

7 and for the same length of time as for the service of original notice,
 8 either by personal service, or by service by publication, the time so set
 9 being the time at which the parties so served are required to appear,
 10 and actual personal service of the notice within or without the state
 11 shall supersede the necessity for publication.

1 **SEC. 6. Powers of court—duty of clerk—vacancy.** The court of
 2 condemnation shall have power to summon and swear witnesses, take
 3 evidence, order the taking of depositions, require the production of
 4 any books or papers, and may appoint a shorthand reporter. It shall
 5 perform all the duties of commissioners in the condemnation of prop-
 6 erty. The duties and the method of procedure and condemnation, in-
 7 cluding provisions for appeal shall be except as otherwise specifically
 8 provided, as provided for the taking of private property for works of
 9 internal improvement. The clerk of the district court of the county
 10 where the city or town is located shall perform all of the duties re-
 11 quired of the sheriff in the condemnation; and in case of a vacancy
 12 in the court, the vacancy shall be filled in the manner in which the
 13 original appointment was made. When necessary by reason of a
 14 vacancy, the court may review any evidence in its record.

1 **SEC. 7. Costs—expenses.** The costs of the proceedings shall be
 2 the same and paid in the same manner as in proceedings in the district
 3 court, and the district court judges of the court of condemnation shall
 4 receive, while engaged in such service, their actual expenses, which
 5 expenses shall be taxed as costs in the case.

1 **SEC. 8.** Section three hundred eighty-six B point two (386B.2),
 2 unnumbered paragraph two (2), Code 1971, is amended as follows:
 3 Any municipal corporation shall have the right of eminent domain
 4 to acquire private property necessary in connection with the establish-
 5 ment or acquisition, enlargement, extension, improvement, operation
 6 and maintenance of a transit system. In the event of the exercise of
 7 eminent domain to acquire an existing transit system, the provisions
 8 of section one (1) of this Act shall govern so far as applicable.

1 **SEC. 9.** Sections three hundred ninety-seven point twenty (397.20),
 2 three hundred ninety-seven point twenty-one (397.21), three hundred
 3 ninety-seven point twenty-two (397.22), three hundred ninety-seven
 4 point twenty-three (397.23), three hundred ninety-seven point twenty-
 5 four (397.24), and three hundred ninety-seven point twenty-five
 6 (397.25), Code 1971, are repealed.

Approved April 1, 1971.

CHAPTER 235

SUBSEQUENT DAMAGES UNDER EMINENT DOMAIN

H. F. 29

AN ACT relating to the payment of subsequent damages to property owners.

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

1 **SECTION 1.** Chapter four hundred seventy-two (472), Code 1971,
 2 is amended by adding the following new section:

3 **Renegotiation of damages.** Whenever property or an interest there-
 4 in has been taken by condemnation or has been purchased for a public
 5 use and a settlement for construction or maintenance damages has been
 6 thereafter entered into pursuant to said condemnation or purchase,
 7 the owner shall have five years from the date of said settlement to
 8 renegotiate construction or maintenance damages not apparent at the
 9 time of said settlement. The condemnor or purchaser shall give writ-
 10 ten notice to the owner of such right of renegotiation at the time
 11 said settlement is entered into.

Approved April 26, 1971.

CHAPTER 236

RAILWAY EMPLOYEES SANITATION AND SHELTER

H. F. 271

AN ACT to require that railway employees be provided adequate sanitation and shelter.

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

1 SECTION 1. Chapter four hundred seventy-seven (477), Code 1971,
 2 is amended by adding the following new section:

3 "A railway company within the state shall provide adequate sanita-
 4 tion and shelter for all railway employees. The Iowa bureau of labor
 5 shall adopt rules and regulations in accordance with chapter seven-
 6 teen A (17A) of the Code relating to requirements for adequate sani-
 7 tation and shelter for railway employees."

1 SEC. 2. Section ninety-one point five (91.5), subsection one (1),
 2 Code 1971, is amended as follows:

3 1. All laws relating to safety appliances and inspection thereof and
 4 health conditions in manufacturing and mercantile establishments,
 5 workshops, machine shops, and other industrial concerns within his
 6 jurisdiction *and sanitation and shelter for railway employees.*

1 SEC. 3. Section ninety-one point nine (91.9), Code 1971, is
 2 amended as follows:

3 **91.9 Right to enter premises.** The labor commissioner and the
 4 inspectors shall have the power to enter any factory or mill, workshop,
 5 mine, store, *railway facility, including locomotive or caboose*, business
 6 house, public or private work, when the same is open or in operation,
 7 for the purpose of gathering facts and statistics such as are contem-
 8 plated by this chapter, and to examine into the methods of protection
 9 from danger to employees, and the sanitary conditions in and around
 10 such buildings and places, and make a record thereof.

1 SEC. 4. Section ninety-one point twelve (91.12), Code 1971, is
 2 amended as follows:

3 **91.12 Reports to bureau.** It shall be the duty of every owner, oper-
 4 ator, or manager of every factory, mill, workshop, mine, store, *railway*,
 5 business house, public or private work, or any other establishment
 6 where labor is employed, as herein provided, to make to the bureau,