

26 subsection. The costs so incurred shall be paid as provided by section two point  
27 twelve (2.12) of the Code.

28 3. This section shall expire December 31, 1980.

1 SEC. 2. **Cities authorized to draw proposed precincts.** The council of any city  
2 which concludes that it is likely to be necessary or desirable to redraw precincts  
3 in that city after the 1980 federal decennial census may cause proposed precinct  
4 boundaries to be drawn not later than January 31, 1977, in accordance with all  
5 applicable requirements of law except that more recent indicators of population  
6 may be used in lieu of data from the 1970 federal decennial census. The proposed  
7 precinct boundaries shall be of no current legal force or effect in administration  
8 of elections or of any other governmental function, and drawing them shall not  
9 constitute a violation of section forty-nine point three (49.3), unnumbered  
10 paragraph one (1). Proposed precinct boundaries so drawn may be submitted to  
11 the census liaison commission for use in developing a plan and form for reporting  
12 of population data from the 1980 federal decennial census for districting  
13 purposes.

14 Nothing in this section shall be construed to commit any city which has  
15 prepared proposed precinct boundaries to adopt those boundaries in compliance  
16 with sections forty-nine point three (49.3) and forty-nine point seven (49.7) of the  
17 Code subsequent to the 1980 federal decennial census, nor to commit the general  
18 assembly to follow the proposed precinct boundaries in any redistricting required  
19 after that census.

Approved May 28, 1976

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## CHAPTER 1056

### OMNIBUS CORRECTIONS

S. F. 1280

AN ACT relating to correcting erroneous, inconsistent and obsolete sections of the Code, and the duties of the Code editor.

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

1 SECTION 1. Section four point one (4.1), subsection one (1), Code 1975, is  
2 amended to read as follows:

3 1. Repeal—effect of. The repeal of a statute, *after it becomes effective*, does not  
4 revive a statute previously repealed, nor affect any right which has accrued, any  
5 duty imposed, any penalty incurred, or any proceeding commenced, under or by  
6 virtue of the statute repealed.

1 SEC. 2. Section eight point five (8.5), Code 1975, is amended by striking  
2 subsection four (4).

1 SEC. 3. Section fourteen point twenty-one (14.21), Code 1975, is amended by  
2 adding the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. Commencing July 1, 1977, the Code editor  
4 shall cause to be compiled, indexed and published in loose leaf form all rules of  
5 civil procedure, rules of criminal procedure, rules of appellate procedure, and  
6 supreme court rules. The Code editor shall cause to be distributed supplements to  
7 the compilation on or before the effective date of either new rules, or  
8 amendments to or the repeal of existing rules. All expenses incurred by the Code  
9 editor under this paragraph shall be defrayed under the provisions of section  
10 fourteen point twenty-two (14.22) of the Code. There shall be established a price

11 for the compilation of rules, and a separate price for each supplement. The price  
 12 of the compilation and of supplements shall represent the costs of compiling and  
 13 indexing, plus the amounts charged for printing and distribution. A single copy of  
 14 each compilation and of each supplement shall be distributed free of charge to  
 15 each of the persons or agencies referred to in subsections one (1), two (2), five (5),  
 16 six (6), seven (7), eight (8), and fifteen (15) of section eighteen point ninety-seven  
 17 (18.97) of the Code.

1 SEC. 4. Section seventeen point five (17.5), Code 1975, is amended to read as  
 2 follows:

3 **17.5 Governor.** The biennial report of the governor to the general assembly  
 4 on reprieves, commutations, pardons, and remission of fines and forfeitures shall  
 5 cover the two years ending with December ~~31~~ *thirty-first* immediately preceding  
 6 the convening of the general assembly in regular session, *in odd-numbered years*,  
 7 and shall be filed as soon as practicable after said date.

1 SEC. 5. Section seventeen point six (17.6), Code 1975, is amended to read as  
 2 follows:

3 **17.6 Attorney general.** The biennial report of the attorney general shall cover  
 4 the ~~period of his regular term~~ *two-year period ending with December thirty-first in*  
 5 *even-numbered years* and shall be filed as soon as practicable after the expiration  
 6 of said ~~term and period~~ but not later than ~~February 1~~ *March first*.

1 SEC. 6. Section eighteen point ninety-seven (18.97), unnumbered paragraph  
 2 one (1), Code 1975, as amended by Senate File one thousand ninety-two (1092) as  
 3 enacted by the Sixty-sixth General Assembly, 1976 Session, and signed by the  
 4 governor and Senate File one thousand two hundred eighty-eight (1288) as  
 5 enacted by the Sixty-sixth General Assembly, 1976 Session, is amended by  
 6 striking the paragraph and inserting in lieu thereof the following:

7 The superintendent of printing shall make free distribution of the Code, rules  
 8 of civil procedure, rules of appellate procedure, supreme court rules, the Acts of  
 9 each general assembly, and, upon request, the Iowa administrative code as  
 10 follows:

1 SEC. 7. Section twenty-six point six (26.6), Code 1975, is amended to read as  
 2 follows:

3 **26.6 Population of counties, townships and cities.** Whenever the population  
 4 of any county, township or city is referred to in any law of this state, it shall be  
 5 determined by the last preceding certified federal census unless otherwise  
 6 provided. Whenever a special federal census is taken by any city, the mayor and  
 7 council shall certify the census as soon as possible to the secretary of state and to  
 8 the treasurer of state as otherwise herein provided, and ~~failing upon the failure to~~  
 9 do so, the treasurer of state shall, after six months from the date of the special  
 10 census, withhold allocation of ~~such moneys from the city from the state to the city~~  
 11 *of any moneys the amount of which is based on the population of the city, and shall*  
 12 continue to do so until such time as certification by the mayor and council is  
 13 made, or until the next decennial federal census. If there be a difference between  
 14 the original certified record in the office of the secretary of state and the  
 15 published census the former shall prevail.

1 SEC. 8. Section ninety-six point seven (96.7), subsection thirteen (13), Code  
 2 1975, is amended to read as follows:

3 13. Group accounts. Two or more employers that have become liable for  
 4 payments in lieu of contributions, in accordance with the provisions of  
 5 subsection 9, paragraph "a", of this section ~~or in accordance with section 96.8,~~  
 6 ~~subsection 3, paragraph "e",~~ may file a joint application to the commission for  
 7 the establishment of a group account for the purpose of sharing the cost of  
 8 benefits paid that are attributable to service in the employ of such employers.  
 9 Each such application shall identify and authorize a group representative to act as

10 the group's agent for the purposes of this subsection. Upon its approval of the  
 11 application, the commission shall establish a group account for such employers  
 12 effective as of the beginning of the calendar quarter in which it receives the  
 13 application and shall notify the group's representative of the effective date of the  
 14 account. Such account shall remain in effect for not less than one year and  
 15 thereafter until terminated at the discretion of the commission or upon  
 16 application by the group. Upon establishment of the account, each member of the  
 17 group shall be liable for payments in lieu of contributions with respect to each  
 18 calendar quarter in the amount that bears the same ratio to the total benefits paid  
 19 in such quarter that are attributable to service performed in the employ of all  
 20 members of the group as the total wages paid for service in employment by such  
 21 member in such quarter bear to the total wages paid during such quarter for  
 22 service performed in the employ of all members of the group. The commission  
 23 shall prescribe such regulations as it deems necessary with respect to applications  
 24 for establishment, maintenance and termination of group accounts that are  
 25 authorized by this subsection, for addition of new members to, and withdrawal of  
 26 active members from, such accounts, and for the determination of the amounts  
 27 that are payable under this subsection by members of the group and the time and  
 28 manner of such payments.

1 SEC. 9. Section one hundred ten B point three (110B.3), Code 1975, as  
 2 amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one  
 3 hundred thirteen (113), section three (3), is amended to read as follows:

4 **110B.3 Fee.** The fee for each stamp issued under this chapter shall be one  
 5 dollar. Each stamp shall expire on the last day of February ~~December~~ 31  
 6 following its issuance.

1 SEC. 10. Section one hundred twenty-seven point eleven (127.11), subsection  
 2 one (1), Code 1975, is amended to read as follows:

3 1. Service of notice. The notice of hearing of forfeiture shall, in addition to  
 4 the service provided in chapter 751, be published once a week for two weeks in  
 5 some newspaper published in the city or county in which said conveyance was  
 6 seized, and if the conveyance be a motor vehicle a copy of the aforesaid notice  
 7 shall forthwith be mailed to the ~~commissioner of public safety~~ *director of*  
 8 *transportation*.

1 SEC. 11. Section one hundred twenty-seven point twelve (127.12), Code 1975,  
 2 as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter  
 3 sixty-seven (67), section thirteen (13), is amended to read as follows:

4 **127.12 Duty of ~~commissioner~~ director.** The ~~commissioner of public safety~~  
 5 *director of transportation*, upon receipt of the notice aforesaid, shall, if the owner  
 6 appears of record in the office of the state department of transportation, notify  
 7 such owner of the fact of seizure, and if not of record, ~~said commissioner~~ *the*  
 8 *director* shall mail such description to the county treasurer of each county.

1 SEC. 12. Section two hundred forty-nine B point six (249B.6)\*, Code 1975, is  
 2 amended to read as follows:

3 **249B.6 Expenses.** Members of the commission while engaged in their official  
 4 duties shall receive a per diem rate equal to that allowed members of the  
 5 legislature pursuant to section ~~2-6 two point ten~~ (2.10) of the Code, subsection 6.  
 6 Members of the commission and noncommission members serving on commission  
 7 subcommittees shall be paid their actual and necessary travel and other expenses  
 8 incurred in their official duties.

1 SEC. 13. Section two hundred forty-nine C point one (249C.1), subsection four  
 2 (4), Code 1975, is amended to read as follows:

3 4. "Public assistance" means aid or assistance under chapter 239, ~~241A~~ or 249.

\*Cannot be applied, see Chapter 1052, §11 hereof

1       SEC. 14. Section two hundred fifty-two point forty-three (252.43), unnumbered  
2 paragraph three (3), Code 1975, is amended to read as follows:  
3       The expense of support for the poor for Indians residing ~~on a reservation in~~  
4 ~~this state in the settlement referred to in section one point twelve (1.12) of the Code~~  
5 shall be paid from funds of the state division of child and family services of the  
6 department of social services. To administer such support for Indians residing on  
7 a ~~reservation settlement~~, such state division shall have the powers and duties  
8 assigned to county officials by this chapter, or the state division or director of  
9 same may designate the director of social welfare in the county where such  
10 Indians reside to administer such relief.

1       SEC. 15. Section two hundred fifty-three point three (253.3), Code 1975, is  
2 amended to read as follows:  
3       **253.3 Annual published report.** The board of supervisors shall, during the  
4 month of July of each year, publish in the official papers of the county as part of  
5 its proceedings, a financial statement of the receipts of the county care facility, or  
6 county farm, itemizing the same and stating the source thereof, which report shall  
7 also set forth the total expenditures thereof and the value of the property on hand  
8 on ~~January~~ July 1 of the year for which the report is made and a comparison with  
9 the inventory of the previous year.

1       SEC. 16. Section two hundred seventy-eight point one (278.1), Code 1975, is  
2 amended by striking subsection eight (8).

1       SEC. 17. Section two hundred eighty-five point four (285.4), Code 1975, is  
2 amended by striking unnumbered paragraph one (1).

1       SEC. 18. Section three hundred six B point one (306B.1), subsection two (2),  
2 Code 1975, is amended to read as follows:  
3       2. "Interstate system" means the system of highways as defined in Title 23 USC  
4 103, subsection "~~d~~" "e" or amendments thereto.

1       SEC. 19. Section three hundred seven point twenty-six (307.26), subsection ten  
2 (10), Code 1975, is amended to read as follows:  
3       10. Administer the provisions of ~~chapter 474, and~~ chapters 476 to 486.

1       SEC. 20. Section three hundred twenty-one point nineteen (321.19), subsection  
2 one (1), Code 1975, is amended to read as follows:  
3       1. All vehicles owned by the government and used in the transaction of official  
4 business by the representatives of foreign powers or by officers, boards, or  
5 departments of the government of the United States, and by the state of Iowa,  
6 counties, municipalities and other subdivisions of government including vehicles  
7 used by an urban transit company operated by a municipality and such self-  
8 propelling vehicles as are used neither for the conveyance of persons for hire,  
9 pleasure, or business nor for the transportation of freight other than those used by  
10 an urban transit company operated by a municipality, and all fire trucks,  
11 providing they are not owned and operated for a pecuniary profit, are hereby  
12 exempted from the payment of the fees in this chapter prescribed, except as  
13 provided for urban transit companies in subsection 2, but shall not be exempt  
14 from the penalties herein provided. The department shall furnish, on application,  
15 free of charge, distinguishing plates for vehicles thus exempted, which plates shall  
16 bear the word "official," and the department shall keep a separate record thereof.  
17 Provided that the director of general services or the ~~commissioner of public safety~~  
18 ~~director of transportation~~ may order the issuance of regular registration plates, for  
19 any such exempted vehicle, used by peace officers in the enforcement of the law  
20 and persons enforcing chapter 204 and other laws relating to controlled  
21 substances. For purposes of sale of vehicles exempted as herein indicated, the  
22 exempted governmental body, upon the sale of the exempted vehicle, may issue  
23 for in-transit purposes a pasteboard card bearing the words "Vehicle in Transit,"  
24 the name of the official body from which the vehicle was purchased, together with

25 the date of the purchase plainly marked in minimal of one-inch letters, and other  
 26 information which may be required by the department. The in-transit card shall  
 27 be valid for use only within forty-eight hours after the purchase date as indicated  
 28 on the bill of sale which shall be carried by the driver.

1 SEC. 21. Section three hundred twenty-one point two hundred thirty-eight  
 2 (321.238), Code 1975, subsection twenty-one (21), paragraph "a" is amended to  
 3 read as follows:

4 a. A senior officer of the Iowa highway safety patrol designated by the  
 5 ~~commissioner~~ director.

1 SEC. 22. Section three hundred twenty-one point two hundred eighty-one  
 2 (321.281), Code 1975, is amended by striking unnumbered paragraph four (4).

1 SEC. 23. Section three hundred seventy-two point thirteen (372.13), subsection  
 2 eight (8), unnumbered paragraph one (1), Code 1975, as amended by Acts of the  
 3 Sixty-sixth General Assembly, 1975 Session, chapter two hundred three (203),  
 4 section twenty-three (23), is amended to read as follows:

5 By ordinance, the council shall prescribe the compensation of the mayor,  
 6 councilmen, and other elected city officers, but a change in the compensation of  
 7 the mayor shall not become effective during the term in which the ~~increase~~ *change*  
 8 is adopted, and the council shall not adopt such an ordinance changing the  
 9 compensation of the mayor or councilmen during the months of November and  
 10 December immediately following a regular city election. A change in the  
 11 compensation of councilmen shall become effective for all councilmen at the  
 12 beginning of the term of the councilmen elected at the election next following the  
 13 change in compensation.

1 SEC. 24. Section four hundred nineteen point thirteen (419.13), Code 1975, is  
 2 amended to read as follows:

3 **419.13 Exception to budget law and certain bond provisions.** The provisions  
 4 of sections 23.12 to 23.16, ~~inclusive, and of chapter 408A,~~ shall not apply to  
 5 bonds issued under the provisions of this chapter.

1 SEC. 25. Section four hundred twenty point two hundred twenty (420.220),  
 2 unnumbered paragraph one (1), Code 1975, is amended to read as follows:

3 ~~Anything in sections 420.263 or 420.275, or other provisions of law to the~~  
 4 ~~contrary notwithstanding, no property~~ *Property* located in a city acting under  
 5 special charter which collects its own taxes, shall *not*, after sale of such property  
 6 to the county for taxes, be offered or sold at any sale for taxes or special  
 7 assessments collectible by any such city except in the following events:

1 SEC. 26. Section four hundred fifty point thirteen (450.13), Code 1975, is  
 2 amended by striking the section and inserting in lieu thereof the following:

3 **450.13 Inheritance tax and lien book.** The clerk of the district court shall  
 4 provide and keep a suitable book to be known as the inheritance tax and lien  
 5 book to show the following:

- 6 1. A complete copy of the inventory and any amendments.
- 7 2. A complete copy of any appraisal.
- 8 3. A record of waivers, releases, or payment of the tax and the amount and  
 9 date.

1 SEC. 27. Section four hundred fifty point fifteen (450.15), Code 1975, is  
 2 amended by striking the section and inserting in lieu thereof the following:

3 **450.15 Copy for department of revenue.** Upon the filing of such report the  
 4 clerk of the district court shall immediately forward a true copy of such report  
 5 and findings to the department of revenue.

1 SEC. 28. Section five hundred seven point one (507.1), Code 1975, is amended  
 2 to read as follows:

3 **507.1 "Company" defined.** The word "company" as used in this chapter  
 4 shall mean all companies or associations organized under the provisions of  
 5 chapters 508, 510, 511, 512, 514, *five hundred fourteen B (514B) of the Code*, 515,  
 6 515C, 518A, associations subject to the provisions of chapters 518 and 520, and  
 7 all companies or associations admitted or seeking to be admitted to this state  
 8 under the provisions of any of the chapters herein referred to.

1 SEC. 29. Section five hundred twelve point twenty-nine (512.29), Code 1975, is  
 2 amended to read as follows:

3 **512.29 Permit Certificate of authority—fees.** If the commissioner shall  
 4 approve the articles and also the bylaws or rules, he shall issue to the society,  
 5 order, or association a ~~permit in writing~~ *certificate of authority*, authorizing it to  
 6 transact business within this state for a period of one year from the first day of  
 7 ~~April~~ *May* of the year of its issue, for which certificate and all proceedings in  
 8 connection therewith, there shall be paid to the commissioner a fee of twenty-five  
 9 dollars, and for each annual renewal thereof a like fee shall be paid.

1 SEC. 30. Section five hundred twelve point forty-five (512.45), unnumbered  
 2 paragraph one (1), Code 1975, is amended to read as follows:

3 The certificate written by any domestic fraternal beneficiary association  
 4 operating under the provisions of the foregoing mortality table shall be valued in  
 5 the same manner as provided in section ~~508.12~~ *five hundred eight point thirty-six*  
 6 *(508.36) of the Code*, except that such valuation shall be based upon the foregoing  
 7 mortality table and four percent interest.

1 SEC. 31. Section five hundred twelve A point three (512A.3), Code 1975, is  
 2 amended to read as follows:

3 **512A.3 Incorporation mandatory.** Before a benevolent association shall  
 4 operate in this state it shall first incorporate in accordance with the laws of this  
 5 state, and the articles of incorporation and bylaws shall be submitted to the  
 6 commissioner. If he finds they conform to the requirements of the law and all  
 7 rules and regulations promulgated under this chapter, he shall approve the articles  
 8 of incorporation and file them with the secretary of state. Every benevolent  
 9 association at the time of its incorporation shall submit its general plan of  
 10 operation to the commissioner and if he finds it conforms to the requirements of  
 11 the law and all reasonable rules and regulations promulgated under this chapter,  
 12 he shall issue a license to expire on the ~~thirty-first~~ *first* day of ~~March~~ *May* after  
 13 issuance. Said license shall be renewed from year to year upon application of the  
 14 association, if the commissioner finds from his examination that it has conformed  
 15 to the requirements of all laws and regulations applicable thereto.

1 SEC. 32. Section five hundred fifteen point forty-six (515.46), Code 1975, is  
 2 amended to read as follows:

3 **515.46 Forfeiture of franchise certificate of authority.** Any dividend made  
 4 contrary to the provisions of sections 515.44 and 515.45 shall subject the company  
 5 making it to forfeiture of its ~~franchise~~ *certificate of authority*.

1 SEC. 33. Section five hundred eighteen point fifteen (518.15), unnumbered  
 2 paragraph two (2), Code 1975, is amended to read as follows:

3 Such associations shall pay the same expenses of any examination made or  
 4 ordered to be made by the commissioner of insurance and the same fees for the  
 5 annual reports and annual certificates of authority as are required to be paid by  
 6 domestic companies organized and doing business under chapter 515, which  
 7 certificates shall expire ~~March 31~~ *May first* of the year following the date of issue.

1 SEC. 34. Section five hundred eighteen A point forty (518A.40), Code 1975, is  
 2 amended to read as follows:

3 **518A.40 Annual fees.** Such associations shall pay the same fees for annual  
 4 reports and annual certificates of authority as are required to be paid by domestic  
 5 companies organized and doing business under chapter 515, which certificates  
 6 shall expire ~~March 1~~ *May first* of the year following the date of issue.

1 SEC. 35. Section five hundred twenty-four point three hundred twelve  
2 (524.312), subsection one (1), Code 1975, is amended to read as follows:

3 1. Every state bank originally incorporated pursuant to the provisions of this  
4 chapter shall have its principal place of business within the confines of a  
5 municipal corporation. The existence of a state bank shall not, however, be  
6 affected by the subsequent discontinuance of the municipal corporation pursuant  
7 to the provisions of sections 362.14 to 362.18. A state bank existing and operating  
8 on January 1, 1970, which does not have its principal place of business within the  
9 confines of a municipal corporation, shall be allowed to renew its corporate  
10 existence pursuant to the provisions of section 524.106 without regard to this  
11 section.

1 SEC. 36. Section six hundred seven point two (607.2), subsection two (2), Code  
2 1975, is amended to read as follows:

3 2. Practicing attorneys, physicians, licensed embalmers, registered nurses,  
4 chiropractors, osteopaths, veterinarians, registered pharmacists, dentists, and  
5 clergymen; including Christian Science practitioners and readers.

1 SEC. 37. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter  
2 eighty-one (81), section eighty-one (81), amending section forty-nine point ninety  
3 (49.90)\*, Code 1975, is amended to read as follows:

4 Sec. 81. Section forty-nine point ninety (49.90), Code 1975, is amended to read  
5 as follows:

6 **49.90 Assisting voter.** Any voter who may declare upon oath that he or she  
7 cannot read the English language, or is, by reason of any physical disability other  
8 than intoxication, unable to cast a vote without assistance, shall, upon request, be  
9 assisted by said two officers, or alternately by any other person the voter may  
10 select if the voter is blind, in casting the vote. Said officers, or person selected by  
11 the blind voter, shall cast the vote of the voter requiring assistance, and shall  
12 thereafter give no information regarding the same. If any elector because of a  
13 handicap cannot enter the building where the polling place for the elector's  
14 precinct of residence is located, the two officers shall take a paper ballot to the  
15 vehicle occupied by the handicapped elector and allow the elector to cast the  
16 ballot in the vehicle. If a handicapped elector cannot cast a ballot on a voting  
17 machine the elector shall be allowed to cast a paper ballot. Paper ballots cast by  
18 handicapped electors shall be cast according to section forty-nine point eighty-  
19 one (49.81) of the Code, except they shall be marked "handicapped voter's  
20 ballot", and shall be counted in the same manner as challenged ballots accepted  
21 under section fifty point twenty-two (50.22) of the Code section eighty-seven (87),  
22 the third "new section", of this Act.

1 SEC. 38. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter  
2 sixty-seven (67), section sixty-four (64), is amended to read as follow:

3 Sec. 64. Section fifty-three point twenty-two (53.22), subsection one (1), Code  
4 1975, as amended by section one hundred nineteen (119) of House File seven  
5 hundred (700) of the Sixty-sixth General Assembly, 1975 Session, is amended to  
6 read as follows:

7 1. A qualified elector who has applied for an absentee ballot, in a manner other  
8 than that prescribed by section fifty-three point eleven (53.11) of the Code, and  
9 who is a resident or patient in a health care facility or hospital located in the  
10 county to which the application has been submitted shall be delivered the  
11 appropriate absentee ballot by two special precinct election officers, one of whom  
12 shall be a member of each of the political parties referred to in section forty-nine  
13 point thirteen (49.13) of the Code, who shall be appointed by the commissioner  
14 from the election board panel for the special precinct established by section one  
15 hundred three (103) eighteen (118) of this Act. The special precinct election  
16 officers shall be sworn in the manner provided by section forty-nine point

\*Cannot be applied, see Chapter 1075, §44 hereof

17 seventy-five (49.75) of the Code for election board members, shall receive  
 18 compensation as provided in section forty-nine point twenty (49.20) of the Code,  
 19 and shall perform their duties during the ten calendar days preceding the election  
 20 and on election day if all ballots requested under section fifty-three point eight  
 21 (53.8), subsection three (3), of the Code have not previously been delivered and  
 22 returned. If a person who so requested an absentee ballot has been dismissed  
 23 from the health care facility or hospital, the special precinct election officers may  
 24 take the ballot to the elector if he or she is currently residing in the county. The  
 25 special precinct election officers shall both notarize each absent voters affidavit as  
 26 required by section fifty-three point sixteen (53.16) of the Code; any such officer  
 27 who is not a notary public shall be provided with a stamp containing that  
 28 person's name and the words "special precinct election officer" and may notarize  
 29 the absentee affidavits so delivered by signing them and applying the stamp. The  
 30 special precinct election officers shall travel together in the same vehicle and both  
 31 shall be present when an applicant casts his or her absentee ballot. If either or  
 32 both of the special election officers fails to appear at the time the duties set forth  
 33 in this section are to be performed, the commissioner shall at once appoint some  
 34 other person, giving preference to persons designated by the respective county  
 35 chairpersons of the political parties described in section forty-nine point thirteen  
 36 (49.13) of the Code, to carry out the requirements of this section. The persons  
 37 authorized by this subsection to deliver an absentee ballot to an applicant may  
 38 assist the applicant in filling out the ballot as permitted by section forty-nine  
 39 point ninety (49.90) of the Code. The voted absentee ballots shall be deposited in  
 40 a sealed container which shall be returned to the commissioner on the same day.

1 SEC. 39. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one  
 2 hundred fifty-one (151), section seven (7), paragraphs b and c, are amended to  
 3 read as follows:

4 b. cases under chapter two hundred fifty-two A (252A), ~~Code 1975 of the Code,~~  
 5 the Uniform Support of Dependents Law.

6 c. an information charging desertion under the provisions of chapter seven  
 7 hundred thirty-one (731); ~~Code 1975 of the Code.~~

1 SEC. 40. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter two  
 2 hundred thirty-four (234), section one hundred two (102), subsection eleven (11),  
 3 is amended to read as follows:

4 11. "Securities Act of 1933", "Securities Exchange Act of 1934", "Public Utility  
 5 Holding Company Act of 1935", "Investment Company Act of 1940", "Internal  
 6 Revenue Code of 1954" and "Agricultural Marketing Act" mean the federal  
 7 statutes of those names, as amended before ~~or~~ after the effective date of this Act.

1 SEC. 41. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter two  
 2 hundred forty (240), section fifteen (15), third new subsection, is amended to read  
 3 as follows:

4 NEW SUBSECTION. A ~~savings and loan association~~ *credit union* shall be liable  
 5 to each of its customers for all losses incurred by such customer as a result of the  
 6 transmission or recording of electronic impulses as a part of a transaction not  
 7 authorized by such customer or to which the customer was not a party, provided,  
 8 however, that liability pursuant to this subsection shall be limited to losses in  
 9 excess of fifty dollars in the event the ~~savings and loan association~~ *credit union*  
 10 has provided the customer with a physical object or other method of engaging in  
 11 a transaction utilizing electronic impulses which is unique to the customer and the  
 12 physical object or other method of engagement has been lost, stolen or otherwise  
 13 compromised without the customer having notified the ~~savings and loan~~  
 14 ~~association~~ *credit union* of such loss, theft or compromise prior to the time of the  
 15 transaction causing the loss to the customer.



1 SEC. 42. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter two  
2 hundred forty (240), section seventeen (17), second new subsection, is amended to  
3 read as follows:

4 NEW SUBSECTION. A ~~credit union~~ *savings and loan association* shall be liable to  
5 each of its customers for all losses incurred by such customer as a result of the  
6 transmission or recording of electronic impulses as a part of a transaction not  
7 authorized by such customer or to which the customer was not a party, provided,  
8 however, that liability pursuant to this subsection shall be limited to losses in  
9 excess of fifty dollars in the event the ~~credit union~~ *savings and loan association* has  
10 provided the customer with a physical object or other method of engaging in a  
11 transaction utilizing electronic impulses which is unique to the customer and the  
12 physical object or other method of engagement has been lost, stolen or otherwise  
13 compromised without the customer having notified the ~~credit union~~ *savings and*  
14 *loan association* of such loss, theft or compromise prior to the time of the  
15 transaction causing the loss to the customer.

1 SEC. 43. Section forty-seven point three (47.3), Code 1975, as amended by  
2 Acts of the Sixty-sixth General Assembly, 1976 Session, House File one thousand  
3 eleven (1011), section eighteen (18), is amended by striking unnumbered  
4 paragraph one (1) and inserting in lieu thereof the following:

5 The costs of conducting a special election called by the governor, general  
6 election, and the primary election held prior to the general election shall be paid  
7 by the county.

1 SEC. 44. Section forty-nine point seventy-three (49.73), subsection two (2),  
2 Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1976  
3 Session, House File one thousand eleven (1011), section forty (40), is amended to  
4 read as follows:

5 2. The commissioner shall not shorten voting hours for any election if there is  
6 filed in the commissioner's office, at least twenty-five days before the election, a  
7 petition signed by at least fifty eligible electors of the school district or city, as the  
8 case may be, requesting that the polls be opened not later than seven o'clock a.m.  
9 All polling places where the candidates of or any public question submitted by  
10 any one political subdivision are being voted upon shall be opened at the same  
11 hour, except that this requirement shall not apply to merged areas established  
12 under chapter two hundred eighty A (280A) of the Code. The hours at which the  
13 respective precinct polling places are to open shall not be changed after  
14 publication of the notice required by section 49.53. The polling places shall be  
15 closed at nine o'clock p.m. for state primary and general elections and other  
16 partisan elections, *and for any other election held concurrently therewith*, and at  
17 eight o'clock p.m. for all other elections.

1 SEC. 45.

2 1. Sections two hundred fifty-two point forty-four (252.44), two hundred eighty-  
3 six A point three (286A.3), two hundred ninety-two point five (292.5) through two  
4 hundred ninety-two point eight (292.8), four hundred fifty point sixteen (450.16),  
5 four hundred fifty point thirty-five (450.35), four hundred fifty point seventy-four  
6 (450.74) through four hundred fifty point eighty (450.80), four hundred fifty point  
7 eighty-two (450.82), four hundred fifty point eighty-three (450.83), five hundred  
8 eighteen A point thirty-eight (518A.38), five hundred fifty-one point three (551.3),  
9 five hundred ninety-nine point six (599.6), and section six hundred seven point  
10 two (607.2), subsections three (3), four (4), and five (5), Code 1975, and Acts of  
11 the Sixty-sixth General Assembly, 1975 Session, chapter sixty (60), section eight  
12 (8), are repealed.

13 2. Chapters one hundred twenty-one (121), one hundred seventy-five (175), two  
14 hundred eleven (211), two hundred thirty-six (236), two hundred forty (240), two  
15 hundred fifty-four (254), two hundred fifty-six (256), two hundred fifty-nine B  
16 (259B), four hundred sixty-eight (468), five hundred fifty-two (552), five hundred

17 ninety-three (593), five hundred ninety-four (594), and seven hundred thirty-three  
18 (733), Code 1975, are repealed.

Approved June 26, 1976

## CHAPTER 1057

### STATE EMPLOYEES WORKMEN'S COMPENSATION

S. F. 1304

AN ACT relating to the administration of workmen's compensation claims of state employees.

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

1 SECTION 1. Section eight point six (8.6), Code 1975, is amended by adding the  
2 following new subsections:

3 NEW SUBSECTION. To employ appropriate staff to handle and adjust claims of  
4 state employees for workmen's compensation benefits pursuant to chapters  
5 eighty-five (85), eighty-five A (85A), and eighty-six (86) of the Code, or with the  
6 approval of the executive council contract for such services or purchase  
7 workmen's compensation insurance coverage for state employees or selected  
8 groups of state employees. The state comptroller shall quarterly determine an  
9 appropriate amount, based upon the cost of workmen's compensation insurance,  
10 that shall be collected from the agencies, departments or divisions which have not  
11 received an appropriation for the payment of workmen's compensation insurance  
12 and which operate from moneys other than from the general fund and such  
13 payments shall be deposited in the general fund.

1 SEC. 2. Section eight point thirteen (8.13), subsection one (1), Code 1975, is  
2 amended to read as follows:

3 1. Three months limit. No claim shall be allowed by the state comptroller's  
4 office when such claim is presented after the lapse of three months from its  
5 accrual. *Claims by state employees for benefits pursuant to chapters eighty-five (85),  
6 eighty-five A (85A) and eighty-six (86) of the Code shall be subject to limitations  
7 provided in such chapters.*

1 SEC. 3. Section eighty-five point twenty-two (85.22), subsection three (3), Code  
2 1975, is amended to read as follows:

3 3. Before a settlement shall become effective between an employee or an  
4 employer and such third party who is liable for the injury, it must be with the  
5 written consent of the employee, in case the settlement is between the employer  
6 or insurer and such third person; and the consent of the employer or insurer, in  
7 case the settlement is between the employee and such third party; or on refusal of  
8 consent, in either case, then upon the written approval of the industrial  
9 commissioner. ~~The industrial commissioner may compromise and settle on behalf  
10 of the state of Iowa any workmen's compensation cases of doubtful liability.~~

1 SEC. 4. Section eighty-five point fifty-nine (85.59), Code 1975, is amended to  
2 read as follows:

3 **85.59 Payment of state employees.** The state comptroller is hereby  
4 authorized and directed to draw warrants on the state treasury for any and all  
5 amounts due state employees under the provisions of this chapter ~~upon there  
6 being filed in his office, either a memorandum of settlement approved by the  
7 industrial commissioner or of an award made by a board of arbitration, for which  
8 no review is pending, or an order of the industrial commissioner from which~~