

23 fund in excess of twenty-five thousand dollars for which there is no  
 24 anticipated need or use, the governor may order such surplus turned  
 25 over to the general fund of the state."

1 SEC. 5. Section three hundred eight and three tenths (308.3), Code,  
 2 1939, is amended by striking from lines four (4) and five (5) the fol-  
 3 lowing: "and which are provided for in the biennial state appropriation  
 4 act", and substituting in lieu thereof the following: "their compensa-  
 5 tion to be fixed by the governor and comptroller, but said compensation  
 6 of the state car dispatcher shall not exceed three thousand dollars per  
 7 year."

Approved April 23, 1941.

## CHAPTER 71

### PUBLIC CONTRACTS AND BONDS

#### H. F. 104

AN ACT to amend chapter twenty-three (23), Code, 1939, and various sections thereof, to wit: Sections three hundred fifty-one (351), three hundred fifty-three (353), three hundred fifty-five (355), three hundred fifty-six (356), three hundred fifty-seven (357), three hundred fifty-eight (358), three hundred fifty-nine (359), three hundred sixty-two (362), three hundred sixty-five (365), three hundred sixty-six (366), and to repeal sections three hundred fifty-four (354) and three hundred sixty (360), relating to public contracts and bonds.

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

1 SECTION 1. Section three hundred fifty-one (351), Code, 1939, is  
 2 amended by adding thereto the following:

3 The words "appeal board" as used in this chapter shall mean the  
 4 "State Appeal Board", composed of the Auditor of State, Treasurer of  
 5 State and State Comptroller.

1 SEC. 2. Section three hundred fifty-three (353), Code, 1939, is  
 2 amended by adding in line eight (8) the word "forthwith" after the  
 3 word "and".

1 SEC. 3. Section three hundred fifty-four (354), Code, 1939, is  
 2 repealed and the following enacted in lieu thereof:

3 "354. Appeal. Interested objectors in any municipality equal in  
 4 number to one fourth of one per cent of those voting for the office of  
 5 governor at the last general election in said municipality, but in no  
 6 event less than ten, may appeal from the decision to the appeal board  
 7 by serving notice thereof on the clerk or secretary of such municipality  
 8 within ten days after such decision is entered of record.

9 "The notice shall be in writing and shall set forth the objections to  
 10 such decision and the grounds for such objections; provided that at  
 11 least three of the persons signing said notice shall have appeared at the  
 12 hearing and made objection, either general or specific, to the adoption  
 13 of the proposed plans, specifications or contract for, or cost of such  
 14 improvement."

1 SEC. 4. Section three hundred fifty-five (355), Code, 1939, is

2 amended by striking from line two (2) the word "comptroller" and  
3 inserting in lieu thereof the words "appeal board".

1 SEC. 5. Section three hundred fifty-six (356), Code, 1939, is  
2 amended by striking from lines one (1) and two (2) the word "comp-  
3 troller" and inserting in lieu thereof the words "appeal board".

1 SEC. 6. Section three hundred fifty-seven (357), Code, 1939, is  
2 amended by striking from lines three (3), fourteen (14) and eighteen  
3 (18) the word "comptroller" and inserting in lieu thereof the words  
4 "appeal board".

5 Further amend by striking from lines five (5), eight (8), nine (9)  
6 and thirteen (13) the word "he" and inserting in lieu thereof the word  
7 "it".

8 Further amend by striking from lines eleven (11), fourteen (14)  
9 and eighteen (18) the word "his" and inserting in lieu thereof the  
10 word "its", and by changing in line eighteen (18), the word "who" to  
11 "which".

12 Further amend said section by placing in line seven (7) a comma  
13 (,) after the word "proposed" and inserting the following: "that the  
14 improvement and the method of providing for payment therefor is for  
15 the best interests of the municipality and the taxpayers therein,".

16 Further amend said section by placing in line nine (9) a comma (,)   
17 after the word "otherwise" and inserting the words "it may reject the  
18 same as a whole or," and by inserting in line fifteen (15) after the  
19 word "contract" the words "unless it shall have rejected the same as a  
20 whole".

1 SEC. 7. Section three hundred fifty-eight (358), Code, 1939, is  
2 amended by striking from line four (4) the word "comptroller" and  
3 inserting in lieu thereof the words "appeal board" and by striking  
4 from line seven (7) the word "he" and inserting in lieu thereof the  
5 word "it".

1 SEC. 8. Section three hundred fifty-nine (359), Code, 1939, is  
2 amended by striking from lines four (4) and eight (8) the word  
3 "comptroller" and inserting in lieu thereof the words "appeal board".

1 SEC. 9. Further amend said chapter twenty-three (23), Code, 1939,  
2 by repealing section three hundred sixty (360).

1 SEC. 10. Section three hundred sixty-two (362), Code, 1939, is  
2 amended by striking from line four (4) the word "comptroller" and  
3 inserting in lieu thereof the words "appeal board".

1 SEC. 11. Section three hundred sixty-five (365), Code, 1939, is  
2 amended by striking from lines six (6) and fourteen (14) the word  
3 "comptroller" and inserting in lieu thereof the words "appeal board".

4 Further amend by striking from line seven (7) the word "he" and  
5 inserting in lieu thereof the word "it".

1 SEC. 12. Section three hundred sixty-six (366), Code, 1939, is  
2 amended by striking lines one (1) to twelve (12), both inclusive, and  
3 enacting in lieu thereof the following:

4 "The appeal board shall determine the matters involved in such  
5 appeal and its decision shall be final, unless either party, within thirty

6 days from the making of such decision, gives notice to the other party  
 7 of an appeal to the District Court from such appeal. Its decision shall  
 8 be certified to the executive officer of the municipality affected.”  
 9 Further amend said section by striking from lines twenty (20) and  
 10 twenty-one (21) the word “comptroller” and inserting in lieu thereof  
 11 the words “appeal board”.

1 SEC. 13. Further amend said chapter twenty-three (23), Code,  
 2 1939, by adding the following section:

3 “Sec. 367.1. Nothing contained in this act shall be construed to  
 4 modify or change the provisions of section six thousand two hundred  
 5 sixty-one and one-tenth (6261.1), Code, 1939.”

1 SEC. 14. This act, being deemed of immediate importance, shall be  
 2 in full force and effect from and after its publication in the Centerville  
 3 Iowegian, a newspaper published in Centerville, Iowa, and in the Manly  
 4 Signal, a newspaper published at Manly, Iowa.

Approved April 16, 1941.

I hereby certify that the foregoing act was published in the Centerville Iowegian,  
 Centerville, Iowa, April 18, 1941, and the Manly Signal, Manly Iowa, April 24, 1941.  
 EARL G. MILLER, *Secretary of State*.

## CHAPTER 72

### LOCAL BUDGET LAW

#### S. F. 43

AN ACT to amend section three hundred ninety and two-tenths (390.2), Code, 1939,  
 relating to the time for filing protests against and appeals from budgets.

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

1 SECTION 1. That section three hundred ninety and two-tenths  
 2 (390.2), Code, 1939, be amended by striking out the word “Monday”  
 3 in line two (2) thereof and substituting in lieu thereof the word  
 4 “Tuesday”.

Approved March 1, 1941.

## CHAPTER 73

### MILITARY CODE

#### S. F. 16

AN ACT to amend section four hundred sixty-seven and twenty-five hundredths  
 (467.25), Code, 1939, relating to rights and privileges granted to persons called,  
 ordered, entering, or inducted into the military or naval forces or nurse corps of  
 this state or the United States.

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

1 SECTION 1. Section four hundred sixty-seven and twenty-five hun-