

## CHAPTER 112

## SCHOOL FUNDS

H. F. 436

AN ACT to amend section forty-five hundred three (4503), code, 1935, to provide additional time for sale of lands acquired under permanent school fund, and to amend section forty-five hundred five (4505) of the code of Iowa of 1935 with reference to loss on sale of school lands.

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

1 SECTION 1. Section forty-five hundred three (4503), Code, 1935, is  
2 hereby amended by striking out of lines three (3) and four (4) the  
3 words: "six years from January 1, 1934" and substituting in lieu there-  
4 of the words: "ten years from January 1, 1939".

1 SEC. 2. Section four thousand five hundred five (4505), Code, 1935,  
2 is hereby amended by adding after the word "fund" in line eleven (11)  
3 the words "or temporary school fund".

Approved April 20, 1939.

## CHAPTER 113

## STATE LIBRARIES AND DEPARTMENT OF HISTORY AND ARCHIVES

H. F. 174

AN ACT to repeal sections forty-five hundred twelve (4512) to forty-five hundred forty-one (4541), inclusive, code, 1935, all relating to the state library and the historical, memorial, and art department and the state library commission, and to enact a substitute therefor providing for a board of trustees of the libraries and museums, a state law library, a state traveling library, a state medical library, and a department of history and archives; and to provide for the extension of library service throughout the state, and for the establishment of regional libraries.

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

1 SECTION 1. The state library, the state historical, memorial, and  
2 art department, and the state library commission are hereby  
3 abolished, and there is established:

- 4 (1) The Iowa state traveling library
- 5 (2) The Iowa state department of history and archives
- 6 (3) The Iowa state law library
- 7 (4) The Iowa state medical library

1 SEC. 2. The Iowa state traveling library, the Iowa state depart-  
2 ment of history and archives, the Iowa state law library, and the  
3 Iowa state medical library shall be under the control of a board of  
4 trustees consisting of the governor, a member of the supreme court  
5 to be designated from time to time by the court, and the superintend-  
6 ent of public instruction.

1 SEC. 3. Powers and duties of the board. The board of trustees  
2 shall:

- 3 1. Make and enforce rules for the keeping of the records and for  
4 the management and care of the property of the Iowa state travel-

- 5 ing library, the Iowa state department of history and archives, the  
6 Iowa state law library, and the Iowa state medical library.
- 7 2. Appoint a qualified curator of the Iowa state department of  
8 history and archives whose regular term of office shall be for six  
9 years and who may be removed only for causes\* by a two-thirds vote  
10 of the board of trustees. Such appointment shall be made solely  
11 upon merit and with no consideration given to the political affilia-  
12 tions of the person appointed.
- 13 3. Appoint a state law librarian who shall be a graduate of an  
14 approved law school and who shall have special competence in the  
15 organization and administration of a law library and training in  
16 the science of bill drafting. Such appointment shall be made for  
17 a term of six years and the state law librarian shall be removed  
18 only for cause by a two-thirds vote of the board of trustees. Such  
19 appointment shall be made solely upon merit and with no consider-  
20 ation given to the political affiliations of the person appointed.
- 21 4. Appoint a librarian of the state traveling library who shall be  
22 a graduate of an accredited library school or an experienced librarian  
23 who has had ten (10) years of successful library administration,  
24 and who shall be appointed for a term of six years and who shall  
25 be removed only for cause by a two-thirds vote of the board of  
26 trustees. Such appointment shall be made solely upon merit and  
27 with no consideration given to the political affiliations of the person  
28 appointed.
- 29 5. Appoint a state medical librarian, who shall be a graduate  
30 of a recognized school of medicine and who shall have special  
31 competence in the organization and administration of a medical  
32 library. Such appointment shall be made for a term of six years  
33 and the state medical librarian shall be removed only for cause  
34 upon a two-thirds vote of the board of trustees. Such appointment  
35 shall be made solely upon merit and with no consideration given  
36 to the political affiliations of the person appointed.
- 37 6. Appoint, after consultation with the curator, the librarian  
38 of the state traveling library, the state law librarian, and the state  
39 medical librarian, such qualified assistants as the board may deem  
40 necessary to carry on the work of the department of history and  
41 archives the state traveling library, the state law library, and the  
42 state medical library.
- 43 7. Meet at least three times during the year at the call of the  
44 chairman of the board of trustees, who shall be elected from among  
45 their own number.
- 46 8. Have control of the historical building and assign space there-  
47 in to be occupied by the department of history and archives, the  
48 Iowa state traveling library, and the Iowa state medical library.
- 49 9. Adopt rules providing for the loaning of books in the Iowa  
50 state law library, the Iowa state traveling library, and the Iowa  
51 state medical library.
- 52 10. Adopt reasonable rules providing penalties for injuring,  
53 defacing, destroying, or losing books in the Iowa state law library,  
54 the Iowa state traveling library, and the Iowa state medical library.  
55 All fines, penalties, and forfeitures imposed by the rules of the  
56 board for any violation may be recovered in an action in the name of

\*Note: In accordance with enrolled bill.

57 the state and applied to the use of the libraries, under the direction  
58 of the board.

59 11. Ninety days after the effective date of this act arrange for  
60 the transfer in the following manner of all books, periodicals,  
61 equipment and supplies heretofore in the possession of the state  
62 library and the Iowa library commission:

63 (1) All books, periodicals, equipment, and supplies heretofore  
64 in the possession of the law section of the state library shall be  
65 transferred to the Iowa state law library together with all documents  
66 of the government of the United States heretofore in possession  
67 of the economics and sociology department of the state library.

68 (2) All books, periodicals, equipment, and supplies heretofore  
69 in the possession of the economics and sociology department of  
70 the state library shall be transferred to the Iowa traveling library  
71 with the exception of all documents of the government of the United  
72 States.

73 (3) All books, periodicals, equipment, and supplies heretofore  
74 in the possession of the general department of the state library  
75 shall be transferred to the Iowa traveling library with the exception  
76 of such books and periodicals which, in the judgment of the board,  
77 would find greater usefulness if placed in the libraries of the state  
78 university of Iowa or the libraries of the Iowa state college, or  
79 the state department of history and archives.

80 (4) All books, periodicals, equipment, and supplies heretofore  
81 in the possession of the medical department of the state library  
82 shall be transferred to the Iowa state medical library.

83 (5) All books, periodicals, equipment, and supplies heretofore in  
84 the possession of the Iowa library commission shall be transferred  
85 to the Iowa traveling library.

86 (6) All books, periodicals, equipment, supplies, and property  
87 heretofore in the possession of the historical, memorial and art  
88 department shall be transferred to the Iowa state department of  
89 history and archives.

90 12. It may develop and adopt plans to provide more adequate  
91 library service for all residents of the state.

92 13. Operate traveling libraries and circulate books under their  
93 control or subsequently acquired within the state to libraries, schools,  
94 colleges, universities, library associations, farmers' institutes,  
95 granges, study clubs, charitable and penal institutions, and individ-  
96 uals, free of cost except for transportation.

97 14. Report in writing to the governor semiannually all matters  
98 pertaining to the Iowa state law library, the Iowa state traveling  
99 library, the Iowa state department of history and archives, and the  
100 Iowa state medical library.

1 SEC. 4. The board of trustees is hereby authorized and empowered  
2 to receive, accept, and administer any money or moneys appropriated  
3 or granted to it, separate and apart from the general library fund,  
4 for providing and equalizing public library service in Iowa:

5 (1) By the federal government, and

6 (2) By any other agencies, private and/or otherwise.

7 The fund herein provided for shall be administered by the board

8 of trustees, which body shall frame by-laws, rules, and regulations  
9 for the allocation and administration of this fund.

10 The fund shall be used to increase, improve, stimulate, and  
11 equalize library service to the people of the whole state, and for  
12 adult education and shall be allocated among the cities, counties, and  
13 regions of the state, taking into consideration local needs, area and  
14 population to be served, local interest as evidenced by local appropria-  
15 tions, and such other facts as may affect the state program of library  
16 service.

17 Any gift or grant from the federal government or other sources  
18 shall become a part of said fund, to be used as part of the state fund,  
19 or may be invested in such securities in which the state sinking fund  
20 may be invested as in the discretion of the board of trustees may be  
21 deemed advisable, the income to be used for the promotion of libraries  
22 aforesaid.

1 **SEC. 5. Duties of the state law librarian:** The state law librarian  
2 shall:

3 1. Have general charge of the Iowa state law library, which  
4 shall be maintained in the capitol or elsewhere in rooms convenient  
5 to the supreme court and which shall always be available for free  
6 use by the residents of Iowa under such reasonable rules as the board  
7 may adopt.

8 2. Organize as an integral part of the Iowa state law library a  
9 legislative reference bureau in which he shall provide the reports of  
10 the various officers and boards of this state, and as far as may be, of  
11 the other states, and such other material, periodicals, or books as  
12 will furnish the fullest information practicable upon all matters  
13 pertaining to current or proposed legislation and to legislative and  
14 administrative problems, prepare and submit digests of such infor-  
15 mation and material upon the request of any legislative committee,  
16 member of the general assembly, or head of any department of state  
17 government.

18 3. Arrange to make exchanges of all printed material published  
19 by the several states and the government of the United States.

20 4. Report in writing to the board semiannually, or oftener if  
21 required, all matters pertaining to the state law library.

22 5. Perform such other duties as may be imposed upon him by law  
23 or by the rules of the board.

1 **SEC. 6. Duties of the curator of the department of history and  
2 archives.** The curator shall:

3 1. **Custody of historical building.** Under the direction of the board,  
4 be custodian of the historical building and collections therein, and  
5 shall keep the rooms assigned to the department and the collections  
6 open for inspection by the public during such hours of each day as the  
7 board may direct, but the curator shall cause the same to be kept open  
8 on Sunday afternoons during the sessions of the general assembly.

9 2. **Custody, display, and publication of material.** Under the di-  
10 rection of the board, collect, preserve, organize, arrange, and  
11 classify works of art, books, maps, charts, public documents, manu-  
12 scripts, newspapers, and other objects and materials illustrative of the  
13 natural and political history of the territory and state and of the  
14 central west, and of the traditions and history of the Indian tribes

15 and prior occupants of the region, and publish such matter and display  
16 such material as may be of value and interest to the public.

17 **3. Collection of memorials and mementoes.** With the approval of  
18 the board, collect memorials and mementoes of the pioneers of Iowa and  
19 the soldiers of all our wars, including portraits, specimens of arms,  
20 clothing, army letters, commissions of officers, and other military  
21 papers and documents.

22 **4. Ethnology and archaeology.** Receive and arrange in cases, ob-  
23 jects illustrative of the ethnology and prehistoric archaeology of this  
24 and surrounding states.

25 **5. Inventory of property.** As soon as practicable, prepare a classi-  
26 fied index and inventory of all the property belonging to the museum  
27 or in its custody, and determine through the aid of experts the  
28 money value thereof, so far as practicable, and when done a summary  
29 of the same shall be included in his report, and thereafter such reports  
30 shall set forth all additions thereto with their money value, if any,  
31 and give a list of items lost or dropped from the collections. His  
32 report shall also contain a separate statement of materials obtained  
33 by gift and by purchase during each biennium.

34 **6.** The curator shall subscribe for such newspapers as in his judg-  
35 ment are necessary to preserve for historical purposes. The list of  
36 papers so selected shall be submitted to the board of trustees for its  
37 approval. The curator shall bind every two years such newspapers  
38 as are received for historical purposes.

39 **7. Custodian of works of art.** Except as otherwise specifically  
40 provided, be custodian of and care for and preserve the monuments,  
41 memorials, and works of art on the grounds and in the buildings at the  
42 seat of government, and report from time to time to the proper officer  
43 or board the condition and his recommendations in respect thereto.

44 **8. Report to board.** Report to the board semiannually or oftener  
45 as required, all matters pertaining to the condition of the Iowa state  
46 memorial museum of art and history.

47 **9. Other duties.** Perform such other duties as may be imposed  
48 upon him by law or prescribed by the rules of the board.

1 **SEC. 7. Gifts.** The curator is hereby authorized and empowered,  
2 as trustee for the state, to accept gifts of property, real, personal, or  
3 mixed, for the benefit or endowment of the Iowa state department of  
4 history and archives, or for the commemoration of the lives of worthy  
5 citizens, or for the purpose of perpetuating records of historic events,  
6 or for scientific purposes. Any gift accepted shall be immediately  
7 reported to the board of trustees; but any gift imposing unusual mone-  
8 tary obligations on the department shall be approved by the board  
9 before acceptance.

1 **SEC. 8. Investments.** The curator and the board of trustees shall  
2 have authority and power to invest, in accordance with the provisions  
3 of the trust, any such gifts or endowments, and establish and enforce  
4 rules for the purpose of governing and maintaining such endowments  
5 or memorials as may be created or established under and pursuant to  
6 section seven

1 **SEC. 9. Archives.** The curator shall be the trustee and custodian  
2 of the archives of Iowa and of such county and municipal archives as

3 are voluntarily deposited. The term "archives" shall mean those  
4 manuscripts and materials originating under or passing through the  
5 hands of public officials in the regular course and performance of their  
6 duties, over ten years old, and not in current use; but the executive  
7 council shall have power and authority to order the transfer of such  
8 archives or any part thereof at any time prior to the expiration of  
9 the ten years, or cause them to be retained in the respective offices  
10 beyond such limit if in its judgment the public interests or convenience  
11 shall require it.

1 **SEC. 10. Records delivered.** The several state, executive, and ad-  
2 ministrative departments, officers or offices, councils, boards, bureaus,  
3 and commissioners, are hereby authorized and directed to transfer  
4 and deliver to the Iowa state department of history and archives such  
5 of the public archives as are designed in section nine, except such as  
6 in the judgment of the executive council should be retained longer in  
7 the respective offices, and the curator is authorized to receive the same.

1 **SEC. 11. Removal of original.** After any public archives have been  
2 received into the division of public archives by the curator, they shall  
3 not be removed from his custody without his consent except in obedi-  
4 ence to a subpoena of a court of record or a written order of the  
5 officer from whose office they were received.

6 The curator shall annually submit to the trustees a list of papers  
7 and documents which have no further value, and upon approval of  
8 said trustees such items may be destroyed.

1 **SEC. 12. Certified copies—fees.** Upon request of any person, the  
2 curator shall make a certified copy of any document contained in said  
3 archives, and when such copy is properly authenticated by him it shall  
4 have the same legal effect as though certified by the officer from whose  
5 office it was obtained or by the secretary of state. Said curator shall  
6 charge and collect from such copies the fees allowed by law to the  
7 official in whose office the document originates for such certified copies,  
8 and all such fees shall be turned into the state treasury.

1 **SEC. 13. Duties of the state medical librarian.**

2 The state medical librarian shall:

3 1. Have general charge of the state medical library which shall  
4 always be available for free use by the residents of Iowa under such  
5 reasonable rules as the board may adopt.

6 2. Report to the board in writing semiannually, or oftener if re-  
7 quired, all matters pertaining to the state medical library.

8 3. Give no preference to any school of medicine and shall secure  
9 books, periodicals, and pamphlets for every legally recognized school  
10 without discrimination.

11 4. Perform such other duties as may be imposed upon him by law  
12 or prescribed by the rules of the board.

1 **SEC. 14. Duties of the librarian of the state traveling library.**

2 The librarian of the state traveling library shall:

3 1. Give advice and counsel to all free and other public libraries, and  
4 all communities which may propose to establish them, as to the best  
5 means of establishing and maintaining such libraries.

6 2. Act under the direction of the board of trustees in supervising  
7 the work.

8 3. Report in writing to the board semiannually, or oftener if re-  
9 quired, all matters pertaining to the state traveling library.

10 4. Obtain from all free public libraries reports showing the condi-  
11 tion, growth, development, and manner of conducting such libraries  
12 and shall furnish annually to the superintendent of printing such in-  
13 formation for publication in the Iowa official register as may be  
14 deemed of public interest.

1 SEC. 15. **Repeals.** Sections forty-five hundred twelve (4512) to  
2 forty-five hundred forty-one (4541), inclusive, Code, 1935, are hereby  
3 repealed

1 SEC. 16. Nothing contained in this act shall be construed as repeal-  
2 ing or superseding chapter two hundred ninety-nine (299) of the  
3 Code, 1935, or any section of said chapter.

1 SEC. 17. This act being deemed of immediate importance, shall be  
2 in full force and effect after its publication in The Evening Sentinel, a  
3 newspaper published at Shenandoah, Iowa, and the Chariton Herald-  
4 Patriot, a newspaper published at Chariton, Iowa.

Approved February 13, 1939.

I hereby certify that the foregoing act was published in the Evening Sentinel, Shenandoah, February 16, 1939, and the Chariton Herald-Patriot, February 16, 1939.

EARL G. MILLER, *Secretary of State.*

## CHAPTER 114

### REGULATION OF LIGHTS ON PRIMARY ROAD CROSSINGS

#### H. F. 246

AN ACT to amend section forty-six hundred twenty-six (4626), code, 1935, relating to the duties of the state highway commission in connection with removal or alteration of lights or light-reflecting devices adjacent to grade railway crossings, primary road intersections, or on or adjacent to primary roads.

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

1 SECTION 1. Section forty-six hundred twenty-six (4626), Code,  
2 1935, is amended by adding thereto the following:

3 "10. Order the removal or alteration of any lights or light-reflecting  
4 devices, whether on public or private property, other than railroad  
5 signals or crossing lights, located adjacent to a primary road and with-  
6 in three hundred (300) feet of a railroad crossing at grade, which in  
7 any way interfere with the vision of or may be confusing to a person  
8 operating a motor vehicle on such highway in observing the approach  
9 of trains or in observing signs erected for the purpose of giving warn-  
10 ing of such railroad crossing.

11 11. Order the removal or alteration of any lights or light-reflecting  
12 devices, whether on public or private property, located adjacent to a  
13 primary road and within three hundred (300) feet of an intersection  
14 with another primary road, which in any way interfere with the vision  
15 of or may be confusing to a person operating a motor vehicle on such  
16 highway in observing the approach of other vehicles or signs erected  
17 for the purpose of giving warning of such intersection."

Approved April 20, 1939.