953.

I hereby certify that the foregoing Act, House File 138, was published in The Tipton Advertiser, Tipton, Iowa, April 30, 1953, and in the Charles City Press, being the official name of the Charles City Daily Press, Charles City, Iowa, May 2, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 74

CIGARETTE TAX INCREASE

H. F. 411

AN ACT repealing subsection one (1) of section ninety-eight point six (98.6), Code 1950, and enacting a substitute therefor, relating to the taxation of cigarettes used in the state of Iowa and providing for the rate of such tax.

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

1 SECTION 1. Subsection one (1) of section ninety-eight point six
2 (98.6), Code 1950, is hereby repealed and the following enacted in lieu
3 thereof:

4 "1. There is hereby levied, assessed, and imposed, and shall be col-
5 lected and paid to the commission, the following taxes on all cigarettes
6 used or otherwise disposed of in this state for any purpose whatsoever:

7 Class A. On cigarettes weighing not more than three pounds per
8 thousand, one and one-half mills on each such cigarette.

9 Class B. On cigarettes weighing more than three pounds per thou-
10 sand, two and one-half mills on each such cigarette.

11 Class C. On cigarette papers or wrappers or any papers made or
12 prepared for the purpose of making cigarettes, made up in packages,
13 books, or sets, on each such package, book or set containing:

14 a. Fifty papers or less, three-fourths of one cent.

15 b. More than fifty papers but not more than one hundred papers,
16 one and one-half cents.

17 c. More than one hundred papers, three-fourths of one cent for
18 each fifty or fractional part thereof.

19 Class D. On tubes, one and one-half cents for each fifty tubes or
20 fractional part thereof.

21 The provisions of this Act shall be effective as of all sales made
22 after June 30, 1953."

1 SEC. 2. Any licensed distributor or permit holder having in his
2 possession on July 1, 1953, or thereafter, any cigarettes, cigarette
3 papers or tubes, for the purpose of distribution or sale, upon which
4 the full amount of the tax imposed by this Act has not been paid, shall
5 make a return to the state tax commission listing the entire amount
6 of such articles on hand, the amount of tax which has been paid upon

7 such articles under the provisions of chapter ninety-eight (98), Code
8 1950, and the amount of additional tax due upon such articles as pro-
9 vided by the provisions of this Act. The state tax commission shall
10 have the power to prescribe rules and regulations providing for the
11 collection of such tax, either through the affixing of additional stamps
12 or additional meter impressions, or by the collection of the amount due
13 in cash.

14 On and after July 15, 1953, the provisions of subsection one (1), sec-
15 tion ninety-eight point thirty-six, (98.36), Code 1950, shall apply upon
16 the possession of any cigarettes, cigarette papers or tubes, upon
17 which the full amount of tax as provided by this Act has not been paid.

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 Davis
3 County Republican, a newspaper published at Bloomfield, Iowa, and
4 the Centerville Daily Iowegian and Citizen, a newspaper published at
5 Centerville, Iowa.

Approved May 28, 1953.

I hereby certify that the foregoing Act, House File 411, was published in the Davis
County Republican, Bloomfield, Iowa, June 2, 1953, and in the Centerville Daily Iowegian
and Citizen, Centerville, Iowa, June 2, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 75

SPEED OF BOATS

S. F. 306

AN ACT to amend section one hundred six point thirteen (106.13), Code 1950, relating
to the speed of boats.

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

1 SECTION 1. Amend section one hundred six point thirteen (106.13),
2 Code 1950, subsection four (4), by striking the period (.) in line
3 thirty-five (35) and inserting in lieu thereof the following: "and
4 20 miles per hour when operating three hundred (300) feet or more
5 from the shoreline or from any other craft."

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 Milford Mail, a newspaper published at Milford, Iowa, and in
4 the Carroll Daily Times Herald, a newspaper published at Carroll,
5 Iowa.

Approved April 16, 1953.

I hereby certify that the foregoing Act, Senate File 306, was published in The Milford
Mail, Milford, Iowa, April 23, 1953, and in the Carroll Daily Times Herald, Carroll, Iowa,
April 18, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 76

CONSERVATION OFFICERS

S. F. 427

AN ACT to amend chapter sixty-six (66), Acts of the Fifty-fourth (54th) General Assembly, relating to the compensation of state conservation officers.

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

1 SECTION 1. Section two (2) of chapter sixty-six (66), Acts of the
2 Fifty-fourth (54th) General Assembly, is hereby amended by striking
3 the words and figures "‘thirty-two’ (32)" from lines three (3) and
4 four (4) thereof and inserting in lieu thereof the words and figures
5 "‘thirty-six’ (36)".

Approved May 22, 1953.

CHAPTER 77

FISH AND GAME

S. F. 18

AN ACT to amend chapters one hundred nine (109) and one hundred ten (110), Code 1950, relating to an open season on wild animals and fish, and providing for licensing thereof.

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

1 SECTION 1. Section one hundred nine point thirty-eight (109.38),
2 Code 1950, is hereby amended by adding thereto the following:

3 "1. The commission may upon its own motion and after an inves-
4 tigation, alter, limit, or restrict the methods or means employed and
5 the instruments or equipment used in taking deer, raccoon or rough
6 fish, if the investigation reveals that such action would be desirable
7 or beneficial in promoting the interests of conservation, or the com-
8 mission may, after an investigation when it is found there is immi-
9 nent danger of loss of fish through natural causes, authorize the tak-
10 ing of fish by such means as they may deem advisable to salvage such
11 imperiled fish populations.

12 "2. If following an investigation the commission finds that the
13 number of hunters licensed to take deer should be limited or further
14 regulated they may, by their own motion, conduct a drawing or so
15 regulate as to accomplish that purpose, except that owners or tenants
16 of land shall be permitted to hunt deer on land owned or leased by
17 them notwithstanding but subject to all other laws and regulations."

1 SEC. 2. Section one hundred nine point forty-eight (109.48), Code
2 1950, is hereby amended by adding to the table at the end of the sec-
3 tion and under the appropriate headings, the following:

4 Kind of animal and		bag	possession
5 locality	open season	limit	limit
6 "DEER—Entire state	September 1 to March 1	1	1"

1 SEC. 3. Section one hundred nine point eighty-seven (109.87),
2 Code 1950, is hereby amended by striking that part of line five (5)

3 following the word "except" and all of line six (6) and that part of
 4 line seven (7) preceding the comma (,) and inserting in lieu there-
 5 of the following: "during the open season as set by the commission
 6 under authority of section one hundred nine point thirty-nine (109.39)
 7 and embraced within the dates between September 1 and March 1
 8 both dates inclusive, specified for each variety and each locality, re-
 9 spectively".

1 SEC. 4. Section one hundred nine point eighty-seven (109.87),
 2 Code 1950, is further amended by striking the words and numbers
 3 "November 10 to January 10" from subsection one (1) to eight (8)
 4 inclusive, and inserting in lieu thereof the words and numbers "Sep-
 5 tember 1 to March 1".

1 SEC. 5. Section one hundred ten point one (110.1), Code 1950,
 2 is hereby amended by adding thereto the following:

3 "Special Deer Hunting License.

4 All persons legal residents of the state.....\$15.00."

1 SEC. 6. Section one hundred nine point seventy-six (109.76), Code
 2 1950, is amended by adding thereto the following: the spearing of
 3 carp or buffalo by persons lawfully permitted to fish shall be lawful
 4 from the first day of May to and including the 31st day of October,
 5 each year, between the hours of sunrise and sunset thereof and at such
 6 other times and at such places as the Commission may determine nec-
 7 essary to carry out the purposes of section 1, paragraph 1 hereof.

Approved April 15, 1953.

CHAPTER 78

FISHING IN BORDER RIVERS

H. F. 14

AN ACT to amend section one hundred nine point one hundred seven (109.107),
 Code 1950, relating to the use of traps or trot lines in the Mississippi and Mis-
 souri Rivers.

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

1 SECTION 1. Section one hundred nine point one hundred seven
 2 (109.107), Code 1950, is hereby amended by inserting in line fifteen
 3 (15) after the word "seine" the following: ", trap or trot line"; also
 4 by striking the period (.) in line eighteen (18) and adding the follow-
 5 ing: "or within one hundred (100) yards from the farthest projection
 6 of any dam in the Mississippi River and Missouri River."

Approved February 27, 1953.

CHAPTER 79

SCHOOL DISTRICT BOUNDARIES

H. F. 156

AN ACT to repeal chapter one hundred ten (110), Acts of the Fifty-third General Assembly, relating to boundary changes of school districts.

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

- 1 SECTION 1. Chapter one hundred ten (110), Acts of the Fifty-third
- 2 General Assembly is hereby repealed.

Approved February 25, 1953.

CHAPTER 80

PRACTICE OF ACCOUNTANCY

S. F. 40

AN ACT to amend section one hundred sixteen point six (116.6), Code 1950, and sections one hundred sixteen point eleven (116.11) and one hundred sixteen point eighteen (116.18), Code 1950, relating to the definition and financial responsibility of accountants and providing for a permanent injunction for violations.

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

- 1 SECTION 1. Section one hundred sixteen point six (116.6), Code
- 2 1950, is hereby amended by adding thereto the following paragraph:
- 3 "The practice of accountancy shall mean and include any person,
- 4 firm, or corporation who practices as an accountant as defined in the
- 5 next preceding paragraph."

- 1 SEC. 2. Section one hundred sixteen point eleven (116.11), Code
- 2 1950, is hereby amended by adding thereto the following paragraph:
- 3 "However, in lieu of that five thousand dollar (\$5,000.00) bond,
- 4 such person may file a certification from an insurance carrier that such
- 5 person is insured, as an individual or a member of a partnership, under
- 6 an accountancy liability policy in an equal or greater amount, and pro-
- 7 viding at least equal security to the general public as contained in
- 8 bonds heretofore provided in this chapter."

- 1 SEC. 3. Section one hundred sixteen point eighteen (116.18), Code
- 2 1950, is hereby amended by adding thereto the following paragraph:
- 3 "Any person, firm, or corporation who shall practice accountancy in
- 4 this state as defined in this chapter in violation of the provisions of this
- 5 chapter may be restrained by permanent injunction."

Approved February 25, 1953.

CHAPTER 81

LIQUOR CONTROL COMMISSION

S. F. 226

AN ACT to amend section one hundred twenty-three point seven (123.7), Code 1950, relating to the appointment of members of the Iowa liquor control commission.

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

1 SECTION 1. Section one hundred twenty-three point seven (123.7),
2 Code 1950, is hereby amended by striking from lines six (6) and
3 seven (7) of the second paragraph of said section the following: "a
4 majority of the members of the senate" and inserting in lieu thereof
5 the following: "two-thirds of the members of the senate".

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 Cedar Rapids Tribune, a newspaper published at Cedar Rapids,
4 Iowa, and The Donnellson Review, a newspaper published at Donnell-
5 son, Iowa.

Approved April 17, 1953.

I hereby certify that the foregoing Act, Senate File 226, was published in The Cedar Rapids Tribune, Cedar Rapids, Iowa, April 23, 1953, and in The Donnellson Review, Donnellson, Iowa, April 23, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 82

DISPOSAL OF DEAD BODIES

S. F. 70

AN ACT to amend sections one hundred forty-one point four (141.4) and one hundred forty-one point twelve (141.12), Code 1950, relating to the disposal of dead bodies and to provide for a record thereof.

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 1950, is hereby amended by striking therefrom the period (.)
3 after the word "removal" in subsection twenty-one (21) thereof, and
4 adding the following:
5 " , including name of cemetery where interment is to be made, or
6 in case of cremation, the name of the person to whom the ashes are
7 delivered."

1 SEC. 2. Amend section one hundred forty-one point twelve
2 (141.12), Code 1950, by adding thereto the following subsection to
3 be designated as subsection four (4), to-wit:

4 "4. The name and location of the cemetery where interment of the
5 body is to be made, or in case of cremation, the name of the person
6 to whom the ashes are to be delivered."

Approved April 29, 1953.

CHAPTER 83

DISPOSAL OF DEAD BODIES

S. F. 235

AN ACT to amend chapter one hundred forty-one (141), Code 1950, relating to disposal of dead bodies and to make specific provisions for the consent required for autopsies.

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

1 SECTION 1. Chapter one hundred forty-one (141), Code 1950, is
2 hereby amended by adding thereto the following: "Post Mortem Ex-
3 aminations. An autopsy or post mortem examination may be per-
4 formed upon the body of a deceased person by a physician or surgeon
5 whenever the written consent thereto has been obtained in any of
6 the following manners:

7 A. By written authorization signed by the deceased during the
8 lifetime.

9 B. By written consent of any party whom the deceased during his
10 lifetime designated by written instrument to take charge of his body
11 for burial.

12 C. By consent of decedent's surviving spouse.

13 D. If the surviving spouse is incompetent, unavailable, or does not
14 claim the body for burial, or if there be no surviving spouse, by con-
15 sent of an adult child, parent, brother or sister of the decedent. The
16 consent of any one of such persons shall be sufficient provided that
17 such autopsy shall not be performed under a consent given by one of
18 such persons if, before such autopsy is performed, any of said others
19 shall object in writing to the physician or surgeon by whom the
20 autopsy is to be performed.

21 E. If none of the above persons is available to claim the body, then
22 by consent of any other relative or friend who assumes custody of the
23 body for burial.

24 The provisions of this Act shall not be applicable to any post mortem
25 or scientific examination performed under authority of section three
26 hundred thirty-nine point twenty-two (339.22), Code 1950, whether
27 made under a summon by a coroner or by the coroner himself if he
28 be a physician."

Approved May 22, 1953.

CHAPTER 84

CEMETERIES

S. F. 71

AN ACT relating to the operation of cemeteries in the state of Iowa, and funds for the perpetual care and maintenance thereof, and the sale of burial space therein, and providing penalties for the violation thereof.

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

1 SECTION 1. Any corporation or other form of organization organ-
2 ized or engaging in the business under the laws of the state of Iowa,
3 or wheresoever organized and engaging in the business in the state

4 of Iowa, of the ownership, maintenance or operation of a cemetery,
5 providing lots or other interment space therein for the remains of
6 human bodies, except such organizations which are churches or reli-
7 gious or established fraternal societies, or incorporated cities or towns
8 or other political subdivisions of the state of Iowa owning, maintain-
9 ing or operating cemeteries, shall be subject to the provisions of this
10 chapter.

1 SEC. 2. All such organizations subject to the provisions of this
2 chapter shall be, for the purposes hereof, designated either as "per-
3 petual care cemeteries" or "nonperpetual care cemeteries".

1 SEC. 3. Any such organization subject to the provisions of this
2 chapter which is organized or commences business in the state of Iowa
3 after the effective date of this chapter and desires to operate as a per-
4 petual care cemetery shall, before selling or disposing of any inter-
5 ment space or lots, establish a minimum perpetual care and mainte-
6 nance guarantee fund of twenty-five thousand dollars (\$25,000.00) in
7 cash. The perpetual care and maintenance guarantee fund shall be
8 permanently set aside in trust to be administered under the jurisdic-
9 tion of the district court of the county wherein the cemetery is located.
10 The district court so having jurisdiction shall have full jurisdiction
11 over the approval of trustees, reports and accounting of trustees,
12 amount of surety bond required, and investment of funds. Only the
13 income from such fund shall be used for the care and maintenance of
14 the cemetery for which it was established.

15 To continue to operate as a perpetual care cemetery, any such or-
16 ganization shall set aside and deposit in the perpetual care fund not
17 less than the following amounts for lots of interment space thereafter
18 sold or disposed of:

19 (a) A minimum of twenty percent (20%) of the gross selling price
20 with a minimum of twenty dollars (\$20.00) for each adult burial
21 space, whichever is the greater.

22 (b) A minimum of twenty percent (20%) of the gross selling price
23 for each child's space with a minimum of five dollars (\$5.00) for each
24 space up to forty-two (42) inches in length or ten dollars (\$10.00)
25 for each space up to sixty (60) inches in length, whichever is the
26 greater.

27 (c) A minimum of twenty percent (20%) of the gross selling price
28 with a minimum of one hundred dollars (\$100.00) for each crypt in
29 a public mausoleum, whichever is the greater.

30 (d) A minimum of twenty percent (20%) of the gross selling price
31 with a minimum of ten dollars (\$10.00) for each inurnment niche in
32 a public columbarium.

33 The initial perpetual care fund established for any cemetery shall
34 remain in an irrevocable trust fund until such time as this fund has
35 reached fifty thousand dollars (\$50,000.00), when it may be with-
36 drawn at the rate of one thousand dollars (\$1,000.00) from the origi-
37 nal twenty-five thousand dollars (\$25,000.00) for each additional three
38 thousand dollars (\$3,000.00) added to the fund, until all of the twenty-
39 five thousand dollars (\$25,000.00) has been withdrawn.

1 SEC. 4. Any such organization subject to the provisions of this
2 chapter which was organized and engaged in business prior to the
3 effective date of this chapter shall be a perpetual care cemetery if it

4 shall at all times subsequent to the effective date of this chapter com-
5 ply with the requirements of a perpetual care cemetery as set forth
6 in section three (3), subsections (a), (b), (c) and (d) hereof.

1 SEC. 5. All other organizations subject to the provisions of this
2 chapter shall be nonperpetual care cemeteries.

3 Each nonperpetual care cemetery shall post in a conspicuous place
4 in the office or offices where sales are conducted a legible sign stating:
5 "This is a nonperpetual care cemetery". The lettering of this sign
6 shall be of suitable size so it is easily read at a distance of fifty feet.

7 Each nonperpetual care cemetery shall also have printed or stamped
8 at the head of all its contracts, deeds, statements, letterheads and ad-
9 vertising material, the legend: "This is a nonperpetual care ceme-
10 tery", and shall not sell any lot or interment space therein unless the
11 purchaser thereof is informed that the cemetery is a nonperpetual care
12 cemetery.

1 SEC. 6. Any nonperpetual care cemetery after the effective date of
2 this chapter may become a perpetual care cemetery by placing in the
3 perpetual care trust fund twenty-five thousand dollars (\$25,000.00)
4 or five thousand dollars (\$5,000.00) per acre of all property sold,
5 whichever is the greater, and shall comply with the requirement for
6 a perpetual care cemetery as provided in section three (3), subsec-
7 tions (a), (b), (c) and (d).

1 SEC. 7. It shall be unlawful for any organization subject to the
2 provisions of this chapter to pay or offer to pay to, or for any person,
3 firm or corporation to receive directly or indirectly a commission or
4 bonus or rebate or other thing of value, for or in connection with the
5 sale of any interment space, lot or part thereof, in any cemetery de-
6 scribed in section one (1) of this chapter. The provisions of this sec-
7 tion shall not apply to a person regularly employed and supervised by
8 such organization.

1 SEC. 8. It shall be unlawful for any organization subject to the
2 provisions of this chapter to deny the privilege of interment of the
3 remains of any deceased person in any cemetery described in section
4 one (1) of this chapter solely because of the race or color of such
5 deceased person. Any contract, agreement, deed, covenant, restriction
6 or charter provision at any time entered into, or by-law, rule or regu-
7 lation adopted or put in force, either subsequent or prior to the effec-
8 tive date of this chapter, authorizing, permitting or requiring any
9 organization subject to the provisions of this chapter to deny such
10 privilege of interment because of race or color of such deceased per-
11 son is hereby declared to be null and void and in conflict with the public
12 policy of this state. No organization subject to the provisions of this
13 chapter or any director, officer, agent, employee or trustee thereof or
14 therefor, shall be liable for damages or other relief, or be subjected to
15 any action in any court otherwise having jurisdiction in the premises
16 by reason of refusing to commit any act declared unlawful herein.

1 SEC. 9. Any person, firm or corporation violating any of the pro-
2 visions of this chapter, shall, upon conviction, be punishable by a fine
3 of not less than twenty-five dollars (\$25.00) nor more than one hun-
4 dred dollars (\$100.00).

1 SEC. 10. Each day any person, firm or corporation violates any
2 provision of this chapter, except the commission of any act declared
3 unlawful in section seven (7) or section eight (8) of this chapter,
4 shall be deemed to be a separate and distinct offense.

1 SEC. 11. If any clause, sentence, paragraph, section or part of this
2 Act shall for any reason be adjudged by any court of competent juris-
3 diction to be invalid, such judgment shall not affect, impair or invali-
4 date the remainder of the Act, but shall be confined in its operation
5 to the clause, sentence, paragraph, section or part thereof directly in-
6 volved in the controversy in which said judgment has been rendered.

1 SEC. 12. Nothing in this Act contained shall affect the rights of
2 any parties to any pending litigation.

1 SEC. 13. No organization subject to the provisions of this chapter
2 nor any person representing it, in a sales capacity shall advertise or
3 represent, in connection with the sale or attempted sale of any inter-
4 mediate space, that the same is or will be a desirable speculative invest-
5 ment for resale purposes.

Approved April 21, 1953.

CHAPTER 85

FUNERAL DIRECTORS AND EMBALMERS

S. F. 55

AN ACT to amend sections one hundred forty-seven point one (147.1), one hundred
forty-seven point two (147.2), one hundred forty-seven point thirteen (147.13), one
hundred forty-seven point fifteen (147.15), one hundred forty-seven point eighteen
(147.18), one hundred forty-seven point eighty (147.80), and one hundred forty-
seven point one hundred one (147.101), Code 1950, relating to the practice of funeral
directing and embalming and the license fees thereof.

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

1 SECTION 1. Section one hundred forty-seven point one (147.1),
2 Code 1950, is hereby amended as follows:

3 1. Add to subsection two (2), line six (6), after the comma, the
4 words "funeral director".

5 2. Add to subsection three (3), line five (5), after the comma, the
6 words "funeral directing".

1 SEC. 2. Section one hundred forty-seven point two (147.2), Code
2 1950, is amended by adding to line six (6) thereof after the comma, the
3 words "funeral directing".

1 SEC. 3. Section one hundred forty-seven point thirteen (147.13),
2 Code 1950, is amended by striking from lines thirteen (13) and four-
3 teen (14) the words "embalming, embalmer examiners" and inserting
4 in lieu thereof the words "funeral directing and embalming, funeral
5 director and embalmer examiners".

1 SEC. 4. Section one hundred forty-seven point fifteen (147.15),
2 Code 1950, is hereby amended by adding to line four (4) thereof after
3 the word "and" the words "funeral director and".

1 SEC. 5. Section one hundred forty-seven point eighteen (147.18),
 2 Code 1950, is hereby amended by adding to line five (5) thereof after
 3 the word "no" the words "funeral director and".

1 SEC. 6. Section one hundred forty-seven point eighty (147.80),
 2 Code 1950, is hereby amended as follows:

3 1. Add after the comma at the end of line two (2) in subsection five
 4 (5) the words "funeral directing".

5 2. Strike the period at the end of line seven (7) in subsection seven
 6 (7) and add the words "and except the renewal fee of a license to prac-
 7 tice funeral directing and the renewal fee of a license to practice
 8 embalming shall be two dollars each."

1 SEC. 7. Section one hundred forty-seven point one hundred one
 2 (147.101), Code 1950, is hereby amended as follows:

3 1. Strike the word "four" in line two (2) and insert in lieu thereof
 4 the word "three".

5 2. Strike the comma after the word "embalming" in line five (5)
 6 and insert the following: "and shall annually add three dollars to the
 7 renewal fee provided for in subsection seven (7) of section one hun-
 8 dred forty-seven point eighty (147.80) for one licensed to practice
 9 funeral directing,".

10 3. Add to line twelve (12) after the word "of" the words "funeral
 11 directing and".

12 4. Add to line thirteen (13) after the word "of" the words "funeral
 13 directing and".

14 5. Add to line fourteen (14) after the word "of" the words "funeral
 15 directing and".

16 6. Add to line twenty-one (21) after the word "the" the words
 17 "funeral directing and".

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 Cherokee Daily Times, a newspaper published in Cherokee, Iowa,
 4 and The Aurelia Sentinel, a newspaper published at Aurelia, Iowa.

Approved March 23, 1953.

I hereby certify that the foregoing Act, Senate File 55, was published in the Cherokee
 Daily Times, Cherokee, Iowa, March 30, 1953, and in The Aurelia Sentinel, Aurelia,
 Iowa, April 2, 1953.

MELVIN D. SYNHORST, *Secretary of State*.

CHAPTER 86

PRACTICE OF MEDICINE AND SURGERY

S. F. 47

AN ACT to amend sections one hundred forty-seven point fourteen (147.14), one hundred forty-seven point nineteen (147.19), one hundred forty-seven point thirty-eight (147.38), one hundred forty-seven point eighty (147.80), one hundred forty-seven point one hundred two (147.102), one hundred forty-eight point three (148.3), and chapter one hundred forty-eight (148), Code 1950, relating to the medical examiners board, providing for an additional two members and increasing the length of the term of office, increasing the renewal fee for the practice of medicine and surgery, enlarging the powers of the board of medical examiners, qualifications of applicants, and providing for temporary and special licenses for the practice of medicine and surgery, and to amend section one hundred forty-seven point one hundred three (147.103), Code 1950, and to make an additional appropriation for the biennium ending June 30, 1955.

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

1 SECTION 1. Section one hundred forty-seven point fourteen
2 (147.14), Code 1950, is hereby amended by inserting after the word
3 "dental" in line three (3) thereof the following: ", medical examin-
4 ers".

1 SEC. 2. Section one hundred forty-seven point nineteen (147.19),
2 Code 1950, is hereby amended by inserting in line three (3) after the
3 word "dental" the following: ", medical", and by adding at the end
4 of said section the following: "The appointments made in 1953 for
5 the terms commencing July 1, 1953, of the members of the medical
6 examiners board shall be one for a three year term, one for a four
7 year term, and one for a five year term, and each appointment there-
8 after to the medical examiners board shall be for a term of five years
9 and expire as hereinbefore provided."

1 SEC. 3. Section one hundred forty-seven point thirty-eight (147.38),
2 Code 1950, is hereby amended by inserting after the word "board" in
3 line three (3) the words "and medical board" and by striking the rest
4 of the first sentence after the word "examinations" and by inserting
5 after the word "examinations" a period, and by inserting in said sec-
6 tion in line eight (8) after the word "board" the following: "and
7 medical board".

1 SEC. 4. Section one hundred forty-seven point eighty (147.80),
2 Code 1950, is hereby amended by inserting in line four (4) of sub-
3 section seven (7) after the word "practice" the words "medicine and
4 surgery".

1 SEC. 5. Section one hundred forty-seven point one hundred two
2 (147.102), Code 1950, is hereby amended by inserting in line three
3 (3) thereof after the word "practice" the following: "medicine and
4 surgery".

1 SEC. 6. Section one hundred forty-seven point one hundred three
2 (147.103), Code 1950, is hereby amended by inserting in line three
3 (3) thereof after the word "for" the words "medicine and sur-
4 gery,".

5 Further amend said section one hundred forty-seven point one hun-
6 dred three (147.103), Code 1950, by striking from line nine (9) the

7 words "in section 147.25" and inserting in lieu thereof the words
 8 "said examining boards in the biennial departmental appropriations".
 9 Further amend said section one hundred forty-seven point one hun-
 10 dred three (147.103), Code 1950, by adding a new sentence at the end
 11 thereof as follows: "The commissioner of public health, upon the re-
 12 quest of and with the approval of the medical examining board, shall
 13 appoint an inspector and incur such other expenses as may be neces-
 14 sary to properly administer and aid in the enforcement of the provi-
 15 sions of the law relating to those licensed to practice medicine and
 16 surgery by said board. The amount of compensation for such inspec-
 17 tor shall be fixed by the executive council and paid from the same
 18 funds as is provided for the clerical assistants. In order to make pos-
 19 sible the carrying out of the provisions of this Act there is hereby
 20 appropriated from the general funds of the state to the state depart-
 21 ment of health for the use of the medical examining board in addition
 22 to the sum provided for in subsection seventeen (17) of section twenty-
 23 two (22) of the departmental appropriations bill an additional sum
 24 of twelve thousand dollars (\$12,000.00) for each year of the biennium
 25 beginning July 1, 1953 and ending June 30, 1955, provided, however,
 26 that after said date the funds for the operation and expenses of the
 27 board of medical examiners shall be handled as now provided for by
 28 law and included in the departmental appropriation to the state de-
 29 partment of health under the budget law as provided for in chapter
 30 eight (8), Code 1950".

1 SEC. 7. Section one hundred forty-eight point three (148.3), Code
 2 1950, is hereby amended by inserting after the period in line nine (9)
 3 of subsection two (2) thereof the following: "The board of medical
 4 examiners may require written, oral, and practical examinations of
 5 the applicant.", and by inserting additional subsections to said sec-
 6 tion as follows:

7 "4. Be a citizen of the United States or have legally declared his
 8 intention of becoming a citizen.

9 "5. The board of medical examiners may also require any appli-
 10 cant, who is a graduate of a medical school approved by the medical
 11 examiners, located outside of the United States, before giving him
 12 the examination, where the board of medical examiners finds the appli-
 13 cant does not fully comprehend or use the English language, or does
 14 not have sufficient knowledge of current methods of American and
 15 Iowa medical practice, customs, and habits, to serve an additional
 16 one year as an interne student or resident student in an Iowa hospi-
 17 tal approved by the board of medical examiners, and during which
 18 period of internship or residency the applicant must serve under the
 19 supervision of a licensed practitioner of medicine and surgery."

1 SEC. 8. Chapter one hundred forty-eight (148), Code 1950, is
 2 hereby amended by adding the following: "Any physician, who is a
 3 graduate of a medical school approved by the board of medical exam-
 4 iners and has completed his one year of internship in a hospital ap-
 5 proved by the board of medical examiners, and serving only as a resi-
 6 dent in a residency approved by the board of medical examiners under
 7 the supervision of a licensed practitioner of medicine and surgery,
 8 shall be required to obtain a license, or in lieu thereof may obtain a
 9 temporary or special license as a resident physician. Such temporary

10 or special license shall be limited to one year and may be renewed from
 11 year to year, but not to exceed an additional three years of hospital
 12 service as a resident physician. The provisions of section one hun-
 13 dred forty-eight point three (148.3), Code 1950, shall be applicable to
 14 a temporary or special license, except, the board of medical examin-
 15 ers may waive the requirements of citizenship or declaration of citi-
 16 zenship of foreign students here for training and study only, who are
 17 properly admitted under visas of the State Department of the United
 18 States as students. The fee for this license shall be ten dollars and if
 19 extended beyond one year an annual renewal fee of one dollar per
 20 year shall be required."

1 SEC. 9. This Act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Storm
 3 Lake Pilot-Tribune, a newspaper published at Storm Lake, Iowa, and
 4 in the Daily Record, a newspaper published at Cedar Falls, Iowa.

Approved April 21, 1953.

I hereby certify that the foregoing Act, Senate File 47, was published in the Storm Lake Pilot-Tribune, Storm Lake, Iowa, April 30, 1953, and in the Daily Record, Cedar Falls, Iowa, April 22, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 87

FUNERAL DIRECTORS AND EMBALMERS

S. F. 54

AN ACT relating to the practice of funeral directing and embalming and to repeal chapter one hundred fifty-six (156), Code 1950, relating thereto, and to enact a substitute therefor.

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

That chapter one hundred fifty-six (156), Code 1950, is hereby repealed and the following enacted in lieu thereof:

PRACTICE OF FUNERAL DIRECTING AND EMBALMING

1 SECTION 1. Definitions.
 2 1. "Board" shall mean Board of Funeral Directors and Embalmer
 3 Examiners.
 4 2. A "Funeral Director" is a person engaged in or conducting, or
 5 holding himself out, in whole or in part, as being engaged in:
 6 (a) Preparing, other than embalming, for the burial or disposal,
 7 or directing and supervising the burial or disposal of dead human
 8 bodies.
 9 (b) Furnishing, in connection with the disposition or sale of any
 10 casket, vault or other burial receptacle, any funeral services, or em-
 11 balming, directly or indirectly, by himself, or in conjunction with an-
 12 other.
 13 (c) Who shall, in connection with his name or funeral establishment,
 14 use the words, "funeral director", "mortician" or any other title im-
 15 plying that he is engaged as a funeral director as defined in this sub-
 16 section.

17 3. An "Embalmer" is a person engaged in, or holding himself out
18 as engaged in, the practice of disinfecting or preserving dead human
19 bodies, entire or in part, by the use of chemical substances, fluids or
20 gases in the body, or by the introduction of same into the body by vas-
21 cular or hypodermic injections, or by direct application into the organs
22 or cavities for the purpose of preservation or disinfection.

23 Nothing contained in this Act shall be construed as prohibiting the
24 operation of any funeral home or funeral establishment by any person,
25 fiduciary, firm, cooperative burial association or corporation; provided
26 that each such person, firm, cooperative burial association or corpora-
27 tion shall at all times employ an embalmer and funeral director licensed
28 under the provisions of this Act, and shall keep the State Department
29 of Health advised of the name of the licensee or licensees so employed.

1 SEC. 2. Section one (1) shall not be construed to include the follow-
2 ing classes of persons:

3 1. Manufacturers, wholesalers, and jobbers of caskets, vaults, or
4 other burial receptacles not engaged in the other functions of fur-
5 nishing of funeral services or embalming as above defined.

6 2. Those who distribute or sell caskets, vaults, or any other burial
7 receptacles and who do not furnish any funeral service or embalming,
8 directly or indirectly, by himself or in conjunction with another, except
9 a registered student under the personal direction of a licensed funeral
10 director or embalmer.

11 3. Those who use bodies for scientific purposes as defined in sections
12 one hundred forty-two point one (142.1), one hundred forty-two point
13 two (142.2), and one hundred forty-two point five (142.5); or those
14 who make scientific examinations of dead bodies, or perform autopsies.

15 4. Physicians or institutions who preserve parts of human bodies
16 either for scientific purposes or for use as evidence in prospective legal
17 cases.

18 5. Persons burying their own dead under burial permit from the
19 registrar of vital statistics.

1 SEC. 3. Eligibility requirements.

2 1. To be eligible to take the examination for funeral director's or
3 embalmer's license, a person must:

4 (a) After the effective date of this section have completed one (1)
5 academic year of instruction in a recognized college, junior college, or
6 university in a course of study approved by the board or have equiva-
7 lent education as defined by the board and have satisfactorily com-
8 pleted a course of instruction in mortuary science in an accredited
9 school approved by the board.

10 (b) After September 1, 1955, have completed two (2) academic
11 years of instruction in a recognized college, junior college or univer-
12 sity in a course of study approved by the board or have equivalent
13 education as defined by the board and have satisfactorily completed a
14 course of instruction in mortuary science in an accredited school ap-
15 proved by the board.

16 2. The eligibility requirements set forth in subsection one (1) shall
17 not apply to any student to whom a certificate of studentship was issued
18 before the effective date of this section and who satisfies the legal
19 requirements in effect at the time of his legal registration.

1 SEC. 4. Funeral directors.

2 1. The practice of a funeral director must be conducted from a
3 funeral establishment equipped for the care and preparation for burial
4 or transportation of dead human bodies.

5 2. No person shall engage in, or hold himself out as engaged in,
6 the practice of a funeral director unless licensed.

7 3. Applications for the examination for a funeral director's license
8 shall be in writing and verified on a blank to be prescribed and fur-
9 nished by the board.

10 Accompanying the application shall be affidavits from at least two
11 reputable freeholders of the county in which the applicant resides or
12 proposes to conduct the practice of a funeral director to the effect that
13 the applicant is of good moral character, of temperate habits, and a
14 citizen of the United States.

15 4. Written and oral examinations for funeral director's license shall
16 be held at least once a year at a time and place to be designated by
17 the board. The examination shall include the subjects of funeral
18 directing, burial or other disposition of dead human bodies, sanitary
19 science, public health, transportation, business ethics, and such other
20 subjects as the board may designate and the laws of the state of Iowa
21 and rules and regulations relating to communicable diseases, quar-
22 antine and causes of death.

23 5. After the applicant shall have completed satisfactorily the course
24 of instruction in mortuary science in an accredited school approved
25 by the board, the applicant must pass the examination prescribed at
26 one of the regular examinations held by the board during the first year
27 after his graduation. The applicant may then receive a class "A"
28 certificate of studentship and shall then complete a minimum of one
29 additional year of studentship. The applicant shall during this student-
30 ship direct or assist in the direction of not less than twenty-five funerals
31 under the direct supervision of a licensed funeral director in good
32 standing in this state.

1 SEC. 5. Embalmers.

2 1. No person shall engage in, or hold himself out as engaged in,
3 the practice of an embalmer unless licensed.

4 2. Applications for the examination for an embalmer's license shall
5 be in writing and verified on a blank to be prescribed and furnished
6 by the board. Accompanying the application shall be affidavits from
7 at least two reputable freeholders of the county in which the applicant
8 resides or proposes to conduct the practice of an embalmer to the effect
9 that the applicant is of good moral character, of temperate habits, and
10 a citizen of the United States.

11 3. Written and oral examinations for an embalmer's license shall
12 be held at least once a year at a time and place to be designated by
13 the board. The examination shall include the subjects of anatomy,
14 practical embalming, restorative art, sanitation, public health, busi-
15 ness ethics, and such other subjects as the board may designate and the
16 laws of the state of Iowa and rules and regulations relating to com-
17 municable diseases, quarantine and causes of death.

18 4. After the applicant shall have completed satisfactorily the course
19 of instruction in mortuary science in an accredited school approved by
20 the board, the applicant must pass the examination prescribed at one

21 of the regular examinations held by the board during the first year
22 after his graduation. The applicant may then receive a class "A"
23 certificate of studentship and shall then complete a minimum of one
24 additional year of studentship. The applicant shall during this stu-
25 dentship arterially embalm not less than twenty-five human bodies
26 under the direct supervision of a licensed embalmer in good standing
27 in this state. The applicant shall demonstrate his proficiency as an
28 embalmer, as directed by the board of funeral director and embalmer
29 examiners by operation on a dead human body, which body shall be
30 furnished by the state department of health, under the provisions of
31 section one hundred forty-two point two (142.2). This particular
32 requirement shall apply to all applicants for a license as an embalmer
33 by reciprocity, as well as by examination.

1 **SEC. 6. Concurrent study and studentship.** The course of instruc-
2 tion and studentships required under the provisions of section four
3 (4) for funeral directors and under section five (5) for embalmers
4 may be taken concurrently.

1 **SEC. 7. Renewal of licenses.**
2 1. The department of health shall issue separate renewal licenses
3 to funeral directors and to embalmers.
4 2. Any embalmer who is licensed under the provisions of chapter
5 one hundred fifty-six (156), Code of Iowa 1950, and who has a license
6 expiring June 30, 1953, shall be eligible to a renewal license as an
7 embalmer and a renewal license as a funeral director by complying
8 with the provisions of sections one hundred forty-seven point eighty
9 (147.80) and one hundred forty-seven point one hundred one (147.101)
10 as amended.

1 **SEC. 8. Studentship.** The board of funeral director and embalmer
2 examiners shall, by rule approved by the state department of health,
3 provide for studentships in funeral directing and embalming, and shall
4 regulate the registration and training thereof; and no applicant shall
5 be eligible to take the funeral directors' or embalmers' examinations
6 who has not first been legally registered as a student. For such regis-
7 tration a fee of five dollars shall be collected from the applicant for
8 each license.

1 **SEC. 9. Revocation of license.** For the purpose of revoking a license
2 under the provisions of section one hundred forty-seven point fifty-five
3 (147.55), "unprofessional conduct" on the part of a funeral director
4 or embalmer shall in addition to the provisions of said section consist
5 of any one of the following acts:
6 1. Knowingly misrepresenting any material matter to a prospective
7 purchaser of funeral merchandise, furnishings, or services.
8 2. Executing a death certificate or shipping paper for use of anyone
9 except a licensed funeral director or licensed embalmer or a regis-
10 tered student who is working under the immediate personal supervi-
11 sion of a licensed funeral director or licensed embalmer.
12 3. Recommending to the board of funeral director and embalmer
13 examiners an applicant for a license who has not, to his personal
14 knowledge, complied with the requirements of the law and the rules
15 of the board of funeral director and embalmer examiners.

16 4. If the licensee shall engage generally in the business of selling
17 or issuing burial contracts or burial certificates in anticipation of the
18 death of a person, or if he shall enter into any contract with another
19 whereby he agrees or undertakes to furnish funeral supplies or funeral
20 service to persons who have been solicited by such other or who have
21 agreed with such other to purchase the same; provided, this subsection
22 shall not apply to contracts with the United States or any department
23 of the federal government, including army and veterans' hospitals, or to any contract made in conjunction with the sale of any life
24 insurance policy issued by a life insurance company licensed to trans-
25 act business in Iowa.
26

1 **SEC. 10. Inspection.** The commissioner of public health shall have
2 power to inspect all places where dead human bodies are prepared or
3 held for burial, or entombment; and to prescribe and enforce such rules
4 and regulations in connection therewith as may be necessary for the
5 preservation of the public health.

1 **SEC. 11. After death of licensee.** Any heir or legal representative
2 of a licensed funeral director or licensed embalmer may maintain a
3 funeral home after the death of such licensed funeral director or
4 licensed embalmer, provided that a licensed funeral director and
5 licensed embalmer shall be employed to operate such funeral home and
6 the state department of health shall be notified of such employment by
7 the licensee or licensees.

1 **SEC. 12. Funeral directors and embalmers; solicitation of business,**
2 **penalty.** Every funeral director or embalmer, or any person acting
3 for him, who pays or causes to be paid, directly or indirectly, any
4 money or other thing of value as a commission or gratuity for the
5 securing of business for such funeral director or embalmer, and every
6 person who accepts or offers to accept any money or other thing of
7 value as a commission or gratuity from a funeral director or em-
8 balmer in order to secure business for him shall be deemed guilty of
9 a misdemeanor, and upon conviction thereof shall be fined not more
10 than five hundred dollars or shall be imprisoned in the county jail for
11 not less than thirty days, or both; provided that nothing herein con-
12 tained shall be construed as prohibiting any person, firm, cooperative
13 burial association or corporation, subject to the provisions of this Act,
14 from using legitimate and honest advertising.

1 **SEC. 13.** This Act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication with-
3 out expense to the state in the Cherokee Daily Times, a newspaper
4 published at Cherokee, Iowa and in The Aurelia Sentinel, a newspaper
5 published at Aurelia, Iowa.

Approved March 19, 1953.

I hereby certify that the foregoing Act, Senate File 54, was published in the Cherokee Daily Times, Cherokee, Iowa, March 30, 1953, and in The Aurelia Sentinel, Aurelia, Iowa, April 2, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 88

CROP IMPROVEMENT ASSOCIATION

H. F. 157

AN ACT to amend section one hundred fifty-nine point ten (159.10), Code 1950, relating to the Iowa Year Book of Agriculture, and section one hundred seventy-three point two (173.2), Code 1950, relating to the state fair board.

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

1 SECTION 1. Section one hundred fifty-nine point ten (159.10), Code
2 1950, is amended by striking from line three (3) of subsection two
3 (2) the words, "corn and small grain growers" and inserting in lieu
4 thereof the words, "crop improvement".

1 SEC. 2. Section one hundred seventy-three point two (173.2), sub-
2 section eight (8), Code 1950, is hereby amended by striking from lines
3 two (2) and three (3) the words, "corn and small grain growers" and
4 inserting in lieu thereof the words, "crop improvement".

Approved March 19, 1953.

CHAPTER 89

AGRICULTURAL DEPARTMENT PRINTING

S. F. 167

AN ACT to amend section one hundred fifty-nine point fifteen (159.15), Code 1950, to eliminate duplication of printing.

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

1 SECTION 1. Section one hundred fifty-nine point fifteen (159.15),
2 Code 1950, is hereby amended by inserting after the comma (,) in
3 line eight (8) thereof the following: "not otherwise available in
4 printed form,".

Approved April 17, 1953.

CHAPTER 90

FOREST RESERVATIONS

S. F. 161

AN ACT to amend section one hundred sixty-one point three (161.3), section one hundred sixty-one point five (161.5) and section one hundred sixty-one point six (161.6), Code 1950, relative to forest reservations.

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

1 SECTION 1. Section one hundred sixty-one point three (161.3), Code
2 1950, is hereby amended by striking the comma (,) after the word
3 "grove" in line nine (9) thereof and adding "or an area to be planted
4 to trees," between the words "grove" and "the" in said line; and fur-

5 ther amended by changing the word "less" to the word "more" and
6 by changing the words "before it can be" to the words "after it has
7 been" in line fifteen (15) thereof.

1 SEC. 2. Section one hundred sixty-one point five (161.5), Code
2 1950, is hereby amended by inserting "cottonwood, soft maple, osage
3 orange, basswood, black locust," in line five (5) thereof between the
4 words "maple," and "European"; also by striking the words "soft
5 maple" and "cottonwood" from line eleven (11) thereof; and further
6 by striking the words "and soft maple" in line twenty (20), thereof.

1 SEC. 3. Section one hundred sixty-one point six (161.6), Code 1950,
2 is hereby amended by striking the period (.) in line three (3) thereof
3 and adding thereto the words "except when the trees are growing or
4 are planted in or along a gully or ditch to control erosion in which
5 case any width will qualify provided the area meets the size require-
6 ment of two acres."

Approved March 26, 1953.

CHAPTER 91

DISEASES AMONG ANIMALS

S. F. 19

AN ACT to amend sections one hundred sixty-three point two (163.2) and one hundred sixty-three point fifteen (163.15), Code 1950, relating to the designation of communicable diseases among animals, and providing for a program of indemnity in case of condemnation and killing of infected animals.

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

1 SECTION 1. Section one hundred sixty-three point two (163.2), Code
2 1950, is hereby amended as follows:

3 1. Insert in line six (6) before the word "or" the following: "vesicu-
4 lar exanthema, scrapie, rinderpest,".

5 2. Strike the period (.) in line eight (8) thereof and insert the
6 words "after it has been determined that the same is one specified to
7 be a communicable disease by the United States department of agri-
8 culture."

1 SEC. 2. Section one hundred sixty-three point fifteen (163.15), Code
2 1950, is hereby amended by striking the first sentence thereof and sub-
3 stituting the following therefor: "Whenever any animal is found to be
4 infected with one of the contagious diseases enumerated in section
5 one hundred sixty-three point two (163.2) or one which has been
6 designated by the department thereunder, if there be no other pro-
7 visions for indemnifying the owner in case the same be condemned
8 and ordered by the department to be killed, and the secretary of agri-
9 culture determines that the existence of said communicable disease
10 constitutes a threat to the general welfare or the public health of the
11 inhabitants of the state, he shall formulate a program of eradication
12 including therein the condemnation and killing of the infected animals;
13 provided however, that said program shall not be put into effect as

14 hereinafter provided until the same has been approved by the executive
15 council.

16 "Any animal killed under such a program shall be appraised by three
17 competent and disinterested persons, one to be appointed by the state
18 department of agriculture, one by the owner, and the third by the other
19 two, and it shall be their duty to appraise and report their appraisal
20 under oath to the department of agriculture, and they shall receive
21 such compensation and expenses as shall be provided for in the pro-
22 gram. Any claim for indemnity filed by the owner of such animal or
23 animals so appraised shall not exceed the amount agreed upon by the
24 majority of the appraisers based on current market prices except in the
25 case of registered purebred stock, then the amount payable for indem-
26 nity may exceed market prices by not more than fifty (50) percent less
27 any indemnity which he might be allowed from the United States de-
28 partment of agriculture. No indemnity shall be allowed for infected
29 animals if it is determined by the department of agriculture that such
30 animals have been fed raw garbage. Claims for indemnity and those
31 filed by the appraisers for compensation and expenses shall be filed
32 with the secretary of agriculture and submitted by him to the execu-
33 tive council for its approval or disapproval."

1 SEC. 3. This Act, being deemed of immediate importance, shall take
2 effect and be in full force on June 1, 1953 from and after its passage
3 and publication in the Eldora Herald-Ledger, a newspaper published
4 at Eldora, Iowa, and in the Marshalltown Times-Republican, a news-
5 paper published at Marshalltown, Iowa.

Approved March 9, 1953.

I hereby certify that the foregoing Act, Senate File 19, was published in the Eldora Herald-Ledger, Eldora, Iowa, March 17, 1953, and in the Marshalltown Times-Republican, Marshalltown, Iowa, March 10, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 92

FEEDING GARBAGE TO ANIMALS

S. F. 258

AN ACT to make it unlawful to feed garbage to animals except as regulated by the department of agriculture, to provide for the licensing of garbage processing and penalties for the violation of this act.

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

1 SECTION 1. Definitions: For the purposes of this Act, the following
2 words shall have the meaning ascribed to them in this section:

3 1. "Department" shall mean the department of agriculture, and
4 wherever said department is required or authorized to do an act, it
5 shall be construed as authorizing performance by a regular assistant
6 or a duly authorized agent of said department.

7 2. "Secretary" shall mean the secretary of agriculture.

8 3. "Garbage" means putrescible animal and vegetable wastes result-
9 ing from the handling, preparation, cooking, and consumption of foods
10 including animal carcasses or parts thereof, and shall include all waste

11 material, by-products of a kitchen, restaurant, stockyards, hotel, or
12 slaughterhouse, every refuse accumulation of animal, fruit, or vege-
13 table matter, liquids or otherwise.

1 SEC. 2. It shall be unlawful for any person, firm, partnership, or
2 corporation to feed garbage to animals unless such garbage has been
3 heated to a temperature of two hundred twelve degrees Fahrenheit for
4 thirty minutes, or other acceptable method, as provided by rules and
5 regulations promulgated by the department, provided this require-
6 ment shall not apply to an individual who feeds to his own animals
7 only the garbage obtained from his own household.

1 SEC. 3. Before any person shall process any public or commercial
2 garbage for swine, application for a license shall be made to the depart-
3 ment setting forth the name and address of the applicant's proposed
4 place of business, and the method used to process such garbage as out-
5 lined in section two.

6 On receipt of such application, the secretary or his authorized agent
7 shall at once inspect the premises on which the applicant proposes to
8 conduct such business. If the inspector finds that said building complies with the requirements of this chapter, and with the rules of the
9 department, and that the applicant is a responsible and suitable person,
10 he shall so certify in writing to the department.

11 On receipt of such certificate, the department shall issue a license
12 to said applicant to conduct such business at the place specified until
13 the first day of September following date of issue.

14 The license fee for each processing plant shall be fifty dollars, except
15 that the first license fee may be prorated on a monthly basis as pre-
16 scribed by the department.
17

1 SEC. 4. Any person, firm, partnership, or corporation violating the
2 provisions of this Act shall, upon conviction thereof, be fined not less
3 than one hundred dollars and not to exceed five hundred dollars. Each
4 day the provisions of section two of this Act, or any rule or regulation
5 made pursuant thereto, is violated shall be a separate offense.

1 SEC. 5. This Act, being deemed of immediate importance, shall take
2 effect and be in full force on June 1, 1953 from and after its passage
3 and publication in The Sioux County Capital, a newspaper published
4 at Orange City, Iowa, and in the Estherville Daily News, a newspaper
5 published at Estherville, Iowa.

Approved February 27, 1953.

I hereby certify that the foregoing Act, Senate File 258, was published in The Sioux County Capital, Orange City, Iowa, March 12, 1953, and in the Estherville Daily News, Estherville, Iowa, March 3, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 93

ERADICATION OF BANG'S DISEASE

S. F. 142

AN ACT to amend chapter one hundred sixty-four (164), section one hundred sixty-four point five (164.5) and repeal section one hundred sixty-four point eleven (164.11), Code 1950, relating to the eradication of Bang's disease.

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

1 SECTION 1. Section one hundred sixty-four point five (164.5), Code
2 1950, is hereby amended by adding the following: "Official vaccinates
3 shall not be considered infected unless reacting in dilutions of one (1)
4 to one hundred (100) or more."

1 SEC. 2. Section one hundred sixty-four point eleven (164.11) is
2 hereby repealed.

1 SEC. 3. Chapter one hundred sixty-four (164), Code 1950, is hereby
2 amended by adding thereto as a new section the following:

3 "Cattle—It shall be unlawful for any person to sell or transfer own-
4 ership of any female bovine animal unless it is accompanied by a neg-
5 ative brucellosis test report conducted within ninety (90) days. The
6 provisions of this paragraph do not apply to the following:

7 1. Calves under eight (8) months of age, and steers.

8 2. Official vaccinates if accompanied by an official calthood vaccina-
9 tion certificates.

10 3. Animals consigned directly to slaughter.

11 4. Animals which are moved for exhibition purposes when accom-
12 panied by an official calthood vaccination certificate or by a report of a
13 negative brucellosis test conducted within seventy-five (75) days.

14 5. Animals from a brucellosis accredited herd.

15 6. All female cattle shipped into the state of Iowa shall meet the
16 requirements set forth above except:

17 a. Female cattle under eighteen (18) months of age of the beef
18 breeds shipped in under feeder quarantine issued by the Division of
19 Animal Industry, Iowa Department of Agriculture, for a period not
20 to exceed one (1) year, except calves weighing under four hundred
21 (400) pounds at time of purchase will have a feeder quarantine issued
22 for sixteen (16) months, or if calves are officially vaccinated within
23 thirty (30) days after purchase, quarantine may be lifted.

24 b. Female cattle over eighteen (18) months of age of the beef breeds
25 imported into Iowa for feeder purposes under feeder quarantine issued
26 by the Division of Animal Industry, Iowa Department of Agriculture,
27 for a period not to exceed one hundred twenty (120) days."

28 "c. Female cattle of any age in which the origin of shipment is from
29 an area declared brucellosis free by its respective state department of
30 agriculture or by the United States department of agriculture."

1 SEC. 4. The provisions of this bill shall not go into effect until July
2 4, 1954.

Approved April 29, 1953.

CHAPTER 94

HOG CHOLERA SERUM AND VIRUS

S. F. 147

AN ACT to amend chapter one hundred sixty-six (166), Code 1950, relating to hog cholera serum and virus and the manufacture, sale and use of such products.

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

1 SECTION 1. Section one hundred sixty-six point one (166.1), sub-
2 section 1, Code 1950, is hereby amended by striking everything after
3 the word "and" in line three (3) and by substituting in lieu thereof
4 the following: "viruses which are either virulent or non-virulent,
5 alive or dead."

1 SEC. 2. Chapter one hundred sixty-six (166), Code 1950, is hereby
2 amended by adding thereto the following section: "None of the pro-
3 visions of this chapter as contained in sections one hundred sixty-six
4 point sixteen (166.16) to section one hundred sixty-six point twenty-
5 eight (166.28) inclusive, and section one hundred sixty-six point
6 thirty (166.30) to section one hundred sixty-six point thirty-three
7 (166.33) inclusive, relative to schools of instruction and permits to
8 purchase and administer virus shall be of any force or effect where
9 either a modified live virus of the non-virulent type or dead virus vac-
10 cine is to be purchased and administered."

Approved February 24, 1953.

CHAPTER 95

COUNTY AID TO FAIRS

S. F. 117

AN ACT to amend section one hundred seventy-four point thirteen (174.13), Code 1950, relating to county aid.

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

1 SECTION 1. Section one hundred seventy-four point thirteen
2 (174.13), Code 1950, is hereby amended by inserting after the word
3 "own" in line fourteen (14) the words "or lease".

Approved March 17, 1953.

CHAPTER 96
COUNTY FAIR SITES

H. F. 45

AN ACT to authorize the board of supervisors of any county to accept a legal title to a new site for use for the "county fair" and to provide for disposition of the old site.

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

1 SECTION 1. The board of supervisors of any county may accept
2 legal title to land in the name of the county, free and clear of all liens
3 and encumbrances, to be used for fair purposes.

1 SEC. 2. In the event that a new fairground site is acquired by any
2 county, the board of supervisors of such county may sell any existing
3 fairground site to which the county has title and such board may sell
4 any structure located on the old fairground site, that it is not practi-
5 cable to move or transfer to the new fairground site, at public or private
6 sale for the best price obtainable. The net proceeds from the sale of
7 fairground sites and structures on such sites shall be placed in the
8 "fairground fund" to be expended for the erection of permanent build-
9 ings on the new fairground site, or for the payment of debts con-
10 tracted in the removal, transporting, erection or repair of structures
11 moved from the old fairground site to the new fairground site.

1 SEC. 3. The board of supervisors is hereby authorized and empow-
2 ered to take such action as may be necessary to carry out and perform
3 the authority hereinbefore provided, but the said county shall not be
4 liable for any costs or expenses in carrying out and performing the
5 authority hereinbefore provided.

Approved February 25, 1953.

CHAPTER 97
SALE OF OLEOMARGARINE
S. F. 2

AN ACT to amend certain sections of the Code 1950 relating to imitation butter, oleo, oleomargarine and margarine and the manufacturing, processing, selling and labeling thereof, and to repeal section one hundred ninety-two point thirty-two (192.32), Code 1950, as amended, relating to the use of imitations of butter in certain state institutions and to provide for penalties for violations.

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

1 SECTION 1. Section one hundred ninety point one (190.1), Code
2 1950, is amended by striking the entire subsection two (2), thereof,
3 entitled "Imitation butter" and inserting in lieu thereof the following:
4 "2. Oleo, oleomargarine or margarine includes all substances, mix-
5 tures and compounds known as oleo, oleomargarine or margarine, or
6 all substances, mixtures and compounds which have a consistence
7 similar to that of butter and which contain any edible oils or fats
8 other than milk fat if made in imitation or semblance of butter."

1 SEC. 2. Section one hundred ninety point six (190.6), Code 1950,
2 is hereby amended by striking from line one (1) thereof, the words
3 "imitation butter or".

4 Said section is further amended by striking from line three (3)
5 thereof, the word "product" and inserting in lieu thereof the word
6 "cheese".

7 Said section is hereby further amended by striking from line six
8 (6), the words "butter or".

1 SEC. 3. Section one hundred ninety-one point two (191.2), Code
2 1950, is amended by striking therefrom the entire subsection three
3 (3) thereof, entitled "Imitation butter", and inserting in lieu thereof
4 the following:

5 "3. No person shall sell or offer for sale, colored oleo, oleomargarine
6 or margarine unless—such oleo, oleomargarine or margarine is pack-
7 aged; the net weight of the contents of any package sold in a retail
8 establishment is one pound or less; there appears on the label of the
9 package the word 'oleo', 'oleomargarine' or 'margarine' in type or
10 lettering at least as large as any other type or lettering on such label,
11 and a full and accurate statement of all the ingredients contained
12 in such oleo, oleomargarine or margarine; and each part of the con-
13 tents of the package is contained in a wrapper which bears the word
14 'oleo', 'oleomargarine' or 'margarine' in type or lettering not smaller
15 than 20-point type.

16 There shall be four readily legible imprints made by the manu-
17 facturer of the word 'oleo' on the product equally distributed on one
18 of the greater sides of each one-quarter pound, one-half pound, or
19 pound.

20 For the purposes of this chapter the term 'oleo', 'oleomargarine' or
21 'margarine' includes all substances, mixtures and compounds known
22 as oleo, oleomargarine or margarine, and all substances, mixtures
23 and compounds which have a consistence similar to that of butter
24 and which contain any edible oils or fats other than milk fat if made
25 in imitation or semblance of butter. For the purposes of this chap-
26 ter colored oleo, oleomargarine or margarine is oleo, oleomargarine
27 or margarine to which any color has been added.

28 Whenever coloring of any kind has been added it shall be clearly
29 stated on both inside wrapper and the outside package. The ingre-
30 dients of oleo, oleomargarine or margarine shall be listed on both
31 the inside wrapper and outside package in the order of the amounts
32 of ingredients in the package.

33 Such oleo, oleomargarine or margarine shall contain vitamin A in
34 such quantity that the finished oleo, oleomargarine or margarine con-
35 tains not less than fifteen thousand (15,000) United States Pharma-
36 copoeia units of vitamin A per pound, as determined by the method
37 prescribed in the Pharmacopoeia of the United States for the total
38 biological vitamin A activity.

39 Each one pound package of oleo, oleomargarine or margarine shall
40 be approximately four and three-quarter inches by four and three-
41 quarter inches in its greater dimensions commonly known as the
42 "Eastern pack".

43 Oleo, oleomargarine, or margarine may be manufactured within
44 the state of Iowa under the provisions of this section except that it

45 may be manufactured or stored in any shape or form for shipment
46 in interstate commerce only."

*See chapter 98.

1 SEC. 4. Section one hundred ninety-one point three (191.3), Code
2 1950, is amended by striking from line four (4) thereof the words
3 "butter or".

4 Said section is hereby further amended by striking from line six
5 (6) thereof the word "each".

6 Said section is hereby further amended by striking from lines
7 twelve (12) to fourteen (14) thereof, inclusive, the following sen-
8 tence: "The blank after the word 'imitation' in the above form shall
9 be filled with the name of the product imitated." and by inserting in
10 lieu thereof the following: "No person shall possess in a form ready
11 for serving colored oleo, oleomargarine or margarine at a public eat-
12 ing place unless a notice that oleo, oleomargarine or margarine is
13 served is displayed prominently and conspicuously in such place and
14 in such manner as to render it likely to be read and understood by
15 the ordinary individual being served in such eating place or is printed
16 or is otherwise set forth on the menu in type or lettering not smaller
17 than that normally used to designate the serving of other food items.
18 No person shall serve colored oleo, oleomargarine or margarine at a
19 public eating place, whether or not any charge is made therefor, un-
20 less each separate serving bears or is accompanied by labeling identi-
21 fying it as oleo, oleomargarine or margarine, or each separate serv-
22 ing thereof is triangular in shape."

1 SEC. 5. Section one hundred ninety-two point thirty-two (192.32),
2 Code 1950, as amended, is hereby repealed.

1 SEC. 6. The word "person" as used in chapters 190, 191, and 192
2 of the Code shall mean every natural person, firm, co-partnership,
3 association or corporation.

1 SEC. 7. No person, by himself, or agent, shall, by any means what-
2 ever, directly or indirectly, advertise or represent by statement,
3 printing, writing, circular, poster, design, device, grade designa-
4 tion, advertisement, symbol, sound, or any combination thereof, that
5 oleo, oleomargarine or margarine, or any brand of oleo, oleomarga-
6 rine or margarine, is a dairy product for the purpose of inducing or
7 which is likely to induce, directly or indirectly, the purchase for con-
8 sumption of oleo, oleomargarine or margarine, or any brand thereof.
9 Whoever shall violate this provision shall be deemed guilty of a mis-
10 demeanor.

1 SEC. 8. The department of agriculture may prescribe and estab-
2 lish standards for oleo, oleomargarine or margarine manufactured
3 or sold in this state and may adopt the standards set up by now exist-
4 ing regulations of the Federal Security Administration or Agency as
5 found in 1949, Code of Federal Regulations, Title 21, Part 45, Section
6 45.0, or any amendments thereto. Any standards so established shall
7 not be contrary to or inconsistent with the provisions of section one
8 hundred ninety point one (190.1), subsection two (2), Code 1950,
9 as amended, entitled 'Oleo, oleomargarine or margarine'.

1 SEC. 9. The provisions of this Act are hereby made a part of
 2 Title 10, Code 1950. It shall be the duty of the secretary of agricul-
 3 ture and his agents to enforce this chapter and of the county attor-
 4 neys and of the attorney general of the state to co-operate with him in
 5 the enforcement of this chapter.

1 SEC. 10. Penalty. Any person violating any provision of section
 2 one hundred ninety-one point three (191.3) of the Code shall upon
 3 conviction or plea of guilty be punished, for the first offense by a fine
 4 of one hundred (100) dollars; for the second offense by a fine of
 5 three hundred (300) dollars; for the third offense by a fine of five
 6 hundred (500) dollars and the suspension for one year of all licenses
 7 issued by the state of Iowa for the public eating place in which said
 8 violation occurred.

1 SEC. 11. If any of the provisions of this Act shall be held invalid
 2 or unconstitutional, such invalidity or unconstitutionality shall not
 3 affect other provisions of this Act, and to these ends the provisions
 4 of this Act are declared to be severable.

Approved April 15, 1953.

CHAPTER 98

MANUFACTURE OF OLEOMARGARINE

H. F. 513

AN ACT to amend Senate File 2, Acts of the Fifty-fifth General Assembly, relating to the manufacture and sale of oleo, oleomargarine or margarine.

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

1 SECTION 1. Amend Senate File 2, Acts of the Fifty-fifth General
 2 Assembly as follows: In section three (3), line forty-seven (47), insert
 3 after the word "Iowa" the words "for sale in Iowa"; by striking in
 4 lines forty-seven (47) and forty-eight (48) the words "except that"
 5 and inserting in lieu thereof the word "and"; and by inserting after
 6 the word "stored" in line forty-eight (48) the words "in Iowa".

Approved April 22, 1953.

*References are to lines in the enrolled Act. See line 44 of section 3, chapter 97.

CHAPTER 99

ICE MILK

S. F. 30

AN ACT to amend section one hundred ninety point one (190.1), Code 1950, relating to the regulation of the manufacture and sale of ice milk.

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

1 SECTION 1. Section one hundred ninety point one (190.1), Code
 2 1950, is amended by striking all of subsection thirty-six (36) thereof.

1 SEC. 2. Section one hundred ninety point one (190.1), Code 1950,
2 is amended by adding the following:

3 "*Ice milk.* Ice milk is a pure, clean frozen or semifrozen product
4 made from a combination of milk products and one or more of the
5 following ingredients: Sugar, dextrose, glucose, corn syrup in liquid
6 or dry form, with harmless flavoring or coloring or both, either nat-
7 ural or artificial, and with or without wholesome stabilizer; and in the
8 manufacture of which freezing has been accompanied by agitation of
9 the ingredients. It contains not more than one-half of one percent
10 (0.5%) by weight of wholesome stabilizer, and shall contain not less
11 than three and one-fourth percent (3.25%) and not more than six
12 percent (6%) by weight of milk fat; and not less than eleven percent
13 (11%) by weight of total milk solids. In no case shall any ice milk
14 contain less than one and three-tenths (1.3) pounds of total food sol-
15 ids per gallon or weigh less than four and five-tenths (4.5) pounds
16 per gallon. It shall not contain fats other than milk fat. Every par-
17 ticle of mix shall be pasteurized at temperature of not less than one
18 hundred fifty-five (155) degrees F. for not less than thirty (30) min-
19 utes or to a temperature of not less than one hundred seventy-five
20 (175) degrees F. for not less than twenty-five (25) seconds in ap-
21 proved and properly operated equipment. Provided, that nothing con-
22 tained in this definition shall be construed as barring any other proc-
23 ess which has been demonstrated to be equally efficient and is approved
24 by the state department of agriculture. It shall contain not more than
25 fifty thousand (50,000) bacteria per c.c. in the manufacturer's package.

26 "Ice milk sold at retail in the manufacturer's package or wrapper
27 shall be labeled on a contrasting background in plain legible eight
28 point type with the words, 'Ice Milk', provided that: When flavored ex-
29 clusively with fruit it shall be labeled, 'Fruit Ice Milk', preceded by the
30 name of the fruit. When flavored with fruit and fruit juice, or with
31 fruit juice, it shall be labeled, 'Ice Milk', preceded by the name of the
32 fruit. When bearing the name of a fruit or nut flavor but flavored
33 with artificial flavor, it shall be labeled, 'Ice Milk', preceded by the name
34 of the nut or fruit and followed by the words 'artificially flavored' in
35 the same size type. When flavored with cocoa or chocolate, or cocoa
36 and chocolate syrup, maple syrup, or confections, it shall be labeled,
37 'Ice Milk', preceded by the name of the product imparting the flavor.

38 "Notwithstanding any other labeling provision of the Code, ice milk
39 of any flavor may be dispensed into and sold at retail in edible con-
40 tainers subject to the single labeling requirement that such edible con-
41 tainer shall have embossed on the outside thereof the words, 'Ice Milk',
42 in letters not less than five-sixteenths (5/16) of an inch high.

43 "Notwithstanding any other labeling provision of the Code, ice milk
44 of any flavor may be dispensed into and sold at retail as a part of
45 malted milks and milk shakes, subject only to the labeling requirement
46 that the sales container, package or wrapper be labeled on a contrast-
47 ing background in plain legible eight point type with the words, 'Ice
48 Milk'.

49 "Ice milk shall not be dispensed and sold at retail in any form or
50 manner other than as provided herein, unless it is neither flavored
51 with any of the optional ingredients listed herein, nor colored.

52 "A sign shall be posted in every retail establishment where ice milk
53 is sold, on a white card not less than twelve (12) by twenty-two (22)

54 inches in dimensions with letters not less than three (3) inches in
55 height and two (2) inches in width containing the words, 'Ice Milk
56 Sold Here'; such a sign shall at all times be within plain view of, and at
57 an easily readable distance from the customer.

58 "The provisions of section one hundred eighty-nine point eleven
59 (189.11) of the Code shall not be applicable to ice milk.

60 "*Sub-standard frozen dessert.* The minimum standard for sub-
61 standard frozen dessert shall be the same as that of ice milk, except
62 that the milk fat content thereof shall be more than six percent (6%)
63 and less than ten percent (10%).

64 "Sub-standard frozen dessert shall be sold only in the manufactur-
65 er's package or wrapper and shall be labeled on a contrasting back-
66 ground in plain legible eight point type with the words, 'Sub-standard
67 Frozen Dessert'.

68 "The posting provisions as to ice milk shall apply in the case of
69 sub-standard frozen dessert, except that the sign to be posted shall
70 contain the words, 'Sub-standard Frozen Dessert Sold Here'.

71 "*Low fat content ice milk.* The minimum standard for low fat con-
72 tent ice milk shall be the same as that of ice milk, except that the
73 milk fat content thereof shall be less than three point two five per-
74 cent (3.25%).

75 "Low fat content ice milk shall be sold only in the manufacturer's
76 package or wrapper and shall be labeled on a contrasting background
77 in plain legible eight point type with the words, 'Low Fat Content
78 Ice Milk'.

79 "The posting provisions as to ice milk shall apply in the case of
80 low fat content ice milk, except that the sign to be posted shall con-
81 tain the words, 'Low Fat Content Ice Milk Sold Here'."

Approved March 26, 1953.

CHAPTER 100

BUTTERFAT CONTENT OF MILK

S. F. 43

AN ACT to prescribe the minimum butterfat content of milk.

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

- 1 SECTION 1. Section one hundred ninety point one (190.1), subsec-
- 2 tion thirty-nine (39), Code 1950, is hereby amended by inserting in
- 3 line three (3) following the word "three" the words "and twenty-five
- 4 hundredths".

Approved April 29, 1953.

CHAPTER 101

SWEETENING PRODUCTS IN FOOD

S. F. 205

AN ACT relating to the sale of food containing saccharine, sulfamate, or other approved sweetening products.

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

1 SECTION 1. Section one hundred ninety point three (190.3), subsection five (5), Code 1950, is hereby amended by striking from line one
2
3 (1) the word "saccharine".

1 SEC. 2. Where any approved artificial sweetening product such as
2 saccharine or sulfamate is used by any person in the manufacture or
3 sale of any article of food intended for human consumption, the container in which any such food or beverage is sold or offered for sale
4 to the public shall be clearly, legibly and noticeably labeled with the
5 name of the sweetening product used. The portion of the store, display counter, shelving, or other place where such food or beverage is
6 displayed or offered for sale, shall be clearly and plainly identified
7 by an appropriate sign reading "FOR DIETARY PURPOSES".
8
9

Approved April 29, 1953.

CHAPTER 102

MARKET MILK

S. F. 143

AN ACT to amend section three (3) of chapter eighty (80), Acts of the Fifty-fourth (54th) General Assembly (H. F. 483) relating to the handling and sale of market milk.

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

1 SECTION 1. Section three (3) of chapter eighty (80), Acts of the
2 Fifty-fourth (54th) General Assembly, is hereby amended by striking
3 from lines forty-five (45) and forty-six (46) the words: "procedures
4 approved by them for the control of Brucellosis" and inserting in lieu
5 thereof the following: "three following plans of control:".

6 Plan A. Test annually all cattle more than eight (8) months of age
7 except steers and official calfhood vaccinates until thirty-six (36)
8 months following date of vaccination. Slaughter all reactors, with indemnity payments as provided by State and Federal regulations. Official
9 calfhood vaccination to be optional with the herd owner.

10 Plan B. Test annually all cattle more than eight (8) months of
11 age except steers and official calfhood vaccinates until thirty-six (36)
12 months following date of vaccination. All reactors are to be identified
13 and quarantined on farm provided that the owner may at his option
14 retain such cattle for breeding purposes in accordance with the rules
15 and regulations of the Department. If a calfhood official vaccinate
16 reacts, the animal may be quarantined on the farm and retested within
17 sixty (60) days at the owner's expense. Official vaccination of all female
18 calves, between the ages of four (4) and eight (8) months.
19

20 Plan C. Official vaccination of all female calves between the ages
21 of four (4) and eight (8) months. The herd must be composed entirely
22 of official vaccinates.

1 SEC. 2. Nothing contained herein relating to said plans of control
2 shall invalidate ordinances or regulations of any municipal corpora-
3 tion, providing for control of Brucellosis by procedures other than the
4 foregoing three plans of control so long as said ordinance or regula-
5 tion shall embody plans and procedures approved by the United States
6 Bureau of Animal Industry and the Iowa Department of Agriculture.

Approved April 27, 1953.

CHAPTER 103

OLEOMARGARINE TAX REPEALED

S. F. 1

AN ACT to repeal sections one hundred ninety-four point one (194.1) to one hundred
ninety-four point thirteen (194.13) inclusive, Code 1950, relating to the excise tax
of five cents (5c) per pound upon oleomargarine.

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

1 SECTION 1. Sections one hundred ninety-four point one (194.1) to
2 one hundred ninety-four point thirteen (194.13), inclusive, Code 1950,
3 relating to the excise tax of five cents (5c) per pound upon oleo-
4 margarine, are hereby repealed.

Approved May 22, 1953.

CHAPTER 104

AGRICULTURAL SEEDS

H. F. 366

AN ACT relating to the sale of agricultural seeds and to amend certain sections of the
Code 1950, relating thereto.

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

1 SECTION 1. Section one hundred ninety-nine point eight, (199.8),
2 subsection one (1), Code 1950, is hereby amended as follows:

3 1. By striking from paragraph "d" all of line two (2) after the word
4 "seeds", and all of lines three (3) through seven (7) inclusive, and
5 inserting in lieu thereof the following: "In the enforcement of this
6 subsection, the department shall employ accepted tolerances adopted
7 by the Federal Seed Act."

8 2. By striking from line one (1) of paragraph "e" the word "three"
9 and inserting in lieu thereof the words "one and one-half".

1 SEC. 2. Section one hundred ninety-nine point ten (199.10), sub-
2 section three (3), Code 1950, is hereby amended by striking all of lines

3 ten (10) through fifteen (15) inclusive, and inserting in lieu thereof
4 the following:

5 "Any resident of this state may submit samples of seed for purity
6 analysis and germination tests.

7 "Charges for each of the first five samples submitted during any one
8 year shall be as follows:

9 Non-mixtures—

10 Purity analysis (including noxious weed check).....\$1.00

11 Germination test 1.00

12 Mixtures of two or three kinds of agricultural crop seeds—

13 Purity analysis (including noxious weed check).....\$2.00

14 Germination test 2.00

15 Mixtures of more than three kinds of agricultural crop seeds—

16 Purity analysis (including noxious weed check).....\$5.00

17 Germination test 5.00

18 Charges for samples in excess of five during any one year

19Commercial rates".

1 SEC. 3. Chapter one hundred ninety-nine (199), Code 1950, is here-
2 by amended by inserting the following new section:

3 "No person shall sell, distribute, solicit orders for, offer or expose
4 for sale, any agricultural seed without first obtaining from the depart-
5 ment a permit number to engage in such business, which permit num-
6 ber shall be affixed to each bag or container of such agricultural seed.
7 No permit number shall be required of persons selling seeds, including
8 seed corn, which has been packed and distributed by a seedsman hold-
9 ing and having in force a permit number as herein provided. No per-
10 mit number shall be required of persons selling, offering or exposing
11 for sale seed of their own production, provided that such seed is stored
12 or delivered to purchaser only on or from the farm or premises where
13 grown. The fee for each permit number shall be five dollars per annum,
14 and all permit numbers shall expire on the first day of July following
15 date of issue. After due and public hearing, the department may re-
16 voke or refuse to renew any permit issued under the authority of this
17 section, if intent to defraud is established."

Approved April 29, 1953.

CHAPTER 105

NARCOTIC DRUGS

S. F. 7

AN ACT relating to narcotic drugs; definitions thereof; and providing for increased penalties in relation thereto including theft; and adding penalties for the unlawful sale, prescription, and administration thereof to minors.

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

1 SECTION 1. Section two hundred four point twenty-two (204.22),
2 Code 1950, is repealed and the following enacted in lieu thereof:

3 "Penalties:

4 "1. Any person violating any provision of this chapter, except as
5 otherwise provided, shall upon conviction be fined not more than

6 two thousand dollars and shall be imprisoned in the state penitentiary
7 not less than two or more than five years. For a second offense, or
8 if, in case of a first conviction of violation of any provision of this
9 chapter, the offender shall previously have been convicted of any
10 violation of the laws of the United States or of any other state, ter-
11 ritory or district relating to narcotic drugs or marihuana, the of-
12 fender shall be fined not more than two thousand dollars and be
13 imprisoned in the state penitentiary not less than five or more than
14 ten years. For a third or subsequent offense, or if the offender shall
15 previously have been convicted two or more times in the aggregate
16 of any violation of the law of the United States or of any other state,
17 territory or district relating to narcotic drugs or marihuana, the
18 offender shall be fined not more than two thousand dollars and be
19 imprisoned in the state penitentiary not less than ten or more than
20 twenty years.

21 "2. Any person violating any provision of this chapter, by selling,
22 prescribing, or administering any narcotic drug to a minor shall upon
23 conviction thereof, be punished, by imprisonment in the state peni-
24 tentiary for not less than five or more than twenty years.

25 "3. Any person who takes, steals, or carries away any narcotic
26 drugs the property of any person who is duly authorized by law to
27 engage in administering, dispensing, or selling of narcotic drugs
28 shall be guilty of a felony and upon conviction be fined and impris-
29 oned as provided in subsection one of this section for any person vio-
30 lating any other provisions of this chapter.

31 "4. For violation of the provisions of this chapter the imposition
32 or executiton of sentence shall not be suspended and probation or
33 parole shall not be granted until the minimum imprisonment herein
34 provided for the offense shall have been served."

1 SEC. 2. Section two hundred four point one (204.1), Code 1950,
2 is hereby amended by striking all of subsection fifteen (15) and in-
3 serting in lieu thereof the following:

4 "15. 'Narcotic drugs' means coca leaves, opium, cannabis, isonipe-
5 caine, amidone, isoamidone, keto-bemidone, and every other substance
6 neither chemically nor physically distinguishable from them or any
7 other drugs to which the federal laws relating to narcotic drugs may
8 now apply."

1 SEC. 3. Section two hundred four point one (204.1), Code 1950,
2 is hereby amended by adding the following new subsections:

3 "21. 'Amidone' means any substance identified chemically as 4,
4 4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, by
5 whatever trade name designated.

6 "22. 'Isoamidone' means any substance identified chemically as 4,
7 4-diphenyl-5-methyl-6-dimethylamino-hexanone-3, or any salt thereof,
8 by whatever trade name designated.

9 "23. 'Keto-bemidone' means any substance identified chemically as
10 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl ketone hydrochloride,
11 or any salt thereof, by whatever trade name designated."

Approved April 15, 1953.

CHAPTER 106

BOARD OF CONTROL EMPLOYEES

S. F. 313

AN ACT relating to vacation and sick leave with pay for officers and employees of institutions under the board of control, repealing section two hundred eighteen point sixteen (218.16), and amending section two hundred eighteen point seventeen (218.17), Code 1950.

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

1 SECTION 1. Section two hundred eighteen point sixteen (218.16),
2 Code 1950, is hereby repealed.

1 SEC. 2. Section two hundred eighteen point seventeen (218.17),
2 Code 1950, is hereby amended by striking from lines one (1) and
3 two (2) thereof the words "Such vacations" and inserting in lieu
4 thereof the following: "Vacations and sick leave with pay as author-
5 ized in section seventy-nine point one (79.1)".

Approved April 10, 1953.

CHAPTER 107

HOSPITALS FOR INSANE

S. F. 223

AN ACT to amend section two hundred twenty-seven point fifteen (227.15), Code 1950, relating to county, private, and general 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 fifteen
2 (227.15), Code 1950, is hereby amended by adding thereto on line
3 three (3) after the word "hospital" the following: "or county hos-
4 pital or other general hospital with psychiatric ward".

Approved April 10, 1953.

CHAPTER 108

INSANE PERSONS

H. F. 176

AN ACT to amend chapter eighty-six (86), Acts of the Fifty-fourth General Assembly, relating to screening centers for psychiatric treatment of insane persons.

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

1 SECTION 1. Section one (1) of chapter eighty-six (86), Acts of the
2 Fifty-fourth General Assembly, is amended by striking from lines
3 fourteen (14), fifteen (15), sixteen (16) and seventeen (17) the ref-
4 erence, "two hundred twenty-seven point seventeen (227.17), two
5 hundred twenty-seven point eighteen (227.18) and two hundred twen-

6 ty-seven point nineteen (227.19)" and inserting in lieu thereof the
7 following: "two hundred twenty-nine point seventeen (229.17) to
8 two hundred twenty-nine point nineteen (229.19), inclusive".

Approved February 25, 1953.

CHAPTER 109

ADMISSION TO CHILDREN'S HOMES

S. F. 211

AN ACT relating to the commitment and voluntary admission of neglected, dependent and delinquent children to the Iowa juvenile home and The Iowa Annie Wittenmyer Home, denying commitment and admission of certain children thereto and to amend a part of and to repeal a part of section two hundred thirty-two point twenty-seven (232.27), and to amend section two hundred forty-four point four (244.4), Code 1950.

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

1 SECTION 1. Section two hundred thirty-two point twenty-seven
2 (232.27), Code 1950, subsection one (1) be and is hereby stricken
3 and the following substituted in lieu thereof: "If the child is neg-
4 lected or dependent and is not delinquent, it shall be committed either
5 to The Iowa Annie Wittenmyer Home or to the Iowa Juvenile Home;
6 provided, however, that any child not mentally normal, or who is
7 incorrigible or who has any vicious habits, or whose presence in the
8 home would be inimical to the moral or physical welfare of the chil-
9 dren therein, shall not be committed to said homes."

1 SEC. 2. Section two hundred forty-four point four (244.4), Code
2 1950, be and is hereby amended by adding thereto the following:
3 "Any child not mentally normal, or who is incorrigible, or who has
4 any vicious habits, or whose presence in the homes would be inimical
5 to the moral or physical welfare of normal children therein, shall be
6 denied voluntary admission to said homes."

1 SEC. 3. Section two hundred thirty-two point twenty-seven
2 (232.27), subsections two (2) and four (4), Code 1950, are hereby
3 repealed.

Approved April 10, 1953.

CHAPTER 110

JUVENILE HOME TAX

H. F. 130

AN ACT to amend section two hundred thirty-two point thirty-six (232.36), Code 1950, relating to the annual tax which the board of supervisors may levy for the maintenance of a juvenile detention home and school, and to provide for an increase in certain counties in the permissible tax levy for such purpose.

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

1 SECTION 1. Section two hundred thirty-two point thirty-six
2 (232.36), Code 1950, is hereby amended by striking the period (.) after

3 the word "chapter" in line five (5) and adding the following: ", pro-
 4 viding however that the board of supervisors in counties having a
 5 population of more than one hundred fifty thousand (150,000) may
 6 annually levy a tax of not to exceed one-half (½) mill for the above
 7 purposes."

Approved March 13, 1953.

CHAPTER 111

IOWA RURAL REHABILITATION CORPORATION

S. F. 28

AN ACT designating the state department of social welfare as the state agency to make application to the secretary of agriculture of the United States for the return of the assets of the Iowa rural rehabilitation corporation now dissolved and providing for the future administration of such assets.

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

1 SECTION 1 The state department of social welfare is hereby desig-
 2 nated as the state agency to make application to and receive from the
 3 secretary of agriculture of the United States, or any other proper
 4 federal official, pursuant and subject to the provisions of Public Law
 5 499, Eighty-first Congress, approved May 3, 1950, all of the trust
 6 assets held by the United States in trust for the Iowa Rural Rehabili-
 7 tation Corporation now dissolved.

1 SEC. 2. The state department of social welfare is authorized, in its
 2 discretion, to enter into agreements with the secretary of agriculture
 3 of the United States pursuant to section 2(f) of the aforesaid Act of
 4 Congress of the United States, upon such terms and conditions and
 5 for such periods of time as may be mutually agreeable, authorizing the
 6 secretary of agriculture of the United States, or such federal agency
 7 as may be designated by him, to accept, administer, expend and use in
 8 the state of Iowa all or any part of such trust assets or any other funds
 9 in the state of Iowa which may be appropriated for such use in carry-
 10 ing out the purposes of Titles I and II of the Bankhead-Jones Farm
 11 Tenant Act, in accordance with the applicable provisions of Title IV
 12 thereof and to do any and all things necessary to effectuate and carry
 13 out the purposes of said agreements.

1 SEC. 3. Except as to such of the assets as may be authorized to be
 2 administered by the secretary of agriculture of the United States
 3 under the provisions of section two (2) of this Act, the trust assets
 4 other than cash shall be taken on proper transfer or assignment in the
 5 name of the state department of social welfare and administered by
 6 it as hereinafter provided and the future proceeds therefrom to-
 7 gether with the cash items received under the application made pur-
 8 suant to section one (1) of this Act shall be deposited with the treas-
 9 urer of state for the use of the state department of social welfare in
 10 carrying out such of the rural rehabilitation purposes permissible
 11 under the charter of the now dissolved Iowa Rural Rehabilitation
 12 Corporation as may from time to time be agreed upon by the state

13 department of social welfare and the secretary of agriculture of the
14 United States as required by section 2(c), Public Law 499, Eighty-
15 first Congress.

1 SEC. 4. In addition to the express and necessarily implied powers
2 enumerated in the charter of the Iowa Rural Rehabilitation Corpora-
3 tion now dissolved, appearing of record in book 7253, page 143 in the
4 office of the county recorder of Polk County, Iowa, the state depart-
5 ment of social welfare is specifically authorized and empowered to:

6 (a) Receive written applications for loans, lend or advance moneys
7 and execute all necessary written instruments in connection therewith
8 needed in carrying out such of the rural rehabilitation purposes per-
9 missible and agreed upon as provided for in section three (3) of this
10 Act.

11 (b) Collect, compromise, adjust or cancel claims and obligations
12 arising out of or administered under this Act or under any mortgage,
13 lease, contract or agreement entered into or administered pursuant
14 to this Act and, if in its judgment, necessary and advisable, pursue
15 the same to final collection in any court having jurisdiction.

16 (c) Bid for and purchase at any execution, foreclosure or other
17 sale, or otherwise to acquire property upon which it has a lien by
18 reason of a judgment or execution, or which is pledged, mortgaged,
19 conveyed or which otherwise secures any loan or other indebtedness
20 owing to or acquired by it under this Act, and

21 (d) Accept title to any property so purchased or acquired; operate
22 or lease such property for such period as may be deemed necessary
23 to protect the investment therein and sell or otherwise dispose of such
24 property in a manner consistent with the provisions of this Act.

1 SEC. 5. The authority conferred upon the state department of
2 social welfare by section four (4) of this Act may be delegated to the
3 secretary of agriculture of the United States with respect to funds
4 or assets authorized to be administered and used by him under agree-
5 ments entered into pursuant to section two (2) of this Act.

1 SEC. 6. The United States and the secretary of agriculture thereof
2 shall be held free from liability by virtue of the transfer of the assets
3 to the state department of social welfare of the state of Iowa pursuant
4 to this Act.

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 Washington Evening Journal, a newspaper published at Wash-
4 ington, Iowa, and the Grinnell Herald-Register newspaper published
5 at Grinnell, Iowa.

Approved February 27, 1953.

I hereby certify that the foregoing Act, Senate File 28, was published in The Wash-
ington Evening Journal, Washington, Iowa, March 2, 1953, and in the Grinnell Herald-
Register, Grinnell, Iowa, March 2, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 112

BOARD OF PAROLE

S. F. 385

AN ACT to amend section two hundred forty-seven point two (247.2), Code 1950, relating to senate approval of members appointed to the board of parole.

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

- 1 SECTION 1. Section two hundred forty-seven point two (247.2),
 2 Code 1950, is hereby amended as follows:
 3 1. By inserting after the word "of" in line five (5) thereof the
 4 following: "two-thirds of the members of".
 5 2. By inserting after the word "senate" in line five (5) thereof the
 6 following: "in executive session".
 7 3. By inserting after the word "of" in line ten (10) thereof the
 8 following: "two-thirds of the members of".
 9 4. By inserting after the word "senate" in line ten (10) thereof
 10 the following: "in executive session".

Approved April 17, 1953.

CHAPTER 113

UNIVERSITY HOSPITAL

H. F. 26

AN ACT to amend section two hundred fifty-five point four (255.4), Code 1950, relating to the records of commitment of indigent persons to the university hospital.

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

- 1 SECTION 1. Section two hundred fifty-five point four (255.4), Code
 2 1950, is hereby amended by striking the word "docket" in line two
 3 (2) thereof and substituting in lieu thereof the words, "number and
 4 index".
- 1 SEC. 2. Section two hundred fifty-five point four (255.4), Code
 2 1950, is further amended by adding at the end thereof the following
 3 sentence:
 4 "The clerk may, after the expiration of five years from the filing
 5 of a complaint, destroy it and all papers or records in connection
 6 therewith."

Approved April 22, 1953.

CHAPTER 114

BOARD OF PUBLIC INSTRUCTION

H. F. 23

AN ACT to establish a department of public instruction for the state of Iowa; to establish a board of public instruction, provide for the election of members thereof, and prescribe the powers and duties of said board; to provide for the appointment of a superintendent of public instruction and assistant superintendents and such other staff members and employees as necessary, and to prescribe the powers and duties of such superintendents and staff members; to abolish the present board of educational examiners and transfer duties of said board to the board of public instruction; to abolish the present board for vocational education and to designate the board of public instruction as the state board for vocational education; to amend certain sections of the Code 1950, relating thereto, and to repeal certain sections of said Code 1950, to effect the general purposes of this Act.

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

1 SECTION 1. There is hereby established a state board of public
2 instruction for the state of Iowa. The state board of public instruc-
3 tion, hereinafter called the state board, shall consist of nine members.

1 SEC. 2. The members of the state board shall be qualified electors
2 of the state, shall hold no other elective or appointive public office,
3 and in order to preserve the lay character of the board, no person, the
4 major portion of whose time is engaged in professional education or
5 who derives a major portion of his income from any business or
6 activity connected with education, shall be eligible for membership
7 on the state board.

1 SEC. 3. The terms of members of the state board shall be for six
2 years beginning on the second secular day in January following their
3 election or appointment. No member who is either appointed or
4 elected for a six year term will be permitted to succeed himself.

5 The state is hereby divided into state board of public instruction
6 districts the boundaries of which shall be conterminous with the eight
7 congressional districts as they exist on January 1, 1953, and there
8 shall be one member of the board elected from each such district.

9 One member of the board shall be appointed by the governor from
10 the electors of the state at large, subject to confirmation by two-thirds
11 of the senate in executive session.

12 At the first regular meeting of the board in the next January after
13 the first election in 1953 hereunder the terms of the elected members
14 shall be determined by lot; three for two-year terms, three for four-
15 year terms, and two for six-year terms. At the first meeting of the
16 board in each even-numbered year the board shall elect a president
17 and vice-president who shall serve for two years.

1 SEC. 4. The members of the state board shall qualify by taking
2 the regular oath of office as prescribed by law for state officers. Va-
3 cancies occurring on the state board in the elected membership shall
4 be filled by the remainder of the state board by appointment. A va-
5 cancy in the office of the member at large shall be filled by appoint-
6 ment by the governor.

7 Appointees to fill vacancies in the elected membership on the board
8 shall hold office until the second secular day in January of the next
9 even-numbered year, unless the vacancy occurred after May 31 in an

10 odd-numbered year, not the last year of a regular term, in which
11 event the appointee shall serve until two years from the second sec-
12 ular day of the next January.

1 SEC. 5. The election of members of the state board shall be con-
2 ducted in the following manner:

3 1. In each county of the state board of public instruction district
4 where an election is to be held for a member of the state board, the
5 county board of education shall nominate and elect delegates and
6 alternates to the district convention provided for in this section and
7 the board of education of each independent or consolidated school dis-
8 trict within such state board of public instruction district maintain-
9 ing a four-year high school and containing a city of five thousand or
10 more population shall elect delegates and alternates to said conven-
11 tion.

12 The number of delegates to be elected by each such board of a con-
13 solidated or independent district maintaining a four-year high school
14 and having a city of five thousand (5,000) or more population shall
15 be as follows:

16 (1). In the event the population of the city in such school district as
17 shown at the last federal census is twenty thousand (20,000) or less
18 one delegate shall be elected.

19 (2). In the event the population of the city in such school district
20 is over twenty thousand (20,000) one delegate shall be elected for
21 each twenty thousand (20,000) of population or major fraction there-
22 of.

23 The number of delegates to be elected by each county board of
24 education shall be determined as follows:

25 (1). When the population of any county is twenty-two thousand
26 five hundred (22,500) or less the county board shall elect one delegate
27 unless there is no independent or consolidated school district within
28 the county maintaining a four-year high school and containing a city
29 having a population of at least five thousand (5,000) in which event
30 the county board shall elect two delegates.

31 (2). If the population of the county is in excess of twenty-two
32 thousand five hundred (22,500) the county board shall elect two
33 delegates. In no case shall a county have less than two delegates.
34 Said election shall be held on the second Monday in July of odd-
35 numbered years when necessary to elect members to the state board
36 for unexpired terms where vacancies have been filled by appointment
37 or choose successors for members whose terms will expire in the fol-
38 lowing January. The names of those chosen as delegates and alter-
39 nates shall be certified to the secretary of state by the county board
40 of education and boards of education of said school districts within
41 the district within ten days after the election.

42 2. Not later than ten days before the third Monday in August, each
43 odd-numbered year, the secretary of state shall call a convention in
44 the most conveniently located county seat as determined by him in
45 each of the state board districts holding an election for board member,
46 designating the date, time, and place of meeting, and designating the
47 county superintendent of the county in which the convention is held to
48 act as chairman of the nominating convention. He shall supply the
49 chairman of each district convention with a list of delegates and alter-
50 nates previously certified to him by each county board of education and

51 boards of education of said school districts within the district and shall
52 notify each delegate and alternate in writing of the time and place of
53 the convention. This official list shall constitute the list of those eligible
54 to participate in the district convention. At the designated time and
55 place the county superintendent so appointed shall convene the meet-
56 ing, cause a secretary to be elected, and the convention shall then pro-
57 ceed to the election of a person known to them to be interested in ed-
58 ucation as a member of the state board from that district by a majority
59 vote of those present. A quorum shall constitute sixty per cent of those
60 eligible to attend. The nominations shall be from the floor and voting
61 by ballot. The county superintendent in charge shall certify to the
62 secretary of state the name of the board member elected. The success-
63 ful candidates for election to the state board shall be issued certificates
64 of election as prescribed in the statutes.

65 3. The cost of conducting the district convention shall be borne by
66 each county board of education and the boards of education of said
67 school districts sending delegates to said convention, to be paid from
68 county board of education funds, and by boards of education of inde-
69 pendent or consolidated districts sending delegates to said convention,
70 to be paid from the general fund, and shall be based upon the actual
71 expense incurred by such delegates.

1 SEC. 6. The members of the state board shall be allowed a per diem
2 of fifteen dollars and their necessary travel and expense while engaged
3 in their official duties.

1 SEC. 7. The place of office of the state board shall be in the office
2 of the department of public instruction in the capitol of the state.

1 SEC. 8. The state board shall hold at least six regular meetings
2 each year, the first of which shall be on the second secular day of Jan-
3 uary. Special meetings of the state board may be called by the pres-
4 ident or by any five members of the board on five days' notice given
5 to each member. All meetings shall be held at the office of the depart-
6 ment of public instruction unless a different place within the state of
7 Iowa is designated by the state board or in the notice of the meeting.

1 SEC. 9. The state board shall exercise the following general powers
2 and duties:

3 1. Determine and adopt such policies as are authorized by law and
4 are necessary for the more efficient operation of any phase of public
5 education.

6 2. Adopt necessary rules and regulations for the proper enforce-
7 ment and execution of the provisions of the school laws.

8 3. Adopt and prescribe any minimum standards for carrying out
9 the provisions of the school laws.

10 4. Perform such duties prescribed by law as it may find necessary
11 for the improvement of the state system of public education in carry-
12 ing out the purposes and objectives of the school laws.

1 SEC. 10. It shall be the responsibility of the state board to exercise
2 the following specific powers and perform the following duties:

3 1. Employ adequate clerical help to keep such records as are neces-
4 sary to set forth clearly all actions and proceedings of the state board.

5 2. Direct the distribution of all monies under the provisions of the
6 law for the distribution of various state and federal aids to schools,

7 when the amounts of the same have been computed by the superintend-
8 ent of public instruction according to formulae provided by law and
9 rules of the state board.

10 3. Adopt and transmit to the state comptroller as provided by law,
11 on blanks provided by him for that purpose, on or before September 1
12 prior to the meeting of each regular session of the general assembly,
13 estimates of expenditure requirements for all functions and services,
14 including the department of public instruction, under the supervision
15 of the state board, when the same have been prepared and submitted
16 to the state board by the superintendent of public instruction, except
17 as otherwise provided by law, for each fiscal year of the ensuing bien-
18 nium.

19 4. Advise and counsel with the state superintendent of public in-
20 struction and other school officials and citizens concerning the school
21 laws and the rules and regulations adopted pursuant thereto; and to
22 review the record and decision of the superintendent of public instruc-
23 tion in all appeals heard and decided by said superintendent, where-
24 upon it shall approve same or may direct a rehearing before said super-
25 intendent.

26 5. Authorize, approve, and require to be used such forms as are
27 needed to promote uniformity, accuracy, and completeness in executing
28 contracts, keeping records, and in pupil and cost accounting, making
29 reports, and to require such reports to be made in such manner as may
30 be recommended by the state superintendent of public instruction.

31 6. Approve plans when submitted by the state superintendent of
32 public instruction for co-operating with the federal government when-
33 ever it may find it desirable to do so, and provide for the acceptance
34 and the administration of funds, subject to the approval of the legis-
35 lature, which may be appropriated by congress and apportioned to the
36 state for any or all educational purposes relating to the public school
37 system and for the acceptance of surplus commodities for distribution
38 when made available by any government agency.

39 7. Approve plans submitted by the state superintendent for co-
40 operating with all other agencies, federal, state, county and municipal,
41 in the development of regulations and in the enforcement of laws for
42 which the state board and such agencies are jointly responsible and ap-
43 prove plans for co-operating with other proper agencies in the improve-
44 ment of conditions relating to the state system of public education.

45 8. Adopt a long-range program for the state system of public ed-
46 ucation based upon special studies, surveys, research, and recommenda-
47 tions submitted by or proposed under the direction of the state super-
48 intendent of public instruction.

49 9. Constitute a continuing research commission as to public school
50 matters in the state and cause to be prepared and submitted to each
51 regular session of the general assembly a report containing such recom-
52 mendations as to revisions, amendments, and new provisions of the
53 law as the state board has decided should be submitted to the legislature
54 for its consideration.

55 10. Constitute the state board for vocational education, and have
56 and exercise all the powers and perform all the duties imposed upon
57 said board under the provisions of chapters two hundred fifty-eight
58 (258) and two hundred fifty-nine (259), Code 1950, including both
59 vocational education and vocational rehabilitation.

60 11. Constitute the board for the certification of administrative, su-
61 pervisory and instructional personnel for the public school systems of
62 the state; prescribe types and classes of certificates to be issued, the
63 subjects and fields and positions which such certificates shall cover and
64 determine the requirements for certificates; establish standards for
65 the acceptance of degrees, credits, courses, and other evidences of
66 training and preparation from institutions of higher learning, junior
67 colleges, normal schools, or other training institutions, both public and
68 private, within or without the state, for the certification of their stu-
69 dents. The state board shall have and exercise all the powers and per-
70 form all the duties imposed upon the board of educational examiners
71 under the provisions of chapter two hundred sixty (260), Code 1950.
72 12. Prescribe such minimum standards and rules and regulations
73 as are required by law or recommended by the state superintendent of
74 public instruction in accordance with law, and as it may find desirable
75 to aid in carrying out the provisions of the Iowa school laws.

1 SEC. 11. The state board shall appoint, effective January 1, 1955,
2 and each four years thereafter, with the approval of two-thirds of the
3 members of the senate in executive session, a superintendent of public
4 instruction.

5 The superintendent of public instruction, elected to office in 1950,
6 shall continue in said office until the effective date herein, with all the
7 rights, powers, and duties conferred by law on the office of superin-
8 tendent of public instruction. Should any vacancy in the office of state
9 superintendent of public instruction occur prior to April 1, 1955, and
10 after the state board is first selected and qualified, said vacancy shall
11 be filled by the state board.

1 SEC. 12. The superintendent shall hold a master's degree in educa-
2 tion or some related field; he shall have had at least five years' expe-
3 rience in educational administration. He shall hold or be eligible to
4 hold a regular Iowa superintendent's certificate based upon training.
5 Assistant superintendents shall have the same qualifications.

1 SEC. 13. The superintendent and assistant superintendents shall
2 take the oath of office prescribed by section sixty-three point ten
3 (63.10), Code 1950.

1 SEC. 14. The superintendent and any members of his staff desig-
2 nated by the state board shall give bond as provided in section sixty-
3 four point six (64.6), Code 1950.

1 SEC. 15. The superintendent shall maintain his office in the depart-
2 ment of public instruction in the capitol of the state.

1 SEC. 16. The superintendent shall be the executive officer of the
2 state board.

1 SEC. 17. The superintendent shall have the following powers:

2 1. Exercise general supervision over the state system of public edu-
3 cation, including the public elementary and secondary schools, the
4 junior colleges, and shall have educational supervision over the ele-
5 mentary and secondary schools under the control of the state board
6 of control, and nonpublic schools to the extent that is necessary to
7 ascertain compliance with the provisions of the Iowa school laws.

8 2. Advise and counsel with the state board on all matters pertaining
9 to education, recommend to the state board such matters as in his judg-
10 ment are necessary to be acted upon, and when approved, to execute
11 or provide for the execution of the same when so directed by the state
12 board.

13 3. Recommend to the state board for adoption such policies pertain-
14 ing to the state system of public education as he may consider neces-
15 sary for its more efficient operation.

16 4. Carry out all orders of the state board not inconsistent with state
17 law.

18 5. Organize, staff and administer the state department so as to ren-
19 der the greatest service to public education in the state.

1 SEC. 18. It shall be the responsibility of the state superintendent of
2 public instruction to exercise all powers and perform all duties here-
3 inafter listed; provided, in those categories where policies are to be
4 initiated by the superintendent and approved by the state board, such
5 policies are to be executed by the superintendent only after having been
6 approved by the state board.

7 1. Attend all meetings of the state board, except executive sessions
8 of the state board, as may be requested by the state board, and call such
9 special meetings of the board as he may be authorized to call by the
10 president or by written request of five members of the board.

11 2. Keep such records of the proceedings of the board, including com-
12 plete minutes, as are necessary to locate and identify the actions of the
13 state board.

14 3. Act as custodian of a seal for his office with which, together with
15 his signature, he shall authenticate all true copies of decisions, acts, or
16 documents.

17 4. Act as the executive officer of the state board in all matters per-
18 taining to vocational education and vocational rehabilitation.

19 5. Recommend to the state board the personnel of such committees
20 as are required by law, and to appoint such other committees as may
21 be deemed desirable by him or the state board for carrying out the
22 provisions of the Iowa school laws.

23 6. Apportion to the respective school districts of the state all monies
24 provided by law according to the provisions of the various state and
25 federal aid laws.

26 7. Provide the same educational supervision for the schools main-
27 tained by the state board of control as is provided for the public schools
28 of the state and make recommendations to the board of control for the
29 improvement of the educational program in such institutions.

30 8. Recommend ways and means of co-operating with the federal gov-
31 ernment in carrying out any or all phases of the educational program
32 relating to the state system of public education in which, in the discre-
33 tion of the board, co-operation is desirable. Recommend policies for
34 administering funds which may be appropriated by congress and
35 apportioned to the state for any or all educational purposes relating to
36 the public school system, and execute such plans as adopted by the
37 state board.

38 9. Recommend to the state board policies and ways and means of
39 co-operating with other agencies, federal, state, county and municipal,
40 for carrying out those phases of the program in which co-operation is
41 required by law, or in the discretion of the state board, it is deemed

42 desirable and co-operate with such agencies in planning and bringing
43 about improvements in the educational program.

44 10. Advise and counsel concerning the interpretation and meaning
45 of the school laws and the rules and regulations adopted pursuant there-
46 to; and, when practicable, amicably adjust and settle such controver-
47 sies arising thereunder as may be submitted to him, directly or by
48 appeal, by all persons directly concerned, to hear and decide appeals as
49 provided by law.

50 11. Prepare for the approval of the state board, such forms and pro-
51 cedures as are deemed necessary to be used by county boards, district
52 boards, school officials, principals, teachers, and other employees, and
53 to insure uniformity, accuracy, and efficiency in keeping records in both
54 pupil and cost accounting, the execution of contracts, the preparation
55 of budgets, and the submission of reports; furnish, when deemed ad-
56 visable by him and approved by the state board, those forms which can
57 more economically and efficiently be provided in that manner; and noti-
58 fy the county board, or district board, or school authorities, in any
59 case when any report has not been filed in the manner or on the dates
60 prescribed by law or by regulation of the state board that the school
61 be not approved until the report has been properly filed.

62 12. Ascertain by inspection, supervision, or otherwise, the condition,
63 needs, and progress of the schools under the supervision of his depart-
64 ment and make recommendations to the proper authorities for the cor-
65 rection of deficiencies and the educational and physical improvement
66 of such schools, and recommend to the state board the need for a state
67 audit of the accounts of any school district, county school system, school
68 official, or any school employee handling school funds when it is ap-
69 parent that such audit should be made. If deemed advisable the state
70 board may call upon the state auditor to make such an audit and he
71 shall proceed to do so as soon as practicable.

72 13. Formulate standards, regulations, and rules, subject to the ap-
73 proval of the state board, for the approval of all schools and public
74 junior colleges under his supervision; subject to the approval of the
75 board remove for cause, after due investigation and notice, any such
76 school failing to comply with such approval standards, rules, and reg-
77 ulations from the approved list; which removal shall, during the period
78 of noncompliance, make such school ineligible for participation in the
79 state distributive funds, and the collection of tuition from nonresidents
80 from other districts which do not maintain approved high schools.

81 14. Preserve all reports, documents, and correspondence that may be
82 of a permanent value, which shall be open for inspection under reason-
83 able conditions by any citizen of the state.

84 15. Keep a record of the business transacted by him.

85 16. Endeavor to promote among the people of the state an interest
86 in education.

87 17. Classify and define the various schools under the supervision
88 of his department, formulate suitable courses of study therefor, and
89 publish and distribute such classifications and courses of study and
90 promote their use.

91 18. Report to the state comptroller on the first day of January of
92 each year the number of persons of school age in each county.

93 19. Report biennially to the governor, at the time provided by law,
94 the condition of the schools under his supervision, including the num-

95 ber and kinds of school districts, the number of schools of each kind,
96 the number and value of schoolhouses, the enrollment and attendance
97 in each county for the previous year, any measures proposed or plans
98 matured for the improvement of the public schools, such financial and
99 statistical information as may be of public importance, and such gen-
100 eral information relating to educational affairs and conditions within
101 the state or elsewhere.

102 20. Appoint at least one, and not more than two county or multiple
103 county educational meetings or institutes to be held in each county
104 or combination of counties each year and designate the time and place
105 for holding the same. The program therefor and the instructors and
106 lecturers therein shall be subject to his approval.

107 21. Prepare and supply such questions as are deemed necessary for
108 the examination of pupils completing the eighth grade in the rural
109 schools and fix the time of such examinations.

110 22. Cause to be printed in book form, during the months of June
111 and July in the year 1955 and every four years thereafter, if deemed
112 necessary, all school laws then in force with such forms, rulings, and
113 decisions, and such notes and suggestions as may aid school officers in
114 the proper discharge of their duties. A sufficient number shall be
115 furnished to the county superintendent of each county to supply
116 therein school officers, directors, superintendents, and others in such
117 numbers as may be reasonably requested.

118 23. Cause to be printed in pamphlet form after each session of the
119 general assembly any amendments or changes in the school laws with
120 necessary notes and suggestions to be distributed as prescribed in
121 subsection twenty-two (22) of this section.

122 24. Prepare and submit to each regular session of the general
123 assembly a report containing the recommendations of the state board
124 as to revisions, amendments, and new provisions of school laws.

1 SEC. 19. There is hereby established a department of public instruc-
2 tion to act as an administrative, supervisory, and consultative agency
3 under the direction of the superintendent of public instruction and the
4 state board. The state department shall be located in the office of the
5 state superintendent, and shall assist the state superintendent in pro-
6 viding professional leadership and guidance and in carrying out such
7 policies, procedures, and duties authorized by law or by the regulations
8 of the state board, as are found necessary to attain the purposes and
9 objectives of the school laws of Iowa.

1 SEC. 20. The state department of public instruction shall be organ-
2 ized into such divisions, branches or sections as may be found desirable
3 and necessary by the state superintendent, subject to the approval of
4 the state board, to perform all the proper functions and render max-
5 imum services relating to the operation and improvement of the state
6 system of public education; provided that the organization shall be
7 such as to promote co-ordination of functions and services relating to
8 administration and financial services on the one hand and the im-
9 provement of instruction on the other hand.

1 SEC. 21. The state superintendent shall appoint all employees, with
2 due regard to their qualifications for the duties to be performed, desig-
3 nate their titles and prescribe their duties. If deemed advisable, the

4 state superintendent may for cause effect the removal of any employee
5 in the state department of public instruction. The total amount of com-
6 pensation for employees shall be subject to the limitation of the ap-
7 propriation and other funds available for the maintenance of the de-
8 partment. The appointment, promotion, demotion, change in salary
9 status or removal for cause of any employee shall be subject to the
10 approval of the state board.

1 SEC. 22. The state superintendent may appoint not more than two
2 assistant superintendents subject to the approval of the state board,
3 whose duties shall be directed by the superintendent of public instruc-
4 tion. The qualifications for assistant superintendent shall be the same
5 as required for the superintendent. The assistant superintendent des-
6 ignated by the state board shall, in the absence or inability of the
7 superintendent, perform the duties of that office.

1 SEC. 23. The superintendent of public instruction, his assistants,
2 and the employees of his department shall receive their necessary
3 travel expenses incurred in the performance of their official duties.

1 SEC. 24. The salary of the superintendent of public instruction
2 shall be fixed by the state board, but not to exceed ten thousand dollars
3 (\$10,000.00) per year. The salaries of the assistant or assistants pro-
4 vided for in section 22 hereof shall be fixed by the state board but not
5 to exceed three-fourths ($\frac{3}{4}$) of the salary of the superintendent. All
6 appointments to the professional staff of the department of public in-
7 struction shall be without reference to political party affiliation, re-
8 ligious affiliation, sex, or marital status, but shall be based solely upon
9 fitness, ability and proper qualifications for the particular position.
10 The professional staff, including the state superintendent, shall serve
11 at the discretion of the state board; provided, however, that no such
12 person shall be dismissed for cause without at least ninety days notice,
13 except in cases of conviction of a felony or cases involving moral turpi-
14 tude. In cases of procedure for dismissal, the accused shall have the
15 same right to notice and hearing as teachers in the public school sys-
16 tems as provided in section two hundred seventy-nine point twenty-
17 four (279.24), Code 1950, or as much thereof as may be applicable.

1 SEC. 25. The state board shall succeed to all the property, funds,
2 records, correspondence, files and equipment of the former boards of
3 educational examiners and vocational education.

1 SEC. 26. Amend chapter two hundred sixty (260), Code 1950, as
2 follows:

3 1. By striking all of section two hundred sixty point one (260.1)
4 and substituting in lieu thereof the following: "The state board of
5 public instruction shall constitute the board of educational examiners."

6 2. By striking all of section two hundred sixty point three (260.3)
7 and substituting in lieu thereof the following: "The state superintend-
8 ent shall with the approval of the state board direct the work of such
9 personnel as may be necessary to carry out the provisions of this chap-
10 ter."

11 3. By striking all of section two hundred sixty point four (260.4).

1 SEC. 27. Amend chapter two hundred fifty-eight (258), Code 1950,
2 as follows:

3 1. By striking all of section two hundred fifty-eight point two
4 (258.2) and substituting in lieu thereof the following: "The state
5 board of public instruction shall constitute the board for vocational
6 education."

7 2. By striking all of section two hundred fifty-eight point three
8 (258.3) and substituting in lieu thereof the following: "The superin-
9 tendent of public instruction as executive officer of the state board of
10 public instruction shall, with its approval, appoint, and direct the work
11 of such personnel as may be necessary to carry out the provisions of
12 this chapter."

1 SEC. 28. Amend section two hundred eighty-five point six (285.6),
2 Code 1950, by striking all of lines one (1) to six (6), inclusive, and as
3 far as the period in line seven (7) and substituting in lieu thereof the
4 following: "The state superintendent, subject to the approval of the
5 state board of public instruction, is authorized to organize and staff
6 the division and to employ the necessary qualified personnel to carry
7 out the provisions of this chapter."

1 SEC. 29. Section thirty-nine point twelve (39.12), Code 1950, is
2 repealed effective January 1, 1955, provided, however, that no election
3 shall be held under section thirty-nine point twelve (39.12) in 1954.

1 SEC. 30. Section nineteen point twenty-five (19.25), Code 1950,
2 is amended by striking the word "Superintendent" in item sixteen (16),
3 line twenty-three (23), and substituting in lieu thereof the words
4 "State board".

1 SEC. 31. Section sixty-nine point three (69.3), Code 1950, is
2 amended by striking from line twelve (12), the words "superintendent
3 of public instruction,".

1 SEC. 32. Chapter two hundred fifty-seven (257), Code 1950, is
2 hereby repealed.

1 SEC. 33. Amend section two hundred seventy-three point seventeen
2 (273.17), Code 1950, by adding in line eight (8) after the word "in-
3 struction", the words ", subject to the approval of the state board of
4 public instruction,".

1 SEC. 34. Amend chapter two hundred seventy-five (275),* Code
2 1950, as follows:

3 1. By adding in section two hundred seventy-five point three
4 (275.3), line twenty (20), after the word "instruction", the words
5 ", subject to the approval of the state board of public instruction,".

6 2. By striking the word "department" in lines six (6) and seven
7 (7) of section two hundred seventy-five point ten (275.10) and sub-
8 stituting in lieu thereof the word "board".

1 SEC. 35. Amend section two hundred eighty-six A point six
2 (286A.6), Code 1950, line two (2), by inserting after the word "in-
3 struction" the words ", subject to the approval of the state board of
4 public instruction,".

*Repealed by chapter 117, Acts of 55th G. A.

1 SEC. 36. Amend section two hundred ninety-seven point twenty-six
2 (297.26), Code 1950, by striking from line seven (7) the word "super-
3 intendent" and substituting in lieu thereof the words "state board".

1 SEC. 37. Amend chapter two hundred eighty (280), Code 1950, as
2 follows:

3 1. In section two hundred eighty point seventeen (280.17), strike
4 the word "superintendent" in line five (5) and substitute in lieu there-
5 of the words "state board".

6 2. In section two hundred eighty point eighteen (280.18), line twelve
7 (12), following the word "instruction" insert the words ", subject to
8 the approval of the state board of public instruction,".

1 SEC. 38. Amend section two hundred eighty-one point one (281.1),
2 Code 1950, by striking the semicolon (;) after the word "department"
3 in line seven (7) and substituting in lieu thereof a period (.) and by
4 striking the remainder of the section and substituting in lieu thereof
5 the following: "The state superintendent, subject to the approval of
6 the state board of public instruction, is authorized to organize the
7 division and to employ the necessary qualified personnel to carry out
8 the provisions of this chapter.".

1 SEC. 39. Amend chapter two hundred ninety (290), Code 1950, as
2 follows:

3 1. In section two hundred ninety point five (290.5) strike the word
4 "superintendent" in line three (3) and substitute in lieu thereof the
5 words "state board".

6 2. In section two hundred ninety point six (290.6), strike the words
7 "or state superintendent" from line three (3) and substitute in lieu
8 thereof the words "superintendent or state board of public instruc-
9 tion".

1 SEC. 40. Sections twenty-five (25) to twenty-eight (28), inclusive,
2 and sections thirty (30) to thirty-nine (39), inclusive, of this Act shall
3 become effective from and after the second secular day of January
4 1954.

1 SEC. 41. Section two hundred ninety-nine point one (299.1), Code
2 1950, is amended by striking from lines five (5) and six (6) the words
3 "or private". Further amend said section by striking from lines
4 seventeen (17) and eighteen (18) the words "competent teacher else-
5 where than at school" and inserting in lieu thereof the words "certif-
6 icated teacher elsewhere".

1 SEC. 42. Amend chapter ninety-four (94), Acts of the Fifty-fourth
2 General Assembly, by striking from section two (2),* line six (6), the
3 word "department" and inserting in lieu thereof the word "board".

1 SEC. 43. If any sections or provisions of this Act are declared un-
2 constitutional, the remaining sections or provisions of the Act shall
3 not be affected thereby.

1 SEC. 44. All laws or parts of laws in conflict with the provisions
2 of this Act are hereby repealed and the provisions of this Act shall
3 prevail.

Approved April 22, 1953.

*Section 275.10, Code 1950, amended by 54th G. A.; repealed by chapter 117, Acts of 55th G. A.

CHAPTER 115

SCHOOL BOOKS

H. F. 47

AN ACT to amend section two hundred seventy-three point thirteen (273.13), Code 1950, with reference to county boards of education renting books and instructional aids to the pupils of the various districts.

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

1 SECTION 1. Amend section two hundred seventy-three point thir-
2 teen (273.13), subsection four (4), Code 1950, by adding the following
3 after the word "same" in line nine (9): "or the county board of edu-
4 cation may, with its own funds, buy such books and instructional aids
5 for the school districts under its jurisdiction and rent them to the
6 pupils of the various districts, and make proper accounting for same".

Approved February 25, 1953.

CHAPTER 116

BOUNDARIES OF SCHOOL DISTRICTS

H. F. 3

AN ACT to amend section two hundred seventy-four point sixteen (274.16), Code 1950, relating to changing boundaries of school districts.

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

1 SECTION 1. Section two hundred seventy-four point sixteen
2 (274.16), Code 1950, is amended by adding at the end thereof the fol-
3 lowing new sentence: "This section shall be applicable to all school
4 corporations."

1 SEC. 2. This Act, being deemed of immediate importance, shall
2 take effect and be in full force from and after its passage and publica-
3 tion in The Sac Sun, a newspaper published at Sac City, Iowa, and in
4 the Waterloo Daily Courier, a newspaper published at Waterloo, Iowa.

Approved February 24, 1953.

I hereby certify that the foregoing Act, House File 3, was published in The Sac Sun, Sac City, Iowa, February 26, 1953, and in the Waterloo Daily Courier, Waterloo, Iowa, February 27, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 117

SCHOOL DISTRICT REORGANIZATION

H. F. 229

AN ACT to amend, revise, and codify chapters two hundred seventy-five (275) and two hundred seventy-six (276), Code 1950, relating to school district reorganization and boundary changes, to repeal certain sections of the Code 1950, relating thereto and to amend certain sections of the Code 1950, relating thereto.

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

Chapters two hundred seventy-five (275) and two hundred seventy-six (276), Code 1950, are hereby amended, revised, and codified to read as follows:

1 **SECTION 1. Declaration of policy—surveys.** It is hereby declared
2 to be the policy of the state to encourage the reorganization of school
3 districts into such units as are necessary, economical and efficient and
4 which will insure an equal opportunity to all children of the state. In
5 conformity to the county administration law, chapter two hundred
6 seventy-three (273), the county board of education in each county of
7 the state shall initiate detailed studies and surveys of the school dis-
8 tricts within the county and territory adjacent thereto for the pur-
9 pose of promoting such reorganization of districts by unions, mergers,
10 reorganizations or centralization as will effect more economical oper-
11 ation and the attainment of higher standards of education in the
12 schools.

1 **SEC. 2. Scope of surveys.** The scope of such studies and surveys
2 shall include the following matters in the various districts in the
3 county: the adequacy of the educational program, average daily at-
4 tendance of pupils, property valuations, existing buildings and equip-
5 ment, natural community areas, road conditions, transportation, eco-
6 nomic factors, and such other matters that may bear on educational
7 programs meeting minimum standards required by law.

1 **SEC. 3. Minimum standards.** No new school district shall be
2 planned by a county board of education nor shall any proposal for
3 creation or enlargement of any school district be approved by a county
4 board of education or submitted to electors unless there reside within
5 the proposed limits of such district at least three hundred persons of
6 school age who were enrolled in public schools in the preceding school
7 year. Provided, however, that the state superintendent of public in-
8 struction shall have authority to grant permission to a county board
9 to approve the formation or enlargement of a school district contain-
10 ing a lower school population than above provided on the written re-
11 quest of such county board of education if such request is accompanied
12 by evidence tending to show that sparsity of population, natural bar-
13 riers or other good reason makes it impracticable to meet said school
14 population requirement.

1 **SEC. 4. Hearings.** In making the studies and surveys required by
2 sections one (1) and two (2) the board in each county shall consult
3 with the officials of affected districts and other citizens, and shall from
4 time to time hold public hearings, and may employ such research and
5 other assistance as it may determine reasonably necessary in order to

6 properly carry on its survey and prepare definite plans of reorgani-
7 zation.

8 Upon the written request of the county boards of education in
9 adopting reorganization plans which conform to the statewide plan
10 of education and to state laws, the state superintendent of public
11 instruction shall cause reorganization plans and suggestions to be pre-
12 pared and forwarded to the county superintendents of schools together
13 with such recommendations as may promote the purposes set forth in
14 section one (1) of this Act.

1 **SEC. 5. Tentative plans.** Pending completion of the final plans pro-
2 vided for in sections one (1) to four (4) hereof, the county board
3 of education shall prepare and approve tentative plans for reorgani-
4 zation of school districts within the county after consultation with the
5 boards of the various districts in the county and the state department
6 of public instruction. Within ten days after the county board has
7 approved their tentative plan they shall file such plan with the state
8 department of public instruction. Any proposal for merger, consoli-
9 dation or boundary change shall first be submitted to the county board
10 of education for approval before being submitted at an election. The
11 county board of education shall adopt and file a tentative county plan
12 with the state department of public instruction no later than sixty
13 (60) days after a proposal for merger or consolidation has been pre-
14 sented to them for their approval under this section. Such proposals
15 may provide for reducing an existing school district to less than four
16 government sections and where such proposal is put into effect by
17 election by one of the methods hereinafter provided the county board
18 shall attach such remaining portions of less than four sections to an-
19 other school district as provided for in their county plan.

1 **SEC. 6. Progressive program.** It is the intent of this chapter that
2 the county board shall carry on the program of reorganization pro-
3 gressively and shall, insofar as is possible, authorize submission of
4 proposals to the electors as they are developed and approved.

1 **SEC. 7. Budget.** The county board of education shall include in the
2 budget submitted each year such sums as it deems necessary to carry
3 on its reorganization work under this chapter.

1 **SEC. 8. Co-operation of state department.** The state department of
2 public instruction shall co-operate with the several county boards of
3 education in making the studies and surveys required hereunder. In
4 the case of controversy over the planning of joint districts, the mat-
5 ter shall be submitted to the state department of public instruction and
6 its decision may be appealed to a court of record in one of the counties
7 involved, by an aggrieved party to the controversy, within thirty days
8 after the decision of the state department of public instruction. Joint
9 districts shall mean districts that lie in two or more adjacent counties.

1 **SEC. 9. Methods of effectuating reorganization plans.** When any
2 school district is enlarged, reorganized, or changes its boundaries pur-
3 suant to the plans hereinabove provided for, such enlargement, reor-
4 ganization, or boundary change shall be accomplished by one of the
5 methods hereinafter provided.

1 **SEC. 10. Proposals affecting two districts.** Pursuant to county
2 plan and upon the approval of the county board of education, the
3 boards of directors of any two school districts which have a common
4 boundary shall by concurrent action merge such districts or adjust
5 the boundary line between such districts at their regular meetings in
6 July, or at special meetings thereafter called for that purpose; pro-
7 vided however, that a written request for such action is filed prior
8 thereto by any ten legal voters residing in each of said districts or,
9 if there be not ten, then a majority of such voters, has been filed with
10 their respective board of directors and the proposed boundary changes
11 are approved by the legal voters in each of said districts at an elec-
12 tion which shall be called and conducted as provided in chapter two
13 hundred seventy-seven (277). If a majority of the votes cast in each
14 of the affected districts are in favor of the change, the same shall go
15 into effect on the first day of July following the election. Not more
16 than one election shall be held in any twelve (12) calendar months.

1 **SEC. 11. Proposals involving three or more districts.** Subject to
2 the approval of the county board of education contiguous territory
3 located in three or more school districts may be united into a single
4 district in the manner provided in sections twelve (12) to twenty-
5 three (23) hereof.

1 **SEC. 12. Petition.** A petition describing the boundaries of the
2 proposed district, which boundaries shall conform to county plan or
3 the petition shall request amendment of the county plan, signed by at
4 least one-third of the voters residing within such proposed boundaries,
5 shall be filed with the county superintendent of the county in which
6 the greater number of the qualified electors reside.

1 **SEC. 13. Affidavit—presumption.** Such petition shall be accom-
2 panied by an affidavit showing the number of qualified electors living
3 in the territory described in the petition and signed by a qualified
4 elector residing in the territory, and if parts of the territory described
5 in the petition are situated in different counties, the affidavit shall
6 show separately as to each county, the number of qualified electors in
7 the part of the county included in the territory described. The affi-
8 davit shall be taken as true unless objections to it are filed on or be-
9 fore the time fixed for filing objections as provided in section fourteen
10 (14) hereof.

1 **SEC. 14. Objection—time of filing—notice.** Within ten days after
2 the petition is filed, the county superintendent shall fix a final date
3 for filing objections to the petition in the office of the county super-
4 intendent, and give notice for at least ten days, by one publication in
5 a newspaper published within the territory described in the petition,
6 or if none is published therein, in a newspaper published in the county
7 where the petition is filed, and of general circulation in the territory
8 described. Objections shall be in writing in the form of an affidavit
9 and may be made by any person residing or owning land within the
10 territory described in the petition, or who would be injuriously affected
11 by the change petitioned for and shall be on file not later than twelve
12 o'clock noon of the final day fixed for filing objections.

1 **SEC. 15. Hearing—decision—publication of order.** On the final day
2 fixed for filing objections, interested parties may present evidence and

3 arguments, and the county board of education shall review the matter
4 on its merits and within five days after the conclusion of any hearing,
5 shall rule on the objections and shall enter an order fixing such bound-
6 aries for the proposed school corporation as will in its judgment be
7 for the best interests of all parties concerned, having due regard for
8 the welfare of adjoining districts or dismiss the petition which shall
9 be final. If such boundaries are neither those petitioned for nor those
10 fixed by the county plan, the hearing shall be adjourned and notice for
11 the adjourned hearing shall be given in the same manner as herein-
12 above provided and upon the final hearing the board shall fix the
13 boundaries, or dismiss the petition which shall be final. The county
14 superintendent shall at once publish this order in the same newspa-
15 per in which the original notice was published and file any amend-
16 ments to the county plan in the same manner as hereinabove provided
17 for the original or tentative county plan.

1 **SEC. 16. Hearing when territory in different counties.** If the terri-
2 tory described in the petition for the proposed corporation lies in
3 more than one county, the county superintendent with whom the peti-
4 tion is filed shall fix the time and place and call a joint meeting of
5 the members of all the county boards of education of the counties in
6 which any territory of the proposed school corporation lies, to act as
7 a single board for the hearing of the said objections, and a majority
8 of all members not disqualified under section seventeen (17) hereof
9 of the county boards of education of the different counties in which
10 any part of the proposed corporation lies, shall constitute a quorum
11 and it shall determine and fix boundaries for the proposed corporation
12 as provided in section fifteen (15) hereof, or dismiss the petition,
13 unless county plans are amended in which event the decision of the
14 joint county boards may be appealed as provided in section eight (8).
15 The county superintendent shall at once publish this decision in the
16 same newspaper in which the original notice was published.

1 **SEC. 17. Interested parties as judges.** No member of a county
2 board of education who lives or owns land within the proposed dis-
3 trict or within any existing district affected by the proposed change
4 in boundaries, or who has filed objection to the establishment of the
5 new school corporation, shall take any part in determining any matter
6 concerning the establishment of such school corporation, which may
7 come before the county board or a joint meeting for a hearing. Where
8 members are disqualified under this section a majority of the qualified
9 members shall constitute a quorum. A tie vote of members at a
10 hearing under sections fifteen (15) or sixteen (16) shall be deemed as
11 granting the petition.

1 **SEC. 18. Special election called—time.** When the boundaries of
2 the territory to be included in a proposed school corporation have
3 been determined as herein provided, the county superintendent with
4 whom such petition is filed shall call a special election in such pro-
5 posed school corporation within thirty days from the date of the final
6 determination of such boundaries, by giving notice by one publica-
7 tion in the same newspaper as previous notices concerning it have
8 been published, and in addition thereto, if more than one county is
9 involved, by one publication in a legal newspaper in each county other

10 than that of the first publication, which publication shall be not less
11 than ten nor more than fifteen days prior to the election. In the case
12 of joint districts, no notice for an election shall be published until the
13 time for appeal, which shall be the same as that provided in section
14 two hundred eighty-five point twelve (285.12), has expired; and in
15 the event of an appeal, not until the same has been disposed of.

1 **SEC. 19. Judges of election.** The county superintendent shall ap-
2 point the judges of such election and such judges shall be qualified
3 electors of the territory of the proposed school corporation as deter-
4 mined by the county superintendent or board of education, and they
5 shall serve without pay. If any judge fails to appear at the proper
6 time, his place shall be filled by the judge or judges present, or if no
7 judge appears, any three qualified electors may organize the election
8 board.

1 **SEC. 20. Separate vote in urban territory.** When it is proposed to
2 include in such district a school corporation containing a city, town,
3 or village with a population of two hundred or more inhabitants, the
4 voters residing upon the territory outside the limits of such school
5 corporation shall vote separately in each existing school district af-
6 fected or portion thereof upon the proposition to create such new cor-
7 poration. School districts affected or portion thereof shall be defined
8 to mean that area to be included in the plan of the proposed new school
9 district. Where there are more than three districts or portions of
10 districts voting on a reorganization program, the proposition must
11 carry by a majority vote in seventy-five percent of the districts in-
12 volved; provided, however, that those districts voting against the
13 proposition shall not be included in the newly formed district. The
14 newly formed board of any rural-urban reorganization effected under
15 the provisions of this chapter shall provide for at least one rural
16 member on the board who shall be a farmer residing on and operating
17 a farm within the district.

1 **SEC. 21. Separate vote in consolidated districts.** When it is pro-
2 posed to include in such district a school corporation which contains
3 an area of sixteen sections or more and which maintains a central
4 school, the voters residing in the territory within the limits of said
5 school corporation shall vote separately upon the proposition to create
6 such new corporation.

1 **SEC. 22. Separate ballot boxes.** The judges of election shall pro-
2 vide separate ballot boxes in which shall be deposited the votes cast
3 by the qualified electors from their respective territories.

1 **SEC. 23. Canvass and return.** The judges of election shall count
2 the ballots, make return to and deposit the ballots with the county
3 superintendent, who shall enter the return of record in his office. If
4 the majority of the votes cast by the qualified electors are in favor of
5 the proposition, a new school corporation shall be organized, except
6 that in cases where separate ballot boxes are required by law, a ma-
7 jority of the votes cast by the qualified electors from their respective
8 territories shall be required.

1 **SEC. 24. Effective date of change.** When any school district is en-
2 larged, reorganized, or changes its boundary by the method provided

3 in section ten (10) or the method provided in sections eleven (11)
4 to twenty-three (23) hereof, the effective date of such change shall be
5 July 1 following the election of the new board.

1 **SEC. 25. Election of directors.** If the proposition to establish a
2 new corporation carries under the method provided in sections eleven
3 (11) to twenty-three (23) hereof a special election shall be called
4 on or before the tenth day of the following June by the county super-
5 intendent by giving notice by one publication in the same newspaper
6 in which the former notices were published and he shall appoint judges
7 who shall serve without pay. At such election, two directors shall
8 be elected to serve until the next regular election, two until the sec-
9 ond, and one until the third regular election thereafter, and until
10 such time as their successors are elected and qualified. The judges of
11 election shall make return to the county superintendent who shall
12 enter the return of record in his office and notify the persons who are
13 elected directors. The new board shall meet and organize on July 1
14 following their election.

15 If a proposition submitted under section ten (10) carries, a special
16 election shall be called and conducted in the manner above provided
17 in all cases where the population of territory added exceeds twenty-
18 five percent of the population of the district to which such territory
19 is added. In all other cases under section ten (10) the incumbent
20 board members shall continue to hold office for their elective terms.
21 Vacancies on any board caused by change in boundaries shall be filled
22 in the manner provided in sections two hundred seventy-nine point
23 six (279.6) and two hundred seventy-nine point seven (279.7).

1 **SEC. 26. Payment of expenses.** If a district is established or
2 changes its boundaries by either of the said methods it shall pay all
3 expenses incurred by the superintendent and the board of education
4 in connection with the proceedings, including the election of the first
5 board of directors. If the proposition is defeated at the election all
6 expenses shall be apportioned among the several districts in propor-
7 tion to the assessed valuation of property therein.

8 If the proposed district or boundary change embraces territory in
9 more than one county such expenses shall be certified to and, if neces-
10 sary, apportioned among the several districts by the joint board of
11 education. If in only one county the certification shall be made by
12 the county superintendent.

13 The respective boards to which such expenses are certified shall
14 audit and order the same paid from the general fund. In the event
15 of failure of any board to so audit and pay the expenses certified to
16 it, the county superintendent shall certify the expenses to the county
17 auditor in the same manner as is provided for tuition claims in sec-
18 tion two hundred eighty-two point twenty-one (282.21) and the funds
19 shall be transferred by the county treasurer from the debtor district
20 to the county board of education for payment of said expenses.

1 **SEC. 27. Names.** School districts created or enlarged under the
2 provisions of this chapter shall be known as community school dis-
3 tricts and shall be part of the county school system and all provisions
4 of the law applicable to the common schools generally shall be appli-
5 cable to such districts in addition to the powers and privileges con-
6 ferred by this chapter.

1 **SEC. 28. Division of assets and liabilities.** A plan of reorganiza-
2 tion in addition to setting up the territory to comprise the reorgan-
3 ized districts may provide for a division of assets and liabilities of the
4 old districts between reorganized districts. If no provision is made
5 in the plan for division of assets and liabilities, such division shall be
6 made under the provisions of sections twenty-nine (29) to thirty-one
7 (31), inclusive, hereof.

1 **SEC. 29. Division of assets and liabilities.** Within twenty days
2 after the organization of the new boards, they shall meet jointly with
3 the several boards of directors whose districts have been affected by
4 the organization of the new corporation or corporations and all of said
5 boards acting jointly shall recommend to the several boards an equi-
6 table division of the assets of the several school corporations or parts
7 thereof and an equitable distribution of the liabilities of such school
8 corporations or parts thereof among the new school corporations.

1 **SEC. 30. Arbitration.** If the boards cannot agree on such division
2 and distribution, the matters on which they differ shall be decided by
3 disinterested arbitrators, one selected by each board having an interest
4 therein, and if the number thus selected is even, then one shall be
5 added by the county superintendent. The decision of the arbitrators
6 shall be made in writing and filed with the secretary of the new cor-
7 poration, and any party to the proceedings may appeal therefrom to
8 the district court by serving notice thereof on such secretary within
9 twenty days after the decision is filed. Such appeal shall be tried in
10 equity and a decree entered determining the entire matter, including
11 the levy, collection, and distribution of any necessary taxes.

1 **SEC. 31. Taxes to effect equalization.** If necessary to equalize such
2 division and distribution, the board or boards may provide for the
3 levy of additional taxes upon the property of any corporation or part
4 of corporation and for the distribution of the same so as to effect
5 such equalization.

1 **SEC. 32. School buildings—tax levy.** The board of any school cor-
2 poration shall establish attendance centers and provide suitable build-
3 ings for each school in the district, and may at the regular or a special
4 meeting call a special election to submit to the qualified electors of
5 the district the question of voting a tax or authorizing the board to
6 issue bonds, or both, for any or all of the following purposes:

7 1. To secure sites, build, purchase, or equip school buildings.

8 2. To build or purchase a superintendent's or teacher's house or
9 houses.

10 3. To repair or improve any school building or grounds, or super-
11 intendent's or teacher's house or houses, when the cost will exceed five
12 thousand dollars.

13 All moneys received for such purposes shall be placed in the school-
14 house fund of said corporation and shall be used only for the purpose
15 for which voted.

1 **SEC. 33. Contracts not affected.** The terms of employment of su-
2 perintendents, principals, and teachers, for any current school year
3 shall not be affected by the formation of the new district.

1 SEC. 34. Nothing herein contained shall be construed as invalidat-
2 ing the organization of any school district existing on the effective
3 date of this Act nor shall any proceedings for merger, consolidation,
4 boundary change, or creation of a new school district commenced prior
5 to the effective date of this Act be invalidated by the provisions of
6 this Act.

1 SEC. 35. Chapters two hundred seventy-five (275) and two hun-
2 dred seventy-six (276), Code 1950, are hereby repealed.

1 SEC. 36. Sections two hundred seventy-four point sixteen (274.16)
2 to two hundred seventy-four point thirty-four (274.34), inclusive, and
3 sections two hundred seventy-four point thirty-seven (274.37) and
4 two hundred seventy-four point thirty-eight (274.38), Code 1950, and
5 all amendments thereto are hereby repealed.

1 SEC. 37. Section three (3) of chapter ninety-four (94), Acts of
2 the Fifty-fourth General Assembly, is hereby repealed.

1 SEC. 38. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Daily
3 Record, a newspaper published at Cedar Falls, Iowa, and in the Grin-
4 nell Herald-Register, a newspaper published at Grinnell, Iowa.

Approved April 22, 1953.

I hereby certify that the foregoing Act, House File 229, was published in the Daily Record, Cedar Falls, Iowa, April 27, 1953, and in the Grinnell Herald-Register, Grinnell, Iowa, April 30, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 118

SCHOOL EMPLOYEES BOND

H. F. 8

AN ACT to amend section two hundred seventy-nine point eight (279.8), Code 1950, to provide that public school employees handling money accruing from school activities and other sources furnish bond to school corporation.

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

1 SECTION 1. Section two hundred seventy-nine point eight (279.8),
2 Code 1950, is amended by adding thereto the following: "Employees
3 of a school corporation maintaining a high school who have the cus-
4 tody of funds belonging to the corporation or funds derived from extra-
5 curricular activities and other sources in the conduct of their duties,
6 shall be required to furnish suitable bond indemnifying the corporation
7 or any activity group connected with the school against loss, and em-
8 ployees who have the custody of property belonging to the corporation
9 or any activity group connected with the school may be required to
10 furnish such bond. Said bond or bonds may be in such form and
11 penalty as the board may approve and the premiums on same shall
12 be paid from the general fund of the corporation."

Approved March 30, 1953.

CHAPTER 119

SCHOOL TUITION RATES

H. F. 458

AN ACT to amend sections two hundred seventy-nine point eighteen (279.18), two hundred eighty-two point twenty (282.20), and two hundred eighty-two point twenty-four (282.24), Code 1950, relating to the method of computing school tuition rates.

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

1 SECTION 1. Amend section two hundred seventy-nine point
2 eighteen (279.18), Code 1950, by striking all of said section after
3 the period (.) after the word "year" in line seven (7) and inserting
4 in lieu thereof the following: "Such tuition rates shall include ex-
5 penditures from the general fund for general control, instruction,
6 auxiliary agencies except transportation costs, co-ordinate activities,
7 operation of plant, maintenance of plant, fixed charges including
8 insurance on buildings and contents, capital, interest paid for debt
9 service from the general fund, interest paid for debt service and
10 retirement of bonds from the schoolhouse fund. A pro rata charge
11 for depreciation on buildings shall be made at the rate of two per cent
12 per annum on the appraised value, less bonded indebtedness thereon,
13 of all buildings owned by the school corporation and used for elemen-
14 tary school purposes, but not exceeding the maximum tuition rate
15 as determined by the state superintendent of public instruction as
16 prescribed in section two hundred eighty-two point twenty-four
17 (282.24). No depreciation charge shall be made for the portion of
18 the initial cost of buildings and equipment purchased with federal
19 grants. On or before July 15, 1953, the board in each school cor-
20 poration accepting tuition pupils shall cause its buildings to be
21 appraised and an itemized statement of the results of the appraisal
22 filed with the county superintendent. Such statement shall constitute
23 the basis for the hereinabove provided depreciation charge. Such
24 appraisal shall be made by a board comprised of the county or city
25 assessor and one member appointed by the local school corporation
26 and one member appointed by the county board of education.
27 "The tuition rates and the computation thereof shall be filed with
28 the county board of education not later than July 30 for its review
29 and approval. Receiving districts cannot receive tuition until ap-
30 proval is granted by the county board of education. The right of
31 appeal shall be as provided in section two hundred eighty-five point
32 thirteen (285.13)."

1 SEC. 2. Amend section two hundred eighty-two point twenty
2 (282.20), Code 1950, by striking all of the sentence beginning with
3 the words "Such tuition rate" in line nine (9) and ending with the
4 figures "282.24." in line fourteen (14) and inserting in lieu thereof
5 the following: "Such tuition rates shall include expenditures from
6 the general fund for general control, instruction, auxiliary agencies
7 except transportation costs, co-ordinate activities, operation of
8 plant, maintenance of plant, fixed charges including insurance on
9 buildings and contents, capital, interest paid for debt service from
10 the general fund, interest paid for debt service and retirement of
11 bonds from the schoolhouse fund. A pro rata charge for deprecia-

12 tion on buildings shall be made at the rate of two per cent per annum
 13 on the appraised value, less bonded indebtedness thereon, of all
 14 buildings owned by the school corporation and used for high school
 15 purposes, but not exceeding the maximum tuition rate as determined
 16 by the state superintendent of public instruction as prescribed in sec-
 17 tion two hundred eighty-two point twenty-four (282.24). No depre-
 18 ciation charge shall be made for the portion of the initial cost of
 19 buildings and equipment purchased with federal grants. On or before
 20 July 15, 1953, the board in each school corporation accepting tuition
 21 pupils shall cause its buildings to be appraised and an itemized state-
 22 ment of the results of the appraisal filed with the county superin-
 23 tendent. Such statement shall constitute the basis for the herein-
 24 above provided depreciation charge. Such appraisal shall be made
 25 by a board comprised of the county or city assessor and one member
 26 appointed by the local school corporation and one member appointed
 27 by the county board of education.

28 "Tuition charges for regularly established junior high schools not
 29 extending below the seventh grade shall be computed in the same
 30 manner as prescribed above for high schools, using the costs appli-
 31 cable to junior high schools.

32 "The tuition rates and the computation thereof shall be filed with
 33 the county board of education not later than July 30 for its review
 34 and approval. Receiving districts cannot receive tuition until ap-
 35 proval is granted by the county board of education. The right of
 36 appeal shall be as provided in section two hundred eighty-five point
 37 thirteen (285.13)."

1 SEC. 3. Amend section two hundred eighty-two point twenty-four
 2 (282.24), Code 1950, by striking the word "seventy-fifth" in line
 3 thirteen (13) and inserting in lieu thereof the word "eighty-fifth".

4 Further amend said section by adding after the period (.) in line
 5 nineteen (19) the new sentence:

6 "The junior high school rate shall be one and fifty hundredths
 7 times the elementary rate."

Approved April 10, 1953.

CHAPTER 120

SCHOOL TRANSPORTATION

S. F. 73

AN ACT to amend section two hundred eighty-five point two (285.2), Code 1950, relating to the basis of state aid for transportation of school pupils.

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

1 SECTION 1. Section two hundred eighty-five point two (285.2),
 2 Code 1950, is amended by striking from line one (1) of subsection two
 3 (2), paragraph "a", the word "eighteen" and inserting in lieu thereof
 4 the word, "thirty".

Approved February 3, 1953.

CHAPTER 121

TEACHERS' RETIREMENT SYSTEM

S. F. 252

AN ACT to permit the liquidation of the pension and annuity retirement system of public school teachers as such pension system has been established in accordance with the provisions of section two hundred ninety-four point eight (294.8), Code 1950.

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

1 SECTION 1. Section two hundred ninety-four point eleven (294.11),
2 Code 1950, as amended by section twenty-one (21) of chapter one
3 hundred sixty-five (165) laws of the fifty-fourth general assembly, is
4 hereby repealed and the following substituted in lieu thereof:
5 "Any independent school district which has in operation the pen-
6 sion and annuity retirement system created pursuant to sections two
7 hundred ninety-four point eight (294.8) to two hundred ninety-four
8 point ten (294.10), Code 1950, inclusive, may terminate such system
9 by the adoption by the board of directors of such district, of a reso-
10 lution declaring such system terminated as of a date specified therein."

1 SEC. 2. Section two hundred ninety-four point twelve (294.12),
2 Code 1950, is hereby amended by striking all after the word "retire-
3 ment" in line fifteen (15) of such section and inserting in lieu thereof
4 the following:

5 "liquidation fund. Such liquidation fund shall be held for the bene-
6 fit of those surviving beneficiaries under such system as of said date
7 of termination, and of members of such system as of date of termina-
8 tion. There shall be set aside from such retirement liquidation fund
9 an amount sufficient to provide for the payment of all surviving
10 beneficiaries who shall be entitled to receive benefits under such sys-
11 tem as of said date of termination, providing an actuarial computa-
12 tion has been made of the amount required to meet such benefit pay-
13 ments, providing the amount in the retirement liquidation fund is
14 sufficient for this purpose, and the amount set aside shall be used for
15 no other purpose than for the payment of claims to such beneficiaries.
16 Any amount in excess of the actuarial equivalent of the sum required
17 to pay such benefit payments shall be apportioned to persons who
18 were as of the effective date of the termination of the system, mem-
19 bers of such system, in proportion to the amount which the accumu-
20 lated contribution of each such person bears to the total funds of
21 such retirement system subject to such apportionment. Any member
22 of such system as of the date of termination thereof, may, in lieu of
23 receiving the cash refund of his share of the liquidation fund, elect
24 to come under the coverage of any new pension and annuity retire-
25 ment system established by the district, to which he is eligible, with
26 credits toward future benefits in consideration of his prior contribu-
27 tions and length of service, and may direct the transfer of the amount
28 payable to him to the assets of the new pension and annuity retire-
29 ment system. In any case where the board of directors of a school
30 district including a teachers retirement system established under the
31 provisions of section two hundred ninety-four point eight (294.8),
32 whose members were not under coverage of the Iowa Old Age and
33 Survivors Insurance system prior to May 1, 1953, the board of direc-
34 tors may authorize the payment from funds in excess of the actuarial

35 amount estimated as required for the payment of benefits to persons
36 entitled to them, and for the purpose of obtaining retroactive social
37 security coverage from January 1, 1951 until the effective date of
38 federal coverage of Iowa public employees as provided by Laws of
39 the Fifty-fifth General Assembly. Each surviving beneficiary entitled
40 to receive retirement benefits of the date of termination of the sys-
41 tem will be entitled to receive retirement benefits at the time and in
42 the amount in effect with respect to such beneficiary immediately
43 prior to the date of termination."

1 SEC. 3. The board of directors of said district shall annually, for
2 a period of five years after the effective date of the termination of its
3 pension system, at the meeting at which it estimates the amount re-
4 quired for the general fund, in accordance with the provisions of sec-
5 tion two hundred ninety-eight point one (298.1), estimate the addi-
6 tional amount if any necessary to pay to participants in the pension
7 system who are not entitled to receive benefits under such system at
8 the date of termination thereof, one-fifth of the amount paid into said
9 pension fund by such participants therein, without interest, which
10 amount shall be levied by the board of supervisors, in accordance with
11 provisions of section two hundred ninety-eight point eight (298.8)
12 and, in addition thereto, the board of directors of said district shall
13 each year at the meeting at which it estimates the amount required
14 for the general fund, in accordance with the provisions of section
15 two hundred ninety-eight point one (298.1), estimate the additional
16 amount, if any, necessary to provide the required annual payments
17 to surviving beneficiaries of said pension system, as defined in section
18 two hundred ninety-four point twelve (294.12), which amount shall
19 be levied by the board of supervisors, in accordance with the provi-
20 sions of section two hundred ninety-eight point eight (298.8). Upon
21 the death of the last beneficiary, as defined in section two hundred
22 ninety-four point twelve (294.12), to survive, any balance remain-
23 ing in said fund, including any undisposed of accumulations, shall be
24 transferred to the general fund of said school district.

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 Daily
3 Reporter, a newspaper published at Sioux City, Iowa, and in The Dan-
4 bury Review, a newspaper published at Danbury, Iowa.

Approved April 16, 1953.

I hereby certify that the foregoing Act, Senate File 252, was published in the Daily Reporter, Sioux City, Iowa, April 20, 1953, and in The Danbury Review, Danbury, Iowa, April 23, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 122

CONDEMNING LAND FOR HIGHWAY

H. F. 165

AN ACT to amend section fourteen (14) of chapter one hundred three (103), Acts of the Fifty-fourth General Assembly relating to the condemning of land for highway purposes.

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

1 SECTION 1. Section fourteen (14) of Chapter one hundred three
2 (103), Acts of the Fifty-fourth General Assembly is hereby amended
3 by adding the following at the beginning of said section:
4 "In the maintenance, relocation, establishment, or improvement of
5 any road, including the extension of such road within cities and towns,
6 the commission or board having jurisdiction and control of such road
7 shall have authority to purchase or to institute and maintain pro-
8 ceedings for the condemnation of the necessary right of way therefor.
9 Such board or commission shall likewise have power to purchase or
10 institute and maintain proceedings for the condemnation of land nec-
11 essary for highway drainage, for weighing stations, or land contain-
12 ing gravel or other suitable material for the improvement or mainte-
13 nance of highways, together with the necessary road access thereto."

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 Davis
3 County Republican, a newspaper published at Bloomfield, Iowa, and
4 in the Oskaloosa Tribune Press, a newspaper published at Oskaloosa,
5 Iowa.

Approved February 27, 1953.

I hereby certify that the foregoing Act, House File 165, was published in the Davis County Republican, Bloomfield, Iowa, March 3, 1953, and in the Oskaloosa Tribune Press, Oskaloosa, Iowa, March 6, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 123

ROAD USE TAX FUNDS

H. F. 464

An Act relating to the use of funds received by municipal corporations from the road use tax fund and to amend section thirty-one (31) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating thereto.

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

1 SECTION 1. Chapter one hundred fifty-nine (159), Acts of the Fifty-
2 fourth General Assembly, is hereby amended by inserting after the
3 figure "(7)" in line eight (8)* of section thirty-one (31) the follow-
4 ing: ", and for the construction of storm sewers and other drains
5 necessary to control and provide adequate drainage for surface waters
6 originating within or flowing upon the right of ways of newly con-
7 structed or reconstructed roads or streets".

*See amendment by chapter 124 hereof.

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 Thompson
 3 Courier, a newspaper published in Thompson, Iowa, and the Center-
 4 ville Daily Iowegian and Citizen, a newspaper published in Center-
 5 ville, Iowa.

Approved April 7, 1953.

I hereby certify that the foregoing Act, House File 464, was published in The Thompson Courier, Thompson, Iowa, April 16, 1953, and in the Centerville Daily Iowegian and Citizen, Centerville, Iowa, April 9, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 124

ROAD USE TAX FUND ALLOCATIONS

H. F. 504

AN ACT to amend House File 464, Acts of the Fifty-fifth General Assembly, relating to the use of funds received by municipal corporations from the road use tax fund and amending section thirty-one (31) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating thereto.

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

1 **SECTION 1.** House File 464, Acts of the Fifty-fifth General As-
 2 sembly, is hereby amended by striking from lines three (3) and four
 3 (4) of section one (1) the following: "the figure '(7)' in line eight
 4 (8)" and inserting in lieu thereof the following: "the word 'streets'
 5 in line five (5)".

Approved May 25, 1953.

CHAPTER 125

FARM-TO-MARKET ROAD FUNDS

S. F. 74

AN ACT to amend section three hundred ten point twenty-seven (310.27), Code 1950, relating to reapportionment of unused farm-to-market road funds.

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

1 **SECTION 1.** Section three hundred ten point twenty-seven
 2 (310.27), Code 1950, is amended by striking from line eleven (11) the
 3 figures, "310.5" and inserting in lieu thereof, "308A.5".

Approved February 12, 1953.

CHAPTER 126

CHAUFFEUR DEFINED

S. F. 264

AN ACT to amend section three hundred twenty-one point one (321.1), subsection forty-three (43), Code 1950, relating to defining the term, "chauffeur".

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

1 SECTION 1. Section three hundred twenty-one point one (321.1),
2 subsection forty-three (43), Code 1950, is hereby amended by striking
3 therefrom the lines one (1) to thirteen (13) inclusive and substituting
4 in lieu thereof the following:

5 "Chauffeur, means any person who operates a motor vehicle in the
6 transportation of persons, including school busses, for wages, com-
7 pensation or hire, or any person who operates a truck tractor, road
8 tractor or any motor truck which is required to be registered at a
9 gross weight classification exceeding five tons, or any such motor
10 vehicle exempt from registration which would be within such gross
11 weight classification if not so exempt except when such operation by
12 the owner or operator is occasional and merely incidental to his prin-
13 cipal business."

Approved April 29, 1958.

CHAPTER 127

MOTOR VEHICLE CERTIFICATES OF TITLE

S. F. 181

AN ACT relating to the origination of titles to motor vehicles, trailers and semi-trailers, the issuance and transfer of registrations and certificate of title to the same, the recording of liens thereon and to amend and repeal various sections of the Code relating thereto.

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

1 SECTION 1. Section three hundred twenty-one point eight (321.8),
2 Code 1950, is hereby amended as follows:

3 1. By inserting after the comma (,) following the word "cards" in
4 line three (3) thereof, the words "certificates of title";

5 2. By striking the period (.) in line eight (8) thereof and adding
6 thereto "except manufacturer's or importer's certificates."

1 SEC. 2. Section three hundred twenty-one point fourteen (321.14),
2 Code 1950, is hereby amended by inserting after the comma (,) fol-
3 lowing the word "card" in line two (2) thereof, the following "cer-
4 tificate of title,".

1 SEC. 3. Section three hundred twenty-one point twenty (321.20),
2 Code 1950, is hereby amended as follows:

3 1. By striking the word "Every" in line one (1) thereof and in-
4 serting in lieu thereof the following: "Except as otherwise provided
5 in this chapter, every";

6 2. By inserting the words "and issuance of a certificate of title"
7 following the word "registration" in line six (6), thereof:

8 3. By adding the following new subsection thereto:

9 "A statement of the applicant's title and of all liens or encumbrances
10 upon said vehicle and the names and addresses of all persons having
11 any interest therein and the nature of every such interest."

12 "When such application refers to a new vehicle, it shall be accom-
13 panied by a manufacturer's or importer's certificate duly assigned as
14 provided in section sixteen (16) of this Act."

1 SEC. 4. Section three hundred twenty-one point twenty-one
2 (321.21), Code 1950, is hereby repealed.

1 SEC. 5. Section three hundred twenty-one point twenty-two
2 (321.22), Code 1950, is hereby repealed.

1 SEC. 6. Section three hundred twenty-one point twenty-three
2 (321.23), Code 1950, is hereby repealed and the following is substi-
3 tuted in lieu thereof:

4 "1. In the event the vehicle to be registered is a specially con-
5 structed, reconstructed, or foreign vehicle, such fact shall be stated in
6 the application. A fee of seventy-five cents shall be paid by the per-
7 son making such application upon issuance of a certificate of title by
8 the county treasurer. With reference to every specially constructed
9 or reconstructed motor vehicle subject to registration the application
10 shall be accompanied by a statement from the department authorizing
11 such motor vehicle to be titled and registered in this state. The de-
12 partment shall cause a physical inspection to be made of all specially
13 constructed or reconstructed motor vehicles, upon application therefor
14 by the owner thereof, to determine whether such motor vehicle is in
15 a safe operating condition and that the integral component parts
16 thereof are properly identified and that the rightful ownership is
17 established before issuing such owner the authority to have the motor
18 vehicle registered and titled as herein provided. With reference to
19 every foreign vehicle which has been registered heretofore outside of
20 this state the owner shall surrender to the treasurer all registration
21 plates, registration cards, and certificates of title, or, if vehicle to be
22 registered is from a non-title state, such evidence of foreign registra-
23 tion and ownership as may be prescribed by the department except as
24 provided in subsection two (2) hereof.

25 "2. Where in the course of operation of a vehicle registered in an-
26 other state it is desirable to retain registration of said vehicle in such
27 other state, such applicant need not surrender but shall submit for
28 inspection said evidence of such foreign registration and the treasurer
29 upon a proper showing shall register said vehicle in this state but
30 shall not issue a certificate of title for such vehicle.

31 "3. In the event an applicant for registration of a foreign vehicle
32 for which a certificate of title has been issued is able to furnish evi-
33 dence of being the registered owner of the vehicle to the county treas-
34 urer of his residence, although unable to surrender such certificate of
35 title, the county treasurer may issue a registration receipt and plates
36 upon receipt of the required registration fee but shall not issue a
37 certificate of title thereto. Upon surrender of the certificate of title
38 from the foreign state, the county treasurer shall issue a certificate of

39 title to the owner, or person entitled thereto, of such vehicle as pro-
40 vided in this chapter."

1 SEC. 7. Section three hundred twenty-one point twenty-four
2 (321.24), Code 1950, as amended is hereby repealed and the following
3 is substituted in lieu thereof:
4 "Upon receipt of the application for title and payment of the re-
5 quired fees for motor vehicle, trailer, or semi-trailer, the county treas-
6 urer shall, when satisfied as to the genuineness and regularity thereof,
7 issue a registration receipt and certificate of title and shall file the
8 application, the manufacturer's or importer's certificate, certificate of
9 title, or other evidence of ownership, as prescribed by the department.
10 The registration receipt shall be delivered to the owner and shall con-
11 tain upon the face thereof the date issued, the name and address of
12 the owner, the registration number assigned to the vehicle, the title
13 number assigned to the owner of the vehicle, the amount of the fee
14 paid and such description of the vehicle as determined by the depart-
15 ment and upon the reverse side a form for notice of transfer of the
16 vehicle. One copy of the registration receipt shall be retained by the
17 county treasurer in a registration number file and said file shall be
18 open for public inspection during reasonable business hours. Two
19 copies shall be mailed to the department on date of issuance. The
20 certificate of title shall contain upon the face thereof the identical
21 information required upon the face of the registration receipt and
22 such information shall be so placed on the title form as to permit the
23 county treasurer to prepare the certificate of title simultaneously with
24 the registration receipt. In addition thereto, the certificate of title
25 shall contain a statement of the owner's title, name and address of
26 previous owner, and a statement of all liens and encumbrances as
27 shown in the application, upon the vehicle therein described including
28 the nature of the lien or liens, amount, date of notation and name and
29 address of lienholder or lienholders. Said certificate shall bear there-
30 on the seal of the county treasurer, his signature or that of his deputy,
31 and shall provide space for the signature of the owner. The owner
32 shall write his name in the space provided with pen and ink upon re-
33 ceipt of certificate of title. The certificate of title shall contain upon
34 the reverse side a form for assignment of title or interest and war-
35 ranty thereof by the owner, for reassignments by a licensed dealer
36 and for application for a new certificate of title by the transferee as
37 provided in this chapter. All certificates of title shall be typewritten
38 and shall be issued in triplicate. The original certificate of title shall
39 be delivered to the owner in the event no lien or encumbrance appears
40 thereon. Otherwise the certificate of title shall be delivered by the
41 county treasurer to the person holding the first lien or encumbrance
42 as shown in the certificate. One copy of the certificate shall be re-
43 tained by the county treasurer in a title number file in the manner
44 prescribed by the department and shall remain in the file of the county
45 issuing the title until notification of cancellation or that a new title
46 has been issued as provided in this chapter. One copy shall be mailed
47 to the department on the date of issuance. The department shall des-
48 ignate a uniform system of title numbers so as to indicate the county
49 of issuance."

1 SEC. 8. Section three hundred twenty-one point twenty-five
2 (321.25), Code 1950, is hereby amended as follows:

3 1. By inserting in line four (4) thereof following the word "regis-
4 tration" the words "and certificate of title";

5 2. By striking the words "both on the front and" in line ten (10)
6 and inserting in lieu thereof the words "on the";

7 3. By inserting after the comma (,) following the word "vehicle"
8 in line eleven (11) thereof, the following word "a", and by striking
9 the word "cards" and inserting in lieu thereof the word "card" in
10 line eleven (11) thereof.

1 SEC. 9. Section three hundred twenty-one point twenty-six
2 (321.26), Code 1950, is hereby amended as follows:

3 1. By inserting in line three (3) thereof, following the word "reg-
4 istration" the words "and certificate of title";

5 2. By striking the words "showing fee paid, by the person to whom
6 it is issued" in lines five (5) and six (6) and inserting in lieu thereof
7 the words "to the user of the card by such manufacturer or dealer
8 showing the fee paid by the person making the application, the county
9 treasurer, or proper county or state official if purchaser is from a for-
10 eign state, to whom fee was mailed or delivered and the date of mail-
11 ing or delivery of fee."

1 SEC. 10. Section three hundred twenty-one point thirty (321.30),
2 Code 1950, is hereby amended as follows:

3 1. By inserting in line one (1) thereof following the word "regis-
4 tration" the following words "and issuance of a certificate of title";

5 2. By inserting in line two (2) following the words "transfer of"
6 the words "title and";

7 3. By inserting in line six (6) of subsection one (1) thereof follow-
8 ing the word "registration" the words "and issuance of a certificate of
9 title";

10 4. By inserting in line four (4) subsection three (3) thereof fol-
11 lowing the word "registration" the words "and issuance of a certificate
12 of title";

13 5. By striking the period (.) in line one (1) of subsection five (5)
14 thereof and adding thereto "except as provided in section nineteen
15 (19) of this Act.";

16 6. By adding the following new subsections thereto:

17 a. "If application for registration and certificate of title for a new
18 vehicle is not accompanied by a manufacturer's or importer's certificate
19 duly assigned.

20 b. "If application for a transfer of registration and issuance of a
21 certificate of title for a used vehicle registered in this state is not
22 accompanied by a certificate of title duly assigned.

23 c. "If application and supporting documents are insufficient to
24 authorize the issuance of a certificate of title as provided by this
25 chapter, except that an initial registration or transfer of registration
26 may be issued as provided in section six (6) of this Act."

1 SEC. 11. Section three hundred twenty-one point thirty-one
2 (321.31), Code 1950, is hereby amended as follows:

3 1. By striking from lines two (2) and three (3) thereof following
4 the word "numerical" the words "and a motor number";

5 2. By adding after the period (.) in line ten (10) thereof the fol-
6 lowing: "The department shall also install and maintain an alphabeti-
7 cal file under the name of the owner for the state at large and not for
8 individual counties. Such file shall consist of a copy of the certificate
9 of title including the notations of all liens recorded and released and
10 such other information as the department deems necessary. The in-
11 formation to be kept in such file shall be entered therein within forty-
12 eight (48) hours after receipt insofar as is practical. The department
13 shall also install and maintain a file by motor number, or other iden-
14 tifying number of the vehicle, which shall contain a full description
15 of the vehicle as described on the certificate of title and the name and
16 address of the previous owner. This file shall constitute the perma-
17 nent history record of ownership of each vehicle titled under the laws
18 of this state."

1 SEC. 12. Section three hundred twenty-one point forty (321.40),
2 Code 1950, is hereby amended by adding thereto the following:

3 1. Registration receipts issued for renewals shall have the word
4 "renewal" imprinted thereon and, if the owner making a renewal ap-
5 plication has been issued a certificate of title, the title number shall
6 appear on the registration receipt. All registration receipts for re-
7 newals shall be typewritten or printed by other mechanical means and
8 shall be prepared in triplicate. The original registration receipt shall
9 be issued to the applicant, one copy retained in the county treasurer's
10 file and one copy shall be forwarded to the department.

11 2. "No registration of a vehicle shall be renewed for the year 1958
12 unless the owner thereof shall have obtained a certificate of title there-
13 for prior to such renewal. Any owner of a vehicle registered in this
14 state prior to the effective date of this Act and for which a certificate
15 of title has not previously been issued may apply for a certificate of
16 title for such vehicle as provided in section three hundred twenty-one
17 point twenty (321.20), Code 1950, as amended by this Act with the
18 exception that the current registration receipt only need accompany
19 the application. A fee of seventy-five (75) cents shall accompany
20 such application."

1 SEC. 13. Section three hundred twenty-one point forty-one
2 (321.41), Code 1950, is hereby amended by striking from line fifteen
3 (15) thereof the word "registration" and inserting in lieu thereof the
4 word "title."

1 SEC. 14. Section three hundred twenty-one point forty-two
2 (321.42), Code 1950, is hereby amended by adding the following: "In
3 the event of any lost or destroyed certificate of title, application shall be
4 made to the department by the owner of such vehicle, or the holder of
5 a lien thereon, for a certified copy of the same upon a form prescribed
6 by the department and accompanied by a fee of two (2) dollars. Such
7 application shall be signed and sworn to by the person making the
8 same. Thereupon the department shall mail a certified copy to the
9 person entitled to receive the certificate of title as indicated by the
10 records of the department at his most recent address shown by such
11 records. Such certified copy shall clearly be marked "duplicate" and
12 shall be identical in every respect to the original to include notation
13 upon the face thereon of liens or encumbrances disclosed by the rec-

14 ords of the department. Upon issuance of title the previous certificate
15 last issued shall be void. The new purchaser or transferee shall be
16 entitled to receive an original title upon presentation of the assigned
17 duplicate copy to the county treasurer of the county where such new
18 purchaser or transferee resides. Any purchaser of such vehicle may,
19 at the time of purchase, require the seller of same to indemnify him
20 and all subsequent purchasers of such vehicle against any loss which
21 he or they may suffer by reason of any claim or claims presented upon
22 the original certificate. Any person recovering an original certificate
23 of title for which a duplicate has been issued shall forthwith surrender
24 the same to a county treasurer or the department."

1 SEC. 15. Section three hundred twenty-one point forty-three
2 (321.43), Code 1950, is hereby amended by inserting in line nine (9)
3 thereof, following the word "registered" the words "and titled".

1 SEC. 16. Section three hundred twenty-one point forty-five
2 (321.45), Code 1950, is hereby repealed and the following substituted
3 in lieu thereof:

4 "1. No manufacturer, importer, dealer or other person shall sell or
5 otherwise dispose of a new vehicle subject to registration under the
6 provisions of this chapter to a dealer to be used by such dealer for
7 purposes of display and lease or resale without delivering to such
8 dealer a manufacturer's or importer's certificate duly executed and
9 with such assignments thereon as may be necessary to show title in
10 the purchaser thereof; nor shall such dealer purchase or acquire a
11 new vehicle that is subject to registration without obtaining from the
12 seller thereof such manufacturer's or importer's certificate. In addi-
13 tion to the assignments stated herein, such manufacturer's or import-
14 er's certificate shall contain thereon the identification and description
15 of the vehicle delivered and the name and address of the dealer to
16 whom said vehicle was originally sold over the signature of an author-
17 ized official of the manufacturer or importer who made the original
18 delivery.

19 "2. Except as provided in section twenty-one (21) of this Act, no
20 person shall acquire any right, title, claim or interest in or to any
21 vehicle subject to registration under this chapter from the owner
22 thereof except by virtue of a certificate of title issued or assigned to
23 him for such vehicle or by virtue of a manufacturer's or importer's
24 certificate delivered to him for such vehicle; nor shall any waiver or
25 estoppel operate in favor of any person claiming title to or interest in
26 any vehicle against a person having possession of the certificate of
27 title or manufacturer's or importer's certificate for such vehicle for
28 a valuable consideration. No court in any case at law or equity shall
29 recognize the right, title, claim or interest of any person in or to any
30 vehicle subject to registration sold or disposed of, or mortgaged or en-
31 cumbered, unless evidenced by a certificate of title or manufacturer's
32 or importer's certificate duly issued in accordance with the provisions
33 of this chapter.

34 "3. Upon the transfer of any registered vehicle, the owner shall
35 endorse an assignment and warranty of title upon the certificate of
36 title for such vehicle with a statement of all liens and encumbrances
37 thereon, which statement shall be verified under oath by the owner,
38 and he shall deliver the certificate of title to the purchaser or trans-

39 feree at the time of delivering the vehicle except as otherwise pro-
40 vided in this chapter. The owner shall also sign the reverse side of
41 the registration card issued for such vehicle indicating the name and
42 address of the transferee and the date of the transfer."

1 SEC. 17. Section three hundred twenty-one point forty-six (321.46),
2 Code 1950, is hereby repealed and the following substituted in lieu
3 thereof:

4 "The purchaser or transferee shall immediately apply for and ob-
5 tain from the county treasurer of his residence a transfer of registra-
6 tion and a new certificate of title for such vehicle except as provided
7 in section nineteen (19) of this Act. The purchaser or transferee shall
8 present with the application the certificate of title endorsed and as-
9 signed by the previous owner and the signed registration card."
10 "Upon filing the application for a registration transfer and a new
11 title, the applicant shall pay a fee of seventy-five (75) cents. The
12 county treasurer, if satisfied of the genuineness and regularity of the
13 application and that applicant has complied with all the requirements
14 of this chapter, shall forthwith issue a new certificate of title and
15 registration card to the purchaser or transferee and shall forward
16 the necessary copies to the department on the date of issuance, as
17 prescribed in section seven (7) of this Act."

1 SEC. 18. Section three hundred twenty-one point forty-seven
2 (321.47), Code 1950, is hereby repealed and the following enacted
3 in lieu thereof:

4 "In the event of the transfer of ownership of any vehicle by opera-
5 tion of law as upon inheritance, devise or bequest, order in bankruptcy,
6 insolvency, replevin, foreclosure or execution sale, or whenever the
7 engine of a motor vehicle is replaced by another engine, or whenever
8 a vehicle is sold to satisfy an artisan's lien as provided in chapter 577
9 of the Code, 1950, or repossession is had upon default in performance
10 of the terms of a chattel mortgage, trust receipt, conditional sales con-
11 tract or other like agreement, the treasurer of the county in which the
12 last certificate of title to any such vehicle was issued, upon the sur-
13 render of the prior certificate of title or the manufacturer's or import-
14 er's certificate, or when that is not possible, upon presentation of
15 satisfactory proof to the county treasurer of ownership and right of
16 possession to such vehicle and upon payment of a fee of seventy-five
17 (75) cents and the presentation of an application for registration and
18 certificate of title, may issue to the applicant a registration card for
19 such vehicle and a certificate of title thereto. If, from the records in
20 the office of the county treasurer, there appear to be any lien or liens
21 on such vehicle, such certificate of title shall contain a statement of
22 such liens unless the application is accompanied by proper evidence of
23 their satisfaction or extinction."

1 SEC. 19. Section three hundred twenty-one point forty-eight
2 (321.48), Code 1950, is hereby repealed and the following substituted
3 in lieu thereof:

4 "1. When the transferee or purchaser of a vehicle is a dealer who
5 holds the same for resale and operates the same only for purposes in-
6 cident to a resale and displays thereon the registration plates issued
7 for such vehicle, or displays his dealer plates thereon or does not drive

8 such vehicle or permit it to be driven upon the highways, such transferee shall not be required to obtain transfer of registration or a new certificate of title but upon transferring his title or interest to another person shall execute and acknowledge an assignment and warranty of title upon the certificate of title assigned to him and deliver the same to the person to whom such transfer is made. The dealer shall also sign the reverse side of the registration card for such vehicle indicating the name and address of the new purchaser."

16 "2. Any foreign registered vehicle purchased or otherwise acquired by a dealer for the purpose of resale shall be issued a certificate of title thereto by the county treasurer of the dealer's residence upon proper application therefor as provided in this chapter and upon payment of a fee of seventy-five (75) cents and such dealer shall be exempt from the payment of any and all registration fees for such vehicle. Such application for certificate of title shall be made within forty-eight (48) hours after said vehicle comes within the border of the state."

25 "3. Whenever a dealer purchases or otherwise acquires a vehicle registered in this state he shall issue a signed receipt to the previous owner, indicating the date of purchase or acquisition, the name and address of such previous owner and the registration number of the vehicle purchased or acquired. The original receipt shall be delivered to the owner on the date of purchase or acquisition and two copies shall be mailed or delivered by the dealer to the county treasurer of his residence within forty-eight (48) hours after purchase or acquisition. The county treasurer shall forward one copy to the department. Forms for such receipts shall be furnished by the department."

34 "4. Nothing in this section shall be construed to prohibit a dealer from obtaining a new certificate of title and transfer of registration in the same manner as other purchasers."

1 SEC. 20. Section three hundred twenty-one point forty-nine (321.49), Code 1950, is hereby repealed and the following substituted in lieu thereof:

4 "1. If an application for transfer of registration and certificate of title is not submitted to the county treasurer of the residence of purchaser or transferee within five (5) days of actual change of possession, a penalty of five (5) dollars shall accrue against said vehicle, and no registration card or certificate of title shall thereafter be issued until penalty is paid."

10 "2. Certificates of title to vehicles may be assigned by an attorney in fact of the owner under a power of attorney appointed and so empowered on forms provided by the department. Such power of attorney shall be filed by the transferee with the application for title."

1 SEC. 21. Section three hundred twenty-one point fifty (321.50), Code 1950, is hereby repealed and the following substituted in lieu thereof:

4 "The provisions of chapter 556, Code 1950, shall never be construed to apply to or permit or require the deposit, filing or other record whatsoever, of a chattel mortgage, conveyance intended to operate as a mortgage, trust receipt, conditional sales contract, or similar instrument, or any copy of the same covering a vehicle subject to registration under the laws of this state, except trailers subject to a registra-

10 tion fee of ten dollars (\$10.00) or less. Any mortgage, conveyance
11 intended to operate as a mortgage, trust receipt, conditional sales
12 contract or similar instrument covering such vehicle, if such instru-
13 ment is accompanied by delivery of such manufacturer's or importer's
14 certificate and followed by actual and continued possession of the same
15 by the holder of said instrument or, in the case of the certificate of
16 title, if a notation of same has been made by the county treasurer on
17 the face thereof, shall be valid as against the creditors of the mort-
18 gagor, whether armed with process or not, and subsequent purchasers,
19 mortgagees and other lienholders or claimants, but otherwise shall not
20 be valid against them. The county treasurer shall note upon the cer-
21 tificate of title all liens shown in the application for such certificate
22 of title, upon the payment of a fee of seventy-five (75) cents for each
23 lien appearing on such application. All liens, mortgages and encum-
24 brances, noted on a certificate of title, shall take priority according
25 to the order of time in which the same are noted thereon by the county
26 treasurer. Exposure for sale of any such vehicle by the owner there-
27 of, with the knowledge and consent of the holder of any lien, mortgage
28 or encumbrance thereon, shall not render the same void or ineffective
29 as against subsequent purchasers or the creditors of such owner or
30 holder of subsequent liens, mortgages or encumbrances upon such
31 motor vehicle or trailer. The holder of a chattel mortgage, trust re-
32 ceipt, conditional sales contract, or similar instrument, upon presen-
33 tation of such instrument or certified true copy thereof, to the treasurer
34 of the county where such certificate of title was issued, together with
35 the certificate of title and a fee of seventy-five (75) cents, may have
36 a notation of such lien made on the face of such certificate of title.
37 The county treasurer shall enter said notation and the date thereof
38 over the signature of such officer or deputy and the seal of office, and
39 he shall also note such lien and the date thereof on the duplicate of
40 same on file, and on that day shall notify the department on forms
41 provided by the department, which shall note such liens on the dup-
42 licate title in its file. The county treasurer shall also indicate by appro-
43 priate notation on such instrument itself or certified true copy thereof,
44 the fact that such lien has been noted on the certificate of title. The
45 county treasurer upon receipt of a lien duly executed in the manner
46 prescribed by law governing such lien instruments, together with the
47 fee prescribed for notation of lien, shall mail a notification to the first
48 lienholder at the address of such first lienholder as indicated by rec-
49 ords of the county treasurer, to deliver to the county treasurer, within
50 fifteen (15) days from the date of notice, the certificate of title to
51 permit notation of such junior lien. After such notation of lien, the
52 county treasurer shall deliver the certificate of title to the first lien-
53 holder. The holder of a certificate of title who refuses to deliver a
54 certificate of title to the county treasurer for the purpose of showing
55 the junior lien on such certificate of title within fifteen (15) days from
56 the date when notified to do so by the county treasurer, shall be liable
57 for damages to such junior lienholder for the amount of damages such
58 junior lienholder suffered by reason of the holder of the certificate of
59 title refusing to permit the showing of such lien on the said certificate
60 of title. When a lien is discharged, the holder thereof shall execute
61 a notarized release within twenty (20) days after payment is re-
62 ceived, such release to contain the certificate of title number, the

63 amount of the lien and the date of the notation thereof. The holder
64 shall also note a cancellation of same on the face of the certificate of
65 title over his, her or its signature, and deliver the release and certifi-
66 cate of title to the county treasurer where title was issued who shall
67 note the cancellation of said lien on the face of the certificate of title
68 and on the duplicate of same on file in his office, and on the same day
69 shall notify the department, which shall note such release on the dupli-
70 cate title in its file. The county treasurer shall then deliver the cer-
71 tificate of title to the then first lienholder, or, if there is no such per-
72 son, to the owner, or as otherwise directed by the owner. Said cancel-
73 lation of lien shall be noted on the certificate of title by the county
74 treasurer without charge. The provisions of chapter 556 shall contin-
75 ue to apply to the deposit, filing, refiling or other record whatsoever
76 of a chattel mortgage, conveyance intended to operate as a mortgage,
77 trust receipt, conditional sales contract, or other similar instrument, or
78 any copy of same, made prior to October 1, 1953, and covering a motor
79 vehicle, semi-trailer or trailer."

1 SEC. 22. Section three hundred twenty-one point fifty-two (321.52),
2 Code 1950, is hereby repealed and the following substituted in lieu
3 thereof:

4 "1. When a vehicle is permanently dismantled or destroyed so that
5 it can no longer be used on the public highway or is sold by the owner,
6 dealer or otherwise, for junk, the owner shall detach the registration
7 plates and registration card and surrender same along with the cer-
8 tificate of title to the county treasurer who shall cancel same on his
9 records and forward the certificate of title to the department. The
10 certificate of title surrendered by the owner shall have noted thereon
11 the purpose of cancellation and the name of the purchaser if sold for
12 junk and such notation shall be duly signed by the owner. The depart-
13 ment shall notify the title issuing county, if other than the county
14 where title was surrendered, authorizing the treasurer to cancel and
15 destroy all records pertaining to the particular vehicle. The depart-
16 ment is not authorized to make a refund of license fees on a disman-
17 tled, destroyed or junked vehicle unless and until the certificate of
18 title thereto has been surrendered.

19 "2. When a vehicle is sold outside the state for purposes other than
20 for junk the owner, dealer or otherwise, thereof, shall detach the reg-
21 istration plates and registration card and shall indicate on the reverse
22 side of such registration card the name and address of the foreign
23 purchaser or transferee over his signature. The owner shall surren-
24 der the plates and registration card to the county treasurer who shall
25 cancel his records and shall destroy the plates and forward the regis-
26 tration card to the department. The department shall make a notation
27 on the records of the out-of-state sale, and, after a reasonable period,
28 may destroy the files to that particular vehicle except the motor file.
29 The department is not authorized to make a refund of license fees on
30 a vehicle sold out-of-state unless and until it receives the registration
31 card completed as herein provided."

1 SEC. 23. Section three hundred twenty-one point sixty-seven
2 (321.67), Code 1950, is hereby repealed and the following substituted
3 in lieu thereof:

4 "1. No person, except as provided in section* six (6) and sixteen
5 (16) of this Act shall sell or otherwise dispose of a registered vehicle
6 or a vehicle subject to registration without delivering to the purchaser
7 or transferee thereof a certificate of title with such assignment thereon
8 as may be necessary to show title in the purchaser.

9 "2. No person shall purchase or otherwise acquire or bring into
10 this state a registered vehicle or a vehicle subject to registration with-
11 out obtaining a certificate of title thereto except for temporary use
12 or as provided in section* six (6) and sixteen (16) of this Act.

1 SEC. 24. Section three hundred twenty-one point sixty-eight
2 (321.68), Code 1950, is hereby amended as follows:

3 1. By striking the period (.) in line seven (7) of paragraph (a) of
4 subsection one (1) thereof and substituting in lieu thereof the follow-
5 ing: "with a certification signed by both the vendee and the vendor
6 that the certificates of title pertaining to all the used motor vehicles
7 listed on the inventory have been duly assigned to the vendee as pre-
8 scribed in this chapter.";

9 2. By repealing paragraph (b) of subsection one (1) thereof;

10 3. By repealing subsection three (3) thereof.

1 SEC. 25. Section three hundred twenty-one point seventy (321.70),
2 Code 1950, is hereby amended by striking the word "repossessed" in
3 line sixteen (16) thereof.

1 SEC. 26. Section three hundred twenty-one point seventy-one
2 (321.71), Code 1950, is hereby repealed.

1 SEC. 27. Section three hundred twenty-one point ninety-three
2 (321.93), Code 1950, is hereby amended by striking the words "regis-
3 tration and transfer" in lines six (6) and seven (7) thereof and sub-
4 stituting in lieu thereof the word "title".

1 SEC. 28. Section three hundred twenty-one point ninety-six
2 (321.96), Code 1950, is hereby amended by striking the word "certifi-
3 cate" in line five (5)* thereof and inserting in lieu thereof the follow-
4 ing: "receipt, certificate of title,".

1 SEC. 29. Section three hundred twenty-one point ninety-seven
2 (321.97), Code 1950, is hereby amended by inserting after the word
3 "of" in line three (3) thereof the following: "or certificate of
4 title to".

1 SEC. 30. Section three hundred twenty-one point ninety-eight
2 (321.98), Code 1950, is hereby amended as follows:

3 1. By inserting, following the word "registered" in line four (4)
4 thereof the words "and titled";

5 2. By inserting following the word "year" in line nine (9) thereof
6 the words "and unless a certificate of title has been issued for such
7 vehicle".

1 SEC. 31. Section three hundred twenty-one point one hundred
2 (321.100), Code 1950, is hereby amended by inserting after the word
3 "any" in line one (1) of subsection one (1) thereof the following:
4 "certificate of title, manufacturer's or importer's certificate,".

*According to enrolled Act.

1 SEC. 32. Section three hundred twenty-one point one hundred one
 2 (321.101), Code 1950, is hereby amended by adding the following:
 3 "The department is hereby authorized, and it shall be its duty, to
 4 cancel a certificate of title that appears to have been improperly issued
 5 or fraudulently obtained. Upon cancellation of any certificate of title
 6 the department shall notify the county treasurer who issued the same,
 7 who shall forthwith enter the cancellation upon his records. The de-
 8 partment shall also notify the person to whom such certificate of title
 9 was issued, as well as any lienholders appearing thereon, of the can-
 10 cellation and shall demand the surrender of such certificate of title,
 11 but the cancellation shall not affect the validity of any lien noted
 12 thereon."

1 SEC. 33. Section three hundred twenty-one point one hundred three
 2 (321.103), Code 1950, is hereby amended as follows:

3 1. By inserting after the word "vehicle" in line three (3) thereof
 4 the following: ", or certificate of title.";

5 2. By inserting after the comma (,) following the word "registra-
 6 tion" in line eight (8) thereof the following: "certificate of title,".

1 SEC. 34. Section three hundred twenty-one point one hundred four
 2 (321.104), Code 1950, is hereby repealed and the following substituted
 3 in lieu thereof:

4 "It is a misdemeanor, punishable as provided in section three hun-
 5 dred twenty-one point four hundred eighty-two (321.482), Code 1950,
 6 for any person to commit any of the following acts:

7 "1. To operate any motor vehicle upon the highways upon which the
 8 certificate of title has been canceled, or while a certificate of registra-
 9 tion of a motor vehicle is suspended or revoked.

10 "2. For a dealer, or a person acting on behalf of a dealer to ac-
 11 quire, purchase, hold or display for sale a motor vehicle without having
 12 obtained a manufacturer's or importer's certificate or a certificate of
 13 title, or assignments thereof, unless otherwise provided in this chapter.

14 "3. Any person who shall fail to surrender any certificate of title
 15 or registration card or license plates upon cancellation, suspension
 16 or revocation of the same by the department and notice thereof as pre-
 17 scribed in this chapter.

18 "4. Any person whoever shall purport to sell or transfer a motor
 19 vehicle, trailer or semi-trailer without delivering to the purchaser or
 20 transferee thereof a certificate of title or a manufacturer's or import-
 21 er's certificate thereto duly assigned to such purchaser as provided
 22 in this chapter.

23 "5. Any person whoever shall violate any of the other provisions
 24 of this chapter or any lawful rules or regulation promulgated pur-
 25 suant to the provisions of this chapter."

1 SEC. 35. Section three hundred twenty-one point one hundred nine
 2 (321.109), Code 1950, is hereby amended as follows:

3 1. By striking the word "shall" in line sixteen (16) thereof and
 4 substituting in lieu thereof the word "may";

5 2. By adding to said section the following: "Such purchaser may
 6 apply for a certificate of title by surrendering the manufacturer's or
 7 importer's certificate of title, duly assigned as provided in this chapter.
 8 In this event, the treasurer in the county of purchase shall, when sat-

9 isfied with the genuineness and regularity of the application, and upon
10 payment of a fee of seventy-five (75) cents, issue a certificate of title
11 in the name and address of such non-resident purchaser delivering the
12 same to the person entitled thereto as provided in this chapter.

13 3. By striking the word "shall" in line eight (8) section one (1)
14 of chapter one hundred fourteen (114), Laws of the Fifty-fourth Gen-
15 eral Assembly, and substituting in lieu thereof the word "may".

1 SEC. 36. Section three hundred twenty-one point one hundred
2 twenty-six (321.126), Code 1950, is hereby amended:

3 1. By adding to subsection one (1) thereof the following: "With
4 reference to the destruction or dismantling of a vehicle, the affidavit
5 shall be accompanied by the certificate of title as provided in section
6 twenty-two (22) of this Act. With reference to the removal of a
7 vehicle from this state as provided herein, the affidavit shall contain a
8 statement indicating the foreign registration number of such vehicle,
9 the name and address of the official of the foreign state to whom the
10 Iowa certificate of title has been surrendered and the number of the
11 foreign certificate of title issued for such vehicle, if registered in a
12 title law state."

13 2. By striking the figures "321.45" in line six (6) thereof and in-
14 serting in lieu thereof the following: "twenty-two (22) of this Act".

1 SEC. 37. Section eleven (11) of chapter one hundred thirty-seven
2 (137), Laws of the Fifty-fourth General Assembly, is hereby amended
3 by striking from lines three (3) and four (4) thereof the word "twen-
4 ty-five" and inserting in lieu thereof the word "forty".

1 SEC. 38. Section three hundred twenty-one point one hundred fifty-
2 two (321.152), Code 1950, is hereby amended as follows:

3 1. By striking from line seven (7) thereof the words "transfer of
4 registration" and inserting in lieu thereof the following: "title and
5 for each notation of a lien or encumbrance when a fee therefore is
6 prescribed by the provisions of this chapter";

7 2. By striking from line thirteen (13) thereof the figures "321.24"
8 and inserting in lieu thereof the following: "seven (7) of this Act".

1 SEC. 39. The effective date of this Act shall be October 1, 1953.

1 SEC. 40. Provided, however, trailers subject to a registration fee
2 of ten dollars (\$10.00) or less shall be exempt from the certificate of
3 title and lien provisions of this Act.

1 SEC. 41. Section three hundred twenty-one point one hundred thir-
2 ty-four (321.134), Code 1950, is hereby amended by striking from line
3 twenty-one (21) the word "thirty" and substituting in lieu thereof the
4 word "seventy".

Approved March 23, 1953.

CHAPTER 128

NONRESIDENT MOTOR VEHICLE OPERATORS

S. F. 130

AN ACT relating to nonresident owners of motor vehicles operated on the highways of this state.

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

1 SECTION 1. Section three hundred twenty-one point fifty-three
2 (321.53), Code 1950, as amended by section one (1), chapter one hun-
3 dred thirteen (113), Acts of the Fifty-fourth General Assembly, is
4 hereby repealed.

1 SEC. 2. Section three hundred twenty-one point fifty-six (321.56),
2 Code 1950, is amended by striking the first paragraph as amended by
3 section two (2), chapter one hundred thirteen (113), Acts of the
4 Fifty-fourth General Assembly.

1 SEC. 3. Section three hundred twenty-one point eighteen (321.18),
2 Code 1950, is amended by striking from line five (5) of subsection
3 one (1) the figures, "321.53" and inserting in lieu thereof the follow-
4 ing, "321.56 as amended by section 2, chapter 113, Acts 54 G.A., and
5 as provided in section four (4) of this Act."

1 SEC. 4. A nonresident owner, except as provided in sections three
2 hundred twenty-one point fifty-four (321.54), three hundred twenty-
3 one point fifty-five (321.55), and three hundred twenty-one point fifty-
4 six (321.56), Code 1950, of a private passenger motor vehicle, not
5 operated for hire, may operate or permit the operation of such vehicle
6 within this state without registering such vehicle in, or paying any
7 fees to, this state subject to the condition that such vehicle at all times
8 when operated in this state is duly registered in, and displays upon it
9 a valid registration plate or plates issued for such vehicle in the place
10 of residence of such owner. A nonresident who leases a vehicle from
11 a resident owner shall not be considered a nonresident owner of such
12 vehicle for the purpose of exemption under this section. This section
13 shall be operative to the extent that under the laws of the foreign
14 country, state, territory, or federal district of such nonresident own-
15 er's residence like exemptions and privileges are granted to vehicles
16 registered under the laws, and owned by residents, of this state.

Approved February 18, 1953.

CHAPTER 129

NONRESIDENT CARRIERS

S. F. 151

AN ACT to amend section three hundred twenty-one point fifty-four (321.54), Code 1950, relating to the registration of motor vehicles of non-resident carriers.

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

1 SECTION 1. Amend section three hundred twenty-one point fifty-
2 four (321.54), Code 1950, by adding thereto the following:

3 "The term intrastate transportation as used herein shall mean the
 4 transportation for compensation of persons or property originating
 5 at any point or place in the state of Iowa and destined to any other
 6 point or place in said state irrespective of the route or highway or
 7 highways traversed, including the crossing of any state line of the
 8 state of Iowa, or the ticket or bill of lading issued and used for such
 9 transportation."

Approved April 15, 1953.

CHAPTER 130

MOTOR VEHICLE HEARSE FEES

S. F. 366

AN ACT to amend section three hundred twenty-one point one hundred seventeen (321.117), Code 1950, relating to fees for hearses.

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

1 SECTION 1. Section three hundred twenty-one point one hundred
 2 seventeen (321.117), Code 1950, is hereby amended by striking the
 3 word "fifteen" from line six (6) and substituting in lieu thereof the
 4 word "thirty" (30).

Approved April 21, 1953.

CHAPTER 131

OPERATORS' AND CHAUFFEURS' LICENSES

S. F. 268

AN ACT to repeal section three hundred twenty-one point one hundred eighty (321.180), Code 1950, relating to instruction permits, and to enact a substitute therefor; and to amend section three hundred twenty-one point one hundred ninety-one (321.191), Code 1950, as amended, pertaining to fees for operator's and chauffeur's licenses.

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

1 SECTION 1. Section three hundred twenty-one point one hundred
 2 eighty (321.180), Code 1950, is hereby repealed and the following
 3 enacted in lieu thereof:
 4 "Any person who, is at least fourteen years of age and who ex-
 5 cept for his lack of instructions in operating a motor vehicle would
 6 otherwise be qualified to obtain an operator's license under this chap-
 7 ter, may apply for a temporary instruction permit, and upon the
 8 applicant meeting the requirements of section three hundred twenty-
 9 one point one hundred eighty-six (321.186), Code 1950, other than
 10 driving demonstration, and paying the required fee, the department
 11 shall issue such permit, entitling the applicant while having such per-
 12 mit in his immediate possession to drive a motor vehicle upon the
 13 highways for a period of six months when accompanied by a licensed
 14 operator or chauffeur who is at least twenty-one years of age, and

15 who is actually occupying a seat beside the driver, except that any
 16 instruction permit issued to a person who is less than sixteen years
 17 of age shall be valid until his sixteenth birthday and shall entitle
 18 such permittee to drive a motor vehicle upon the highways only when
 19 accompanied by a parent or guardian, who is a holder of a valid oper-
 20 ator's or chauffeur's license, and who is actually occupying a seat
 21 beside the driver. The department, upon receiving proper application,
 22 may in its discretion issue without charge a restricted instruction per-
 23 mit effective for a period of not to exceed six months, if such applicant
 24 is at least fourteen years of age and is enrolled in a driver training
 25 program approved by the department. Such instruction permit shall
 26 entitle the permit holder when he has such a permit in his imme-
 27 diate possession to operate a motor vehicle only when an instructor
 28 approved by the department is occupying a seat beside the permit
 29 holder. Each applicant applying for an instruction permit under an
 30 approved driver training program shall furnish a certificate of eligi-
 31 bility and such certificate shall be valid only when signed by an ap-
 32 proved instructor."

1 SEC. 2. Section three hundred twenty-one point one hundred nine-
 2 ty-one (321.191), Code 1950, as amended, is hereby amended by in-
 3 serting between the word "license" and the succeeding word "shall" in
 4 line two (2) thereof, the following: "or instruction permit".

Approved April 16, 1953.

CHAPTER 132

MINORS' MOTOR VEHICLE LICENSES

S. F. 268

AN ACT to repeal section three hundred twenty-one point one hundred ninety-four (321.194), Code 1950, pertaining to restricted licenses issued to minors, and to enact a substitute therefor.

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

1 SECTION 1. Section three hundred twenty-one point one hundred
 2 ninety-four (321.194), Code 1950, is hereby repealed and the follow-
 3 ing enacted in lieu thereof:

4 "Whenever the necessity therefor is shown, a restricted license
 5 may be issued to any person between the ages of fourteen and six-
 6 teen years which license shall entitle the holder thereof, while having
 7 such license in his immediate possession, to operate a motor vehicle
 8 during the hours of 7 A.M. to 6 P.M. over the most direct and acces-
 9 sible route between the licensee's residence and his school of enroll-
 10 ment for the purpose of attending duly scheduled courses of instruc-
 11 tion at such school or at any time when accompanied by a parent or
 12 guardian who is a holder of a valid operator's or chauffeur's license,
 13 and who is actually occupying a seat beside the driver. Such license
 14 shall expire on the licensee's 16th birthday. For the purpose of es-
 15 tablishing a need for the license provided for in this section, each
 16 application shall be accompanied by an affidavit from the school board
 17 or superintendent of the applicant's school which affidavit shall be

18 upon a form provided by the department and shall state the facts
 19 deemed to justify the issuance of a license to the applicant. Neither
 20 such affidavit nor the inability to obtain the same shall be binding
 21 on the department but may be considered by the department in its
 22 determining of whether or not to grant the application. The fact
 23 that the applicant resides at a distance less than one mile from his
 24 school shall be prima facie evidence of the non-existence of any neces-
 25 sity for the issuance of such a license. A license issued hereunder is
 26 subject to suspension or revocation in like manner as any other license
 27 or permit issued under any law of this state and in addition thereto
 28 the department may suspend such license upon receiving satisfactory
 29 evidence that the licensee has violated the restrictions of such license
 30 or has been involved in two or more accidents chargeable to such
 31 licensee and the department shall revoke any license issued hereunder
 32 upon receiving a record of such licensee's conviction for two or more
 33 violations of any law of this state or city ordinance, other than park-
 34 ing regulations, regulating the operation of motor vehicles on high-
 35 ways and after revoking a license hereunder the department shall not
 36 grant application for any new license or permit until the expiration
 37 of one year or until the licensee attains his 16th birthday whichever
 38 is the longer period."

Approved April 16, 1953.

CHAPTER 133

REGULATING BICYCLES

H. F. 31

AN ACT to amend sections three hundred twenty-one point two hundred thirty-six (321.236) and three hundred eighty-nine point thirty-nine (389.39), Code 1950, relating to the powers of local authorities to regulate the use of bicycles.

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

1 SECTION 1. Section three hundred twenty-one point two hundred
 2 thirty-six (321.236), Code 1950, is hereby amended by adding thereto
 3 the following new subsection:

4 "9. Regulating the operation of bicycles and requiring the registra-
 5 tion and licensing of the same, including the requirement of a regis-
 6 tration fee."

1 SEC. 2. Section three hundred eighty-nine point thirty-nine
 2 (389.39), Code 1950, is hereby amended by adding thereto the follow-
 3 ing new subsection:

4 "6. To require the registration and licensing of bicycles, including
 5 the requirement of a registration fee therefor."

Approved February 25, 1953.

CHAPTER 134

HIGHWAY MARKERS NEAR SCHOOLS

S. F. 310

AN ACT to amend section three hundred twenty-one point two hundred eighty-five (321.285), Code 1950, relating to the control of vehicles in school districts.

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

1 SECTION 1. Section three hundred twenty-one point two hundred
2 eighty-five (321.285), Code 1950, is hereby amended by striking the
3 words "or school" in lines eighteen (18) and nineteen (19) of said
4 section, and by inserting the words "or school" after the word "resi-
5 dence" in line twenty-one (21) of said section, and further by adding
6 thereto the following: "Each school district as defined in subsection
7 fifty-nine (59) of section three hundred twenty-one point one (321.1)
8 shall be marked by distinctive signs as provided by the current Man-
9 ual of Uniform Traffic Control Devices adopted by the state highway
10 commission and placed on the highway at the limits of such school
11 district."

Approved May 22, 1953.

CHAPTER 135

SPECIAL FOUR-WHEEL TRAILERS

S. F. 245

AN ACT to amend section three hundred twenty-one point three hundred ten (321.310), Code 1950, relating to four-wheel trailers.

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

1 SECTION 1. Section three hundred twenty-one point three hundred
2 ten (321.310), Code 1950, is amended by inserting following line eight
3 (8) thereof the following: "Nothing in this section shall prohibit
4 any utility or company operating a pipe line into or through this state
5 from moving on such highways a two-axle truck with a four-wheel
6 trailer attached upon which trailer is mounted a portable pumping
7 unit necessary for emergency use during repairs to such pipe line,
8 provided that the gross weight of such trailer and the pumping equip-
9 ment mounted thereon shall not exceed 15,000 pounds and that the
10 combined length, height or weight of such truck and trailer combina-
11 tion does not exceed the length, height or weight limits prescribed
12 by law for combinations of motor vehicles. Any such trailer when so
13 moved shall be subject to registration in this state or entitled to recip-
14 rocal operating privileges upon the same conditions as are applicable
15 to motor vehicles generally, and when subject to registration in this
16 state the fee therefor shall be the same as prescribed by law for a
17 trailer upon which well drilling equipment is mounted."

Approved April 16, 1953.

CHAPTER 136

PEDESTRIAN USE OF STREETS

S. F. 146

AN ACT to amend section three hundred twenty-one point three hundred twenty-eight (321.328), Code 1950, relating to pedestrian use of streets.

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

1 SECTION 1. Amend section three hundred twenty-one point three
2 hundred twenty-eight (321.328), Code 1950, by striking the period
3 (.) at the end of the sentence in line five (5) thereof and adding there-
4 to the following: "except that cities and towns may restrict such a
5 crossing by ordinance."

Approved April 29, 1953.

CHAPTER 137

REFLECTORS AND SIGNALS ON VEHICLES

H. F. 317

AN ACT to amend sections three hundred twenty-one point three hundred ninety (321.390) and three hundred twenty-one point four hundred twenty-two (321.422) and to repeal section three hundred twenty-one point three hundred seventeen (321.317), Code 1950, relating to reflector requirements and directional signals on vehicles.

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

1 SECTION 1. Section three hundred twenty-one point three hundred
2 ninety (321.390), Code 1950, is hereby amended by striking from line
3 eleven (11) thereof the following: "five hundred feet to fifty feet"
4 and inserting in lieu thereof the following: "three hundred feet to
5 fifty feet from such vehicle, except that on a commercial vehicle the
6 reflector shall be visible from all distances within five hundred feet to
7 fifty feet".

1 SEC. 2. Section three hundred twenty-one point three hundred
2 seventeen (321.317), Code 1950, is hereby repealed.

1 SEC. 3. The signals required under the provisions of chapter three
2 hundred twenty-one (321), Code 1950, may be given either by means
3 of the hand and arm as provided in section three hundred twenty-one
4 point three hundred eighteen (321.318), Code 1950, or by a mechanical
5 or electrical directional signal device or light of a type approved by
6 the department and conforming to the provisions of this chapter relat-
7 ing thereto.

1 SEC. 4. Directional signal devices shall be designed with a white,
2 yellow or amber lamp or lamps to be displayed on the front of vehicles
3 and with a lamp or lamps of red, yellow or amber to be displayed on
4 the rear of vehicles. Such devices shall be capable of clearly in-
5 dicating any intention to turn either to the right or to the left and shall
6 be visible and understandable during both daylight and darkness from

7 a distance of at least one hundred feet from the front and rear of a
8 vehicle equipped therewith.

1 SEC. 5. After the thirty-first (31st) day of December, 1953, it shall
2 be unlawful for any person to sell or offer for sale or operate on the
3 highways of the state of Iowa any vehicle subject to registration under
4 the provisions of chapter three hundred twenty-one (321), Code 1950,
5 which has never been registered in this or any other state prior to
6 January 1, 1954, unless such vehicle is equipped with a directional
7 signal device of a type approved by the department and is in com-
8 pliance with the provisions of section 4 of this Act. Motorcycles, motor
9 scooters, bicycles with motor attached and semi-trailers and trailers
10 less than forty (40) inches in width are exempt from the provisions
11 of this section.

1 SEC. 6. When a vehicle is equipped with a directional signal device,
2 such device shall at all times be maintained in good working condition.
3 No directional signal device shall project a glaring or dazzling light.
4 All directional signal devices shall be self-illuminated when in use while
5 other lamps on the vehicle are lighted.

1 SEC. 7. Amend section three hundred twenty-one point four hun-
2 dred twenty-two (321.422), Code 1950, by inserting following the word
3 "lights" in the last line thereof the words, "and directional signals".

Approved April 23, 1953.

CHAPTER 138

MOBILE HOMES AND PARKS

H. F. 327

AN ACT providing for licensing, inspection and regulation of mobile homes and mobile home parks, prescribing the standards and fees, and providing for regulations, enforcement procedure and penalties; to amend section three hundred twenty-one point four hundred fifty-seven (321.457), Code 1950, relating to maximum length of mobile homes; and to amend section three hundred twenty-one point one hundred thirty (321.130), Code 1950, relating to fees in lieu of taxes.

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 1950, is hereby amended by striking the
3 period (.) from line five (5) of subsection three (3) and adding
4 thereto the following: "; except that a mobile home not in excess of
5 a length of forty (40) feet may be drawn by any motor vehicle ex-
6 cept a motor truck."

1 SEC. 2. The following definitions shall apply to this Act:

2 "1. 'Mobile Home' shall mean any vehicle used or so constructed
3 as to permit its being used as a conveyance upon the public streets
4 or highways and duly licenseable as such, and shall include self-pro-
5 pelled or non-self-propelled vehicles, so designed, constructed, recon-
6 structed or added to by means of an enclosed addition or room in
7 such manner as will permit the occupancy thereof as a dwelling or
8 sleeping place for one or more persons, having no permanent founda-
9 tion and supported by wheels, jacks or similar supports.

10 "2. 'Mobile home park' shall mean any site, lot, field or tract of
 11 land upon which two or more occupied mobile homes are harbored,
 12 either free of charge or for revenue purposes, and shall include any
 13 building, structure, tent, vehicle or enclosure used or intended for use
 14 as part of the equipment of such mobile home park.

15 "The term 'mobile home park' shall not be construed to include
 16 mobile homes, buildings, tents or other structures temporarily main-
 17 tained by any individual, educational institution, or company on their
 18 own premises and used exclusively to house their own labor or stu-
 19 dents."

1 SEC. 3. No person, firm or corporation shall establish, maintain,
 2 conduct or operate a mobile home park within this state without first
 3 obtaining an annual license therefor from the state department of
 4 health. Such annual license shall be issued for the calendar year
 5 applied for and shall expire at midnight on December 31 of such
 6 year. Any mobile home park located in more than one municipality
 7 shall be dealt with as two separate mobile home parks.

1 SEC. 4. The application for annual license to operate and main-
 2 tain a mobile home park shall be made to the state department of
 3 health, at such office and in such manner as may be prescribed by
 4 regulations of that department; provided that when such mobile
 5 home park is located within a municipality, the application shall be
 6 filed with the local board of health who shall forward the same to the
 7 state department of health.

1 SEC. 5. The application for such annual license shall be in writ-
 2 ing and upon such form as the state department of health may by
 3 regulation provide, and shall include the following information:

4 1. The full name and address of the applicant or applicants or
 5 names and addresses of the partners if the applicant is a partnership,
 6 or the names and addresses of the officers if the applicant is a cor-
 7 poration, and present or last occupation of the applicant at the time
 8 of the filing of the application.

9 2. A legal description of the site, lot, field or tract of land upon
 10 which it is proposed to operate and maintain a mobile home park.

11 3. The proposed and existing facilities on and about such site, lot,
 12 field or tract of land for the proposed construction or alteration and
 13 maintaining of a sanitary community building for toilets, urinals, sinks,
 14 wash basins, slop sinks and showers, drains, laundry facilities, source
 15 of water supply; sewage, garbage and waste disposal.

16 4. The proposed method of lighting the structures and site, lot,
 17 field or tract of land upon which said mobile home park is to be located.

18 5. Designate the calendar months of the year in which applicant
 19 will operate said mobile home park.

20 6. Plans and drawings for new construction, including buildings,
 21 wells, and sewage disposal systems, not in existence at the time of
 22 the application.

1 SEC. 6. The application for the first annual primary license shall
 2 be submitted with all plans and specifications enumerated in section
 3 four (4),* and payment of twenty-five dollars (\$25.00) for each

*Section 5 probably intended.

4 mobile home park with facilities for twenty (20) or fewer mobile
5 homes, or fifty dollars (\$50.00) for each mobile home park with fa-
6 cilities for more than twenty (20) mobile homes, and shall be ac-
7 companied by an approved permit from the municipality whereon the
8 park is to be located, or a statement that the municipality does not
9 require an approved permit. In the event a mobile park has facilities
10 for three or less mobile homes, the annual license fee shall not exceed
11 ten dollars (\$10.00).

12 Each year thereafter, the license fee shall be twenty-five dollars
13 (\$25.00). All annual license fees collected by the department of
14 health shall be deposited with the state treasurer.

15 When the application is received by the state department of health,
16 it shall promptly cause the mobile home park and appurtenances
17 thereto to be inspected. When such inspection and report has been
18 made and the state department of health finds that all requirements
19 of this Act and such conditions of health and safety as the state de-
20 partment of health may require have been met by the applicant, the
21 state department of health shall forthwith issue such annual primary
22 license in the name of the state.

1 SEC. 7. During the pendency of the application for such annual
2 primary license, any change in the sanitary or safety facilities of the
3 intended mobile home park shall be immediately reported in writing
4 to the state department of health to the office to which the application
5 was made. If no objection is made by the state department of health
6 to such a change in such sanitary or safety facilities within sixty (60)
7 days of the date such change is reported, it shall be deemed to have
8 the approval of the state department of health.

1 SEC. 8. When the application has been approved, the state depart-
2 ment of health shall issue a permit to the applicant to construct or
3 make alterations pertaining to water and sewage disposal upon a
4 mobile home park and the appurtenances thereto according to the
5 plans and specifications presented with the approved application.

6 No approval of plans and specifications and issuance of a permit
7 to construct or make alterations upon a mobile home park and the
8 appurtenances by the state department of health shall be construed
9 as having been approved for other than sanitation.

10 Such a permit does not relieve the applicant from securing build-
11 ing permits in municipalities having a building code; or from com-
12 plying with any other municipal ordinance or ordinances, applicable
13 thereto, and not in conflict with this statute.

1 SEC. 9. If the application for a permit to construct or make altera-
2 tions upon a mobile home park and the appurtenances thereto, or a
3 primary license to operate the same, is denied by the state department
4 of health, it shall so state in writing, giving the reasons for denying
5 the application. If the objection can be corrected, the applicant may
6 amend his application and resubmit it for approval, and if denied
7 the applicant may within thirty (30) days thereafter appeal from
8 the decision of the state board of health to the district court of the
9 county in which said mobile home park is located, and the case shall
10 be tried in equity.

1 SEC. 10. In addition to the primary and annual license fee pro-
2 vided for in section five (5),* each licensee is hereby required to pay
3 for each occupied mobile home occupying space within such licensed
4 mobile home park a monthly fee as follows: For trailers up to thirty
5 (30) feet in length, two dollars (\$2.00) per month or major fraction
6 thereof; for trailers from thirty (30) to thirty-five (35) feet in
7 length, two and one-half dollars (\$2.50) per month or major fraction
8 thereof; and for all trailers over thirty-five (35) feet in length, three
9 dollars (\$3.00) per month or major fraction thereof which monthly
10 fee shall be paid by the licensee on or before the tenth (10th) day
11 of the month, following the month for which such additional fee is
12 due, in the manner herein prescribed. In computing the length here-
13 in above described, the total length therein set out shall expressly
14 include the trailer hitch or such other permanent extensions as may
15 be attached to said trailer used or designed for use as a trailer hitch.
16 Provided, however, that the licensee of a mobile home park shall not
17 be required to collect or pay a monthly fee, as herein provided, for
18 any space occupied by a mobile home accompanied by an automobile,
19 if such mobile home and automobile bear license plates issued by any
20 other state other than the state of Iowa, for an accumulated period
21 not to exceed ninety (90) days in any twelve (12) month period;
22 provided, further, that all occupants of the said mobile home with
23 accompanying automobile are tourists or vacationists. When one
24 or more persons occupying a mobile home bearing a foreign license
25 are employed within the state of Iowa, there shall be no exemption
26 for monthly fees. In the event that an occupied mobile home is not
27 harbored in a mobile home park the owner of said mobile home shall
28 pay a monthly fee in the amount and in the manner as has heretofore
29 been provided in this section. Each mobile home park licensee is
30 hereby required to keep an accurate and complete record of the num-
31 ber of units of mobile homes harbored in his park and to report such
32 information on or before the tenth (10th) day of each month to the
33 county assessor and the records of every such licensee shall be open
34 to inspection by the county assessor.

1 SEC. 11. The monthly fee for each occupied mobile home situated
2 upon a licensed mobile home park shall be paid by the licensee thereof,
3 or by the owner where the mobile home is not situated in a mobile
4 home park, to the county treasurer of the county wherein such licensed
5 mobile home park or mobile home is situated, on or before the tenth
6 (10th) day of each and every month following thereafter. Such
7 monthly fee is hereby allocated and required to be paid by the county
8 treasurer as follows:

9 For each monthly fee collected by the county treasurer, fifty per-
10 cent (50%) shall be paid to the local public school district wherein
11 said licensed mobile home park or mobile home is located; twenty-
12 five percent (25%) shall be paid to the municipal corporation where-
13 in said licensed mobile home park or mobile home is located, and
14 twenty-five percent (25%) shall be retained for the general fund by
15 the county treasurer. If there is no municipality, fifty percent (50%)
16 shall be retained by the county treasurer for the general fund.

*Section 6 probably intended.

1 SEC. 12. When the state department of health has approved an
2 application for permit to construct or make alterations upon a mobile
3 home park or the appurtenances thereto or a license to operate and
4 maintain the same, it shall retain the original and keep a file thereof.
5 One copy shall be returned to the applicant or his agent, one copy
6 to the local board of health, if the mobile home park is located within
7 the limits of a municipality.

1 SEC. 13. The state department of health shall furnish all necessary
2 forms to be executed in making application for all licenses under
3 this Act.

1 SEC. 14. It shall be the duty of the state department of health to
2 notify, or cause to be notified, the treasurer of each municipality of
3 the issuance of each mobile home park license issued within the juris-
4 diction of such municipality.

1 SEC. 15. Any mobile home park owned and operated by any mu-
2 nicipality or political subdivision of this state shall meet all provi-
3 sions of this Act.

1 SEC. 16. If any applicant for a mobile home park license desires
2 to operate such mobile home park only during the months from May
3 1 to October 1, they should pay only one-half ($\frac{1}{2}$) of the above-men-
4 tioned annual license fee, but should pay the full monthly fees here-
5 inbefore required for each month of operation. If in the opinion of
6 the state department of health the sanitary and facility requirements
7 herein contained are too rigid for the mobile home park, it may in
8 writing or by regulation modify such requirements as circumstances
9 may permit and require.

1 SEC. 17. The department shall have full authority to prescribe
2 reasonable rules and regulations for the administration and enforce-
3 ment of this Act, in addition hereto and not inconsistent herewith.
4 All rules and regulations shall be filed and entered by the department
5 in its office in an index, permanent book or record, with the effective
6 date thereof suitably indicated, and such book or record shall be a
7 public document. Whenever a new ruling or regulation is adopted by
8 the department, a copy of the same shall be mailed by it to each
9 licensee hereunder. All rules and regulations issued shall be in con-
10 formity with the provisions of chapter fifty-one (51), Acts of the
11 Fifty-fourth (54th) General Assembly.

1 SEC. 18. Any license granted hereunder shall be subject to revoca-
2 tion or suspension by a court of proper authority and jurisdiction,
3 and the state department of health shall first serve or cause to be
4 served a written notice specifying a way or ways in which said li-
5 censee has failed to comply with the Act, or any special rules or regu-
6 lations promulgated by the state department of health pertaining
7 thereto. Said notice shall direct the licensee to remove or abate such
8 nuisance, unsanitary or objectionable condition specified in said notice
9 within five days, or within such reasonable period of time or extended
10 period of time as may be reasonably allowed by the complaining
11 officer. If the licensee fails to comply with the terms and conditions
12 of said notices, within the time specified or such extended period or
13 a period of time, the complaining officer may require the county at-

14 torney of the county in which such violation occurred to start a civil
 15 action to remove or abate such nuisance, unsanitary, unhealthful, or
 16 objectionable condition as complained of in the court of proper au-
 17 thority and jurisdiction of the city or county in the name of the state
 18 of Iowa, and if found guilty a decision may be entered by the court
 19 to revoke or suspend such license.

1 SEC. 19. Any person violating any provision of this Act shall be
 2 fined not less than one hundred dollars (\$100.00) nor more than one
 3 thousand dollars (\$1000.00) or be imprisoned in the county jail for
 4 not more than six (6) months or by both such fine and imprisonment.

1 SEC. 20. The licenses and fees provided for in this Act shall be
 2 in addition to any licenses and fees provided for in chapter three hun-
 3 dred twenty-one (321), Code 1950.

1 SEC. 21. Section three hundred twenty-one point one hundred
 2 thirty (321.130), Code 1950, is hereby amended by adding thereto
 3 the following: "This section shall not apply to occupied mobile
 4 homes."

1 SEC. 22. The state department of health shall have the power to
 2 delegate to local boards of health the duties of inspection and regula-
 3 tion of mobile home parks located within the jurisdiction of such local
 4 board of health, where, in the opinion of the state department of
 5 health, such delegation can best effectuate the policies of this Act.
 6 When said duties are so delegated, fifty percent (50%) of the annual
 7 license fee collected therefrom shall be turned over to the treasurer
 8 of the jurisdiction involved.

1 SEC. 23. All mobile homes for which a monthly fee is collected
 2 under the provisions of this Act shall not be assessed for property
 3 tax but this exemption shall not apply to the property contained in
 4 any mobile home.

Approved May 21, 1953.

CHAPTER 139

MAXIMUM LENGTH OF CERTAIN VEHICLES

H. F. 222

AN ACT to amend section three hundred twenty-one point four hundred fifty-seven (321.457), Code 1950, relating to maximum length of certain vehicles.

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 1950, is hereby amended by inserting
 3 after the word "apparatus" in line three (3) the following:
 4 "and vehicles operated in the daytime when transporting poles,
 5 pipe, machinery or other objects of a structural nature which cannot
 6 be dismembered readily when required for emergency repair of public
 7 service facilities or properties, and such vehicles transporting such
 8 objects operated at nighttime by a public utility when required for

9 emergency repair of public service facilities or properties, but in
 10 respect to such night transportation every such vehicle and the load
 11 thereon shall be equipped with a sufficient number of clearance lamps
 12 on both sides and marker lamps upon the extreme ends of any pro-
 13 jecting load to mark clearly the dimensions of such load, at which
 14 time, a member of the state highway patrol shall be notified prior to
 15 the operation of such vehicle".

Approved April 23, 1953.

CHAPTER 140

WEIGHT LIMITS OF MOTOR VEHICLES

S. F. 388

AN ACT to amend section one (1) of chapter one hundred twenty-eight (128), Acts of the Fifty-fourth General Assembly, and section three hundred twenty-one point four hundred sixty-three (321.463), Code 1950, relating to the maximum legal weights of any axles or groups of axles or on entire vehicles or combination of vehicles, and the providing of penalties for violation thereof.

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

1 SECTION 1. Section one (1) of chapter one hundred twenty-eight
 2 (128), Acts of the Fifty-fourth General Assembly, is hereby amended
 3 as follows:

4 1. By striking the words and figures "Over 3%" in line thirteen
 5 (13) of section one (1) and inserting in lieu thereof the word "Up".

6 2. By striking the words and figures "Over 8%" in line twenty-four
 7 (24) of section one (1) and inserting in lieu thereof the word "Up".

8 3. By inserting after line thirty (30) of said section the following:
 9 "No fine shall be assessed if the overload does not exceed the toler-
 10 ance specified in this section. If the overload does exceed the toler-
 11 ance specified in this section, the amount of the fine to be assessed
 12 shall be computed on the difference between the actual weight and
 13 the maximum legal weight specified in this section without allowance
 14 of any tolerance.

15 Overloads on axles and tandem axles and overloads on groups of
 16 axles or on an entire vehicle or combination of vehicles shall be con-
 17 sidered as separate violations of the provisions of this section."

1 SEC. 2. Section three hundred twenty-one point four hundred sixty-
 2 three (321.463), Code 1950, is hereby amended by striking the period
 3 after the word "foot" in line nineteen (19) and adding thereto the
 4 following: "or fraction thereof."

1 SEC. 3. Section three hundred twenty-one point four hundred
 2 sixty-three (321.463), Code 1950, is hereby amended by striking the
 3 colon after the word "foot" in line twenty-five (25) and adding there-
 4 to the following: "or fraction thereof."

1 SEC. 4. Section three hundred twenty-one point four hundred
 2 sixty-three (321.463), Code 1950, is hereby further amended by strik-
 3 ing the schedule of distance and load following line thirty-one (31)
 4 and inserting in lieu thereof the following schedule:

5	4	32,000
6	5	32,000
7	6	32,000
8	7	32,000
9	8	32,610
10	9	33,580
11	10	34,930
12	11	36,235
13	12	38,293
14	13	39,291
15	14	40,278
16	15	41,265
17	16	42,241
18	17	43,218
19	18	44,184
20	19	45,139
21	20	46,095
22	21	47,040
23	22	47,985
24	23	48,919
25	24	49,843
26	25	50,767
27	26	51,681
28	27	52,594
29	28	53,497
30	29	54,390
31	30	55,282
32	31	56,164
33	32	57,046
34	33	57,918
35	34	58,779
36	35	59,640
37	36	60,490
38	37	61,341
39	38	62,181
40	39	63,010
41	40	63,840
42	41	64,659
43	42	65,478

Approved April 23, 1953.

CHAPTER 141

HEAVY MACHINERY ON HIGHWAYS

H. F. 63

AN ACT to amend chapter one hundred twenty-nine (129), Acts of the Fifty-fourth General Assembly, relating to moving of heavy machinery on highways.

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

- 1 SECTION 1. Chapter one hundred twenty-nine (129), Acts of the
- 2 Fifty-fourth General Assembly, is hereby amended by adding after

3 the word "material" in line five (5) of section one (1) thereof the
4 following : ", or agricultural machinery, equipment or material".

5 Chapter one hundred twenty-nine (129), Acts of the Fifty-fourth
6 General Assembly, is hereby further amended by adding after the
7 word "projects" in line seven (7) of section one (1) thereof the fol-
8 lowing: ", or agricultural projects".

Approved March 30, 1953.

CHAPTER 142

NONRESIDENT MOTOR VEHICLE OPERATORS

S. F. 32

AN ACT to amend section three hundred twenty-one point four hundred ninety-eight (321.498), Code 1950, relating to actions against nonresidents.

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

1 SECTION 1. Amend section three hundred twenty-one point four
2 hundred ninety-eight (321.498), Code 1950, by striking from lines one
3 (1), two (2) and three (3) thereof the words, "The use and operation
4 of a motor vehicle in this state on the public highways thereof by a
5 person who is a nonresident of this state" and inserting in lieu thereof
6 the following: "The acceptance by any nonresident of this state of the
7 privileges extended by the laws of this state to nonresident operators
8 or owners of operating a motor vehicle, or having the same operated,
9 within this state", and by adding thereto the following subsection:

10 "The term nonresident shall include any person who was, at the time
11 of the accident or event, a resident of the State of Iowa but who re-
12 moved from the state before the commencement of such action or pro-
13 ceedings."

Approved February 16, 1953.

CHAPTER 143

MOTOR VEHICLE FINANCIAL RESPONSIBILITY

S. F. 267

AN ACT to amend chapter three hundred twenty-one A (321A), Code 1950, relating to motor vehicle financial responsibility.

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

1 SECTION 1. Section three hundred twenty-one A point five
2 (321A.5), Code 1950, is hereby amended by striking lines thirty-one
3 (31) to thirty-six (36) inclusive of subsection three (3) and insert-
4 ing in lieu thereof the following:

5 "Upon receipt of a report of a motor vehicle accident and informa-
6 tion that an automobile liability policy or surety bond meeting the
7 requirements of this chapter was in effect at the time of this accident
8 covering liability for damages resulting from such accident, the com-

9 missioner shall forward by regular mail to the insurance carrier or
 10 surety carrier which issued such policy or bond a copy of such infor-
 11 mation concerning insurance or bond coverage, and it shall be pre-
 12 sumed that such policy or bond was in effect and provided coverage
 13 to both the operator and the owner of the motor vehicle involved in
 14 such accident unless the insurance carrier or surety carrier shall
 15 notify the commissioner otherwise within fifteen days from the mail-
 16 ing of such information to such carrier; provided, however, that in
 17 the event the commissioner shall later ascertain that erroneous infor-
 18 mation had been given him in respect to the insurance or bond cov-
 19 erage of the operator or owner of a motor vehicle involved in such
 20 accident, he shall take such action as he is otherwise authorized to
 21 do under this chapter within sixty days after the receipt by him of
 22 correct information with respect to such coverage."

Approved April 16, 1953.

CHAPTER 144

OPERATING MOTOR VEHICLE WITHOUT LICENSE

H. F. 350

AN ACT to amend section three hundred twenty-one A point seventeen (321A.17), Code 1950, in reference to operating a motor vehicle without being licensed.

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

1 SECTION 1. Section three hundred twenty-one A point seventeen
 2 (321A.17), subsection three (3) is hereby amended by striking from
 3 lines five (5), six (6) and seven (7) the words "or for operating a
 4 motor vehicle upon the highways without being licensed to do so,".

Approved April 25, 1953.

CHAPTER 145

OPERATING MOTOR VEHICLE UNDER SUSPENSION

S. F. 266

AN ACT to amend section three hundred twenty-one A point thirty-two (321A.32), Code 1950, relating to the penalty of operating a motor vehicle while under suspension.

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

1 SECTION 1. Section three hundred twenty-one A point thirty-two
 2 (321A.32), Code 1950, is hereby amended by inserting after the word
 3 "suspended" in line three (3) of subsection one (1) thereof the fol-
 4 lowing: " , denied".

5 Further amend said subsection by inserting after the word "chap-
 6 ter" in line three (3) thereof the following: "or continues to remain
 7 suspended or revoked under this chapter,".

8 Further amend said subsection by inserting after the word "sus-
 9 pension" in line four (4) thereof the following: " , denial".

10 Further amend said subsection by adding after the word "revoca-
 11 tion" in line four (4) thereof the following: ", or during such con-
 12 tinuing suspension or continuing revocation,".

Approved April 16, 1953.

CHAPTER 146

MOTOR VEHICLE FINANCIAL RESPONSIBILITY

H. F. 28

AN ACT to amend chapter three hundred twenty-one A (321A), Code 1950, relating to motor vehicle financial responsibility to provide that whenever any licensed motor vehicle dealer shall sell a motor vehicle, and the transaction does not include liability insurance coverage which will protect the purchaser under the Iowa Financial Responsibility Act, a statement of that fact shall be contained in the instrument evidencing the transaction, and providing a penalty for violation of same.

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

1 SECTION 1. Chapter three hundred twenty-one A (321A), Code
 2 1950, is amended by adding thereto the following:

3 "Whenever any dealer licensed under chapter 322, Code 1950, sells
 4 a motor vehicle at retail and the transaction does not include the sale
 5 of liability insurance coverage which will protect the purchaser under
 6 the Iowa Motor Vehicle Financial and Safety Responsibility Act the
 7 purchase order or invoice evidencing the transaction shall contain a
 8 statement in the following form:

9 'I understand that liability insurance coverage which would protect
 10 me under the Iowa Motor Vehicle Financial and Safety Responsibil-
 11 ity Act IS NOT INCLUDED in my purchase of the herein described motor
 12 vehicle. I have received a copy of this statement.

13

14

.....
 (Purchaser's signature)'

15 "The seller shall print or stamp said statement on the purchase or-
 16 der or invoice in distinctive color ink and with clearly visible letters.
 17 Said statement shall be signed by the purchaser in the space pro-
 18 vided therein on or before the date of delivery of the motor vehicle
 19 described in the purchase order or invoice and a copy thereof shall
 20 be given to the purchaser by the seller."

1 SEC. 2. No civil liability shall arise on account of the failure of
 2 any person to comply with the provisions of this Act.

1 SEC. 3. Any person violating any provisions of this Act shall be
 2 deemed guilty of a misdemeanor and shall be punished by a fine not
 3 exceeding fifty dollars (\$50.00).

Approved April 23, 1953.

CHAPTER 147

MOTOR VEHICLE FUEL TAX INCREASE

H. F. 10

AN ACT to amend sections three hundred twenty-four point two (324.2) and three hundred twenty-four point sixty-three (324.63), Code 1950, relating to the motor vehicle fuel license fee and to provide a suitable method of financing primary road construction in Iowa.

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

1 SECTION 1. Section three hundred twenty-four point two (324.2),
2 Code 1950, is hereby amended by adding thereto the following:
3 "The license fee of four cents per gallon or fraction of a gallon pro-
4 vided for in this section shall be increased to five cents per gallon for
5 the biennium beginning July 1, 1953, and ending June 30, 1955."

1 SEC. 2. Section three hundred twenty-four point sixty-three
2 (324.63), Code 1950, is hereby amended by adding thereto the follow-
3 ing:

4 "The net proceeds of one cent per gallon of the license fees collected
5 under the provisions of this chapter shall, for the biennium beginning
6 July 1, 1953, and ending June 30, 1955, be credited by the treasurer
7 of the state as follows:

8 1. To the primary road fund, to be used for construction of such pri-
9 mary roads as are presently surfaced with gravel or crushed rock only,
10 on the basis of need as determined by the state highway commission."

1 SEC. 3. Section three hundred twenty-four point two (324.2), Code
2 1950, is hereby amended as follows:

3 By striking from line five (5) the comma (,) and all thereafter, all
4 of lines six (6), seven (7), eight (8), nine (9) and that part of line ten
5 (10) preceding the word "that" and inserting in lieu thereof the fol-
6 lowing: "; and a license fee of six cents per gallon or fraction of a
7 gallon is hereby imposed on the following:

8 (a) all fuel oil used or sold for the purposes of propelling motor ve-
9 hicles on the highways of the state;

10 (b) all fuel oil used in any maintenance and construction work which
11 is paid for from public funds.

12 Provided, however,".

1 SEC. 4. Section three hundred twenty-four point two (324.2), Code
2 1950, is hereby amended by striking the comma (,) in line twenty-two
3 (22) and inserting in lieu thereof a period (.); and by striking that
4 part of said section following the said comma (,) in line twenty-two
5 (22) thereof to and including the word "offense" in line thirty-eight
6 (38) thereof and inserting in lieu thereof the following: "Every per-
7 son, firm or corporation, who purchases or obtains motor fuel outside
8 of this state and operates any motor vehicle into this state upon the
9 public highways of this state and transports motor fuel in the fuel tank
10 or tanks attached or unattached to said motor vehicle for the sole pur-
11 pose of operating said vehicle, shall pay the Iowa motor fuel tax on
12 the gallons in excess of twenty (20) gallons consumed by such motor
13 vehicle while operated on Iowa public highways, except that this sec-
14 tion shall not apply to any motor vehicle coming into this state with a
15 motor fuel tank capacity not to exceed twenty (20) gallons. Payment

16 of the tax shall be made by purchase of motor fuel within Iowa of
 17 such gallonage as is equivalent to the gallonage consumed while oper-
 18 ating such motor vehicle on the public highways of Iowa, or by direct
 19 remittance to the department. If deemed necessary to determine the
 20 amount of tax due or to prevent tax evasion, the department may re-
 21 quire from any such person, firm or corporation reports on forms
 22 prescribed by it, and tax payments in the same manner as is provided
 23 in this chapter with respect to distributors. Every person, firm or
 24 corporation, required by this section to make returns and pay the tax
 25 herein imposed, shall be subject to all of the provisions of this chapter
 26 and all fines and penalties herein imposed for violations thereof."

1 SEC. 5. This Act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in the
 3 Davis County Republican, a newspaper published at Bloomfield, Iowa,
 4 and in the Oskaloosa Tribune Press, a newspaper published at Oska-
 5 loosa, Iowa.

Approved May 28, 1953.

I hereby certify that the foregoing Act, House File 10, was published in the Davis County Republican, Bloomfield, Iowa, June 2, 1953, and in the Oskaloosa Tribune Press, Oskaloosa, Iowa, June 5, 1953.

MELVIN D. SYNEHORST, *Secretary of State.*

CHAPTER 148 MOTOR CARRIERS

S. F. 152

AN ACT to amend section three hundred twenty-five point six (325.6), Code 1950, relating to certificates of convenience and necessity for motor carriers.

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

1 SECTION 1. Amend section three hundred twenty-five point six
 2 (325.6), Code 1950, by striking the same and by inserting in lieu
 3 thereof the following:
 4 "It is hereby declared unlawful for any motor carrier to transport
 5 over a regular route or between fixed termini any person or property,
 6 for compensation, from any point or place in the state of Iowa to
 7 another point or place in said state irrespective of the route, highway
 8 or highways traversed, including the crossing of any state line of
 9 the state of Iowa, or the ticket or bill of lading issued and used for
 10 such transportation, without first having obtained from the commis-
 11 sion a certificate declaring that public convenience and necessity re-
 12 quire such operation."

Approved April 15, 1953.

CHAPTER 149

MUNICIPAL AIRPORT BONDS

H. F. 448

AN ACT to repeal sections three hundred thirty point seven (330.7), three hundred thirty point eight (330.8), and three hundred thirty point sixteen (330.16), and to amend chapter three hundred thirty (330), Code 1950, relating to the issuance of bonds and the levying of taxes by municipalities to pay the cost of the establishment, acquisition, equipment and improvement of municipal airports and for the enlargement and improvement of municipal airports already established.

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

1 SECTION 1. Sections three hundred thirty point seven (330.7)
2 and three hundred thirty point eight (330.8), Code 1950, are hereby
3 repealed and the following substituted in lieu thereof:

4 "Cities and towns are hereby authorized to contract indebtedness
5 and to issue general obligation bonds to provide funds to pay the cost
6 of establishing, acquiring and equipping a municipally owned airport
7 and for improving the same.

8 "No such indebtedness to pay the cost of the establishment of a
9 municipally owned airport shall be incurred until approved by the
10 electors of such city or town in accordance with the provisions of
11 chapter four hundred seven (407), Code 1950, which election pro-
12 ceedings may be instituted by the city or town council.

13 "Taxes for the payment of said bonds shall be levied in accordance
14 with chapter seventy-six (76), Code 1950, and said bonds shall be
15 payable through the debt service fund in not more than twenty (20)
16 years and bear interest at a rate not exceeding five per cent (5%)
17 per annum and shall be of such form as the city or town council shall
18 by resolution provide, but no city or town shall become indebted in
19 excess of five per cent (5%) of the actual value of the taxable prop-
20 erty within said city or town, as shown by the last preceding state
21 and county tax lists. The indebtedness incurred for the purpose pro-
22 vided in this Act shall not be considered an indebtedness incurred for
23 general or ordinary purposes."

1 SEC. 2. Section three hundred thirty point sixteen (330.16), Code
2 1950, is hereby repealed and the following is substituted in lieu there-
3 of:

4 "Any municipality which has heretofore or may hereafter estab-
5 lish a municipal airport pursuant to the provisions of this chapter
6 or of any other provision of law, is hereby authorized without ap-
7 proval at an election, to contract indebtedness and to issue general
8 obligation bonds to provide funds to pay the cost of equipping, im-
9 proving and enlarging such airport provided, however, that if at any
10 time before the date fixed for taking action for the issuance of such
11 bonds a petition is filed with the clerk or recorder of the municipality
12 signed by qualified electors of the city or town equal in number to
13 two percent (2%) of those who voted for the office of governor at
14 the last preceding general election as shown by the election registers
15 or poll lists, asking that the question of issuing such bonds be sub-
16 mitted to the legal voters of the municipality, the governing body
17 thereof shall either by resolution declare the proposal to issue the

18 bonds to have been abandoned or shall call a special election to vote
19 upon the question of issuing the bonds.

20 "Taxes for the payment of said bonds shall be levied in accordance
21 with chapter seventy-six (76), Code 1950, and said bonds shall be
22 payable through the debt service fund in not more than twenty (20)
23 years and bear interest at a rate not exceeding five per cent (5%)
24 per annum and shall be of such form as the city or town council shall
25 by resolution provide, but no city or town shall become indebted in
26 excess of five per cent (5%) of the actual value of the taxable property
27 within said city or town, as shown by the last preceding state and
28 county tax lists. The indebtedness incurred for the purpose provided
29 in this Act shall not be considered an indebtedness incurred for gen-
30 eral or ordinary purposes."

1 SEC. 3. This Act shall be construed as granting additional power
2 without limiting the power already existing in cities and towns.

1 SEC. 4. The provisions of this Act shall be applicable to all mu-
2 nicipal corporations regardless of form of government or manner of
3 incorporation.

1 SEC. 5. 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 Reporter, a newspaper published at Sioux City, Iowa, and
4 in The Anthon Herald, a newspaper published at Anthon, Iowa.

Approved April 8, 1953.

I hereby certify that the foregoing Act, House File 448, was published in the Daily Reporter, Sioux City, Iowa, April 13, 1953, and in The Anthon Herald, Anthon, Iowa, April 15, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 150

COUNTY SUPERVISOR DISTRICTS

H. F. 159

AN ACT to amend chapter one hundred thirty-five (135), Acts of the Fifty-fourth General Assembly, relating to the establishment of county supervisor districts.

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

1 SECTION 1. Amend section three (3), chapter one hundred thirty-
2 five (135), Acts of the Fifty-fourth General Assembly, by inserting in
3 line four (4) thereof after the word "up" the word "originally"; by
4 inserting in line four (4) thereof after the word "sixteen" the word
5 "congressional"; by inserting in line six (6) thereof between the word
6 "four" and the word "townships" the word "congressional"; by strik-
7 ing from line five (5) the words and figures "between 6,000 and 7,000"
8 and inserting in lieu thereof the following: "over six thousand
9 (6,000)"; and by striking the remainder of the section after the word
10 "contiguous" in line seven (7) and inserting in lieu thereof the fol-
11 lowing: "except the area within the limits of the county seat, which
12 shall comprise a fifth district."

Approved March 31, 1953.

CHAPTER 151

SHERIFFS' FEES

H. F. 55

AN ACT to amend section three hundred thirty-seven point eleven (337.11), subsection eleven (11), Code 1950, relating to the compensation of sheriffs for feeding 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 1950, is hereby amended by
3 striking the words "thirty-five cents" from line two (2) and inserting
4 in lieu thereof the words "fifty cents".

1 SEC. 2. This Act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in The Jefferson
3 Bee, a newspaper published at Jefferson, Iowa, and in The Evening
4 Sentinel, a newspaper published at Shenandoah, Iowa.

Approved February 25, 1953.

I hereby certify that the foregoing Act, House File 55, was published in The Jefferson Bee, Jefferson, Iowa, March 3, 1953, and in The Evening Sentinel, Shenandoah, Iowa, February 27, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 152

DEPUTY COUNTY OFFICERS

S. F. 96

AN ACT relating to salaries of deputy county officers.

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

1 SECTION 1. Section three hundred forty point two (340.2), Code
2 1950, is amended by striking from line one (1) of subsection six (6)
3 the words, "Fifty-three thousand or over," and inserting in lieu there-
4 of the words, "In any county".

1 SEC. 2. Section three hundred forty-one point nine (341.9), Code
2 1950, is hereby repealed.

1 SEC. 3. Section three hundred forty point eight (340.8), Code
2 1950, is amended by striking from lines two (2) and three (3) the
3 words, "in counties having a population of:" and inserting in lieu
4 thereof, "as follows:".

1 SEC. 4. Section three hundred forty point seventeen (340.17),
2 Code 1950, is hereby repealed and the following enacted in lieu thereof:
3 "The salaries fixed for the clerk of the district court and his depu-
4 ties may be paid from the court expense fund."

Approved February 3, 1953.

CHAPTER 153

PHOTOGRAPHING RECORDS

H. F. 308

AN ACT relating to the copying and preserving by miniature photographic process of the records, reports and other papers of county officers and for disposal of the originals.

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

1 SECTION 1. Chapter three hundred forty-three (343), Code 1950,
2 is amended by adding a new section as follows:

3 "Any county officer may, at his discretion, make photographic, pho-
4 tostatic, micro-film, micro-card, or other accurately reproduced copies,
5 on a durable medium for so reproducing the original, of records, re-
6 ports and other papers either filed or recorded in his office. When
7 such copies have been made and have been properly filed and indexed,
8 the county officer may, on approval of a judge of the district court
9 of the judicial district, destroy the original records, reports or other
10 papers that are more than ten years old or place them in the posses-
11 sion of a museum or historical society willing to accept them."

1 SEC. 2. Chapter two hundred fourteen (214), Acts of the Fifty-
2 fourth General Assembly, is amended by inserting in line fourteen
3 (14) of section one (1) after the word, "law" the following:

4 ", except if the originals are records, reports or other papers of a
5 county officer they shall not be destroyed until they have been pre-
6 served for ten years".

Approved April 23, 1953.

CHAPTER 154

EXPENDITURES BY BOARD OF SUPERVISORS

S. F. 134

AN ACT to amend sections three hundred forty-five point one (345.1) and three hundred forty-five point three (345.3), Code 1950, relating to expenditures by county board of supervisors.

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

1 SECTION 1. Section three hundred forty-five point one (345.1),
2 Code 1950, is hereby amended by striking from line eight (8) thereof
3 the word "five" and substituting in lieu thereof the word "ten".

1 SEC. 2. Section three hundred forty-five point three (345.3), Code
2 1950, is hereby amended by striking the words, "sixty-five thousand
3 or over" in line three (3) and inserting in lieu thereof the words,
4 "forty thousand or over, with a county seat having a population of
5 more than five thousand".

1 SEC. 3. This Act, being deemed of immediate importance, shall be
2 in full force and effect from and after publication, without expense
3 to the state, in the Kossuth County Advance, a newspaper published

4 at Algona, Iowa, and in The Perry Daily Chief, a newspaper published
5 at Perry, Iowa.

Approved April 17, 1953.

I hereby certify that the foregoing Act, Senate File 134, was published in the Kossuth County Advance, Algona, Iowa, April 21, 1953, and in The Perry Daily Chief, Perry, Iowa, April 21, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 155

REALLOCATION OF COUNTY TAXES

H. F. 298

AN ACT authorizing the electors of the county to allocate taxes voted for carrying out a proposition adopted and afterwards rescinded to another purpose and to amend sections three hundred forty-five point twelve (345.12), three hundred forty-five point thirteen (345.13), and three hundred forty-five point fourteen (345.14), Code 1950.

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

1 SECTION 1. Section three hundred forty-five point twelve (345.12),
2 Code 1950, is hereby amended by striking the period (.) in line six
3 (6) and adding thereto the following: “, provided that taxes voted
4 for carrying into effect any such proposition may be by subsequent
5 vote of the electors allocated to another designated purpose. If upon
6 such subsequent vote of the electors, a majority of the votes cast is
7 adverse to the allocation proposed, then the tax fund shall revert to
8 and become part of the county general fund.”.

1 SEC. 2. Section three hundred forty-five point thirteen (345.13),
2 Code 1950, is hereby amended by inserting after the word “measure”
3 in line three (3) thereof the words “or the allocation of taxes voted to
4 another designated purpose”.

1 SEC. 3. Section three hundred forty-five point fourteen (345.14),
2 Code 1950, is hereby amended by inserting after the word “measure”
3 in line two (2) thereof the following: “or the allocation of the taxes
4 voted to another designated purpose”.

Approved April 22, 1953.

CHAPTER 156
COUNTY PUBLIC HOSPITALS

H. F. 298

AN ACT relating to county public hospitals, providing for free care for tuberculous patients in such hospitals, and providing for the pay of indigent patients therein from the county poor fund, and making provision for pay of hospital treatment for indigent persons having legal settlement outside the county, and to amend section three hundred forty-seven point sixteen (347.16), Code 1950.

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

1 SECTION 1. Section three hundred forty-seven point sixteen
2 (347.16), Code 1950, is hereby amended by inserting after the word
3 "hospital" in line nine (9) the words "in counties with a population
4 of more than one hundred and thirty-five thousand (135,000)".

1 SEC. 2. Section three hundred forty-seven point sixteen (347.16),
2 Code 1950, is hereby further amended by inserting after the period
3 (.) in line twenty-two (22) the following new paragraphs:

4 Free care and treatment in such county public hospital in all other
5 counties to any tuberculosis* persons may be furnished to such res-
6 idents of the county as have established legal settlement in the county
7 as defined in section two hundred fifty-two point sixteen (252.16) and
8 are entitled to free care under the provisions of section two hundred
9 fifty-four point eight (254.8), Code 1950. In cases other than tuber-
10 culosis, care and treatment in such county public hospital to any
11 indigent persons shall likewise be furnished to such residents of the
12 county as have established legal settlement in the county as defined
13 in section two hundred fifty-two point sixteen (252.16), Code 1950, and
14 have been found by the board of hospital trustees to be indigent and
15 entitled to said care. In integrated counties where the board of hos-
16 pital trustees have no social service department, then under the super-
17 vision of the board of hospital trustees, the overseer of the poor or
18 the director of social welfare shall determine whether or not said
19 persons are indigent and entitled to said care. Cost of said care shall
20 be the liability of the county, and upon claim made therefor paid under
21 the authority and in the manner specified by section two hundred
22 fifty-two point thirty-five (252.35), Code 1950. Provided, however,
23 such county public hospital may provide hospital benefits to indigent
24 persons having a legal settlement outside the county and the county
25 of such persons legal settlement shall pay to such county public hos-
26 pital for the fair and reasonable cost of such care, treatment, and
27 hospitalization.

28 "A county public hospital shall not be required to provide facilities
29 for treatment of tuberculosis* persons. Where such facilities for
30 treatment of tuberculosis* persons are not available in the county
31 public hospital, care and treatment shall be provided under the pro-
32 visions of section two hundred fifty-four point one (254.1), Code
33 1950."

Approved May 21, 1953.

*According to enrolled Act.

CHAPTER 157

COUNTY HOSPITAL ACCOUNTS

S. F. 335

AN ACT relating to the collection of county hospital accounts for services for which payment is authorized, and to amend section three hundred forty-seven point seventeen (347.17), Code 1950.

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

1 SECTION 1. Section three hundred forty-seven point seventeen
2 (347.17), Code 1950, is hereby amended by striking all of said section
3 following the word "such" in line twelve (12) thereof and inserting
4 the following: "means as are necessary and are authorized to employ
5 any person for that purpose, and if legal proceedings are required they
6 may employ counsel, the employment in either event to be on such
7 arrangement for compensation as the trustees deem appropriate, provided, however,
8 that should the county attorney act as attorney for the
9 board in any such legal proceedings he shall serve without additional
10 compensation."

Approved April 29, 1953.

CHAPTER 158

BENEFITED WATER DISTRICTS

H. F. 71

AN ACT to amend chapter three hundred fifty-seven (357), Code 1950, relating to benefited water districts.

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

1 SECTION 1. Chapter three hundred fifty-seven (357), Code 1950,
2 is hereby amended by adding thereto the following new section:
3 "Where a city or town is situated wholly or partly within a bene-
4 fitted water district, the board of supervisors having jurisdiction of
5 said benefited water district, at the request of the trustees of said
6 benefited water district, may, by proper resolution, convey unto said
7 city or town any and all rights which said board of supervisors may
8 have in and to said benefited water district. Said conveyance, however,
9 shall not become effective until all existing obligations against said
10 district have been completely and fully discharged and such convey-
11 ance accepted and confirmed by a resolution of the council of said
12 city or town, specially passed for such purpose.
13 "Upon acceptance, the district, including the plant and distribution
14 system, as well as all funds and credits shall become the property of
15 said city or town and be operated and used by it to the same extent
16 as if acquired under chapter three hundred ninety-seven (397), Code
17 1950. Also, the offices of the trustees as provided in this chapter shall
18 be abolished upon acceptance by the city or town and their duties as
19 such shall immediately cease."

Approved March 30, 1953.

CHAPTER 159
COUNTY LIBRARIES

H. F. 162

AN ACT to amend chapter three hundred fifty-eight B (358B), Code 1950, relating to county libraries.

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

1 SECTION 1. Chapter three hundred fifty-eight B (358B), Code
2 1950, is hereby amended by adding thereto the following new section:
3 "Whenever any incorporated city or town, having maintained an
4 association library for at least ten (10) years prior to the establish-
5 ment of a county library which has become a part of the tax sup-
6 ported city or town library and being a part of the county library dis-
7 trict, and having levied a tax of its own equal to or greater than that
8 of the county library district for the same purpose, shall decide to
9 withdraw from the county library district, it may do so by giving
10 notice by registered mail to the board of library trustees of said
11 county library and the county auditor prior to July 10, by the gov-
12 erning body of said incorporated city or town, of its withdrawal from
13 the county library district, and thereafter said incorporated city or
14 town, shall cease to be a part of or included in said county library
15 district."

Approved April 25, 1953.

CHAPTER 160
TOWNSHIP BUILDINGS

S. F. 326

AN ACT to amend section three hundred sixty point eight (360.8), Code 1950, relating to tax levied for repair, furnishing and care of township buildings.

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

1 SECTION 1. Section three hundred sixty point eight (360.8), Code
2 1950, is hereby amended by inserting after the period (.) on line nine
3 (9) thereof the following: "Provided, that where such buildings are
4 of brick construction with at least one hundred thousand (100,000)
5 cubic feet of space, such tax may be one-half ($\frac{1}{2}$) mill on the dollar."

Approved April 17, 1953.

CHAPTER 161

DISCONTINUANCE OF CITY OR TOWN

S. F. 95

AN ACT to amend section three hundred sixty-two point sixteen (362.16), Code 1950, relating to notice of discontinuance of a city or town.

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

1 SECTION 1. Section three hundred sixty-two point sixteen (362.16),
2 Code 1950, is amended by striking from lines five (5) and six (6) the
3 words, "in a newspaper published".

Approved February 4, 1953.

CHAPTER 162

ANNEXING TERRITORY TO CITY OR TOWN

H. F. 498

AN ACT to amend chapter one hundred forty-four (144), section seven (7), Acts of the Fifty-fourth General Assembly, providing for the annexation of unincorporated territory.

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

1 SECTION 1. Amend chapter one hundred forty-four (144), section
2 seven (7), subsection four (4), Acts of the Fifty-fourth General As-
3 sembly, by striking all therefrom and inserting in lieu thereof the
4 following:
5 "If the proposition is adopted by a majority of those voting thereon,
6 the council shall cause to be filed in the district court, a suit in equity
7 against the owners of the property proposed to be annexed, the petition
8 therein setting forth that, under a resolution of the council, the terri-
9 tory therein described was authorized by the voters of said city to be
10 annexed to the city or town."

1 SEC. 2. Amend chapter one hundred forty-four (144), section seven
2 (7), subsection five (5), Acts of the Fifty-fourth General Assembly,
3 by striking all therefrom and inserting in lieu thereof the following:

4 "The petition shall contain:
5 "a. A description of the perimeter of the entire property proposed
6 to be annexed and a list of each property owner therein as shown by
7 the plat books in the office of the county auditor.
8 "b. A statement of facts showing that the municipal corporation is
9 capable of extending into such territory substantial municipal services
10 and benefits not theretofore enjoyed by such territory.

11 "c. A plat of such territory showing its relation to the corporate
12 limits.

13 "d. That said annexation is not sought merely for the purpose of
14 increasing the revenues from taxation of such municipal corporation."

1 SEC. 3. Amend chapter one hundred forty-four (144), section seven
2 (7), subsection six (6), Acts of the Fifty-fourth General Assembly, by
3 striking all therefrom and inserting in lieu thereof the following:

4 "If the court finds that there is an affirmative showing that the
 5 municipal corporation is capable of extending into such territory sub-
 6 stantial municipal services and benefits not theretofore enjoyed by such
 7 territory, so that the proposed annexation will not result merely in
 8 increasing the revenue from taxation of such municipal corporation;
 9 and if the court finds further that all of the proceedings and conditions
 10 precedent to annexation as required hereinbefore by subsections one
 11 (1) through five (5) inclusive have been duly instituted and carried
 12 out as provided therein, the court shall decree the annexation. No costs
 13 shall be taxed against any defendant who fails to make a defense."

Approved April 29, 1953.

CHAPTER 163

NONPARTY NOMINATIONS

H. F. 5

AN ACT relating to election procedure in those cities nominating candidates for municipal office by nonparty political organizations and by petition.

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

1 SECTION 1. Section twenty (20) of chapter one hundred forty-five
 2 (145), Acts of the Fifty-fourth General Assembly, is amended by add-
 3 ing at the end thereof the following:

4 "Any such city, under one hundred thousand (100,000) population,
 5 may by ordinance provide that all candidates for all elective city offices
 6 shall be nominated under the provisions of chapter forty-four (44)
 7 and chapter forty-five (45), Code 1950. In such event nomination
 8 for all such offices by primary shall not be authorized."

Approved March 25, 1953.

CHAPTER 164

MUNICIPAL GOVERNMENT CHANGE

S. F. 66

AN ACT to amend chapter one hundred forty-five (145), Acts of the Fifty-fourth General Assembly, relating to elections to change the form of a municipal government.

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

1 SECTION 1. Chapter one hundred forty-five (145), Acts of the
 2 Fifty-fourth General Assembly, is amended by striking all of section
 3 thirty-six (36) and inserting in lieu thereof the following:

4 "Sec. 36. Question submitted. At such election, the proposition
 5 submitted shall be: 'Shall the proposition to change the form of mu-
 6 nicipal government of the city (or town) of
 7 to the
 8 (Name of municipal corporation)

9 be adopted?", and
 10 (Name of form of municipal government proposed)
 11 the election thereupon shall be conducted, the vote canvassed, and the
 12 result declared in the same manner as provided by law in respect to
 13 other municipal elections."

Approved February 3, 1953.

CHAPTER 165
 ALDERMEN IN CITIES

H. F. 83

AN ACT to amend section two (2) of chapter one hundred forty-six (146) of the Acts of the 54th General Assembly, relating to general powers of cities and towns, and the mayor-council form of city government.

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

1 SECTION 1. Amend section two (2) of chapter one hundred forty-
 2 six (146) of the Acts of the 54th General Assembly by inserting after
 3 the words "two councilmen" in line six (6), the words "or alderman"*
 4 and by inserting after the words "one councilman" in line six (6), the
 5 words "or alderman".

Approved March 31, 1953.

CHAPTER 166
 COMMISSION CITIES AND TOWNS

H. F. 467

An Act to amend chapter one hundred sixty-three (163), Acts of the Fifty-fourth General Assembly relating to the government of cities and towns under the commission form of government.

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

1 SECTION 1. Section three (3), chapter one hundred sixty-three
 2 (163), Acts of the Fifty-fourth General Assembly, is amended by
 3 striking from lines five (5) and six (6) the words "in this chapter"
 4 and inserting in lieu thereof the words "then by law".

1 SEC. 2. Section eleven (11), chapter one hundred sixty-three (163),
 2 Acts of the Fifty-fourth General Assembly, is amended by striking
 3 from line three (3) the word "ordinance" and inserting in lieu there-
 4 of the word "resolution".

Approved April 7, 1953.

*According to enrolled Act.

CHAPTER 167

POWERS OF MUNICIPAL CORPORATIONS

H. F. 463

An Act to amend chapters one hundred forty-five (145), one hundred forty-six (146) and one hundred sixty-four (164), Acts of the Fifty-fourth General Assembly, relating to the council-manager form of municipal government by popular election, and relating to general powers of cities and towns governments, and to mayor-council form of city government.

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

1 SECTION 1. Chapter one hundred sixty-four (164), Acts of the
2 Fifty-fourth General Assembly, is amended by adding at the end of
3 section one (1) the following: "If, at any meeting, the mayor is not
4 present, the members of the council may select one of their number
5 to act as presiding officer pro tem whose acts as such presiding
6 officer pro tem shall have the same force and legality as though per-
7 formed by the regularly elected mayor, and such presiding officer pro
8 tem shall have power to sign all resolutions or ordinances and to exe-
9 cute all contracts or other documents adopted or approved at such
10 meeting. The presiding officer of the council, whether the regularly
11 elected presiding officer or a presiding officer pro tem, shall have the
12 right to cast a vote as a member of the council."

1 SEC. 2. Chapter one hundred sixty-four (164), Acts of the Fifty-
2 fourth General Assembly, is amended by adding at the end of section
3 seven (7) the following new subsection:
4 "20. He shall appoint a treasurer subject to the approval of the
5 council."

1 SEC. 3. Chapter one hundred sixty-four (164), Acts of the Fifty-
2 fourth General Assembly, is amended by inserting after the word
3 "power" in line twenty-four (24) of section seven (7) the words "to
4 suspend or".

5 Further amend said section by striking from lines twenty-seven
6 (27) and twenty-eight (28) the words ", except that any administra-
7 tive assistants to the manager shall hold office at his pleasure".

8 Further amend said section by inserting before the period in line
9 eleven (11) the words "and such administrative assistants to the man-
10 ager shall hold office at his pleasure".

1 SEC. 4. Section one (1), chapter one hundred forty-six (146), laws
2 of the fifty-fourth (54th) general assembly, be and is hereby amended
3 by striking from line two (2) thereof the words "city manager by
4 ordinance".

1 SEC. 5. Section one (1), chapter one hundred forty-five (145), laws
2 of the fifty-fourth (54th) general assembly be and is hereby amended
3 by striking from line five (5) thereof the words "council manager
4 form by ordinance".

Approved April 8, 1953.

CHAPTER 168
GROUP INSURANCE

H. F. 57

AN ACT to amend section three hundred sixty-five A point one (365A.1), Code 1950, relating to group insurance in certain cities.

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

1 SECTION 1. Section three hundred sixty-five A point one (365A.1),
2 Code 1950, is hereby amended by striking from lines two (2) and
3 three (3) the words "one hundred twenty-five" and inserting in lieu
4 thereof the word "ten".

Approved March 30, 1953.

CHAPTER 169
MUNICIPAL ORDINANCES

H. F. 251

AN ACT to amend and to repeal certain sections of chapter one hundred forty-eight (148), Acts of the Fifty-fourth General Assembly, relating to the ordinances of municipal corporations.

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

1 SECTION 1. Section three (3), chapter one hundred forty-eight
2 (148), Acts of the Fifty-fourth General Assembly is hereby amended
3 by adding the following new subsection thereto:

4 1. Publication by a municipal corporation of all its ordinances in
5 the form of a bound or loose-leaf complete municipal code, not oftener
6 than once each twenty (20) years, shall be deemed sufficient publica-
7 tion and in lieu of publication in a newspaper, provided that:

8 a. The council shall by resolution direct the clerk to publish notice
9 that it is proposing to adopt a municipal code, and that a public hear-
10 ing on such adoption will be held. Said notice shall be published
11 once each week for two consecutive weeks, as provided in section six
12 hundred eighteen point fourteen (618.14), with the date of last pub-
13 lication not less than five nor more than ten days prior to the date of
14 hearing. Said notice shall specify:

15 (1). The time and place that said public hearing will be held, at
16 which hearing the council will consider arguments for or against the
17 proposed adoption of the municipal code.

18 (2). That copies of the proposed municipal code may be seen or
19 may be secured at the office of the clerk.

20 After said public hearing, the council may, by resolution, adopt said
21 proposed municipal code or may amend same. If the council proposes
22 to amend said municipal code, before adoption a public hearing on
23 the proposed amended code shall be held in the same manner as here-
24 in provided for the code originally proposed. Following the public
25 hearings as herein provided, the council may pass an ordinance adopt-
26 ing said code in its original or amended form as the case may be. Said
27 ordinance shall recite; (a) that pursuant to published notice, a public

28 hearing or public hearings had been duly held, and the council had
 29 determined that the proposed municipal code, in its original or
 30 amended form, as the case may be, is adopted as a municipal code
 31 of the ordinances of the municipal corporation; (b) that an official
 32 copy of the municipal code as adopted, including a certificate by the
 33 clerk as to its adoption and the effective date, is on file at the office
 34 of the city clerk; (c) copies of such bound or loose-leaf codes shall
 35 be kept available at the clerk's office for public inspection and for sale
 36 at cost to the public; (d) a copy of such municipal code shall be fur-
 37 nished to the state law library, the municipal library, to all news-
 38 papers of general circulation published in the municipality and all
 39 commercial radio stations situated in the municipality.

40 2. All ordinances passed, revised or amended subsequent to the
 41 adoption of the municipal code shall be published once in the man-
 42 ner provided by section six hundred eighteen point fourteen (618.14),
 43 and shall be made in the form prescribed by section three hundred
 44 sixty-six point two (366.2).

45 3. The foregoing procedure shall also apply to the adoption of a
 46 complete building code, complete plumbing code, complete electrical
 47 code and all other complete codes relating to the construction, main-
 48 tenance, and operation of buildings.

1 SEC. 2. Chapter one hundred forty-eight (148), section three (3),
 2 subsection five (5), Acts of the Fifty-fourth General Assembly, is
 3 hereby repealed.

1 SEC. 3. Chapter one hundred forty-eight (148), section four (4),
 2 Acts of the Fifty-fourth General Assembly, is hereby repealed.

1 SEC. 4. Chapter one hundred forty-eight (148), section five (5),
 2 Acts of the Fifty-fourth General Assembly, is hereby repealed.

Approved April 3, 1953.

CHAPTER 170

POWERS OF MUNICIPAL CORPORATIONS

H. F. 453

AN ACT to amend chapter one hundred fifty-one (151), Acts of the Fifty-fourth General Assembly of the state of Iowa, relating to the general powers of municipal corporations, and by adding thereto a new section making all laws pertaining to municipal corporations in general applicable to municipal corporations organized and operating under the commission form of government or the council-manager form of government.

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

1 SECTION 1. Section seven (7) of chapter one hundred fifty-one
 2 (151), Acts of the Fifty-fourth General Assembly, is hereby amended
 3 by striking from line thirteen (13) thereof the words and figures "and
 4 four hundred eleven (411)" and inserting in lieu thereof the words
 5 and figures "or four hundred eleven (411) when otherwise qualified".

1 SEC. 2. Section eleven (11) of chapter one hundred fifty-one (151),
 2 Acts of the Fifty-fourth General Assembly, is hereby amended by

3 adding at the end of said section the following: "Policemen and police
4 matrons performing duties required by the law outside the corporate
5 limits of cities and towns, shall be entitled to the benefits of chapter
6 four hundred ten (410) or four hundred eleven (411) when other-
7 wise qualified."

1 SEC. 3. Section thirteen (13) of chapter one hundred fifty-one
2 (151), Acts of the Fifty-fourth General Assembly, is hereby amended
3 by substituting a period (.) for the comma (,) in line five (5) of said
4 section, and by striking all of the language in lines five (5) to ten
5 (10), inclusive, of said section commencing with the word "but" in
6 line five (5) thereof.

1 SEC. 4. Section twenty-three (23) of chapter one hundred fifty-
2 one (151), Acts of the Fifty-fourth General Assembly, is hereby
3 amended by inserting after the comma (,) following the word "mar-
4 kets" and before the word "public" in line two (2) the following word:
5 "hospitals,".

1 SEC. 5. Section twenty-five (25) of chapter one hundred fifty-one
2 (151), Acts of the Fifty-fourth General Assembly, is hereby amended
3 by inserting between the words "of" and "parks" in line two (2)
4 thereof the words "swimming pools," and also by inserting between
5 the words "provide" and "recreational" in line three (3) of said sec-
6 tion the words "swimming pool,".

7 Further amend said section by striking all of the last sentence
8 thereof.

1 SEC. 6. Section thirty (30) of chapter one hundred fifty-one (151),
2 Acts of the Fifty-fourth General Assembly, is hereby amended by
3 striking from line two (2) thereof the words ", for a period not to
4 exceed five years,".

5 Further amend said section by striking from line three (3) thereof
6 the word "sooner".

7 Further amend said section by inserting after the word "purposes"
8 in line four (4) thereof the words "within the term of the proposed
9 lease".

1 SEC. 7. Chapter one hundred fifty-one (151), Acts of the Fifty-
2 fourth General Assembly, is hereby amended by adding thereto a new
3 section reading as follows:

4 "Except as otherwise specifically provided, all laws heretofore or
5 hereafter enacted which by their terms are made applicable to municip-
6 al corporations generally, shall be applicable to municipal corpora-
7 tions organized and operating under the commission form of govern-
8 ment and to municipal corporations organized and operating under
9 the council-manager form of government, and all laws heretofore or
10 hereafter enacted which by their terms are made applicable to municip-
11 al corporations of a specified population shall be applicable to municip-
12 al corporations organized and operating under the commission
13 form of government of like population and to municipal corporations
14 organized and operating under the council-manager forms of govern-
15 ment of like population."

1 SEC. 8. 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 Grundy Register, a newspaper published in Grundy Center, Iowa,
4 and in the Manly Signal, a newspaper published in Manly, Iowa.

Approved April 8, 1953.

I hereby certify that the foregoing Act, House File 453, was published in The Grundy Register, Grundy Center, Iowa, April 16, 1953, and in the Manly Signal, Manly, Iowa, April 16, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 171

FIRE AND POLICE DEPARTMENT BONDS

H. F. 443

AN ACT authorizing the issuance of bonds by cities and towns to defray the cost of equipping the fire and police departments.

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

1 SECTION 1. Cities and towns are hereby authorized to contract
2 indebtedness and to issue general obligation bonds to provide funds
3 to pay the cost of equipping the fire and police departments.

1 SEC. 2. Taxes for the payment of said bonds shall be levied in ac-
2 cordance with chapter seventy-six (76), Code 1950, and said bonds
3 shall be payable through the debt service fund in not more than twenty
4 years, and bear interest at a rate not exceeding five percent per an-
5 num, and shall be of such form as the city or town council shall by
6 resolution provide, but no city or town shall become indebted in excess
7 of five percent of the actual value of the taxable property of said city
8 or town, as shown by the last preceding assessment roll. The indebt-
9 edness incurred for the purpose provided in this Act shall not be
10 considered an indebtedness incurred for general or ordinary purposes.

1 SEC. 3. This Act shall be construed as granting additional power
2 without limiting the power already existing in cities and towns.

1 SEC. 4. The provisions of this Act shall be applicable to all municipi-
2 pal corporations regardless of form of government or manner of
3 incorporation.

Approved April 3, 1953.

CHAPTER 172

MUNICIPAL CEMETERY BONDS

H. F. 444

AN ACT authorizing the issuance of bonds by cities and towns to defray the cost of acquiring and improving land for cemetery purposes.

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

1 SECTION 1. Cities and towns are hereby authorized to contract
2 indebtedness and to issue general obligation bonds to provide funds

3 to pay the cost of acquiring and improving land within or without
4 the corporate limits for cemetery purposes, including the construc-
5 tion, reconstruction or repair of receiving vaults, mausoleums and
6 other cemetery facilities.

1 SEC. 2. Taxes for the payment of said bonds shall be levied in
2 accordance with chapter seventy-six (76), Code 1950, and said bonds
3 shall be payable through the debt service fund in not more than
4 twenty years, and bear interest at a rate not exceeding five percent
5 per annum, and shall be of such form as the city or town council shall
6 by resolution provide, but no city or town shall become indebted in
7 excess of five percent of the actual value of the taxable property of
8 said city or town, as shown by the last preceding assessment roll.
9 The indebtedness incurred for the purpose provided in this Act shall
10 not be considered an indebtedness incurred for general or ordinary
11 purposes.

1 SEC. 3. This Act shall be construed as granting additional power
2 without limiting the power already existing in cities and towns.

1 SEC. 4. The provisions of this Act shall be applicable to all mu-
2 nicipal corporations regardless of form of government or manner of
3 incorporation.

Approved April 3, 1953.

CHAPTER 173

MAYOR PRO TEMPORE

H. F. 466

An Act to provide for the appointment of a mayor pro tempore in cities and towns.

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

1 SECTION 1. Chapter one hundred forty-seven (147), section two
2 (2), Acts of the Fifty-fourth General Assembly is amended by adding
3 the following new subsection:

4 "Mayor pro tem. He shall designate one member of the council as
5 mayor pro tempore subject to the approval of a majority of the coun-
6 cil. Said mayor pro tempore shall be vice president of the council
7 and give bond in the sum of five hundred dollars. In case of absence
8 or inability of the mayor to act he shall perform all of the duties of
9 the mayor except as otherwise herein provided. If, at any meeting
10 of the council, the mayor is not present, the mayor pro tempore shall
11 act as presiding officer pro tempore and his acts as presiding officer
12 pro tempore shall have the same force and legality as though per-
13 formed by the duly elected mayor and he shall have the power to sign
14 all resolutions and ordinances and execute all contracts or other docu-
15 ments finally adopted or approved at such meeting. The mayor pro
16 tempore shall have no power to employ or discharge any officer or
17 employee that the mayor has power to appoint or employ but said
18 mayor pro tempore shall have the right to cast a vote as member of
19 the council."

1 SEC. 2. Chapter one hundred forty-seven (147), section one (1),
 2 Acts of the Fifty-fourth General Assembly, is amended by inserting
 3 after the word "mayor" in line eight (8) the words ", mayor pro
 4 tempore,".

Approved April 7, 1953.

CHAPTER 174

MUNICIPAL PARK BONDS

H. F. 450

AN ACT relating to the issuance by municipalities of bonds and the levy of taxes therefor, to pay the cost of the acquisition and improvement of city and town parks, and to repeal sections three hundred seventy point seven (370.7), three hundred seventy point eight (370.8), three hundred seventy point nine (370.9), three hundred seventy point fifteen (370.15), three hundred seventy point sixteen (370.16), three hundred seventy point seventeen (370.17), three hundred seventy point eighteen (370.18), and three hundred seventy point nineteen (370.19), Code 1950.

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

1 SECTION 1. Sections three hundred seventy point seven (370.7),
 2 three hundred seventy point eight (370.8), three hundred seventy
 3 point nine (370.9), three hundred seventy point fifteen (370.15),
 4 three hundred seventy point sixteen (370.16), three hundred seventy
 5 point seventeen (370.17), three hundred seventy point eighteen
 6 (370.18), and three hundred seventy point nineteen (370.19), Code
 7 1950, are hereby repealed.

1 SEC. 2. Chapter three hundred seventy (370), Code 1950, is hereby
 2 amended by adding thereto the following:

3 "Cities and towns are hereby authorized to contract indebtedness
 4 and to issue general obligation bonds to provide funds to pay the cost
 5 of the acquisition and permanent improvement of real estate for park
 6 purposes within or without their corporation limits, including, but not
 7 in limitation of the foregoing, the paving, macadamizing and other-
 8 wise improving the roadways, drives, avenues and walks in and
 9 through such parks.

10 "Taxes for the payment of said bonds shall be levied in accordance
 11 with chapter seventy-six (76), Code 1950, and said bonds shall be
 12 payable through the debt service fund in not more than twenty years,
 13 and bear interest at a rate not exceeding five per cent (5%) per an-
 14 num, and shall be of such form as the city or town council shall by
 15 resolution provide, but no city or town shall become indebted in excess
 16 of five per cent (5%) of the actual value of the taxable property with-
 17 in said city or town, as shown by the last preceding state and county
 18 tax lists. The indebtedness incurred for the purpose provided in this
 19 Act shall be not considered an indebtedness incurred for general or
 20 ordinary purposes.

21 "This Act shall be construed as granting additional power without
 22 limiting the power already existing in cities and towns.

23 "The provisions of this Act shall be applicable to all municipal cor-

24 porations regardless of form of government or manner of incorpo-
25 ration.”.

1 SEC. 3. In any city acting under special charter now or hereafter
2 having a population of seventy thousand or more and in which an
3 elective board of park commissioners has been or hereafter is created,
4 as provided in this chapter, such bonds may be authorized and issued
5 by the council on petition from the board of park commissioners, stat-
6 ing the amount of bonds and the purpose for which they are to be
7 issued.

Approved April 8, 1953.

CHAPTER 175

LIBRARY TRUSTEES

H. F. 305

AN ACT to amend chapter three hundred seventy-eight (378), Code 1950, relating to the power of cities and towns to receive devises and bequests for the use of free libraries; and providing for enlarging the class of persons eligible to be members of the board of library trustees.

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

1 SECTION 1. Section three hundred seventy-eight point two (378.2),
2 Code 1950, is hereby amended by adding thereto the following new
3 sentence:

4 “Cities and towns of not more than two thousand population, may
5 also receive, hold and dispose of all devises and bequests that contain
6 a condition thereof that one non-resident shall be a member of the
7 board of library trustees.”.

1 SEC. 2. Section three hundred seventy-eight point five (378.5),
2 Code 1950, is hereby amended by inserting in line two (2), immedi-
3 ately after the word “town,” the words: “except as qualified by 378.2,”.

1 SEC. 3. Section three hundred seventy-eight point seven (378.7),
2 Code 1950, is hereby amended by inserting in line five (5) immediately
3 preceding the word “without” the words: “and except as qualified by
4 section 378.2,”.

1 SEC. 4. This Act, being deemed of immediate importance, shall be
2 in full force and effect after its passage and upon its publication in
3 The Clayton County Register, a newspaper published at Elkader, Iowa,
4 and The Guttenberg Press, a newspaper published at Guttenberg,
5 Iowa.

Approved March 31, 1953.

I hereby certify that the foregoing Act, House File 305, was published in The Clayton County Register, Elkader, Iowa, April 9, 1953, and in The Guttenberg Press, Guttenberg, Iowa, April 9, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 176

BRIDGES AND VIADUCTS IN CITIES

H. F. 447

AN ACT to amend section three hundred eighty-one point one (381.1), and to repeal sections three hundred eighty-one point three (381.3), three hundred eighty-one point four (381.4), three hundred eighty-one point seven (381.7), and four hundred sixteen point one hundred one (416.101), Code 1950, and to repeal chapter one hundred sixty-two (162), Acts of the Fifty-fourth General Assembly relating to city bridges, viaducts, culverts, underpasses, grade crossing separations, and approaches thereto, and the financing of the cost thereof, including damages arising as a result thereof, by the issuance of bonds and the levy of taxes to pay the bonds.

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

1 SECTION 1. Section three hundred eighty-one point one (381.1),
2 Code 1950, is hereby amended by adding thereto the following:

3 "Cities shall have the power within their corporate limits to con-
4 struct, reconstruct, repair, enlarge and maintain, bridges, culverts,
5 viaducts, underpasses, grade crossing separations, and approaches
6 thereto, except those constructed and wholly maintained by any rail-
7 road company under the provisions of chapter three hundred eighty-
8 seven (387)."

1 SEC. 2. Sections three hundred eighty-one point three (381.3), as
2 amended, and three hundred eighty-one point four (381.4), Code 1950,
3 are hereby repealed.

1 SEC. 3. Chapter one hundred sixty-two (162), Acts of the Fifty-
2 fourth General Assembly is hereby repealed.

1 SEC. 4. Section four hundred sixteen point one hundred one
2 (416.101), Code 1950, is hereby repealed.

1 SEC. 5. Section three hundred eighty-one point seven (381.7),
2 as amended, Code 1950, is hereby repealed and the following enacted
3 in lieu thereof:

4 "Cities are hereby authorized to contract indebtedness and to issue
5 general obligation bonds to provide funds to pay all or any part of the
6 cost of the construction, reconstruction, repair or enlargement of
7 bridges, viaducts, culverts, underpasses, grade crossing separations,
8 and approaches thereto, including the payment of damages caused by
9 the making of any such improvements, not wholly constructed or
10 maintained by any railroad company under the provisions of chapter
11 three hundred eighty-seven (387), Code 1950, within the limits of said
12 corporations.

13 "Taxes for the payment of said bonds shall be levied in accordance
14 with chapter seventy-six (76), Code 1950, and said bonds shall be pay-
15 able through the debt service fund in not more than twenty years, and
16 bear interest at a rate not exceeding five per cent (5%) per annum,
17 and shall be of such form as the city council shall by resolution pro-
18 vide, but no city shall become indebted in excess of five per cent (5%)
19 of the actual value of the taxable property within said city, as shown
20 by the last preceding state and county tax lists. The indebtedness
21 incurred for the purpose provided in this Act shall not be considered
22 an indebtedness incurred for general or ordinary purposes.

23 "This Act shall be construed as granting additional power without
24 limiting the power already existing in cities.

25 "The provisions of this Act shall be applicable to all municipal cor-
26 porations regardless of form of government or manner of incorpora-
27 tion."

1 SEC. 6. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Eldora
3 Herald-Ledger, a newspaper published in Eldora, Iowa, and in The
4 Daily Freeman-Journal, a newspaper published in Webster City, Iowa.

Approved April 6, 1953.

I hereby certify that the foregoing Act, House File 447, was published in the Eldora Herald-Ledger, Eldora, Iowa, April 14, 1953, and in The Daily Freeman-Journal, Webster City, Iowa, April 8, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 177

INTERSTATE BRIDGES

H. F. 232

AN ACT to amend chapter three hundred eighty-three (383), Code 1950, relating to municipal interstate bridges by adding a new section thereto authorizing the enlargement and reconstruction of such bridges and the issuance of revenue bonds to finance such enlargement and reconstruction.

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

1 SECTION 1. That chapter three hundred eighty-three (383), Code
2 1950, is hereby amended by adding the following new section:
3 "Enlargement and reconstruction of bridges. Any city having a
4 bridge commission, and which heretofore has or hereafter shall have
5 acquired or constructed a bridge and issued revenue bonds to provide
6 funds therefor, all pursuant to a vote of the electors under the provi-
7 sions of this chapter, is hereby authorized to enlarge and reconstruct
8 said bridge and approaches, including the construction of a separate
9 but adjacent span with inter-connections with the original span and,
10 to provide funds therefor, issue negotiable revenue bonds payable
11 solely from revenues of said existing bridge and as so enlarged and
12 reconstructed and, in such event, it shall not be necessary to submit
13 to the electors of the city the proposition to so enlarge or reconstruct
14 said bridge and approaches nor the proposition of issuing such revenue
15 bonds, but in all other respects, except as otherwise hereinafter pro-
16 vided, the issuance of such revenue bonds, the maturities and other
17 details thereof, the rights of the holders thereof, and the duties of the
18 city and of the bridge commission shall be governed by the provisions
19 of this chapter insofar as the same may be applicable, the provisions
20 of any other law to the contrary notwithstanding. Revenues from the
21 bridge not otherwise pledged by the bridge commission may be used and
22 applied toward the cost of such enlargement and reconstruction and
23 prior to the issuance of such revenue bonds the bridge commission may
24 negotiate with or without notice, and, with approval of the governing
25 body of the city, may enter into an agreement or agreements with any

26 bank, investment banker, trust company or insurance company or
 27 group thereof whereunder, through payment of commissions or com-
 28 mitment charges or both, the bonds are issued, sold and delivered in
 29 installments as the proceeds are required by the bridge commission
 30 to pay the cost of such enlargement and reconstruction. All such rev-
 31 enue bonds not so issued, sold and delivered shall be offered at public
 32 sale on such notices and advertisement as the bridge commission may
 33 prescribe."

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, a newspaper published at Davenport, Iowa, and in
 4 the Farm Bureau News, a newspaper published at Bettendorf, Iowa.

Approved March 25, 1953.

I hereby certify that the foregoing Act, House File 232, was published in The Daily Times, Davenport, Iowa, March 28, 1953, and in the Farm Bureau News, Bettendorf, Iowa, April 2, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 178

MUNICIPAL DOCK BONDS

H. F. 451

AN ACT to amend section three hundred eighty-four point three (384.3), Code 1950, relating to the issuance of municipal bonds for dock purposes.

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

1 SECTION 1. Section three hundred eighty-four point three (384.3),
 2 Code 1950, is hereby amended by striking all of subsection eleven (11)
 3 thereof following the period (.) in line twelve (12) thereof and in-
 4 serting in lieu thereof the following:

5 "If the issuance of such dock bonds would not cause the aggregate
 6 indebtedness of the municipality to exceed the constitutional debt
 7 limit and if the council does not deem it advisable to issue said bonds,
 8 the council shall submit the question of issuing said bonds to the voters
 9 of said municipality, and if the vote in favor of the issuance of said
 10 bonds is equal to at least sixty per cent (60%) of the total vote cast
 11 for and against the proposition at the election, the council shall pro-
 12 ceed to issue the bonds. The proceeds of said bonds, when issued,
 13 shall be paid to the municipal treasurer and credited to the dock fund.

14 "Taxes for the payment of said bonds shall be levied in accordance
 15 with chapter seventy-six (76), Code 1950, and said bonds shall be
 16 payable through the debt service fund in not more than twenty (20)
 17 years and bear interest at a rate not exceeding five per cent (5%)
 18 per annum, and shall be of such form as the city or town council shall
 19 by resolution provide, but no city or town shall become indebted in
 20 excess of five per cent (5%) of the actual value of the taxable prop-
 21 erty within said city or town as shown by the last preceding state and
 22 county tax lists. The indebtedness incurred for the purpose herein
 23 provided shall not be considered an indebtedness incurred for general
 24 or ordinary purposes.

25 "If revenue bonds are issued, said bonds shall be issued and paid
 26 as provided by chapter three hundred ninety-four (394), Code 1950.
 27 "The provisions of this Act shall be applicable to all municipal cor-
 28 porations regardless of form of government or manner of incorpora-
 29 tion."

Approved April 7, 1953.

CHAPTER 179

VIADUCTS AND UNDERPASSES

S. F. 102

AN ACT to amend section three hundred eighty-seven point six (387.6), Code 1950, relating to a tax in cities to provide a viaduct or underpass fund.

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

1 SECTION 1. Section three hundred eighty-seven point six (387.6),
 2 Code 1950, is amended by striking from lines five (5) and six (6) the
 3 words, "in the general bridge fund, or any fund or funds".

Approved February 4, 1953.

CHAPTER 180

STREET AND SEWER IMPROVEMENT

H. F. 178

AN ACT amending sections three hundred eighty-nine point three (389.3), three hundred ninety-one point twenty-one (391.21), and three hundred ninety-one point seventy-seven (391.77), Code 1950, relating to street and sewer improvements in cities and towns.

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

1 SECTION 1. Section three hundred eighty-nine point three (389.3),
 2 Code 1950, is amended by striking from lines five (5) and six (6), the
 3 words, ", or partly from each of such funds,".

1 SEC. 2. Section three hundred ninety-one point twenty-one (391.21),
 2 Code 1950, is amended by striking from line three (3) the word, "im-
 3 provement" and inserting in lieu thereof the words, "street or sani-
 4 tation".

1 SEC. 3. Section three hundred ninety-one point seventy-seven
 2 (391.77), Code 1950, is amended by striking from the last two (2)
 3 lines of the second (2d) paragraph the words, "either out of the im-
 4 provement fund or the general fund" and inserting in lieu thereof the
 5 words, "from the street fund".

Approved March 25, 1953.

CHAPTER 181
MUNICIPAL PARKING LOTS

S. F. 397

AN ACT to amend chapter three hundred ninety (390), Code 1950, relating to municipal parking lots, to provide for the issuance of bonds and the levy of taxes to pay the same for the purpose of acquiring land and erecting and improving parking lot facilities, and to amend section three hundred ninety point one (390.1), Code 1950, to include the power to erect and improve buildings for parking lot facilities.

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

1 SECTION 1. Section three hundred ninety point one (390.1), Code
2 1950, is hereby amended by inserting after the comma (,) in line four
3 (4) the following: "including the erection or improvement of build-
4 ings thereon,".

1 SEC. 2. Cities and towns when authorized by an election, to estab-
2 lish off-street parking facilities as provided in section three hundred
3 ninety point one (390.1), Code 1950, are hereby authorized to contract
4 indebtedness and to issue general obligation bonds to provide funds
5 to pay the cost of acquiring and improving real estate for off-street
6 parking areas, including the erection or improvement of buildings
7 thereon. Said election shall be conducted as provided for in chapter
8 four hundred seven (407), Code 1950.

9 In cities and towns whenever parking lots shall have been author-
10 ized or established as provided in section three hundred ninety point
11 one (390.1) in lieu of the tax provided for in section three hundred
12 ninety point two (390.2), there may be levied a tax not exceeding
13 one-half mill, the proceeds of which shall be credited to and known
14 as the "parking lot fund". Such fund shall be used only to acquire
15 or improve real estate, including the erection or improvement of build-
16 ings thereon or for any or all said purposes for the parking of vehi-
17 cles, and including the payment of bonds and interest thereon issued
18 in anticipation of the collection of such tax. Such fund shall be used
19 to meet maturities of such bonds and interest thereon from year to
20 year, but only to the extent that after the application of all net re-
21 turns available from the income of said parking lots or parking meters,
22 or both, as specified by law, the same shall be required to meet such
23 maturing bonds or interest thereon. Cities and towns may anticipate
24 the collection of taxes authorized in this section and for that purpose
25 may issue certificates or bonds with interest coupons. If bonds are
26 issued said bonds shall be payable in not more than twenty (20) annual
27 installments and at interest not exceeding five (5) percent per annum,
28 and shall be payable at such place and be in such form as the council
29 shall designate by resolution or ordinance.

1 SEC. 3. Taxes for the payment of said bonds shall be levied in
2 accordance with chapter seventy-six (76) of the Code of Iowa 1950,
3 and said bonds shall be payable through the debt service fund in not
4 more than twenty years, and bear interest at a rate not exceeding
5 five percent (5%) per annum, and shall be of such form as the city
6 or town council shall by resolution provide, but no city or town shall
7 become indebted in excess of five percent (5%) of the actual value of
8 the taxable property within said city or town, as shown by the last

9 preceding state and county tax lists. The indebtedness incurred for
10 the purpose provided in this Act shall not be considered an indebted-
11 ness incurred for general or ordinary purposes.

1 SEC. 4. This Act shall be construed as granting additional power
2 without limiting the power already existing in cities and towns.

1 SEC. 5. The provisions of this Act shall be applicable to all municipi-
2 pal corporations regardless of form of government or manner of in-
3 corporation.

Approved April 22, 1953.

CHAPTER 182

PARKING METER REVENUE

S. F. 411

AN ACT to amend section three hundred ninety point eight (390.8) and three hundred
ninety point twelve (390.12), Code 1950, relating to use of revenue from parking
meters.

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

1 SECTION 1. Section three hundred ninety point eight (390.8),
2 Code 1950, is amended by inserting after the word "district" in line
3 seven (7) of subsection four (4) the words "and widening the streets
4 within the meter district or within two (2) blocks thereof to pro-
5 vide additional parking facilities."

1 SEC. 2. Section three hundred ninety point twelve (390.12) by
2 adding after the word "purpose" in line twenty (20) the following:
3 "for which the street fund may be used where reasonable off-street
4 parking privileges have been provided."

Approved April 10, 1953.

CHAPTER 183

STREETS AND SEWERS

H. F. 465

AN ACT to amend chapter three hundred ninety-one (391), Code 1950, relating to street
improvements, sewers, and special assessments.

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

1 SECTION 1. Section three hundred ninety-one point thirteen
2 (391.13), Code 1950, is amended by striking from lines two (2) to
3 five (5), inclusive, the words "having a population of less than forty-
4 seven thousand and cities having a population in excess of one hun-
5 dred twenty-five thousand".

1 SEC. 2. Section three hundred ninety-one point fifty-nine (391.59),
 2 Code 1950, is amended by striking from line nineteen (19) the word
 3 "ten" and inserting in lieu thereof the word "twenty-five".

1 SEC. 3. Section three hundred ninety-one point sixty (391.60),
 2 Code 1950, is amended as follows:

3 1. Strike from line two (2) the word "ten" and insert in lieu there-
 4 of the word "twenty-five".

5 2. Strike from the last line of said section the word "April" and
 6 insert in lieu thereof the word "June".

Approved April 8, 1953.

CHAPTER 184

MUNICIPAL SPECIAL ASSESSMENTS

H. F. 462

AN ACT to amend chapter one hundred fifty-six (156), Acts of the Fifty-fourth General Assembly relating to special assessment of public improvements in municipal corporations.

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

1 SECTION 1. Section one (1), chapter one hundred fifty-six (156),
 2 Acts of the Fifty-fourth General Assembly, is amended by inserting
 3 at the end of said section the following new subsection: "28. 'Prop-
 4 erty owner' shall mean the owner or owners of property, as shown
 5 by the transfer books in the office of the county auditor.".

1 SEC. 2. Section eighteen (18), chapter one hundred fifty-six (156),
 2 Acts of the Fifty-fourth General Assembly, is amended by inserting
 3 after the word "Procedure" in line nineteen (19) the following: "
 4 excepting, however, that no affidavit of inability to effect personal
 5 service within the state of Iowa as a condition precedent to the service
 6 of original notice by publication shall be required".

1 SEC. 3. Section twenty-three (23), chapter one hundred fifty-six
 2 (156), Acts of the Fifty-fourth General Assembly, is amended by
 3 striking from line sixteen (16) the word "shall" and inserting in lieu
 4 thereof the word "may".

1 SEC. 4. Section twenty-five (25), chapter one hundred fifty-six
 2 (156), Acts of the Fifty-fourth General Assembly is amended by in-
 3 serting in line thirteen (13) after the word "thereof" the following:
 4 "once each week for two consecutive weeks in the manner provided in
 5 section six hundred eighteen point fourteen (618.14), the first pub-
 6 lication of which shall be not more than fifteen days from date of
 7 filing of the final schedule".

1 SEC. 5. Section thirty (30), chapter one hundred fifty-six (156),
 2 Acts of the Fifty-fourth General Assembly, is amended by striking
 3 from line three (3), the word "ten" and inserting in lieu thereof the
 4 word "twenty-five".

1 SEC. 6. Section thirty-one (31), chapter one hundred fifty-six
2 (156), Acts of the Fifty-fourth General Assembly is amended by in-
3 serting in line sixteen (16) before the word "publication" the word
4 "final".

5 Further amend said section by striking from line sixteen (16) the
6 word "adoption" and inserting in lieu thereof the word "filing".

1 SEC. 7. Section thirty-three (33), chapter one hundred fifty-six
2 (156), Acts of the Fifty-fourth General Assembly, is amended by
3 striking from line seventeen (17) the word and figure "June 1" and
4 inserting in lieu thereof the words and figures "or before July 15".

Approved April 8, 1953.

CHAPTER 185

SEWER SYSTEMS AT STATE INSTITUTIONS

H. F. 41

AN ACT empowering cities and towns located nearby or adjacent to state controlled institutions to enter into agreements with said state institution for construction, operation and maintenance of sewage systems, sewage disposal plants and sewer lines in conjunction and co-operation with said state institution, and to serve the state institution as a customer, whether within or without the corporate limits of said city or town, and to finance the same.

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

1 SECTION 1. Cities and towns which are located nearby or adjacent
2 to state controlled institutions, shall have power to construct, repair,
3 alter, maintain and operate sewage disposal plants, sewage systems,
4 catch basins and sewage lines or any part thereof in co-operation with
5 any state controlled institution located nearby or adjacent to such city
6 or town, and to receive from any such state controlled institution finan-
7 cial grants and assistance for the construction, operation and main-
8 tenance of any such sewage utility, and to serve said state controlled
9 institution as a customer, and to do all acts necessary for carrying
10 out the purposes of this act, whether said state controlled institution
11 and the sewage utility or any part thereof lies within or without the
12 corporate limits of any such city or town, and to finance the cost
13 thereof by the issuance of bonds under the provisions of section three
14 hundred ninety-six point twenty-two (396.22), Code 1950.

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force and effect after its passage and publication in the Clarinda
3 Herald-Journal, a newspaper of general circulation, published at Clarinda,
4 Iowa, and The Evening Sentinel, a newspaper published at Shenandoah,
5 Iowa.

Approved March 12, 1953.

I hereby certify that the foregoing Act, House File 41, was published in the Clarinda Herald-Journal, Clarinda, Iowa, March 19, 1953, and in The Evening Sentinel, Shenandoah, Iowa, March 17, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 186
SANITARY SEWER DISTRICTS

H. F. 460

An Act to amend section three hundred ninety-four point one (394.1), Code 1950, relating to self-liquidating improvements of cities and towns and sanitary sewer districts.

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

1 SECTION 1. That section three hundred ninety-four point one
2 (394.1), Code 1950, is hereby amended by inserting between the word
3 "equip," and the word "operate" in line four (4) the following: "ex-
4 tend and improve,".

1 SEC. 2. That section three hundred ninety-four point one (394.1),
2 Code 1950, is hereby amended by striking from lines seven (7) and
3 eight (8) thereof the words "a sewage treatment plant or plants, with
4 all appurtenances necessary," and inserting in lieu thereof the words
5 "works and facilities".

1 SEC. 3. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Rem-
3 brandt Booster, a newspaper published in Rembrandt, Iowa, and in
4 the O'Brien County Bell, a newspaper published in Primghar, Iowa.

Approved April 7, 1953.

I hereby certify that the foregoing Act, House File 460, was published in The Rembrandt Booster, Rembrandt, Iowa, April 16, 1953, and in the O'Brien County Bell, Primghar, Iowa, April 15, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 187
MUNICIPAL FLOOD CONTROL

S. F. 118

AN ACT to repeal section three hundred ninety-five point twenty-five (395.25), Code 1950, and to enact a substitute section in lieu thereof and to amend section thirty-seven (37) of chapter one hundred fifty-one (151) and section eight (8) of chapter one hundred fifty-nine (159) of the Laws of the Fifty-fourth General Assembly of the state of Iowa, all relating to municipal flood control systems and the issuance of bonds and levy of taxes therefor.

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

1 SECTION 1. Section three hundred ninety-five point twenty-five
2 (395.25), Code 1950, is hereby repealed and the following is enacted
3 in lieu thereof:

4 "Cities and towns are hereby authorized to contract indebtedness
5 and to issue general obligation bonds to provide funds for the payment
6 of the cost of improvements contemplated by this chapter by following
7 either of the following procedures:

8 Proceedings for the issuance of said bonds may be initiated by the
9 governing body of the municipality without an election pursuant to
10 notice and hearing as prescribed by section twenty-three point twelve

11 (23.12), Code 1950, or the governing body of the municipality may
12 call a special election to vote upon the proposition of issuing said bonds
13 or may submit the proposition as a special question at a regular munic-
14 ipal election. Notice of such election shall be given in the manner pre-
15 scribed in section thirty-seven point four (37.4), Code 1950, and if the
16 vote at said election in favor of the issuance of such bonds is equal to
17 at least sixty percent (60%) of the total vote cast for and against the
18 proposition at said election, the governing body of the municipality
19 shall issue the bonds and make provisions for the payment thereof as
20 hereinafter provided.

21 Taxes for the payment of said bonds shall be levied in accordance
22 with chapter seventy-six (76), Code 1950, and said bonds shall be pay-
23 able through the debt service fund in not more than twenty (20) years,
24 and bear interest at a rate not exceeding five percent (5%) per annum,
25 and shall be of such form as the city or town council shall by resolution
26 provide, but no city or town shall become so indebted in an amount
27 which, together with all other indebtedness of said municipality, shall
28 exceed five percent (5%) of the actual value of the taxable property
29 within said city or town as shown by the last state and county tax lists
30 previous to incurring such indebtedness. The indebtedness incurred
31 for the purpose herein provided shall not be considered an indebted-
32 ness incurred for general or ordinary purposes within the meaning
33 and application of section four hundred seven point one (407.1), Code
34 1950, and shall not be charged against or counted as part of the one
35 and one-fourth percent (1¼%) available for general or ordinary pur-
36 poses until the other three and three-fourths percent (3¾%) of the
37 five percent (5%) of indebtedness permitted by statute has been ex-
38 hausted.

39 This section shall be construed as granting additional power with-
40 out limiting the power already existing in cities and towns.

41 The provisions of this section shall be applicable to all municipal
42 corporations regardless of form of government or manner of incor-
43 poration.

1 SEC. 2. Section thirty-seven (37) of chapter one hundred fifty-one
2 (151) of the Laws of the Fifty-fourth General Assembly of the State
3 of Iowa is hereby amended as follows:

4 1. By striking from lines five (5), six (6) and seven (7) thereof the
5 words "after the election provided for in this chapter has been held,
6 and without again submitting the matter at an election,";

7 2. By striking from line thirteen (13) thereof the words "this chap-
8 ter" and inserting in lieu thereof the words and figures "section three
9 hundred ninety-five point twenty-two (395.22)";

10 3. By striking from line twenty (20) thereof the words "this chap-
11 ter" and inserting in lieu thereof the words and figures "section three
12 hundred ninety-five point twenty-two (395.22)";

13 4. By substituting a period for the semicolon in line twenty-three
14 (23) thereof and striking the balance of said section.

1 SEC. 3. Section eight (8) of chapter one hundred fifty-nine (159)
2 of the Laws of the Fifty-fourth General Assembly of the State of Iowa
3 is hereby amended by striking all of lines eleven (11) and twelve (12)
4 thereof and inserting in lieu thereof the following:

5 "5. To maintain and operate the improvements authorized by chap-

6 ter three hundred ninety-five (395), Code 1950, and in lieu of the
7 taxes provided in section three hundred ninety-five point twenty-two
8 (395.22), Code 1950, relating to flood protection."

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 Telegraph
3 Herald, a newspaper published in Dubuque, Iowa, and in the Dyersville
4 Commercial, a newspaper published in Dyersville, Iowa.

Approved February 12, 1953.

I hereby certify that the foregoing Act, Senate File 118, was published in The Telegraph Herald, Dubuque, Iowa, February 20, 1953, and in the Dyersville Commercial, Dyersville, Iowa, February 18, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 188

SEWER BONDS

H. F. 461

An Act to amend section three hundred ninety-six point twenty-two (396.22), Code 1950, as amended, relating to the issuance of bonds for sewers, sewer outlets and purifying plants.

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

1 SECTION 1. That section three hundred ninety-six point twenty-
2 two (396.22), Code 1950, as amended, is hereby amended by inserting
3 between the word "constructing" and the word "sewers" in line nine
4 (9) the following: ", extending and improving,".

1 SEC. 2. That section three hundred ninety-six point twenty-two
2 (396.22), Code 1950, as amended, is hereby amended by inserting be-
3 tween the word "constructing" and the word "sewers" in line twenty-
4 four (24) the following: ",extending and improving,".

1 SEC. 3. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Sheldon
3 Sun, a newspaper published in Sheldon, Iowa, and in The Guttenberg
4 Press, a newspaper published in Guttenberg, Iowa.

Approved April 7, 1953.

I hereby certify that the foregoing Act, House File 461, was published in The Sheldon Sun, Sheldon, Iowa, April 13, 1953, and in The Guttenberg Press, Guttenberg, Iowa, April 16, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 189

PUBLIC UTILITY PLANTS

H. F. 46

AN ACT to amend section three hundred ninety-seven point twenty-nine (397.29), Code 1950, relating to the management of public utility plants by boards of trustees.

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

1 SECTION 1. Section three hundred ninety-seven point twenty-nine
2 (397.29), Code 1950, is hereby amended by inserting in line five (5)
3 preceding the word "heating" the following: "sewage disposal plant,";
4 also by inserting in line twelve (12) preceding the word "heating"
5 the following: "sewage disposal plant,".

Approved April 10, 1953.

CHAPTER 190

MUNICIPAL WATERWORKS

S. F. 188

AN ACT to repeal section three hundred ninety-eight point twelve (398.12), Code 1950, and to enact a new section in lieu thereof and to amend section three hundred ninety-nine point thirty-two (399.32) and to interpret section three hundred ninety-nine point fourteen (399.14), Code 1950, relating to municipal waterworks in certain cities, and to validate certain municipal proceedings in relation thereto.

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

1 SECTION 1. Section three hundred ninety-eight point twelve
2 (398.12), Code 1950, is hereby repealed and the following is enacted
3 in lieu thereof:

4 "This chapter shall be construed as granting additional power and
5 providing an alternative means of acquiring a municipal waterworks
6 without limiting the power already existing in cities having a popula-
7 tion of over ten thousand inhabitants. The provisions of this chapter
8 shall apply only (1) to cities which have heretofore acquired or which
9 may hereafter acquire a municipal waterworks under authority con-
10 tained in this chapter and which have heretofore financed or which
11 may hereafter finance the cost of acquiring such municipal waterworks
12 in whole or in part through the levy of the special additional tax as
13 permitted and provided for in section three hundred ninety-eight point
14 one (398.1) hereof, and (2) to cities which have heretofore adopted or
15 which may hereafter adopt an ordinance availing of the provisions of
16 this chapter as referred to in section three hundred ninety-eight point
17 six (398.6) hereof."

1 SEC. 2. Section three hundred ninety-nine point thirty-two
2 (399.32), Code 1950, is hereby amended by striking the last sentence
3 of said section and inserting in lieu thereof the following:

4 "In all other respects this chapter shall be construed as granting
5 additional power and providing an alternative means of acquiring a
6 municipal waterworks without limiting the power already existing in

7 cities having a population of fifty thousand inhabitants or over. Except as hereinafter otherwise provided, the provisions of this chapter, including section three hundred ninety-nine point fourteen (399.14) but not excluding any other section hereof, shall apply only to cities which have heretofore acquired or which may hereafter acquire a municipal waterworks under authority contained in this chapter and which have heretofore financed or which may hereafter finance the cost of acquiring, extending or improving such municipal waterworks in whole or in part through the issuance of public service bonds or public service certificates as permitted and provided for in sections three hundred ninety-nine point seven (399.7) or three hundred ninety-nine point ten (399.10) hereof.

All proceedings including all resolutions and ordinances heretofore undertaken by or passed by the city council of any city which acquired its municipal waterworks prior to January 1, 1910, for the creation of a board of waterworks trustees under the provisions of section three hundred ninety-nine point fourteen (399.14) hereof or for the subsequent abolishment and discontinuance of such board, are hereby validated and confirmed."

1 SEC. 3. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Movable
3 Record, a newspaper published in Movable, Iowa, and in The Marion
4 Sentinel, a newspaper published in Marion, Iowa.

Approved February 26, 1953.

I hereby certify that the foregoing Act, Senate File 188, was published in The Movable Record, Movable, Iowa, March 5, 1953, and in The Marion Sentinel, Marion, Iowa, March 5, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 191

MUNICIPAL REVENUE AND BONDS

H. F. 452

An Act to amend sections three (3), four (4), five (5), seven (7), ten (10), eleven (11), twelve (12), thirteen (13), eighteen (18), and twenty-five (25) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly of the state of Iowa, relating to taxation and other sources of municipal revenue, and to authorize the issuance of bonds for dump ground purposes.

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

1 SECTION 1. That section three (3) of chapter one hundred fifty-
2 nine (159), Acts of the Fifty-fourth General Assembly, is hereby
3 amended by inserting between the word "except" and the word "as"
4 in line three (3) the following: "taxes for the payment of bonds and
5 the interest thereon, and except".

6 Further amend said section by striking from line four (4) thereof
7 the words "first day of September" and inserting in lieu thereof the
8 words "fifteenth day of August".

1 SEC. 2. Section four (4) of chapter one hundred fifty-nine (159),
2 Acts of the Fifty-fourth General Assembly, is hereby amended by

3 striking from lines four (4) and five (5) thereof the words "from
4 other funds or sources".

1 SEC. 3. Section five (5) of chapter one hundred fifty-nine (159),
2 Acts of the Fifty-fourth General Assembly, is hereby amended by
3 striking from line eighteen (18) thereof the following word and fig-
4 ures: "nineteen (19)", and by inserting in lieu thereof the follow-
5 ing word and figures: "twenty (20)".

1 SEC. 4. Section seven (7) of chapter one hundred fifty-nine (159),
2 Acts of the Fifty-fourth General Assembly, is hereby amended by
3 inserting following the word "thereto," in lines seven (7) and eight
4 (8) thereof, the following: "and for all drainage purposes connected
5 therewith,".

6 Further amend said section by inserting immediately following the
7 comma (,) after the word "marking," in line eleven (11) thereof,
8 the word "draining,".

9 Further amend said section by striking the semicolon (;) at the
10 end of subdivision eight (8) thereof, and inserting a comma (,) in
11 place thereof, and adding the following: "except for the payment of
12 bonds issued for bridge purposes;".

13 Further amend said section by adding a new subsection, as follows:
14 "Funds received by municipal corporations from the road use tax
15 fund shall be separately allocated for expenditure within the street
16 fund for only the purposes authorized and permitted by law."

1 SEC. 5. Section ten (10) of chapter one hundred fifty-nine (159),
2 Acts of the Fifty-fourth General Assembly, is hereby amended by in-
3 serting immediately following the word "town" in line nine (9) there-
4 of, the following: ", whether such cemetery is located within the lim-
5 its of such municipality or is established by its authority outside of
6 its corporate limits".

7 Further amend said section by striking subdivision nine (9) there-
8 of and inserting in lieu thereof the following:

9 "9. In lieu of the taxes provided by section three hundred seventy-
10 two point ten (372.10), Code 1950, for river front improvement pur-
11 poses;".

12 Further amend said section by striking subdivision eleven (11)
13 thereof and inserting in lieu thereof the following:

14 "11. In lieu of the taxes provided by subsections ten (10) and thir-
15 teen (13) of section three hundred eighty-four point three (384.3)
16 for dock purposes;".

1 SEC. 6. Section eleven (11) of chapter one hundred fifty-nine
2 (159), Acts of the Fifty-fourth General Assembly, is hereby amended
3 by striking subdivision eight (8) thereof and inserting in lieu there-
4 of the following:

5 "8. In lieu of the taxes provided by sections three hundred seventy
6 point six (370.6), three hundred seventy point twenty-eight (370.28),
7 three hundred seventy point twenty-nine (370.29), and three hun-
8 dred seventy point thirty (370.30) for park purposes;".

1 SEC. 7. Section twelve (12) of chapter one hundred fifty-nine
2 (159), Acts of the Fifty-fourth General Assembly, is hereby amended
3 by striking from lines nine (9) and ten (10) thereof the words "and

4 the interest on any bonds issued to pay for the construction, recon-
5 struction, repair or extension of such works," and by striking all of
6 lines twelve (12) and thirteen (13) of said section.

1 SEC. 8. Section thirteen (13) of chapter one hundred fifty-nine
2 (159), Acts of the Fifty-fourth General Assembly, is hereby amended
3 by striking all of subsections two (2) and three (3) of said section
4 and inserting in lieu thereof the following:

5 "2. To pay the interest as it becomes due and to create a sinking
6 fund to pay the principal at maturity of all bonds issued by municipal
7 corporations except bonds or certificates which by their terms are
8 payable solely from assessments levied against benefited property and
9 bonds or certificates which by their terms are payable solely from
10 earnings derived from the operation of municipally owned revenue
11 producing undertakings;"

1 SEC. 9. That section eighteen (18) of chapter one hundred fifty-
2 nine (159), Acts of the Fifty-fourth General Assembly, is hereby
3 amended by striking all of said section following the period in line
4 eight (8) thereof, and by adding thereto the following: "cities and
5 towns are hereby authorized to contract indebtedness and to issue gen-
6 eral obligation bonds to provide funds to pay the cost of acquiring
7 land for dump ground purposes. Taxes for the payment of said bonds
8 shall be levied in accordance with chapter seventy-six (76), Code
9 1950, and said bonds shall be payable through the debt service fund
10 in not more than twenty (20) years and bear interest at a rate not
11 exceeding five percent (5%) per annum, and shall be of such form as
12 the city or town council shall by resolution provide. The indebted-
13 ness incurred for the purpose herein provided in this Act shall not be
14 considered an indebtedness incurred for general or ordinary pur-
15 poses."

1 SEC. 10. Section twenty-five (25) of chapter one hundred fifty-
2 nine (159), Acts of the Fifty-fourth General Assembly, is hereby
3 amended by striking the period (.) at the end of the first sentence in
4 subsection five (5) thereof, inserting a comma (,) in lieu thereof,
5 and adding the following: "but nothing contained in this subsection
6 shall be construed to limit the source of payment of bonds issued by
7 municipal corporations and interest thereon."

1 SEC. 11. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Neola
3 Gazette Reporter, a newspaper published in Neola, Iowa, and in the
4 Shelby News, a newspaper published in Shelby, Iowa.

Approved April 7, 1953.

I hereby certify that the foregoing Act, House File 452, was published in the Neola Gazette Reporter, Neola, Iowa, April 16, 1953, and in the Shelby News, Shelby, Iowa, April 16, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 192
CEMETERY FUNDS

H. F. 469

AN ACT to amend chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, to permit municipal corporations to use the municipal enterprises fund for private cemeteries not within the limits of any city or town.

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

1 SECTION 1. Chapter one hundred fifty-nine (159), section ten (10)
2 subsection two (2), Acts of the Fifty-fourth General Assembly, is
3 hereby amended by adding thereto the following:
4 "Said fund may be used for any cemetery owned and controlled by
5 said municipal corporation within or without the corporate limits, or
6 for any cemetery owned and controlled by any private or incorporated
7 cemetery association, township, or other municipality, even though
8 situated in an adjoining county, if actually utilized for burial pur-
9 poses by the people of the city or town. Said tax may be so expended
10 for the support and maintenance of any such cemetery after it is no
11 longer used for the purpose of interring the dead."

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 Glenwood Opinion-Tribune, Glenwood, Iowa, a newspaper published at Glenwood,
4 Iowa, and in The Oakland Acorn, a newspaper published at Oakland,
5 Iowa.

Approved April 22, 1953.

I hereby certify that the foregoing Act, House File 469, was published in the Glenwood Opinion-Tribune, Glenwood, Iowa, April 30, 1953, and in The Oakland Acorn, Oakland, Iowa, April 30, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 193
MUNICIPAL LIBRARIES

H. F. 307

An Act to amend section (10) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth (54th) General Assembly, relating to power of municipal corporations to allocate funds from the municipal enterprise fund for the purchase and construction of branch libraries.

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

1 SECTION 1. Section ten (10) of chapter one hundred fifty-nine
2 (159), Acts of the Fifty-fourth (54th) General Assembly, is hereby
3 amended by striking the semicolon (;) in line two (2) of subsection
4 three (3) and adding thereto the following:
5 ", and for the purchase of a library site and construction of build-
6 ings thereof for a branch library in cities of thirty thousand (30,000)
7 or over,".

Approved April 7, 1953.

CHAPTER 194

ISSUANCE OF MUNICIPAL BONDS

H. F. 446

AN ACT to repeal sections four hundred eight point ten (408.10) to four hundred eight point fourteen (408.14), inclusive, and section four hundred eight point sixteen (408.16), Code 1950, as amended, and to add a new section to chapter four hundred eight (408), Code 1950, relating to the issuance of municipal bonds.

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

1 SECTION 1. Sections four hundred eight point ten (408.10) to four
2 hundred eight point fourteen (408.14), inclusive, Code 1950, as
3 amended, are hereby repealed.

1 SEC. 2. Section four hundred eight point sixteen (408.16), Code
2 1950, as amended, is hereby repealed.

1 SEC. 3. Chapter four hundred eight (408), Code 1950, as amended,
2 is hereby amended by adding thereto the following:

3 "Cities and towns are hereby authorized to contract indebtedness
4 and to issue general obligation bonds to provide funds to pay the cost
5 of opening, widening, extending, grading, and draining the right of
6 way of any street, highway, avenue, alley, public ground, or market
7 place, and to construct, reconstruct or repair any street improvement,
8 and to pay the cost of land needed for right of way purposes.

9 "Taxes for the payment of said bonds shall be levied in accordance
10 with chapter seventy-six (76), Code 1950, and said bonds shall be
11 payable through the debt service fund in not more than twenty years,
12 and bear interest at a rate not exceeding five percent per annum, and
13 shall be of such form as the city or town council shall by resolution
14 provide, but no city or town shall become indebted in excess of five
15 percent of the actual value of the taxable property within said city
16 or town, as shown by the last preceding state and county tax lists.
17 The indebtedness incurred for the purpose provided in this Act shall
18 not be considered an indebtedness incurred for general or ordinary
19 purposes.

20 "This Act shall be construed as granting additional power without
21 limiting the power already existing in cities and towns.

22 "The provisions of this Act shall be applicable to all municipal cor-
23 porations regardless of form of government or manner of incorpo-
24 ration."

1 SEC. 4. 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 West Point Bee, a newspaper published in West Point, Iowa, and
4 in the Lake Mills Graphic, a newspaper published in Lake Mills, Iowa.

Approved April 3, 1953.

I hereby certify that the foregoing Act, House File 446, was published in The West Point Bee, West Point, Iowa, April 9, 1953, and in the Lake Mills Graphic, Lake Mills, Iowa, April 8, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 195

ISSUANCE OF BONDS BY CITIES AND TOWNS

H. F. 442

AN ACT relating to the authorization and issuance of bonds or other evidences of indebtedness by cities and towns.

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

1 SECTION 1. Any other statute notwithstanding, except where an
2 election is required under some other statute, before any city or town
3 shall institute proceedings for the issuance of bonds in the amounts
4 hereinafter set forth, the governing body thereof shall cause a notice
5 of the proposal to issue such bonds, including a statement of the
6 amount and purpose of said bonds, together with the maximum rate
7 of interest which said bonds are to bear, to be published at least once
8 in a newspaper of general circulation within such municipality at least
9 fifteen (15) days prior to the meeting at which it is proposed to take
10 action for the issuance of such bonds:

11 In cities and towns having a population of five thousand (5,000) or
12 less, ten thousand dollars (\$10,000.00), or more;

13 In cities and towns having a population of more than five thousand
14 (5,000) and not more than seventy-five thousand (75,000), twenty-
15 five thousand dollars (\$25,000.00), or more;

16 In cities and towns having a population in excess of seventy-five
17 thousand (75,000), seventy-five thousand dollars (\$75,000.00), or
18 more.

1 SEC. 2. If at any time before the date fixed for taking action for the
2 issuance of such bonds a petition is filed with the clerk or recorder
3 of the municipality signed by qualified electors of the city or town
4 equal in number to two percent (2%) of those who voted for the office
5 of governor at the last preceding general election as shown by the
6 election registers or poll lists, asking that the question of issuing such
7 bonds be submitted to the legal voters of the municipality, the gov-
8 erning body thereof shall either by resolution declare the proposal to
9 issue the bonds to have been abandoned or shall call a special election
10 to vote upon the question of issuing the bonds.

1 SEC. 3. If a petition is filed as contemplated by section two (2)
2 hereof and the governing body of the municipality calls an election
3 to vote on the question of issuing said bonds, the proposition shall
4 be submitted in the following form:

5 "Shall the city (or town) of issue its bonds in the
6 amount of \$..... for the purpose of?"

1 SEC. 4. Notice of such election, stating the date of the election, the
2 hours of opening and closing the polls, the precincts and polling places
3 therefor and the question to be submitted shall be published once
4 each week for three (3) consecutive weeks in some newspaper pub-
5 lished in the city or town, or if none be published therein, in a news-
6 paper published in the county and having a general circulation in the
7 city or town. The election shall be held on a day not less than five
8 (5) nor more than twenty (20) days after the last publication of such
9 notice.

1 SEC. 5. The proposition of issuing said bonds shall not be deemed
2 carried or adopted unless the vote in favor of such authorization is
3 equal to at least sixty percent (60%) of the total vote cast for and
4 against said proposition at said election.

1 SEC. 6. If no such petition is filed as aforesaid, or if a petition is
2 filed and the proposition of issuing the bonds is approved by the voters
3 at an election as hereinbefore provided, the council may proceed with
4 the authorization and issuance of the bonds.

1 SEC. 7. Nothing herein contained shall be construed to apply to
2 bonds issued in connection with street improvements, bridges, via-
3 ducts, sewers or sewage treatment works nor to funding or refunding
4 bonds nor to bonds that have theretofore been authorized or approved
5 at an election required or provided to be held under any other law.

1 SEC. 8. The term "bonds" as used in this Act shall be construed to
2 mean bonds or other evidences of indebtedness of the city or town
3 which are payable from and secured by ad valorem taxes levied on all
4 the taxable property therein.

1 SEC. 9. This shall not apply to special charter cities of fifty thou-
2 sand (50,000) or more.

1 SEC. 10. This Act, being deemed of immediate importance, shall
2 take effect and be in full force from and after its passage and publi-
3 cation in The Correctionville News, a newspaper published at Cor-
4 rectionville, Iowa, and in The Cedar Rapids Gazette, a newspaper pub-
5 lished at Cedar Rapids, Iowa.

Approved April 7, 1953.

I hereby certify that the foregoing Act, House File 442, was published in The Correc-
tionville News, Correctionville, Iowa, April 16, 1953, and in The Cedar Rapids Gazette,
Cedar Rapids, Iowa, April 10, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 196

POLICE AND FIRE DEPARTMENTS

S. F. 105

AN ACT to amend section four hundred ten point eighteen (410.18), Code 1950, relat-
ing to hospital, nursing and medical expense for members of the police and fire
departments.

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

1 SECTION 1. Section four hundred ten point eighteen (410.18),
2 Code 1950, is amended by striking from line two (2) thereof the words
3 "are hereby authorized and empowered to" and by substituting there-
4 for the word "shall".

Approved March 26, 1953.

CHAPTER 197

POLICEMEN AND FIREMEN RETIREMENT

H. F. 117

AN ACT to amend section four hundred eleven point six (411.6), Code 1950, relating to ordinary disability retirement for policemen and firemen.

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

1 SECTION 1. Section four hundred eleven point six (411.6), Code
2 1950, is amended by striking from line six (6) of subsection four (4),
3 paragraph b., the words "one-fourth" and substituting therefor the
4 words "one-half", and by striking from line ten (10) thereof the word
5 "fourth" and substituting therefor the word "half".

Approved April 25, 1953.

CHAPTER 198

POLICEMEN AND FIREMEN BENEFITS

H. F. 17

AN ACT to amend section four hundred eleven point six (411.6), Code 1950, relating to retirement systems for policemen and firemen and benefits thereunder.

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

1 SECTION 1. Subsection five (5) of section four hundred eleven
2 point six (411.6), Code 1950, is hereby amended by inserting in line
3 eight (8) thereof, following the word "place" and before the word
4 "shall" the following: ", or occurring while acting pursuant to order,
5 outside of the city or town by which he is regularly employed,".

1 SEC. 2. Amend subsection nine (9), section four hundred eleven
2 point six (411.6), Code 1950, by adding to line six (6) after the comma
3 (,) following the word "duty" the following: "or occurring while act-
4 ing pursuant to order, outside of the city or town by which he is regu-
5 larly employed,".

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 Thompson
3 Courier, a newspaper published at Thompson, Iowa, and in The Toledo
4 Chronicle, a newspaper published at Toledo, Iowa.

Approved February 12, 1953.

I hereby certify that the foregoing Act, House File 17, was published in The Thompson Courier, Thompson, Iowa, February 19, 1953, and in The Toledo Chronicle, Toledo, Iowa, February 19, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 199

COMMISSION CITIES OFFICERS

S. F. 64

AN ACT to amend section four hundred sixteen point sixty-eight (416.68), Code 1950, relating to elections to remove officers in commission cities.

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

- 1 SECTION 1. Section four hundred sixteen point sixty-eight (416.68),
- 2 Code 1950, is amended by striking from line fourteen (14) the refer-
- 3 ences, "416.19 and 416.21" and inserting in lieu thereof the following,
- 4 "16 and 18 of chapter 145, Acts 54 G.A."
- 5 Further amend said section by striking from line sixteen (16) the
- 6 word, "primary" and inserting in lieu thereof the word, "regular".

Approved February 3, 1953.

CHAPTER 200

MUNICIPAL DRAINS AND SEWERS

S. F. 63

AN ACT to amend sections four hundred sixteen point one hundred eleven (416.111) and four hundred sixteen point one hundred thirteen (416.113), Code 1950, relating to drains and sewers in cities over 100,000 population.

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

- 1 SECTION 1. Section four hundred sixteen point one hundred eleven
- 2 (416.111), Code 1950, is amended by striking from lines two (2) and
- 3 three (3) the words, "organized and existing under this chapter and".
- 1 SEC. 2. Section four hundred sixteen point one hundred thirteen
- 2 (416.113), Code 1950, is amended by striking from line four (4) the
- 3 words, "commission-governed".

Approved February 3, 1953.

CHAPTER 201

SALARIES OF CITY OFFICERS

S. F. 190

AN ACT to amend sections four hundred twenty point fourteen (420.14), and four hundred twenty point fifteen (420.15), Code 1950, relating to salaries of certain city officials.

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

- 1 SECTION 1. Amend section four hundred twenty point fourteen
- 2 (420.14), Code 1950, by striking the words "not in excess of nine
- 3 hundred" in line three (3) and inserting in lieu thereof, the words,
- 4 "not to exceed twelve hundred".

1 SEC. 2. Amend section four hundred twenty point fifteen (420.15),
 2 Code 1950, by striking the words "not exceeding forty-five hundred"
 3 in line three (3) and inserting in lieu thereof, the words "not to
 4 exceed six thousand".

1 SEC. 3. Chapter one hundred forty-six (146), Acts of the Fifty-
 2 fourth General Assembly is amended by inserting at the end of sec-
 3 tion two (2), the following:
 4 "'Councilmen' as used in this chapter shall include 'aldermen'
 5 where members of a city council are elected and have historically been
 6 referred to by such title."

Approved April 16, 1953.

CHAPTER 202

FERRIES

S. F. 135

AN ACT to amend section four hundred twenty point one hundred sixty-six (420.166), Code 1950, relating to ferries in special charter cities.

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

1 SECTION 1. Section four hundred twenty point one hundred sixty-
 2 six (420.166), Code 1950, is amended by striking from line four (4)
 3 the reference, "section 368.38" and inserting in lieu thereof the follow-
 4 ing, "section 23 of chapter 151, Acts 54 G.A., in regard to ferries".

Approved February 12, 1953.

CHAPTER 203

SPECIAL CHARTER CITIES

S. F. 109

AN ACT to enable cities with special charters which operate under chapter four hundred twenty (420), Code 1950, and which collect rubbish and garbage under a can tax to declare the service a benefit to the property served and in case of non-payment to assess the cost against the property benefited.

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

1 SECTION 1. Special chartered cities which collect both rubbish and
 2 garbage by a monthly can tax shall have the power by ordinance to
 3 declare the service a benefit to the property so served and in case of
 4 failure to pay said monthly charge to assess the actual cost thereof
 5 against the property benefited.

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 Musca-
 3 tine Journal and News Tribune, a newspaper published at Muscatine,

4 Iowa, and in The Wilton Advocate, a newspaper published at Wilton
5 Junction, Iowa, without expense to the state.

Approved April 10, 1953.

I hereby certify that the foregoing Act, Senate File 109, was published in The Muscatine Journal and News Tribune, Muscatine, Iowa, April 18, 1953, and in The Wilton Advocate, Wilton Junction, Iowa, June 11, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 204 INCOME TAX RATES

H. F. 91

AN ACT to amend section four hundred twenty-two point five (422.5), section four hundred twenty-two point twelve (422.12), and section four hundred twenty-two point thirteen (422.13), Code 1950, relating to the rate of tax imposed on income and providing for deductions from the computed tax.

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

1 SECTION 1. Section four hundred twenty-two point five (422.5),
2 Code 1950, is amended by striking subsections one (1), two (2), three
3 (3), four (4) and five (5), and inserting in lieu thereof the following:
4 "1. On the first one thousand dollars of taxable income, or any part
5 thereof, three-fourths ($\frac{3}{4}$) of one (1) percent.
6 2. On the second thousand dollars of taxable income, or any part
7 thereof, one and one-half ($1\frac{1}{2}$) percent.
8 3. On the third thousand dollars of taxable income, or any part
9 thereof, two and one-fourth ($2\frac{1}{4}$) percent.
10 4. On the fourth thousand dollars of taxable income, or any part
11 thereof, three (3) percent.
12 5. On the fifth thousand dollars of taxable income, or any part
13 thereof, three and three-fourths ($3\frac{3}{4}$) percent, and on all taxable
14 income in excess of five thousand dollars, three and three-fourths
15 ($3\frac{3}{4}$) percent."

1 SEC. 2. Section four hundred twenty-two point twelve (422.12),
2 Code 1950, 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. For a single individual, fifteen dollars.
6 2. For husband and wife or head of a family, thirty dollars.
7 3. For each child under the age of twenty-one years who is actually
8 supported by and dependent upon the taxpayer for his support, an
9 additional seven dollars fifty cents.
10 4. For each actual dependent other than as specified in subsection
11 3 of this section, the taxpayer may deduct the sum of seven dollars
12 fifty cents; or in lieu thereof in the case of a father, mother, or grand-
13 parent dependent upon the taxpayer, the taxpayer in computing the
14 net income may make deduction therefrom of four hundred fifty dol-
15 lars for such dependent.
16 *If the status of a taxpayer, insofar as it affects the personal ex-

*See chapter 205 for substitute for this paragraph.

17 exemption or credit for dependents, changes during the taxable year,
18 the personal exemption and credit shall be apportioned under rules
19 and regulations prescribed by the commission.”.

1 SEC. 3. Amend section four hundred twenty-two point thirteen
2 (422.13), Code 1950, by striking subsections one (1) and two (2)
3 thereof, and inserting in lieu thereof the following:

4 “1. Every individual having a net income for the tax year from
5 sources taxable under this division, of \$1500.00 or over, if single, or
6 if married and not living with husband or wife; or having a net in-
7 come for the tax year of \$2350.00 or over, if married and living with
8 husband or wife, shall make and sign a return, stating specifically
9 the items of gross income and the deductions and exemptions allowed
10 by this division.

11 2. If husband and wife living together have an aggregate net in-
12 come of \$2,000.00 or over, each shall make such a return, unless the
13 income of each is included in a single joint return.”.

Approved May 21, 1953.

CHAPTER 205

INCOME TAX DEDUCTIONS

H. F. 161

AN ACT to amend section four hundred twenty-two point twelve (422.12), Code 1950, relating to deductions from computed individual income tax as to the marital condition and dependencies.

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

1 SECTION 1. Section four hundred twenty-two point twelve
2 (422.12), Code 1950, is hereby amended by striking from lines nineteen
3 (19), twenty (20), twenty-one (21), twenty-two (22), twenty-three
4 (23), and twenty-four (24) the following: “If the status of a tax-
5 payer, insofar as it affects the personal exemption or credit for de-
6 pendents, changes during the taxable year, the personal exemption and
7 credit shall be apportioned under rules and regulations prescribed by
8 the commission.”, and inserting in lieu thereof the following:

9 “For the purpose of this section the determination of whether an
10 individual is married shall be made as of the close of his taxable year
11 unless his spouse dies during his taxable year, in which case such
12 determination shall be made as to the date of such death. An individual
13 legally separated from his spouse under a decree of divorce or under
14 separate maintenance shall not be considered as married.

15 “As used in this chapter the term ‘dependent’ means any of the fol-
16 lowing persons over half of whose support, for the calendar year in
17 which the taxable year of the taxpayer begins, was received from the
18 taxpayer:

- 19 a. a son or daughter of the taxpayer, or a descendant of either,
- 20 b. a stepson or stepdaughter of the taxpayer,
- 21 c. a brother, sister, stepbrother, or stepsister of the taxpayer,
- 22 d. the father or mother of the taxpayer, or an ancestor of either,
- 23 e. a stepfather or stepmother of the taxpayer,

24 f. a son or daughter of a brother or sister of the taxpayer,
 25 g. a brother or sister of the father or mother of the taxpayer,
 26 h. a son-in-law, daughter-in-law, father-in-law, mother-in-law,
 27 brother-in-law, or sister-in-law of the taxpayer. As used in this para-
 28 graph the terms 'brother' and 'sister' include a brother or sister by the
 29 half blood. For the purposes of determining whether any of the fore-
 30 going relationships exist, a legally adopted child of a person shall be
 31 considered a child of such person by blood. The term 'dependent' does
 32 not include any individual who is a citizen or subject of a foreign
 33 country unless such individual is a resident of the United States or
 34 of a country contiguous to the United States.

35 "If the taxpayer would not occupy the status of head of a family
 36 except by reason of there being one or more dependents for whom
 37 he would be entitled to credit under this section, credit for dependents
 38 shall be disallowed with respect to one of such dependents.

39 "If the status of a taxpayer changes during the year because of the
 40 death of a dependent reported by him or if a child of the taxpayer
 41 reported by him is born or dies during the year, the full dependent
 42 claim shall be allowed with respect to such child or deceased child.

43 "The provisions of this Act shall be effective as to returns made upon
 44 income earned during the calendar year 1953, or as to any return made
 45 for a fiscal year beginning after January 1, 1953."

Approved April 29, 1953.

CHAPTER 206

SALES AND USE TAX

H. F. 44

AN ACT relating to the payment of sales and use tax by tax certifying and tax levying bodies and to amend and repeal certain sections of chapter four hundred twenty-two (422) and chapter four hundred twenty-three (423), Code 1950, relating thereto and enact substitutes therefor.

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

1 SECTION 1. Section four hundred twenty-two point forty-seven
 2 (422.47), Code 1950, is amended by striking therefrom all of sub-
 3 sections four (4) to seven (7) inclusive.

1 SEC. 2. Section four hundred twenty-two point forty-five (422.45),
 2 Code 1950, is amended by repealing subsection three (3) and by add-
 3 ing the following new subsections:

4 "5. The gross receipts of all sales of goods, wares or merchandise
 5 used for public purposes to any tax certifying or tax levying body of
 6 the State of Iowa or governmental subdivision thereof, except sales
 7 of goods, wares or merchandise used by or in connection with the
 8 operation of any municipally-owned public utility engaged in selling
 9 gas, electricity, or heat to the general public.

10 "The exemption provided by this subsection shall also apply to all
 11 sales of goods, wares or merchandise used for public purposes to any
 12 tax certifying or tax levying body of the State of Iowa or govern-

13 mental subdivision thereof which are subject to use tax under the
14 provisions of chapter four hundred twenty-three (423).

15 "6. Any tax certifying or tax levying body of the State of Iowa or
16 governmental subdivision thereof may make application to the state
17 tax commission for the refund of any sales or use tax upon the gross
18 receipts of all sales of goods, wares or merchandise to any contrac-
19 tor, used in the fulfillment of any written contract with the State
20 of Iowa or any political subdivision thereof, which property becomes
21 an integral part of the project under contract and at the completion
22 thereof becomes public property, except goods, wares or merchandise
23 used in the performance of any contract in connection with the opera-
24 tion of any municipal utility engaged in selling gas, electricity, or
25 heat to the general public.

26 "a. Such contractor shall state under oath, on forms provided by
27 the state tax commission, the amount of such sales of goods, wares
28 or merchandise used in the performance of such contract, and upon
29 which sales or use tax has been paid, and shall file such forms with
30 the governmental unit which has made any written contract for per-
31 formance by said contractor. Such forms shall be filed by the con-
32 tractor with the governmental unit before final settlement is made.

33 "b. Such governmental unit shall, not more than sixty (60) days
34 after the final settlement has been made, make application to the state
35 tax commission for any refund of the amount of such sales or use
36 tax which shall have been paid upon any goods, wares or merchan-
37 dise, such application to be made in the manner and upon forms to be
38 provided by the state tax commission, and the state tax commission
39 shall forthwith audit such claim and, if approved, request the comp-
40 troller to issue his warrant to such governmental unit in the amount
41 of such sales or use tax which has been paid to the State of Iowa
42 under such contract.

43 "c. Any contractor who shall willfully make false report of tax
44 paid under the provisions of this subsection shall be guilty of a mis-
45 demeanor and in addition thereto shall be liable for the payment of
46 the tax with penalty and interest thereon."

1 SEC. 3. Any tax certifying or tax levying body which has paid
2 taxes prior to the effective date of this Act which would have been
3 refundable under section four hundred twenty-two point forty-seven
4 (422.47) subsections four (4) to seven (7), inclusive, Code 1950,
5 shall be entitled to such accrued refunds in the same manner and by
6 the same procedure as heretofore provided by said section and sub-
7 sections, but all claims for such refunds which are not certified to the
8 state tax commission within thirty (30) days after the last day of
9 the quarter ending next subsequent to the effective date of this Act
10 shall be forfeited and forever barred.

Approved April 23, 1953.

CHAPTER 207
SALES TAX PERMITS

H. F. 90

AN ACT repealing subsection seven (7) of section four hundred twenty-two point fifty-three (422.53), Code 1950, and amending subsection one (1) of section four hundred twenty-two point fifty-three (422.53), Code 1950, relating to retail sales tax permits.

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

1 SECTION 1. Subsection seven (7) of section four hundred twenty-
2 two point fifty-three (422.53), Code 1950, is hereby repealed and the
3 following inserted in lieu thereof:

4 "7. Persons not regularly engaged in selling at retail and not having
5 a permanent place of business, but who are temporarily engaged in
6 selling from trucks, portable roadside stands, concessionaires at state,
7 county, district or local fairs, carnivals and the like, shall report and
8 remit the tax on a non-permit basis, under such rules as the commis-
9 sion shall provide for the efficient collection of the sales tax on such
10 sales."

1 SEC. 2. Subsection one (1) of section four hundred twenty-two
2 point fifty-three (422.53), Code 1950, is hereby amended by striking
3 the period after the word "prescribed" in line 6 of such subsection and
4 adding the following: " , except as otherwise provided in subsection
5 seven (7) of this section."

Approved April 29, 1953.

CHAPTER 208

AGRICULTURAL LAND TAX CREDIT

H. F. 278

AN ACT to amend sections four hundred twenty-six point three (426.3), four hundred twenty-six point six (426.6), four hundred twenty-six point seven (426.7), and four hundred twenty-six point eight (426.8), Code 1950, relating to computation of agricultural land tax credits.

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

1 SECTION 1. Amend section four hundred twenty-six point three
2 (426.3), Code 1950, by adding to line thirteen (13), after the word
3 "mills" the words "for the previous year".

1 SEC. 2. Amend section four hundred twenty-six point six (426.6),
2 Code 1950, by striking all of lines one (1) through sixteen (16) and
3 inserting in lieu thereof as follows:

4 "From and after July 4, 1953, the agricultural land tax credit al-
5 lowed for the year 1954 and each year thereafter shall be computed as
6 follows: On or before the first of June the county auditor shall list by
7 school districts all tracts of agricultural lands which they are entitled
8 to credit hereunder, together with the taxable value for the previous
9 year, together with the budget from each school district for the pre-
10 vious year, and the tax rate determined for the general fund of the

11 district in the manner prescribed in section 444.3 for the previous year,
 12 and if such tax rate is in excess of fifteen mills he shall multiply the
 13 millage which is in excess of fifteen mills by the total taxable value of
 14 the agricultural lands entitled to credit hereunder in the district, and
 15 on or before the first of June certify the amount thereof to the state
 16 comptroller. The credit allowed for the year 1953 shall be based on
 17 budgets, valuation, and tax rate for the year 1952, and the amount
 18 shall be certified to the state comptroller by the county auditor on or
 19 before the tenth of November.”.

1 SEC. 3. Amend section four hundred twenty-six point seven
 2 (426.7), Code 1950, as follows:

3 1. Strike from line four (4) the words “December 10” and insert in
 4 lieu thereof “March 15”.

5 2. Strike from line fifteen (15) the words “tenth of November” and
 6 insert in lieu thereof “first of June”.

7 3. Strike from line eighteen (18) all of said section after the word
 8 “percentage” and insert in lieu thereof “on or before August 1.”.

1 SEC. 4. Amend section four hundred twenty-six point eight
 2 (426.8), Code 1950, by striking all of said section and inserting in lieu
 3 thereof as follows:

4 “Upon receiving the prorata percentage from the state comptroller,
 5 the county auditor shall determine the amount thereof to be credited
 6 to each tract of agricultural land, and shall enter upon tax lists as a
 7 credit against the tax levied on each tract of agricultural land on which
 8 there has been made an allowance of credit before delivering said tax
 9 lists to the county treasurer. Upon receipt of the comptroller’s war-
 10 rant by the county auditor, he shall deliver said warrant to the county
 11 treasurer for apportionment. The county treasurer shall show on each
 12 tax receipt the amount of tax credit for each tract of agricultural land.
 13 In case of change of ownership the credit shall follow the title.”.

1 SEC. 5. Amend chapter four hundred twenty-six (426), Code 1950,
 2 by adding thereto as follows: “The state comptroller shall have the
 3 power and authority to prescribe forms, rules, and regulations, not
 4 inconsistent with the provisions of this chapter, necessary to carry out
 5 and effectuate its purposes.”.

Approved April 29, 1953.

CHAPTER 209

TAX SALE PUBLICATION

S. F. 195

AN ACT to amend section four hundred forty-six point ten (446.10), Code 1950, relat-
 ing to publication in connection with tax sale.

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

1 SECTION 1. Section four hundred forty-six point ten (446.10),
 2 Code 1950, is hereby amended by striking from line two (2), thereof
 3 the word “thirty” and substituting in lieu thereof the words “forty-
 4 five”.

1 SEC. 2. Section four hundred forty-six point ten (446.10), Code
 2 1950, is hereby amended by inserting following the period in line four
 3 (4), thereof the following: "Headings and other matter shall be com-
 4 pensated for as provided in section 618.11."

Approved April 2, 1953.

CHAPTER 210

INHERITANCE TAX EXEMPTIONS

S. F. 76

AN ACT to amend section four hundred fifty point four (450.4) of the Code of 1950, by providing for reciprocal exemptions from inheritance tax upon the passing of property to societies, institutions or associations organized or incorporated under the laws of other states for charitable, religious or educational purposes or to trustees for such uses in other states.

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

1 SECTION 1. That paragraph two (2) of section four hundred fifty
 2 point four (450.4), Code 1950, be amended by substituting a semi-
 3 colon (;) for the period (.) at the end of the said paragraph and add-
 4 ing the following: "provided, however, that this exemption shall
 5 also include property passing to any society, institution or association
 6 incorporated or organized under the laws of any other state for charit-
 7 able, educational or religious purposes, and which are not operated
 8 for pecuniary profit or to trustees for such uses in such other state if
 9 under the laws of such state no tax would be imposed upon the passing
 10 of property to such institutions, societies or associations incorporated
 11 or organized under the laws of this state or to trustees for such uses
 12 in this state or to any organization composed wholly of veterans of
 13 any war of the United States of America."

Approved March 17, 1953.

CHAPTER 211

LEVEE AND DRAINAGE DISTRICTS

S. F. 242

AN ACT to amend chapter four hundred fifty-five (455), Code 1950, relating to levee and drainage districts.

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

1 SECTION 1. Section four hundred fifty-five point sixty-four
 2 (455.64), Code 1950, is hereby amended by adding thereto the fol-
 3 lowing: "The provisions of this section and of sections four hundred
 4 fifty-five point sixty-five (455.65) to four hundred fifty-five point
 5 sixty-eight (455.68), inclusive, may within the discretion of the board,
 6 also be made applicable to repairs and improvements made under the
 7 provisions of section four hundred fifty-five point one hundred thirty-
 8 five (455.135)".

1 SEC. 2. Section four hundred fifty-five point eighty-five (455.85),
2 Code 1950, is hereby repealed.

1 SEC. 3. Section four hundred fifty-five point one hundred thirty-
2 five (455.135), Code 1950, is hereby amended as follows:

3 1. By adding after the period (.) appearing in line seventeen (17)
4 thereof, the following: "In the event permanent restoration of a
5 damaged structure is not feasible at the time, the board may order
6 such temporary construction as it deems necessary to the continued
7 functioning of the improvement."

8 2. By striking the comma (,) following the word "district" in
9 lines twenty-four (24), sixty-eight (68) and seventy-seven (77)
10 thereof, and inserting after the word "district" in each of said lines
11 the following: "and subsequent improvements therein as defined in
12 this section".

13 3. By striking the period (.) following the word "basins", in line
14 sixty-six (66) thereof, and by adding after the word "basins" the
15 following: "and intake and outlet ditches therefor."

16 4. By adding thereto the following: "The governing body of the
17 district may, by contract or conveyance, acquire, within or without the
18 district, the necessary lands or easements for making repairs or im-
19 provements under this section, including easements for borrow, and,
20 in addition thereto, the same may be obtained in the manner pro-
21 vided for in the original establishment of a district or by exercise
22 of the power of eminent domain as provided in chapter four hundred
23 seventy-two (472).

1 SEC. 4. Section four hundred fifty-five point one hundred thirty-
2 six (455.136), Code 1950, is hereby amended by adding thereto the
3 following: "If the board deems that the costs of the repairs or im-
4 provements will create assessments against the lands in the district
5 greater than should be borne in one (1) year, it may levy the same
6 at one (1) time and provide for the payment of said costs and assess-
7 ments in the manner provided in sections four hundred fifty-five point
8 sixty-four (455.64) to four hundred fifty-five point sixty-eight
9 (455.68), inclusive; provided that assessments may be collected in
10 less than ten (10) installments as the board may determine."

1 SEC. 5. Section four hundred fifty-five point one hundred sixty
2 (455.160), Code 1950, is hereby amended by inserting a comma (,)
3 after the word "law" in line seven (7) and thereafter inserting the
4 following: "or obstructing, or engaging in travel or agricultural
5 practices upon the improvement or rights of way of a levee or drain-
6 age district which the governing body thereof has, by resolution,
7 determined to be injurious to such improvement or to interfere with
8 its proper preservation, operation or maintenance, and has prohib-
9 ited,".

1 SEC. 6. Chapter four hundred fifty-five (455), Code 1950, is fur-
2 ther amended by adding thereto the following new section: "If, after
3 the improvement has been finally located and before construction
4 thereof has been completed, there has been a change of conditions of
5 such nature that the plan of improvement as adopted should be modi-
6 fied or amended, the board may direct the engineer appointed under
7 section four hundred fifty-five point thirty-six (455.36) or another

8 engineer, to make a report showing such changes or modifications of
 9 the plan of improvement as may be necessary to meet the change of
 10 conditions. Upon the filing of such report, the board shall have
 11 jurisdiction to adopt said modified or amended plan of improvement
 12 or may further modify or amend and adopt the same by following the
 13 procedure provided in sections four hundred fifty-five point two hun-
 14 dred one (455.201), four hundred fifty-five point two hundred five
 15 (455.205), four hundred fifty-five point two hundred six (455.206),
 16 four hundred fifty-five point two hundred seven (455.207), four hun-
 17 dred fifty-five point two hundred eight (455.208) and four hundred
 18 fifty-five point two hundred nine (455.209) of this chapter so far as
 19 same are applicable, except that awards for damages shall not be
 20 cancelled where there has been no change made in the improvement
 21 which would increase or decrease the damages awarded."

1 SEC. 7. Chapter four hundred fifty-five (455), Code 1950, is fur-
 2 ther amended by adding thereto the following new section: "Levee
 3 and drainage districts are empowered to construct impounding areas
 4 to protect lands of the district and drainage structures at such times
 5 as outletting is retarded and may provide ways for access to im-
 6 provements for the operation or protection thereof, where the cost
 7 is not excessive in consideration of the value to the district. Neces-
 8 sary lands or easements may be acquired within or without the dis-
 9 trict by purchase, lease or agreement, and may be procured and con-
 10 struction undertaken either independently or in cooperation with
 11 other districts, individuals, or any federal or state agency or political
 12 subdivision."

1 SEC. 8. Chapter four hundred fifty-five (455), Code 1950, is fur-
 2 ther amended by adding thereto the following new section: "Levee
 3 and drainage districts may realize income from incidental uses of
 4 their improvements and rights of way which are not injurious to same
 5 or incompatible with the purposes of the district. Revenues derived
 6 therefrom may be expended for operating, maintenance or construc-
 7 tion costs of the district as its governing body may elect."

Approved April 16, 1953.

CHAPTER 212

DRAINAGE AND LEVEE DISTRICT FUNDS

S. F. 228

AN ACT to amend section four hundred fifty-five point one hundred sixty-two (455.162), Code 1950, relating to the authorization of governing bodies of drainage or levee districts to invest funds.

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

1 SECTION 1. Section four hundred fifty-five point one hundred sixty-
 2 two (455.162), Code 1950, is hereby amended by adding thereto the
 3 following: "If a lump sum settlement is made between the United
 4 States and the district to provide an annual payment of income there-
 5 from, the county treasurer of the county in which the greater portion

6 of the district is situated shall be custodian of such principal fund.
 7 The governing body of the district shall apply to the district court for
 8 authority to invest said fund as provided by section six hundred eighty-
 9 two point twenty-three (682.23) of the 1950 Code of Iowa as amended;
 10 in addition to the investments therein approved the court may author-
 11 ize investment of said fund in interest bearing bonds or warrants of
 12 said district. The income from said fund shall be disbursed by direc-
 13 tion of the governing body of the district."

Approved April 7, 1953.

CHAPTER 213

DRAINAGE DISTRICT TRUSTEES

S. F. 126

AN ACT to amend section four hundred sixty-two point twelve (462.12), four hundred sixty-two point thirteen (462.13), and four hundred sixty-two point fourteen (462.14), Code 1950, relating to voting for trustees of the drainage districts.

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

1 SECTION 1. Section four hundred sixty-two point twelve (462.12),
 2 Code 1950, is hereby amended by striking everything after the period
 3 in line seventeen (17), and inserting in lieu thereof the following:
 4 "The vote of any landowner of the district may be cast by absent
 5 voters ballot as provided in chapter fifty-three (53) of this Code ex-
 6 cept that the form of the applications for ballots, the voters' affidavit
 7 on the envelopes, and the endorsement of the carrier envelope for pre-
 8 serving the ballot shall be substantially in the form provided in sections
 9 two (2), three (3), and four (4), below. Application blanks, en-
 10 velopes and ballots shall be provided by and submitted to the office of
 11 the county auditor in which the election is held. The cost of such
 12 blanks, envelopes, ballots and postage shall be paid by the district.
 13 For the purpose of this chapter all landowners of the district shall
 14 be considered qualified voters, regardless of their place of residence."

1 SEC. 2. For the purpose of this chapter, applications for ballots
 2 shall be made on blanks substantially in the following form:

3 Application for ballot to be voted at the Dis-
 4 (Name of District)
 5 trict Election on
 6 (Date)
 7 State of
 8 : SS
 9County
 10 I, do solemnly swear that I am a landowner in the
 11 (Applicant)
 12 District and that I am a duly qualified voter en-
 13 (Name of District)
 14 titled to vote in said election, and that on account of
 15 (business, ill-
 16 I cannot be at the polls on
 17 ness, residence outside of the county, etc.)

18 election day, and I hereby make application for an official ballot or
 19 ballots to be voted by me at such election, and that I will return said
 20 ballot or ballots to the officer issuing same before the day of said
 21 election.

22 Signed.....
 23 Date.....
 24 Residence (street number if any)..... City or Town
 25 State.....
 26 Subscribed and sworn to before me this.....day of.....
 27 A. D. 19.....

1 SEC. 3. For the purpose of this chapter, the affidavit on the re-
 2 verse side of the envelopes used for enclosing the marked ballots shall
 3 be substantially as follows:

4 State of
 5 :SS
 6County
 7 I, do solemnly swear that I am a landowner in the
 8 (Applicant)
 9 District and that I am a duly qualified voter to vote
 10 (Name of District)
 11 in the election of trustees of said district and that I shall be prevented
 12 from attending the polls on the day of election because of
 13 (business,
 14 and that I have marked
 15 illness, residence outside of the county, etc.)
 16 the enclosed ballot in secret.

17 Signed.....
 18 Subscribed and sworn to before me this.....day of.....
 19 A. D. 19....., and that I hereby certify that the affiant exhibited the
 20 enclosed ballot to me unmarked; that he then in my presence and in
 21 the presence of no other person and in such manner that I could not
 22 see his vote, marked such ballot, enclosed and sealed the same in this
 23 envelope; and that the affiant was not solicited or advertised by me
 24 for or against any candidate or measure.
 25
 26
 27 (Official Title)

1 SEC. 4 For the purposes of this chapter, upon receipt of the ballot,
 2 the auditor shall at once enclose the same, unopened, together with the
 3 application made by the voter in a large carrier envelope, securely seal
 4 the same, and endorse thereon over his official signature, the following:
 5 1. Name of the district in which the voter is a landowner.
 6 2. Date of the election for which the ballot is cast.
 7 3. Location of the polling place at which the ballot would be legally
 8 and properly cast if voted in person.
 9 4. Names of the judges of the election of that polling place, and
 10 the statement that this envelope contains an absent voter's ballot and
 11 must be opened only at the polls on election day while said polls are
 12 open.

1 SEC. 5. Amend section four hundred sixty-two point thirteen
 2 (462.13), Code 1950, by striking the word "Any" in line one (1) and

3 inserting in lieu thereof the following: "Except where the provisions
4 of section four hundred sixty-two point twelve (462.12), providing
5 for vote in proportion to assessment are invoked, any" and by strik-
6 ing the word "votes" in line four (4) and substituting in lieu thereof
7 the word "vote".

1 SEC. 6. Section four hundred sixty-two point fourteen (462.14),
2 Code 1950, is hereby amended by striking the remainder of the sen-
3 tence after the word "person" in line six (6).

Approved March 26, 1953.

CHAPTER 214

SOIL CONSERVATION DISTRICTS

S. F. 89

AN ACT to amend section four hundred sixty-seven A point five (467A.5), Code 1950, relating to election of commissioners in soil conservation districts.

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

1 SECTION 1. Section four hundred sixty-seven A point five (467A.5),
2 Code 1950, is hereby amended by adding to subsection three (3) the
3 following:

4 "After the district is organized, the owners of land, whether living
5 on the land or not, and operators living on farms within the district
6 shall have the right to sign nominating petitions and to vote for elec-
7 tion of commissioners."

Approved March 23, 1953.

CHAPTER 215

RAILWAY CROSSINGS

H. F. 150

AN ACT to amend sections four hundred seventy-eight point twenty-one (478.21) and four hundred seventy-eight point twenty-three (478.23), Code 1950, relating to railway and highway crossings at grade to provide a method of determining all matters pertaining to grade crossings where controversy arises between the state or political subdivisions thereof and the railroad company, and to amend section three hundred eighty-nine point forty-one (389.41), Code 1950.

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 1950, is hereby amended by inserting after the comma
3 following the word "crossing" in line eleven (11) the words "or cross-
4 ing protection".

1 SEC. 2. Section four hundred seventy-eight point twenty-three
2 (478.23), Code 1950, is hereby amended by inserting after the word
3 "crossing" in line five (5) thereof the words "or crossing protection".

1 SEC. 3. Section three hundred eighty-nine point forty-one
 2 (389.41), Code 1950, is hereby amended by striking therefrom all of
 3 said section following the comma after the word "gates" in line
 4 eleven (11), and substituting in lieu thereof the following: "the
 5 Iowa state commerce commission shall determine the matter of neces-
 6 sity, and the type of crossing protection."

1 SEC. 4. Amend section four hundred seventy-eight point twenty-
 2 one (478.21), Code 1950, by adding after the word "changes" in line
 3 seventeen (17) the following: ", except that if flasher light or gate
 4 signals are ordered installed the maintenance thereof shall be as-
 5 sumed by the railroad".

Approved April 15, 1953.

CHAPTER 216

PIPE LINES

S. F. 321

AN ACT to amend chapter four hundred ninety (490), Code 1950, relating to pipe lines.

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

1 SECTION 1. Amend section four hundred ninety point one (490.1),
 2 Code 1950, as follows:

3 1. Add after the word "the" and before the word "commission"
 4 in line four (4), the word "commerce".

5 2. Add after the word "not," in line nine (9) the following: "and
 6 the power and authority to supervise the underground storage of
 7 gas,".

1 SEC. 2. Amend section four hundred ninety point two (490.2),
 2 Code 1950, by adding the following new definition:

3 "The term 'underground storage' insofar as this chapter is con-
 4 cerned shall include and mean storage of gas in a subsurface stratum
 5 or formation of the earth."

1 SEC. 3. Amend section four hundred ninety point four (490.4),
 2 Code 1950, as follows:

3 1. Add after the word "lines" in line three (3) the words "and
 4 underground storage".

5 2. Add after the word "lines" in line seven (7) the words "and
 6 underground storage facilities".

7 3. Add after the word "line" in line eight (8) the words "and
 8 underground storage facilities".

9 4. Add after the word "line," in line twelve (12) the words "and
 10 underground storage facilities,".

11 5. Add after the word "line" in line fifteen (15) the words "and
 12 underground storage facilities".

1 SEC. 4. Amend section four hundred ninety point five (490.5),
 2 Code 1950, by adding the following new paragraph thereto:

3 "Any pipe-line company engaging in its said business in this state

4 and proposing to engage in underground storage of gas within this
5 state shall file with the state commerce commission its verified peti-
6 tion asking for a permit to construct, maintain and operate facilities
7 for the underground storage of gas to include the construction, place-
8 ment, maintenance and operation of machinery, appliances, fixtures,
9 wells, pipe lines, and stations necessary for the construction, main-
10 tenance and operation of such gas underground storage facilities.”.

1 SEC. 5. Amend section four hundred ninety point six (490.6),
2 Code 1950, by adding the following subsection thereto:

3 “If permission is sought to construct, maintain and operate facili-
4 ties for the underground storage of gas said petition shall include
5 the following information in addition to that stated above:

6 a. A description of the public and/or private highways, grounds
7 and waters, streams and private lands of any kind under which such
8 storage is proposed, together with a map thereof.

9 b. Maps showing the location of proposed machinery, appliances,
10 fixtures, wells and stations necessary for the construction, mainte-
11 nance and operation of such gas underground storage facilities.”.

1 SEC. 6. Amend section four hundred ninety point seven (490.7),
2 Code 1950, by adding after the word “lines” in line seven (7) the
3 words “or gas storage facilities”.

1 SEC. 7. Amend section four hundred ninety point nine (490.9),
2 Code 1950, as follows:

3 1. Add after the word “lines” in line three (3) the words “or gas
4 storage facilities”.

5 2. Add after the word “lines” in line five (5) the words “or gas
6 storage facilities”.

1 SEC. 8. Amend section four hundred ninety point eleven (490.11),
2 Code 1950, by adding after the word “lines” in line three (3) the
3 words “and location of said gas storage area”.

1 SEC. 9. Amend section four hundred ninety point seventeen
2 (490.17), Code 1950, by striking from line six (6) the following:
3 “pipe lines” and inserting in lieu thereof “pipe-line companies”.

1 SEC. 10. Amend section four hundred ninety point nineteen
2 (490.19), Code 1950, by adding after the word “route” in line five
3 (5), the words “or gas storage area”.

1 SEC. 11. Amend section four hundred ninety point twenty-three
2 (490.23), Code 1950, by adding after the word “lines” in line five
3 (5) the words “or gas storage area”.

1 SEC. 12. Amend section four hundred ninety point twenty-five
2 (490.25), Code 1950, as follows:

3 1. Add after the word “permit” in line two (2) the words “for pipe
4 lines”.

5 2. Add the following new paragraph after the word “lines.” in
6 line thirteen (13):

7 “Any pipe-line company having secured a permit for underground
8 storage of gas as in this chapter provided shall be vested with the
9 right of eminent domain to such extent as may be necessary and

10 as prescribed and approved by said state commerce commission in
 11 order to appropriate for its use for the underground storage of gas
 12 any subsurface stratum or formation in any land which the commis-
 13 sion shall have found to be suitable and in the public interest for the
 14 underground storage of gas, and in connection therewith may appro-
 15 priate such other interests in property, as may be required ade-
 16 quately to examine, prepare, maintain and operate such underground
 17 gas storage facilities. The right of appropriation hereby granted
 18 shall be without prejudice to the rights of the owner of said lands
 19 or of other rights or interests therein to drill or bore through the
 20 underground stratum or formation so appropriated in such manner
 21 as shall comply with orders, rules and regulations of the commission
 22 issued for the purpose of protecting underground storage strata or
 23 formations against pollution and against the escape of gas therefrom
 24 and shall be without prejudice to the rights of the owner of said
 25 lands or other rights or interests therein as to all other uses thereof."
 26 3. Add after the word "line" in line fifteen (15) the words "and/
 27 or gas storage facilities,".

1 SEC. 13. Amend section four hundred ninety point twenty-six
 2 (490.26), Code 1950, as follows:

3 1. Add after the word "lines" in line two (2) the words "and/or
 4 a gas storage area".

5 2. Add after the word "stations," in line six (6) the word "wells,".

6 3. Add after the word "line" in line seven (7) the words "or gas
 7 storage area".

1 SEC. 14. Amend section four hundred ninety point twenty-seven
 2 (490.27), Code 1950, by adding after the word "line" in line thirteen
 3 (13) the words "and gas storage facilities".

Approved April 10, 1953.

CHAPTER 217

DISSOLUTION OF A CORPORATION

H. F. 43

AN ACT relating to recording the proof of publication of notice of dissolution of a corporation with the secretary of state and with the county recorder and to amend section four hundred ninety-one point twenty-three (491.23), Code 1950.

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

1 SECTION 1. Section four hundred ninety-one point twenty-three
 2 (491.23), Code 1950, is hereby amended by adding the following as
 3 a new sentence after the period (.) in line 11 thereof: "Notice there-
 4 of shall also be given by the filing in the office of the secretary of state
 5 the proof of publication of notice of dissolution and said proof shall
 6 be recorded by the secretary of state in the same manner as the re-
 7 cording of amendments, and a recording fee of one dollar (\$1.00)
 8 shall apply thereto, and the secretary of state shall forward said
 9 proof of publication to the county recorder of the county wherein the

10 corporation maintains its place of business, there to be recorded in a
11 book kept therefor and a recording fee of one dollar (\$1.00) shall
12 apply thereto.”.

Approved April 15, 1953.

CHAPTER 218

RURAL FIRE FIGHTING CORPORATIONS

S. F. 187

AN ACT to amend section five hundred four point one (504.1), Code 1950, relating to corporations not for pecuniary profit.

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

1 SECTION 1. Amend section five hundred four point one (504.1),
2 Code 1950, by striking the period (.) in line thirteen (13) and insert-
3 ing in lieu thereof the following: “, or for the acquisition and owner-
4 ship of rural fire fighting equipment.”

Approved March 26, 1953.

CHAPTER 219

NONPROFIT CORPORATIONS

H. F. 385

AN ACT to amend section five hundred four point two (504.2), Code 1950, relating to the powers of corporations not for pecuniary profit.

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

1 SECTION 1. Section five hundred four point two (504.2), Code 1950,
2 is amended by adding the following sentence in line ten (10) thereof
3 following the word “bylaws.”: “It may make contracts, borrow money
4 and transfer property, possessing the same powers in such respects
5 as natural persons.”.

Approved May 28, 1953.

CHAPTER 220

INSURANCE COMPANIES AND ASSOCIATIONS

S. F. 247

AN ACT to amend sections five hundred eight point five (508.5), five hundred eight point nine (508.9) and five hundred eight point ten (508.10), Code 1950, relating to the capital and surplus required for an insurance company or association to do business in the state of Iowa.

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

1 SECTION 1. Section five hundred eight point five (508.5), Code
2 1950, is hereby amended by striking the words "two hundred" there-
3 from following the word "than" in line four (4) thereof and by sub-
4 stituting in lieu thereof the words "three hundred fifty"; and by add-
5 ing the word "fifty" following the word "hundred" in line six (6)
6 thereof.

1 SEC. 2. Section five hundred eight point nine (508.9), Code 1950,
2 is hereby amended by striking therefrom the words "twenty-five"
3 from lines nineteen (19) and thirty-two (32) thereof and substitut-
4 ing in lieu thereof respectively the words "one hundred".

1 SEC. 3. Section five hundred eight point ten (508.10), Code 1950,
2 is hereby amended by adding thereto the words "and surplus" fol-
3 lowing the word "capital" appearing in line five (5) thereof.

1 SEC. 4. Section five hundred eight point ten (508.10), Code 1950,
2 is hereby amended by repealing the words "one hundred thousand
3 dollars" appearing in lines thirty (30) and thirty-one (31) thereof
4 and substituting therefor the words "the amount stated in the cer-
5 tificate".

Approved May 22, 1953.

CHAPTER 221

LIFE INSURANCE EXAMINATIONS

S. F. 159

AN ACT to amend section five hundred eight point twenty-eight (508.28), Code 1950, relating to policies of life insurance issued without medical examination.

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

1 SECTION 1. Section five hundred eight point twenty-eight (508.28),
2 Code 1950, is hereby amended by deleting the word "five" in line
3 twenty-one (21) thereof and substituting therefor the word "ten",
4 and by adding thereto following the word "less" in line twenty-two
5 (22) of said section, the following: "and additional insurance without
6 medical examination may be issued in an amount not to exceed ten
7 thousand dollars (\$10,000.00) subsequent to the issuance of any policy
8 on said life after medical examination".

Approved March 26, 1953.

CHAPTER 222

FRANCHISE PLAN INSURANCE

H. F. 390

AN ACT authorizing the issuance of franchise, life, accident and sickness insurance policies to associations.

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

1 SECTION 1. It shall be lawful for an authorized insurer to issue
2 life, accident and sickness insurance policies on a franchise plan at
3 reduced rates, covering the members of an association, subject to the
4 following:

5 (1) An "Association" as referred to herein shall consist of a labor
6 union, trade association, association of employees, industrial associa-
7 tion or professional association, which has been organized and operat-
8 ing more than two years for purposes other than procuring insurance.

9 (2) A "Franchise Plan" as referred to herein shall consist of an
10 insurance policy or policies covering at least fifty per cent (50%) of
11 the insurable members of an association, but in no case less than ten.
12 Such policies may be written in the name of the association or may
13 be written individually for the insured members, subject to the fol-
14 lowing:

15 (a) A life insurance policy written in the name of the association,
16 shall conform to the provisions of section five hundred nine point two
17 (509.2), Code 1950.

18 (b) An individual policy on the life of a member of an association,
19 providing for term insurance renewable only during the continuation
20 of membership, shall also provide in the event of termination of mem-
21 bership the same provision for conversion as set out in subsection
22 eight (8) of section five hundred nine point two (509.2), Code 1950.

23 (c) An individual life policy written on any basis other than term
24 shall provide that the policyholder may elect to continue it in force
25 upon his termination of membership in the association by giving the
26 insurer a notice in writing of such election within thirty (30) days
27 thereafter and paying therefor his renewal premium, which the in-
28 surer may increase to reflect the normal individual rate for the policy-
29 holder as determined by his age and class at the date of issue of his
30 policy.

31 (d) If an accident and sickness policy is written in the name of the
32 association, it shall conform to the provisions of section five hundred
33 nine point three (509.3), Code 1950.

34 (e) An individual accident and sickness policy shall be subject to
35 the provisions of chapter one hundred eighty-eight (188), Acts of the
36 Fifty-fourth General Assembly.

37 (f) Premiums for such policies may be paid entirely from the funds
38 of the association, entirely from the funds of the members or partly
39 from the funds of each.

40 (g) Accident and sickness policies may include the spouse and de-
41 pendants of the insured.

Approved April 25, 1953.

CHAPTER 223

INSURANCE COMPANIES AND ASSOCIATIONS

S. F. 181

AN ACT to amend section five hundred eleven point eight (511.8), Code 1950, relating to the investment of funds 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 1950, is amended by striking the period (.) after the word "cash" in
3 line nineteen (19) thereof, and inserting the following: ", and no
4 company organized under chapter 508 shall invest from its surplus,
5 in common stocks, more than an amount equal to five per cent of
6 its funds."

Approved April 10, 1953.

CHAPTER 224

FRATERNAL BENEFICIARY SOCIETIES

H. F. 18

AN ACT to amend section five hundred twelve point nine (512.9), Code 1950, relating to qualifications for membership in fraternal beneficiary societies and increasing the limits without requiring medical examination.

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

1 SECTION 1. Section five hundred twelve point nine (512.9), Code
2 1950, is amended by striking from line thirty (30) the word "two"
3 and inserting in lieu thereof the word "five".

Approved March 12, 1953.

CHAPTER 225

ACCIDENT AND SICKNESS INSURANCE

S. F. 220

AN ACT to amend chapter one hundred eighty-eight (188), Acts of the Fifty-fourth General Assembly, relating to accident and sickness insurance policies and riders or endorsements that may be attached thereto, and to accident and sickness insurance and known as the Uniform Individual Accident and Sickness Act, effective on the 4th day of July, 1951.

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

1 SECTION 1. Chapter one hundred eighty-eight (188), Acts of the
2 Fifty-fourth General Assembly, is amended by striking all of section
3 fourteen (14) after the figures "1951." in line three (3) thereof, and
4 substituting therefor the following: "A policy, filed with and approved
5 by the insurance commissioner prior to the effective date of this Act
6 for use, delivery, or issue for delivery to any person in this state, may

7 continue to be used, or delivered, or issued for delivery to any person
 8 in this state for a period of five years from and after said effective
 9 date without being subject to the provisions of sections 2, 3 and 4 of
 10 the Act; and any rider or endorsement filed with and approved by
 11 the insurance commissioner at any time may be used, or delivered, or
 12 issued for delivery to any person holding such a policy without being
 13 subject to the provisions of sections 2, 3 and 4 of this Act."

1 SEC. 2. Section one (1), chapter one hundred eighty-eight (188),
 2 Acts of the Fifty-fourth General Assembly, is amended by adding
 3 thereto between the first and second paragraphs of said section one
 4 (1), a new paragraph to read as follows:

5 "This Act shall not apply to an association organized, existing and
 6 operating under chapter five hundred ten (510), Code 1950, which
 7 limits its contracts to providing benefits for widows, heirs, orphans
 8 or legatees of deceased members whose death is caused by accident
 9 or accidental means, or of providing benefits for members for specific
 10 loss or loss of time from injuries caused by accident or accidental
 11 means, nor shall said Act apply to a fraternal beneficiary association,
 12 as defined in section five hundred twelve point one (512.1), Code 1950,
 13 and licensed under the provisions of section five hundred ten point
 14 twenty-three (510.23) thereof, which limits its contracts to providing
 15 benefits to beneficiaries of deceased members whose death is caused
 16 by accident or accidental means or of providing benefits for members
 17 for specific loss or loss of time from injuries caused by accident or
 18 accidental means."

Approved May 21, 1953.

CHAPTER 226

REPORTS OF INSURANCE COMPANIES

H. F. 441

AN ACT to amend section five hundred fifteen point ninety (515.90), Code 1950, relating to publication of annual reports of insurance companies.

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

1 SECTION 1. Section five hundred fifteen point ninety (515.90), Code
 2 1950, is amended by striking from line twenty-one (21), the words
 3 "six dollars" and substituting in lieu thereof the following: "ten
 4 dollars".

Approved April 29, 1953.

CHAPTER 227

APPROVAL OF INSURANCE FORM

S. F. 219

AN ACT to amend section five hundred fifteen point one hundred nine (515.109), Code 1950, relating to approval of insurance forms.

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

1 SECTION 1. Section five hundred fifteen point one hundred nine
2 (515.109), Code 1950, is hereby amended by adding after the word
3 "policies" in line two (2) thereof the following: ", and of applications,
4 and of agreements or endorsements modifying the provisions of
5 policies,".

Approved April 29, 1953.

CHAPTER 228

FIRE INSURANCE CONTRACTS

S. F. 241

AN ACT to amend section five hundred fifteen point one hundred thirty-eight (515.138), Code 1950, relating to standard provisions of fire insurance contracts, and to amend section five hundred fifteen point one hundred twelve (515.112), Code 1950, relating to coinsurance riders which may become a part of such contracts, and to amend section five hundred fifteen point eighty-one (515.81), Code 1950, relating to the cancellation of insurance policies.

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

1 SECTION 1. Section five hundred fifteen point one hundred thirty-
2 eight (515.138), Code 1950, is hereby amended by striking from line
3 six (6) of the paragraph designated "Second" the words "and marine"
4 and by inserting in lieu thereof the words "farm crops until stored,
5 marine and inland marine".

1 SEC. 2. Section five hundred fifteen point one hundred thirty-eight
2 (515.138), Code 1950, is hereby further amended by striking from
3 lines two (2) to four (4), inclusive, of the paragraph designated
4 "Fifth" the words "whereby the interest in the property described in
5 such policy shall be insured" and inserting in lieu thereof the word "in-
6 suring", and by adding after the word "perils" appearing in line four
7 (4) thereof the words "incident to the ownership, use or occupancy of
8 said property, other than fire and lightning," and by striking from
9 lines eleven (11) and twelve (12) thereof the words "The first page of
10 the standard policy may be" and inserting in lieu thereof the follow-
11 ing: "The pages of the standard policy may be renumbered and".

1 SEC. 3. Section five hundred fifteen point one hundred twelve
2 (515.112), Code 1950, is hereby amended by adding after the word
3 "to" appearing in line five (5) thereof the words "single family".

1 SEC. 4. Section five hundred fifteen point eighty-one (515.81), Code
2 1950, is hereby amended by striking the period (.) at the end thereof
3 and inserting the following: "and in the event the initial cash pre-

4 mium, or any part thereof, shall not have been paid, then said policy
 5 may be canceled by the insurer by giving said notice to the insured
 6 and ten days' notice to the mortgagee, or other person to whom the
 7 policy is made payable, if any, without tendering any part or portion
 8 of such premium, anything to the contrary in the policy notwith-
 9 standing."

Approved April 21, 1953.

CHAPTER 229

FIRE INSURANCE POLICY

H. F. 175

AN ACT to amend section five hundred fifteen point one hundred thirty-eight (515.138), Code 1950, relating to the standard fire insurance policy.

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

1 SECTION 1. Section five hundred fifteen point one hundred thirty-
 2 eight (515.138), Code 1950, is amended by striking from line nineteen
 3 (19) of the first page of the standard fire policy as set out in the Code,
 4 the word, "any" and inserting in lieu thereof the word, "and".

Approved February 5, 1953.

CHAPTER 230

PUBLIC EMPLOYEES INSURANCE

S. F. 79

AN ACT to authorize and empower all state commissions, departments, boards and agencies and all commissions, departments, boards and agencies of all political subdivisions of the state of Iowa, not otherwise authorized, to purchase and pay for liability and property damage insurance which shall insure against individual personal legal liability of officers and employees of such commissions, departments, boards and agencies while in the performance of their duties.

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

1 SECTION 1. All state commissions, departments, boards and agen-
 2 cies and all commissions, departments, boards and agencies of all
 3 political sub-divisions of the State of Iowa, not otherwise authorized,
 4 are hereby authorized and empowered to purchase and pay the premi-
 5 ums on liability and property damage insurance covering and insur-
 6 ing all officers and employees of such commissions, departments, boards
 7 and agencies while in the performance of their duties and operating an
 8 automobile, truck, tractor, machinery or other vehicles owned or used
 9 by said commissions, boards, departments and agencies, which insur-
 10 ance shall insure, cover and protect against individual personal legal
 11 liability that said officers or employees may incur. The amount of insur-
 12 ance that said commissions, departments, boards and agencies may
 13 purchase shall not exceed five thousand dollars (\$5,000.00) for prop-

14 erty damage or ten thousand dollars (\$10,000.00) for personal injury
 15 or death of one (1) person, or twenty thousand dollars (\$20,000.00)
 16 for personal injury or death of more than one person, arising out of a
 17 single accident.

Approved April 3, 1953.

CHAPTER 231

TRUST FUNDS FOR FUNERAL EXPENSE

H. F. 878

AN ACT relating to the sale of personal property or services under prearranged funeral plans and requiring the proceeds thereof to be held in trust for the purposes intended under certain conditions, and providing penalties for the violation thereof.

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

1 SECTION 1. Whenever an agreement is made by any person, firm
 2 or corporation for the final disposition of a dead human body wherein
 3 delivery of personal property to be used under a prearranged funeral
 4 plan or the furnishing of professional services of a funeral director or
 5 embalmer in connection therewith, is not immediately required, eighty
 6 per cent of all payments made under the agreement, including interest
 7 thereon, shall be and remain trust funds until occurrence of the death
 8 of the person for whose benefit the funds were paid, unless said funds
 9 are sooner released to the person making such payment by mutual consent
 10 of the parties.

1 SEC. 2. All such trust funds shall be deposited in a bank or trust
 2 company authorized to transact business in this state within thirty
 3 (30) days after the receipt thereof and shall be held in a separate account
 4 or in one common trust fund under a trust agreement in the name,
 5 of the depositor in trust for the designated beneficiary until said trust
 6 fund is released under either of the conditions provided in section one
 7 (1).

1 SEC. 3. Any bank or trust company doing business in this state
 2 and receiving such trust deposits shall make report thereof annually
 3 to the superintendent of banking, indicating the name and address of
 4 each depositor and beneficiary, the amount so deposited and the interest
 5 paid on such account. Such annual report shall be made on or before
 6 February first of the year following the year of deposit.

1 SEC. 4. Any person, firm or corporation, or any agent or representative
 2 thereof, who shall violate any of the provisions of sections one
 3 (1) and two (2) of this Act, or who shall aid and abet in such violation,
 4 shall be deemed guilty of a misdemeanor.

1 SEC. 5. 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 Oskaloosa Tribune Press, a newspaper published at Oskaloosa,

4 Iowa, and The Buffalo Center Tribune, a newspaper published at Buf-
5 falo Center, Iowa.

Approved May 28, 1953.

I hereby certify that the foregoing Act, House File 378, was published in the Oskaloosa Tribune Press, Oskaloosa, Iowa, June 5, 1953, and in The Buffalo Center Tribune, Buffalo Center, Iowa, June 4, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 232

MERGER OF BANKS AND TRUSTS

S. F. 230

AN ACT relating to merger, consolidation, and conversion of national and state banks and trust companies.

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

1 SECTION 1. Definitions. As used in this title:

2 1. "Bank" means a state or a national bank. The singular "bank"
3 includes the plural "banks" if the context warrants.

4 2. "Continuing bank" means a merging bank the charter of which
5 becomes the charter of the resulting bank.

6 3. "Converting bank" means a bank converting from a state to a na-
7 tional bank, or the reverse.

8 4. "Merger" includes consolidation.

9 5. "Merging bank" means a party to a merger.

10 6. "National bank" means a national banking association located
11 in this state.

12 7. "Resulting bank" means the bank resulting from a merger or
13 conversion.

14 8. "State bank" means a bank or trust company chartered under
15 the laws of this state.

1 SEC. 2. Resulting national bank.

2 1. Nothing in the law of this state shall restrict the right of a state
3 bank to merge with or convert into a resulting national bank. The
4 action to be taken by such merging or converting state bank and its
5 rights and liabilities and those of its stockholders shall be the same
6 as those prescribed for national banks at the time of the action by the
7 law of the United States and not by the law of this state, except that
8 a vote of the holders of two-thirds of each class of voting stock of a
9 state bank shall be required for the merger or conversion, and that on
10 conversion by a state into a national bank the rights of dissenting
11 stockholders shall be those specified in section nine (9) hereof.

12 2. Upon the completion of the merger or conversion, the certificate
13 and charter of any merging or converting state bank shall automatic-
14 ally terminate.

1 SEC. 3. Resulting state bank. Upon written approval by the su-
2 perintendent of banking, banks may be merged to result in a state
3 bank or a national bank may convert into a state bank as hereafter
4 prescribed, except that the action by a national bank shall be taken

5 in the manner prescribed by and shall be subject to limitations and
6 requirements imposed by the law of the United States which shall
7 also govern the rights of its dissenting stockholders.

1 SEC. 4. Merger procedure: resulting state bank.

2 1. The board of directors of each merging state bank shall, by a
3 majority of the entire board, approve a merger agreement which
4 shall contain:

5 a. the name of each merging bank and location of each office.

6 b. with respect to the resulting bank: (1) Its name and the loca-
7 tion of the principal and of each additional office which shall not be
8 at places other than pre-existing offices of any merging bank; (2)
9 The name and residence of each director to serve until the next annual
10 meeting of the stockholders; (3) The name and residence of each offi-
11 cer; (4) The amount of capital, the number of shares and the par
12 value of each share; (5) Whether preferred stock is to be issued and
13 the amount, terms, and preferences; (6) The designation of the con-
14 tinuing bank, the charter of which is to be the charter of the result-
15 ing bank, together with the amendments to the continuing charter and
16 to the continuing by-laws.

17 c. Provisions governing the manner of converting the shares of
18 the merging banks into shares of the resulting state bank.

19 d. A statement that the agreement is subject to approval by the
20 superintendent of banking and by the stockholders of each merging
21 bank.

22 e. Provisions governing the manner of disposing of the shares of
23 the resulting state bank not taken by dissenting stockholders of merg-
24 ing banks.

25 f. Such other provisions as the superintendent of banking may re-
26 quire to enable him to discharge his duties with respect to the merger.

27 2. After approval by the board of directors of each merging state
28 bank, the merger agreement shall be submitted to the superintendent
29 of banking for approval, together with certified copies of the author-
30 izing resolutions of each board of directors showing approval by a
31 majority of the entire board and evidence of proper action by the
32 board of directors of any merging national bank.

33 3. Within thirty (30) days after receipt by the superintendent of
34 banking of the papers specified in subsection one (1), the superin-
35 tendent of banking shall approve or disapprove the merger agreement,
36 and if no action is taken, the agreement shall be deemed approved.
37 The superintendent of banking shall approve the agreement if it
38 appears that:

39 a. The resulting state bank meets the requirements of state law
40 as to the formation of a new state bank.

41 b. The agreement provides an adequate capital structure, includ-
42 ing surplus, in relation to the deposit liabilities of the resulting state
43 bank and its other activities which are to continue or are to be under-
44 taken.

45 c. The agreement is fair.

46 d. The merger is not contrary to the public interest.

47 4. If the superintendent of banking disapproves an agreement, he
48 shall state his objections and give an opportunity to the merging banks
49 to amend the merger agreement to obviate such objections.

1 **SEC. 5. Merger; approval by stockholders of state banks.**

2 1. To be effective, a merger which is to result in a state bank must
3 be approved by the stockholders of each merging state bank by a vote
4 of two-thirds of the outstanding voting stock of each class at a meet-
5 ing called to consider such action which vote shall constitute the adop-
6 tion of the charter and by-laws of the continuing state bank, includ-
7 ing the amendments in the merger agreement, as the charter and by-
8 laws of the resulting bank.

9 2. Notice of the meeting of the stockholders shall be given by pub-
10 lication in a newspaper of general circulation in the place where the
11 principal office of each merging bank is located, at least once a week
12 for four (4) successive weeks, and by mail, at least fifteen (15) days
13 before the date of the meeting, to each stockholder of record of each
14 merging bank at his address on the books of his bank, who has not
15 waived such notice in writing; no notice by publication need be given
16 if written waivers are received from the holders of two-thirds of the
17 outstanding shares of each class of voting stock. The notice shall
18 state that dissenting stockholders (other than those of the continu-
19 ing bank) will be entitled to payment of the value of only those shares
20 which are voted against approval of the plan.

1 **SEC. 6. Effective date of merger: filing of approved agreement**
2 **certificate of merger as evidence.**

3 1. A merger which is to result in a state bank shall, unless a later
4 date is specified in the agreement, become effective upon the filing with
5 the superintendent of banking of the executed agreement together
6 with copies of the resolutions of the stockholders of each merging
7 bank approving it, certified by the bank's president or a vice-president
8 and a secretary. The charters of the merging banks, other than
9 the continuing bank shall thereupon automatically terminate.

10 2. The superintendent of banking shall thereupon issue to the re-
11 sulting bank a certificate of merger, which shall constitute a continu-
12 ing charter, specifying the name of each merging bank and the name
13 of the resulting state bank. Such certificate shall be conclusive evi-
14 dence of the merger and of the correctness of all proceedings there-
15 for in all courts and places, and may be recorded in any office for the
16 recording of deeds to evidence the new name in which the property
17 of the merging banks is held.

1 **SEC. 7. Conversion of national into state banks.**

2 1. Except as provided in section ten (10), a national bank located
3 in this state which follows the procedure prescribed by the laws of
4 the United States to convert into a state bank may be granted a state
5 charter if the superintendent of banking finds that the office of the
6 national bank is legally in operation, that the resulting state bank
7 will have an adequate capital structure, including surplus, in relation
8 to its deposit liabilities and its other activities, not less than the capi-
9 tal structure required for a new state bank and that the officers and
10 directors of the resulting bank are persons of sound judgment and
11 discretion.

12 2. The national bank may apply for such charter by filing with the
13 superintendent of banking a certificate signed by its president and
14 cashier and by a majority of the entire board of directors, setting forth
15 the corporate action taken in compliance with the provisions of the

16 laws of the United States governing the conversion of a national to
17 a state bank; and the plan of conversion and the proposed articles of
18 incorporation, approved by the stockholders, for the operation of the
19 bank as a state bank.

1 SEC. 8. Continuation of corporate entity: use of old name.

2 1. A resulting state or national bank shall be considered the same
3 business and corporate entity as each merging bank or as the con-
4 verting bank with all the property, rights, powers, duties, and obli-
5 gations of each merging bank or the converting bank, except as
6 affected by the state law in the case of a resulting state bank or the
7 federal law in the case of a resulting national bank, and by the
8 charter and by-laws of the resulting bank.

9 2. A resulting bank shall have the right to use the name of any
10 merging bank or of the converting bank whenever it deems it more
11 convenient to do so.

12 3. Any reference to a merging or converting bank in any writing,
13 whether executed or taking effect before or after the merger or con-
14 version, shall be deemed a reference to the resulting bank if not in-
15 consistent with the other provisions of such writing.

1 SEC. 9. Dissenting stockholders.

2 1. The owner of shares of a state bank, (other than the continuing
3 bank) which were voted against a merger to result in a state bank,
4 or against the conversion of a state bank into a national bank, shall
5 be entitled to receive their value in cash, if and when the merger or
6 conversion becomes effective, upon written demand, made to the re-
7 sulting state or national bank at any time within thirty (30) days
8 after the effective date of the merger or conversion accompanied by
9 the surrender of the stock certificates. The value of such shares shall
10 be determined, as of the date of the stockholders' meeting approving
11 the merger or conversion, by three appraisers, one to be selected by
12 the owners of two-thirds of the shares involved, one by the board of
13 directors of the resulting state or national bank, and the third by the
14 two so chosen. The valuation agreed upon by any two appraisers
15 shall govern. If the appraisal is not completed within ninety (90)
16 days after the merger or conversion becomes effective the superin-
17 tendent of banking shall cause an appraisal to be made.

18 2. The expenses of appraisal shall be paid by the resulting state
19 bank.

20 3. The resulting state or national bank may fix an amount which
21 it considers to be not more than the value of the shares of a merging
22 or the converting bank at the time of the stockholders' meeting ap-
23 proving the merger or conversion, which it will pay dissenting share-
24 holders of that bank entitled to payment in cash. The amount due
25 under such accepted offer or under the appraisal shall constitute a
26 debt of the resulting state or national bank.

1 SEC. 10. Trust powers. Where a resulting state bank is not to
2 exercise trust powers, the superintendent of banking shall not ap-
3 prove a merger or conversion until satisfied that adequate provision
4 has been made for successors to fiduciary positions held by the merg-
5 ing banks or the converting bank.

1 SEC. 11. Non-conforming assets or business. If a merging or
2 converting bank has assets which do not conform to the requirements
3 of state law for the resulting state bank or carries on business activi-
4 ties which are not permitted for the resulting state bank, the super-
5 intendent of banking may permit a reasonable time to conform with
6 state law.

1 SEC. 12. Book value of assets. Without approval by the super-
2 intendent of banking no asset shall be carried on the books of the
3 resulting bank at a valuation higher than that on the books of a merg-
4 ing or converting bank at the time of its last examination by a state
5 or national bank examiner before the effective date of the merger or
6 conversion.

1 SEC. 13. Severability. If any provision of this Act or the appli-
2 cation thereof to any person or circumstance is held invalid, such
3 invalidity shall not affect other provisions or applications of the Act
4 which can be given effect without the invalid provision or applica-
5 tion, and to this end the provisions of the Act are declared to be sev-
6 erable. The invalidity of any provision as to a national bank or as
7 to the stockholders of a national bank shall not affect its validity as
8 to a state bank or as to the stockholders of a state bank.

1 SEC. 14. Publication clause. This Act being deemed of immediate
2 importance shall be in full force and effect from and after its passage
3 and publication in the Clarinda Herald-Journal, a newspaper pub-
4 lished at Clarinda, Iowa, and The Sidney Argus-Herald, a newspaper
5 published at Sidney, Iowa.

Approved April 2, 1953.

I hereby certify that the foregoing Act, Senate File 230, was published in the Clarinda Herald-Journal, Clarinda, Iowa, April 6, 1953, and in The Sidney Argus-Herald, Sidney, Iowa, April 16, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 233

BUILDING AND LOAN ASSOCIATIONS

S. F. 231

AN ACT to amend section five hundred thirty-four point twenty-one (534.21), Code 1950, relating to shares of building and loan associations.

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

1 SECTION 1. Section five hundred thirty-four point twenty-one
2 (534.21), Code 1950, is amended by adding thereto the following:
3 "Any such building and loan association and any federal savings and
4 loan association may issue shares in the name of one or more persons
5 with the provision that upon the death of the owner or owners there-
6 of the said shares or the proceeds thereof shall be the property of
7 the person or persons designated by the owner or owners and shown
8 by the records of such association, but such shares or proceeds shall
9 be subject to the debts of the decedent and the payment of Iowa

10 inheritance tax, if any, provided, however, that six months after
 11 the date of the death of the owner the receipt or acquittance of the
 12 person so designated shall be a valid and sufficient release and dis-
 13 charge of such association for the delivery of such shares or the pay-
 14 ment so made."

Approved April 10, 1953.

CHAPTER 234

BUILDING AND LOAN ASSOCIATIONS

S. F. 62

AN ACT to repeal section five hundred thirty-four point eighty-eight (534.88), Code 1950, relating to building and loan associations.

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

1 SECTION 1. Section five hundred thirty-four point eighty-eight
 2 (534.88), Code 1950, is hereby repealed.

Approved February 12, 1953.

CHAPTER 235

INSTRUMENTS PAYABLE TO BEARER

H. F. 236

AN ACT to amend section five hundred forty-one point nine (541.9), Code 1950, relating to instruments payable to bearer.

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

1 SECTION 1. That subsection three (3) of section five hundred forty-
 2 one point nine (541.9), Code 1950, be stricken and the following in-
 3 serted in lieu thereof:

4 "3. When it is payable to the order of a fictitious or nonexisting or
 5 living person not intended to have any interest in it, and such fact was
 6 known to the person making it so payable, or known to his employee
 7 or other agent who supplies the name of such payee; or".

Approved April 10, 1953.

CHAPTER 236

BONDED WAREHOUSES

S. F. 100

AN ACT to amend section five hundred forty-three point thirteen (543.13), Code 1950, 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 thirteen
- 2 (543.13), Code 1950, is amended by striking from line two (2) the
- 3 reference, "543.10" and inserting in lieu thereof the following:
- 4 "543.12".

Approved March 17, 1953.

CHAPTER 237

BULK GRAIN STORAGE

S. F. 127

AN ACT amending section five hundred forty-three point seventeen (543.17), Code 1950, relating to the acceptance of bulk grain for purposes other than storage.

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

- 1 SECTION 1. Section five hundred forty-three point seventeen
- 2 (543.17), Code 1950, is amended by inserting therein following the
- 3 "period" immediately after the word "therefor" and appearing in
- 4 line twenty-three (23) the following:
- 5 "Any grain, which has been received at any bonded warehouse and
- 6 for which the actual sale price is not fixed and payment made therefor
- 7 within ten (10) days after the receipt of said grain, is construed to be
- 8 grain held in storage within the meaning of the Iowa Bonded Ware-
- 9 house Law and warehouse receipts shall be issued therefor not later
- 10 than the tenth (10th) day after the receipt thereof."

Approved March 26, 1953.

CHAPTER 238

LOCAL WAREHOUSE BOARDS

H. F. 149

An Act to amend section five hundred forty-four point sixteen (544.16), Code 1950, relating to funds of local warehouse boards.

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

- 1 SECTION 1. Section five hundred forty-four point sixteen (544.16),
- 2 Code 1950, is hereby repealed, and the following section substituted in
- 3 lieu thereof:
- 4 "Funds remaining in the treasury of the local warehouse board on
- 5 December 31, 1950, shall be distributed by the said board to the boys

6 and girls 4-H clubs of the county in which the board is situated under
 7 such procedure as may be approved by the secretary of agriculture.
 8 "Funds turned over to the secretary of agriculture as trustee shall
 9 be distributed to the county organization of 4-H clubs of the counties
 10 from which such funds were received. The funds due each county
 11 shall be distributed to the boys and girls 4-H clubs equally."

Approved April 7, 1953.

CHAPTER 239

LICENSING AUCTION SALES

H. F. 27

AN ACT to require a license for the sale by auction of new merchandise at places outside of cities and towns, or within any city or town that has not by ordinance provided for the licensing of auction sales under the provisions of section three hundred sixty-eight point six (368.6), Code 1950, and providing for the filing of application for such license, the filing of a bond and submission of inventory, fixing the amount of license fee and providing for the payment thereof, and the issuing of license by the board of supervisors, and requiring a report of sale and providing penalties for violation thereof.

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

1 SECTION 1. It shall be unlawful for any person, firm or corpora-
 2 tion to sell, dispose of, or offer for sale at public auction at any place
 3 outside the limits of any city or town in the state of Iowa, or within
 4 the limits of any city or town in the state of Iowa that has not by
 5 ordinance enacted pursuant to the provisions of section three hun-
 6 dred sixty-eight point six (368.6), Code 1950, provided for the licens-
 7 ing of sales by auction, any new merchandise, unless such person,
 8 firm or corporation and the owners of such merchandise, if it is not
 9 owned by the vendors, shall have first secured a license as herein pro-
 10 vided and shall have complied with the regulations hereinafter set
 11 forth.

1 SEC. 2. Any person, firm or corporation desiring such license shall,
 2 at least ten (10) days prior to such proposed auction sale, file with
 3 the board of supervisors of the county wherein it is proposed to hold
 4 such auction sale, an application in writing duly verified by the per-
 5 son, firm or corporation proposing to sell, dispose of or offer for sale
 6 any new merchandise at public auction, which application shall state
 7 the following facts:

8 1. The name, residence and post office address of the person, firm
 9 or corporation making the application, and if a firm or corporation,
 10 the name and address of the members of the firm or officers of the
 11 corporation, as the case may be.

12 2. The name, residence and post office address of the auctioneer
 13 who will conduct such auction sale.

14 3. A detailed inventory and description of all such new merchan-
 15 dise to be offered for sale at such auction which inventory shall set
 16 forth the cost to the applicant of the several items contained in such
 17 inventory.

18 4. Whether or not the sale at public auction shall be with or with-
19 out reservation.

1 SEC. 3. At the time of filing said application, and as a part there-
2 of, the applicant shall file and deposit with the board of supervisors
3 a bond, with sureties to be approved by the board of supervisors, in
4 the penal sum of two (2) times the value of the merchandise pro-
5 posed to be offered for sale at such auction as shown by the inventory
6 filed, running to the state of Iowa, and for the use and benefit of any
7 purchaser of any merchandise at such auction who might have a
8 cause of action of any nature arising from or out of such auction sale
9 against the auctioneer or applicant; the bond to be further condi-
10 tioned on the payment by the applicant of all taxes that may be pay-
11 able by, or due from, the applicant to the state of Iowa or any depart-
12 ment or subdivision thereof, the payment of any fines that may be
13 assessed by any court against the applicant or auctioneer for viola-
14 tion of the provisions of this Act, and the satisfaction of all causes
15 of actions commenced within one (1) year from date of such auction
16 sale and arising therefrom, provided, however, that the aggregate lia-
17 bility of the surety for all said taxes, fines and causes of action shall
18 in no event exceed the sum of such bond.

19 In such bond the applicant and the surety shall appoint the chair-
20 man of the board of supervisors of the county in which such bond is
21 filed, the agent of the applicant and the surety for the service of proc-
22 ess. In the event of such service, the agent on whom such service is
23 made shall, within five (5) days after the service, mail by ordinary
24 mail a true copy of the process served upon him to each party for
25 whom he is served, addressed to the last known address of such party.
26 Failure to so mail said copy shall not, however, affect the court's juris-
27 diction.

28 Such bond shall contain the consent of the applicant and surety that
29 the district court of the county wherein the application and bond is
30 filed shall have jurisdiction of all actions arising against the applicant
31 or surety, or both, arising out of said sale.

32 The state of Iowa or any subdivision thereof, or any person having
33 a cause of action against the applicant arising out of the sale of such
34 new merchandise may join the applicant and the surety on such bond
35 in the same action, or may in such action sue either such applicant
36 or the surety alone.

1 SEC. 4. At the time of filing said application and bond the appli-
2 cant shall pay to the county treasurer a license fee in the sum of
3 twenty-five dollars (\$25.00) for each day it is proposed to hold such
4 auction sale as shown by the application for such license.

1 SEC. 5. Upon the filing of such application and after the applicant
2 has fully complied with all the provisions of this Act, the board of
3 supervisors, by its chairman, shall issue to the applicant a license
4 authorizing the holding of such auction sale as proposed in said appli-
5 cation. Such license shall not be transferable, and shall be valid
6 only in the county where issued, and shall not be valid in any town
7 or city in such county which has enacted an ordinance pursuant to
8 section three hundred sixty-eight point six (368.6), Code 1950.

1 SEC. 6. Within ten (10) days after the last day of said auction
2 the applicant shall file in duplicate with the board of supervisors an
3 inventory of all merchandise sold at such auction and the price re-
4 ceived therefor which said inventory shall be verified. The chairman
5 of the board of supervisors shall, immediately after receiving such
6 report and inventory, forward a copy thereof to the state tax com-
7 mission.

1 SEC. 7. "New merchandise" as used in this Act shall mean all
2 merchandise not previously sold at retail. "Auction sale" as used
3 in this Act shall mean the offering for sale or selling of personal prop-
4 erty to the highest bidder or offering for sale or selling of personal
5 property at a high price and then offering the same at successive
6 lower prices until a buyer is secured.

1 SEC. 8. The provisions of this Act shall not extend to the sale
2 at public auction of livestock, farm machinery or farm produce or
3 other items commonly sold at farm sales, or to auction sales by indi-
4 viduals of new merchandise, which was assessed personal property
5 tax or is replacement stock of merchandise inventory which was as-
6 sessed personal property tax in the county in which the sale is to be
7 had, and to auction sales under the direction of any court or court
8 officers of such sales as may be required by law.

1 SEC. 9. Any person who shall offer new merchandise for sale at
2 public auction without first securing a license as herein provided,
3 or who shall offer for sale new merchandise different from that shown
4 by, or in excess of the amount and value of, the inventories filed with
5 the application for license, shall be guilty of a misdemeanor and may
6 be punished by a fine not to exceed three hundred dollars (\$300.00)
7 or by imprisonment in the county jail not to exceed ninety (90) days.

1 SEC. 10. 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 con-
4 stitutionality or validity of the remaining portion of this Act.

1 SEC. 11. This Act being deemed of immediate importance shall be
2 in full force and effect upon its publication in The Sioux Rapids Bul-
3 letin-Press, a newspaper published at Sioux Rapids, Iowa, and The
4 Guttenberg Press, a newspaper published at Guttenberg, Iowa.

Approved April 3, 1953.

I hereby certify that the foregoing Act, House File 27, was published in The Sioux Rapids Bulletin-Press, Sioux Rapids, Iowa, April 9, 1953, and in The Guttenberg Press, Guttenberg, Iowa, April 9, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 240

LEGALIZING CITY AND TOWN PLATS

H. F. 207

An Act relating to the legalizing of plats filed prior to January 1, 1940, to provide a limitation of actions in regard thereto, and to amend section five hundred ninety-two point three (592.3), Code 1950.

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

1 SECTION 1. Section five hundred ninety-two point three (592.3),
 2 Code 1950, is amended by striking from line two (2) the figures "1920"
 3 and inserting in lieu thereof the figures "1940".
 4 Further amend said section by adding a new paragraph as follows:
 5 "After January 1, 1954, no action shall be brought on any cause
 6 arising between January 1, 1920, and December 31, 1939, inclusive,
 7 to establish, enforce, or recover any right, title, interest, lien, or
 8 condition existing at the time of the platting between the dates afore-
 9 said, and adverse to or against a clear, absolute, and unqualified title
 10 in fee simple in the owner or owners."

Approved April 7, 1953.

CHAPTER 241

MARRIAGES OF MINORS

S. F. 83

AN ACT to amend section five hundred ninety-five point three (595.3), Code 1950, relating to marriages.

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

1 SECTION 1. Section five hundred ninety-five point three (595.3),
 2 Code 1950, subsection two (2) is hereby amended by adding thereto
 3 the following: "If the parents are divorced, the parent having the
 4 legal custody may execute such certificate."

Approved April 16, 1953.

CHAPTER 242

JUSTICE OF THE PEACE FEES

H. F. 78

AN ACT to amend sections three hundred thirty-seven point twelve (337.12), six hundred one point one hundred twenty-eight (601.128) and six hundred one point one hundred thirty (601.130), Code 1950, relating to fees of justice.

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

1 SECTION 1. Section six hundred one point one hundred twenty-
 2 eight (601.128), Code 1950, is hereby amended as follows:

3 In subsection one (1) in line two (2) strike the words "fifty cents"
4 (50c) and insert in lieu thereof the words "one dollar" (\$1.00).

5 In subsection two (2) in lines one (1) and two (2) strike the words
6 "fifty cents" (50c) and insert in lieu thereof the words "one dollar"
7 (\$1.00).

8 In subsection three (3) in line two (2) strike the word "twenty-five"
9 (25) and insert in lieu thereof the word "fifty" (50).

10 In subsection four (4) in line two (2) strike the words "fifty cents"
11 (50c) and insert in lieu thereof the words "one dollar" (\$1.00).

12 In subsection five (5) in line two (2) strike the words "fifty cents"
13 (50c) and insert in lieu thereof the words "one dollar" (\$1.00).

14 In subsection six (6) in line two (2) strike the words "one dollar"
15 (\$1.00) and insert in lieu thereof the words "two dollars" (\$2.00).

16 In subsection seven (7) in line two (2) strike the words "fifty cents"
17 (50c) and insert in lieu thereof the words "one dollar" (\$1.00).

18 In subsection eight (8) in line two (2) strike the words "fifty cents"
19 (50c) and insert in lieu thereof the words "one dollar" (\$1.00).

20 In subsection nine (9) in line one (1) strike the word "one" (1)
21 and insert in lieu thereof the word "two" (2).

22 In subsection ten (10) in line one (1) strike the word "twenty-five"
23 (25) and insert in lieu thereof the word "fifty" (50).

24 In subsection eleven (11) in line two (2) strike the word "twenty-
25 five" (25) and insert in lieu thereof the word "fifty" (50).

26 In subsection twelve (12) in line three (3) strike the word "five"
27 (5) and insert in lieu thereof the word "ten" (10).

28 In subsection thirteen (13) in line two (2) strike the words "fifty
29 cents" (50c) and insert in lieu thereof the words "one dollar" (\$1.00).

30 In subsection fourteen (14) in line two (2) strike the words "fifty
31 cents" (50c) and insert in lieu thereof the words "one dollar" (\$1.00).

32 In subsection fifteen (15) in lines one (1) and two (2) strike the
33 words "fifty cents" (50c) and insert in lieu thereof the words "one
34 dollar" (\$1.00).

35 In subsection sixteen (16) in line two (2) strike the words "fifty
36 cents" (50c) and insert in lieu thereof the words "one dollar" (\$1.00).

37 In subsection seventeen (17) in line one (1) strike the words "fifty
38 cents" (50c) and insert in lieu thereof the words "one dollar" (\$1.00).

39 In subsection eighteen (18) in line two (2) strike the words "fifty
40 cents" (50c) and insert in lieu thereof the words "one dollar" (\$1.00).

41 In subsection nineteen (19) in line two (2) strike the word "twenty-
42 five" (25) and insert in lieu thereof the word "fifty" (50).

43 In subsection twenty (20) in line two (2) strike the words "fifty
44 cents" (50c) and insert in lieu thereof the words "one dollar" (\$1.00).

45 In subsection twenty-one (21) in line two (2) strike the word "one"
46 (1) and insert in lieu thereof the word "two" (2).

1 SEC. 2. Amend section six hundred one point one hundred thirty
2 (601.130), Code 1950, by adding the following: "The board of super-
3 visors may pay same out of the general fund or the court fund."

4 Also, amend section three hundred thirty-seven point twelve
5 (337.12), Code 1950, by adding thereto the following: "The board of
6 supervisors may pay same out of the general fund or the court fund."

Approved February 25, 1953.

CHAPTER 243

CONSTABLES' MILEAGE

H. F. 120

AN ACT to amend section six hundred one point one hundred twenty-nine (601.129), Code 1950, relating to constables' mileage.

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

- 1 SECTION 1. Section six hundred one point one hundred twenty-nine
- 2 (601.129), Code 1950, is amended as follows: Strike from subsection
- 3 four (4), line two (2) thereof the word "five" and insert in lieu thereof
- 4 the word "seven".

Approved February 25, 1953.

CHAPTER 244

MUNICIPAL COURT JUDGES

S. F. 271

AN ACT to amend section six hundred two point forty-nine (602.49), Code 1950, relating to the salary of municipal judges.

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) by striking all of the first paragraph after the word "dol-
- 3 lars" in line thirteen (13) and inserting in lieu thereof a period (.).
- 1 SEC. 2. Amend section six hundred two point forty-nine (602.49),
- 2 Code 1950, by striking from lines two (2) and three (3) thereof the
- 3 words "four thousand three hundred seventy-five" and inserting in
- 4 lieu thereof the words "four thousand eight hundred seventy-five";
- 5 by striking from line four (4) the words "five thousand" and insert-
- 6 ing in lieu thereof the words "five thousand five hundred"; by strik-
- 7 ing from lines six (6) and seven (7) the words "five thousand two
- 8 hundred fifty" and inserting in lieu thereof the words "five thousand
- 9 seven hundred fifty".

Approved May 21, 1953.

CHAPTER 245

MUNICIPAL COURT SALARIES

S. F. 65

AN ACT to amend section six hundred two point forty-nine (602.49), Code 1950, as amended by chapter two hundred six (206), Acts of the Fifty-fourth General Assembly, relating to salaries in municipal courts.

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

- 1 SECTION 1. Section one (1) of chapter two hundred six (206), Acts
- 2 of the Fifty-fourth General Assembly, is amended by striking subsec-
- 3 tion two (2) and inserting in lieu thereof the following,

- 4 "2. Strike from lines seventeen (17) and eighteen (18) of section
5 six hundred two point forty-nine (602.49), Code 1950, the words
6 'thirty-two hundred' and insert in lieu thereof the words, 'four thou-
7 sand'".
8 Further amend said section one (1) of chapter two hundred six
9 (206), Acts of the Fifty-fourth General Assembly, by inserting in line
10 fourteen (14) after the words "thirty-eight" the word, "hundred".

Approved February 3, 1953.

CHAPTER 246

SUPERIOR COURT JUDGES

S. F. 413

AN ACT respecting the term and the time of election to office of judge of the superior court and to repeal section six hundred three point four (603.4), Code 1950, and enacting a substitute therefor.

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

- 1 SECTION 1. Section six hundred three point four (603.4), Code
2 1950, be and is hereby repealed and the following substituted in lieu
3 thereof:
4 "Each Judge hereafter elected shall hold office for four years from
5 noon of the second secular day of January succeeding his election and
6 shall be elected at the regular municipal election next preceding the
7 expiration of the term of the incumbent as herein provided, and such
8 judge shall be elected quadrennially thereafter. At the regular mu-
9 nicipal election to be held in November, 1953, the office of Judge of
10 the Superior Court shall be filled for the term beginning the first
11 Monday in May, 1954, which term will expire on the thirty-first day
12 of December, 1957."

Approved April 29, 1953.

CHAPTER 247

FEES IN PROBATE CASES

H. F. 60

AN ACT to amend section six hundred six point fifteen (606.15), subsection twenty-nine (29), Code 1950, relating to fees of the clerk of the district court in settlement of estates.

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

- 1 SECTION 1. Section six hundred six point fifteen (606.15), subsec-
2 tion twenty-nine (29), Code 1950, is hereby amended by inserting
3 after the word "the" and before the word "property" in line eight
4 (8) thereof the word "personal", and by inserting after the word
5 "estate" in line nine (9) of said section six hundred six point fifteen
6 (606.15), of subsection twenty-nine (29), Code 1950, the words "in-
7 cluding real estate sold for the payment of debts of the deceased".

Approved March 12, 1953.

CHAPTER 248

COMPENSATION OF JURORS

H. F. 101

AN ACT to amend section six hundred seven point five (607.5), Code 1950, relating to compensation of petit jurors.

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

- 1 SECTION 1. Section six hundred seven point five (607.5) is hereby
- 2 amended by striking from subsection one (1) line three (3) the word
- 3 "three" and inserting in lieu thereof the word "five".

Approved March 12, 1953.

CHAPTER 249

DISTRICT COURT DOCKET

H. F. 87

AN ACT to amend section six hundred eighteen point thirteen (618.13) and section six hundred six point fifteen (606.15), Code 1950, relating to the publication of district court dockets and fees therefor.

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

- 1 SECTION 1. Amend section six hundred eighteen point thirteen
- 2 (618.13), Code 1950, by striking the word "sixty" in line four (4)
- 3 thereof.

- 4 Said section is further amended by adding after the word "may"
- 5 in line eleven (11), the following: "in the event the majority of the
- 6 judges of the judiciary district in which such county lies, so direct,".

- 1 SEC. 2. Amend section six hundred six point fifteen (606.15), Code
- 2 1950, by striking from line seven (7) the following: "sixty".

Approved March 31, 1953.

CHAPTER 250

WITNESS FEES AND MILEAGE

H. F. 65

AN ACT to amend section six hundred twenty-two point sixty-nine (622.69), Code 1950, relating to witnesses.

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

- 1 SECTION 1. Section six hundred twenty-two point sixty-nine
- 2 (622.69), Code 1950, is hereby amended by striking from line three
- 3 (3) the following: "two" and inserting in lieu thereof the following:
- 4 "three".

- 5 Section six hundred twenty-two point sixty-nine (622.69), Code
- 6 1950, is hereby further amended by striking from line seven (7) the
- 7 following: "five" and inserting in lieu thereof the following: "seven".

Approved February 25, 1953.

CHAPTER 251

REAL ESTATE JUDGMENT LIEN

H. F. 42

AN ACT relating to the lien on real estate of judgments of district courts of this state and circuit and district courts of the United States.

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

1 SECTION 1. Section six hundred twenty-four point twenty-four
2 (624.24), Code 1950, is amended by striking from line five (5) the
3 word "rendered" and inserting in lieu thereof the following: "entered
4 in the judgment docket and lien index kept by the clerk of the court
5 having jurisdiction".

6 Further amend said section by striking from line six (6) the word
7 "rendition" and inserting in lieu thereof the words: "entry of judg-
8 ment".

Approved February 23, 1953.

CHAPTER 252

BOARDS OF ARBITRATIONS

S. F. 320

AN ACT to amend section six hundred seventy-nine point five (679.5), Code 1950, relating to arbitrations so as to provide for administering of oaths to witnesses.

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

1 SECTION 1. Section six hundred seventy-nine point five (679.5)
2 is hereby amended by adding at the end thereof the following: "Any
3 member of a board of arbitration, whether composed of one or more
4 arbitrators may administer oaths to witnesses, and the board may
5 accept, demand and call for such evidence as in equity and good con-
6 science the board may deem material and proper, whether strictly
7 legal evidence or not."

Approved April 16, 1953.

CHAPTER 253

TRUST FUND INVESTMENTS

H. F. 238

AN ACT to amend chapter six hundred eighty-two (682), Code 1950, relating to securities and investments of trust funds, to authorize agreements between the principal or principals and surety or sureties for the deposit and joint control of funds and property.

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

1 SECTION 1. Chapter six hundred eighty-two (682), Code 1950, is
2 hereby amended by adding thereto the following new section:

3 "It shall be lawful for any party of whom a bond, undertaking
 4 or other obligation is required, to agree with his surety or sureties for
 5 the deposit of any or all moneys and assets for which he and his surety
 6 or sureties are or may be held responsible, with a bank, savings bank,
 7 safe-deposit or trust company, authorized by law to do business as such,
 8 or with other depository approved by the court or a judge thereof, if
 9 such deposit is otherwise proper, for the safekeeping thereof, and in
 10 such manner as to prevent the withdrawal of such money or assets or
 11 any part thereof, without the written consent of such surety or sureties,
 12 or an order of court, or a judge thereof, made on such notice to such
 13 surety or sureties as such court or judge may direct; provided, how-
 14 ever, that such agreement shall not in any manner release from or
 15 change the liability of the principal or sureties as established by the
 16 terms of the said bond.

17 "The provisions of this section shall in no wise impair the power of
 18 the court to order deposits of assets and reductions of bonds pursuant
 19 to the provisions of section five hundred thirty-two point three
 20 (532.3)."

Approved April 29, 1953.

CHAPTER 254

BRIBERY IN ATHLETIC CONTESTS

H. F. 199

AN ACT to prohibit the giving, soliciting, and accepting of bribes and other considera-
 tions in connection with sports, and providing penalties therefor.

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

1 SECTION 1. Bribery in Athletic Contests. Whoever gives, prom-
 2 ises, offers or conspires to give, promise or offer, to anyone who par-
 3 ticipates or expects to participate in any professional or amateur game,
 4 contest, match, race or sport; or to any umpire, referee, judge or other
 5 official of such game, contest, match, race or sport; or to any owner,
 6 manager, coach or trainer of, or to any relative of, or to any person
 7 having any direct, indirect, remote or possible connection with, any
 8 team, individual, participant or prospective participant in any such
 9 professional or amateur game, contest, match, race or sport, or the
 10 officials aforesaid, any bribe, money, goods, present, reward or any
 11 valuable thing whatsoever, or any promise, contract or agreement
 12 whatsoever, with intent to influence him or them to lose or cause to
 13 be lost any game, contest, match, race or sport, or to limit his or
 14 their or any person's or any team's margin of victory in any game,
 15 contest, match, race or sport, or to fix or throw any game, contest,
 16 match, race or sport, shall be sentenced to pay a fine not exceeding ten
 17 thousand dollars (\$10,000.00), or undergo imprisonment not exceeding
 18 ten (10) years, or both.

Approved April 25, 1953.

SPECIAL AND LEGALIZING ACTS

See also chapter 240 for permanent legalizing Act

SPECIAL AND LEGALIZING ACTS

CHAPTER 255

FUNDS TRANSFERRED FROM SINKING FUND

S. F. 218

AN ACT to provide for the transfer of funds from "the state sinking fund for public deposits" to the state general fund.

WHEREAS the legislature caused to be placed in the state sinking fund for public deposits in the years 1933 to 1940, the sum of seven million, eight hundred one thousand, five hundred forty-two dollars, eighty-nine cents (\$7,801,542.89) of state license fees and taxes received from beer in order to hurry up the payment of claims against such fund; and

WHEREAS the Fiftieth General Assembly approved a transfer of two million dollars (\$2,000,000.00) from the state sinking fund to the general fund of the State of Iowa; and

WHEREAS there is now a balance in said fund of one million, nine hundred ninety-seven thousand, seven hundred sixty-five dollars, thirty cents (\$1,997,765.30) with no outstanding claims; and

WHEREAS the taxpayers of Iowa would welcome all possible relief from taxes, therefore

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

- 1 SECTION 1. The state treasurer is hereby ordered to transfer the
- 2 sum of one and one-half (1½) million dollars from the state sinking
- 3 fund for public deposits to the state general fund.

Approved March 17, 1953.

CHAPTER 256

IOWA SOLDIERS HOME BUILDING

H. F. 365

AN ACT to amend section eight (8) of chapter three hundred thirty-two (332), Acts of the Thirty-ninth General Assembly, by adding subsections thereto, directing the bonus board, existing under the terms of said chapter, and the state comptroller to transfer to the state board of control two million dollars (\$2,000,000) from the bonus and disability fund, established under the terms of said section, for the construction and equipment of a nursing home at the Iowa Soldiers Home at Marshalltown, Iowa, which nursing home and the use thereof shall constitute an additional bonus for the amelioration of the condition of residents of this state, as defined in section four (4) of said chapter, who are suffering from disability, and providing for the reversion of any unexpended balance, and investment of the fund, and providing for the demolition of the present main building.

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

- 1 SECTION 1. The bonus board existing under the provisions of chap-
- 2 ter three hundred thirty-two (332), Acts of the Thirty-ninth General

3 Assembly, and the state comptroller are directed to transfer to the
 4 state board of control two million dollars (\$2,000,000) from the bonus
 5 and disability fund, established under the terms of section eight (8)
 6 of chapter three hundred thirty-two (332), Acts of the Thirty-ninth
 7 General Assembly, for the construction and equipment of a nursing
 8 home at the Iowa Soldiers Home at Marshalltown, Iowa, which nursing
 9 home and the use thereof shall constitute an additional bonus for the
 10 amelioration of the condition of residents of this state, as defined in
 11 section four (4) of said chapter, who are suffering from disability.
 12 Any of said sum, which is not used for such purposes and any unex-
 13 pended balance of said sum shall revert on July 1, 1963, to the said
 14 bonus board.

1 SEC. 2. Before any of the said sum shall be expended it shall be
 2 determined by the state board of control, with the approval of the leg-
 3 islative budget and financial control committee, that the expenditure
 4 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 said
 3 sum in securities of the United States Government until needed to
 4 pay the cost of the construction and equipment of said nursing home.

1 SEC. 4. The said bonus board shall serve as an advisory board to
 2 the board of control with respect to the construction and equipment
 3 of said nursing home.

1 SEC. 5. Within one year after the said nursing home is occupied
 2 the present main building at the Iowa Soldiers Home at Marshalltown
 3 shall be demolished.

Approved March 25, 1953.

CHAPTER 257

LIQUOR WAREHOUSE

S. F. 371

AN ACT to provide for the erecting and equipping of a warehouse; to provide for the appointment of a legislative advisory committee and authorize the executive council and legislative advisory committee to designate the location of said building; to authorize the executive council and legislative advisory committee to employ an architect or architects to prepare plans and specifications for said building; and to enter into a contract or contracts for the erection and equipping of said warehouse; and to provide for the payment thereof.

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

1 SECTION 1. That for the purpose of the erection and equipping of
 2 a warehouse to be used for the storage of liquors purchased and kept
 3 by the Iowa liquor control commission, the executive council and leg-
 4 islative advisory committee are authorized and empowered to employ
 5 an architect or architects for the purpose of preparing plans and speci-
 6 fications for said warehouse and to approve said plans with such

7 changes and alterations as the executive council and legislative advisory
8 committee may deem proper and appropriate. The executive council
9 and legislative advisory committee shall be authorized and empowered
10 to enter into contract or contracts for the erection and equipping
11 of said warehouse, provided, however, that the total cost of erecting
12 and equipping said warehouse including any architect fees shall not
13 exceed five hundred thousand dollars (\$500,000.00); all contracts for
14 the erection and equipping of said warehouse shall be let in accordance
15 with chapter nineteen (19), Code 1950, and all laws amendatory
16 thereto.

1 SEC. 2. The executive council and legislative advisory committee
2 are hereby authorized and empowered to designate the location of said
3 warehouse and to conduct such investigations as the executive council
4 deems necessary to accomplish same.

1 SEC. 3. The Iowa liquor control commission is hereby authorized
2 to expend not to exceed the sum of five hundred thousand dollars (\$500,
3 000.00) out of the liquor profits received by them from state owned
4 and operated liquor stores which said sum or so much as is necessary
5 shall be expended for the erection and equipping of a warehouse for
6 the storage of liquor as herein provided.

1 SEC. 4. There shall be created a legislative advisory committee
2 consisting of three (3) members of the senate and three (3) members
3 of the house to be appointed by the respective presiding officer of the
4 senate and house for the purpose of carrying out the legislative intent
5 of this Act. The term of the legislative advisory committee shall terminate
6 upon the convening of the next regular general assembly. Any
7 vacancy occurring on the legislative advisory committee shall be filled
8 by the presiding officer of the house in the event the vacancy occurs
9 in the membership from the house, and by the lieutenant governor in
10 the event the vacancy occurs in the membership from the senate. In
11 carrying out the provisions of this Act the executive council and the
12 legislative advisory committee shall meet jointly at such places as
13 may be determined by the executive council and in determining all
14 matters coming before said meetings it shall require a majority vote
15 of the members of the joint committee of the legislative advisory committee
16 and the executive council. The legislative advisory committee
17 shall meet and organize on the second Monday in May, 1953, and at the
18 same time and immediately following its organization, meet with the
19 executive council in order that the committee and council may proceed
20 at once to carry out the provisions of this Act.

1 SEC. 5. Each member of the legislative advisory committee shall
2 be entitled to actual necessary hotel and traveling expenses incurred in
3 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 to be paid out of the general
6 fund of the state from funds not otherwise appropriated. In addition,
7 each member of such legislative advisory committee shall receive
8 such compensation for time spent in the discharge of his duties as may
9 be allowed by the general assembly next convening.

1 SEC. 6. This Act being deemed of immediate importance shall be-
 2 come effective upon publication in The Clarksville Star, a newspaper
 3 published at Clarksville, Iowa, and in the Bremer County Independent,
 4 a newspaper published at Waverly, Iowa.

Approved March 30, 1953.

I hereby certify that the foregoing Act, Senate File 871, was published in The Clarksville Star, Clarksville, Iowa, April 2, 1953, and in the Bremer County Independent, Waverly, Iowa, April 8, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 258

WALNUT STREET EXTENSION

S. F. 222

AN ACT to provide for the reopening of East Walnut Street through the "capitol extension grounds" from Kasson Street to East Ninth Street and to provide for the permanent improvement of said street by paving, draining and lighting, to authorize the state highways commission to make the survey for said improvement and prepare plans and specifications therefor and to authorize the executive council to enter into a contract or contracts for the opening and improvement of said street, and to provide an appropriation therefor.

WHEREAS, the "Capitol Extension Grounds" of the state of Iowa were established and laid out about the year 1917 or 1918; and, in the establishment of said capitol grounds, that part of East Walnut street between Kasson street and East Ninth street, having been previously vacated by the city of Des Moines and conveyed to the state of Iowa, was closed to public travel and its right-of-way became a part of the capitol grounds; and

WHEREAS, the construction of the state office building upon the capitol grounds has substantially increased vehicular traffic through the capitol grounds and upon the existing streets providing access to the state office building, which makes it necessary that a portion of Walnut street between Kasson street and East Ninth street, now closed for travel, be reopened and permanently improved to provide a through street from the state office building to downtown Des Moines which will alleviate heavily congested traffic upon other streets providing access to said building; now, therefore,

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

1 SECTION 1. That the portion of East Walnut street extending
 2 through the "Capitol Extension Grounds" from Kasson street to East
 3 Ninth street as the same are now established and located in said
 4 grounds, which portion of East Walnut street was heretofore closed
 5 to public use and travel upon the establishment of the capitol grounds,
 6 be re-opened, graded and permanently improved by paving, draining
 7 and lighting, and when re-opened and improved, that said portion
 8 of East Walnut street be established as part of the drives and streets
 9 within the "Capitol Extension Grounds."

1 SEC. 2. That for the purpose of the re-opening and improvement
 2 of said portion of East Walnut street, the state highway commission

3 is herewith authorized and directed to make the survey and prepare
 4 plans and specifications for such street, which plans and specifications
 5 shall be furnished to the executive council for approval within ninety
 6 (90) days from the effective date of this Act. The executive council
 7 is hereby authorized and empowered to approve said plans and speci-
 8 fications with such changes and alterations as the executive council
 9 may deem proper and appropriate. The executive council is hereby
 10 authorized and empowered to enter into a contract or contracts for
 11 the re-opening, grading and permanent improvement of said street
 12 by paving, draining and lighting; all contracts for the performance
 13 of said work shall be let in accordance with chapter nineteen (19),
 14 Code 1950, and all laws amendatory thereof.

1 SEC. 3. There is hereby appropriated from the general fund of
 2 the state, out of moneys not otherwise appropriated, the sum of not
 3 to exceed fifteen thousand dollars (\$15,000), which said sum, or as
 4 much thereof as may be necessary, shall be expended for the opening,
 5 grading and permanent improvement of said street as herein pro-
 6 vided.

1 SEC. 4. Insofar as section three (3), chapter fourteen (14) of the
 2 Acts of the Thirty-fifth General Assembly is in conflict with this
 3 Act, the same is hereby repealed.

1 SEC. 5. This Act, being deemed of immediate importance, shall
 2 become effective upon publication in The Iowa Federationist, a news-
 3 paper published at Des Moines, Iowa, and in The Messenger-News,
 4 a newspaper published at Des Moines, Iowa.

Approved April 24, 1953.

I hereby certify that the foregoing Act, Senate File 222, was published in The Iowa Federationist, Des Moines, Iowa, May 1, 1953, and in The Messenger-News, Des Moines, Iowa, April 30, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 259

SALE OF LAND AT CAPITOL

H. F. 35

AN ACT to authorize the executive council to sell certain land belonging to the state of Iowa situated in block three (3), H. Lyons addition to the town of Demoiné, now included in and forming a part of the city of Des Moines, Polk county, Iowa.

WHEREAS, Block three (3) H. Lyons Addition to the town of Demoiné, now included in and forming a part of the city of Des Moines, Polk county, Iowa is bounded on the east by what was formerly East Tenth Street and on the south by East Grand Avenue, on the west by East Ninth Street and on the north by Des Moines Street, and

WHEREAS, said block three (3) is owned entirely by the State of Iowa except for "lots eleven (11) and twelve (12) (except the south sixty-five feet thereof)", which is owned by the Central Lutheran Church of Des Moines, Iowa, and

WHEREAS, the said Central Lutheran Church building was erected in the year 1909 prior to the establishment of what is commonly known as the "Capital* Extension Grounds", and

WHEREAS, said "Capital* Extension Grounds" were established and laid out about the year 1917 or 1918, and

WHEREAS, said Central Lutheran Church desires to purchase the north fifteen (15) feet of the south sixty-five (65) feet of said lots eleven (11) and twelve (12) and the north one hundred (100) feet of lots nine (9) and ten (10), and

WHEREAS, ownership of said ground by said church was not considered detrimental to the aesthetic consideration in the establishment of said "Capital* Extension Grounds" and said ground was not purchased or condemned at that time, and

WHEREAS, the north fifteen (15) feet of the south sixty-five (65) feet of said lots eleven (11) and twelve (12) and the north one hundred (100) feet of lots nine (9) and ten (10) are no longer desired for use by the state and ownership of said ground by the said church does not further mar the beauty or usefulness of said "Capital* Extension Grounds": now therefore

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

1 SECTION 1. That the Executive Council be and is hereby author-
2 ized to sell at private sale to Central Lutheran Church of Des Moines,
3 Polk County, Iowa, a non-profit corporation organized under the laws
4 of the state of Iowa, the following described real estate, to-wit: "The
5 North fifteen (15) feet of the South sixty-five (65) feet of lots eleven
6 (11) and twelve (12) and the North one hundred (100) feet of Lots
7 nine (9) and ten (10) in H. Lyons Addition to the town of Demoine,
8 now included in and forming a part of the city of Des Moines, Polk
9 County, Iowa" at such price and upon such terms as the said Execu-
10 tive Council shall deem most advantageous to the state of Iowa.

1 SEC. 2. That funds accruing from such sale shall be deposited with
2 the state treasurer to the credit of the general fund.

1 SEC. 3. The governor and secretary of state are hereby authorized
2 to execute all necessary deeds of conveyance required to convey said
3 premises to the purchaser.

Approved March 12, 1953.

*According to enrolled Act.

CHAPTER 260

EXCHANGE OF REAL ESTATE IN DES MOINES

H. F. 878

AN ACT to confirm exchange of certain properties between the city of Des Moines and the state of Iowa and to authorize conveyance of certain property of the state to the city of Des Moines, Iowa.

WHEREAS, the city of Des Moines, Iowa, agreed to vacate and quit claim to the state of Iowa the north and south alley lying between East Seventh Street and the Iowa state capitol grounds extending from the south line of East Walnut Street to the north line of East Court Avenue in the city of Des Moines, county of Polk, state of Iowa, in consideration of the conveyance to the city of Des Moines of the following described property owned by the state of Iowa, to-wit:

All of Lots Forty-three (43) to Fifty-four (54), both inclusive, of the Official Plat of Lot One (1), of the Official Plat of the East one-half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Three (3), Township Seventy-eight (78), Range Twenty-four (24), and the South two hundred thirty-six (236) feet of the West one-half (W $\frac{1}{2}$) of Lot Thirty-one (31), Brooks and Company's Addition to the City of Des Moines, and

WHEREAS, pursuant to the said agreement, the city of Des Moines by ordinance number 4979 vacated the foregoing described alley and executed and delivered to the state of Iowa the quit claim deed of the city of Des Moines conveying to the state of Iowa the foregoing described vacated alley, and

WHEREAS, the foregoing described lots owned by the state of Iowa have not been conveyed to the city of Des Moines in pursuance of the agreement heretofore stated, now therefore,

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

1 SECTION 1. That the agreement to vacate the foregoing described
2 alley on the part of the city of Des Moines and quit claim the said
3 alley to the state of Iowa in exchange for the following described lots
4 owned by the state of Iowa, to-wit:
5 All of Lots Forty-three (43) to Fifty-four (54), both inclusive,
6 of the Official Plat of Lot One (1), of the Official Plat of the East
7 one-half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Three
8 (3), Township Seventy-eight (78), Range Twenty-four (24), and
9 the South two hundred thirty-six (236) feet of the West one-half
10 (W $\frac{1}{2}$) of Lot Thirty-one (31), Brooks and Company's Addition to
11 the City of Des Moines, be and is now approved and confirmed and
12 the governor and the secretary of the state of Iowa be and are hereby
13 authorized to execute and deliver in the name of the state of Iowa
14 the patent conveying to the city of Des Moines, Iowa, the foregoing
15 described lots situated in the city of Des Moines, county of Polk,
16 state of Iowa.

Approved April 10, 1958.

CHAPTER 261

SALE OF STATE LANDS

S. F. 808

AN ACT authorizing and empowering the executive council to sell certain lands belonging to the state of Iowa situated in the southeast quarter of section twenty-four, Township seventy-eight north, Range three east of the Fifth principal meridian, Scott county, Iowa.

WHEREAS, the state of Iowa is the owner of the following described real estate, to-wit:

That part of the northeast quarter of the southeast quarter of section twenty-four, township seventy-eight north, range three east of the fifth principal meridian, more particularly described as follows: Commencing at a point in the north line of East Denison Avenue in the city of Davenport, Iowa, which point is four hundred fifty-eight feet east of the east line of Bridge Avenue; thence north six hundred forty-one and fifty-two hundredths feet to a point on the center line of a twenty foot alley which point is four hundred fifty-eight feet east of the east line of Bridge Avenue; thence east twenty feet; thence south six hundred forty-one and fifty-two hundredths feet to a point in the north line of East Denison Avenue; thence west twenty feet to the point of beginning, which land was used in connection with The Iowa Annie Wittenmyer Home at Davenport, Iowa, and

WHEREAS, the said land is no longer desired for use in that connection, now, therefore

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

1 SECTION 1. The executive council be and hereby is authorized and
2 empowered to sell to the city of Davenport, Iowa, the following de-
3 scribed real estate:

4 That part of the northeast quarter of the southeast quarter of sec-
5 tion twenty-four, township seventy-eight north, range three east of
6 the fifth principal meridian, more particularly described as follows:
7 Commencing at a point in the north line of East Denison Avenue in
8 the city of Davenport, Iowa, which point is four hundred fifty-eight
9 feet east of the east line of Bridge Avenue; thence north six hundred
10 forty-one and fifty-two hundredths feet to a point on the center line
11 of a twenty foot alley which point is four hundred fifty-eight feet
12 east of the east line of Bridge Avenue; thence east twenty feet; thence
13 south six hundred forty-one and fifty-two hundredths feet to a point
14 in the north line of East Denison Avenue; thence west twenty feet
15 to the point of beginning, which land was used in connection with
16 The Iowa Annie Wittenmyer Home at Davenport, Iowa, at such price
17 and upon such terms as the executive council shall deem most advan-
18 tageous to the state of Iowa.

1 SEC. 2. The funds accruing from such sale shall be deposited with
2 the treasurer of state to the credit of the general fund.

1 SEC. 3. The governor and secretary of state are hereby author-
2 ized to execute all necessary deeds of conveyance required to convey
3 said premises to the city of Davenport, Iowa.

Approved April 10, 1953.

CHAPTER 262

STATE REFORMATORY FUNDS

H. F. 457

An ACT transferring monies from the industry revolving funds created and established at the state reformatory at Anamosa to the general fund of the state.

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

1 SECTION 1. During each year of the biennium beginning July 1,
2 1953 and ending June 30, 1955, there shall be transferred from the
3 industry fund of the state reformatory at Anamosa the sum of
4 thirty-five thousand dollars (\$35,000.00) to the general fund of the
5 state.

1 SEC. 2. The comptroller is hereby directed to make the transfers
2 on the books in his office and to certify to the treasurer of state the
3 fact that the transfers herein directed have been made and have
4 been so entered upon the books in his office.

Approved April 10, 1953.

CHAPTER 263

SCOTT COUNTY LEGALIZING ACT

H. F. 50

AN ACT authorizing the granting to Iowa-Illinois Gas and Electric Company, its successors and assigns, of a pipe line easement in, over and through certain state-owned land in Scott county, Iowa and also authorizing the sale and conveyance to Iowa-Illinois Gas and Electric Company, its successors and assigns, for metering and regulating station site, of other state-owned land in Scott County, Iowa.

WHEREAS, the state of Iowa, by its executive council, pursuant to recommendation of the board of control of state institutions, on March 10, 1952 in writing, for \$100, granted to Iowa-Illinois Gas and Electric Company, an Illinois corporation authorized to do business in the state of Iowa, and to its successors and assigns, a license to do the following:

(a) Construct, reconstruct, operate, maintain and remove a gas pipe line twelve inches in diameter in, over, along and across state-owned, unplatted land in Scott County, Iowa, hereinafter described as Parcel 1; and

(b) Construct, reconstruct, operate, maintain, fence and remove a gas metering and gas regulating station immediately south of Kimberly road on state-owned, unplatted land in Scott County, Iowa, hereinafter described as Parcel 2; and

WHEREAS, during the year 1952, after being so licensed, Iowa-Illinois Gas and Electric Company constructed on and in Parcel 1 real estate approximately 84 rods of gas pipe line twelve inches in diameter and also constructed in and on Parcel 2 real estate, consisting of 0.688 acres, more or less, a gas metering and gas regulating station, all for the purpose of increasing the supply of gas to inhabitants and industries in the city of Davenport, Iowa, without interfering materially with the farming of said state-owned land which is used in connection with the operation of The

Iowa Annie Wittenmyer Home (formerly called Iowa soldiers' orphans home); and

WHEREAS, Iowa-Illinois Gas and Electric Company proposed to the board of control of state institutions that in consideration of being granted, by the state of Iowa, a pipe line easement in, over, along and across Parcel 1 real estate it would pay to the state of Iowa \$300 and also proposed that in consideration of the conveyance to it by the state of Iowa of Parcel 2 premises* it would pay to the state of Iowa the additional amount of \$825; and

WHEREAS, the board of control of state institutions filed with the executive council of the state of Iowa a recommendation of said board that said easement be granted and that said sale and conveyance be made for the respective considerations mentioned above; and

WHEREAS, the executive council of the state of Iowa approved the granting of said pipe line easement for \$300 and approved the sale and conveyance of Parcel 2 real estate for \$825; and

WHEREAS, the attorney general of the state of Iowa ruled that legislative action is necessary to lawfully grant said easement and to lawfully convey said real estate.

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

1 SECTION 1. That the action of the board of control of state institu-
2 tions recommending the granting of a pipe line easement on Parcel 1
3 real estate, for the purpose of constructing, reconstructing, operating,
4 maintaining and removing a pipe line twelve inches in diameter, for
5 the transportation of gas, oil, petroleum and other substances, and
6 appurtenances and equipment used and useful in the transportation of
7 such substances, together with the right of ingress and egress upon,
8 under, over, along and across Parcel 1 real estate, and the sale and
9 conveyance of Parcel 2 real estate, for the purpose of constructing,
10 reconstructing, operating, maintaining, fencing and removing a gas
11 metering and gas regulating station for the metering and regulating
12 of gas, oil, petroleum and other substances, and appurtenances and
13 equipment, including necessary housing used and useful in said meter-
14 ing and regulating station, and also the action of the executive council
15 of the state of Iowa approving the granting of such easement and the
16 sale and conveyance of Parcel 2 real estate, all to Iowa-Illinois Gas and
17 Electric Company, for a consideration of \$1125, hereby are approved
18 and confirmed.

1 SEC. 2. That upon receipt by the state of Iowa from Iowa-Illinois
2 Gas and Electric Company of the amount of \$1125, the governor and
3 the secretary of state of the state of Iowa, in the name of the state of
4 Iowa, as grantor, with the great seal of the state attached, hereby are
5 authorized to execute, acknowledge and deliver to Iowa-Illinois Gas and
6 Electric Company, its successors and assigns, as grantee, the following:
7 (A) A gas line RIGHT-OF-WAY EASEMENT upon, over, along and across
8 real estate located in the city of Davenport in Scott County in the state
9 of Iowa, described as follows:

*According to enrolled Act.

10 PARCEL 1:

11 Part of the southeast quarter of section 13, township 78 north, range
 12 3 east of the fifth principal meridian, described as a strip of land 20
 13 feet in width, one-half of which width lies on each side of a center line,
 14 which center line is described as—commencing at a point on the south
 15 line of said section 13, which point is 1130.08 feet east of the southwest
 16 corner of said southeast quarter of said section 13, township and range
 17 aforesaid; thence running north and parallel to the west line of said
 18 southeast quarter of said section 13 a distance of 1377.7 feet, more or
 19 less, to the southerly right-of-way line of Kimberly road;

20 and

21 (B) A Patent conveying real estate located in the city of Davenport
 22 in Scott County in the state of Iowa, described as follows:

23 PARCEL 2:

24 Part of the southeast quarter of section 13, township 78 north, range
 25 3 east of the fifth principal meridian, more particularly described as—
 26 commencing at a point which is 1120.08 feet east and 1077.7 feet north
 27 of the southwest corner of the southeast quarter of section 13, town-
 28 ship and range aforesaid; thence running north and parallel to
 29 the west line of the southeast quarter of said section 13 a distance of
 30 300 feet, more or less, to the southerly line of right-of-way of Kimber-
 31 ly road, as now located; thence running west along the southerly line
 32 of right-of-way of Kimberly road as now located, a distance of 100
 33 feet; thence running south and parallel to the west line of the south-
 34 east quarter of said section 13 a distance of 300 feet; thence running
 35 east a distance of 100 feet to the point of beginning.

1 SEC. 3. The patent conveying Parcel 2 real estate shall provide
 2 that title to said premises shall revert to the state of Iowa if grantee,
 3 or its successors or assigns, shall remove the fence and metering and
 4 regulating equipment and cease using the premises as a metering and
 5 regulating station site for a period of one year.

1 SEC. 4. This Act, being deemed of immediate importance, shall be
 2 in force and effect on its publication in The Odebolt Chronicle, a news-
 3 paper published in Odebolt, Iowa and in Farm Bureau News, a news-
 4 paper published in Bettendorf, Iowa.

Approved February 9, 1953.

I hereby certify that the foregoing Act, House File 50, was published in The Odebolt Chronicle, Odebolt, Iowa, February 19, 1953, and in the Farm Bureau News, Bettendorf, Iowa, February 12, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 264

SALE OF PUBLIC LAND

S. F. 21

AN ACT to authorize the sale and conveyance to Aluminum Company of America of certain submerged land in Scott county, Iowa, below ordinary high-water mark of the Mississippi River.

WHEREAS, the state of Iowa is the owner of all that part of the bed of the Mississippi River hereinafter described, lying westerly of the center line of the main channel of said river and extending westerly to the ordinary high-water mark of said river on the westerly or Iowa shore or bank of the said river within the state of Iowa; and

WHEREAS, under the provisions of section one hundred eleven point eighteen (111.18), Code 1950, the Iowa state conservation commission has jurisdiction of all meandered streams and lakes of the state of Iowa and of state lands bordering thereon; and

WHEREAS, Iowa state conservation commission filed with the executive council of the state of Iowa a recommendation of said commission that real estate hereinafter described, comprising a portion of the Mississippi River bed along the easterly border of the state of Iowa, be sold and conveyed to Aluminum Company of America, a Pennsylvania corporation authorized to transact business in the state of Iowa and having a place of business in Scott County, Iowa for the amount of six hundred and no/100 dollars (\$600.00) and

WHEREAS, the executive council of the state of Iowa has approved the sale by the state of Iowa to Aluminum Company of America of said real estate for six hundred and no/100 dollars (\$600.00); and

WHEREAS, the attorney general of the state of Iowa has ruled that legislative action is necessary in order to lawfully convey the said land; NOW THEREFORE

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

1 SECTION 1. That the action of the Iowa state conservation com-
2 mission recommending the sale and of the executive council of the
3 state of Iowa approving the sale to Aluminum Company of America
4 of certain real estate in Scott County in the state of Iowa, lying river-
5 ward and below the ordinary high-water mark on the westerly or
6 Iowa bank or shore of said Mississippi River, hereby is approved and
7 confirmed and upon receipt from Aluminum Company of America of
8 the consideration of six hundred and no/100 dollars (\$600.00), which
9 is on the basis of three hundred dollars (\$300.00) per acre for the said
10 land, the governor and the secretary of state of the state of Iowa,
11 with the great seal of the state attached, pursuant to the provisions
12 of section one hundred eleven point thirty-three (111.33), Code 1950,
13 hereby are authorized to execute and deliver, in the name of the state
14 of Iowa, a patent conveying to said Aluminum Company of America,
15 its successors and assigns, the following described real estate located
16 in Scott County in the state of Iowa, to wit:

17 Part of section 26, Township 78 North, Range 4 East of the Fifth
18 Principal Meridian in Scott County in the state of Iowa, more particu-
19 larly described as follows:

20 Commencing at the northeasterly corner of the real estate con-
 21 veyed by Universal Atlas Cement Company to Aluminum Company of
 22 America by warranty deed which is recorded in Scott County Iowa
 23 records in Book 86 of Land Deeds commencing on page 509; thence
 24 running South 51 degrees 38 minutes East 610 feet, more or less, to
 25 what is known as the wharf line, which is the line extended northerly
 26 of the outboard face of a wharf or dock; thence South 40 degrees 46
 27 minutes West along the outboard face of said wharf line 2525 feet to
 28 a point, which is the southwesterly corner of real estate conveyed by
 29 the state of Iowa to Aluminum Company of America by patent which
 30 is recorded in Scott County Iowa records in Book 89 of Land Deeds
 31 on page 544 and is the place of beginning of the premises herein
 32 described; thence running South 40 degrees 46 minutes West along the
 33 outboard face of said wharf line a distance of 460 feet; thence north-
 34 westerly and measured at a right angle to said wharf line 270 feet,
 35 more or less, to the ordinary high-water mark line on the Iowa bank
 36 of the Mississippi River; thence northerly on and along the ordinary
 37 high-water mark line on the Iowa bank of the Mississippi River to
 38 the northwesterly corner of real estate conveyed to Aluminum Com-
 39 pany of America by patent recorded in Scott County Iowa records in
 40 Book 89 of Land Deeds on page 544; thence southeasterly along the
 41 westerly line of real estate owned by Aluminum Company of America
 42 a distance of 110 feet, more or less, to the place of beginning, bearings
 43 in this description being referred to true North and said parcel con-
 44 taining two (2) acres, more or less.

1 SEC. 2. This Act, being deemed of immediate importance, shall be
 2 in force and effect on its publication in Farm Bureau News, a news-
 3 paper published at Bettendorf, Iowa and in The Daily Times, a news-
 4 paper published at Davenport, Iowa.

Approved March 17, 1953.

I hereby certify that the foregoing Act, Senate File 21, was published in the Farm Bureau News, Bettendorf, Iowa, March 26, 1953, and in The Daily Times, Davenport, Iowa, March 21, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 265

MEN'S REFORMATORY GROUNDS

H. F. 516

AN ACT to authorize the purchase of certain lots and parcels of real estate adjoining the men's reformatory at Anamosa, 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 be and
 2 it is hereby authorized to acquire in the name of the state of Iowa, for
 3 the board of control of state institutions, certain lots and parcels of
 4 real estate adjoining the Men's Reformatory at Anamosa, Iowa, at a
 5 price not to exceed a total sum of one thousand five hundred dollars
 6 (\$1,500.00) the same being legally described as follows:

7 "All that part of LOT 5, in Block 5, Huber's Addition to Anamosa,
 8 Iowa, lying Southwesterly of a line drawn parallel with and distant
 9 75 feet at right angles Northeasterly from the center line of the rail-
 10 road track, (now removed) of the C. & N. W. Railway Company as
 11 said track was originally located and established, Also LOTS 1, 2, 3,
 12 4, 5 and 6, of BLOCK 6 of said Addition; Also LOT 5, BLOCK 7 of
 13 said Addition; Also those parts of LOTS 6 and 7 in said BLOCK 7 of
 14 said addition which lie Southwesterly of a line drawn parallel with
 15 and distant 50 feet at right angles Northeasterly from said center line
 16 of said railroad track (now removed), containing 38,319 square feet,
 17 more or less. Also all right, title and interest in and to vacated or
 18 unopened Broadway Street North of Block 6, College Street East of
 19 Block 6, and the alley running East and West through said Block 6."

1 SEC. 2. There is hereby appropriated from the general fund of the
 2 state a sum sufficient to carry out the provisions of this Act, but not
 3 to exceed the sum of fifteen hundred dollars (\$1,500.00). The comp-
 4 troller shall draw upon said appropriation to the extent of the de-
 5 termined purchase price upon certification from the executive council
 6 that warranty deed or deeds and evidence of merchantable title has
 7 been received by them from the owner or owners of said lots or parcels
 8 of real estate herein described.

Approved April 29, 1953.

CHAPTER 266

LAND PATENT TO JOHN BLAIR

S. F. 447

AN ACT authorizing a patent to issue to lot twenty-one (21), being the southwest quarter (SW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of section sixteen (16), Township seventy-one (71) North, range four (4) West of the Fifth (5th) Principal Meridian, Des Moines County, Iowa.

WHEREAS, on July 15, 1848, John Blair purchased from the state of Iowa the following described real estate situated in Des Moines county, Iowa, to wit: Lot twenty-one (21), being the southwest quarter (SW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of section sixteen (16), township seventy-one (71) north, range four (4) west of the fifth (5th) principal meridian, and paid the consideration therefor, as disclosed by School Land Plat Book on page thirty-nine (39) thereof, in the office of the auditor of Des Moines county, Iowa; and,

WHEREAS, a patent from the state of Iowa to the said John Blair was either not issued or was lost or destroyed; now, therefore,

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

1 SECTION 1. That the governor and secretary of state of the state
 2 of Iowa be and they are hereby authorized and directed to execute and
 3 deliver to the assigns of John Blair a patent conveying the real estate
 4 hereinafter described: Lot twenty-one (21), being the southwest quar-
 5 ter (SW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of the northwest quar-

6 ter (NW $\frac{1}{4}$) of section sixteen (16), township seventy-one (71) north,
7 range four (4) west of the fifth (5th) principal meridian, Des Moines
8 county, Iowa, provided, however, that the same shall be without ex-
9 pense to the state of Iowa.

1 SEC. 2. This Act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in The Burlington
3 Hawk-Eye Gazette, a newspaper published at Burlington, Iowa, and in
4 The Mediapolis New Era, a newspaper published at Mediapolis, Iowa,
5 said publication to be without expense to the state.

Approved April 27, 1953.

I hereby certify that the foregoing Act, Senate File 447, was published in The Burlington Hawk-Eye Gazette, Burlington, Iowa, April 30, 1953, and in The Mediapolis New Era, Mediapolis, Iowa, May 7, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 267

AUDUBON COUNTY FUND TRANSFER

H. F. 431

AN ACT to authorize the transfer of certain moneys from the Audubon county emergency fund to funds of the Audubon County Memorial Hospital.

WHEREAS, the tax revenue allocated for the maintenance of the Audubon County Memorial Hospital for the year 1953 is twenty-five thousand six hundred forty-five dollars (\$25,645.00); and

WHEREAS, the tax revenue allocated for the maintenance of the Audubon County Memorial Hospital for the year 1953 is insufficient to maintain and operate said hospital; and

WHEREAS, the board of trustees of the Audubon County Memorial Hospital have failed to request an emergency tax levy for additional maintenance funds for said hospital for the year 1953; and

WHEREAS, there is now an emergency fund belonging to Audubon County on deposit in the First State Bank of Audubon, Iowa, which is in excess of twenty thousand dollars, (\$20,000.00); and

WHEREAS, said emergency fund since its creation has never been allocated for any purpose whatsoever; and

WHEREAS, additional funds in the amount of twenty thousand dollars (\$20,000.00) are required for the uninterrupted and continuous operation of the Audubon County Memorial Hospital for the year 1953; and

WHEREAS, the interrupted operation of the Audubon County Memorial Hospital would create a severe emergency for the people of Audubon County, and would be extremely detrimental to the general health and welfare of the people of Audubon County; and

WHEREAS, it is necessary that the Audubon County board of supervisors be authorized and enabled to transfer twenty thousand dollars

(\$20,000.00) from the Audubon County emergency fund, to the Audubon County Memorial Hospital maintenance fund: now therefore,

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

1 SECTION 1. The Audubon County board of supervisors is hereby
2 authorized and enabled to transfer from the Audubon County emer-
3 gency fund to the Audubon County Memorial Hospital maintenance
4 fund a sum not to exceed twenty thousand dollars (\$20,000.00).

Approved April 7, 1953.

CHAPTER 268

GOVERNOR'S APPOINTMENTS LEGALIZED

S. F. 449

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 the 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 gov-
2 ernor of Iowa during the session of the Fifty-fifth General Assembly
3 which have been confirmed by the senate during said session, are
4 hereby declared to be legal and valid for the offices and terms in-
5 cluded in said appointments, and to be of the same force and effect
6 as if such appointments had been made by the governor within the
7 time prescribed by law and thereafter confirmed by the senate during
8 said session.

1 SEC. 2. Nothing herein contained shall effect any provision of law
2 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 Cedar
3 Rapids Tribune, a newspaper published at Cedar Rapids, Iowa and
4 in the Kossuth County Advance, a newspaper published at Algona,
5 Iowa.

Approved May 21, 1953.

I hereby certify that the foregoing Act, Senate File 449, was published in The Cedar Rapids Tribune, Cedar Rapids, Iowa, May 28, 1953, and in the Kossuth County Advance, Algona, Iowa, May 26, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 269

CITY OF BURLINGTON LEGALIZING ACT

H. F. 510

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of fire department equipment bonds by the city of Burlington, Iowa, and the provisions made for the levy of taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said city.

WHEREAS, notice of the intention of the city of Burlington, Iowa, to issue its fire department equipment bonds in amount of twenty thousand dollars (\$20,000) has heretofore been published in a newspaper of general circulation in said city and no petition of protest or objections of any kind have been filed in opposition to the proposal to issue said bonds, and the city council of said city did heretofore, by resolutions, authorize and provide for the issuance, sale and delivery of fire department equipment bonds of said city in the principal amount of twenty thousand dollars (\$20,000) for the purpose of paying the cost of purchasing certain necessary fire department equipment for said city and by said resolutions provided for the payment of 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 proceedings and bonds and the provisions made for the payment of the 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 of the city of Burlington, Iowa, authorizing and providing for the
2 issuance, sale and delivery of fire department equipment bonds by the
3 city of Burlington, Iowa, and providing for the levy and collection of
4 annual taxes to pay the interest on and principal of said bonds are
5 hereby legalized, validated and confirmed and said fire department
6 equipment bonds issued, sold and delivered pursuant to and in accordance
7 with said proceedings are hereby declared to be legal and to constitute
8 valid and binding obligations of said city.
9

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 Burlington Hawkeye Gazette, a newspaper published in Burlington,
4 Iowa, and in The Mediapolis New Era, a newspaper published in
5 Mediapolis, Iowa, all without expense to the state.

Approved April 29, 1953.

I hereby certify that the foregoing Act, House File 510, was published in The Burlington Hawkeye Gazette, Burlington, Iowa, May 8, 1953, and in The Mediapolis New Era, Mediapolis, Iowa, May 7, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 270

CITY OF BURLINGTON LEGALIZING ACT

H. F. 511

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of "bridge revenue bonds, 1953 series" by the city of Burlington, Iowa, to pay the cost of repairing the existing municipally owned toll bridge extending across the Mississippi River from said city and the provisions made for the payment of said bonds and declaring said proceedings and the bonds issued pursuant thereto legally sufficient and enforceable.

WHEREAS, it appears from the official records of the city council of the city of Burlington, Iowa, that said city council did heretofore, by resolutions, authorize and provide for the issuance, sale and delivery of "Bridge Revenue Bonds, 1953 Series" of said city in the principal amount of four hundred seventy-five thousand dollars (\$475,000) for the purpose of paying the cost of repairing the existing municipally owned toll bridge extending across the Mississippi river from said city and provided in and by said resolutions for the use and application of income and revenues from said bridge to pay the interest on and principal of said bonds; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and bonds, and the provisions made for the use and application of said income and revenues for the payment of said 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 by the city council
2 of the city of Burlington, Iowa, authorizing and providing for the
3 issuance, sale and delivery of "Bridge Revenue Bonds, 1953 Series"
4 by said city to pay the cost of repairing the existing municipally owned
5 toll bridge extending across the Mississippi river from said city and
6 providing for the use and application of income and revenues from said
7 bridge to pay the interest on and principal of said bonds, are hereby
8 declared to be and to constitute complete, lawful and sufficient author-
9 ity for the issuance of said revenue bonds of said city and said "Bridge
10 Revenue Bonds, 1953 Series", issued, sold and delivered pursuant to
11 and in accordance with said proceedings are hereby declared to be legal
12 and to constitute valid and binding obligations of said city payable only
13 from such income and revenues, but said bonds shall not be a corporate
14 indebtedness of said city, nor shall said city be authorized to levy ad
15 valorem taxes to pay either principal 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 passage and publication in The
3 Burlington Hawkeye Gazette, a newspaper published in Burlington,
4 Iowa, and in The Mediapolis New Era, a newspaper published in
5 Mediapolis, Iowa, all without expense to the state.

Approved April 29, 1953.

I hereby certify that the foregoing Act, House File 511, was published in The Burlington Hawkeye Gazette, Burlington, Iowa, May 8, 1953, and in The Mediapolis New Era, Mediapolis, Iowa, May 7, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 271
CITY OF CRESTON LEGALIZING ACT

S. F. 442

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of 1952 sewer bonds by the city of Creston, Iowa, and the provisions made for the levy of taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said city.

WHEREAS, notice of the intention of the city of Creston, Iowa, to issue its 1952 sewer bonds in amount of \$28,819.08 was published in a newspaper having a general circulation in said city and no petition of protest or objections of any kind were filed in opposition to the proposal to issue said bonds and the city council of the city of Creston has heretofore by resolution and ordinance authorized and provided for the issuance, sale and delivery of 1952 sewer bonds of said city in the principal amount of \$28,819.08 for the purpose of paying the cost of constructing extensions to sanitary sewers and sewage pumping stations in and for said city and by said proceedings 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 proceedings and bonds and the provisions made for the payment of the 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 of the city of Creston, Iowa, authorizing and providing for the issuance, sale and delivery of 1952 sewer bonds by the city of Creston, Iowa, and providing for the levy and collection of annual taxes to pay the interest on and principal of said bonds are hereby legalized, validated and confirmed, and said 1952 sewer bonds issued, sold and delivered pursuant to and in accordance with said proceedings are hereby declared to be legal and to constitute valid and binding obligations of said city.

1 SEC. 2. This Act being deemed of immediate importance shall take effect and be in force from and after its publication in the Creston News Advertiser, a newspaper published in Creston, Iowa, and in the Afton Star-Enterprise, a newspaper published in Afton, Iowa, all without expense to the state.

Approved April 24, 1953.

I hereby certify that the foregoing Act, Senate File 442, was published in the Creston News Advertiser, Creston, Iowa, April 28, 1953, and in the Afton Star-Enterprise, Afton, Iowa, April 30, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 272

CITY OF CEDAR FALLS LEGALIZING ACT

S. F. 197

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of revenue bonds by the city of Cedar Falls, Black Hawk County, Iowa, to defray the cost of constructing improvements to the municipal sewage treatment plant of said city 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 city.

WHEREAS, the city council of the city of Cedar Falls, Black Hawk County, Iowa, did heretofore by ordinance adopted on December 16, 1952, authorize and provide for the issuance, sale and delivery of sewer revenue bonds of said city in the principal amount of \$175,000 to defray the cost of constructing improvements to the municipal sewage treatment plant of said city and by said ordinance provided for the payment of the interest on the principal of said bonds from the net revenues derived from the operation of the municipal sewage treatment plant of 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. All proceedings heretofore taken by the city council
2 of the city of Cedar Falls, Iowa, authorizing and providing for the
3 issuance, sale and delivery of sewer revenue bonds by the city of
4 Cedar Falls, Iowa, and providing for the payment of the principal
5 of and interest on said bonds from the net revenues derived from the
6 operation of the municipal sewage treatment plant of said city are
7 hereby legalized, validated and confirmed and said sewer revenue
8 bonds issued, sold and delivered pursuant to and in accordance with
9 said proceedings are hereby declared to be legal and to constitute valid
10 and binding obligations of said city payable only from such net rev-
11 enues, but said bonds shall not be a corporate indebtedness of said
12 city, nor shall said city be authorized to levy ad valorem taxes to pay
13 either principal 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 Daily Rec-
3 ord, a newspaper published in Cedar Falls, Iowa, and in the Hudson
4 Herald, a newspaper published in Hudson, Iowa, all without expense
5 to the state.

Approved April 2, 1953.

I hereby certify that the foregoing Act, Senate File 197, was published in the Daily Record, Cedar Falls, Iowa, April 7, 1953, and in the Hudson Herald, Hudson, Iowa, April 9, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 273

TOWN OF EDDYVILLE LEGALIZING ACT

H. F. 285

AN ACT to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of general obligation waterworks bonds of the town of Eddyville, Iowa; and the provisions made for taxes for the payment of said bonds; and the proceedings authorizing and providing for the issuance, sale and delivery of waterworks revenue bonds of said town; and the provision made pledging the future net revenues of the municipal waterworks to their payment; and declaring said proceedings and said bonds issued and sold pursuant to said election and proceedings to pay the cost of establishing and constructing a municipal waterworks system for said town, to be valid obligations of said town according to their tenor.

WHEREAS, the town of Eddyville, Iowa, did heretofore, pursuant to a petition with the requisite signatures, call and hold a special election in said town on May 14, 1951, and submit thereat the following proposition: "Shall the Town of Eddyville, Iowa, establish and construct a municipal waterworks system at a maximum expenditure for the establishment and construction thereof not exceeding \$87,000.00, and issue general obligation bonds for such purpose not exceeding \$38,000.00, and levy a tax annually upon the taxable property in the Town of Eddyville, Iowa, not exceeding ten mills per annum for the payment of such bonds and the interest thereon; the cost of the establishment and construction of said waterworks system, in excess of the amount of the general obligation bonds authorized, to be paid for out of the future earnings of said waterworks system?" and at said election more than sixty per cent of the votes cast for and against said proposition were in favor thereof; and

WHEREAS, the town council of said town did on the fourth day of February, 1953, in reliance upon said special election pass and approve a resolution authorizing and providing for the issuance, sale and delivery to the purchaser of thirty-seven thousand five hundred dollars (\$37,500.00) waterworks bonds of said town, said bonds to mature serially in numerical order and by said resolution provided for the levy and collection of annual taxes on all the taxable property in said town sufficient to pay the principal thereof and the interest thereon; and

WHEREAS, the town council of said town did on the date last above named, in reliance upon said special election, pass and approve a resolution of forty-nine thousand five hundred dollars (\$49,500.00) waterworks revenue bonds of said town, said bonds to mature serially in numerical order and by said resolution pledged the future net revenues to be derived from said municipal waterworks to the payment of the principal of and interest on said bonds, and provided that said bonds shall not be general obligations of said town or payable in any manner by taxation; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election, proceedings, bonds, the sale thereof and provisions made for the payment of the same, and it is deemed advisable to put said doubts, and all others that might arise concerning the same, forever at rest; now therefore,

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

- 1 SECTION 1. That the special election held on May 14, 1951, in said
- 2 town as referred to in the preamble hereof, and the proceedings here-

3 tofore taken by the town council of said town in connection therewith,
 4 and the resolutions and proceedings of said town council adopting
 5 said resolutions on the fourth day of February, 1953, authorizing and
 6 providing for the issuance, sale and delivery of thirty-seven thousand,
 7 five hundred dollars (\$37,500.00) waterworks bonds of said town of
 8 Eddyville, Iowa, and providing for the levy and collection of annual
 9 taxes on all the taxable property in said town sufficient to pay the
 10 interest on and principal of said bonds, and authorizing and providing
 11 for the issuance, sale and delivery of forty-nine thousand, five hun-
 12 dred dollars (\$49,500.00) waterworks revenue bonds of said town of
 13 Eddyville, Iowa, and pledging the future net revenues to be derived
 14 from said municipal waterworks to the payment of the interest on
 15 and principal of said bonds are hereby legalized, validated and con-
 16 firmed, and said waterworks bonds of thirty-seven thousand, five hun-
 17 dred dollars (\$37,500.00) and said waterworks revenue bonds of forty-
 18 nine thousand, five hundred dollars (\$49,500.00), sold, issued and de-
 19 livered pursuant to and in accordance with said proceedings are hereby
 20 declared to constitute valid and binding obligations of said town ac-
 21 cording to their tenor, said waterworks revenue bonds not to be gen-
 22 eral obligations of said town or payable in any manner by taxation.

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 Eddyville
 3 Tribune, a newspaper published in Eddyville, Iowa, and in the Ot-
 4 tumwa Daily Courier, a newspaper published in Ottumwa, Iowa, all
 5 without expense to the state.

Approved April 8, 1953.

I hereby certify that the foregoing Act, House File 265, was published in The Eddyville Tribune, Eddyville, Iowa, April 16, 1953, and in the Ottumwa Daily Courier, Ottumwa, Iowa, April 10, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 274

CITY OF GRUNDY CENTER LEGALIZING ACT

H. F. 499

AN ACT to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of garage bonds of the city of Grundy Center, Iowa, and the provisions made for the levy of taxes for the payment of said bonds and interest thereon and declaring said bonds issued and sold pursuant to said proceedings to be enforceable obligations of said city.

WHEREAS, on the 19th day of February, 1953, a special election was held in the city of Grundy Center, Iowa, submitting the following proposition: "Shall the City of Grundy Center, Iowa, be authorized to purchase the following described real estate, to-wit: Lots 9 and 10 of Block 31 of the original plat of the town (now City) of Grundy Center, Iowa, for the sum of \$27,500.00 for the purpose of a garage and shed for storage, repair and servicing of city motor vehicles and other city equipment and contract indebtedness for such purpose not exceeding \$27,500.00 and issue bonds for such purpose not exceeding \$27,500.00 and levy tax annually upon the

taxable property in Grundy Center, not exceeding nine-tenths of one mill per annum, for the payment of such bonds and interest thereon?", and said proposition was declared fully carried; and

WHEREAS, pursuant to said election the city council of Grundy Center, Iowa, on the 31st day of March, 1953, adopted proceedings authorizing and providing for the issuance, sale and delivery of \$27,500.00 garage bonds of said city and by said proceedings 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 election proceedings and bonds and the provisions made for the payment of the same, and it is deemed advisable to put said doubts and all others that might arise concerning the same forever at rest, now therefore,

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

1 SECTION 1. That the special election held February 19, 1953, and
2 all proceedings in connection therewith and heretofore taken pursu-
3 ant to said election by the city council of the city of Grundy Center,
4 Iowa, authorizing and providing for the issuance, sale and delivery
5 of \$27,500.00 garage bonds by the city of Grundy Center, Iowa, and
6 providing for the levy and collection of annual taxes to pay the in-
7 terest on and principal of said bonds are hereby legalized, validated
8 and confirmed and said garage bonds, issued, sold and delivered
9 pursuant to said election and said proceedings are hereby declared
10 to be legal and to constitute valid and binding obligations of 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 Grundy
3 Register, a newspaper published in Grundy Center, Iowa, and in The
4 Reinbeck Courier, a newspaper published in Reinbeck, Iowa, all with-
5 out expense to the state.

Approved April 29, 1953.

I hereby certify that the foregoing Act, House File 499, was published in The Grundy Register, Grundy Center, Iowa, May 14, 1953, and in The Reinbeck Courier, Reinbeck, Iowa, June 11, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 275

MUSCATINE LEGALIZING ACT

S. F. 8

AN ACT to legalize the transfer of funds collected through public subscription and deposited in the city of Muscatine, Iowa, treasury, as 1952 flood emergency funds, to the Muscatine special levee board of trustees.

WHEREAS during the spring of 1952, there was a flood emergency created by the Mississippi River at Muscatine, Iowa; and,

WHEREAS the mayor of Muscatine with the approval of the city council

named a special committee known as the 1952 executive flood emergency committee; and,

WHEREAS this committee solicited funds from Muscatine and surrounding territory for the purpose of fighting floods; and

WHEREAS this fund collected was given to the city clerk who inadvertently deposited this money in the city treasury under the name of the 1952 flood emergency fund; and,

WHEREAS at the end of the flood period there remained in this fund a balance of approximately \$26,425.96 which upon the request of the committee and by resolution of the city council was transferred to the committee now known as the Muscatine special levee board of trustees which succeeded the old flood committee.

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 Mus-
2 catine, Iowa, in making the transfer of the \$26,425.96 to the Musca-
3 tine special levee board of trustees is hereby declared to be legal, valid
4 and binding.

1 SEC. 2. That this Act being deemed of immediate importance shall
2 be in full force from and after its publication in The Muscatine Journal
3 and News Tribune, a newspaper published at Muscatine, Iowa, and the
4 West Liberty Index, a newspaper published at West Liberty, Iowa,
5 without expense to the state.

Approved February 23, 1953.

I hereby certify that the foregoing Act, Senate File 8, was published in The Muscatine Journal and News Tribune, Muscatine, Iowa, March 6, 1953, and in the West Liberty Index, West Liberty, Iowa, March 5, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 276

CITY OF OSAGE LEGALIZING ACT

H. F. 479

AN ACT to legalize and validate the proceedings taken by the city council of the city of Osage, Iowa, authorizing and providing for the construction of extensions and improvements to the municipal waterworks and the issuance and delivery of fifty-seven thousand dollars (\$57,000.00) waterworks revenue bonds.

WHEREAS, during the year 1952 the city council of the city of Osage, Iowa, adopted proceedings and entered into contracts for improvements and extensions to the municipal waterworks system of said city by drilling and developing new wells to meet the expanding and urgent needs of the city for an adequate water supply; and

WHEREAS, said contracts do not constitute a general obligation of said city and are not payable in any manner by taxation, but the payment for said extensions and improvements is to be made in cash derived from the net revenues of said municipal waterworks or is to be made in revenue

obligations which revenue obligations will be payable solely and only out of the net earnings of said municipal waterworks; and

WHEREAS, the city council of the city of Osage, Iowa, adopted proceedings for the issuance of waterworks revenue bonds in the amount of fifty-seven thousand dollars (\$57,000.00) for the purpose of defraying the cost of the improvements and extensions, and provided for the pledge of the net future revenues of said waterworks to pay the principal 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 waterworks revenue bonds and provisions made for the payment of the 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 Osage, Iowa, in connection with the extensions and
3 improvements to the municipal waterworks of said city, and the contracts
4 hereinbefore referred to and authorizing and providing for
5 the issuance of waterworks revenue bonds in the amount of fifty-
6 seven thousand dollars (\$57,000.00) and pledging the future net earnings
7 of said waterworks 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 and
11 binding obligations of said city according to their tenor, payable solely
12 and only out of said net future revenues of said waterworks.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect from and after its passage and publication in the St. Ansgar
3 Enterprise, a newspaper published in St. Ansgar, Iowa, and in the
4 Mitchell County Press & Osage News, a newspaper published in
5 Osage, Iowa, all without expense to the state.

Approved April 22, 1953.

I hereby certify that the foregoing Act, House File 479, was published in the St. Ansgar Enterprise, St. Ansgar, Iowa, May 13, 1953, and in the Mitchell County Press & Osage News, Osage, Iowa, May 14, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 277

TOWN OF RICHLAND LEGALIZING ACT

H. F. 309

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of bonds in connection with the construction of a waterworks by the town of Richland, Keokuk county, 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, at an election held in and for the town of Richland, Keokuk county, Iowa, on April 16, 1951, there was submitted to the voters of said town the proposition of establishing and erecting a municipal waterworks at a cost of not to exceed seventy-eight thousand dollars (\$78,000), of which thirty-eight thousand five hundred dollars (\$38,500) was to be paid solely out of the net earnings of the municipal waterworks and the proposition of contracting indebtedness and issuing bonds in an amount not exceeding thirty-nine thousand five hundred dollars (\$39,500) for the purpose of paying the balance of the cost of said waterworks and over sixty percent of the votes cast for and against each of said propositions was favorable thereto; and,

WHEREAS, for the purpose of paying the cost of erecting said waterworks, the town council of said town did thereafter, by resolutions and in reliance upon said election, authorize and provide for the issuance, sale and delivery of water revenue bonds of said town in the principal amount of thirty-eight thousand five hundred dollars (\$38,500), payable as to both principal and interest from the future net earnings of said waterworks, and, also, for the issuance, sale and delivery of waterworks bonds of said town in the principal amount of thirty-nine thousand five hundred dollars (\$39,500) for the payment of which, as to both principal and interest, provision was made for the levy and collection of annual taxes on all the taxable property in 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. That all proceedings heretofore taken by the town
2 council of the town of Richland, in Keokuk county, Iowa, authorizing
3 and providing for the issuance, sale and delivery of waterworks bonds
4 in the amount of thirty-nine thousand five hundred dollars (\$39,500)
5 by the said town of Richland, Iowa, and providing for the levy and
6 collection of annual taxes to pay the interest on and the principal of
7 said bonds are hereby legalized, validated and confirmed and said
8 waterworks bonds issued, sold and delivered pursuant to and in ac-
9 cordance with said proceedings are hereby declared to be legal and
10 to constitute valid and binding obligations of said town.

1 SEC. 2. That all proceedings heretofore taken by the town coun-
2 cil of the town of Richland, in Keokuk county, Iowa, authorizing and
3 providing for the issuance, sale and delivery of water revenue bonds
4 in the amount of thirty-eight thousand five hundred dollars (\$38,500)

5 by the said town of Richland, Iowa, and providing for the payment
 6 of the principal of and interest on said bonds from the future net
 7 earnings of the municipal waterworks of said town are hereby legal-
 8 ized, validated and confirmed and said water revenue bonds issued, sold
 9 and delivered pursuant to and in accordance with said proceedings
 10 are hereby declared to be legal and to constitute valid and binding
 11 obligations of said town payable only from such future earnings, but
 12 said bonds shall not be a corporate indebtedness of said town, nor
 13 shall said town be authorized to levy ad valorem taxes to pay either
 14 principal thereof or interest thereon.

1 SEC. 3. This Act being deemed of immediate importance shall take
 2 effect from and after its publication in The Richland Clarion, a news-
 3 paper published in Richland, Iowa, and in The Hedrick Journal, a
 4 newspaper published in Hedrick, Iowa, all without expense to the state.

Approved April 22, 1953.

I hereby certify that the foregoing Act, House File 309, was published in The Richland Clarion, Richland, Iowa, April 30, 1953, and in The Hedrick Journal, Hedrick, Iowa, April 29, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 278

CITY OF STORM LAKE LEGALIZING ACT

S. F. 125

AN ACT to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of garage bonds of the city of Storm Lake, Iowa, and the provisions made for the levy of taxes for the payment of said bonds and interest thereon and declaring said bonds issued and sold pursuant to said proceedings to be enforceable obligations of said city.

WHEREAS, on the 29th day of September, 1952, a special election was held in the city of Storm Lake, Iowa, submitting the following proposition: "Shall the City of Storm Lake, Iowa, construct and maintain a garage for the storage, repair and servicing of City motor vehicles and other equipment and contract indebtedness for such purpose not exceeding \$25,000.00 and issue bonds for such purpose not exceeding \$25,000.00 and levy a tax annually upon the taxable property in the City of Storm Lake, Iowa, not exceeding one-half mill per annum for the payment of such bonds and the interest thereon?", and said proposition was declared duly carried; and

WHEREAS, pursuant to said election the city council of Storm Lake, Iowa, on the 1st day of December, 1952, adopted proceedings authorizing and providing for the issuance, sale and delivery of \$24,000 garage bonds of said city and by said proceedings 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 election proceedings and bonds and the provisions made for the payment of the same, and it is deemed advisable to put said doubts

and all others that might arise concerning the same forever at rest; now, therefore,

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

1 SECTION 1. That the special election held September 29, 1952 and
2 all proceedings in connection therewith and heretofore taken pursu-
3 ant to said election by the city council of the city of Storm Lake, Iowa,
4 authorizing and providing for the issuance, sale and delivery of
5 \$24,000 garage bonds by the city of Storm Lake, Iowa, and providing
6 for the levy and collection of annual taxes to pay the interest on
7 and principal of said bonds are hereby legalized, validated and con-
8 firmed and said garage bonds, issued, sold and delivered pursuant to
9 said election and said proceedings are hereby declared to be legal and
10 to constitute valid and binding obligations of 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 Storm
3 Lake Register, a newspaper published in Storm Lake, Iowa, and in
4 The Rembrandt Booster, a newspaper published in Rembrandt, Iowa,
5 all without expense to the state.

Approved April 7, 1953.

I hereby certify that the foregoing Act, Senate File 125, was published in the Storm Lake Register, Storm Lake, Iowa, April 14, 1953, and in The Rembrandt Booster, Rembrandt, Iowa, April 16, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 279

AUDUBON COUNTY LEGALIZING ACT

H. F. 432

AN ACT to legalize the expenditure of funds heretofore improperly made by the Audubon County Memorial Hospital.

WHEREAS, during the year 1952 the board of trustees of the Audubon County Memorial Hospital, Audubon County, Iowa, did expend fifty-one thousand three hundred fifty-three dollars and seventy-five cents (\$51,353.75) from the Audubon County Memorial Hospital maintenance fund for the purpose of building and equipping the Audubon County Memorial Hospital; and

WHEREAS, doubts have arisen concerning the legality of said expenditure, and it is now advisable to put said doubts at rest; and

WHEREAS, during the year 1952 the Audubon County board of hospital trustees of the Audubon County Memorial Hospital did expend thirteen thousand seven hundred sixty-four dollars and sixty-seven cents (\$13,764.67) for the maintenance of the Audubon County Memorial Hospital from the construction fund of the Audubon County Memorial Hospital; and

WHEREAS, doubts have arisen concerning the legality of said proceedings and expenditure, 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 trustees of the Audu-
 2 bon County Memorial Hospital, Audubon County, Iowa, during the
 3 year 1952, relative to the expenditure of funds allocated for construc-
 4 tion but expended for maintenance of said hospital are hereby legal-
 5 ized and validated, and all proceedings of the board of trustees of the
 6 Audubon County Memorial Hospital, Audubon County, Iowa, relative
 7 to the expenditure of maintenance funds for construction of the Audu-
 8 bon County Memorial Hospital are hereby legalized and validated.

Approved April 3, 1953.

CHAPTER 280

IOWA GREAT LAKES LEGALIZING ACT

H. F. 348

AN ACT to legalize and validate the proceedings for the organization and establish-
 ment of the Iowa Great Lakes Sanitary District, in Dickinson county, Iowa, and
 declaring said district a duly and legally organized body politic as provided by law,
 and to legalize and validate all proceedings of the board of trustees of said district
 for the levy of taxes for the operation of the district facilities and for the issu-
 ance of bonds and levy of taxes for payment thereof.

WHEREAS, The Iowa Great Lakes Sanitary District in Dickinson
 County, Iowa, was organized and established pursuant to the provisions
 of chapter three hundred and fifty-eight (358), Code 1946, and the exist-
 ence of said district is of general public interest and vital to the public
 health and sanitary conditions of The Iowa Great Lakes region; and,

WHEREAS, the board of trustees of said district has levied taxes for
 the operation of the facilities of said district and has provided for the issu-
 ance of bonds and levied taxes for the payment thereof, and has per-
 formed other acts and engaged in other proceedings as provided by chap-
 ter three hundred and fifty-eight (358), Code 1950, and the provisions
 of chapter thirteen (13) of the Acts of the Fifty-fourth General Assembly
 of Iowa; and,

WHEREAS, doubts have arisen concerning the validity and legal suffi-
 ciency of the proceedings for the organization and establishment of said
 district, and the proceedings of the board of trustees of said district in the
 levy of taxes for the operation of the district facilities and the issuance
 of bonds and the levy of taxes for the payment thereof, and it is deemed
 advisable and necessary to put such 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 in connection
 2 with the organization, creation, and establishment of The Iowa Great
 3 Lakes Sanitary District are hereby declared to be valid, legal, and
 4 sufficient to create and establish the body politic known as The Iowa
 5 Great Lakes Sanitary District, and the same are hereby legalized,
 6 validated, and confirmed, and said district is declared to be a legal

7 entity and municipality created under the provisions of chapter three
 8 hundred and fifty-eight (358), Code 1950, and that all proceedings
 9 by the board of trustees of the said sanitary district for the levy of
 10 taxes for general operation and issuance of bonds and levy of taxes
 11 to pay same are hereby legalized, validated, and confirmed.

1 SEC. 2. This Act being of immediate importance shall be in full
 2 force and effect from and after its passage and publication in The
 3 Milford Mail, a newspaper published at Milford, Iowa, and The
 4 Spirit Lake Beacon, a newspaper published at Spirit Lake, Iowa.

Approved April 8, 1953.

I hereby certify that the foregoing Act, House File 348, was published in The Milford Mail, Milford, Iowa, April 16, 1953, and in The Spirit Lake Beacon, Spirit Lake, Iowa, April 16, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 281

KEOKUK COUNTY LEGALIZING ACT

S. F. 50

AN ACT to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of county public hospital bonds by Keokuk County, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued and sold pursuant to said election, and proceedings to be valid obligations of said county.

WHEREAS, a special election was held in Keokuk County, Iowa, on the 26th day of June, 1951, on the proposition of issuing bonds of said county in the amount of two hundred thousand dollars (\$200,000) for the purpose of procuring a site, erecting, equipping and maintaining a county public hospital and levying a tax not to exceed one mill to retire the said bonds, all as by law provided, and 3,861 votes were cast in favor of said proposition, and 719 votes were cast against said proposition, and said proposition was duly carried; and

WHEREAS, the board of supervisors of Keokuk County, Iowa, did on the 14th day of October, 1952, in reliance upon said special election, pass and approve a resolution authorizing and providing for the issuance, sale and delivery to the purchaser of county public hospital bonds of said county in the principal amount of two hundred thousand dollars (\$200,000) for the purpose aforesaid, said bonds to mature serially in numerical order in the years 1954 to 1963, both inclusive, and by said resolution provided for the levy and collection of annual taxes on all the taxable property in said county sufficient to pay the principal thereof and interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election, proceedings, bonds, the sale thereof, and the provisions made for the payment of the same, and it is deemed advisable to put said doubts, and all others that might arise concerning the same, forever at rest; now therefore

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

1 SECTION 1. That the special election held on June 26, 1951, in said
 2 county as referred to in the preamble hereof, and the proceedings here-

3 tofore taken by the board of supervisors of said county in connection
 4 therewith, and the resolution, and proceedings of the board of super-
 5 visors adopting the same on the 14th day of October, 1952, authorizing
 6 and providing for the issuance, sale and delivery of county public hos-
 7 pital bonds of Keokuk County, Iowa, in the sum of two hundred thou-
 8 sand dollars (\$200,000) and providing for the levy and collection of
 9 annual taxes on all the taxable property in said county, sufficient to
 10 pay the interest on and principal of said bonds, and the sale of said
 11 bonds, are hereby legalized, validated and confirmed, and said county
 12 public hospital bonds sold, issued and delivered, pursuant to and in
 13 accordance with said proceedings, are hereby declared to be legal and
 14 to constitute valid and binding obligations of said county.

1 SEC. 2. This Act, being deemed of immediate importance, shall
 2 take effect and be in force from and after its publication in The Keokuk
 3 County News, a newspaper published in Sigourney, Iowa, and in The
 4 What Cheer Patriot-Chronicle, a newspaper published in What Cheer,
 5 Iowa, all without expense to the state.

Approved February 12, 1953.

I hereby certify that the foregoing Act, Senate File 50, was published in The Keokuk County News, Sigourney, Iowa, February 26, 1953, and in The What Cheer Patriot-Chronicle, What Cheer, Iowa, February 26, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 282

KOSSUTH COUNTY LEGALIZING ACT

S. F. 381

AN ACT to legalize and validate the actions of the board of supervisors of Kossuth County in allocating to the court house building fund, a fund resulting from the sale of bonds authorized by the electors of Kossuth County, interest earned and accumulated upon said fund, and validating and legalizing certain expenditures made by the board of supervisors from such accumulated and earned interest.

WHEREAS, by authority of the electors of Kossuth County, through an election held December 9, 1947, bonds in the amount of five hundred thousand dollars (\$500,000.00) were issued for the purpose of constructing and equipping a court house in Kossuth County, and

WHEREAS, the bonds so issued were subsequently sold and the proceeds thereof invested pending the use of the said funds for the construction and equipping of the court house authorized, and

WHEREAS, the interest earned and accumulated on such investment aggregated a sum of thirty-three thousand, two hundred fifty-four dollars and ninety cents (\$33,254.90), and

WHEREAS, the board of supervisors, in pursuance of the authority invested in them by the electors, employed architects to prepare plans and specifications for the construction and equipping of such court house, which said plans and specifications were approved by the board of supervisors of Kossuth County, and

WHEREAS, the board of supervisors paid to the architects employed for the services rendered the sum of six thousand dollars (\$6,000.00) January 8, 1952, and on the 2nd day of December, 1952, paid an additional sum to the said architects of sixteen thousand and fifty dollars (\$16,050.00) aggregating an amount of twenty-two thousand and fifty dollars (\$22,050.00) out of the court house building fund, consisting of the proceeds of the sale of bonds and the accumulated interest earned upon the investment thereof, and

WHEREAS, doubt has arisen as to the legality and validity of the actions of the board of supervisors in allocating the foregoing designated interest to the court house building fund and in paying from such fund the foregoing amount to the employed architects for the services rendered; now therefore

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

1 SECTION 1. That the action of the board of supervisors of Kossuth
2 County in allocating the foregoing interest earned and accumulated
3 from the investment of the proceeds of the court house bonds amount-
4 ing to the sum of thirty-three thousand, two hundred fifty-four dollars
5 and ninety cents (\$33,254.90) to the court house building fund and the
6 action of the board of supervisors in expending from said fund the
7 sum of twenty-two thousand and fifty dollars (\$22,050.00) as compen-
8 sation to the architects employed, be and is hereby legalized, vali-
9 dated and confirmed.

1 SEC. 2. This Act being deemed of immediate importance, it shall
2 take effect from and after its publication in The Bancroft Register, a
3 newspaper published at Bancroft, Iowa, and in the Kossuth County
4 Advance, a newspaper published at Algona, Iowa, all without expense
5 to the State of Iowa.

Approved March 26, 1953.

I hereby certify that the foregoing Act, Senate File 381, was published in The Bancroft Register, Bancroft, Iowa, April 2, 1953, and in the Kossuth County Advance, Algona, Iowa, March 31, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 283

MUSCATINE COUNTY LEGALIZING ACT

S. F. 110

AN ACT to legalize the transfer of eight hundred dollars (\$800.00) by the board of supervisors of Muscatine county to the city of Muscatine.

WHEREAS, Park Place addition was annexed to the city of Muscatine, Iowa, on December 18, 1951, by order of the District Court of Iowa in and for Muscatine County, and

WHEREAS, the Muscatine municipal tax levy for taxes collected in 1952 was not assessed against said Addition, and

WHEREAS, the Bloomington Township levy was assessed against said

annexed property and the tax in the sum of eight hundred dollars (\$800.00) collected by Muscatine County, and

WHEREAS, the board of supervisors of Muscatine County, Iowa, did transfer this eight hundred dollars (\$800.00), road only tax, to the city of Muscatine to be used by the said city for road improvement in that certain area, and

WHEREAS, doubts have arisen concerning the legal validity sufficiency of said transfer of eight hundred dollars (\$800.00) by the board of supervisors of Muscatine County to the city of Muscatine, and it is deemed advisable to lay said doubts and all others that might arise concerning same transfer forever at rest; now, therefore,

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

1 SECTION 1. That the action of the board of supervisors of Mus-
2 catine County in transferring to the city of Muscatine the eight hun-
3 dred dollars (\$800.00) collected from the Park Place Addition an-
4 nexed to Muscatine is hereby legalized and declared valid.

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force from and after its publication in The Muscatine Journal
3 and News Tribune, a newspaper published at Muscatine, Iowa, and
4 the West Liberty Index, a newspaper published at West Liberty, Iowa,
5 without expense to the state.

Approved March 17, 1953.

I hereby certify that the foregoing Act, Senate File 110, was published in The Muscatine Journal and News Tribune, Muscatine, Iowa, April 6, 1953, and in the West Liberty Index, West Liberty, Iowa, April 9, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 284

BLOOMFIELD WATER DISTRICT LEGALIZING ACT

H. F. 383

AN ACT to legalize and validate the election and the proceedings authorizing and providing for the issuance and delivery of the benefited water district bonds of district No. 30, Bloomfield township, Polk county, Iowa, dated December 30, 1952, and all other districts in Polk county, Iowa, that have heretofore authorized and issued benefited water district bonds.

WHEREAS, pursuant to an election held on the 27th day of September, 1952, the board of supervisors of Polk county, Iowa, did heretofore, by resolution pass and approve on December 30, 1952, authorize and provide for the issuance and delivery of benefited water district bonds in Bloomfield township of said county in the principal amount of thirty-nine thousand four hundred thirty-nine and forty-three cents (\$39,439.43) and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of special assessment taxes on all the benefited property in the district.

WHEREAS, doubts have arisen concerning the validity and the legal sufficiency of said election, proceedings and bonds, and

WHEREAS, doubts have also arisen concerning the validity and legal sufficiency of elections, proceedings and bonds issued prior to the above date by all other benefited water districts in Polk county, Iowa, and it is deemed advisable to put said doubts that have arisen concerning the same forever at rest; now therefore,

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

1 SECTION 1. That the election held on the 27th day of September,
2 1952, in Bloomfield township, Polk county, Iowa, and all proceedings
3 in connection therewith heretofore taken including the form of ballot
4 and the resolution passed and approved on December 30, 1952, pursu-
5 ant to said election by the board of supervisors of Polk county, Iowa,
6 authorizing and providing for the issuance and delivery of the bene-
7 fited water district bonds of said district to the amount of thirty-nine
8 thousand four hundred thirty-nine and forty-three cents (\$39,439.43)
9 and providing for the levy and collection and special assessment taxes
10 to pay the interest on and the principal of said bonds are hereby legal-
11 ized, validated and confirmed and said benefited water district bonds
12 issued and delivered pursuant to said election and said proceedings
13 are hereby declared to be legal and to constitute valid binding obliga-
14 tions of said benefited water district.

1 SEC. 2. That the election and bond proceedings of all other bene-
2 fited water district in Polk county, Iowa, that have heretofore been
3 had authorizing the issuance and delivery of water district bonds be
4 and the same are hereby legalized and declared to be valid and bind-
5 ing obligations of said benefited water districts in Polk county, Iowa.

1 SEC. 3. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Iowa
3 Bystander, a newspaper published in Des Moines, Iowa, and The Amer-
4 ican Citizen, a newspaper published in Des Moines, Iowa, said publi-
5 cation to be without expense to the state.

Approved April 22, 1953.

I hereby certify that the foregoing Act, House File 383, was published in The Iowa Bystander, Des Moines, Iowa, April 30, 1953, and in The American Citizen, Des Moines, Iowa, May 1, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 285

WASHINGTON COUNTY LEGALIZING ACT

S. F. 10

AN ACT to legalize the proceedings of the board of supervisors of Washington county in paying for the remodeling of the court room in the court house from the general county fund.

WHEREAS, the board of supervisors of Washington County, Iowa, has heretofore expended the sum of eleven thousand nine hundred eighty dollars and forty-six cents (\$11,980.46) from the general county fund during the year 1949 for the remodeling of the court room in the court house, and

WHEREAS, doubts have arisen as to the legality of such proceedings and the payment of said sum from the general county fund and it is deemed advisable to put said doubts to 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 Washington County, Iowa, in paying for the remodel-
3 ing of the court room in the court house from the general county fund,
4 said expenditures being in the sum of eleven thousand nine hundred
5 eighty dollars and forty-six cents (\$11,980.46) are hereby declared to
6 be legal, valid and binding.

1 SEC. 2. This Act, being of immediate importance, shall be in
2 full force from and after its publication in The Washington Evening
3 Journal, a newspaper published at Washington, Iowa, and The Ka-
4 lona News, a newspaper published at Kalona, Iowa, without expense to
5 the state.

Approved April 21, 1953.

I hereby certify that the foregoing Act, Senate File 10, was published in The Washington Evening Journal, Washington, Iowa, April 27, 1953, and in The Kalona News, Kalona, Iowa, April 30, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 286

CHEROKEE SCHOOL DISTRICT LEGALIZING ACT

S. F. 269

AN ACT to legalize and validate the proceedings of the board of directors of the Independent School District of Cherokee, Iowa, with reference to the conveyance of real estate acquired by virtue of the provisions of section two hundred ninety-seven point three (297.3), Code 1950.

WHEREAS the board of directors of the Independent School District of Cherokee, Iowa, acquired title to the following described lands:

The north one hundred thirty (130) feet of lot one (1) in block sixty-four (64) of the eleventh (11th) addition to the town of New Cherokee, Iowa, now Cherokee, Iowa.

That part of lot two (2), block sixty-four (64) of the eleventh (11th) addition to the town of New Cherokee, Iowa, now Cherokee, Iowa, described as follows: Beginning at the southwest corner of said lot 2; thence north 235' along the west side of said lot 2; thence north 36° 30' east a distance of 50'; thence northeasterly along a right deflection curve of 42° with a radius of 130' to a point 121.1' west of the northeast corner of said lot 2; thence a distance of 121.1' east to the northeast corner of said lot 2; thence south a distance of 130' along the east line of said lot 2; thence west a distance of 175'; thence south 170' to the south line of said lot 2; thence west on the south line of said lot 2 a distance of 65' to the point of beginning.

That part of lot three (3), block sixty-four (64) of the eleventh (11th) addition to the town of New Cherokee, Iowa, now Cherokee, Iowa, described as follows: Beginning at a point on the south line of said lot 3 and 157' west of the southeast corner of said lot; thence east on the south line of

said lot 3 a distance of 157' to the southeast corner of said lot 3; thence north on the east line of said lot 3 a distance of 235'; thence south 36° 30' west to the point of beginning.

That part of lot four (4), block sixty-four (64) of the eleventh (11th) addition to the town of New Cherokee, Iowa, now Cherokee, Iowa, described as follows: Beginning at the southeast corner of said lot 4; thence north 43° 30' west a distance of 225'; thence northerly along a right deflection curve of 57° with a radius of 100' to a point 157' west of the northeast corner of said lot four (4); thence east 157' along the north line of said lot four (4) to the northeast corner of said lot four (4); thence south 300' along the east line of said lot four (4) to the point of beginning, and other lands by virtue of the provisions of section two hundred ninety-seven point three (297.3), Code 1950, and

WHEREAS tracts of land owned by one Lew McDonald would fit into the plans of the said board of directors in landscaping and use for school purposes, and

WHEREAS the said board of directors took title to lands of said Lew McDonald in exchange for the above described lands, and

WHEREAS doubts have arisen as to the legal sufficiency of the proceedings and the authority of the said board of directors to execute the said conveyance, and it is deemed advisable to put said doubts and all others that may arise, forever at rest; now therefore,

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

1 SECTION 1. That all proceedings taken by the board of directors
2 of the Independent School District of Cherokee, Iowa, authorizing the
3 conveyance of real estate situated in Cherokee County, Iowa, described
4 as follows, to-wit:

5 The north one hundred thirty (130) feet of lot one (1) in block
6 sixty-four (64) of the eleventh (11th) addition to the town of New
7 Cherokee, Iowa, now Cherokee, Iowa.

8 That part of lot two (2), block sixty-four (64) of the eleventh
9 (11th) addition to the town of New Cherokee, Iowa, now Cherokee,
10 Iowa, described as follows: Beginning at the southwest corner of
11 said lot 2; thence north 235' along the west side of said lot 2; thence
12 north 36° 30' east a distance of 50'; thence northeasterly along a right
13 deflection curve of 42° with a radius of 130' to a point 121.1' west of
14 the northeast corner of said lot 2; thence a distance of 121.1' east to
15 the northeast corner of said lot 2; thence south a distance of 130' along
16 the east line of said lot 2; thence west a distance of 175'; thence south
17 170' to the south line of said lot 2; thence west on the south line of
18 said lot 2 a distance of 65' to the point of beginning.

19 That part of lot three (3), block sixty-four (64) of the eleventh
20 (11th) addition to the town of New Cherokee, Iowa, now Cherokee,
21 Iowa, described as follows: Beginning at a point on the south line of
22 said lot 3 and 157' west of the southeast corner of said lot; thence east
23 on the south line of said lot 3 a distance of 157' to the southeast cor-
24 ner of said lot 3; thence north on the east line of said lot 3 a distance
25 of 235'; thence south 36° 30' west to the point of beginning.

26 That part of lot four (4), block sixty-four (64) of the eleventh
27 (11th) addition to the town of New Cherokee, Iowa, now Cherokee,

28 Iowa, described as follows: Beginning at the southeast corner of said
 29 lot 4; thence north 43° 30' west a distance of 225'; thence northerly
 30 along a right deflection curve of 57° with a radius of 100' to a point
 31 157' west of the northeast corner of said lot four (4); thence east
 32 157' along the north line of said lot four (4) to the northeast corner
 33 of said lot four (4); thence south 300' along the east line of said lot
 34 four (4) to the point of beginning, and
 35 Other lands by virtue of the provisions of section two hundred
 36 ninety-seven point three (297.3), Code 1950, to Lew McDonald are
 37 hereby legalized, validated and confirmed as transferring to the said
 38 Lew McDonald all the right, title and interest of the Independent
 39 School District of Cherokee, Iowa, in and to said real estate.

Approved April 17, 1953.

CHAPTER 287

DAVENPORT TOWNSHIP SCHOOL LEGALIZING ACT

H. F. 374

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the School Township of Davenport, 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 township.

WHEREAS, the board of directors of the school township of Davenport, 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 township on the twenty-eighth day of January, 1953, which on submission to the legal voters of said school township carried by a vote of one hundred ninety-one to seventy-two, authorize and provide for the issuance, sale and delivery of school building bonds of said school township in the principal amount of one hundred thirty thousand dollars (\$130,000.00) for the purpose of procuring a site and constructing and equipping an elementary school building thereon, in and for said school township 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 township; 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 of
 2 directors of the school township of Davenport, in the county of Scott,
 3 state of Iowa, preliminary to and in connection with the election held
 4 in said school township on the twenty-eighth day of January, 1953,
 5 and providing for the issuance, sale and delivery of school building
 6 bonds of said school township to the amount of one hundred thirty
 7 thousand dollars (\$130,000.00) pursuant to said election, and for the

8 levy and collection of annual taxes to pay the interest on and princi-
 9 pal of said bonds, are hereby legalized, validated and confirmed, and
 10 said school building bonds issued, sold and delivered pursuant to and
 11 in accordance with said proceedings, are hereby declared to be legal
 12 and to constitute valid and binding obligations of said school township.

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
 3 Bureau News, a newspaper published in the city of Bettendorf, Iowa,
 4 and in The Democrat and Leader, a newspaper published in the city
 5 of Davenport, Iowa, all without expense to the state.

Approved April 8, 1953.

I hereby certify that the foregoing Act, House File 374, was published in the Farm Bureau News, Bettendorf, Iowa, April 23, 1953, and in The Democrat and Leader, Davenport, Iowa, April 21, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 288

LE CLAIRE SCHOOL TOWNSHIP LEGALIZING ACT

H. F. 501

AN ACT to legalize and validate the proceedings of the board of directors of the School Township of Le Claire, in the county of Scott, state of Iowa, authorizing and providing for the issuance, sale and delivery of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school township.

WHEREAS, the board of directors of the school township of Le Claire, in the County of Scott, State of Iowa, heretofore and in reliance upon an election held in and for said school township on January 13, 1953, has by resolution authorized and provided for the issuance and sale of one hundred nine thousand dollars (\$109,000.00), school building bonds of said school township for the purpose of procuring a site, constructing and equipping new school buildings and constructing and equipping additions to school buildings in and for said school township, and in and by said proceedings has provided for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings, election and the provisions made for the issuance and the sale of said bonds on the basis of said election and for the levy and collection of taxes to pay the principal of and interest on said bonds as the same become due, and it is advisable to put such 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 directors of the school township of Le Claire, in the County of Scott,
 3 State of Iowa, preliminary to and in connection with the special elec-
 4 tion held in said school township on the 13th day of January, 1953,
 5 and providing for the issuance, sale and delivery of school building
 6 bonds of said school township to the amount of one hundred nine

7 thousand dollars (\$109,000.00), pursuant to said election and for the
 8 levy of taxes to pay said bonds and the interest thereon, are hereby
 9 legalized, validated and confirmed, and said school building bonds
 10 issued and delivered pursuant to and in accordance with said proceed-
 11 ings are hereby declared to be legal and to constitute valid and bind-
 12 ing obligations of said school township.

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 Farm Bureau News, a newspaper published in Bettendorf, Iowa,
 4 and in The Coggon Monitor, a newspaper published in Coggon, Iowa,
 5 without expense to the state.

Approved April 22, 1953.

I hereby certify that the foregoing Act, House File 501, was published in the Farm Bureau News, Bettendorf, Iowa, May 7, 1953, and in The Coggon Monitor, Coggon, Iowa, May 7, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 289

TOWN OF MAPLETON LEGALIZING ACT

S. F. 420

AN ACT to legalize and validate the proceedings taken by the town council of the town of Mapleton, Iowa, authorizing and providing for extensions and improvements to its municipal electric light and power plant, the calling for and receiving bids, and the award of contract for the construction thereof, and making provision to defray the cost thereof solely and only out of the net revenues of said public utility.

WHEREAS, during the year 1953, the town council of the town of Mapleton, Iowa, adopted proceedings pursuant to the provisions of sections three hundred ninety-seven point nine (397.9) to three hundred ninety-seven point nineteen (397.19) both inclusive, of the Code 1950, authorizing and providing for extensions and improvements to its municipal electric light and power plant to meet the increased needs of the community for electrical current, and called for and received bids and awarded contract to Fairbanks-Morse & Co. in the basic amount of \$88,184 which contract duly executed, together with contractor's performance bond, were duly approved by said town by resolution passed on the 26th day of March, 1953, and under the terms of said contract, payment to said contractor is to be made in cash or revenue obligations, which obligations will be payable solely and only out of the net earnings of said municipal electric light and power plant, subject however to the prior payment therefrom of the outstanding electric light plant revenue bonds of said town, dated May 1, 1946; and

WHEREAS, the town council deems said contract and the provision for payment thereof to be to the best interests of said town; and

WHEREAS, doubt has arisen concerning the validity and legal sufficiency of said proceedings, contract, notices given, and recitals therein or omitted therefrom, and concerning the provisions for the payment to the contractor out of the net revenues of said utility and it is deemed advis-

able 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 the contract and all proceedings heretofore taken
2 by the town council of the town of Mapleton, Iowa, in connection with
3 the extensions and improvements to the municipal electric light and
4 power plant of said town and preliminary to and the award and ap-
5 proval of the contract, referred to in the preamble hereof, and for
6 payment to said contractor in cash or in revenue obligations, said
7 revenue obligations payable solely and only out of the net earnings of
8 said municipal electric light and power plant, subject however to the
9 prior payment therefrom of the outstanding electric light plant reve-
10 nue bonds of said town, dated May 1, 1946, are hereby legalized, vali-
11 dated and confirmed, and said revenue obligations when issued in the
12 form and manner provided by law are declared to be legal and to con-
13 stitute valid and binding obligations of said town according to their
14 tenor, payable solely and only out of the net 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 Mapleton
3 Press, a newspaper published at Mapleton, Iowa, and in the Fort Madi-
4 son Evening Democrat, a newspaper published at Fort Madison, Iowa,
5 said publication to be without expense to the state.

Approved April 17, 1953.

I hereby certify that the foregoing Act, Senate File 420, was published in The Mapleton Press, Mapleton, Iowa, April 30, 1953, and in the Fort Madison Evening Democrat, Fort Madison, Iowa, April 22, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 290

PAULLINA SCHOOL DISTRICT LEGALIZING ACT

H. F. 483

AN ACT to legalize and validate the special election and the proceedings authorizing and providing for the issuance of school building bonds of the Independent School District of Paullina, in the county of O'Brien, state of Iowa, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, pursuant to a special school election held on October 13, 1952, the board of directors of the Independent school district of Paullina, in the county of O'Brien, state of Iowa, did heretofore by resolution authorize and provide for the issuance of school building bonds of said school district in the principal amount of one hundred seventy-four thousand dollars (\$174,000) for school building purposes 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 school district, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election, proceedings and bonds, and the provisions made

for payment of the same and it is deemed advisable to put said doubts and all others that might arise concerning the same forever at rest; now, therefore,

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

1 SECTION 1. That the special school election held on October 13,
2 1952, and all proceedings in connection therewith and heretofore taken,
3 pursuant to said election by the board of directors of the Independent
4 school district of Paullina, in the county of O'Brien, state of Iowa,
5 authorizing and providing for the issuance of school building bonds
6 of said school district to the amount of one hundred seventy-four
7 thousand dollars (\$174,000) and providing for the levy of annual
8 taxes to pay the interest on and principal of said bonds, are hereby
9 legalized, validated and confirmed, and said school building bonds
10 issued pursuant to said election and said proceedings are hereby de-
11 clared to be legal and to constitute valid and binding obligations of
12 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 Paullina
3 Times, a newspaper published at Paullina, Iowa, and in The Hartley
4 Sentinel, a newspaper published at Hartley, Iowa, all without expense
5 to the state.

Approved April 8, 1953.

I hereby certify that the foregoing Act, House File 483, was published in The Paul-
lina Times, Paullina, Iowa, April 23, 1953, and in The Hartley Sentinel, Hartley, Iowa,
April 23, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 291

STANLEY SCHOOL DISTRICT LEGALIZING ACT

H. F. 518

AN ACT to legalize and validate the proceedings of the board of directors of the Con-
solidated School District of Stanley in the counties of Buchanan and Fayette, state
of Iowa in submitting at the regular school election of said district held Monday,
March 9, 1953, the proposition of authorizing issuance of eighty-five thousand dollars
(\$85,000.00) in bonds for the purpose of building and furnishing school buildings in
addition to existing buildings and equipment of said school district.

WHEREAS, at the regular school election of the Stanley consolidated
school district in the counties of Buchanan and Fayette, state of Iowa, held
Monday, March 9, 1953, there was submitted to the determination of the
electors a proposition authorizing the issuance of eighty-five thousand dol-
lars (\$85,000.00) in bonds, the proceeds to be used for the purpose of
building and furnishing such school buildings in addition to existing build-
ings and equipment as may be determined by the board of directors, and

WHEREAS, the said proposition carried in said election by more than
sixty (60) percent majority, and

WHEREAS, doubts have arisen concerning the validity and legal suf-
ficiency of the proceedings precedent to the calling of said election and in

the said election and it is deemed advisable to put such 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 directors of the consolidated school district of Stanley in the counties
3 of Buchanan and Fayette, state of Iowa, preliminary to and in con-
4 nection with the submission of the proposition for the authorization of
5 the issuance of eighty-five thousand dollars (\$85,000.00) in bonds of
6 said district for the purpose of building and furnishing such school
7 buildings in addition to existing buildings and equipment as may be
8 determined by the board of directors, including also the petition calling
9 for said election and the notices thereof be, and the same are hereby
10 legalized, validated and confirmed and the proposition as same appeared
11 upon the ballot in said election be, and the same is hereby declared
12 to be legalized, validated and confirmed as the action of the qualified
13 voters of the said district.

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force from and after its publication in the Oelwein Daily Reg-
3 ister, a newspaper published at Oelwein, Iowa, and in The Bulletin
4 Journal, a newspaper published at Independence, Iowa, without ex-
5 pense to the state.

Approved April 30, 1953.

I hereby certify that the foregoing Act, House File 518, was published in the Oelwein Daily Register, Oelwein, Iowa, May 7, 1953, and in The Bulletin Journal, Independence, Iowa, May 8, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 292

STENNETT SCHOOL DISTRICT LEGALIZING ACT

H. F. 274

AN ACT to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the Consolidated School District of Stennett, in the county of Montgomery, state of Iowa, and declaring said bonds issued and sold pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, pursuant to a special school election held on March 18, 1952, the board of directors of the consolidated school district of Stennett, in the county of Montgomery, state of Iowa, did heretofore by resolution passed and approved on the 6th day of February, 1953, authorize and provide for the issuance, sale and delivery of school building bonds of said school district in the principal amount of ninety thousand dollars (\$90,000.00) for school site and school building purposes 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 school district; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election, proceedings and bonds, and the provisions made for

payment of the same and it is deemed advisable to put said doubts and all others that might arise concerning the same forever at rest; now therefore,

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

1 SECTION 1. That the special school election held on March 18,
2 1952, and all proceedings in connection therewith and heretofore
3 taken, and the resolution passed and approved on the 6th day of
4 February, 1953, pursuant to said election by the board of directors
5 of the consolidated school district of Stennett, in the county of Mont-
6 gomery, state of Iowa, authorizing and providing for the issuance,
7 sale and delivery of school building bonds of said school district to
8 the amount of ninety thousand dollars (\$90,000.00) and providing
9 for the levy of annual taxes to pay the interest on and principal of
10 said bonds, are hereby legalized, validated and confirmed, and said
11 school building bonds issued, sold and delivered pursuant to said
12 election and said proceedings are hereby declared to be legal and
13 to constitute 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 Red Oak
3 Express, a newspaper published at Red Oak, Iowa, and in The Sun,
4 a newspaper published at Red Oak, Iowa, all without expense to the
5 state.

Approved April 15, 1953.

I hereby certify that the foregoing Act, House File 274, was published in The Red Oak Express, Red Oak, Iowa, April 23, 1953, and in The Sun, Red Oak, Iowa, April 23, 1953.
MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 293

PAINT CREEK FARMERS TELEPHONE COMPANY

H. F. 341

AN ACT to legalize the corporate acts and proceedings in connection with the renewal of corporate existence and the adoption of renewed articles of incorporation of Paint Creek Farmers Telephone Company, of the town of Waterville, county of Allamakee, state of Iowa, and to provide for and legalize the renewal of the charter of said company.

WHEREAS, the period of the corporate existence of Paint Creek Farmers Telephone Company, a corporation organized under the laws of the state of Iowa, with its principal place of business in the town of Waterville, Iowa, expired June 23, 1950, and through inadvertence the same was not renewed within the period prescribed by statute; and

WHEREAS, Paint Creek Farmers Telephone Company has continued thereafter to conduct its business and affairs as a corporation, and

WHEREAS, on the 14th day of January, 1950, at the regular annual meeting of stockholders of the Paint Creek Farmers Telephone Company, duly called, convened and held, it was unanimously voted to renew the

corporation for an additional twenty-year period and to adopt the renewal articles of incorporation; and

WHEREAS, Paint Creek Farmers Telephone Company has filed said renewal articles of incorporation together with a certificate showing the proceedings resulting in renewal with the secretary of state of the state of Iowa, and paid to him the required filing and recording fees, and has in all other particulars complied with the statutes relating to renewals of corporations; and

WHEREAS, the secretary of state of the state of Iowa, did on May 29, 1952, grant to said Paint Creek Farmers Telephone Company a certificate of renewal, number 5117, extending said corporate existence from June 23, 1950 to June 23, 1970, conditioned upon obtaining a corporate legalizing act by the Fifty-fifth General Assembly of Iowa, 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 Paint Creek Farmers Telephone Company, a
3 corporation with its principal place of business at Waterville, Iowa,
4 and all corporate acts of said corporation, its officers and stockholders,
5 since the expiration of the corporate existence of said corporation on
6 the 23rd day of June, 1950, are hereby legalized and shall have the
7 same force as though the said proceedings had been adopted pursuant
8 to law and within the period prescribed by statute, and shall be held
9 and considered as a renewal and extension of the period of the cor-
10 porate existence of said corporation, which expired June 23, 1950,
11 and all corporate acts and proceedings of said corporation, including
12 the proceedings in connection with the renewal and extension of said
13 corporation and the adoption of the renewal articles of incorporation,
14 are hereby declared to be valid and legal.

1 SEC. 2. The secretary of state is hereby authorized and directed
2 to issue to the Paint Creek Farmers Telephone Company an uncondi-
3 tional certificate of renewal extending the corporate existence of said
4 corporation for a period of twenty years from June 23, 1950, which
5 certificate of renewal shall have the same force and effect as though
6 issued upon 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.

1 SEC. 4. This Act, being deemed of immediate importance shall be
2 in full force and effect from and after publication in the Waukon
3 Republican-Standard, a newspaper published at Waukon, Iowa, and
4 the Postville Herald, a newspaper published at Postville, Iowa; such
5 publication to be without expense to the state.

Approved April 10, 1953.

I hereby certify that the foregoing Act, House File 341, was published in the Waukon Republican-Standard, Waukon, Iowa, April 21, 1953, and in the Postville Herald, Postville, Iowa, April 22, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

**JOINT RESOLUTIONS
AND
RULES OF CIVIL PROCEDURE**

JOINT RESOLUTIONS

CHAPTER 294

AMES SEWAGE DISPOSAL SYSTEM

S. J. R. 4

A JOINT RESOLUTION to authorize the state board of education to continue to cooperate with the city of Ames in the construction, operation and maintenance of a joint sewage system and disposal plant for the Iowa State College and said city and to make appropriation therefor.

WHEREAS, the Fifty-second General Assembly, by senate joint resolution 11, authorized the state board of education to enter into an agreement with the city of Ames whereby the Iowa state college was to contribute toward the cost of construction, operation and maintenance of a sewage disposal plant and sewers to serve said city and said college, and

WHEREAS, the state board of education and the city of Ames entered into a contract on June 3, 1947 pursuant to senate joint resolution 11, Fifty-second General Assembly, providing that the cost of construction of said sewage disposal plant and sewers and the cost of operation and maintenance was to be shared on the basis of the proportionate quantities of sewage contributed to said system by said college and said city, and

WHEREAS, the Fifty-third General Assembly, by senate joint resolution 7, authorized the board of education to continue in co-operation with the city of Ames in the construction, operation and maintenance of said sewage system and disposal plant and appropriated the sum of one hundred seventy-six thousand (\$176,000.00) dollars to meet expenses incurred in the discharge of its obligations under the agreement, and

WHEREAS, preliminary determination of the respective quantities of sewage contributed by the college and the city indicate that additional payments to the city will be required to discharge the board's obligation over and above amounts previously appropriated, the exact amount of which must be determined by further measurements, therefore,

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

1 SECTION 1. The state board of education is authorized to continue
2 in co-operation with the city of Ames to construct, operate and main-
3 tain a sewage system and disposal plant for the joint use of the Iowa
4 state college and said city as provided by chapter three hundred
5 fifty-four (354), Acts of the Fifty-second General Assembly.

1 SEC. 2. There is hereby appropriated from any moneys in the
2 general fund of the state not otherwise appropriated the sum of one
3 hundred ninety thousand (\$190,000.00) dollars to the state board of
4 education for disposal by said board in discharging its agreements to
5 bear the proportionate share of the Iowa state college toward the cost
6 of constructing, operating and maintaining said sewage system and
7 disposal plant.

1 SEC. 3. Before any fund herein appropriated shall be expended it
2 shall be determined by the state board of education with the approval

3 of the budget and financial control committee of the state legislature
4 that the expenditure shall be for the best interest of the state.

Approved April 22, 1953.

CHAPTER 295

CLARINDA SEWAGE SYSTEM

H. J. R. 3

A JOINT RESOLUTION to authorize the board of control of state institutions to cooperate with the city of Clarinda in the construction, enlargement, operation and maintenance of a sewage disposal plant and outfall sewer line and system, to serve both the Mental Health Institute, Clarinda, Iowa, and the city of Clarinda, and to pay to said city certain sums therefor.

WHEREAS, there has been appropriated to the Board of Control of State Institutions funds to be used for the purpose of making capital improvements at state institutions under their control, and

WHEREAS, the Board of Control of State Institutions has contemplated the construction of a sewage disposal plant to serve the Mental Health Institute, Clarinda, Iowa, and

WHEREAS, the City of Clarinda, Iowa, has under consideration the enlargement of its sewage disposal plant, and proposes to construct additions to its plant and sewers of sufficient capacity to properly treat the sewage of the Mental Health Institute, Clarinda, Iowa, and

WHEREAS, it appears that the interests of the Mental Health Institute, Clarinda, Iowa, and of the City of Clarinda would best be served if one sewage disposal plant is constructed to provide such service for both the Mental Health Institute and the city; now therefore,

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

1 SECTION 1. The Board of Control of State Institutions is hereby
2 authorized to pay to the City of Clarinda, toward the enlargement of
3 a sewage disposal plant now owned by the City of Clarinda, to serve
4 both the Mental Health Institute, Clarinda, Iowa, and the said City,
5 the sum of one hundred and fifty-seven thousand dollars (\$157,000.00),
6 which was previously appropriated from the capital improvement fund
7 of the Board of Control of State Institutions, and allocated by the said
8 Board, with the consent of the Joint Legislative Budget and Finance
9 Committee of the Fifty-fourth General Assembly of the State of Iowa,
10 for the purpose of constructing an addition to the sewage disposal
11 plant now owned by the City of Clarinda, together with an outfall
12 sewer line to connect said Mental Health Institute with said sewage
13 disposal plant, said enlarged sewage disposal plant to take and treat
14 all of the sewage emanating from both the said Mental Health Institute
15 and the City of Clarinda.

1 SEC. 2. The Board of Control of State Institutions and the City of
2 Clarinda, Iowa, are empowered to enter into an agreement whereby
3 the Mental Health Institute, Clarinda, Iowa, shall contribute toward

4 the cost of operation and maintenance of said sewage disposal plant,
5 in accordance with agreements between the said Board of Control and
6 the said City of Clarinda.

1 SEC. 3. The amount to be expended by the said Mental Health In-
2 stitute for said agreed purposes, other than the amount of the agreed
3 contribution for services rendered, shall not exceed one hundred and
4 fifty-seven thousand dollars (\$157,000.00), which shall be allocated as
5 follows:—One hundred and thirty-two thousand dollars (\$132,000.00)
6 toward the expansion of the city's sewage disposal plant, and not to
7 exceed the sum of twenty-five thousand dollars (\$25,000.00) toward
8 the construction of an outfall sewer line to connect the said Mental
9 Health Institute with the sewage disposal plant.

1 SEC. 4. This Joint Resolution being deemed of immediate impor-
2 tance shall be in full force and effect after its passage and publication
3 in the Clarinda Herald-Journal, a newspaper of general circulation,
4 published at Clarinda, Iowa, and The Evening Sentinel, a newspaper
5 published at Shenandoah, Iowa.

Approved March 12, 1953.

I hereby certify that the foregoing Act, House Joint Resolution 3, was published in
the Clarinda Herald-Journal, Clarinda, Iowa, March 19, 1953, and in The Evening
Sentinel, Shenandoah, Iowa, March 17, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 296

REJECTION OF DEED TO FORT DES MOINES

H. J. R. 18

A JOINT RESOLUTION rejecting the offer for a quitclaim deed without consideration
save as contained in Public Law 868, 81st Congress of the United States to land
situated in Polk county, Iowa, and known as Fort Des Moines, Iowa.

WHEREAS, the 81st Congress of the United States authorized the offi-
cers of the United States having jurisdiction over the following described
lands situated in Polk county, Iowa, and known as Fort Des Moines, Iowa,
to convey by quitclaim deed without consideration save as contained in
Public Law 868, of the 81st Congress of the United States, all right, title
and interest of the United States in and to such lands, together with all
improvements thereon, to the state of Iowa.

WHEREAS, the state of Iowa now feels that it is in the best interest of
the people of the state of Iowa to reject such offer from the United States
Government, now therefore

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

1 SECTION 1. That the state of Iowa reject the offer of the United
2 States Government for a quitclaim deed to that part of Polk county,
3 Iowa, commonly called Fort Des Moines.

1 SEC. 2. The governor of the state is hereby directed to immedi-
2 ately notify the proper United States officers having jurisdiction over

3 the lands situated in Polk county, Iowa, commonly called Fort Des
4 Moines, that the state of Iowa rejects this offer, once this Act becomes
5 effective.

Approved April 22, 1953.

CHAPTER 297

RULES OF CIVIL PROCEDURE

In The Matter Of The Rules Of Civil Procedure	Report Of The Supreme Court Of The State Of Iowa
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To the Fifty-fifth General Assembly of the State of Iowa:

1 In accordance with sections 684.18 and 684.19, Code of Iowa, 1950,
2 the supreme court of Iowa has prescribed and herewith reports to
3 you rules of practice and procedure in the nature of amendments to
4 the following designated Rules of Civil Procedure heretofore pre-
5 scribed:

RULE 248

6 Rule 248 is amended by adding thereto:
7 Motions under rules 243 and 244 may be joined or made separately.
8 If the motion under rule 243 is sustained, the sustaining thereof shall
9 be deemed a denial of the motion under rule 244. Upon an appeal by
10 any party from an order sustaining a motion under rule 243 the
11 supreme court may, if the matter is argued, also review such denial
12 of the motion under rule 244 without the necessity of an appeal there-
13 from.

RULE 250

14 Rule 250 is amended by adding thereto:
15 Any such term or condition or judgment entered pursuant thereto
16 shall be deemed of no force and effect and the original judgment
17 entered pursuant to rule 223 shall be deemed reinstated in the event
18 of an appeal.

RULE 342(a)

19 Rule 342(a) is amended by adding thereto:
20 The clerk shall also enter in the appearance or combination docket
21 in his office the date of filing and of mailing to the clerk of the
22 supreme court.

RULE 343

23 Rule 343 is amended by striking the last two sentences of the
24 first paragraph thereof and substituting:
25 The clerk shall indorse upon the "service copy" his certificate of
26 such filing and mailing, and mail it, so indorsed, to the clerk of the
27 supreme court. The clerk shall also enter in the appearance or com-
28 bination docket in his office the date of filing and of mailing to the
29 clerk of the supreme court.

CERTIFICATE

30 I, William A. Smith, do hereby certify that I am the Chief Justice
31 of the Supreme Court of Iowa; that the foregoing amendments to
32 the Rules of Civil Procedure were adopted and approved by the

33 Supreme Court of Iowa and were reported to the Fifty-fifth General
 34 Assembly on January 29th, 1953, pursuant to Code Section 684.18
 35 and 684.19 of the 1950 Code of Iowa by delivering same to the Secre-
 36 tary of the Senate and to the Chief Clerk of the House of Repre-
 37 sentatives on said date.

(S) William A. Smith
 Chief Justice of the Supreme
 Court of Iowa.

ATTEST:

(S) Helen O. Galvin
 Clerk of the Supreme Court of Iowa.

ACKNOWLEDGMENTS

38 I, Carroll Lane, Secretary of the Senate of the State of Iowa, here-
 39 with acknowledge delivery to me on January 29, 1953, of the above
 40 mentioned report of the Supreme Court of the State of Iowa per-
 41 taining to amendments to the Rules of Civil Procedure.

(S) Carroll Lane
 Secretary of the Senate,
 Fifty-fifth General Assembly
 of the State of Iowa

42 I, A. C. Gustafson, Chief Clerk of the House of Representatives of
 43 the State of Iowa, herewith acknowledge delivery to me on January
 44 29, 1953, of the above mentioned report of the Supreme Court of the
 45 State of Iowa pertaining to amendments to the Rules of Civil Pro-
 46 cedure.

(S) A. C. Gustafson
 Chief Clerk, House of Representatives
 of the State of Iowa.

CERTIFICATE

47 I, Leo Elthon, do hereby certify that I am the President of the
 48 Senate of the Fifty-fifth General Assembly of the State of Iowa;
 49 and I, Carroll Lane, do hereby certify that I am the Secretary of the
 50 Senate of the Fifty-fifth General Assembly of the State of Iowa, and
 51 we do hereby jointly certify that as such President and Secretary
 52 that on the 29th day of January, 1953 the Supreme Court of the State
 53 of Iowa reported to said Senate, and filed with it, the attached and
 54 foregoing modifications, amendments, revisions and additions to the
 55 Rules of Civil Procedure, heretofore reported by said Supreme Court
 56 to the Fiftieth General Assembly of the State of Iowa;

57 THAT the date of making said report to the Fifty-fifth General
 58 Assembly was within the twenty days subsequent to the convening of
 59 the regular session of the Fifty-fifth General Assembly;

60 THAT no other report pertaining to the Rules of Civil Procedure
 61 was made or filed by said Supreme Court with said Senate;

62 THAT no other or different changes, modifications, amendments,
 63 revisions or additions to the Rules of Civil Procedure were made
 64 or enacted at such regular session of said Fifty-fifth General Assem-
 65 bly.

66 Signed this 22nd day of April, 1953, being the last legislative day
67 of the Fifty-fifth General Assembly.

(S) Leo Elthon, President
(S) Carroll Lane, Secretary

SENATE
Fifty-fifth General Assembly
of the State of Iowa

CERTIFICATE

68 I, William S. Lynes, do hereby certify that I am the Speaker of
69 the House of Representatives of the Fifty-fifth General Assembly of
70 the State of Iowa; and I, A. C. Gustafson, do hereby certify that I
71 am the Chief Clerk of the House of Representatives of the Fifty-fifth
72 General Assembly of the State of Iowa, and we do hereby jointly
73 certify that as such Speaker and Chief Clerk that on the 29th day
74 of January, 1953 the Supreme Court of the State of Iowa reported
75 to said House of Representatives, and filed with it, the attached and
76 foregoing modifications, amendments, revisions and additions to the
77 Rules of Civil Procedure, heretofore reported by said Supreme Court
78 to the Fiftieth General Assembly of the State of Iowa;

79 THAT the date of making said report to the Fifty-fifth General
80 Assembly was within the twenty days subsequent to the convening
81 of the regular session of the Fifty-fifth General Assembly;

82 THAT no other report pertaining to the Rules of Civil Procedure
83 was made or filed by said Supreme Court with said House of Repre-
84 sentatives;

85 THAT no other or different changes, modifications, amendments,
86 revisions or additions to the Rules of Civil Procedure were made or
87 enacted at such regular session of said Fifty-fifth General Assembly.

88 Signed this 22nd day of April, 1953, being the last legislative day
89 of the Fifty-fifth General Assembly.

(S) William S. Lynes, Speaker
(S) A. C. Gustafson, Chief Clerk
HOUSE OF REPRESENTATIVES
Fifty-fifth General Assembly
of the State of Iowa

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HR 5 That an interim legislative research committee, with the Chief Clerk as director, be approved, HJ 1085, 1086, 1492.
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MEMORIALS TO THE CONGRESS OF THE UNITED STATES

SENATE CONCURRENT RESOLUTION 12

Whereas, the Supreme Court of the United States has recently held that the activities of a private contractor performing services for the Atomic Energy Commission are to be treated as activities of the Atomic Energy Commission itself for the purpose of securing immunity from state and local taxes;

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the legislature of the State of Iowa respectfully memorialize the Congress of the United States to amend the atomic energy act so as to eliminate therefrom any language which may be interpreted as providing for the extension of tax exemption to private contractors with the Atomic Energy Commission or to the vendors of such contractors, contrary to the well-established principles of intergovernment relations which have assured to the states and their political subdivisions full power to impose nondiscriminatory taxation upon private persons who deal with the government; and,

Be It Further Resolved: That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from Iowa in the Congress of the United States.

Adopted, S.J. 841; H.J. 551.

SENATE CONCURRENT RESOLUTION 14

Whereas, the name of Susan B. Anthony is a name honored throughout the United States for unselfish devotion to the cause of equal rights and women's suffrage; and

Whereas, the said Susan B. Anthony did exert a profound and effective influence in the national life of our country in her sponsorship and support of the nineteenth amendment to the United States Constitution; and

Whereas, it is fitting and proper that her name and reputation be better known among the citizens of our country;

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the legislature of the State of Iowa respectfully memorialize the Congress of the United States to take official action whereby there shall be designated a special day to be known as Susan B. Anthony Day, which day shall be the 15th day of February, the anniversary of her birth, and that the said Congress shall by appropriate resolution publicly commemorate the life and history of Susan B. Anthony and urge that services and exercises be held throughout the United States expressive of the public sentiment befitting the anniversary of the birth of said Susan B. Anthony.

Be It Further Resolved: That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from Iowa in the Congress of the United States.

Adopted, S.J. 907; H.J. 1182.

SENATE CONCURRENT RESOLUTION 16

Whereas, the Eighty-second Congress enacted Public Law 552, otherwise known as chapter 877, 2nd Session, S. 1310, and also designated as 66 Statute 692, purporting to be a bill for the prevention of major disasters in mines; and

Whereas, said Public Law 552 prohibits after January 16, 1953, the use of black powder in coal mines of states which authorize the use of such explosives, which prohibition will eliminate deep mining in Iowa and in states having like conditions; and

Whereas, Public Law 552 provides for pre-shift inspection in shaft mines even though those mines are operated by the method known as longwall mining; and

Whereas, it is impossible to examine the face of a longwall mine before the coal is removed from in front of the face; and

Whereas, Public Law 552 provides that state laws shall not be superseded by the federal law where the state laws provide greater safety than the federal law; and

Whereas, Public Law 552 provides that the Board of Review shall be the final finders of fact; and

Whereas, Public Law 552 is another example of the steady accretion of federal power at the expense of the several states:

Therefore, Be It Resolved by the Senate, the House Concurring, That the Eighty-third Congress give serious consideration to amending Public Law 552 of the Eighty-second Congress so as to provide that black powder may be used in deep mines in any state in which there is no danger from methane gas, which state specifically authorizes such use; that said Public Law 552 be further amended so as to permit the examination of longwall mines at any time during every working day; that said law be amended to provide that any state law shall prevail which provides equal safety with the federal enactment; that said Public Law 552 be further amended so as to provide that the effect of said law on any state law shall be a matter of law, and the Court shall not be bound by any previous finding of fact;

Be It Further Resolved, That attested copies of this concurrent resolution be sent to the presiding officers of the Congress of the United States and to each member of the Iowa delegation in Congress, and that printed copies thereof, showing that said concurrent resolution was adopted by the legislature of Iowa, be sent to each house of the legislatures of the states of the United States.

Adopted, S.J. 609; H.J. 814.

HOUSE CONCURRENT RESOLUTION 3

Whereas, building of roads and highways since the inception of our government has been primarily a state responsibility; and

Whereas, every state of the Union has tremendous problems in maintaining, extending, and building highways and bridges due to the lack of building program during the war year period; and

Whereas, the federal government has always collected much more than they have sent back to the states for road building purposes; and

Whereas, the costs of building and maintaining roads and highways have increased tremendously; and

Whereas, states have demonstrated they are willing, have, and do cooperate in building the federally designated highways; and

Whereas, the states sensed the responsibility of an integrated highway system as it relates to the national welfare; and

Whereas, the states have demonstrated that they can build adequate highways; and

Whereas, in many instances, many economies can be effected through sole state responsibility of building highways; and

Whereas, because of the foregoing facts and after due consideration, the Council of State Governments in the National Meeting December 7 in Chicago passed a resolution supporting this proposition, and the Governors' Conference in the National Meeting in July, 1952, unanimously passed a resolution supporting this proposition.

Therefore, Be It Resolved by the House of the Fifty-fifth General Assembly of the State of Iowa, the Senate Concurring: That the Eighty-fourth session of Congress give serious consideration to the question of eliminating the federal gasoline tax and leaving that area of taxation entirely to the states,

Be It Further Resolved, That attested copies of this concurrent resolution be sent to the presiding officers of each house of the Congress and to each member of the Iowa delegation in Congress, and that printed copies thereof, showing that said concurrent resolution was adopted by the legislature of Iowa, be sent to each house of each legislature of each state of the United States.

Adopted, H.J. 110; S.J. 79; H.J. 121.

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