

January 29, 1970  
Passed on File

*Reprinted 2-5*  
SENATE FILE 1149

By COMMITTEE ON JUDICIARY

Passed Senate, Date 2-4-70 Passed House, Date .....

Vote: Ayes 53 Nays 0 Vote: Ayes ..... Nays .....

Approved .....

## A BILL FOR

1 An Act relating to publication of the opinions of the supreme  
2 court.

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

4 Section 1. Section three point one (3.1), subsection three  
5 (3), Code 1966, as amended by chapter sixty-nine (69), section  
6 forty-eight (48), Acts of the Sixty-third General Assembly,  
7 First Session, is further amended by striking from lines three  
8 (3) and four (4) the words "reporter of the supreme court" and  
9 inserting in lieu thereof the words "code editor".

10 Sec. 2. Section fourteen point three (14.3), Code 1966, as  
11 amended by chapter sixty-nine (69), section fifty (50), Acts  
12 of the Sixty-third General Assembly, First Session, is hereby  
13 amended as follows:

14 1. By inserting in line two (2) after the word "Code" the  
15 words ", or the court may appoint an editor,".

16 2. By striking subsections three (3) and four (4).

17 Sec. 3. Sections fourteen point six (14.6), Code 1966, is  
18 hereby repealed and the following enacted in lieu thereof:

19 "The supreme court may publish reports of its official  
20 opinions, or it may direct that publication of the opinions by  
21 a private publisher shall be considered the official reports."

22 Sec. 4. Sections fourteen point seven (14.7), fourteen point  
23 eight (14.8), sixteen point twenty-six (16.26) and sixteen  
24 point twenty-seven (16.27), Code 1966, are hereby repealed.

25 Sec. 5. Section sixteen point twenty-eight (16.28), Code

1 1966, is hereby repealed and the following enacted in lieu  
2 thereof:

3 "The reporter of the supreme court shall furnish, without  
4 charge, copies of the official reports of the supreme court to  
5 each county and to such other persons and government agencies  
6 as the supreme court shall direct."

7 Sec. 6. Section seventeen point twenty-four (17.24), Code  
8 1966, as amended by chapter sixty-nine (69), section sixty-five  
9 (65), Acts of the Sixty-third General Assembly, First Session,  
10 is hereby repealed.

11 Sec. 7. Section sixty-four point six (64.6), Code 1966,  
12 is hereby amended by striking subsection twenty-four (24).

#### EXPLANATION

Section one corrects a reference in the statute providing for publication of the session laws where reference is made to the supreme court reporter, when it should be to the code editor.

Section two would permit the court the option to appoint a code editor or continue to keep the reporter of the court as editor. This section also strikes the requirement to publish annotations to the Code and the requirement to prepare syllabi for the official reports.

Section three and four repeal the following sections of the Code:

14.6—which requires a specific size, style, type and binding for the official reports.

14.7—which provides for republication of volumes when needed where the state does not own the copyright. There have been no such volumes since about 1915.

14.8—which requires the copyright for the future reports and annotations to be in the name of the state. This must be repealed if a privately published report is made official.

In place of these sections a statute is enacted authorizing the court to either publish its own reports or to direct that a private publication, of its choosing, shall be considered the official reports. It also gives the court the option to discontinue such arrangement.

Section four also repeals two sections relating to free distribution of two books that have not been published for 50 and 35 years, respectively:

1. Code Commission briefs.
2. Skelton-digest of opinions.

Section five would require the reporter to furnish copies of the reports as directed by the court.

Section six repeals the statutory style and form for publication of annotations to the Code which are abolished by this Act.

Section seven abolishes the requirement for a \$1,000 bond by the reporter. He receives and handles no public funds.

1 Amend Senate File 1149 as follows:  
2 1. Page 1, by striking line 25.  
3 2. Page 2, by striking lines 1 through 6, inclusive, and  
4 inserting in lieu thereof the following section:  
5 "Sec. 5. Section sixteen point twenty-eight (16.28), Code  
6 1966, is repealed and the following enacted in lieu thereof:  
7 The supreme court shall cause to be furnished without  
8 charge, copies of any publication containing its official  
9 reports to the chambers of each judge of the district court  
10 in each county and to such other persons and governmental  
11 agencies as the supreme court shall direct. The reporter of  
12 the supreme court shall act as sales agent for any private  
13 publication containing the official reports of the supreme  
14 court that are thus distributed. Any commission received by  
15 the reporter acting as such sales agent shall be placed in  
16 the general fund."

Filed - *Adopted as amended 2-4*  
February 2, 1970

By DeKOSTER and GUADINEER

1 Amend Senate File 1149, page 2, by adding after line  
2 12 a new section:  
3 "This Act being deemed of immediate importance  
4 shall be in full force and effect from and after its  
5 final approval and publication in the Lee Town News,  
6 a newspaper published at Des Moines, Iowa, and in The  
7 Sioux Center News, a newspaper published at Sioux Center,  
8 Iowa."

Filed and adopted  
February 4, 1970

By GAUDINEER

1 Amend the DeKoster Gaudineer amendment to Senate File 1149,  
2 filed February 2, 1970, by striking from line 10 the words  
3 "persons and".

Filed and adopted  
February 4, 1970

By MESSERLY and BALLOUN

February 5, 1970

SENATE FILE 1149

By COMMITTEE ON JUDICIARY  
(AS PASSED BY THE SENATE)

Passed Senate, Date *2-4-70* Passed House, Date *3-17-70*

Vote: Ayes *3* Nays ..... Vote: Ayes *27* Nays *0*

Approved *March 20, 1970*

## A BILL FOR

1 An Act relating to publication of the opinions of the supreme  
2 court.

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

4 Section 1. Section three point one (3.1), subsection three  
5 (3), Code 1966, as amended by chapter sixty-nine (69), section  
6 forty-eight (48), Acts of the Sixty-third General Assembly,  
7 First Session, is further amended by striking from lines three  
8 (3) and four (4) the words "reporter of the supreme court" and  
9 inserting in lieu thereof the words "code editor".

10 Sec. 2. Section fourteen point three (14.3), Code 1966, as  
11 amended by chapter sixty-nine (69), section fifty (50), Acts  
12 of the Sixty-third General Assembly, First Session, is hereby  
13 amended as follows:

14 1. By inserting in line two (2) after the word "Code" the  
15 words ", or the court may appoint an editor,".

16 2. By striking subsections three (3) and four (4).

17 Sec. 3. Sections fourteen point six (14.6), Code 1966, is  
18 hereby repealed and the following enacted in lieu thereof:

19 "The supreme court may publish reports of its official  
20 opinions, or it may direct that publication of the opinions by  
21 a private publisher shall be considered the official reports."

22 Sec. 4. Sections fourteen point seven (14.7), fourteen point  
23 eight (14.8), sixteen point twenty-six (16.26) and sixteen  
24 point twenty-seven (16.27), Code 1966, are hereby repealed.

25 Sec. 5. Section sixteen point twenty-eight (16.28),

1 *Code 1966, is repealed and the following enacted in lieu*  
 2 *thereof:*

3 *“The supreme court shall cause to be furnished without*  
 4 *charge copies of any publication containing its official*  
 5 *reports to the chambers of each judge of the district court*  
 6 *in each county and to such other governmental agencies as*  
 7 *the supreme court shall direct. The reporter of the supreme*  
 8 *court shall act as sales agent for any private publication*  
 9 *containing the official reports of the supreme court that*  
 10 *are thus distributed. Any commission received by the*  
 11 *reporter acting as such sales agent shall be placed in the*  
 12 *general fund.”*

13 *Sec. 6. Section seventeen point twenty-four (17.24), Code*  
 14 *1966, as amended by chapter sixty-nine (69), section sixty-five*  
 15 *(65), Acts of the Sixty-third General Assembly, First Session,*  
 16 *is hereby repealed.*

17 *Sec. 7. Section sixty-four point six (64.6), Code 1966,*  
 18 *is hereby amended by striking subsection twenty-four (24).*

19 *Sec. 8. This Act being deemed of immediate importance*  
 20 *shall be in full force and effect from and after its final*  
 21 *approval and publication in the Lee Town News, a newspaper*  
 22 *published at Des Moines, Iowa, and in The Sioux Center News,*  
 23 *a newspaper published at Sioux Center, Iowa.*

#### EXPLANATION

Section one corrects a reference in the statute providing for publication of the session laws where reference is made to the supreme court reporter, when it should be to the Code editor.

Section two would permit the the court the option to appoint a Code editor or continue to keep the reporter of the court as editor. This section also strikes the requirement to publish annotations to the Code and the requirement to prepare syllabi for the official reports.

Sections three and four repeal the following sections of the Code:

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*Proof  
of publication  
4/6*

tions to be in the name of the state. This must be repealed if a privately published report is made official.

In place of these sections a statute is enacted authorizing the court to either publish its own reports or to direct that a private publication, of its choosing, shall be considered the official reports. It also gives the court the option to discontinue such arrangement.

Section four also repeals two sections relating to free distribution of two books that have not been published for 50 and 35 years, respectively:

1. Code Commission briefs.
2. Skeleton-digest of opinions.

Section five would require the reporter to furnish copies of the reports as directed by the court.

Section six repeals the statutory style and form for publication of annotations to the Code which are abolished by this act.

Section seven abolishes the requirement of a \$1,000 bond by the reporter. He receives and handles no public funds.