

CHAPTER 1093

MALE AND FEMALE PERSONS

S. F. 1093

AN ACT relating to statutory provisions affecting the legal treatment of male and female persons and to make an appropriation.

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

1 SECTION 1. Section nineteen A point three (19A.3), subsection
2 eleven (11), Code 1973, is amended to read as follows:

3 11. Officers and enlisted ~~men~~ *personnel* of the armed services under
4 state jurisdiction.

1 SEC. 2. Section nineteen A point nine (19A.9), subsection two (2),
2 Code 1973, is amended to read as follows:

3 2. For a pay plan within the purview of an appropriation made by
4 the general assembly and not otherwise provided by law for all em-
5 ployees in the merit system, after consultation with appointing author-
6 ities and after a public hearing held by the commission. Such pay plan
7 shall become effective only after it has been approved by the executive
8 council after submission from the commission. Review of the pay plan
9 for revisions shall be made in the same manner at the discretion of the
10 director, but not less than annually. Each employee shall be paid at
11 one of the rates set forth in the pay plan for the class of position in
12 which employed and, unless otherwise designated by the commission,
13 shall begin employment at the first step of the established range for
14 ~~his~~ *the employee's* class. Unless otherwise established by law, the gov-
15 ernor, with the approval of the executive council, shall establish a pay
16 plan for all exempt positions in the executive branch of government
17 except for employees of the governor, board of regents, the state educa-
18 tional radio and television facility board, the superintendent of public
19 instruction and members of the professional staff of the department of
20 public instruction, appointed under the provisions of section 257.24,
21 who possess a current, valid teacher's certificate or who are assigned
22 to vocational activities or programs, the commission for the blind,
23 members of the Iowa highway safety patrol and other peace officers,
24 as defined in section 97A.1, employed by the department of public
25 safety, and officers and enlisted ~~men~~ *personnel* of the armed services
26 under state jurisdiction.

1 SEC. 3. Section twenty-nine A point one (29A.1), subsection seven
2 (7), Code 1973, is amended to read as follows:

3 7. "On duty" shall mean and include drill periods, all other training,
4 and service which may be required under state or federal law, regula-
5 tions, or orders, and the necessary travel of an officer or enlisted ~~man~~
6 *person* to the place of performance of such duty and return home after
7 performance of such duty, but shall not include federal service.

1 SEC. 4. Section twenty-nine A point twenty-six (29A.26), unnum-
2 bered paragraph one (1), Code 1973, is amended to read as follows:

3 The number and grade of officers and enlisted ~~men~~ *personnel* in the
4 state headquarters and headquarters detachment shall be as prescribed
5 by federal law and regulations, but in case of war, invasion, insurrec-
6 tion, riot or imminent danger thereof, the governor may temporarily
7 increase such force to meet such emergency.

1 SEC. 5. Section twenty-nine A point thirty-one (29A.31), Code
2 1973, is amended to read as follows:

3 **29A.31 Unlawful organizations.** It shall be unlawful for any body
4 of ~~men~~ *persons*, other than the national guard and the troops of the
5 United States, to associate themselves together as a military organiza-
6 tion within the limits of this state without the written permission of
7 the governor, which ~~he~~ *the governor* may at any time revoke, but this
8 provision shall not prevent civic, social, or benevolent organizations
9 from wearing uniforms and swords not in conflict with the other pro-
10 visions of this chapter.

1 SEC. 6. Section twenty-nine A point thirty-five (29A.35), Code
2 1973, is amended to read as follows:

3 **29A.35 Use for military only.** All arms, clothing, equipment, and
4 other military property furnished or issued by the federal government
5 or the state or for which an allowance has been made, shall be used for
6 military purposes only, and each officer and enlisted ~~man~~ *person* upon
7 being separated from the military forces of the state, or upon demand
8 of ~~his~~ *the* commanding officer, shall forthwith surrender such military
9 property in ~~his~~ *the officer or enlisted person's* possession to said com-
10 manding officer. Any member of the national guard who shall neglect
11 to return to the armory of the unit, or place in charge of the command-
12 ing officer of the organization to which ~~he~~ *the member* belongs, any
13 arms, clothing, equipment, or other military property or portion
14 thereof, belonging to the federal government or the state, upon being
15 notified by said commanding officer to do so, shall be guilty of a mis-
16 demeanor.

1 SEC. 7. Section twenty-nine A point thirty-eight (29A.38), Code
2 1973, is amended to read as follows:

3 **29A.38 Misdemeanors.** Any officer or enlisted ~~man~~ *person* of the
4 national guard who knowingly makes any false certificate of muster or
5 false return of federal or state property or funds in ~~his~~ *the officer or*
6 *enlisted person's* possession shall be guilty of a misdemeanor.

1 SEC. 8. Section twenty-nine A point thirty-nine (29A.39), Code
2 1973, is amended to read as follows:

3 **29A.39 Embezzlement.** Any officer or enlisted ~~man~~ *person* of the
4 national guard who willfully neglects or refuses to apply all money, in
5 ~~his~~ *the officer or enlisted person's* possession drawn from the state
6 treasury, to the purpose for which such money was appropriated or
7 who fails or refuses to account for or return any state or federal prop-
8 erty or funds in ~~his~~ *the officer or enlisted person's* possession shall be
9 guilty of the crime of embezzlement by bailee and punished accord-
10 ingly.

1 SEC. 9. Section twenty-nine A point forty-one (29A.41), Code
2 1973, is amended to read as follows:

3 **29A.41 Exemption from jury and other exemptions.** Every officer
4 and enlisted ~~man~~ *person* of the national guard shall be exempt from
5 jury duty. No member of the national guard shall be arrested, or
6 served with any summons, order, warrant, or other civil process after
7 having been ordered to any duty, or while going to, attending, or
8 returning from, any place to which ~~he~~ *the officer or enlisted person* is
9 required to go for military duty. Nothing herein shall prevent ~~his~~ *the*

10 *officer or enlisted person's* arrest by order of a military officer or for a
11 felony or breach of the peace committed while not in the actual perform-
12 ance of ~~his~~ *the officer or enlisted person's* duty. The articles of equip-
13 ment personally owned by such members shall be exempt from seizure
14 or sale for debt. Every member of the national guard who has faith-
15 fully served the full term of ~~his~~ *the member's* commission, warrant or
16 enlistment, shall, upon application, be entitled to an honorable dis-
17 charge, exempting ~~him~~ *the member* from military duty except in time
18 of war or public danger.

1 SEC. 10. Section twenty-nine A point forty-three (29A.43), Code
2 1973, is amended to read as follows:

3 **29A.43 Discrimination prohibited—leave of absence.** No person,
4 firm, or corporation, shall discriminate against any officer or enlisted
5 ~~man~~ *person* of the national guard or organized reserves of the armed
6 forces of the United States because of ~~his~~ membership therein. No
7 employer, or agent of any employer, shall discharge any person from
8 employment because of being an officer or enlisted ~~man~~ *person* of the
9 military forces of the state, or hinder or prevent ~~him~~ *the officer or*
10 *enlisted person* from performing any military service ~~he~~ *such person*
11 may be called upon to perform by proper authority. Any member of
12 the national guard or organized reserves of the armed forces of the
13 United States ordered to temporary active duty for the purpose of
14 military training or ordered on active state service, shall be entitled
15 to a leave of absence during the period of such duty or service from
16 ~~his~~ *the member's* private employment, other than employment of a
17 temporary nature, and upon completion of such duty or service the
18 employer shall restore such person to the position held prior to such
19 leave of absence, or employ such person in a similar position, provided,
20 however, that such person shall give evidence to the employer of satis-
21 factory completion of such training or duty, and further provided that
22 such person is still qualified to perform the duties of such position.
23 Such period of absence shall be construed as an absence with leave,
24 and shall in no way affect the employee's rights to vacation, sick leave,
25 bonus, or other employment benefits relating to ~~his~~ *the employee's*
26 particular employment. Any person violating any of the provisions
27 of this section shall be punished by a fine of not to exceed one hundred
28 dollars, or by imprisonment in the county jail for a period of not to
29 exceed thirty days.

1 SEC. 11. Section twenty-nine A point fifty-one (29A.51), Code
2 1973, is amended to read as follows:

3 **29A.51 Suit or proceeding—defense.** In the event any suit or pro-
4 ceeding shall be commenced in any court by any person against any
5 officer of the military forces for any act done by such officer in ~~his~~ *the*
6 *officer's* official capacity in the discharge of any duty under this chap-
7 ter, or against any enlisted ~~man~~ *person* acting under the authority or
8 order of any such officer, or by virtue of any warrant issued by ~~him~~
9 *the officer* pursuant to law, it shall be the duty of the attorney general
10 or state judge advocate, upon the request of the adjutant general, to
11 defend any member of the military forces of the state against whom
12 any such suit or proceeding has been instituted. The costs of such
13 defense shall be paid out of any funds in the state treasury not other-
14 wise appropriated. Before any suit or proceeding shall be filed or

15 maintained against any officer or enlisted ~~man~~ *person* as herein pro-
 16 vided, the plaintiff shall be required to give security, to be approved
 17 by the court in a sum not less than one hundred dollars to secure the
 18 costs. If the plaintiff fails to recover judgment, such costs shall be
 19 taxed and judgment rendered therefor against ~~him~~ *the plaintiff* and
 20 ~~his~~ *the plaintiff's* sureties. When troops are called into active state
 21 service by the governor under martial law or as aid to the civil author-
 22 ities, in addition to ~~his~~ *the judge advocate's* other duties, any judge
 23 advocate on duty with such troops may be appointed by the attorney
 24 general as an assistant attorney general, without pay for ~~his~~ *the judge*
 25 *advocate's* services for acting in such capacity.

1 SEC. 12. Section twenty-nine A point fifty-three (29A.53), unnum-
 2 bered paragraph three (3), Code 1973, is amended to read as follows:

3 Officers and enlisted ~~men~~ *personnel* called into federal service
 4 through the national guard shall upon completion of such service con-
 5 tinue to serve the balance of their enlistment period the same as
 6 though it had not been interrupted by such service.

1 SEC. 13. Section twenty-nine A point fifty-five (29A.55), Code
 2 1973, is amended to read as follows:

3 29A.55 Insurance. The adjutant general is hereby authorized to
 4 procure insurance against the liability of officers and enlisted ~~men~~
 5 *personnel* of the national guard, and employees of the adjutant general
 6 by reason of claims for bodily injuries, death, or property damage,
 7 made upon such officers, enlisted ~~men~~ *personnel* and employees result-
 8 ing from their operation of a motor vehicle while in the performance of
 9 their duties.

1 SEC. 14. Section twenty-nine A point sixty-nine (29A.69), Code
 2 1973, is amended to read as follows:

3 29A.69 Officers and duties. The powers and duties of officers and
 4 enlisted ~~men~~ *personnel* of the Iowa state guard shall be the same as
 5 those prescribed in this chapter for officers and enlisted ~~men~~ *personnel*
 6 of the national guard and the punitive and disciplinary provisions of
 7 this chapter relating to the national guard shall be applicable to the
 8 Iowa state guard.

1 SEC. 15. Section twenty-nine A point seventy-one (29A.71), Code
 2 1973, is amended to read as follows:

3 29A.71 Pay and allowances. Officers and enlisted ~~men~~ *personnel*
 4 of the Iowa state guard while in active state service shall receive the
 5 same pay, allowances, and compensation as provided by law for mem-
 6 bers of the Iowa national guard.

1 SEC. 16. Section forty-eight point six (48.6), subsection one (1),
 2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
 3 1973 Session, chapter one hundred thirty-six (136), section one hun-
 4 dred one (101), is amended to read as follows:

5 1. The name of the applicant in full. Whenever any change of name
 6 shall occur ~~due to marriage, or divorce or dissolution of marriage, or~~
 7 ~~otherwise~~, the registrant shall not be allowed to vote until the regis-
 8 trant has reregistered, and after such reregistration the previous regis-
 9 tration record shall be removed from the files. Where the only change
 10 in the previous registration information is a *legal* change of surname

11 by reason of marriage, divorce or dissolution of marriage, or other
 12 legal procedure, the registrant may effect the reregistration required
 13 by this subsection by mailing the county commissioner a written notice
 14 stating in full both the name under which the registrant was previous-
 15 ly registered and the name under which the registrant is now to be
 16 registered, and the registrant's social security number, if available.

1 SEC. 17. Section eighty point two (80.2), Code 1973, is amended
 2 to read as follows:

3 **80.2 Commissioner—appointment.** The chief executive officer of
 4 the department of public safety shall be the commissioner of public
 5 safety. The governor shall appoint, with the approval of two-thirds of
 6 the members of the senate, a commissioner of public safety, who shall
 7 be a ~~man~~ *person* of high moral character, of good standing in the com-
 8 munity in which ~~he~~ *the commissioner* lives, of recognized executive
 9 and administrative capacity, and who shall not be selected on the basis
 10 of political affiliation. The commissioner of public safety shall devote
 11 ~~his entire~~ *full* time to the duties of this office; ~~he~~ *the commissioner*
 12 shall not engage in any other trade, business, or profession, nor shall
 13 ~~he~~ engage in any partisan or political activity. ~~He~~ *The commissioner*
 14 shall serve at the pleasure of the governor, at an annual salary as fixed
 15 by the general assembly.

1 SEC. 18. Section eighty-six point ten (86.10), unnumbered para-
 2 graph one (1), Code 1973, is amended to read as follows:

3 All books, records, and payrolls of the employers, showing or reflect-
 4 ing in any way upon the amount of wage expenditure of such employ-
 5 ers, shall always be open for inspection by the industrial commissioner
 6 or any of ~~his~~ *the commissioner's* representatives presenting a certifi-
 7 cate of authority from said commissioner for the purpose of ascertain-
 8 ing the correctness of the wage expenditure, the number of ~~men~~
 9 *persons* employed, and such other information as may be necessary for
 10 the uses and purposes of the commissioner in ~~his~~ *the* administration of
 11 the law.

1 SEC. 19. Section ninety-seven A point one (97A.1), subsection
 2 eight (8), Code 1973, is amended to read as follows:

3 8. "~~Widow~~ *Surviving spouse*" shall mean only such surviving spouse
 4 of a marriage consummated prior to retirement of a deceased member
 5 from active service.

1 SEC. 20. Section ninety-seven A point six (97A.6), subsection
 2 eight (8), paragraph* c, d, and e, Code 1973, are amended to read as
 3 follows:

4 c. To ~~his widow~~ *the surviving spouse* to continue ~~during her widow-~~
 5 ~~hood~~ *so long as said partner remains unmarried*; or

6 d. If there be no ~~widow~~ *surviving spouse*, or if the ~~widow~~ *spouse*
 7 dies or remarries before any child of such deceased member shall have
 8 attained the age of eighteen years, then to the guardian of ~~his~~ *the*
 9 *member's* child or children under said age, divided in such manner as
 10 the board of trustees in its discretion shall determine, to continue as
 11 a joint and survivor pension until every such child dies or attains the
 12 age of eighteen; or

*According to enrolled Act

13 e. If there be no surviving ~~widow~~ *widow spouse* or child under age eighteen,
14 then to ~~his~~ *the member's* dependent father or mother, as the board of
15 trustees in its discretion shall determine, to continue until remarriage
16 or death.

1 SEC. 21. Section ninety-seven A point six (97A.6), subsection nine
2 (9), paragraphs b, c, and d, Code 1973, are amended to read as fol-
3 lows:

4 b. A pension equal to one-half of the average final compensation of
5 such member shall be paid to ~~his~~ *widow the surviving spouse*, children
6 or dependent parents as provided in paragraphs "c", "d", and "e" of
7 subsection 8 of this section.

8 c. If there be no ~~widow~~ *surviving spouse*, children under the age of
9 eighteen years or dependent parent surviving such deceased member,
10 the death shall be treated as an ordinary death case and the benefit
11 payable in accordance with the provisions of subsection 8, paragraph
12 "b" of this section, in lieu of the pension provided in paragraph "b" of
13 this subsection 9, shall be paid to ~~his~~ *the member's* estate.

14 d. In addition to the benefits for the ~~widow~~ *surviving spouse* herein
15 enumerated, there shall also be paid for each dependent child of a mem-
16 ber under the age of eighteen years the sum of twenty dollars per
17 month.

1 SEC. 22. Section ninety-seven A point six (97A.6), subsection
2 thirteen (13), Code 1973, is amended to read as follows:

3 13. Pension to ~~widow~~ *surviving spouse* and children of deceased pen-
4 sioned member. In the event of the death of any member receiving a
5 retirement allowance under the provisions of subsections 2, 4 or 6 of
6 this section there shall be paid a pension:

7 a. To ~~his~~ *the member's* ~~widow~~ *surviving spouse* to continue ~~during~~
8 ~~her widowhood~~ *so long as said party remains unmarried*, equal to one-
9 half the amount received by such deceased beneficiary, but in no in-
10 stance less than fifty dollars per month, and in addition thereto the
11 sum of twenty dollars per month for each child under eighteen years of
12 age; or

13 b. In the event of the death of the ~~wife~~ *spouse* either prior or sub-
14 sequent to the death of the member, to the guardian of each surviving
15 child under eighteen years of age, in the sum of twenty dollars per
16 month for the support of such child.

1 SEC. 23. Section one hundred three point seven (103.7), subsec-
2 tion two (2), unnumbered paragraph one (1),* Code 1973, is amended
3 to read as follows:

4 2. Class "C" shall not be used on any building over three stories in
5 height in which more than five persons are at any one time allowed
6 upon any one of the floors above said third story nor where any of
7 the persons allowed upon any floor above the third story are ~~females~~
8 ~~or~~ minors; but the state fire marshal may under peculiar conditions
9 and where the hazards are not great:

1 SEC. 24. Section one hundred six point five (106.5), subsection five
2 (5), unnumbered paragraph two (2), Code 1973, is amended to read
3 as follows:

*According to enrolled Act

4 Whenever the name of any person, who has registered a vessel, is
 5 thereafter changed by marriage or otherwise, he shall, within ten days,
 6 notify the county recorder of *such** former and new name.

1 SEC. 25. Section one hundred fifty-three point nineteen (153.19),
 2 Code 1973, is amended to read as follows:

3 **153.19 Practice under own name.** No person shall operate any
 4 place in which dentistry is practiced under any other name than ~~his~~
 5 *the person's own*, or display, in connection with ~~his the dentist's~~ prac-
 6 tice, on any advertising matter any other than ~~his the dentist's own~~
 7 name; but two or more licensed dentists who are associated in the
 8 practice shall use all of their names, and a ~~widow spouse~~, heir, or any
 9 legal representative of a deceased dentist, may operate such office for
 10 a reasonable time for the purpose of disposing of the same.

1 SEC. 26. Section one hundred fifty-seven point one (157.1), Code
 2 1973, is amended to read as follows:

3 **157.1 Definitions.** For the purpose of this chapter the following
 4 classes of persons shall be deemed to be engaged in the practice of
 5 cosmetology:

6 1. Persons who, for compensation, engage in or who hold them-
 7 selves out to the public as being engaged in any one or any combina-
 8 tion of the following practices: Cutting, dressing, curling, waving,
 9 bleaching, coloring, and similar work, on the hair of any ~~woman or~~
 10 ~~child~~ *person* by any means whatever.

11 2. Persons who, with hands or mechanical or electrical apparatus or
 12 appliances, or by the use of cosmetic preparations, antiseptics, tonics,
 13 lotions, or creams, engage for compensation in any one or any com-
 14 bination of the following practices: Massaging, cleansing, stimulat-
 15 ing, manipulating, exercising, manicuring, beautifying, or similar
 16 work, the scalp, face, neck, hands, arms, bust or upper part of the
 17 body, or the removing of superfluous* hair by the use of electricity or
 18 otherwise, on or about the body of any ~~woman or child~~ *person*.

1 SEC. 27. Section one hundred fifty-eight point two (158.2), un-
 2 numbered paragraph two (2), Code 1973, is amended to read as fol-
 3 lows:

4 The provisions of this section shall not be construed as to permit
 5 any person other than a licensed barber or students in a barber school
 6 approved by the board of barber examiners or registered barber ap-
 7 prentice while pursuing a regular course of study of barbering to
 8 shave or trim the beard or cut the hair of any person for cosmetic
 9 purposes, except that licensed cosmetologists may cut the hair of any
 10 ~~female person and of any male person under twelve years of age~~.

1 SEC. 28. Section one hundred seventy point nineteen (170.19),
 2 subsection six (6), Code 1973, is amended by striking the subsection
 3 and inserting in lieu thereof the following:

4 6. While preparing food, employees whose hair does not extend
 5 below their ears shall wear suitable head covering, and employees
 6 whose hair extends below their ears shall wear hairnets.

*According to enrolled Act

1 SEC. 29. Section one hundred seventy-six point two (176.2), Code
2 1973, is amended to read as follows:

3 **176.2 Method of incorporation.** Such body corporate may be
4 formed by the acknowledging and filing articles of incorporation with
5 the county recorder, signed by at least ten farmers, landowners, or
6 other ~~business men~~ *persons engaged in business* of the county.

1 SEC. 30. Section one hundred seventy-six point three (176.3), un-
2 numbered paragraph two (2), Code 1973, is amended to read as fol-
3 lows:

4 We, the undersigned farmers, landowners, and ~~business men~~ *persons*
5 *engaged in business* of county, Iowa, do hereby adopt the
6 following articles of incorporation:

1 SEC. 31. Section two hundred ten point twenty-three (210.23),
2 Code 1973, is amended to read as follows:

3 **210.23 Exception.** Any ~~woman~~ *person* engaged in home baking is
4 exempt from the provisions of sections 210.19 to 210.22.

1 SEC. 32. Section two hundred fifteen point fifteen (215.15), Code
2 1973, is amended to read as follows:

3 **215.15 Scale pit.** Scale pit shall have proper room for inspector
4 or service ~~man~~ *person* to repair or inspect scale. Scale pit shall remain
5 dry at all times and adequate drainage shall be provided for the pur-
6 pose of inspecting and cleaning.

1 SEC. 33. Section two hundred eighteen point fourteen (218.14),
2 Code 1973, is amended to read as follows:

3 **218.14 Dwelling house and provisions.** The division director hav-
4 ing control over any state institution shall furnish the executive head
5 of each of said institutions, in addition to salary, with a dwelling
6 house or with appropriate quarters in lieu thereof, and, from supplies
7 purchased for the institution, the necessary household provisions for
8 ~~himself, wife~~ *the executive head, spouse*, and minor children or the
9 particular division director may compensate the executive head of each
10 of said institutions in lieu of furnishing all of the above items.

1 SEC. 34. Section two hundred nineteen point one (219.1), Code
2 1973, is amended to read as follows:

3 **219.1 For whom maintained.** The Iowa soldiers home, located in
4 Marshalltown, shall be maintained for honorably discharged soldiers,
5 sailors, marines and nurses who have served the United States in any
6 of its wars, including the Korean conflict at any time between June
7 27, 1950, and July 27, 1953, both dates inclusive, and including the
8 Vietnam conflict at any time between August 5, 1964, and ending on
9 the date the armed forces of the United States are directed by formal
10 order of the government of the United States to cease hostilities, both
11 dates inclusive, and who do not have sufficient means or ability to sup-
12 port themselves, and for the dependent ~~widows and wives~~ *spouses and*
13 *surviving spouses* of such soldiers, sailors or marines.

14 For the purposes of this section World War II shall be from Decem-
15 ber 7, 1941, to September 2, 1945, both dates inclusive.

1 SEC. 35. Section two hundred nineteen point four (219.4), Code
2 1973, is amended to read as follows:

3 **219.4 Married couples.** When a married ~~man~~ *person* is or becomes
 4 a member of the home, ~~his wife~~ *the spouse*, if ~~she has been married to~~
 5 ~~him~~ *the person* for one year and is otherwise eligible under this chap-
 6 ter, may be admitted as a member of the home subject to all rules and
 7 regulations of said home. Husband and wife may be permitted to
 8 occupy, together, cottages or other quarters on the grounds of the
 9 home.

1 SEC. 36. Section two hundred nineteen point five (219.5), Code
 2 1973, is amended to read as follows:

3 **219.5 Widows Surviving spouses of veterans.** If any deceased sol-
 4 dier, sailor or marine, who would be entitled to admission to the home
 5 if ~~he~~ *the deceased soldier, sailor, or marine* were living, has left a
 6 ~~widow surviving him~~ *surviving spouse*, such ~~widow~~ *spouse* shall be
 7 entitled to admission to the home with the same rights, privileges and
 8 benefits as though ~~her~~ *the soldier, sailor or marine* ~~husband~~ *spouse*
 9 were living and a member of the home, provided, however, that such
 10 ~~widow has been the wife of~~ *spouse has been married to* said veteran
 11 for at least one year immediately prior to ~~his~~ *the veteran's* death, and
 12 has reached the age of fifty years or is found by the commandant to
 13 be totally and permanently disabled and ~~she~~ *the spouse* does not have
 14 sufficient means or is ~~unable to~~ *does not possess sufficient funds for*
 15 support and ~~maintain herself~~ *maintenance*, and provided further that
 16 ~~she~~ *the surviving spouse* has been for the three years preceding the
 17 date of ~~her~~ application, a resident of the state of Iowa, and ~~that she~~
 18 has not married at any time since the death of ~~her~~ *the veteran* ~~husband~~
 19 *spouse* except to a member of the home.

1 SEC. 37. Section two hundred nineteen point fifteen (219.15),
 2 Code 1973, is amended to read as follows:

3 **219.15 Payment to dependents.** Each member of the home who
 4 receives a pension or compensation and who has a dependent ~~wife~~
 5 *spouse* or child, as defined in section 234.1, shall deposit with the com-
 6 mandant forthwith on receipt of ~~his~~ *the member's* pension or compen-
 7 sation check one-half of the amount thereof, which shall be sent at
 8 once to the ~~wife~~ *spouse* if ~~she be~~ *the spouse is* dependent upon ~~her own~~
 9 ~~labor~~ *employment* or others for support, or, if there be no ~~wife~~ *spouse*,
 10 to the guardian of the child, as defined in section 234.1, if dependent
 11 upon others for support. The commandant, if satisfied that the ~~wife~~
 12 *spouse* has deserted ~~her husband~~ *the member of the home*, or is of bad
 13 character, or is not dependent upon others for support, may pay the
 14 money deposited as herein provided to the guardian of the dependent
 15 child, as defined in section 234.1.

1 SEC. 38. Section two hundred twenty-six point twelve (226.12),
 2 Code 1973, is amended to read as follows:

3 **226.12 Monthly visitation—~~women~~ inspectors.** The state director
 4 shall make monthly and thorough examinations of each hospital. ~~He~~
 5 *The director* may appoint a ~~woman~~ *an inspector* to make examinations
 6 of any hospital and to make written report thereof to the state direc-
 7 tor.

1 SEC. 39. Section two hundred forty-two point fifteen (242.15),
 2 Code 1973, is amended to read as follows:

3 **242.15 Transfers to work in parks.** The state director may detail
 4 boys *and girls*, classed as trustworthy, from the Iowa training school
 5 **for boys at Eldora and the Iowa training school for girls at Mitchell-**
 6 **ville,** to perform services for the state conservation commission within
 7 the state parks, state game and forest areas and other lands under the
 8 jurisdiction of said commission. The conservation commission shall
 9 provide such permanent housing and work guidance supervision, but
 10 the care and custody of said boys *and girls* shall remain under em-
 11 ployees of the division of child and family services of the department
 12 of social services. All such programs shall have as their primary
 13 purpose and shall provide for inculcation or the activation of attitudes,
 14 skills and habit patterns which will be conducive to the habilitation
 15 of said youths.

16 The state director is hereby authorized to use state-owned mobile
 17 housing equipment and facilities in performing such services at tem-
 18 porary locations in the above areas.

1 SEC. 40. Section two hundred forty-five point two (245.2), Code
 2 1973, is amended to read as follows:

3 **245.2 Superintendent—salary.** The superintendent of the wom-
 4 en's reformatory shall be ~~a female and shall~~ receive a salary as deter-
 5 mined by the state director.

1 SEC. 41. Section two hundred forty-six A point one (246A.1),
 2 Code 1973, is amended to read as follows:

3 **246A.1 Established by department of social services.** The depart-
 4 ment of social services is hereby authorized to establish a facility for
 5 the preparation of all ~~male~~ inmates of the corrective institutions under
 6 the department's jurisdiction for discharge or parole. The facility
 7 shall be known as the correctional release center and shall be operated
 8 in conjunction with and utilize the facilities of the prison honor farm
 9 at Newton, Iowa.

1 SEC. 42. Section two hundred forty-six A point three (246A.3),
 2 Code 1973, is amended to read as follows:

3 **246A.3 Transfer of prisoners to center.** The department may
 4 transfer any ~~male~~ inmate of a corrective institution within ninety days
 5 of the inmate's approaching release from custody to the release center
 6 for intensive training to assist the inmate in the transition to civilian
 7 living.

1 SEC. 43. Section two hundred forty-seven A point two (247A.2),
 2 Code 1973, is amended to read as follows:

3 **247A.2 Program.** The department of social services shall estab-
 4 lish a work release program under which inmates sentenced to an in-
 5 stitution under the jurisdiction of the department may be granted the
 6 privilege of leaving actual confinement during necessary and reason-
 7 able hours for the purpose of working at gainful employment in this
 8 state. Under appropriate conditions the program may also include
 9 release for the purpose of seeking employment and attendance at an
 10 educational institution. In the case of ~~female~~ inmates ~~the program~~
 11 ~~may include housekeeping in her domicile who have children in their~~
 12 ~~homes under the age of eighteen years, the program may include child~~
 13 ~~care and housekeeping in their homes.~~

1 SEC. 44. Section two hundred fifty point thirteen (250.13), Code
2 1973, is amended to read as follows:

3 250.13 **Burial—expenses.** The board shall designate some suitable
4 person in each township to cause to be decently interred in a suitable
5 cemetery and not in any cemetery or part thereof used exclusively for
6 the burial of the pauper dead, the body of any honorably discharged
7 man or woman of the United States, who served in the military or
8 naval forces of the United States during any war, including the
9 Korean Conflict at any time between June 27, 1950, and July 27, 1953,
10 both dates inclusive, and including the Vietnam Conflict at any time
11 between August 5, 1964, and ending on the date the armed forces of
12 the United States are directed by formal order of the government of
13 the United States to cease hostilities, both dates inclusive, or ~~his wife,~~
14 ~~widow the spouse, surviving spouse,~~ or child of such person, if any
15 such person has died without leaving sufficient means to defray the
16 funeral expenses. The commission shall pay such expenses in a sum
17 not exceeding two hundred dollars in any case.

1 SEC. 45. Section two hundred fifty-two point five (252.5), Code
2 1973, is amended to read as follows:

3 252.5 **Remote relatives.** In the absence or inability of nearer rela-
4 tives, the same liability shall extend to grandparents, if of ability
5 without personal labor, and to the ~~male~~ grandchildren who are of
6 ability by personal labor or otherwise.

1 SEC. 46. Section two hundred fifty-two point sixteen (252.16),
2 subsections four (4) and six (6), Code 1973, are amended by striking
3 the subsections and renumbering the remaining subsections.

1 SEC. 47. Section two hundred fifty-two point sixteen (252.16),
2 subsection five (5), Code 1973, is amended by striking the subsection
3 and inserting in lieu thereof the following:

4 5. Minor children who reside with both parents take the settlement
5 of the parents. If the minor child resides on a permanent basis with
6 only one parent or a guardian, the minor child takes the settlement of
7 the parent or guardian with whom the child resides.

1 SEC. 48. Section three hundred seventeen point twenty-two
2 (317.22), Code 1973, is amended to read as follows:

3 317.22 **Duty of highway maintenance ~~man~~ personnel.** It shall be
4 the duty of all officers directly responsible for the care of public high-
5 ways to make complaint to the weed commissioners or board of super-
6 visors, whenever it shall appear that the provisions of this chapter
7 may not be complied with in time to prevent the blooming and maturity
8 of noxious weeds or the unlawful growth of weeds, whether in the
9 streets or highways for which they are responsible or upon lands
10 adjacent to the same.

1 SEC. 49. Section three hundred twenty-one point forty-one
2 (321.41), unnumbered paragraph two (2), Code 1973, is amended to
3 read as follows:

4 Whenever the name of any person who has made application for or
5 obtained the registration of a vehicle is thereafter *legally* changed by
6 ~~marriage or otherwise~~ such person shall within ten days notify the
7 county treasurer of the county in which the title of said vehicle is of
8 record, of such former and new name.

1 SEC. 50. Section three hundred twenty-one E point fourteen
2 (321E.14), Code 1973, is amended to read as follows:

3 **321E.14 Fees for permits.** The commission or local authorities
4 issuing such permits shall charge a fee of ten dollars for an annual
5 permit and a fee of five dollars for a single-trip permit. Fees for the
6 movement of buildings, parts of buildings, or unusual vehicles or
7 loads may be increased to cover the costs of inspections by the issuing
8 authority. A fee not to exceed sixty dollars per ten-hour day or
9 prorated fraction thereof per ~~man~~ *person* and car for escort service
10 may be charged when requested or when required under this chapter.
11 Proration of escort fees between state and local authorities when more
12 than one governmental authority provides or is required to provide
13 escort for a movement during the period of a day shall be determined
14 by rule under section 321E.15. The commission and local authorities
15 may charge any permit applicant for the cost of trimming trees and
16 removal and replacement of natural obstructions or official signs and
17 signals or other public or private property required to be removed
18 during the movement of a vehicle and load.

1 SEC. 51. Section three hundred thirty-eight point four (338.4),
2 Code 1973, is amended to read as follows:

3 **338.4 Cook and assistants.** The sheriff may with the approval of
4 the board of supervisors appoint a competent cook for each of the
5 county jails of his county; also such assistants at each of said jails as
6 said board may deem necessary. ~~One or more of said assistants may be~~
7 ~~women.~~ Said appointments shall be made by the board of supervisors
8 when the sheriff fails to make them.

1 SEC. 52. Section three hundred forty-seven point nine (347.9),
2 Code 1973, is amended to read as follows:

3 **347.9 Trustees—appointment—terms of office.** When it has been
4 determined by the voters of a county to establish a county public hos-
5 pital, the board shall appoint seven trustees chosen from among the
6 resident citizens of the county with reference to their fitness for such
7 office, ~~three of whom may be women~~, and not more than four of such
8 trustees shall be residents of the city, town, or village at which such
9 hospital is located. Such trustees shall hold office until the following
10 general election, at which time their successors shall be elected, two
11 for a term of two years, two for four years, and three for six years,
12 and they shall determine by lot their respective terms, and thereafter
13 their successors shall be elected for regular terms of six years each,
14 none of whom shall be physicians or licensed practitioners.

1 SEC. 53. Section three hundred fifty-six point sixteen (356.16),
2 Code 1973, is amended to read as follows:

3 **356.16 Hard labor.** Able-bodied ~~male~~ persons over the age of six-
4 teen, confined in any jail under the judgment of any tribunal author-
5 ized to imprison for the violation of any law, ordinance, bylaw or police
6 regulation, may be required to labor during the whole or part of the
7 time of ~~his sentence~~ *their sentences*, as hereinafter provided, and such
8 tribunal, when passing final judgment of imprisonment, whether for
9 nonpayment of fine or otherwise, shall have the power to and shall
10 determine whether such imprisonment shall be at hard labor or not.

1 SEC. 54. Section three hundred fifty-six point twenty-six (356.26),
2 subsection three (3), Code 1973, is amended to read as follows:

3 3. Conducting his own business or other self-employed occupation,
4 including, ~~in the case of a woman,~~ housekeeping and attending ~~the~~ *to*
5 *family needs of her family.*

1 SEC. 55. Section four hundred eleven point one (411.1), subsection
2 ten (10), Code 1973, is amended to read as follows:

3 10. "~~Widow~~ *Surviving spouse*" shall mean only such surviving spouse
4 of a marriage consummated prior to retirement of a deceased member
5 from active service.

1 SEC. 56. Section four hundred twenty-eight point one (428.1), sub-
2 section two (2), Code 1973, is amended to read as follows:

3 2. The property of a married ~~woman~~ *person*, by ~~herself or husband~~
4 *either party.*

1 SEC. 57. Section four hundred forty-one point thirteen (441.13),
2 Code 1973, is amended to read as follows:

3 441.13 **Office personnel.** Other office personnel shall be appointed
4 by the assessor subject to the limitations of the annual budget as here-
5 inafter provided. The assessor shall select field ~~men~~ *persons*, so far
6 as possible, from the eligible list of deputy assessors. Their compensa-
7 tion shall be fixed as provided in section 441.16. They shall serve at the
8 pleasure of the assessor.

1 SEC. 58. Section four hundred forty-one point sixteen (441.16),
2 unnumbered paragraph three (3), and subsections one (1) and two
3 (2), Code 1973, are amended to read as follows:

4 Such combined budgets shall contain an itemized list of the proposed
5 salaries of the assessor and each deputy, the amount required for field
6 ~~men~~ *personnel* and other personnel, their number and their compensa-
7 tion; the estimated amount needed for expenses, printing, mileage and
8 other expenses necessary to operate the assessor's office, the estimated
9 expenses of the examining board and the salaries and expenses of the
10 local board of review.

11 1. The number of deputies, field ~~men~~ *personnel*, and other personnel
12 of the assessor's office.

13 2. The salaries and compensation of members of the board of
14 review, the assessor, chief deputy, other deputies, field ~~men~~ *personnel*,
15 and other personnel, and determine the time and manner of payment.

1 SEC. 59. Section four hundred fifty point nine (450.9), Code 1973,
2 is amended by striking subsections one (1) and two (2) and inserting
3 in lieu thereof the following:

4 1. Surviving spouse, forty thousand dollars.

1 SEC. 60. Section four hundred fifty-five point four (455.4), unnum-
2 bered paragraphs two (2) and three (3), Code 1973, are amended to
3 read as follows:

4 The term "commissioners" shall mean the ~~men~~ *persons* appointed
5 and qualified to classify lands, fix percentages of benefits, apportion
6 and assess costs and expenses in any levee or drainage district, unless
7 otherwise specifically indicated by law.

8 The term "appraisers" shall mean the ~~men~~ *persons* appointed and
9 qualified to ascertain the value of all land taken and the amount of

10 damage arising from the construction of levee or drainage improve-
11 ments.

1 SEC. 61. Section four hundred seventy-seven point twenty-two
2 (477.22), Code 1973, is amended to read as follows:

3 477.22 **Headlights and taillights.** It shall be the duty of every
4 person, firm, or corporation owning or operating any line of railway
5 within the state, except lines under twenty miles in length operated
6 wholly within this state, to equip all locomotives, power vehicles, power
7 cars, or other equipment used as the equivalent of or in place of a
8 locomotive, when used in the transportation of passengers, employees
9 or freight, with a headlight of sufficient candlepower, measured with a
10 reflector, to throw a light in clear weather that will enable the operator
11 of same to plainly discern an object the size of ~~a man~~ *an adult person*
12 lying prone on the track at a distance of eleven hundred feet from the
13 headlight, and thereafter to maintain and use such headlights upon
14 every such locomotive, vehicle, car, or other equipment; provided,
15 however, that track power cars when used during the nighttime by
16 employees in the performance of work, shall be equipped with an
17 electric headlight of sufficient candlepower, measured with a reflector
18 to throw a light in clear weather that will enable the operator to see
19 an obstruction on the track for a distance of five hundred feet, also
20 two rear electric red lights of such construction and sufficient candle-
21 power to be plainly visible.

1 SEC. 62. Section four hundred seventy-nine point ninety-four
2 (479.94), subsections three (3), nine (9), and fifteen (15), Code 1973,
3 are amended to read as follows:

4 3. Sleeping car and express company employees, ~~linemen~~ *line per-*
5 *sons* of telegraph and telephone companies operated in connection with
6 such carriers, railway mail service employees, post office inspectors,
7 customs inspectors, immigration inspectors, ~~newsboys~~ *newspaper sell-*
8 *ers* on trains, and baggage agents.

9 9. Superannuated and pensioned employees and members of their
10 families, ~~widows~~ *spouses* of employees who die while in the service of
11 such common carrier, and ~~widows~~ *spouses* of pensioned employees.

12 15. The adjutant general of Iowa for the transportation of officers
13 or enlisted ~~men~~ *personnel* of the Iowa national guard or other military
14 organization of the state, when traveling under the order of the com-
15 mander in chief.

1 SEC. 63. Section four hundred ninety-six A point forty-four
2 (496A.44), unnumbered paragraph three (3), Code 1973, is amended
3 to read as follows:

4 A director shall not be liable under subsections 1, 2, or 3 of this sec-
5 tion if ~~he~~ *the director* relied and acted in good faith upon financial
6 statements of the corporation, represented to ~~him~~ *the director* to be
7 correct by the president or the officer of such corporation having
8 charge of its books of account, or stated in a written report by an
9 independent public or certified public accountant or firm of such ac-
10 countants fairly to reflect the financial condition of such corporation,
11 nor shall ~~he~~ *the director* be so liable if in good faith in determining
12 the amount available for any such dividend or distribution ~~he~~ *the*
13 *director* considered the assets to be of their book value. If an officer

14 willfully or negligently submits an incorrect financial statement to a
 15 director or directors, and board of directors action, contrary to the
 16 provisions of this chapter or of any restrictions in the articles of
 17 incorporation, is taken in reliance thereon, ~~he~~ *the officer* shall be liable
 18 to the same extent as if ~~he~~ *the officer* were a director voting for or
 19 assenting to such action. No director or officer shall be deemed to be
 20 negligent within the meaning of this section if ~~he~~ *the director or officer*
 21 exercised that diligence, care and skill which an ordinarily prudent
 22 ~~man~~ *person* would exercise under similar circumstances.

1 SEC. 64. Section five hundred four point one (504.1), Code 1973,
 2 is amended to read as follows:

3 504.1 Articles. Except as may be otherwise specifically provided
 4 in this chapter, any three or more persons of full age, a majority of
 5 whom shall be citizens of the state, may incorporate themselves for the
 6 establishment of churches, colleges, seminaries, lyceums, libraries,
 7 fraternal lodges or societies, temperance societies, trades unions or
 8 other labor organizations, commercial clubs, associations of business
 9 ~~men~~ *persons*, agricultural societies, farmers granges, or organiza-
 10 tions of a benevolent, charitable, scientific, political, athletic, military,
 11 or religious character, or for the acquisition and ownership of rural
 12 fire fighting equipment or for the promotion of the establishment and
 13 expansion of industries and the doing of all things necessary thereto.
 14 The incorporators shall adopt, and sign and acknowledge the articles
 15 of incorporation, stating the name by which the corporation or asso-
 16 ciation shall be known, the location of its principal office or place of
 17 business, its business or objects, the number of trustees, directors,
 18 managers, or other officers to conduct the same, the names thereof for
 19 the first year, the time of its annual meeting and of annual meeting of
 20 its trustees or directors and the manner in which the articles may be
 21 amended. Said articles of incorporation shall be filed with the secretary
 22 of state who shall, if ~~he~~ *the secretary of state* approves the same,
 23 endorse ~~his~~ approval thereon, record same, and thereafter forward
 24 the same to the county recorder of the county where the principal place
 25 of business is to be located and there it shall be recorded and, upon
 26 recording, be returned to the corporation. The said articles shall not
 27 be filed by the secretary of state until a filing fee of five dollars is paid
 28 and upon the payment of said fee and the approval of the articles by
 29 the secretary of state, ~~he~~ *the secretary of state* shall issue to said
 30 corporation a certificate of incorporation as a corporation not for
 31 pecuniary profit. Amendments to articles may be filed and receive
 32 approval as provided herein for articles, and the fee therefor shall be
 33 five dollars in each instance, and no amendment shall be effective until
 34 the same is approved and the fee therefor is paid.

1 SEC. 65. Section five hundred seven B point four (507B.4), subsec-
 2 tion nine (9), paragraph h, Code 1973, is amended to read as follows:

3 h. Attempting to settle a claim for less than the amount to which a
 4 reasonable ~~man~~ *person* would have believed ~~he~~ *the person* was entitled
 5 by reference to written or printed advertising material accompanying
 6 or made part of an application.

1 SEC. 66. Section five hundred twelve point fifty-five (512.55), Code
 2 1973, is amended to read as follows:

3 **512.55 Applicability—exceptions.** The provisions of this chapter
 4 shall not be construed to apply to organizations, societies, or associa-
 5 tions, the membership of which consists of ~~female~~ members of the
 6 families of members of any one occupation, guild, profession, or reli-
 7 gious denomination, nor shall the provisions of this chapter be con-
 8 strued to apply to auxiliary societies or associations, the membership
 9 of which consists of ~~female~~ members of the families of members of any
 10 one occupation, guild, profession, or religious denomination.

1 SEC. 67. Section five hundred fourteen A point one (514A.1), un-
 2 numbered paragraphs two (2) and three (3), Code 1973, are amended
 3 to read as follows:

4 This chapter shall not apply to an association organized, existing
 5 and operating under chapter 510 which limits its contracts to provid-
 6 ing benefits for ~~widows spouses~~, heirs, orphans or legatees of deceased
 7 members whose death is caused by accident or accidental means, or of
 8 providing benefits for members for specific loss or loss of time from
 9 injuries caused by accident or accidental means, nor shall said chapter
 10 apply to a fraternal beneficiary association, as defined in section 512.1
 11 and licensed under the provisions of section 510.23 thereof, which
 12 limits its contracts to providing benefits to beneficiaries of deceased
 13 members whose death is caused by accident or accidental means or of
 14 providing benefits for members for specific loss or loss of time from
 15 injuries caused by accident or accidental means.

16 Orders, societies or associations which admit to membership only
 17 persons engaged in one or more crafts or hazardous occupations in the
 18 same or similar lines of business and the ~~ladies'~~ societies or ~~ladies'~~
 19 auxiliaries to such orders shall not be subject to the provisions of this
 20 chapter nor shall any religious order be subject to the provisions of
 21 this chapter.

1 SEC. 68. Section five hundred seventeen point two (517.2), unnum-
 2 bered paragraph five (5), Code 1973, is amended to read as follows:

3 The terms "loss payments" and "loss expense payments" as used
 4 herein shall include all payments to claimants, including payments for
 5 medical and surgical attendance, legal expenses, salaries and expenses
 6 of investigators, and ~~fieldmen~~ *field personnel*, rents, stationery, tele-
 7 graph and telephone charges, postage, salaries and expenses of office
 8 employees, home office expenses, and all other payments made on
 9 account of claims, whether such payments shall be allocated to specific
 10 claims or unallocated.

1 SEC. 69. Section five hundred twenty-four point six hundred four
 2 (524.604), unnumbered paragraph two (2), Code 1973, is amended to
 3 read as follows:

4 Directors of a state bank shall discharge the duties of their position
 5 in good faith and with that diligence, care and skill which ordinarily
 6 prudent ~~men~~ *persons* would exercise under similar circumstances in
 7 like positions. The directors shall have a continuing responsibility to
 8 assure themselves that the bank is being managed according to law
 9 and that the practices and policies adopted by the board are being
 10 implemented.

1 SEC. 70. Section five hundred twenty-four point six hundred five
 2 (524.605), unnumbered paragraph three (3), Code 1973, is amended
 3 to read as follows:
 4 A director shall not be liable under subsections 1, 2, 3, or 4 of this
 5 section if ~~he~~ *the director* relied and acted in good faith upon informa-
 6 tion represented to ~~him~~ *the director* to be correct by an officer or offi-
 7 cers of such state bank or stated in a written report by a certified
 8 public accountant or firm of such accountants. No director shall be
 9 deemed to be negligent within the meaning of this section if ~~he~~ *the*
 10 *director* in good faith exercised that diligence, care and skill which an
 11 ordinarily prudent ~~man~~ *person* would exercise as a director under
 12 similar circumstances.

1 SEC. 71. Section five hundred twenty-four point seven hundred two
 2 (524.702), subsection two (2), Code 1973, is amended to read as fol-
 3 lows:
 4 2. If an officer willfully or negligently submits any incorrect infor-
 5 mation to a director or directors, and action by the board of directors
 6 contrary to the provisions of this chapter, or of any restrictions in the
 7 articles of incorporation, is taken in reliance thereon, the officer shall
 8 be liable to the same extent as if ~~he~~ *the officer* were a director voting
 9 for or assenting to such action, as provided in section 524.605. An
 10 officer shall also be liable to the extent of any loss sustained by the
 11 state bank as a result of ~~his~~ *the officer's* willful or negligent violation
 12 of any provision of this chapter. The superintendent may require an
 13 officer or officers whom ~~he~~ *the superintendent* reasonably believes to be
 14 liable to a state bank pursuant to this section, to place in an escrow
 15 account an amount sufficient to discharge such liability in the manner
 16 provided for in section 524.605. No officer shall be deemed to be negli-
 17 gent within the meaning of this section if ~~he~~ *the officer* exercised that
 18 diligence, care and skill which an ordinarily prudent ~~man~~ *person*
 19 would exercise as an officer under similar circumstances.

1 SEC. 72. Section five hundred thirty-three point eight (533.8),
 2 Code 1973, is amended to read as follows:
 3 533.8 Elections. At the organization meeting there shall be elected
 4 a board of directors of not less than nine members to hold office for
 5 such terms as the bylaws provide and until successors are elected and
 6 qualify. At each annual meeting there shall be elected one member to
 7 fill each position vacated by reason of expiring terms or other causes.
 8 A record of the names and addresses of the directors, officers and com-
 9 mittee ~~men~~ *persons* shall be filed with the superintendent of banking
 10 within ten days following each election.

1 SEC. 73. Section five hundred fifty-four point seven thousand two
 2 hundred four (554.7204), subsection one (1), Code 1973, is amended
 3 to read as follows:
 4 1. A ~~warehouseman~~ *warehouse person* is liable for damages for loss
 5 of or injury to the goods caused by ~~his~~ *the warehouse person's* failure
 6 to exercise such care in regard to them as a reasonably careful ~~man~~
 7 *person* would exercise under like circumstances but unless otherwise
 8 agreed ~~he~~ *the warehouse person* is not liable for damages which could
 9 not have been avoided by the exercise of such care.

1 SEC. 74. Section five hundred fifty-four point seven thousand three
2 hundred nine (554.7309), subsection one (1), Code 1973, is amended
3 to read as follows:

4 1. A carrier who issues a bill of lading whether negotiable or non-
5 negotiable must exercise the degree of care in relation to the goods
6 which a reasonably careful ~~man~~ *person* would exercise under like cir-
7 cumstances. This subsection does not repeal or change any law or rule
8 of law which imposes liability upon a common carrier for damages not
9 caused by its negligence.

1 SEC. 75. Section five hundred sixty-five A point four (565A.4),
2 subsection five (5), Code 1973, is amended to read as follows:

3 5. The custodian, notwithstanding statutes restricting investments
4 by fiduciaries, shall invest and reinvest the custodial property as would
5 a prudent ~~man~~ *person* of discretion and intelligence who is seeking a
6 reasonable income and the preservation of ~~his~~ *the prudent person's*
7 capital, except that ~~he~~ *the custodian* may, in ~~his~~ *the custodian's* discre-
8 tion and without liability to the minor or ~~his~~ *the minor's* estate, retain
9 a security given to the minor in a manner prescribed in this chapter.

1 SEC. 76. Section five hundred sixty-seven point one (567.1), un-
2 numbered paragraph two (2), Code 1973, is amended to read as fol-
3 lows:

4 The ~~widow~~ *spouse* and heirs and devisees, being nonresident aliens,
5 of any alien or naturalized citizen who has acquired real estate in this
6 state, may hold the same by devise, descent, or distribution, for a
7 period of twenty years; and if at the end of that time such real estate
8 has not been sold to a bona fide purchaser for value, or such alien heirs
9 have not become residents of this state, such land shall escheat to the
10 state.

1 SEC. 77. Section five hundred ninety-five point sixteen (595.16),
2 Code 1973, is amended to read as follows:

3 **595.16 Husband Spouse responsible for return.** When a marriage
4 is consummated without the services of a ~~clergyman~~ *cleric* or magis-
5 trate, the required return thereof ~~shall~~ *may* be made to the clerk by
6 ~~the husband~~ *either spouse*.

1 SEC. 78. Section five hundred ninety-seven point nineteen (597.19),
2 Code 1973, is amended to read as follows:

3 **597.19 Husband Spouse not liable for wife's torts of other spouse.**
4 For civil injuries committed by a married ~~woman~~ *person*, damages
5 may be recovered from ~~her~~ *the person* alone, and ~~her husband~~ *the*
6 *partner* shall not be liable therefor, except in cases where ~~he~~ *the*
7 *partner* would be jointly liable ~~with her~~ if the marriage did not exist.

1 SEC. 79. Section six hundred twenty-seven point four (627.4),
2 Code 1973, is amended to read as follows:

3 **627.4 Absconding debtor.** When a debtor absconds and leaves ~~his~~
4 *the debtor's* family, such property as is exempt to ~~him~~ *the debtor* under
5 this chapter shall be exempt in the hands of ~~his~~ *the debtor's* ~~wife~~
6 *spouse* and children, or either of them.

1 SEC. 80. Section six hundred twenty-seven point six (627.6), sub-
2 sections twenty-one (21) and twenty-two (22), Code 1973, are
3 amended to read as follows:

4 21. If the debtor is a resident of this state and is the head of a
5 family, and does not own one or more of the foregoing items of prop-
6 erty, ~~his wife the spouse, if she the spouse is an actual member of the~~
7 family, and owns one or more such items, and is the debtor, shall be
8 entitled to hold such items exempt from execution.

9 22. If the debtor is a resident of this state and a woman other than
10 the head of a family, she may hold exempt from execution one sewing
11 machine, and poultry to the value of fifty dollars.

1 SEC. 81. Section six hundred thirty-three point one hundred
2 twenty-three (633.123), title and subsection one (1), Code 1973, is
3 amended to read as follows:

4 **633.123 Model prudent man person investment Act.**

5 1. Investments by fiduciaries. In acquiring, investing, reinvesting,
6 exchanging, retaining, selling and managing property for the benefit of
7 another, a fiduciary shall exercise the judgment and care under the
8 circumstances then prevailing, which ~~men persons~~ of prudence, discre-
9 tion and intelligence exercise in the management of their own affairs,
10 not for the purpose of speculation, but with regard to the permanent
11 disposition of their funds, considering the probable income, as well as
12 the probable safety, of their capital. Within the limitations of the
13 foregoing standards, a fiduciary is authorized to acquire and retain
14 every kind of property and every kind of investment, specifically in-
15 cluding, but not by way of limitation, bonds, debentures, and other
16 corporate obligations, and stocks and shares and preferred or common,
17 which ~~men persons~~ of prudence, discretion and intelligence acquire or
18 retain for their own account.

1 SEC. 82. Section six hundred seventy-four point five (674.5), Code
2 1973, is amended to read as follows:

3 **674.5 Contents of decree.** The decree shall describe the petitioner,
4 giving his or her name and former name, height, weight, color of hair,
5 color of eyes, race, sex, date and place of birth and, if a male and mar-
6 ried, the given name of his wife *the spouse* and any minor children
7 affected by the change. The decree shall also give a legal description
8 of all real property owned by the petitioner.

1 SEC. 83. Section six hundred eighty-seven point two (687.2), Code
2 1973, is amended to read as follows:

3 **687.2 "Felony" defined.** A felony is a public offense which is, or in
4 the discretion of the court may be, punished by imprisonment in the
5 penitentiary* or men's reformatory or *the women's reformatory*.

1 SEC. 84. Section seven hundred seven point six (707.6), Code 1973,
2 is amended to read as follows:

3 **707.6 Married women persons.** Sections 707.1 to 707.5 of this
4 chapter extend to a married woman person who commits either of the
5 offenses therein described, though the property burnt or set fire to may
6 belong partly or wholly to her husband *the other spouse*.

1 SEC. 85. Section seven hundred twenty-four point seven (724.7),
2 Code 1973, is amended to read as follows:

*According to enrolled Act

3 **724.7 Permitting minor females persons to be inmates.** Whoever,
 4 being the keeper of a house of prostitution, or assignation house, build-
 5 ing, or premises in this state where prostitution, fornication, or con-
 6 cubinage is allowed, or practiced, shall suffer or permit any unmarried
 7 female person under the age of eighteen years to live, board, stop, or
 8 room in such house, building, or premises, shall, on conviction, be
 9 imprisoned in the penitentiary not less than one year nor more than
 10 five years.

1 SEC. 86. Section seven hundred twenty-four point eight (724.8),
 2 Code 1973, is amended to read as follows:

3 **724.8 Detention of females.** Whoever shall unlawfully detain or
 4 confine any female person, by force, false pretense, or intimidation, in
 5 any room, house, building, or premises in this state, against the will of
 6 such female person, for purposes of prostitution or with intent to cause
 7 such female person to become a prostitute, and be guilty of fornication
 8 or concubinage therein, or shall by force, false pretense, confinement
 9 or intimidation attempt to prevent any female person so as aforesaid
 10 detained, from leaving such room, house, building, or premises, and
 11 whoever aids, assists, or abets by force, false pretense, confinement, or
 12 intimidation, in keeping, confining, or unlawfully detaining any female
 13 person in any room, house, building, or premises in this state, against
 14 the will of such female person, for the purpose of prostitution, fornication,
 15 or concubinage, shall, on conviction, be imprisoned in the peniten-
 16 tiary not more than ten years.

1 SEC. 87. Section seven hundred twenty-four point nine (724.9),
 2 Code 1973, is amended to read as follows:

3 **724.9 Enticing to house of ill fame.** If any person inveigle or
 4 entice any female person, before reputed virtuous, to a house of ill
 5 fame, or knowingly conceal or aid or abet in concealing such female
 6 person so deluded or enticed, for the purpose of prostitution or lewd-
 7 ness, or entice back into a life of prostitution any female person who
 8 has theretofore been guilty of prostitution and has abandoned it, ~~he~~
 9 the person shall be imprisoned in the penitentiary not more than ten
 10 years.

1 SEC. 88. Section seven hundred twenty-four point ten (724.10),
 2 Code 1973, is amended to read as follows:

3 **724.10 Enticing female child minor for prostitution.** If any person
 4 take or entice away any unmarried female minor under the age of
 5 eighteen years for the purpose of prostitution, ~~he the person~~ shall be
 6 imprisoned in the penitentiary not more than five years, or be fined not
 7 more than one thousand dollars and imprisoned in the county jail not
 8 more than one year.

1 SEC. 89. Section seven hundred forty-two point two (742.2), Code
 2 1973, is amended to read as follows:

3 **742.2 Calling out power of county.** When the sheriff or other offi-
 4 cer authorized to execute process has reason to apprehend that resist-
 5 ance will be made, or finds that resistance is made, to the execution
 6 thereof, ~~he the sheriff or other person~~ may command as many male
 7 inhabitants of ~~his the~~ county as ~~he the sheriff or other person~~ may
 8 think proper, and may call upon the governor for the assistance of the

9 military force to assist ~~him~~ *the sheriff or other person* in overcoming
10 the resistance, and, if necessary, in seizing, arresting, and confining
11 the resisters, their aiders, and abettors, to be held for punishment by
12 law.

1 SEC. 90. Section seven hundred sixty-one point twenty-three
2 (761.23), Code 1973, is amended to read as follows:

3 **761.23 Minors and married women may be bound.** Minors and
4 ~~married women~~ who are material witnesses against the defendant may
5 in like manner be required to procure sureties for their appearance as
6 provided in section 761.22.

1 SEC. 91. The provisions of this Act relating to settlement as de-
2 fined in chapter two hundred fifty-two (252) of the Code shall not
3 affect the assessment of payments based upon a determination of settle-
4 ment made prior to July 1, 1974.

1 SEC. 92. Sections two hundred forty-five point four (245.4), as
2 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter one hundred forty (140), section eight (8),* six hundred
4 eighty-seven point three (687.3), and seven hundred forty-six point
5 two (746.2), Code 1973, are repealed.

1 SEC. 93. There is appropriated from the general fund of the state
2 for the fiscal year beginning July 1, 1974 and ending June 30, 1975,
3 to the board of barber examiners, the sum of five thousand (5,000)
4 dollars, or so much thereof as may be necessary, and to the board of
5 cosmetology examiners, the sum of five thousand (5,000) dollars, or so
6 much thereof as may be necessary, to be used by the two examining
7 boards for per diem and expenses of board members and not more
8 than three additional persons appointed by each board for joint meet-
9 ings held for the purpose of making recommendations to the Sixty-
10 sixth General Assembly, 1975 Session, regarding changes in the
11 cosmetology and barbering laws, including but not limited to the
12 establishment of a joint license for the practice of barbering and
13 cosmetology, the establishment of a joint board, the scope of practice
14 of barbers and cosmetologists, and licensing and educational qualifica-
15 tions. Any funds not expended under this section shall revert to the
16 general fund of the state on September 30, 1975.

1 SEC. 94. Notwithstanding any other provision of law, any licensed
2 cosmetologist under chapter one hundred fifty-seven (157) of the Code
3 may practice barbering as defined in chapter one hundred fifty-eight
4 (158) of the Code until June 30, 1975. Notwithstanding any other
5 provision of law, any licensed barber and registered barber apprentice
6 under chapter one hundred fifty-eight (158) of the Code may practice
7 cosmetology as defined in chapter one hundred fifty-seven (157) of the
8 Code until June 30, 1975. The provisions of this section shall expire
9 June 30, 1975.

1 SEC. 95. Effective July 1, 1975, chapters one hundred fifty-seven
2 (157) and one hundred fifty-eight (158), Code 1973, are repealed.

*According to enrolled Act

- 1 SEC. 96. This Act, being deemed of immediate importance, shall
 2 take effect and be in force from and after its publication in the Mus-
 3 catine Journal, a newspaper published in Muscatine, Iowa, and in The
 4 Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa.

Approved May 30, 1974

I hereby certify that the foregoing Act, Senate File 1093, was published in the Muscatine Journal, Muscatine, Iowa, June 4, 1974, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, June 5, 1974.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 1094

MERIT SYSTEM

H. F. 1380

AN ACT relating to the method by which state agencies appoint persons from a merit system eligible list.

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

- 1 SECTION 1. Section nineteen A point nine (19A.9), subsection
 2 seven (7), Code 1973, is amended to read as follows:

3 7. For the appointment by the appointing authority of a person
 4 standing among the highest ~~three~~ *ten percent* on the appropriate eli-
 5 gible list to fill a vacancy *or among highest five if there are less than*
 6 *fifty on the list.*

- 1 SEC. 2. Section nineteen A point nine (19A.9), subsection eight
 2 (8), Code 1973, is amended to read as follows:

3 8. For a probation period of ~~one year~~ *six months*, excluding educa-
 4 tional or training leave, before appointment may be made complete,
 5 and during which period a probationer may be discharged or reduced
 6 in class or rank, or replaced on the eligible list. The appointing author-
 7 ity shall within ten days prior to the expiration of an employee's pro-
 8 bation period notify the director in writing whether the services of the
 9 employee have been satisfactory or unsatisfactory. If the employee's
 10 services are unsatisfactory, he shall be dropped from the payroll on or
 11 before the expiration of his probation period. If satisfactory, the
 12 appointment shall be deemed permanent. The determination of the
 13 appointing authority shall be final and conclusive.

Approved May 27, 1974