

“And the premium for any such guaranty or surety company bond as defined in this section, may, by the approval of the court be paid out of the trust funds in the hands of the party of whom the bond is required.”

Approved March 18, A. D. 1909.

CHAPTER 26.

COUNTY HOSPITALS.

S. F. 166.

AN ACT to enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain training schools for nurses, provide suitable means for the care of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals with equal rights to all and special privileges to none. [Additional to chapter one (1) of title four (IV) of the code, relating to counties.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. County hospital—how established. Any county may establish a public hospital in the following manner: Whenever the board of supervisors of any county shall be presented with a petition signed by two hundred (200) resident freeholders of such county, one hundred and fifty (150) of whom shall not be residents of the city, town, or village where it is proposed to locate such public hospital, asking that an annual tax may be levied for the establishment and maintenance of a public hospital at a place in the county named therein, and shall specify in their petition the maximum amount of money proposed to be expended in purchasing or building said hospital, such board of supervisors shall submit the question to the qualified electors of the county at the next general election to be held in the county, or at a special election called for that purpose, first giving ninety days' notice thereof in one or more newspapers published in the county, if any be published therein, and by posting such notice, written or printed, in each township of the county, which notice shall include the text of the petition and state the amount of tax to be levied upon the assessed property of the said county, which tax shall not exceed two (2) mills on the dollar, for a period of time not exceeding twenty (20) years and be for the issue of county bonds to provide funds for the purchase of a site or sites and the erection thereon of a public hospital, and hospital buildings; and for the support of same; which said election shall be held at the usual places in such county for electing county officers, the vote to be canvassed in the same manner as that for county officers.

SEC. 2. Question submitted—hospital fund. The board of supervisors of such county shall submit to the qualified electors thereof, at a regular or special election, the question whether there shall be levied upon the assessed property of such county a tax ofmills on the dollar for the purchase of real estate for hospital purposes, for the construction of hospital buildings, and for maintaining same, or for either or all of such purposes. The ballots to be used at any election at which the hospital question is submitted, shall be printed with a statement substantially as follows:

<input type="checkbox"/>	yes	For amill tax for a bond issue for a public hospital
<input type="checkbox"/>	no	and for maintenance of same.

If a majority of the votes cast at such election on the proposition so submitted shall be in favor of amill tax for a bond issue for a public hos-

pital and for maintenance of same, the board of supervisors shall levy the tax so authorized, which shall be collected in the same manner as other taxes are collected and credited to the "hospital fund," and shall be paid out on the order of the hospital trustees for the purposes authorized by this act and for no other purposes whatever.

SEC. 3. Hospital trustees—appointment—election—terms. Should a majority of all the votes cast upon the question be in favor of establishing such county public hospital, the board of supervisors shall proceed at once to appoint seven (7) trustees chosen from the citizens at large with reference to their fitness for such office, three (3) of whom may be women, all residents of the county, not more than four (4) of said trustees to be residents of the city, town, or village in which said hospital is to be located who shall constitute a board of trustees for said public hospital. The said trustees shall hold their offices until the next following general election, when seven (7) hospital trustees shall be elected and hold their offices, two (2) for two (2) years, two (2) for four (4) years, three (3) for (6) years, and who shall by lot determine their respective terms. At each subsequent general election the offices of the trustees whose terms of office are about to expire shall be filled by the nomination and election of hospital trustees in the same manner as other officers are elected, none of whom shall be practicing physicians.

SEC. 4. Hospital board—organization—powers and duties. The said trustees shall within ten days after their appointment or election qualify by taking the oath of civil officers and organize as a board of hospital trustees by the election of one of their number as chairman, one as secretary, and by the election of such other officer as they may deem necessary, but no bond shall be required of them. The county treasurer of the county in which such hospital is located shall be treasurer of the board of trustees. The treasurer shall receive and pay out all the moneys under the control of the said board, as ordered by it, but shall receive no compensation from such board. No trustee shall receive any compensation for his services performed, but he may receive reimbursement for any cash expenditures actually made for personal expenses incurred as such trustee, and an itemized statement of all such expenses and money paid out shall be made under oath by each of such trustees and filed with the secretary and allowed only by the affirmative vote of all the trustees present at a meeting of the board. The board of hospital trustees shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the hospital as may be deemed expedient for the economic and equitable conduct thereof, not inconsistent with this act and the ordinances of the city or town wherein such public hospital is located. They shall have the exclusive control of the expenditure of all moneys collected to the credit of the hospital fund, and of the purchase of site or sites the purchase or construction of any hospital building or buildings, and of the supervision, care and custody of the grounds, rooms or buildings purchased, constructed, leased or set apart for that purpose, provided, that all moneys received for such hospital shall be deposited in the treasury of the county to the credit of the hospital fund, and paid out only upon warrants drawn by the auditor of said county upon the properly authenticated vouchers of the hospital board. Said board of hospital trustees shall have power to appoint a suitable superintendent or matron, or both, and necessary assistants and fix their compensation, and shall also have power to remove such appointees; and shall in general carry out the spirit and intent of this act in establishing and maintaining a county public hospital with equal rights to all and special privileges to none. Such board of hospital trustees shall hold meetings at least once each month, shall keep a complete record of all its proceedings; and four (4) members of said board shall constitute a quorum for the transaction of business. One of said trustees shall visit and examine said hospital at least

twice each month and the board shall during the first week in January of each year file with the board of supervisors of said county a report of their proceedings with reference to such hospital and a statement of all receipts and expenditures during the year; and shall at such time certify the amount necessary to maintain and improve said hospital for the ensuing year. No trustee shall have a personal pecuniary interest either directly or indirectly in the purchase of any supplies for said hospital, unless the same are purchased by competitive bidding.

SEC. 5. Vacancies—how filled. Vacancies in the board of trustees occasioned by removals, resignations or otherwise shall be reported to the board of supervisors and be filled in like manner as original appointments, appointees to hold office until the next following general election, when such vacancy shall be filled by election in the usual manner.

SEC. 6. Bonds. Whenever any county in this state shall have provided for the appointment and election of hospital trustees and has voted a tax for a term not exceeding twenty (20) years for hospital purposes, as authorized by law, the said county may issue bonds in anticipation of the collection of such tax in such sums and amounts as the board of hospital trustees shall certify to the board of supervisors of said county to be necessary for the purposes contemplated by such tax, but such bonds in the aggregate shall not exceed the amount which might be realized by said tax based on the amount which may be yielded on the property valuation of the year in which the tax is voted, and such bonds shall mature in twenty (20) years from date and shall be in sums of not less than one hundred (\$100) dollars nor more than one thousand (\$1,000) dollars drawing interest at a rate not exceeding five (5) per cent per annum, payable annually or semi-annually; said bonds shall be payable at pleasure of county after five (5) years, and each of said bonds shall provide that it is subject to this condition and shall not be sold for less than par, and shall be substantially in the form provided for county bonds, but subject to changes that will conform them to the provisions of this act, and be numbered consecutively and redeemable in the order of their issuance. For the negotiation of said bonds, their constitutionality, levy to pay interest and principal, and redemption, sections four hundred three (403), four hundred four (404) to four hundred nine (409) inclusive, of chapter one (1), title four (IV) of the code shall apply. Provided the total amount of bonds to be issued shall not exceed one hundred thousand dollars (\$100,000.00).

SEC. 7. Condemnation proceedings. If the board of hospital trustees and the owners of any property desired by them for hospital purposes cannot agree as to the price to be paid therefor they shall report the facts to the board of supervisors and condemnation proceedings shall be instituted by the board of supervisors and prosecuted in the name of the county wherein such public hospital is to be located, by the county attorney for such county under the provisions of chapter four (4) of title ten (X) of the code.

SEC. 8. Plans and specifications. No hospital buildings shall be erected or constructed until the plans and specifications have been made therefor and adopted by the board of hospital trustees, and bids advertised for according to law for other county public buildings.

SEC. 9. Jurisdiction over hospital grounds. The jurisdiction of the city, town, or village in or near which such public hospital is located, shall extend over all lands used for hospital purposes outside the corporate limits if so located, and all ordinances of such cities and towns shall be in full force and effect in and over the territory occupied by such public hospital.

SEC. 10. Appropriation for improvement and maintenance. In counties exercising the rights conferred by this act the board of supervisors may appropriate each year in addition to tax for hospital fund hereinbefore provided

for not exceeding five (5) per cent of its general fund for the improvement and maintenance of any public hospital so established.

SEC. 11. Who entitled to hospital benefits—compensation for care of patients. Every hospital established under this act shall be for the benefit of the inhabitants of such county and of any person falling sick or being injured or maimed within its limits; but every such inhabitant or person who is not a pauper shall pay to such board of hospital trustees or such officer as it shall designate for such county public hospital, a reasonable compensation for occupancy, nursing, care, medicine, or attendants, according to the rules and regulations prescribed by said board, such hospital always being subject to such reasonable rules and regulations as said board may adopt in order to render the use of said hospital of the greatest benefit to the greatest number; and said board may exclude from the use of such hospital any and all inhabitants and persons who shall wilfully violate such rules and regulations. And said board may extend the privileges and use of such hospital to persons residing outside of such county, upon such terms and conditions as said board may from time to time by its rules and regulations prescribe.

SEC. 12. Physicians, nurses, attendants and patients subject to rules. When such hospital is established the physicians, nurses, attendants, the persons sick therein and all persons approaching or coming within the limits of same, and all furniture and other articles used or brought there shall be subject to such rules and regulations as said board may prescribe.

SEC. 13. Gifts or bequests. Any person or persons, firm, organization, corporation or society desiring to make donations of money, personal property or real estate for the benefit of such hospital, shall have the right to vest title of the money or real estate so donated in said county, to be controlled, when accepted, by the board of hospital trustees according to the terms of the deed, gift, devise, or bequest, of such property.

SEC. 14. No discrimination against legal practitioners of medicine. In the management of such public hospital no discrimination shall be made against practitioners of any school of medicine recognized by the laws of Iowa, and all such legal practitioners shall have equal privileges in treating patients in said hospital. The patient shall have the absolute right to employ at his or her own expense his or her own physician and when acting for any patient in such hospital the physician employed by such patient shall have exclusive charge of the care and treatment of such patient, and nurses therein shall as to such patient be subject to the directions of such physician; subject always to such general rules and regulations as shall be established by the board of trustees under the provisions of this act.

SEC. 15. Training school for nurses. The board of trustees of such county public hospital may establish and maintain in connection therewith and as a part of said public hospital a training school for nurses.

SEC. 16. Room for detention and examination of the insane. The said board of trustees shall at all times provide a suitable room for the detention and examination of all persons who are brought before the commissioners of insanity for such county, provided that such public hospital is located at the county seat.

SEC. 17. Treatment of persons suffering from tuberculosis. The board of trustees of said hospital are hereby authorized to provide, as a department of said public hospital, but not necessarily attached thereto, suitable accommodations and means for the care and treatment of persons suffering from tuberculosis, and to formulate such rules and regulations for the government of said persons, and for the protection from infection of other patients and of nurses and attendants in such public hospital as they may deem necessary; and it shall be the duty of all persons in charge of or employed at such hospitals, or

residents thereof to faithfully obey and comply with any and all such rules and regulations. Said board of hospital trustees shall, if practicable, employ as head nurse to be placed in charge of said public tuberculosis sanatorium one who has had experience in the management and care of tuberculous persons.

SEC. 18. **Hospital trustees to fix price for compensation for patients.** The board of hospital trustees shall have power to determine whether or not patients presented at said public hospital for treatment, are subjects for charity and shall fix such price for compensation for patients, other than those unable to assist themselves, as the said board deems proper, the receipts therefor to be paid to the treasurer of said county and credited by him to the hospital fund.

SEC. 19. **Indigent tuberculous residents of county.** The board of supervisors of any county, where no suitable provision has been made for the care of its indigent tuberculous residents, may contract with the board of hospital trustees of any public hospital for the care of such persons in the sanatorium department of said hospital, upon such reasonable terms as may be agreed upon.

SEC. 20. **In effect.** This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 6, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 7, A. D. 1909.

W. C. HAYWARD,
Secretary of State.

CHAPTER 27.

SALE OR EXCHANGE OF BONDS AND REFUNDING OF SAME.

H. F. 393.

AN ACT to amend section four hundred four (404) of the code relating to the sale or exchange of bonds and refunding of the same.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Negotiation of bonds.** That section four hundred four of the code be and the same is hereby amended by striking out the word "April" in line seven (7) and inserting the following in lieu therefor: "January, April, June, or September".

Approved April 8, A. D. 1909.

CHAPTER 28.

MEETINGS OF THE BOARD OF SUPERVISORS.

H. F. 428.

AN ACT to amend the law as it appears in section four hundred twelve (412) supplement to the code, 1907, relative to the meeting of the board of supervisors.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Meetings.** That section four hundred twelve (412) of the supplement to the code, 1907, be, and the same is hereby amended, by striking out in the sixth, seventh, eighth and ninth lines thereof the words "in each