

1 SEC. 57. Sections four hundred twenty point one hundred twenty-  
2 one (420.121) to four hundred twenty point one hundred twenty-five  
3 (420.125), inclusive, Code 1950, are hereby repealed.

1 SEC. 58. Section four hundred twenty point one hundred forty-nine  
2 (420.149), Code 1950, is hereby repealed.

1 SEC. 59. Amend section three hundred sixty-three point sixty  
2 (363.60) by striking all following "municipalities" in line four (4), up  
3 to and including "dollars." in line twenty-four (24), and insert in lieu  
4 thereof the following: "provided, however, that the sum total of  
5 annual dues collected by the league from municipalities shall not  
6 exceed thirty-five thousand dollars (\$35,000.00)."

Approved May 2, 1951.

## CHAPTER 152

### SIoux CITY AUDITORIUM TRUSTEES

S. F. 343

AN ACT to provide for the appointment of a board of auditorium trustees in municipal corporations and to prescribe the organization, powers, and duties of such boards.

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

1 SECTION 1. **Board appointed.** In any municipal corporation having  
2 a population of eighty thousand or more and operating under the com-  
3 mission form of government in which a municipal auditorium has  
4 been established under the provisions of section three hundred sixty-  
5 eight point fifty-six (368.56)\* there shall be appointed a board of  
6 auditorium trustees.

1 SEC. 2. **Original appointments.** The council, by a majority vote of  
2 the members, shall appoint five (5) qualified resident electors of the  
3 municipal corporation, who shall constitute the original board; one of  
4 said board members to serve for a one-year term; one to serve for a  
5 two-year term; one to serve for a three-year term; one to serve for a  
6 four-year term; and one to serve for a five-year term. Each person  
7 originally appointed shall serve until July 1 of the year in which the  
8 period of such original appointment shall expire.

1 SEC. 3. **Appointments.** Each year, and on or before the first day  
2 of June, the council, by a majority vote, shall appoint one qualified  
3 elector of the municipal corporation, to serve for a five-year term as  
4 a member of the board, such term to commence on the first day of July  
5 of the year of appointment.

1 SEC. 4. **Vacancies.** In the event a vacancy occurs on the board by  
2 reason of death, disability, or removal from the corporate limits of any  
3 member, such vacancy shall be filled by a majority vote of the members  
4 of the city council for the unexpired term.

1 SEC. 5. **Compensation.** The members of the board of auditorium  
2 trustees shall serve without compensation.

\*Repealed by chapter 151.

- 1     **SEC. 6. Powers and duties.** The board of auditorium trustees shall  
2 have the following powers and duties:
- 3     1. *First meeting.* To meet on the first day of July in each year, or  
4 as soon thereafter as practicable, and organize by the election of a  
5 president and secretary from their own number.
- 6     2. *Auditorium.* To have charge, control, and supervision of the  
7 municipal auditorium, its appurtenances, fixtures, and equipment, and  
8 rooms containing same, and to direct and control all affairs relating  
9 to such auditorium.
- 10    3. *Employees.* To employ a manager and such assistants and em-  
11 ployees as may be necessary for the proper and efficient management  
12 of such auditorium and other trust property held by the board, and to  
13 fix the compensation of such personnel.
- 14    4. *Tenure.* All personnel employed by the board shall not be subject  
15 to the provisions of chapter three hundred sixty-five (365), Code 1950.  
16 However, in all appointments made or personnel employed under the  
17 provisions of this act, honorably discharged men and women from the  
18 military or naval forces of the United States in any war in which the  
19 United States was or is now engaged shall be given the preference, if  
20 otherwise qualified.
- 21    5. *Purchases.* To select, purchase, and pay for furniture, fixtures,  
22 equipment, and supplies for such auditorium.
- 23    6. *Use of Auditorium.* To authorize the use of such auditorium and  
24 to fix charges therefor.
- 25    7. *Rules and regulations.* To make and enforce all necessary rules  
26 and regulations governing the affairs of the board and the administra-  
27 tion, use, and preservation of the auditorium and other property held  
28 by the board and to provide penalties for the violation of such rules  
29 and regulations.
- 30    8. *Expenditures.* To have exclusive control of all proceeds from  
31 taxes levied or allocated by the council for auditorium purposes and  
32 of the expenditure of all moneys available by gift or otherwise and of  
33 all moneys belonging to the auditorium fund, including penalties.
- 34    9. *Gifts.* To accept gifts of real or personal property, and devises  
35 and bequests, including trust funds; to take titles to said property in  
36 the name of said board of auditorium trustees; to execute deeds and  
37 bills of sale for the conveyance of said property; to execute trusts  
38 accompanying gifts, to expend the income received from such gifts for  
39 the operation or improvement of such auditorium; to operate and  
40 manage properties received and held by the board, as aforesaid, and  
41 to receive and expend funds in connection therewith.
- 42    10. *Accounts.* To keep a current and accurate record of all pro-  
43 ceedings of the board and of all receipts and expenditures.
- 44    11. *Contracts.* To make contracts for the use of such auditorium,  
45 provided that no lease of the premises, or any part thereof, shall be  
46 made for a term in excess of twelve (12) months, without prior ap-  
47 proval of the city council.
- 48    12. *Auditorium fund.* All moneys received and set apart for the  
49 operation of such auditorium shall be deposited in the municipal treas-  
50 ury and credited to the auditorium fund and paid out only upon  
51 recommendation of the board of trustees signed by its secretary.

52 13. *Annual report.* The board of trustees shall immediately, at the  
 53 close of each municipal fiscal year, make to the council a report  
 54 containing a statement of the condition of the auditorium, the amount  
 55 of money expended, the amount of money or description and estimated  
 56 value of property, real or personal, received by such board during the  
 57 prior fiscal year, together with such other information as it may deem  
 58 important, and such further information as the council may require.

1 SEC. 7. *Saving Clause.* Should any section, clause, sentence, or  
 2 provision of this Act be held to be invalid for any reason, such holding  
 3 or decree shall not be construed as affecting the validity of any of the  
 4 remaining portions of this Act, it being the intent of the legislature  
 5 that this Act shall stand and the legislature would have adopted the  
 6 remainder of this Act, notwithstanding the invalidity of any such sec-  
 7 tion, clause, sentence, or provision.

1 SEC. 8. This Act shall be in full force and effect from and after  
 2 its publication in The Coggon Monitor, a newspaper published at  
 3 Coggon, Iowa, and The Anthon Herald, a newspaper published at  
 4 Anthon, Iowa.

Approved March 22, 1951.

I hereby certify that the foregoing act was published in The Coggon Monitor, Coggon,  
 Iowa, March 29, 1951, and in The Anthon Herald, Anthon, Iowa, March 28, 1951.  
 MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 153

### MUNICIPAL BANDS

#### S. F. 332

AN ACT to amend sections three hundred seventy-five point one (375.1) and three  
 hundred seventy-five point six (375.6), Code 1950, relating to continuance of  
 musical education of children during vacation periods and to municipal bands.

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

1 SECTION 1. Section three hundred seventy-five point one (375.1)  
 2 is hereby amended as follows:

3 1. Strike from lines twenty-one (21) and twenty-two (22) the fol-  
 4 lowing words: "and not more than one hundred twenty-five thousand".

5 2. Strike the period (.) after the word "purposes" in line twenty-  
 6 six (26) and adding thereto the following: "and for the continuance  
 7 of musical education of children of such cities having a population of  
 8 over forty thousand."

1 SEC. 2. Section three hundred seventy-five point six (375.6) is  
 2 amended by striking the period after the word "commission" in line  
 3 four (4) thereof and adding the following: "and in cities having a  
 4 population of over forty thousand (40,000), the said fund shall be  
 5 administered by the park commissioner, or park board in cities having  
 6 a population of one hundred twenty-five thousand (125,000) or more  
 7 as provided for in chapter three hundred seventy (370)."

Approved April 5, 1951.