

State of Iowa

1951

ACTS AND JOINT RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

Fifty-fourth General Assembly

OF THE

STATE OF IOWA



CHARLES W. BARLOW
CODE EDITOR

WAYNE A. FAUPEL
DEPUTY CODE EDITOR

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CERTIFICATE

STATE OF IOWA
Office of Code Editor

I, Charles W. Barlow, Editor of the Code of Iowa, do hereby certify that the acts, laws and joint resolutions and the certificates by the Secretary of State of the publication or filing thereof contained in this volume have been prepared from the original enrolled acts on file in the office of the Secretary of State and are correct copies of said acts and are published under the authority of the statutes of this state and constitute the acts, laws and joint resolutions of the Fifty-fourth General Assembly of the State of Iowa.



June, 1951.

Section 622.59 of the 1950 Code of Iowa is as follows:

“Printed copies of the statute laws of this or any other of the United States, or of congress, or of any foreign government, purporting or proved to have been published under the authority thereof, or proved to be commonly admitted as evidence of the existing laws in the courts of such state or government, shall be admitted in the courts of this state as presumptive evidence of such laws.”

EDITOR'S NOTE

The Acts and Resolutions of the Fifty-fourth General Assembly have been printed in this book exactly as they appear on file in the office of the Secretary of State. No attempt has been made to correct misspelled words or errors in punctuation, if any.

The user may be assured that the laws as reproduced herein are exact copies of the enrolled bills.

Proper editorial changes in spelling and arrangement of subjects, without altering the meaning, will appear in the final embodiment of these Acts in the Code of Iowa.

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STATE OFFICERS

STATE ROSTER

List of elective state officers, judges of the supreme, district, superior and municipal courts, members of the general assembly, and other state officers, commissions, boards and appointive officers of the state of Iowa, prepared and furnished by the Honorable Melvin D. Synhorst, Secretary of State, for insertion in the published volume of Session Laws for the Fifty-fourth General Assembly in accordance with the requirements of Code Section 14.10(3), 1950 Code of Iowa.

OFFICERS, COMMISSIONS AND BOARDS
(Complete to time of publication)

ELECTIVE OFFICERS
(Terms ending December 31, 1952)

Name and Office	County from which originally chosen
GOVERNOR	
William S. Beardsley.....	Warren
Norma M. Mathis, Executive Secretary.....	Polk
LIEUTENANT GOVERNOR	
W. H. Nicholas.....	Cerro Gordo
SECRETARY OF STATE	
Melvin D. Synhorst.....	Sioux
Mildred Veatch Bittinger, Deputy.....	Van Buren
AUDITOR OF STATE	
Chet B. Akers.....	Wapello
Frank M. Hanson, Deputy.....	Polk
TREASURER OF STATE	
M. L. Abrahamson.....	Boone
C. L. Bredt, Deputy.....	Franklin
SECRETARY OF AGRICULTURE	
Clyde Spry.....	Woodbury
Loyd Van Patten, Deputy.....	Warren
ATTORNEY GENERAL	
Robert L. Larson.....	Johnson
Clarence A. Kading, First Assistant.....	Marion
Oscar Strauss, Assistant.....	Polk
Kent Emery, Assistant.....	Polk
Henry W. Wormley, Assistant.....	Plymouth
Charles F. O'Connor, Assistant.....	Webster
Earl S. Shostrom, Assistant.....	Madison
Folsom Everest, Assistant.....	Pottawattamie
Glenn L. Gray, Assistant.....	Calhoun
SUPERINTENDENT OF PUBLIC INSTRUCTION	
Jessie M. Parker.....	Winnebago
J. P. Street, Deputy.....	Cass
COMMERCE COMMISSION	
Carl W. Reed, Chairman.....	Howard
David B. Long.....	Polk
B. M. Richardson.....	Linn
George L. McCaughan, Secretary.....	Polk
Ernest Porter, Commerce Counsel.....	Polk

STATE OFFICERS—Continued

APPOINTIVE OFFICERS

Name and Office	City or Town from which originally chosen	Term Ending
ACCOUNTANCY BOARD		
Albert A. Augustine.....	Des Moines	June 30, 1953
E. L. Stover.....	Waterloo	June 30, 1952
ADJUTANT GENERAL		
Brig. Gen. Fred C. Tandy.....	Des Moines	June 30, 1951
Lt. Col. Donald B. Johnson, Assistant.....	Des Moines	June 30, 1951
AERONAUTICS COMMISSION		
Guy C. Richardson.....	Jefferson	June 30, 1957
Joe Newburgh	Dubuque	June 30, 1957
Harry Tyler	Villisca	June 30, 1955
Harry Coffie	Estherville	June 30, 1955
P. E. Norris.....	Centerville	June 30, 1953
Norbert S. Locke, Director.....	Des Moines	
APPEAL BOARD (Education, Control and Fair Board Contracts) Comptroller, Chairman		
No other appointments of record.		
APPEAL BOARD (Public Contracts and Bonds)		
C. B. Akers.....	State Auditor	
M. L. Abrahamson.....	State Treasurer	
	State Comptroller	
ARCHITECTURAL EXAMINERS		
John Brooks	Des Moines	June 30, 1952
Charles Altfillisch	Decorah	June 30, 1952
Karl M. Waggoner.....	Mason City	June 30, 1952
	
	
ARMORY BOARD		
Fred C. Tandy, Adjutant General.....	Des Moines	To serve at
Colonel O. P. Bennett.....	Mapleton	the pleasure
Colonel Carlton K. Smith.....	Cedar Rapids	of the
Mr. Arthur H. Neumann.....	Des Moines	Governor
BANKING BOARD		
N. P. Black, Superintendent of Banking, Chm.....	Perry	June 30, 1953
Fred Gruenwald	Davenport	June 30, 1953
H. Lee Houston	Columbus Junction.....	June 30, 1953
Harry S. Lekwa.....	Ackley	June 30, 1953
Wm. R. Remien.....	Atlantic	June 30, 1953
BANKING SUPERINTENDENT		
N. P. Black.....	Perry	June 30, 1953
H. R. Jackson, Deputy.....	Des Moines	
BASIC SCIENCE (Board of Examiners)		
H. Earl Rath.....	Cedar Falls	June 30, 1953
Frederic F. Smith.....	Storm Lake	June 30, 1953
Benjamin H. Peterson.....	Cedar Rapids	June 30, 1957
Chester H. Werkman.....	Ames	June 30, 1955
Dr. Leland P. Johnson.....	Des Moines	June 30, 1955

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
BOARD OF CONTROL		
Robert Jones	Chariton	June 30, 1955
Robert C. Lappen	Des Moines	June 30, 1953
Henry W. Burma	Allison	June 30, 1957
(Mrs.) Esther Wright, Secretary	Des Moines	
BOARD OF EDUCATION		
Robert P. Munger	Sioux City	June 30, 1957
Dwight G. Rider	Fort Dodge	June 30, 1955
Harry B. Haggemann	Waverly	June 30, 1957
Mrs. Estelle E. Archie	Shenandoah	June 30, 1957
Richard L. Plock	Burlington	June 30, 1955
V. B. Hamilton	Hampton	June 30, 1955
Roy E. Stevens	Ottumwa	June 30, 1953
Mrs. George L. Kyseth	Clarion	June 30, 1953
W. S. Rupe	Ames	June 30, 1953
David Dancer, Secretary		
BOARD OF EDUCATIONAL EXAMINERS		
Jessie M. Parker, Superintendent of Public Instruction, President		
Dr. J. W. Maucker	Cedar Falls	June 30, 1953
Earl Roadman	Sioux City	June 30, 1953
Chas. H. Tye	Orange City	June 30, 1953
Fred Johansen	Clarinda	June 30, 1953
BOARD OF ENGINEERING EXAMINERS		
Carl H. Krause	Secretary	
Howard R. Green	Cedar Rapids	June 30, 1951
A. H. Cunningham	Storm Lake	June 30, 1951
Cecil E. Ewen	Fort Dodge	June 30, 1953
Frank L. Beinhauer	Davenport	June 30, 1953
L. O. Stewart	Ames	June 30, 1955
BOARD OF HEALTH		
Ex-officio Members:		
William S. Beardsley	Governor	
Melvin D. Synhorst	Secretary of State	
Chet B. Akers	Auditor of State	
M. L. Abrahamson	Treasurer of State	
Clyde Spry	Secretary of Agriculture	
Members:		
Herbert W. Rathe, M.D.	Waverly	January, 1953
H. R. Stroy, M.D.	Osceola	January, 1953
Prince E. Sawyer, M.D.	Sioux City	January, 1953
Milford E. Barnes, M.D.	Iowa City	January, 1953
Fred Sternagel, M.D.	West Des Moines	January, 1953
Commissioner of Health:		
Walter L. Bierring, M.D.	Des Moines	January, 1953
Practice Act Examining Boards:		
<i>Barber Examiners</i>		
William Convey	Cedar Rapids	June 30, 1952
Lew W. Skinner	Council Bluffs	June 30, 1953
L. D. Hamilton	Sioux City	June 30, 1954
<i>Chiropody Examiners</i>		
Dr. Ralph C. Kirkwood	Des Moines	June 30, 1953
<i>Chiropractic Examiners</i>		
Dr. J. V. Poulsen	Melcher	June 30, 1952
Dr. H. T. Opsahl	Decorah	June 30, 1954
Dr. C. J. Christensen	DeWitt	June 30, 1953

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
<i>Cosmetology Examiners</i>		
Mrs. Alice C. Graf.....	Stuart	June 30, 1952
Bernice Wickard	Des Moines	June 30, 1954
Inga Jepson	Clinton	June 30, 1953
<i>Dental Examiners</i>		
Dr. Robert C. Norman.....	Guthrie Center	June 30, 1952
Dr. G. H. Hospers.....	Waterloo	June 30, 1954
Dr. C. V. Lehman.....	Cedar Rapids	June 30, 1956
Dr. D. J. FitzGerald.....	Mason City	June 30, 1955
Dr. Henry M. Willits.....	Dubuque	June 30, 1953
<i>Embalmer Examiners</i>		
August Brandt, Jr.....	Dallas Center	June 30, 1953
William J. Witt.....	Elkader	June 30, 1952
Carl E. Johnson.....	Ottumwa	June 30, 1951
<i>Medical Examiners</i>		
Dr. Arthur D. Woods.....	State Center	June 30, 1952
Dr. H. E. Farnsworth.....	Storm Lake	June 30, 1953
<i>Nurse Examiners</i>		
Mother M. Maura.....	Cedar Rapids	June 30, 1951
Dorothy Freriks	Cherokee	June 30, 1952
Adelaide Beers	Burlington	June 30, 1955
Etta H. Rasmussen.....	Cedar Rapids	June 30, 1953
Sister Mary Estella.....	Council Bluffs	June 30, 1954
<i>Optometry Examiners</i>		
Dr. Alfred J. Meyer.....	Davenport	June 30, 1954
Dr. Ralph J. Hayes.....	Harlan	June 30, 1952
Dr. Henry W. Knutson.....	Mason City	June 30, 1953
<i>Osteopathic Examiners</i>		
Dr. Harold D. Meyer.....	Algona	June 30, 1952
Dr. Marvin E. Green.....	Storm Lake	June 30, 1953
Dr. W. S. Edmund.....	Red Oak	June 30, 1951
<i>Podiatry Examiners</i>		
Dr. M. D. Marr.....	Cedar Rapids	June 30, 1952
Dr. C. H. Findley.....	Davenport	June 30, 1951
Dr. Cecil L. Moon.....	Waterloo	June 30, 1953
<i>Hospital Advisory Council</i>		
Sister Mary Edmunda.....	Dubuque	June 30, 1952
Dr. D. H. Grau.....	Muscatine	June 30, 1952
Dr. Charles A. Nicoll.....	Panora	June 30, 1952
Garhard Hartman	Iowa City	June 30, 1951
Dr. C. R. Harken	Osceola	June 30, 1951
Senator X. T. Prentis.....	Mount Ayr	June 30, 1951
Tom Purcell	Hampton	June 30, 1954
Miss Anna C. Carlson.....	Ida Grove	June 30, 1954
Mrs. Ralph D. Jacobson.....	Boone	June 30, 1954
Mrs. A. D. Wiese.....	Manning	June 30, 1953
Harold Wright	Sioux City	June 30, 1953
Miss Esther Squires.....	Washington	June 30, 1953
Dr. Walter L. Bierring, Commissioner of Health, Chairman, Ex-officio.		

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
BUDGET AND FINANCIAL CONTROL COMMITTEE		
Senator Jay C. Colburn, Chairman.....	Harlan	Jan. 31, 1955
Senator A. E. Augustine.....	Oskaloosa	Jan. 31, 1953
Senator Herman M. Knudson.....	Clear Lake	Jan. 31, 1955
Senator George E. O'Malley.....	Des Moines	Jan. 31, 1953
Senator Earl C. Fishbaugh, Jr.....	Shenandoah	Jan. 31, 1955
Representative Ernest Palmer Jr., Secretary.....	Fort Madison	Jan. 31, 1953
Representative G. T. Kuester.....	Griswold	Jan. 31, 1955
Representative Dewey E. Goode.....	Bloomfield	Jan. 31, 1955
Representative Casey Loss.....	Algona	Jan. 31, 1953
Representative J. E. Hansen.....	Dedham	Jan. 31, 1953

CAR DISPATCHER

Walter J. Reuther.....	Clarence	At the pleasure of the Governor
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CLERK OF SUPREME COURT

Helen O. Galvin.....	Pleasantville	Dec. 31, 1954
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CODE EDITOR

Charles W. Barlow.....	Mason City	Dec. 31, 1954
Wayne A. Faupel, Deputy.....	Clear Lake	Dec. 31, 1954

COMMISSION FOR THE BLIND

Donald W. Overlbeay.....	Vinton	Ex-officio
Mrs. King Palmer.....	Des Moines	June 30, 1951
Ralph M. Kauffman.....	Maquoketa	June 30, 1952

COMPTROLLER

Glenn D. Sarsfield.....	Des Moines.....	At the pleasure of the Governor
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CONSERVATION COMMISSION

Joe Stanton	Des Moines	June 30, 1957
C. A. Dinges.....	Emmetsburg	June 30, 1955
E. C. Trost.....	Fort Dodge	June 30, 1957
Arthur C. Gingerich.....	Wellman	June 30, 1953
J. D. Reynolds.....	Creston	June 30, 1953

CUSTODIAN

Fred Willis	Des Moines	Dec. 31, 1952
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DISPLACED PERSONS COMMITTEE

Mrs. Mary Huncke, Chairman.....	State Board of Social Welfare	
Melvin D. Synhorst.....	Secretary of State	
Frank Ehman	1647 Beaver Ave.....	Des Moines
James McDonald	600 Teachout Bldg.....	Des Moines
Forrest Seymour	Register & Tribune.....	Des Moines
Mrs. Robert C. Lappen.....	694 Polk	Des Moines
Kirk Fox	715 50th	Des Moines
Murl McDonald	Iowa State College.....	Ames
Rev. John J. Gorman.....		Granger
George Westby	3141 49th St.....	Des Moines

EMPLOYMENT AGENCY COMMISSION

Melvin D. Synhorst.....	Secretary of State
Albert J. Shaw	Industrial Commissioner
M. L. Gilbert.....	Labor Commissioner

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
EMPLOYMENT SECURITY COMMISSION		
J. C. Blodgett.....	Cedar Rapids	June 30, 1957
Claude M. Stanley.....	Corning	June 30, 1953
Carl B. Stiger.....	Toledo	June 30, 1955
M. L. Abrahamson, Treasurer of State, Ex-officio		

EXECUTIVE COUNCIL		
William S. Beardsley, Governor.....	New Virginia	Dec. 31, 1952
Melvin D. Synhorst, Secretary of State.....	Orange City	Dec. 31, 1952
Chet B. Akers, Auditor of State.....	Ottumwa	Dec. 31, 1952
M. L. Abrahamson, Treasurer of State.....	Boone	Dec. 31, 1952
Clyde Spry, Secretary of Agriculture.....	Bronson	Dec. 31, 1952
Carl H. Krause, Secretary.....		

FAIR BOARD		
Members:		
H. L. Pike, President.....	Whiting	
W. J. Campbell, Vice President.....	Jesup	
L. B. Cunningham, Secretary.....	Des Moines	
N. W. McBeath, Treasurer.....	Des Moines	
Ex-officio Members:		
William S. Beardsley, Governor.....		
Clyde Spry, Secretary of Agriculture.....		
C. E. Friley, President, Iowa State College.....		

GEOLOGICAL BOARD		
William S. Beardsley, Governor.....		
C. B. Akers, Auditor of State.....		
Virgil M. Hancher, President, University of Iowa.....		
Charles E. Friley, President, Iowa State College.....		
P. S. Helmick, President, Iowa Academy of Science, Drake University		

GEOLOGIST		
H. Garland Hershey.....	Iowa City	To serve at the pleasure of Geological Board

HIGHWAY COMMISSION		
John R. Hattery.....	Nevada	June 30, 1955
Sanford Ziegler	Fairfield	June 30, 1955
Mel M. Graham.....	Audubon	June 30, 1953
Robert Keir	Spencer	June 30, 1955
Frank R. Kerrigan.....	Dubuque	June 30, 1955
Fred R. White, Chief Engineer.....		
Ames		

HISTORY AND ARCHIVES DEPARTMENT		
Claude Cook, Curator.....		
Emory English, Assistant Editor—Annals.....		
		Montgomery County
		Polk County.....

HISTORICAL SOCIETY		
Mrs. Margaret Hinderman.....	Wapello	June 30, 1952
Henry K. Peterson.....	Council Bluffs	June 30, 1952
Mrs. Martha Brunk.....	Des Moines	June 30, 1952
Mrs. Helen Vanderburg.....	Shell Rock	June 30, 1952
Mrs. John Hammill.....	Britt	June 30, 1952
Mrs. Georgianna Amsden.....	Webster City	June 30, 1952
Mrs. Ann Lomas.....	Red Oak	June 30, 1952
Mrs. Esther Narey.....	Spirit Lake	June 30, 1952
Wallace Sherlock	Fairfield	June 30, 1952

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
INDUSTRIAL COMMISSIONER		
Albert J. Shaw.....	Pocahontas	June 30, 1955
Charles H. Greenley, Deputy.....	Des Moines	
INSURANCE COMMISSIONER		
Charles R. Fischer.....	Onawa	June 30, 1955
Samuel C. Orebaugh, First Deputy.....	Des Moines	
Donald Harlow, Second Deputy.....	Des Moines	
COMMITTEE ON INTERSTATE CO-OPERATION		
Ex-officio Members:		
William S. Beardsley, Governor.....		
Robert L. Larson, Attorney General.....		
M. L. Abrahamson, Treasurer of State.....		
Chet B. Akers, Auditor of State.....		
Members:		
Senator Paul E. McCarville.....	Fort Dodge	
Senator John P. Berg.....	Cedar Falls	
Senator Raymond Gillespie.....	Dexter	
Senator Herman B. Lord.....	Muscatine	
Senator James H. Nesmith.....	Kellogg	
Senator Edward S. Parker.....	Ida Grove	
Senator W. Eldon Walter.....	Beaman	
Representative Fred Schwengel.....	Davenport	
Representative R. O. Burrows, Sr.....	Belle Plaine	
Representative Katheryn C. Metz.....	Lamoni	
Representative Harry Nielsen.....	Blencoe	
Representative Glenn E. Robinson.....	Manchester	
Representative Carl H. Ringgenberg.....	Ames	
Representative Albert Weiss.....	Denison	
IOWA DEVELOPMENT COMMISSION		
Charles E. Dove.....	Dubuque	June 30, 1954
G. E. Whitehead.....	Perry	
Horace G. Hedges.....	Cedar Rapids	June 30, 1952
Malcolm Lomas.....	Red Oak	June 30, 1952
George Paul.....	Brooklyn	
C. S. Van Eaton.....	Sioux City	
Fred Schwengel.....	Davenport	
Karl E. Madden.....	Storm Lake	
H. W. Schaller.....	Storm Lake	
Clyde Hendrix.....	Clinton	June 30, 1953
E. Howard Hill.....	Minburn	June 30, 1953
LABOR COMMISSIONER		
M. L. Gilbert.....	Des Moines	June 30, 1953
LAW EXAMINERS		
Robert L. Larson, Attorney General, Chairman.....		
Byron Sifford.....	Sioux City	June 30, 1952
A. B. Howland.....	Des Moines	June 30, 1952
Roscoe P. Thoma.....	Fairfield	June 30, 1951
E. P. Donohue.....	New Hampton	June 30, 1951
Leon W. Powers.....	Denison	June 30, 1951
LIBRARY COMMISSION		
William S. Beardsley, Governor.....		
T. G. Garfield, Supreme Court Justice.....		
Jessie M. Parker, Supt. of Public Instruction.....		
Librarian, Law:		
W. R. C. Kendrick.....	Des Moines	June 30, 1953
Geraldine Dunham, Deputy.....	Des Moines	June 30, 1953
Librarian, Medical:		
Dr. Jeanette Dean Throckmorton.....	Des Moines	June 30, 1953
Librarian, Traveling:		
Blanche A. Smith.....	Indianola	

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
LIQUOR COMMISSION		
A. A. Coburn.....	Cherokee	June 30, 1955
R. F. Swift.....	Harlan	June 30, 1953
Harold E. Wolfe.....	Mason City	June 30, 1957
H. E. Atwell, Secretary.....	Chariton	
MERIT SYSTEM COUNCIL		
N. T. Chadderdon.....	Marshalltown	Dec. 31, 1952
Gerald Schultz	Indianola	Dec. 31, 1951
J. C. Blodgett.....	Cedar Rapids	Dec. 31, 1953
MINE INSPECTORS		
E. A. Farnsworth.....	Centerville	June 30, 1951
A. Everette Erskine.....	Ottumwa	June 30, 1951
William Jervis	Des Moines	June 30, 1951
George Duckworth, Secretary.....		
NATURAL RESOURCES COUNCIL		
Chris Jensen	Audubon	June 30, 1957
Ewald G. Trost.....	Fort Dodge	June 30, 1957
Mrs. Addison Parker.....	Des Moines	June 30, 1953
Dr. J. Harold Ennis.....	Mount Vernon	June 30, 1953
Dr. H. Garland Hershey.....	Iowa City	June 30, 1955
Scott Ellis	Dallas Center	June 30, 1955
Dean F. M. Dawson.....	Iowa City	June 30, 1955
G. L. Ziemer, Executive Secretary.....	Des Moines	
OFFICE BUILDING COMMITTEE		
William S. Beardsley, Governor.....		
Melvin D. Synhorst, Secretary of State.....		
M. L. Abrahamson, Treasurer of State.....		
Chet B. Akers, Auditor of State.....		
Clyde Spry, Secretary of Agriculture.....		
PAROLE BOARD		
Mrs. Virginia Bedell.....	Spirit Lake	June 30, 1952
Otto H. Henningsen.....	Clinton	June 30, 1957
C. E. Godfrey.....	Albia	June 30, 1953
R. W. Bobzin, Secretary.....		
PERMIT BOARD		
George H. Robb, Chairman.....	State Tax Commission	
C. B. Akers.....	Auditor of State	
Melvin D. Synhorst.....	Secretary of State	
PHARMACY EXAMINERS		
Charles F. Griffin.....	Mapleton	June 30, 1952
Geo. Gillman	Fort Dodge	June 30, 1953
Oscar G. Fladt.....	Burlington	June 30, 1954
J. F. Rabe, Secretary.....		
PRINTING BOARD		
C. B. Akers, State Auditor, Ex-officio.....		
Robert L. Larson, Attorney General, Ex-officio.....		
Melvin D. Synhorst, Secretary of State, Ex-officio.....		
Richard R. Eby.....	Moulton	
Fred G. Edwards.....	Davenport	
S. W. Needham, Superintendent.....	Ames	
PUBLIC SAFETY COMMISSIONER		
Pearl McMurry	Corydon	June 30, 1955

STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
REAL ESTATE COMMISSION		
Melvin D. Synhorst, Secretary of State, Chairman.....		
Hal H. Lang.....	Sioux City	June 30, 1955
Alfred Dement	Anita	June 30, 1955
Reuben R. Hargrove.....	Bloomfield	June 30, 1953
Allan F. Beck.....	Mason City	June 30, 1953
E. A. Hart, Director	Des Moines.....	
REPORTER OF THE SUPREME COURT		
Charles W. Barlow, Reporter.....	Mason City	Dec. 31, 1954
Alice L. Foarde, Deputy.....	Des Moines	Dec. 31, 1954
SOCIAL WELFARE BOARD		
Luke L. Caffrey.....	Cresco	June 30, 1955
Mrs. Mary Huncke.....	Des Moines	June 30, 1953
Rolla R. Glenn.....	Osceola	June 30, 1957
R. H. Whitlatch, Secretary.....		
SOIL CONSERVATION COMMITTEE		
Kenneth M. Wagner.....	West Liberty	June 30, 1955
Wm. Darbyshire	Rockwell City	June 30, 1953
Chris H. Jensen.....	Audubon	June 30, 1957
James W. Foster.....	Albia	June 30, 1955
J. F. Ingels.....	Maynard	June 30, 1955
Clyde Spry, Secretary of Agriculture.....		
Dean Floyd Andre, Iowa State College.....		
H. Wayne Pritchard, Executive Secretary.....		
TAX COMMISSION		
J. Frank Hamilton.....	Maquoketa	June 30, 1955
George H. Robb.....	Estherville	June 30, 1953
Ray E. Johnson.....	Muscatine	June 30, 1957
UNIFORM STATE LAWS		
Mason Ladd	Iowa City	June 30, 1952
J. C. Pryor.....	Burlington	June 30, 1952
F. M. Miller.....	Des Moines	June 30, 1952
VOCATIONAL EDUCATION AND REHABILITATION		
Jessie M. Parker, Supt. Public Instruction.....		
Henry C. Shull.....	Sioux City	
Charles W. Harness.....	Wapello	
WATCHMAKING EXAMINERS		
E. L. Berner.....	Fort Dodge	June 30, 1951
W. O. Herteen	Iowa City	June 30, 1953
Perry Berglund	Sioux City	June 30, 1951
Arnold King	Ottumwa	June 30, 1952
Milton J. Bricker.....	Lenox	June 30, 1953
Ray A. Wiley, Executive Secretary.....	Des Moines	
WORLD WAR I BONUS BOARD		
Brig. Gen. Fred C. Tandy, Adjutant General.....		
M. L. Abrahamson, Treasurer of State.....		
C. B. Akers, Auditor of State.....		
R. J. Laird.....		
Edwin H. Curtis, Executive Secretary.....		
WORLD WAR II SERVICE COMPENSATION BOARD		
Brig. Gen. Fred C. Tandy, Adjutant General.....		
M. L. Abrahamson, Treasurer of State.....		
C. B. Akers, Auditor of State.....		
E. W. McNeil.....	Montezuma	
J. Lyle Musmaker.....	Greenfield	
Edward J. Kallemyn, Executive Secretary.....	Pella	

JUDICIAL DEPARTMENT

JUDICIAL DEPARTMENT

JUDGES OF THE SUPREME COURT

C. F. Wennerstrum.....	Chariton	Dec. 31, 1952
T. G. Garfield.....	Ames	Dec. 31, 1952
Ralph A. Oliver.....	Sioux City	Dec. 31, 1952
H. J. Mantz.....	Audubon	Dec. 31, 1954
John E. Mulroney.....	Fort Dodge	Dec. 31, 1954
W. A. Smith.....	Dubuque	Dec. 31, 1954
Wm. L. Bliss.....	Mason City	Dec. 31, 1956
Norman R. Hays.....	Knoxville	Dec. 31, 1956
G. K. Thompson.....	Cedar Rapids	Dec. 31, 1956

JUDGES OF THE DISTRICT COURT

First Judicial District

James S. Burrows.....	Keokuk	Dec. 31, 1954
J. R. Leary.....	Fort Madison	Dec. 31, 1954

Second Judicial District

Elmer K. Daugherty.....	Ottumwa	Dec. 31, 1954
Harold V. Levis.....	Chariton	Dec. 31, 1954
Edward L. Simmons.....	Centerville	Dec. 31, 1954
Heinrich C. Taylor.....	Bloomfield	Dec. 31, 1954

Third Judicial District

Geo. A. Johnston.....	Creston	Dec. 31, 1954
Charles J. Lewis.....	Mount Ayr	Dec. 31, 1954
Tedford W. Miles.....	Corydon	Dec. 31, 1954

Fourth Judicial District

L. B. Forsling.....	Sioux City	Dec. 31, 1954
Ralph W. Crary.....	Sioux City	Dec. 31, 1954
Geo. W. Prichard.....	Onawa	Dec. 31, 1954
Ralph C. Prichard.....	Sioux City	Dec. 31, 1954

Fifth Judicial District

S. E. Prall.....	Indianola	Dec. 31, 1954
Earl W. Vincent.....	Guthrie Center	Dec. 31, 1954
Phil R. Wilkinson.....	Winterset	Dec. 31, 1954

Sixth Judicial District

Frank Bechly.....	Montezuma	Dec. 31, 1954
J. G. Patterson.....	Oskaloosa	Dec. 31, 1954
R. G. Yoder.....	Sigourney	Dec. 31, 1954

Seventh Judicial District

W. L. Keck.....	Maquoketa	Dec. 31, 1954
Glenn D. Kelly.....	Davenport	Dec. 31, 1954
W. A. Newport.....	Davenport	Dec. 31, 1954
Merritt L. Sutton.....	Clinton	Dec. 31, 1954
Matthew Westrate.....	Muscatine	Dec. 31, 1954

Eighth Judicial District

Harold D. Evans.....	Iowa City	Dec. 31, 1954
James P. Gaffney.....	Marengo	Dec. 31, 1952

Ninth Judicial District

O. S. Franklin.....	Des Moines	Dec. 31, 1954
Russell Jordan.....	Des Moines	Dec. 31, 1954
Loy Ladd.....	Des Moines	Dec. 31, 1954
Joseph E. Meyer.....	Des Moines	Dec. 31, 1954
Edwin C. Moore.....	Des Moines	Dec. 31, 1954
Tom K. Murrow.....	Des Moines	Dec. 31, 1954

JUDICIAL DEPARTMENT—Continued

Tenth Judicial District		
Shannon B. Charlton.....	Manchester	Dec. 31, 1954
R. W. Hasner.....	Waterloo	Dec. 31, 1954
Paul L. Kildee.....	Waterloo	Dec. 31, 1954

Eleventh Judicial District		
Sherwood A. Clock.....	Hampton	Dec. 31, 1954
John M. Schaupp.....	Fort Dodge	Dec. 31, 1954
G. R. Hill.....	Clarion	Dec. 31, 1954
H. C. Nichol.....	Ames	Dec. 31, 1954

Twelfth Judicial District		
T. A. Beardmore.....	Charles City	Dec. 31, 1954
Tom Boynton.....	Forest City	Dec. 31, 1952
William P. Butler.....	Mason City	Dec. 31, 1954
M. H. Kepler.....	Northwood	Dec. 31, 1952

Thirteenth Judicial District		
W. H. Antes.....	West Union	Dec. 31, 1954
T. H. Goheen.....	Calmar	Dec. 31, 1952
George B. Richter.....	Waukon	Dec. 31, 1954

Fourteenth Judicial District		
Fred M. Hudson.....	Pocahontas	Dec. 31, 1954
Harry E. Narey.....	Spirit Lake	Dec. 31, 1952
G. W. Stillman.....	Algona	Dec. 31, 1954

Fifteenth Judicial District		
Harold E. Davidson.....	Clarinda	Dec. 31, 1954
Vernon Johnson.....	Sidney	Dec. 31, 1952
R. Kent Martin.....	Atlantic	Dec. 31, 1952
John A. Murray.....	Logan	Dec. 31, 1954
Chas. Roe.....	Council Bluffs	Dec. 31, 1954

Sixteenth Judicial District		
F. H. Cooney.....	Carroll	Dec. 31, 1954
R. L. McCord.....	Sac City	Dec. 31, 1954
Bruce M. Snell.....	Ida Grove	Dec. 31, 1954

Seventeenth Judicial District		
B. F. Thomas.....	Traer	Dec. 31, 1954
B. O. Tankersley.....	Marshalltown	Dec. 31, 1954

Eighteenth Judicial District		
M. C. Hamiel.....	Tipton	Dec. 31, 1954
J. E. Heiserman.....	Anamosa	Dec. 31, 1954
Floyd Philbrick.....	Cedar Rapids	Dec. 31, 1954
Charles Penningroth.....	Cedar Rapids	Dec. 31, 1954

Nineteenth Judicial District		
John G. Chalmers.....	Dubuque	Dec. 31, 1954
Milton J. Glenn.....	Dubuque	Dec. 31, 1954

Twentieth Judicial District		
Paul H. McCoid.....	Mount Pleasant	Dec. 31, 1954
E. O. Newell.....	Burlington	Dec. 31, 1952

Twenty-first Judicial District		
R. G. Rodman.....	Cherokee	Dec. 31, 1954
O. S. Thomas.....	Rock Rapids	Dec. 31, 1952
M. D. Van Oosterhout.....	Orange City	Dec. 31, 1954

JUDGES OF THE MUNICIPAL AND SUPERIOR COURTS

Municipal Courts

JUDGES	ADDRESS	CLERKS	REPORTERS
Albert Steinberg	Ames.....	Edna Samuelson	Irene Sogard
Cosgrove Walsh	Burlington.....		
W. A. McCullough.....	Clinton.....	Albert J. Meyer.....	
Allan Ardell	Council Bluffs.....	Lucille M. Madden.....	
John P. Tinley.....	Council Bluffs.....		
Howard W. Brooks.....	Des Moines.....	Walter R. Priebe.....	Ethelda R. Level
Chas. S. Cooter.....	Des Moines.....		Mrs. Kathryn Miller
Don L. Tidrick.....	Des Moines.....		
Harry B. Grund.....	Des Moines.....		
M. C. Farber.....	Marshalltown.....	Etta Northup	Minnie E. Grimm
Berry J. Sisk.....	Sioux City.....	Harry E. Harbeck.....	Richard F. Tedrow
George M. Paradise.....	Sioux City.....		
Geo. J. Sager.....	Waterloo.....	E. W. Koepke.....	Eva M. Leonard
Ben G. Howrey.....	Waterloo.....		

Superior Courts

JUDGES	ADDRESS	CLERKS	REPORTERS
Wm. J. Matias.....	Cedar Rapids.....	Maude M. Krebs.....	Imogen B. Emery
Frank W. Oertel.....	Keokuk		

CONGRESSIONAL DIRECTORY

United States Senators

Guy M. Gillette.....	Cherokee	Dec. 31, 1954
Bourke B. Hickenlooper.....	Cedar Rapids	Dec. 31, 1956

Representatives in Congress

1. Thos. E. Martin.....	Iowa City	Dec. 31, 1952
2. Henry O. Talle.....	Decorah	Dec. 31, 1952
3. H. R. Gross.....	Waterloo	Dec. 31, 1952
4. Karl M. LeCompte.....	Corydon	Dec. 31, 1952
5. Paul Cunningham	Des Moines	Dec. 31, 1952
6. James I. Dolliver.....	Fort Dodge	Dec. 31, 1952
7. Ben F. Jensen.....	Exira	Dec. 31, 1952
8. Charles B. Hoeven.....	Alton	Dec. 31, 1952

GENERAL ASSEMBLY
SENATORS IN GENERAL ASSEMBLY

NAME	Address	Age	Occupation	Dist	Counties Composing District	Former Legislative Service
Anderson, Carl T.	Wellman	61	Farmer	10	Washington	53
*Augustine, A. E.	Oskaloosa	60	Farmer, Broker	14	Mahaska	46X 47 48 49 50 50X 51 52 52X 53
Bateson, R. R.	Eldora	53	Attorney	37	Hamilton, Hardin, Wright	52 52X 53
Bekman, Elmer K.	Ottumwa	50	Attorney	13	Wapello	48 49 50 50X 51 52 52X 53
Berg, John P.	Cedar Falls	62	Druggist	38	Black Hawk, Grundy	46 46X 47 48 49 50 50X 51 52 52X 53
*Byers, Frank C.	Cedar Rapids	67	Attorney	26	Linn	43 44 45 45X 46 46X 47 48 49 50 50X 51 52 52X 53
Colburn, Jay C.	Harlan	57	Farmer, Implem't Dealer	18	Cass, Shelby	49 50 50X 51 52 52X 53
Dailey, Thomas J.	Burlington	36	Lawyer	9	Des Moines	
*Doud, Alden L.	Douds	53	Attorney	2	Jefferson, Van Buren	50 50X 51 52 52X 53
*Dykhouse, J. T.	Rock Rapids	61	Real Estate, Insurance	24	Lyon, Osceola, Sioux	47 48 49 50 50X 51 52 52X 53
*Elthon, Leo	Fertile	52	Contractor	41	Mitchell, Winnebago, Worth	45 45X 46 46X 47 48 49 50 50X 51 52 52X 53
Fishbaugh, Earl C., Jr.	Shenandoah	41	Attorney	7	Fremont, Page	46 46X 47 48 49 50 50X 52 52X 53
*Fletcher, Ray	Corydon	45	Merchant	4	Lucas, Wayne	
*Gillespie, Raymond	Dexter	60	Farmer	16	Adair, Madison	53
Hart, Stanley L.	Keokuk	54	Cooperage Manufacturer	1	Lee	47 48 49 50 50X 51 52 52X 53
*Hattery, John R.	Nevada	53	Lawyer	31	Boone, Story	50 50X 51 53
Hedin, Philip T.	Davenport	68	Real Estate Broker	21	Scott	50 50X 51 52 52X
Henningsen, O. H.	Clinton	67	Insurance, Real Estate	22	Clinton	48 49 50 50X 51 52 52X 53
*Hultman, O. N.	Stanton	62	Lumber Dealer	8	Mills, Montgomery	45 45X 46 46X 47 48 51 52 52X 53
*Humbert, Ernest L.	Corning	80	Farmer, Horse Breeder	6	Adams, Taylor	52 52X 53
*Jacobson, Arthur H.	Waukon	40	Attorney	40	Allamakee, Fayette	51 52 52X 53
*Knudson, Herman M.	Clear Lake	63	Printing	43	Cerro Gordo, Franklin, Hancock	46 46X 48 49 50 50X 51 52 52X 53
Linnevold, William	Decorah	73	Farmer, Insurance	42	Howard, Winneshiek	52 52X 53
Lord, Herman B.	Muscatine	57	Manufacturer	20	Louisa, Muscatine	52 52X 53
*Lynes, J. Kendall	Plainfield	47	Farmer	39	Bremer, Butler	49 50 50X 51 52 52X 53
*McCarville, Paul E.	Fort Dodge	49	Attorney	27	Calhoun, Webster	53
*Mercer, Leroy S.	Iowa City	61	Publisher	25	Iowa, Johnson	45 45X 46 46X 47 49 50 50X 51 52 52X 53
Molison, W. C.	Grinnell	47	Farmer	12	Keokuk, Poweshiek	
Myrland, E. C.	Onawa	58	Gasoline and Oil	34	Crawford, Harrison, Monona	52 52X 53
Nesmith, James H.	Kellogg	47	Manufacturer's Repr.	29	Jasper	
Oltman, R. J.	Storm Lake	47	Dentist	50	Buena Vista, Humboldt, Pocatontas	
O'Malley, George E.	Des Moines	45	Attorney	30	Polk	53
*Parker, Edward S.	Ida Grove	69	Physician and Surgeon	46	Cherokee, Ida, Plymouth	53
*Prentis, X. T.	Mount Ayr	54	Merchant	5	Decatur, Ringgold, Union	48 49 50 50X 51 53
*Ridout, Burl N.	Estherville	40	Restaurant	49	Emmet, Kossuth, Palo Alto	53
*Risk, Don	Independence	54	Savings and Loan	33	Buchanan, Delaware	53
*Roberts, F. M.	Knoxville	81	Physician and Surgeon	15	Marion, Monroe	53
*Sharp, F. E.	Elkader	56	Attorney	36	Clayton	48 49 50 50X 51 52 52X 53
*Tudor, J. M.	Tipton	63	Farmer	23	Cedar, Jackson, Jones	53

SENATORS IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Dist	Counties Composing District	Former Legislative Service
Utzig, Arnold	Dubuque	57	Shoe Merchant	35	Dubuque	50 50X 51 52 52X 53
*Van Eaton, Charles S.	Sioux City	61	Food Stores	32	Woodbury	51 52 52X 53
*Van Patten, Loyd	Indianola	53	Farmer	11	Clarke, Warren	53
Vest, Alan	Sac City	39	Attorney	48	Carroll, Greene, Sac	
*Walter, W. Eldon	Beaman	52	Farmer	28	Marshall	49 50 50X 51 52 52X 53
*Watson, DeVere	Council Bluffs	57	Attorney	19	Pottawattamie	49 50 50X 51 52 52X 53
*Watson, Harry E.	Sanborn	44	Farmer	47	Clay, Dickinson, O'Brien	51 52 52X 53
Weichman, Harry E.	Newhall	58	Farmer (retired)	45	Benton, Tama	47 48 49 50 50X 51 52 52X 53
*West, Sherman	Moulton	65	Farmer	3	Appanoose, Davis	53
*Whitehead, G. E.	Perry	58	Publisher	17	Audubon, Dallas, Guthrie	50 50X 51 53
Zastrow, Ralph W.	Charles City	61	Lawyer	44	Chickasaw, Floyd	50 50X 51 52 52X 53

*Holdover Senators.

REPRESENTATIVES IN GENERAL ASSEMBLY

NAME	Address	Age	Occupation	County	Former Legislative Service
Abel, L. W.	Guttenberg	50	Sales Representative	Clayton	
Aubrey, W. Dean	Ottumwa	46	Mine Operator	Wapello	51 53
Bass, Elmer A.	Red Oak	62	Farmer	Montgomery	51 52 52X 53
Berry, R. C.	Pomeroy	74	Retired Banker	Calhoun	53
Bloedel, A. S.	Tabor	74	Hardware Merchant	Fremont	
Boothby, Laurence M.	Cleghorn	54	Farmer	Cherokee	52 52X 53
Brockmeyer, John H.	Lime Springs	60	Farmer	Howard	
Brookings, Howard E.	Oakland	48	Theatre Owner	Pottawattamie	53
Brown, Carroll L.	Oskaloosa	37	Farmer	Mahaska	52 52X 53
Brownlie, John	Winterset	69	Farmer	Madison	53
Buck, Howard C.	State Center	51	Farmer	Marshall	53
Burris, C. J.	Maquoketa	45	Restaurateur	Jackson	53
Burrows, R. O., Sr.	Belle Plaine	51	Newspaper Editor	Benton	
Butler, Guy G.	Rolfe	63	Banker, Farmer	Pocahontas	52 52X
Clark, G. T.	Knoxville	45	Farmer	Marion	53
Clark, Ted D.	Mystic	30	Merchant	Appanoose	53
Cooksey, Paul J.	Spencer	27	Lawyer	Clay	
Cornick, Raymond	New London	61	Farmer	Henry	53
Crabb, Mrs. John W.	Jamaica	34	Homemaker	Guthrie	53
Crosier, Morse	Coggon	49	Newspaper Publisher	Linn	53
Darrington, William E.	Persia	46	Farmer	Harrison	
Davis, J. C.	Oelwein	68	Dentist, Farm Manager	Fayette	51 52 52X 53
Eckels, Penn	Britt	68	Retired Farmer	Hancock	52 52X 53
Fairchild, Bert K.	Ida Grove	59	Farmer	Ida	53
Fiene, George	Nashua	67	Retired Farmer	Chickasaw	52 52X 53
Frey, T. J.	Neola	49	Publisher	Pottawattamie	
Gallup, Lee	Libertyville	54	Farmer	Jefferson	53

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Goode, Dewey E.	Bloomfield	52	Produce and Fur Dealer	Davis	45 45X 46 46X 47 48 49 50 50X 53
Hanna, Leo B.	Corning	30	Farmer	Adams	53
Hansen, J. E.	Dedham	61	Banker	Carroll	52 52X 53
Hanson, Arthur C.	Inwood	59	Livestock Farm	Lyon	45 45X 53
Harris, Fay L.	Greenfield	57	Soil Conservation	Adair	53
Heinz, John A.	Peosta	72	Farmer	Dubuque	
Hendrix, W. C.	Letts	61	Farmer	Muscatine	52 52X 53
Huisman, Robert	Sibley	56	Farmer	Osceola	
Jones, Alfred E.	Osceola	30	Restaurant Owner	Clarke	
Judd, William Nelson	Clinton	63	Railroad Yardmaster	Clinton	51 52 52X
Klemesrud, Theo.	Thompson	48	Publisher	Winnebago	50 50X 51 52 52X 53
Koch, Frank	West Bend	65	Retired Publisher and Printer	Palo Alto	52 52X
Kosek, Ernest	Cedar Rapids	43	Investment Banker	Linn	52 52X 53
Kuester, G. T.	Griswold	62	Farmer	Cass	46 46X 47 48 49 50 50X 51 52 52X 53
Langland, C. M.	Spring Grv. Minn	79	Farmer	Winneshek	44 51 52 52X 53
Lisle, Vern	Clarinda	44	Manufacturer	Page	53
Loss, Casey	Algona	46	Farmer	Kossuth	52 52X 53
Lucken, J. Henry	Akron	54	Farmer	Plymouth	52 52X 53
Ludwig, G. M.	Tiffin	54	KXIC Farm Editor	Johnson	
Lynes, Wm. S.	Waverly	57	Drainage Engineer	Bremer	52 52X 53
Mallonee, L. Dec	Audubon	60	Lawyer	Audubon	
Martin, Sterling B.	Melrose	60	Farmer	Monroe	
McEleney, Leo P.	Clinton	57	Automobile Dealer	Clinton	51 52 52X 53
McFarlane, Arch W.	Waterloo	65	Wholesale Fuel	Black Hawk	36 37 38 38X 39 42 42X 43 44 45 45X 46 46X 48 49 50 50X 51 52 52X
McNeal, Clark H.	Belmond	31	Broker, Farm Manager	Wright	
Mensing, A. L.	Lowden	54	Merchant	Cedar	
Metz, Katheryn C.	Lamoni	46	Newspaper Editor	Decatur	53
Meyer, Dwight W.	Odebolt	49	Farmer	Sac	53
Miller, Earl A.	Cedar Falls	47	Farmer	Black Hawk	53
Miller, George E.	Harlan	74	Farmer	Shelby	40 40X 41 42 42X 43 44 45 45X 53
Moore, H. A.	New Hartford	68	Retired	Butler	51 52 52X 53
Moore, Kenneth R.	Morning Sun	36	Attorney	Louisa	
Mooty, W. L.	Grundy Center	44	Businessman, Farmer, Lawyer	Grundy	
Morris, Conway E.	Dallas Center	56	Farmer	Dallas	
Munger, Robert P.	Sioux City	41	Lawyer and Businessman	Woodbury	49 53
Nelson, Gladys S.	Newton	55	Housewife	Jasper	
Nelson, Harold F. (Lum)	Sioux City	45	Lawyer	Woodbury	49 50 50X 52 52X 53
Nicholson, Kirk R.	Bedford	48	Retired Farmer	Taylor	
Nielson, Harry	Blencoe	55	Farmer	Monona	53
Norland, Norman	Kensett	62	Farmer	Worth	50 50X 51 52 52X 53

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Nystrom, Clifford N.	Boone	47	Implement Dealer	Boone	53
Oberman, Claude	Yarmouth	61	Farmer	Des Moines	
Oeth, Robert L.	Dubuque	29	Attorney	Dubuque	
Olson, Allert G.	Osage	54	Farmer	Mitchell	51 52 52X 53
Oppedahl, Edward	Renwick	60	Farmer	Humboldt	
Palmer, Ernest, Jr.	Fort Madison	36	Lawyer	Lee	53
Patrick, Russell A.	Hawarden	50	Farmer	Sioux	52 52X 53
Paul, George L.	Brooklyn	47	Farmer	Poweshiek	52X 53
Pedrick, Frank	Ottumwa	54	Hardware Merchant	Wapello	
Pendleton, Wendell	Storm Lake	30	Attorney	Buena Vista	
Pieper, Elmer	Waukon	64	Attorney	Allamakee	48 49 50 50X 52 52X 53
Poston, E. E.	Corydon	67	Lawyer and Farmer	Wayne	49 50 50X 51 52 52X 53
Putney, Lawrence	Gladbrook	51	Hatchery and Feed Manufacturing	Tama	51 52 52X 53
Ramseyer, Harry W.	Washington	54	Hatchery and Feeds	Washington	
Ringgenberg, Carl H.	Ames	55	Farmer	Story	
Robinson, Glenn E.	Manchester	45	Lawyer	Delaware	50 50X 51 52 52X 53
Ryan, Earl C.	Des Moines	54	Attorney	Polk	
Sar, Martin E.	Charles City	64	Farmer	Floyd	
Schroeder, Jack	Davenport	25	Law Student	Scott	
Schwengel, Fred	Davenport	43	Insurance Business	Scott	51 52 52X 53
Shepard, Ray E.	Chariton	55	Skelgas	Lucas	51 52 52X 53
Sherod, Clayton D.	Birmingham	71	Farmer	Van Buren	53
Shifflett, Grant A.	Diagonal	59	Farmer, Banker	Ringgold	46 46X 47 53
Sloane, Ted	Des Moines	47	Attorney	Polk	50 50X 51 52 52X 53
Smith, Roy J.	Spirit Lake	61	Farmer	Dickinson	53
Soeth, Max M.	Estherville	50	Farmer	Emmet	
Stevens, Henry H.	Scranton	57	Farmer	Greene	51 52 52X 53
Stiffler, Fred	Norwalk	75	Farmer, Stock Buyer	Warren	53
Strawman, Clifford M.	Anamosa	61	Attorney, Farmer	Jones	51 52 52X 53
Tate, W. H. (Bill)	Mason City	50	Life Insurance Agent	Cerro Gordo	
Tierney, Francis E.	Fort Dodge	35	Lawyer	Webster	53
Uhlenhopp, Harvey	Hampton	35	Lawyer	Franklin	
Van Zwol, Jacob	Paullina	57	Life Insurance	O'Brien	53
Voigtmann, Fred	Marengo	61	Director of Relief	Iowa	
Walker, John A.	Williams	38	Farmer	Hamilton	52 52X 53
Walter, Paul M.	Union	46	Farmer	Hardin	53
Washburn, Henry W.	Hastings	51	Farmer	Mills	53
Weiss, Albert	Deaen	65	Retired Farmer, Businessman	Crawford	52 52X 53
Weston, L. O.	Stanley	48	Farmer	Buchanan	53
White, H. R.	Sigourney	61	Farmer, Retired Banker	Keokuk	
Young, John E.	Afton	67	Farmer	Union	53

OFFICERS OF THE FIFTY-FOURTH GENERAL ASSEMBLY

OFFICERS OF THE HOUSE

<i>Speaker</i> —William S. Lynes.....	Waverly
<i>Speaker Pro Tempore</i> —Lawrence Putney.....	Gladbrook
<i>Chief Clerk</i> —A. C. Gustafson.....	Des Moines
<i>Assistant Chief Clerk</i> —Scott Phelps.....	Sioux City
<i>Reading Clerk</i> —Tom Moore King.....	Diagonal
<i>Law Clerk</i> —N. L. Friedman.....	Des Moines
<i>Journal Clerk</i> —William R. Kendrick.....	Des Moines
<i>Journal Clerk</i> —Florence G. Hoffmann.....	Des Moines
<i>Engrossing Clerk</i> —Gretchen Stockham.....	Des Moines
<i>Enrolling Clerk</i> —James Lawyer.....	Des Moines
<i>Enrolling Clerk</i> —Madeleine M. Burrows.....	Des Moines
<i>Assistant Enrolled Bills Clerk</i> —Mary Martha Daley.....	Des Moines
<i>Assistant Enrolled Bills Clerk</i> —Patricia Cobb.....	Bedford
<i>Secretary to Chief Clerk</i> —Rose W. LaRue.....	Waterloo
<i>Secretary to Chief Clerk</i> —Madge Clark.....	Des Moines
<i>Payroll Clerk</i> —Jacqueline Day.....	Des Moines
<i>Journal and Clip Sheet Clerk</i> —M. Rosaline Stickler.....	Centerville
<i>Supervisor of Clerks</i> —Anne Van Laningham.....	Des Moines
<i>Speaker's Secretary</i> —Margaret Rader.....	Waterloo
<i>Index Clerk</i> —Sara G. Goodman.....	Des Moines
<i>Secretary to Law Clerk</i> —E. Dean Reynolds.....	Ankeny
<i>Sergeant-at-Arms</i> —Raymond J. Cornell.....	Des Moines
<i>Assistant Sergeant-at-Arms</i> —Walter R. Cook.....	Wadena
<i>Assistant Sergeant-at-Arms</i> —Dwayne Allen.....	Webster City
<i>Chief Doorkeeper</i> —C. A. Gardner.....	Murray
<i>Bill Clerk</i> —Alvin J. Crail.....	Des Moines
<i>Assistant Bill Clerk</i> —Edwin L. Getz.....	Des Moines
<i>Assistant Bill Clerk</i> —Martin E. Christiansen.....	Des Moines
<i>Assistant Bill Clerk</i> —Thomas A. Neill.....	Indianola
<i>File Clerk</i> —K. S. Berry.....	Pomeroy
<i>File Clerk</i> —Louis Linstrum.....	Des Moines
<i>Supply Clerk</i> —Mary Freels.....	Clinton
<i>Supply Clerk</i> —Jessie Walker.....	Marshalltown
<i>Postmistress</i> —Gladys Black.....	Des Moines

OFFICERS OF THE SENATE

<i>President</i> —W. H. Nicholas.....	Mason City
<i>President Pro Tempore</i> —Stanley L. Hart.....	Keokuk
<i>Secretary</i> —Carroll A. Lane.....	Carroll
<i>Assistant Secy. and Journal Clerk</i> —Edna Gillespie.....	Des Moines
<i>Law and Reading Clerk</i> —Hines Mount.....	Mason City
<i>Asst. Law and Reading Clerk</i> —James L. Bennett.....	Des Moines
<i>Secretary's Stenographer</i> —Ruth E. Fisher.....	Des Moines
<i>Lieutenant Governor's Steno.</i> —Viola Towle.....	Cedar Rapids
<i>Assistant Journal Clerk</i> —Leona Story.....	Des Moines
<i>Secretary's Clerk</i> —Sylvia Weeks.....	Des Moines
<i>Engrossing Clerk</i> —Maretta Blanchard.....	Des Moines
<i>Enrolling Clerk</i> —Dorothy Johnson.....	Des Moines
<i>Payroll Clerk</i> —Helen P. Jansen.....	Rock Rapids
<i>Special Clerk</i> —Marie Spencer.....	West Des Moines
<i>Special Clerk</i> —Ruth Patty.....	Shenandoah
<i>Assistant Enrolled Bills Clerk</i> —Ada M. Jolley.....	Adel
<i>Assistant Enrolled Bills Clerk</i> —Laura Scherf.....	Indianola
<i>Assistant Enrolled Bills Clerk</i> —Lillian Kanealy.....	Des Moines
<i>Supply Clerk</i> —Frank Sacco.....	Des Moines
<i>Sergeant-at-Arms</i> —Frank Buck.....	Ames
<i>Assistant Sergeant-at-Arms</i> —Walter A. Keith.....	Des Moines
<i>Chief Doorkeeper</i> —Wilbur Hathaway.....	Des Moines
<i>Bill Clerk</i> —Harry Upham.....	New Hampton
<i>File Clerk</i> —T. Robert Scarborough.....	Des Moines
<i>Assistant File Clerk</i> —Florence Manning.....	West Des Moines
<i>Postmistress</i> —Gladys Black.....	Des Moines
<i>Postmistress</i> —Jane Battershell.....	Des Moines



CONDITION OF STATE TREASURY

Statement of the receipts and expenditures of the public money for the biennial fiscal period beginning July 1, 1948, and ending June 30, 1950, as prepared and furnished by Ray E. Johnson, State Comptroller, for publication with the laws of the Fifty-fourth General Assembly in accordance with the requirements of Section 18, Article III, of the Constitution of the State of Iowa and Section 14.10 of the Code.

STATEMENT OF THE CONDITION OF THE TREASURY

Receipts, Disbursements and Balances in the Several Funds
for each year of the Biennial Period Ending June 30, 1950

Fiscal Year Ending June 30, 1949					
	Balance July 1, 1948	Total Receipts and Transfers	Total Available	Total Warrants Redeemed, Treasurer's Checks Issued and Transfers	Balance June 30, 1949
General Revenue	\$104,882,278.05	\$108,259,101.88	\$215,595,896.51	\$ 50,696,755.41	\$ 92,748,946.92
Transfers		2,454,516.63		72,156,194.18	
General Revenue					
Special Reserve Fund			30,000,000.00		30,000,000.00
Transfers		30,000,000.00			
Trust Funds	32,526,074.03	98,832,886.19	146,784,950.21	108,297,981.25	38,182,031.72
Transfers		15,425,989.99		354,937.24	
Special Funds					
(Compt. Warrants)	12,548,418.32	42,468,670.33	108,019,922.39	80,815,036.43	20,104,885.96
Transfers		48,002,833.74		2,100,000.00	
Special Funds					
(Treas. Checks)	738,850.20	34,798,139.38	85,581,989.58	16,307,015.76	651,764.88
Transfers				18,573,208.94	
TOTAL	\$150,695,620.60	\$380,237,138.09	\$630,932,758.69	\$349,300,129.21	\$181,632,629.48
Balance July 1, 1948	\$150,695,620.60				
Receipts and Transfers		380,237,138.09			
TOTAL			\$630,932,758.69		
Disbursements and Transfers				349,300,129.21	
Balance June 30, 1949					\$181,632,629.48

Fiscal Year Ending June 30, 1950					
	Balance July 1, 1949	Total Receipts and Transfers	Total Available	Total Warrants Redeemed, Treasurer's Checks Issued and Transfers	Balance June 30, 1950
General Revenue	\$ 92,748,946.92	\$ 99,622,523.48	\$192,782,851.94	\$ 64,633,608.31	\$ 27,466,898.02
Transfers		366,381.54		90,632,345.61	
General Revenue					
Special Reserve Fund	30,000,000.00		30,000,000.00		30,000,000.00
Transfers					
Trust Funds	38,132,031.72	90,710,666.21	168,017,813.08	110,908,218.95	51,743,212.59
Transfers		34,175,115.15		366,381.54	
Special Funds					
(Compt. Warrants)	20,104,885.96	78,129,352.33	196,491,019.93	177,744,012.90	18,747,007.03
Transfers		98,256,781.64			
Special Funds					
(Treas. Checks)	651,764.88	71,894,110.67	72,045,875.55	29,335,517.09	913,307.28
Transfers				41,797,051.18	
TOTAL	\$181,632,629.48	\$472,654,931.02	\$654,287,560.50	\$515,417,135.58	\$138,870,424.92
Balance July 1, 1949	\$181,632,629.48				
Receipts and Transfers		472,654,931.02			
TOTAL			\$654,287,560.50		
Disbursements and Transfers				515,417,135.58	
Balance June 30, 1950					\$138,870,424.92

APPROPRIATIONS TO STATE DEPARTMENTS

The following table is inserted to facilitate reference to the state departmental appropriations in Chapter 1.

DEPARTMENT	SECTION	DEPARTMENT	SECTION
Agriculture Department	1	Industrial Commission	26
Attorney General	2	Insurance Commission	27
Auditor of State.....	3	Iowa Development Commission.....	12
Blind, Commission for.....	4	Iowa Real Estate Commission.....	38
Code Editor	44	Labor Bureau	5
Commerce Commission	6	Library Commission	28
Comptroller	7	Mine Examiners	29
Conservation Commission.....	8	Mine Inspectors	30
Control, Board of.....	9	National Guard and State Guard.....	31
Council of State Government.....	10	Parole, Board of.....	32
Custodian	11	Pharmacy Board	33
Development Commission	12	Pioneer Lawmakers	34
District Court Judges.....	13	Printing Board	35
Education, Board of.....	14	Public Instruction Department.....	36
Educational Examiners	15	Public Safety Department.....	37
Employment Security Commission		Real Estate Commission.....	38
Employment Service	16	Secretary of State.....	39
Employment Security Commission		Soldiers' Bonus Board.....	40
Old Age and Survivor's Insurance		Spanish-American Veterans	41
System	16	Supreme Court	42
Executive Council	17	Supreme Court Clerk.....	43
Fair Board, State.....	18	Supreme Court Reporter.....	44
Geological Survey	19	Tax Commission	45
Governor	20	Treasurer of State.....	46
Grand Army	21	Uniform Laws Commission.....	47
Health Department	22	Veterans Educational Program.....	48
Historical Society	25	Vocational Education	49
History and Archives.....	24	World War Orphans' Aid.....	40
Hoover Birthplace Society.....	23		

LAWS

OF THE

Fifty-fourth General Assembly

OF THE

STATE OF IOWA

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE
CAPITAL OF THE STATE, BEGUN ON THE EIGHTH DAY OF JANUARY,
AND ENDED ON THE SEVENTEENTH DAY OF APRIL, A. D. 1951,
IN THE ONE HUNDRED FIFTH YEAR OF THE STATE

APPROPRIATIONS

CHAPTER 1

DEPARTMENTAL APPROPRIATIONS

H. F. 617

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, funds for various departments and various divisions thereof, of the state of Iowa, for the purposes provided by law.

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

AGRICULTURE, DEPARTMENT OF

1 SECTION 1. For the department of agriculture there is hereby
2 appropriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1951, and ending June 30, 1953, the sum of
4 six hundred four thousand six hundred sixty dollars (\$604,660.00) or
5 so much thereof as may be necessary to be used in the following
6 manner:
7 **MAIN OFFICE**
8 For salary of secretary of agriculture\$ 6,500.00
9 For salaries, support, maintenance and miscellaneous
10 purposes 178,000.00

11 Total for main office.....\$ 184,500.00
12 (1) AGRICULTURAL STATISTICS
13 For state aid.....\$ 16,000.00
14 (2) ANIMAL HEALTH AND VETERINARY

15	For salary of chief of animal health.....	\$ 6,000.00
16	For control of eradication of contagious and infectious	
17	livestock diseases including Bang's Disease, salaries and	
18	traveling expenses; assistant state veterinarians (per	
19	diem and expenses), indemnities and miscellaneous	
20	purposes	167,000.00
21	Total for animal health and veterinary.....	\$ 173,000.00
22	(3) BARBERRY ERADICATION	
23	For state aid.....	\$ 5,000.00
24	(4) BEE INSPECTION	
25	For state aid.....	\$ 12,000.00
26	(5) BEEF PRODUCERS' ASSOCIATION	
27	For state aid.....	\$ 10,000.00
28	(6) CORN AND SMALL GRAIN GROWERS' ASSOCIATION*	
29	For state aid.....	\$ 3,000.00
30	(7) CROP PEST	
31	For state aid.....	\$ 10,000.00
32	(8) DAIRY ASSOCIATION	
33	For state aid.....	\$ 10,000.00
34	(9) DAIRY CALF CLUB	
35	For state aid.....	\$ 2,000.00
36	(10) DAIRY SPECIALISTS AND BACTERIOLOGIST	
37	For salaries, support, maintenance and miscellaneous	
38	purposes	\$ 37,000.00
39	(11) ENTOMOLOGY	
40	For salaries, support, maintenance and miscellaneous	
41	purposes	\$ 15,000.00
42	(12) HATCHERY INSPECTION	
43	For state hatchery inspection.....	\$ 11,000.00
44	(13) HORSE BREEDERS' ASSOCIATION	
45	For state aid.....	\$ 8,500.00
46	(14) HORTICULTURAL SOCIETIES	
47	For state aid.....	\$ 8,800.00
48	(15) IOWA STATE SHEEP ASSOCIATION	
49	For state aid.....	\$ 8,500.00
50	(16) MARKET NEWS (POULTRY)	
51	For state aid.....	\$ 5,000.00
52	(17) POULTRY ASSOCIATION, SHORT COURSES AND	
53	ACHIEVEMENT SHOWS	
54	For state aid.....	\$ 12,500.00
55	(18) RESTAURANT AND HOTEL INSPECTION	
56	For additional inspection of hotels and restaurants,	
57	salaries, support, maintenance and, miscellaneous	
58	purposes	\$ 20,000.00
59	(19) SOIL CONSERVATION	
60	For salaries, support and miscellaneous purposes.....	\$ 30,000.00
61	(20) SWINE BREEDERS' ASSOCIATION	
62	For state aid.....	\$ 10,000.00
63	(21) VEGETABLE GROWERS' ASSOCIATION	
64	For state aid.....	\$ 5,500.00

*See chapter 78.

65	(22) VETERINARY EXAMINERS	
66	For per diem and expense.....	\$ 360.00
67	(23) WEATHER BUREAU	
68	For state aid.....	\$ 7,000.00
<hr/>		
69	Grand total of all appropriations for all purposes for	
70	each year of the biennium for the department of agri-	
71	culture and divisions thereof.....	\$ 604,660.00

ATTORNEY GENERAL

1	SEC. 2. For the office of attorney general there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1951, and ending June 30, 1953, the sum of fifty-	
4	nine thousand five hundred dollars (\$59,500.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salary of attorney general.....	\$ 7,500.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	52,000.00
<hr/>		
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of attorney	
11	general	\$ 59,500.00

AUDITOR OF STATE

1	SEC. 3. For the office of auditor of state there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1951, and ending June 30, 1953, the sum of one	
4	hundred sixty-one thousand dollars (\$161,000.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salary of state auditor.....	\$ 6,500.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	143,500.00
9	BUILDING AND LOAN DIVISION	
10	For salaries, support, maintenance and miscellaneous	
11	purposes	\$ 11,000.00
<hr/>		
12	Grand total of all appropriations for all purposes for	
13	each year of the biennium for the office of auditor of	
14	state	\$ 161,000.00

BLIND, IOWA COMMISSION FOR THE

1	SEC. 4. For the office of the commission for the blind there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1951, and ending June 30, 1953, the	
4	sum of thirty-one thousand forty-two dollars (\$31,042.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of director.....	\$ 4,000.00
7	For salaries, support, maintenance and miscellaneous	

8	purposes	27,042.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of the commis-	
11	sion for the blind.....	\$ 31,042.00

BUREAU OF LABOR

1	SEC. 5. For the bureau of labor there is hereby appropriated from	
2	the general fund of the state for each year of the biennium beginning	
3	July 1, 1951, and ending June 30, 1953, the sum of sixty-three thousand	
4	four hundred fifty dollars (\$63,450.00) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For salary for commissioner of bureau of labor.....	\$ 4,300.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	59,150.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the bureau of labor.....	\$ 63,450.00

COMMERCE COMMISSION, IOWA STATE

1	SEC. 6. For the department of the commerce commission there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1951, and ending June 30, 1953, the	
4	sum of one hundred ninety-seven thousand two hundred fifty dollars	
5	(\$197,250.00) or so much thereof as may be necessary to be used in	
6	the following manner:	
7	GENERAL ADMINISTRATION	
8	For salaries of commissioners (3 at \$5,300.00 each)....	\$ 15,900.00
9	For salary of secretary.....	5,000.00
10	For salaries, support, maintenance and miscellaneous	
11	purposes	92,100.00
12	Total for general administration of the commerce	
13	commission	\$ 113,000.00
14	CLASS RATE CASES	
15	For salaries, support, maintenance and miscellaneous	
16	purposes	\$ 2,500.00
17	MOTOR TRANSPORTATION DIVISION	
18	For salaries, support, maintenance and miscellaneous	
19	purposes	\$ 53,750.00
20	WAREHOUSE DIVISION	
21	For salaries, support, maintenance and miscellaneous	
22	purposes	\$ 28,000.00
23	Grand total of all appropriations for all purposes for	
24	each year of the biennium for the department of the	
25	commerce commission	\$ 197,250.00

COMPTROLLER, OFFICE OF STATE

1	SEC. 7. For the office of state comptroller there is hereby ap-	
2	propriated from the general fund of the state for each year of the	

CH. 1] LAWS OF THE FIFTY-FOURTH GENERAL ASSEMBLY

3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of one hundred three thousand dollars (\$103,000.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For state comptroller salary.....	\$ 6,500.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	96,500.00
		<hr/>
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of state comp-	
11	troller	\$ 103,000.00

CONSERVATION COMMISSION, STATE

1	SEC. 8. For the office of the conservation commission there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1951, and ending June 30, 1953, the	
4	sum of four hundred seventy-five thousand dollars (\$475,000.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of director.....	\$ 5,500.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes of the office and maintenance of state parks,	
9	purchase of land and general improvements and for the	
10	construction and improvements of roads and highways	
11	in said parks.....	\$ 469,500.00
		<hr/>
12	Grand total of all appropriations for all purposes for	
13	each year of the biennium for the conservation commis-	
14	sion	\$ 475,000.00

CONTROL, BOARD OF

1	SEC. 9. For the board of control there is hereby appropriated from	
2	the general fund of the state for each year of the biennium beginning	
3	July 1, 1951, and ending June 30, 1953, the sum of two hundred thirty-	
4	five thousand dollars (\$235,000.00) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes, including salaries for three (3) board mem-	
8	bers at \$6,000 each.....	\$ 220,000.00
9	For institutional state roads.....	\$ 15,000.00
		<hr/>
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the board of control.....	\$ 235,000.00

COUNCIL OF STATE GOVERNMENT

1	SEC. 10. For the council of state government there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of five thousand dollars (\$5,000.00) or so much thereof as may be	
5	necessary to be used in the following manner:	

6	For support of the council of state government.....	\$ 5,000.00
7	Grand total of all appropriations for all purposes for	
8	each year of the biennium for the council of state gov-	
9	ernment	\$ 5,000.00

CUSTODIAN

1	SEC. 11. For the office of the custodian there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1951, and ending June 30, 1953, the sum of one	
4	hundred eighty-five thousand five hundred dollars (\$185,500.00) or	
5	so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salary of custodian.....	\$ 3,600.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	181,900.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the office of the custodian....	\$ 185,500.00

DEVELOPMENT COMMISSION, THE IOWA

1	SEC. 12. For the Iowa development commission there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of one hundred thousand dollars (\$100,000.00) or so much thereof as	
5	may be necessary to be used in the following manner:	
6	For salary of director.....	\$ 6,180.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	73,820.00
9	For Civilian Defense.....	20,000.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the Iowa development	
12	commission	\$ 100,000.00

DISTRICT COURT JUDGES

1	SEC. 13. For the district court judges there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1951, and ending June 30, 1953, the sum of five	
4	hundred twenty-nine thousand dollars (\$529,000.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salaries of the judges of the district courts of Iowa	
7	(70 judges)	\$ 484,000.00
8	For traveling expenses of judges and court reporters	
9	in and out of districts.....	45,000.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for district court judges and	
12	reporters	\$ 529,000.00

EDUCATION, STATE BOARD OF

1	SEC. 14. For the office of the board of education there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum of	
4	sixty-one thousand dollars (\$61,000.00) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For salary of secretary.....	\$ 6,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	45,000.00
		<hr/>
9		\$ 51,000.00
10	For institutional roads.....	\$ 10,000.00
		<hr/>
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the office of board of	
13	education	\$ 61,000.00

EDUCATIONAL EXAMINERS, BOARD OF

1	SEC. 15. For the board of educational examiners there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of fifty thousand dollars (\$50,000.00) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 50,000.00
		<hr/>
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for board of educational	
10	examiners	\$ 50,000.00

EMPLOYMENT SECURITY COMMISSION, IOWA

1	SEC. 16. A. For the Iowa Employment Security Commission for	
2	the administration of Chapter 96, Code 1950, (Iowa Employment	
3	Security Law) there is hereby appropriated from the general fund of	
4	the state for each year of the biennium beginning July 1, 1951 and	
5	ending June 30, 1953, the sum of five thousand dollars (\$5,000.00) or	
6	so much thereof as may be necessary to be used in the following	
7	manner: Provided that this appropriation shall not be expended or	
8	made available for expenditure in any manner which would permit its	
9	substitution for or a corresponding reduction in federal funds which	
10	in the absence of this appropriation would be available to finance the	
11	expenditures for the administration of the Iowa Employment Security	
12	Commission. Provided further that no funds so appropriated shall	
13	be used for operation of a teachers' placement service.	
14	For salaries, support, maintenance and miscellaneous	
15	purposes including for each member of the Iowa Employ-	
16	ment Security Commission the sum of five hundred dol-	
17	lars (\$500.00) as salary increase which shall be in addi-	
18	tion to the salary now provided for each member in	
19	Chapter 96, Code of 1950.....	\$ 5,000.00
20	B. For the Iowa Employment Security Commission for the ad-	

21 ministration of Chapter 97, Code of 1950, (Iowa Old Age and
 22 Survivors' Insurance System) there is hereby appropriated from the
 23 general fund of the State of Iowa for each year of the biennium
 24 beginning July 1, 1951, and ending June 30, 1953, the sum of seventy-
 25 six thousand dollars (\$76,000.00) or so much thereof as may be
 26 necessary to be used in the following manner:

27 For salaries, support and maintenance and miscel-
 28 laneous purposes in the administration of Chapter 97,
 29 Code of 1950.....\$ 76,000.00

30 Grand total of all appropriations for all purposes for
 31 each year of the biennium for the Iowa Employment
 32 Security Commission\$ 81,000.00

EXECUTIVE COUNCIL

1 SEC. 17. For the office of the executive council there is hereby ap-
 2 propriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1951, and ending June 30, 1953, the sum
 4 of three hundred fifty thousand dollars (\$350,000.00) or so much
 5 thereof as may be necessary to be used in the following manner:

6 For secretary of executive council.....\$ 4,200.00
 7 For salaries, support, maintenance and miscellaneous
 8 purposes 345,800.00

9 Grand total of all appropriations for all purposes for
 10 each year of the biennium for the office of the executive
 11 council\$ 350,000.00

FAIR BOARD, IOWA STATE

1 SEC. 18. For the state fair board there is hereby appropriated
 2 from the general fund of the state for each year of the biennium
 3 beginning July 1, 1951, and ending June 30, 1953, the sum of fifty
 4 thousand dollars (\$50,000.00) or so much as may be necessary to be
 5 used in the following manner:

6 The salary of the secretary of the state fair board shall be six
 7 thousand dollars (\$6,000.00) per annum to be paid out of the funds
 8 of the state fair board.

9 For maintenance, insurance and operating expenses...\$ 40,000.00
 10 For premiums 10,000.00

11 Grand total of all appropriations for all purposes for
 12 each year of the biennium for the state fair board.....\$ 50,000.00

GEOLOGICAL SURVEY

1 SEC. 19. For the office of geological survey there is hereby ap-
 2 propriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1951, and ending June 30, 1953, the sum
 4 of ninety-four thousand dollars (\$94,000.00) or so much thereof as
 5 may be necessary to be used in the following manner:

6 For salaries, support, maintenance and miscellaneous
 7 purposes\$ 70,000.00

8	Lead and zinc exploration.....	5,000.00
9	Stream gauging and siltation, salaries, support and	
10	miscellaneous	19,000.00
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for geological survey.....\$	94,000.00

GOVERNOR

1	SEC. 20. For the office of the governor there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1951, and ending June 30, 1953, the sum of twenty-	
4	nine thousand eight hundred dollars (\$29,800.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salary of governor.....	\$ 12,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	17,800.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of governor.....\$	29,800.00

GRAND ARMY OF THE REPUBLIC

1	SEC. 21. For the department of the grand army of the republic	
2	there is hereby appropriated from the general fund of the state for	
3	each year of the biennium beginning July 1, 1951, and ending June 30,	
4	1953, the sum of three thousand seven hundred dollars (\$3,700.00) or	
5	so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 3,700.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the department of the	
11	grand army of the republic.....\$	3,700.00

HEALTH, STATE DEPARTMENT OF

1	SEC. 22. For the department of health there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1951, and ending June 30, 1953, the sum of three	
4	hundred eighty-nine thousand four hundred fifty dollars (\$389,450.00)	
5	or so much thereof as may be necessary to be used in the following	
6	manner:	
7	GENERAL OFFICE (Central Administration)	
8	For salary of commissioner.....	\$ 6,500.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes	\$ 53,500.00
11	Total for general office.....	\$ 60,000.00
12	(1) CANCER CONTROL	
13	For salaries, support, maintenance and miscellaneous	
14	purposes	\$ 10,000.00
15	(2) DENTAL HYGIENE	

16	For salaries, support, maintenance and miscellaneous		
17	purposes	\$	3,000.00
18	(3) HOSPITAL SURVEY AND PLANNING		
19	For salaries, support, maintenance and miscellaneous		
20	purposes	\$	35,000.00
21	(4) MATERNAL AND CHILD HEALTH		
22	For salaries, support, maintenance and miscellaneous		
23	purposes	\$	12,000.00
24	(5) PREVENTABLE DISEASES, SERUM CENTER AND		
25	BLOOD BANK		
26	For salaries, support, maintenance and miscellaneous		
27	purposes	\$	22,000.00
28	(6) PUBLIC HEALTH ENGINEERING AND		
29	INDUSTRIAL HYGIENE		
30	For salaries, support, maintenance and miscellaneous		
31	purposes	\$	65,000.00
32	(7) PUBLIC HEALTH NURSING		
33	For salaries, support, maintenance and miscellaneous		
34	purposes	\$	8,500.00
35	(8) TUBERCULOSIS CONTROL		
36	For salaries, support, maintenance and miscellaneous		
37	purposes	\$	14,500.00
38	(9) VENEREAL DISEASE CONTROL		
39	For salaries, support, maintenance and miscellaneous		
40	purposes	\$	15,000.00
41	(10) VITAL STATISTICS		
42	For salaries, support, maintenance and miscellaneous		
43	purposes	\$	74,000.00
44	Sub-total for public health administrative activities.....	\$	314,000.00
45	LICENSURE AND REGISTRATION		
46	(11) BARBER'S EXAMINING BOARD		
47	For compensation, support, maintenance and miscel-		
48	laneous purposes	\$	23,500.00
49	(12) CHIROPRACTIC EXAMINING BOARD		
50	For compensation, support, maintenance and miscel-		
51	laneous purposes	\$	3,000.00
52	(13) COSMETOLOGY EXAMINING BOARD		
53	For compensation, support, maintenance and miscel-		
54	laneous purposes	\$	25,000.00
55	(14) DENTAL EXAMINING BOARD		
56	For compensation, support, maintenance and miscel-		
57	laneous purposes	\$	2,200.00
58	(15) EMBALMERS EXAMINING BOARD		
59	For compensation, support, maintenance and miscel-		
60	laneous purposes	\$	2,000.00
61	(16) LICENSURE AND REGISTRATION		
62	(Central Administration)		
63	For salaries, support, maintenance and miscellaneous		
64	purposes	\$	9,000.00
65	(17) MEDICAL EXAMINING BOARD		

66	For compensation, support, maintenance and miscel-	
67	laneous purposes	\$ 1,800.00
68	(18) OPTOMETRY EXAMINING BOARD	
69	For compensation, support, maintenance and miscel-	
70	laneous purposes	\$ 1,250.00
71	(19) OSTEOPATHY EXAMINING BOARD	
72	For compensation, support, maintenance and miscel-	
73	laneous purposes	\$ 2,200.00
74	(20) CHIROPODY EXAMINING BOARD	
75	For compensation, support, maintenance and miscel-	
76	laneous purposes	\$ 500.00
77	Sub-total for division of licensure and registration.....	\$ 70,450.00
78	Grand total of all appropriations for all purposes for	
79	each year of the biennium for the department of health	
80	and the various divisions thereof.....	\$ 389,450.00

HERBERT HOOVER BIRTHPLACE SOCIETY

1	SEC. 23. For the Herbert Hoover birthplace society there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of two thousand three hundred dollars (\$2,300.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 2,300.00
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the Herbert Hoover Birth-	
10	place society	\$ 2,300.00

HISTORY AND ARCHIVES, IOWA STATE DEPARTMENT OF

1	SEC. 24. For the department of history and archives there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1951, and ending June 30, 1953,	
4	the sum of sixty-three thousand nine hundred fifty dollars (\$63,950.00)	
5	or so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salary of curator.....	\$ 4,200.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	\$ 59,750.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the department of history	
12	and archives	\$ 63,950.00

HISTORICAL SOCIETY, THE STATE IOWA CITY

1	SEC. 25. For the historical society at Iowa City there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of sixty-five thousand eight hundred dollars (\$65,800.00) or so much	
5	thereof as may be necessary to be used in the following manner:	

6	For historian	\$ 4,800.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	61,000.00
<hr/>		
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the historical society at	
11	Iowa City	\$ 65,800.00

INDUSTRIAL COMMISSIONER

1	SEC. 26. For the industrial commissioner there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1951, and ending June 30, 1953, the sum of thirty-	
4	three thousand five hundred eighty-five dollars (\$33,585.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of commissioner.....	\$ 5,000.00
7	For salaries, support, maintenance, travel expense,	
8	state share of employment retirement fund and miscel-	
9	laneous purposes	28,585.00
<hr/>		
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the industrial com-	
12	missioner	\$ 33,585.00

INSURANCE DEPARTMENT OF IOWA

1	SEC. 27. For the office of the insurance commission there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of eighty-two thousand dollars (\$82,000.00) or so much thereof as may	
5	be necessary to be used in the following manner:	
6	For salary of commissioner.....	\$ 6,500.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	75,500.00
<hr/>		
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of the insurance	
11	commission	\$ 82,000.00

LIBRARIES, IOWA STATE

1	SEC. 28. For the library commission there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1951, and ending June 30, 1953, the sum of one hun-	
4	dred two thousand five hundred dollars (\$102,500.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	LAW DIVISION	
7	For salary of librarian.....	\$ 3,900.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	23,100.00
<hr/>		
10	Total for law division.....	\$ 27,000.00
11	(1) MEDICAL DIVISION	
12	For salary of librarian.....	\$ 3,900.00

13	For salaries, support, maintenance and miscellaneous	
14	purposes	21,100.00
15	Total for medical division.....	\$ 25,000.00
16	(2) TRAVELING DIVISION	
17	For salary of librarian.....	\$ 3,900.00
18	For salaries, support, maintenance and miscellaneous	
19	purposes	46,600.00
20	Total for traveling division.....	\$ 50,500.00
21	Grand total of all appropriations for all purposes for	
22	each year of the biennium for the library commission.....	\$ 102,500.00

MINE EXAMINING BOARD

1	SEC. 29. For the mine examining board there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1951, and ending June 30, 1953, the sum of three	
4	thousand dollars (\$3,000.00) or so much thereof as may be necessary	
5	to be used in the following manner:	
6	For per diem and expenses.....	\$ 3,000.00
7	Grand total of all appropriations for all purposes for	
8	each year of the biennium for the mine examining board..	\$ 3,000.00

MINE INSPECTORS

1	SEC. 30. For the department of mine inspectors there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of seventeen thousand six hundred dollars (\$17,600.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of two (2) mine inspectors at \$3,900.00	
7	each	\$ 7,800.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	9,800.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the department of mine	
12	inspectors	\$ 17,600.00

NATIONAL GUARD AND STATE GUARD

1	SEC. 31. For the national guard and the state guard there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of five hundred fifty thousand dollars (\$550,000.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of adjutant general.....	\$ 6,500.00
7	For salaries	121,580.00
8		\$ 128,080.00

9	For support, maintenance and armories.....	\$ 421,920.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the national guard and	
12	state guard	\$ 550,000.00

PAROLE, BOARD OF

1	SEC. 32. For the office of board of parole there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of sixty-two thousand dollars (\$62,000.00) or so much thereof as may	
5	be necessary to be used in the following manner:	
6	Board of parole salaries (3 members at \$3,900.00	
7	each)	\$ 11,700.00
8	For salary of secretary and superintendent of parole	
9	agents	4,250.00
10	For salaries, support, maintenance and miscellaneous	
11	purposes	46,050.00
12	Grand total of all appropriations for all purposes for	
13	each year of the biennium for the board of parole.....	\$ 62,000.00

PHARMACY EXAMINERS

1	SEC. 33. For the pharmacy examining board there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of thirty thousand five hundred dollars (\$30,500.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	GENERAL OFFICE	
7	For salary of secretary.....	\$ 4,200.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	16,800.00
10	Total for general office.....	\$ 21,000.00
11	(1) UNIFORM NARCOTIC LAW DIVISION—ILLEGAL	
12	ENFORCEMENT	
13	For salaries, support, maintenance and miscellaneous	
14	purposes in making investigations of illegal sales.....	\$ 6,500.00
15	(2) UNIFORM NARCOTIC LAW DIVISION—LEGAL	
16	ENFORCEMENT	
17	For salaries, maintenance and miscellaneous purposes	
18	of legal sales.....	\$ 3,000.00
19	Grand total of all appropriations for all purposes for	
20	each year of the biennium for the pharmacy examining	
21	board	\$ 30,500.00

PIONEER LAWMAKERS

1	SEC. 34. For the pioneer lawmakers there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1951, and ending June 30, 1953, the sum of one hundred	

4	dollars (\$100.00) or so much thereof as may be necessary to be used	
5	in the following manner:	
6	For miscellaneous purposes.....	\$ 100.00
7	Grand total of all appropriations for all purposes for	
8	each year of the biennium for the pioneer lawmakers.....	\$ 100.00

PRINTING BOARD, THE

1	SEC. 35. For the state printing board there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1951, and ending June 30, 1953, the sum of two hundred	
4	seventy-five thousand dollars (\$275,000.00) or so much thereof as may	
5	be necessary to be used in the following manner:	
6	GENERAL OFFICE	
7	For salary of superintendent.....	\$ 4,800.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	25,700.00
10	Total for general office.....	\$ 30,500.00
11	PRINTING AND BINDING	
12	For necessary printing and binding authorized by law	
13	for the General Assembly and for all state departments	
14	that have not been provided for in department appropri-	
15	ations	\$ 244,500.00

16 Grand total of all appropriations for all purposes for
 17 each year of the biennium for the state printing board...\$ 275,000.00

18 This section is not to be construed or interpreted to include the ex-
 19 pense of any printing for any of the following departments, bureaus,
 20 boards or associations:

21 Agricultural societies; animal health and veterinary division of
 22 agricultural department for elimination of bovine tuberculosis and
 23 brucellosis; board of accountancy*; architectural examiners; banking
 24 department including receivership division; basic science; board of
 25 control institutions; board of education institutions; board of educa-
 26 tional examiners; board of engineering examiners; board of nurse
 27 examiners; conservation commission; cosmetology division of depart-
 28 ment of health; farmers' institutes; indigent hospital; hotel and
 29 restaurant fund; Iowa beef producers association; Iowa corn and small
 30 grain growers' association; Iowa department of the Grand Army of
 31 the Republic; Iowa state poultry breeders' association; Iowa swine
 32 breeders' association; Iowa liquor control commission; Iowa unem-
 33 ployment compensation commission; motor vehicle fuel tax division;
 34 psychopathic hospital; short course; state board of vocational educa-
 35 tion; state library and all divisions thereof; state permit board; truck
 36 operators division; and any and every agency, activity, and undertak-
 37 ing that has a fund for general support.

38 Providing that funds appropriated by this section, in the discretion
 39 of the printing board, may be used in supplying paper stock, multi-
 40 graph or mimeograph work for any of the foregoing departments,

*According to enrolled Act.

41 bureaus, associations and institutions, any sum so used for supplying
 42 multigraph or mimeograph work to be refunded to the printing board
 43 and returned to the credit of the appropriation made for printing
 44 board general office expense; any sum so used for supplying paper
 45 stock to be refunded to the printing board and returned to the credit
 46 of the appropriation made by this section. These payments shall be
 47 made to the printing board in the same manner as other claims against
 48 such departments are paid, and the printing board shall remit the
 49 proceeds to the treasurer of state on the first secular day of each
 50 calendar month, taking the treasurer's receipt therefor, showing the
 51 same properly credited to the respective appropriations.

52 The following departments are hereby limited to their demands for
 53 printing during the biennial period beginning July 1, 1951, and ending
 54 June 30, 1953, to an amount not to exceed the following:

55 Academy of Science, \$5,800.00; Agriculture, Department of, \$36,-
 56 000.00; Attorney General, \$5,000.00; Auditor of State, \$10,000.00;
 57 Bureau of Labor, \$2,400.00; Commerce Commission, \$18,000.00;
 58 Comptroller, Office of State, \$38,000.00; Control, Board of, \$4,000.00;
 59 Custodian, \$300.00; Education, State Board of, \$9,500.00; Educational
 60 Examiners, Board of, \$3,000.00; Executive Council, \$1,500.00; Fair
 61 Board, Iowa State, \$3,000.00; Geological Survey, \$20,000.00; Gov-
 62 ernor, \$4,000.00; Health, State Department of, \$30,000.00; Historical,
 63 \$6,600.00; Horticulture, \$4,000.00; Industrial Commissioner, \$4,-
 64 200.00; Insurance Department, \$10,000.00; Mine Inspectors, \$1,-
 65 500.00; National Guard, \$5,600.00; Parole, Board of, \$1,300.00;
 66 Pharmacy Examiners, \$1,700.00; Public Instruction, Department of,
 67 \$66,000.00; Real Estate Commission, Iowa, \$5,000.00; Secretary of
 68 State, \$10,000.00; Supreme Court, \$200.00; Supreme Court, Clerk of,
 69 \$2,300.00; Supreme Court, Reporter, \$500.00; Tax Commission, State,
 70 \$7,000.00; Treasurer of State, \$10,000.00; it is however, provided that
 71 in case of emergency, the budget and financial control committee may
 72 authorize increased amounts where necessary.

PUBLIC INSTRUCTION, DEPARTMENT OF

1 SEC. 36. For the department of public instruction there is hereby
 2 appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1951, and ending June 30, 1953, the sum
 4 of two hundred ninety thousand four hundred fifty dollars (\$290,-
 5 450.00) or so much thereof as may be necessary to be used in the fol-
 6 lowing manner:

7 GENERAL OFFICE
 8 For salary of superintendent of public instruction.....\$ 6,500.00
 9 For salaries\$ 150,000.00
 10 Total main office.....\$ 156,500.00
 11 (1) SPECIAL EDUCATION (HANDICAPPED CHILDREN)
 12 DIVISION
 13 For salaries\$ 38,000.00
 14 (2) SCHOOL LUNCH PROGRAM
 15 For salaries
 16 (Should Federal appropriations be stopped for public

17	school lunches then this money should revert to the	
18	general fund)	38,700.00
19	Total school lunch program.....	\$ 38,700.00
20	OTHER EXPENSES (Consolidated)	
21	Travel and contingent	\$ 30,000.00
22	General office supplies.....	850.00
23	Books and periodicals.....	250.00
24	Bond premiums	650.00
25	Equipment aid for handicapped children.....	3,500.00
26	Improvement of administration and instruction.....	6,000.00
27	Revision and study school courses.....	3,000.00
28	To match federal funds for school building survey.....	12,500.00
29	Veterans educational program.....	500.00
30	Total other expenses.....	\$ 57,250.00
31	Grand total of all appropriations for all purposes for	
32	each year of the biennium for the department of public	
33	instruction and the various divisions thereof.....	\$ 290,450.00

PUBLIC SAFETY, DEPARTMENT OF

1	SEC. 37. For the department of public safety there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of two million two hundred eighty-three thousand four hundred	
5	twenty-six dollars (\$2,283,426.00) or so much thereof as may be	
6	necessary to be used in the following manner:	
7	DIVISION OF ADMINISTRATION	
8	For salary of commissioner	\$ 6,000.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes	33,150.00
11		\$ 39,150.00
12	(1) DIVISION OF ACCIDENT STATISTICS AND PUBLIC	
13	LIABILITY	
14	For salaries, support, maintenance and miscellaneous	
15	purposes	\$ 165,965.00
16	(2) DIVISION OF CRIMINAL INVESTIGATION	
17	For salary of chief of criminal investigation.....	\$ 5,500.00
18	For salaries, support, maintenance and miscellaneous	
19	purposes	150,240.00
20		\$ 155,740.00
21	(3) DIVISION OF FIRE MARSHAL	
22	For salary of fire marshal.....	\$ 4,100.00
23	For salaries, support, maintenance and miscellaneous	
24	purposes	36,545.00
25		\$ 40,645.00
26	(4) DIVISION OF HIGHWAY PATROL	
27	For salary of chief of highway patrol.....	\$ 5,000.00

28	For salaries, support, maintenance and miscellaneous	
29	purposes	1,042,076.00
30	For the peace officers' retirement, accident, and dis-	
31	ability system set up by Chapter 97A, Code of 1950, there	
32	is hereby appropriated from the general fund of the state	
33	for the estimated costs for each year of the biennium, the	
34	sum of sixty-one thousand eight hundred and five dollars	
35	(\$61,805.00) or so much thereof as may be necessary,	
36	payments to the retirement system to be made semi-	
37	monthly	\$ 61,805.00
		<hr/>
38		\$1,108,881.00
39	(5) DIVISION OF MOTOR REGISTRATION	
40	For salary of superintendent.....	\$ 4,100.00
41	For steel plates.....	100,000.00
42	For salaries, support, maintenance and miscellaneous	
43	purposes	223,355.00
		<hr/>
44		\$ 327,455.00
45	(6) DIVISION OF OPERATORS AND CHAUFFEURS	
46	LICENSE	
47	For salaries, support, maintenance and miscellaneous	
48	purposes	\$ 251,190.00
49	(7) DIVISION OF RADIO COMMUNICATION	
50	For salary of superintendent.....	4,100.00
51	For salary, support, maintenance and miscellaneous	
52	purposes	138,370.00
		<hr/>
53		\$ 142,470.00
54	(8) DIVISION OF SAFETY EDUCATION	
55	For salaries, support, maintenance and miscellaneous	
56	purposes	\$ 51,930.00
		<hr/>
57		\$ 51,930.00
58	Grand total of all appropriations for all purposes for	
59	each year of the biennium for the department of public	
60	safety and all divisions thereof.....	\$2,283,426.00

REAL ESTATE COMMISSION, IOWA

1	SEC. 38. For the Iowa real estate commission there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum of	
4	eighteen thousand six hundred dollars (\$18,600.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salary of director.....	\$ 4,200.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	14,400.00
		<hr/>
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the Iowa real estate com-	
11	mission	\$ 18,600.00

SECRETARY OF STATE

1	SEC. 39. For the office of secretary of state there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of thirty-five thousand dollars (\$35,000.00) or so much thereof as may	
5	be necessary to be used in the following manner:	
6	For salary of secretary of state.....	\$ 6,500.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	28,500.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of secretary of	
11	state	\$ 35,000.00

SOLDIERS' BONUS BOARD, WORLD WAR
ORPHANS' EDUCATION AID

1	SEC. 40. For the Iowa soldiers' bonus board there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum of	
4	four thousand dollars (\$4,000.00) or so much thereof as may be neces-	
5	sary to be used in the following manner:	
6	For the purpose of administration and aiding in the	
7	education of children of honorable discharged soldiers,	
8	sailors, marines, nurses or other component part of the	
9	military forces of this state or nation.....	\$ 4,000.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the soldiers' bonus board....	\$ 4,000.00

SPANISH-AMERICAN WAR VETERANS

1	SEC. 41. For the Spanish-American war veterans there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of three thousand dollars (\$3,000.00) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 3,000.00
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the Spanish-American war	
10	veterans	\$ 3,000.00

SUPREME COURT

1	SEC. 42. For the supreme court there is hereby appropriated from	
2	the general fund of the state for each year of the biennium beginning	
3	July 1, 1951, and ending June 30, 1953, the sum of one hundred nine-	
4	teen thousand five hundred dollars (\$119,500.00) or so much thereof as	
5	may be necessary to be used in the following manner:	
6	For salaries of judges as provided by section 684.17 of	
7	the code as amended.....	\$ 84,375.00

8	For salaries, support, maintenance and miscellaneous	
9	purposes	34,875.00
10	Rules of procedure.....	250.00
		<hr/>
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the supreme court.....	\$ 119,500.00

SUPREME COURT, CLERK OF

1	SEC. 43. For the office of clerk of supreme court there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of fourteen thousand dollars (\$14,000.00) or so much thereof as may	
5	be necessary to be used in the following manner:	
6	For salary of chief clerk.....	\$ 4,500.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	9,500.00
		<hr/>
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of the clerk of	
11	supreme court	\$ 14,000.00

SUPREME COURT, REPORTER OF AND CODE EDITOR

1	SEC. 44. For the department of the reporter of the supreme court	
2	and code editor there is hereby appropriated from the general fund of	
3	the state for each year of the biennium beginning July 1, 1951, and	
4	ending June 30, 1953, the sum of twenty-three thousand five hundred	
5	four dollars (\$23,504.00) or so much thereof as may be necessary to be	
6	used in the following manner:	
7	For salary of code editor.....	\$ 5,500.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	\$ 18,004.00
		<hr/>
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the department of reporter	
12	of supreme court and code editor.....	\$ 23,504.00

TAX COMMISSION, STATE

1	SEC. 45. For the state tax commission there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1951, and ending June 30, 1953, the sum of eight	
4	hundred eight thousand three hundred dollars (\$808,300.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of commissioners (3 at \$5,500.00 each).....	\$ 16,500.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	791,800.00
		<hr/>
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the state tax commission....	\$ 808,300.00

TREASURER OF STATE

1	SEC. 46. For the department of treasurer of state there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum of	
4	sixty-three thousand six hundred dollars (\$63,600.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of treasurer.....	\$ 6,500.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	57,100.00
		<hr/>
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the department of treas-	
11	urer of state.....	\$ 63,600.00

UNIFORM LAWS, COMMISSION ON

1	SEC. 47. For the commission on uniform laws there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum of	
4	ten hundred fifty dollars (\$1,050.00) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For support of the conference of commissioners on	
7	uniform state laws.....	\$ 300.00
8	For traveling expenses of members of the commission	
9	on uniform laws.....	750.00
		<hr/>
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the commission on uniform	
12	laws	\$ 1,050.00

VOCATIONAL EDUCATION, BOARD OF

1	SEC. 48. For the board of vocational education there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of sixty-three thousand dollars (\$63,000.00) or so much thereof as	
5	may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 63,000.00
		<hr/>
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the board of vocational	
10	education	\$ 63,000.00

VOCATIONAL EDUCATION, BOARD OF
VOCATIONAL REHABILITATION DIVISION

1	SEC. 49. For the board of vocational education, vocational rehabil-	
2	itation division there is hereby appropriated from the general fund of	
3	the state for each year of the biennium beginning July 1, 1951, and	
4	ending June 30, 1953, the sum of one hundred twenty-five thousand	
5	dollars (\$125,000.00) or so much thereof as may be necessary to be	
6	used in the following manner:	

7 For salaries, support, maintenance and miscellaneous
 8 purposes\$ 125,000.00
 9 Grand total of all appropriations for all purposes for
 10 each year of the biennium for the board of vocational
 11 education vocational rehabilitation division.....\$ 125,000.00

1 SEC. 50. All salaries provided for in this act are in lieu of all
 2 existing statutory salaries, for the positions provided herein, and shall
 3 be payable in equal monthly or semi-monthly installments, and shall be
 4 in full compensation for all services except as otherwise expressly
 5 provided.

1 SEC. 51. Where any provisions of the laws of this state are in con-
 2 flict with this act the provisions of this act shall govern for the
 3 biennium.

1 SEC. 52. No department or commission of state shall expend any
 2 funds for the publication or distribution of books or pamphlets or
 3 reports unless the publication thereof be expressly required by law or
 4 approved by the budget and financial control committee.

1 SEC. 53. Notwithstanding the provisions of section fifty (50) of
 2 this act, there is hereby appropriated for the Iowa liquor control
 3 commission the sum of nine hundred dollars (\$900.00) for each year
 4 of the biennium, beginning July 1st, 1951 and ending June 30th, 1953,
 5 to be used in the following manner:

6 For each member of the Iowa liquor control commission salaries in
 7 addition to the salaries set out in section one hundred twenty-three
 8 point ten (123.10), Code 1950, as amended, in the sum of three hundred
 9 dollars (\$300.00) per year per member.

Approved April 30, 1951.

CHAPTER 2

BOARD OF CONTROL INSTITUTIONS APPROPRIATIONS

H. F. 574

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, to the board of control for support, maintenance, repairs, replacements or alterations of institutions under said board of control.

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

1 SECTION 1. There is hereby appropriated from the general fund of
 2 the state of Iowa for each year of the biennium beginning July 1,
 3 1951, and ending June 30, 1953, for the board of control of state insti-
 4 tutions for salaries, support, maintenance, repairs, replacements or
 5 alterations and miscellaneous purposes for all institutions under the
 6 control of said board the sum of nine million five hundred eighty-five
 7 thousand seven hundred seventy-one dollars and fourteen cents
 8 (\$9,585,771.14) or so much thereof as may be necessary to be used
 9 for the following purposes to-wit:

STATE HOSPITAL FOR INSANE*

Cherokee

1 SEC. 2. For the state hospital for insane at Cherokee, Iowa, there
 2 is hereby appropriated from the general fund of the State for each year
 3 of the biennium beginning July 1, 1951, and ending June 30, 1953, the
 4 sum of one million ninety-six thousand five hundred twenty-five dollars
 5 (\$1,096,525.00) or so much thereof as may be necessary to be used in
 6 the following manner:

7	For salaries	\$ 625,000.00
8	For support and maintenance	451,525.00
9	For repairs, replacements or alterations.....	20,000.00
10	Total for state hospital for insane, Cherokee	\$1,096,525.00

STATE HOSPITAL FOR INSANE*

Clarinda

1 SEC. 3. For the state hospital for insane at Clarinda, Iowa, there
 2 is appropriated from the general fund of the state for each year of
 3 the biennium beginning July 1, 1951, and ending June 30, 1953, the
 4 sum of one million thirty-four thousand four hundred fifty dollars
 5 (\$1,034,450.00) or so much thereof as may be necessary to be used in
 6 the following manner:

7	For salaries	\$ 610,000.00
8	For support and maintenance	404,450.00
9	For repairs, replacements or alterations	20,000.00
10	Total for state hospital for insane, Clarinda	\$1,034,450.00

GLENWOOD STATE SCHOOL

Glenwood

1 SEC. 4. For the Glenwood state school at Glenwood, Iowa, there
 2 is hereby appropriated from the general fund of the state for each
 3 year of the biennium beginning July 1, 1951, and ending June 30, 1953,
 4 the sum of one million seven thousand six hundred seventy-three dol-
 5 lars and sixty-four cents (\$1,007,673.64) or so much thereof as may
 6 be necessary to be used in the following manner:

7	For salaries	\$ 550,883.56
8	For support and maintenance	436,790.08
9	For repairs, replacements or alterations	20,000.00
10	Total for Glenwood state school, Glenwood	\$1,007,673.64

STATE HOSPITAL FOR INSANE*

Independence

1 SEC. 5. For the state hospital for insane at Independence, Iowa,
 2 there is hereby appropriated from the general fund of the state for

*See chapter 83.

3	each year of the biennium beginning July 1, 1951, and ending June 30,	
4	1953, the sum of one million one hundred eighteen thousand six hun-	
5	dred seventy-five dollars (\$1,118, 675.00) or so much thereof as may be	
6	necessary to be used in the following manner:	
7	For salaries	\$ 665,000.00
8	For support and maintenance	433,675.00
9	For repairs, replacements or alterations	20,000.00
10	Total for state hospital for insane, Independence.....	\$1,118,675.00

STATE HOSPITAL FOR INSANE*

Mount Pleasant

1	SEC. 6. For the state hospital for insane at Mount Pleasant, Iowa,	
2	there is hereby appropriated from the general fund of the state for	
3	each year of the biennium beginning July 1, 1951, and ending June 30,	
4	1953, the sum of one million fifty-seven thousand nine hundred thirteen	
5	dollars and fifty cents (\$1,057,913.50) or so much thereof as may be	
6	necessary to be used in the following manner:	
7	For salaries	\$ 575,000.00
8	For support and maintenance	462,913.50
9	For repairs, replacements or alterations	20,000.00
10	Total for state hospital for insane, Mount Pleasant.....	\$1,057,913.50

STATE HOSPITAL AND SCHOOL

Woodward

1	SEC. 7. For the state hospital and school at Woodward, Iowa, there	
2	is hereby appropriated from the general fund of the state for each	
3	year of the biennium beginning July 1, 1951, and ending June 30, 1953,	
4	the sum of one million sixty thousand seven hundred dollars (\$1,060,-	
5	700.00) or so much thereof as may be necessary to be used in the fol-	
6	lowing manner:	
7	For salaries	\$ 611,000.00
8	For support and maintenance	429,700.00
9	For repairs, replacements or alterations	20,000.00
10	Total for state hospital and school, Woodward	\$1,060,700.00

ANNIE WITTENMYER HOME, THE IOWA

Davenport

1	SEC. 8. For The Iowa Annie Wittenmyer Home at Davenport,	
2	Iowa, there is hereby appropriated from the general fund of the state	
3	for each year of the biennium beginning July 1, 1951, and ending June	
4	30, 1953, the sum of four hundred sixty-seven thousand three hundred	
5	forty-nine dollars (\$467,349.00) or so much thereof as may be neces-	
6	sary to be used in the following manner:	

*See chapter 83.

CH. 2] LAWS OF THE FIFTY-FOURTH GENERAL ASSEMBLY

7	For salaries	\$ 274,489.00
8	For support and maintenance	177,860.00
9	For repairs, replacements or alterations	10,000.00
10	For vocational training, occupational therapy and	
11	equipment	5,000.00
		<hr/>
12	Total for the Iowa Annie Wittenmyer home, Daven-	
13	port	\$ 467,349.00

SOLDIERS' HOME, IOWA

Marshalltown

1 SEC. 9. For the Iowa soldiers' home at Marshalltown, Iowa, there
 2 is hereby appropriated from the general fund of the state for each
 3 year of the biennium beginning July 1, 1951, and ending June 30, 1953,
 4 the sum of four hundred nine thousand seven hundred ten dollars
 5 (\$409,710.00) or so much thereof as may be necessary to be used in
 6 the following manner:

7	For salaries	\$ 222,000.00
8	For support and maintenance	175,710.00
9	For repairs, replacements or alterations	12,000.00
		<hr/>
10	Total for Iowa soldiers' home, Marshalltown	\$ 409,710.00

JUVENILE HOME, STATE

Toledo

1 SEC. 10. For the state juvenile home at Toledo, Iowa, there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1951, and ending June 30, 1953, the
 4 sum of two hundred sixty-seven thousand five hundred dollars (\$267,-
 5 500.00) or so much thereof as may be necessary to be used in the fol-
 6 lowing manner:

7	For salaries	\$ 140,000.00
8	For support and maintenance	119,500.00
9	For repairs, replacements or alterations	5,500.00
10	For vocational training, occupational therapy and	
11	equipment	2,500.00
		<hr/>
12	Total for state juvenile home, Toledo	\$ 267,500.00

MEN'S REFORMATORY

Anamosa

1 SEC. 11. For the men's reformatory at Anamosa, Iowa, there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1951, and ending June 30, 1953, the
 4 sum of six hundred sixty-eight thousand five hundred seventy-five
 5 dollars (\$668,575.00) or so much thereof as may be necessary to be
 6 used in the following manner:

7	For salaries	\$ 330,000.00
8	For support and maintenance	317,875.00

9	For repairs, replacements or alterations	13,200.00
10	For vocational training, occupational therapy and	
11	equipment	7,500.00
12	Total for men's reformatory, Anamosa.....	\$ 668,575.00

TRAINING SCHOOL FOR BOYS

Eldora

1 SEC. 12. For the training school for boys at Eldora, Iowa, there
 2 is hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1951, and ending June 30, 1953, the
 4 sum of three hundred sixty-eight thousand seven hundred dollars
 5 (\$368,700.00) or so much thereof as may be necessary to be used in
 6 the following manner:

7	For salaries	\$ 205,000.00
8	For support and maintenance	140,200.00
9	For repairs, replacements or alterations	11,000.00
10	For vocational training, occupational therapy and	
11	equipment	12,500.00
12	Total for training school for boys, Eldora	\$ 368,700.00

PENITENTIARY, STATE

Fort Madison

1 SEC. 13. For the state penitentiary at Fort Madison, Iowa, there
 2 is hereby appropriated from the general fund of the state for each
 3 year of the biennium beginning July 1, 1951, and ending June 30, 1953,
 4 the sum of seven hundred seventy-four thousand two hundred dollars
 5 (\$774,200.00) or so much thereof as may be necessary to be used in
 6 the following manner:

7	For salaries	\$ 410,000.00
8	For support and maintenance	348,500.00
9	For repairs, replacements or alterations	13,200.00
10	For vocational training and equipment	2,500.00
11	Total for state penitentiary, Fort Madison	\$ 774,200.00

TRAINING SCHOOL FOR GIRLS

Mitchellville

1 SEC. 14. For the training school for girls at Mitchellville, Iowa,
 2 there is hereby appropriated from the general fund of the state for
 3 each year of the biennium beginning July 1, 1951, and ending June 30,
 4 1953, the sum of one hundred sixty-nine thousand dollars (\$169,-
 5 000.00) or so much thereof as may be necessary to be used in the fol-
 6 lowing manner:

7	For salaries	\$ 97,400.00
8	For support and maintenance	64,600.00
9	For repairs, replacements or alterations	5,500.00

10	For vocational training and equipment	1,500.00
11	Total for training school for girls, Mitchellville	\$ 169,000.00

WOMEN'S REFORMATORY

Rockwell City

1	SEC. 15. For the women's reformatory at Rockwell City, Iowa,	
2	there is hereby appropriated from the general fund of the state for	
3	each year of the biennium beginning July 1, 1951, and ending June 30,	
4	1953, the sum of eighty-four thousand eight hundred dollars (\$84,-	
5	800.00) or so much thereof as may be necessary to be used in the fol-	
6	lowing manner:	
7	For salaries	\$ 38,768.00
8	For support and maintenance	38,032.00
9	For repairs, replacements or alterations	5,500.00
10	For vocational training and equipment	2,500.00
11	Total for women's reformatory, Rockwell City	\$ 84,800.00

Approved April 10, 1951.

CHAPTER 3

BOARD OF CONTROL APPROPRIATIONS

S. F. 43

AN ACT transferring any unallocated balance of appropriation made by chapter two (2), Acts of the Forty-eighth General Assembly to the state board of control, and any unallocated balance of appropriation made to the state board of control by chapter three (3), Acts of the Forty-ninth General Assembly, to the capitol improvement fund created by chapter three (3), Acts of the Fifty-first General Assembly.

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

1 SECTION 1. On the effective date of this act there shall be trans-
2 ferred the balance of any fund appropriated to the state board of
3 control by chapter two (2), Acts of the Forty-eighth General Assem-
4 bly, to the fund created and established by chapter three (3), Acts of
5 the Fifty-first General Assembly. This balance, when transferred,
6 shall be used for the same institution as designated by the foregoing
7 chapter two (2), Acts of the Forty-eighth General Assembly.

1 SEC. 2. On the effective date of this act there shall be transferred
2 the balance of any fund appropriated to the state board of control by
3 chapter three (3), Acts of the Forty-ninth General Assembly, to the
4 fund created and established by chapter three (3), Acts of the Fifty-
5 first General Assembly. This balance, when transferred, shall be used
6 for the same institution as designated by the foregoing chapter three
7 (3), Acts of the Forty-ninth General Assembly.

1 SEC. 3. The balance of the foregoing appropriated funds directed
2 herein to be transferred shall be such funds remaining from the ap-
3 propriations made by chapter two (2), Acts of the Forty-eighth Gen-

4 eral Assembly and chapter three (3), Acts of the Forty-ninth General
 5 Assembly, excluding therefrom the expenditures which do not at the
 6 effective date of this act bear the express approval of the executive
 7 council and the budget and financial control committee.

1 SEC. 4. The comptroller is hereby directed to make the transfer
 2 on the books in his office and to certify to the treasurer of the state the
 3 fact that the transfers herein directed have been made and have been
 4 so entered upon the books in his office.

1 SEC. 5. This act being deemed of immediate importance, shall be
 2 in full force and effect from and after its passage and publication in
 3 The News-Advertiser, a newspaper published at Harlan, Iowa, and in
 4 The Record-Republican, a newspaper published at Bonaparte, Iowa.

Approved April 27, 1951.

I hereby certify that the foregoing act was published in The News-Advertiser, Harlan, Iowa, May 29, 1951, and in The Record-Republican, Bonaparte, Iowa, May 3, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 4

MENTALLY ILL PERSONS

H. F. 573

AN Act to appropriate five hundred thousand dollars (\$500,000.00) from the general fund of the state of Iowa to the state board of control for the scientific observation, rechecking and treatment of mentally ill persons.

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

1 SECTION 1. There is hereby appropriated from the general fund
 2 of the State of Iowa to the state board of control for each year of the
 3 biennium beginning July 1, 1951, and ending June 30, 1953, the sum of
 4 two hundred fifty thousand dollars (\$250,000.00), or so much thereof
 5 as may be necessary, for the scientific observation, rechecking and
 6 treatment of mentally ill persons within the state, as provided by
 7 chapter two hundred eighteen (218), Code 1950.

Approved April 5, 1951.

CHAPTER 5

PENAL INSTITUTION FUNDS

H. F. 492

AN ACT transferring monies from the industry revolving funds created and established at the state penitentiary at Fort Madison and at the state reformatory at Anamosa to the general fund of state.

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

1 SECTION 1. During each year of the biennium beginning July 1,
2 1951 and ending June 30, 1953, there shall be transferred from the
3 industry fund of the state reformatory at Anamosa the sum of twenty-
4 five thousand dollars (\$25,000.00) to the general fund of the state.

1 SEC. 2. During each year of the biennium beginning July 1, 1951
2 and ending June 30, 1953, there shall be transferred from the industry
3 fund of the state penitentiary at Fort Madison the sum of twenty-five
4 thousand dollars (\$25,000.00) to the general fund of the state.

1 SEC. 3. The comptroller is hereby directed to make the transfers
2 on the books in his office and to certify to the treasurer of state the fact
3 that the transfers herein directed have been made and have been so
4 entered upon the books in his office.

Approved March 30, 1951.

CHAPTER 6

BOARD OF EDUCATION APPROPRIATION

S. F. 477

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, to the board of education for the support, maintenance, repairs, replacements or alterations of institutions under said board of education, and to make appropriations for capital improvements.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state for each year of the biennium beginning July 1, 1951, and
3 ending June 30, 1953, for the support, maintenance, repairs, replace-
4 ments or alterations of all institutions under the control of said board
5 of education; the sum of twenty million eight hundred nine thousand
6 nine hundred nineteen dollars (\$20,809,919.00) or so much thereof
7 as may be necessary, and for the following purposes to-wit:

STATE UNIVERSITY OF IOWA

Iowa City

1 SEC. 2. For the state university of Iowa there is hereby appropri-
2 ated from the general fund of the state for each year of the biennium

3	beginning July 1, 1951, and ending June 30, 1953, the sum of six	
4	million three hundred three thousand dollars (\$6,303,000.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$6,000,000.00
8	For repairs, replacements or alterations.....	300,000.00
9	For Lakeside laboratory.....	3,000.00
10	Total for the state university of Iowa.....	\$6,303,000.00

UNIVERSITY HOSPITAL

1	SEC. 3. For the purpose of carrying out the purpose of chapter	
2	two hundred fifty-five (255), Code 1950, there is hereby appropriated	
3	from the general fund of the state for each year of the biennium be-	
4	ginning July 1, 1951, and ending June 30, 1953, the sum of three	
5	million five hundred sixty-six thousand six hundred twenty-eight	
6	dollars (\$3,566,628.00) or so much thereof as may be necessary to be	
7	used in the following manner under the authority provided in said	
8	chapter:	
9	For salaries, support, maintenance and for medical	
10	and surgical treatment of indigent patients at the uni-	
11	versity hospital	\$3,466,628.00
12	For repairs, replacements or alterations.....	100,000.00
13	Total for the University Hospital.....	\$3,566,628.00

PSYCHOPATHIC HOSPITAL

1	SEC. 4. For the psychopathic hospital there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1951, and ending June 30, 1953, the sum of three	
4	hundred twelve thousand dollars (\$312,000.00) or so much thereof as	
5	may be necessary to expend in the manner and under the authority	
6	provided in chapter two hundred twenty-five (225), Code 1950, pro-	
7	vided however the amounts shall be available in monthly installments	
8	not exceeding twenty-six thousand dollars (\$26,000.00) and that said	
9	installments shall be expended only upon submission of bills in the	
10	manner provided in section two hundred twenty-five point twenty-	
11	eight (225.28) of said chapter:	
12	For salaries, support, maintenance and for the care,	
13	treatment and maintenance of committed and voluntary	
14	public patients therein	\$ 312,000.00
15	Total for the psychopathic hospital.....	\$ 312,000.00

BACTERIOLOGICAL LABORATORY

1	SEC. 5. For the bacteriological laboratory there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of one hundred thirty-five thousand seven hundred fifty dollars	

5	(\$135,750.00) or so much thereof as may be necessary to be used in	
6	the manner and under the authority provided in chapter two hundred	
7	sixty-three (263), Code 1950:	
8	For salaries, support, maintenance and miscellaneous	
9	purposes	\$ 135,750.00
10	Total for bacteriological laboratory.....	\$ 135,750.00

HOSPITAL-SCHOOL

1	SEC. 6. For the hospital-school there is hereby appropriated from	
2	the general fund of the state for each year of the biennium beginning	
3	July 1, 1951, and ending June 30, 1953, the sum of ninety-five thousand	
4	dollars (\$95,000.00) or so much thereof as may be necessary to be used	
5	in the manner and under the authority provided in chapter two hun-	
6	dred sixty-three (263), Code 1950.	
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 95,000.00
9	Total for hospital-school.....	\$ 95,000.00

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS
Ames

1	SEC. 7. For the Iowa State college of agriculture and mechanic	
2	arts there is hereby appropriated from the general fund of the state	
3	for each year of the biennium beginning July 1, 1951, and ending June	
4	30, 1953, the sum of six million three hundred thousand dollars	
5	(\$6,300,000.00) or so much thereof as may be necessary to be used in	
6	the following manner:	
7	For general education.....	\$3,600,000.00
8	For research	1,550,000.00
9	For extension	850,000.00
10	For repairs, replacements and alterations.....	300,000.00
11	Total for the Iowa state college of agriculture and	
12	mechanic arts	\$6,300,000.00

IOWA STATE TEACHERS COLLEGE

Cedar Falls

1	SEC. 8. For the Iowa state teachers college there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of two million six hundred thirty-six thousand five hundred dollars	
5	(\$2,636,500.00) or so much thereof as may be necessary to be used in	
6	the following manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$2,500,000.00
9	For repairs, replacements and alterations.....	136,500.00
10	Total for Iowa state teachers college.....	\$2,636,500.00

IOWA SCHOOL FOR THE DEAF

Council Bluffs

1	SEC. 9. For the Iowa school for the deaf there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1951, and ending June 30, 1953, the sum of four	
4	hundred forty thousand three hundred dollars (\$440,300.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 415,300.00
8	For deaf-blind division.....	15,000.00
9	For repairs, replacements or alterations.....	10,000.00
10	Total for the Iowa school for the deaf.....	\$ 440,300.00

IOWA SCHOOL FOR BLIND

Vinton

1	SEC. 10. For the Iowa school for blind there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum of	
4	two hundred fifty thousand seven hundred forty-one dollars (\$250,-	
5	741.00) or so much thereof as may be necessary to be used in the fol-	
6	lowing manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 240,741.00
9	For repairs, replacements or alterations.....	10,000.00
10	Total for the Iowa school for blind.....	\$ 250,741.00

STATE SANATORIUM

Oakdale

1	SEC. 11. For the state sanatorium at Oakdale, Iowa, there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1951, and ending June 30, 1953,	
4	the sum of seven hundred seventy thousand dollars (\$770,000.00) or	
5	so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 760,000.00
9	For repairs, replacements or alterations.....	10,000.00
10	Total for state sanatorium, Oakdale, Iowa.....	\$ 770,000.00
11	Grand total of all appropriations to the board of educa-	
12	tion for all purposes for all institutions under said board	
13	of education	\$20,809,919.00

1 SEC. 12. There is hereby appropriated from the general fund of the
 2 state for capital improvements at institutions under the control of said
 3 board the sum of one hundred thirty-seven thousand dollars (\$137,-
 4 000.00) to be allocated as follows:

5	For sewer and bridge at Iowa state teachers college.....\$	57,000.00
6	For repair of institution roads at Iowa school for blind	15,000.00
7	For power plant boiler, generator and header room at	
8	Iowa school for blind.....	53,000.00
9	For X-Ray equipment at the state sanatorium.....	12,000.00
10	Total	\$ 137,000.00
11	Provided, that no portion of this appropriation shall be spent until	
12	said funds are released by the budget and financial control committee.	

Approved April 30, 1951.

CHAPTER 7

SOCIAL WELFARE DEPARTMENT APPROPRIATIONS

H. F. 628

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, to the social welfare department for the purpose of aid to blind fund, aid to dependent children fund, child welfare fund, emergency relief fund and the old age assistance fund.

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

1	SECTION 1. For the social welfare department there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1951, and ending June 30, 1953, the sum	
4	of seven million two hundred ten thousand dollars (\$7,210,000.00) to	
5	be used in the following manner:	
6	For aid to blind fund.....	\$ 275,000.00
7	For aid to dependent children fund.....	2,175,000.00
8	For child welfare fund.....	220,000.00
9	For emergency relief fund.....	40,000.00
10	For old age assistance fund (in addition to ten million	
11	dollars (\$10,000,000.00), appropriated for this purpose	
12	by section two hundred forty-nine point thirty-six	
13	(249.36), Code 1950).....	4,500,000.00

14	Grand total of all appropriations for all purposes for	
15	each year of the biennium for the social welfare depart-	
16	ment	\$7,210,000.00

1 SEC. 2. No more than the amount herein appropriated to each
 2 fund, plus the unexpended balance in each fund on June 30, 1951,
 3 shall be expended from state funds for the purposes of each said fund
 4 during the biennium beginning July 1, 1951, and ending June 30, 1953.

Approved April 14, 1951.

CHAPTER 8

STATE AID TO SCHOOLS

H. F. 598

AN ACT to make an appropriation from the general fund of the state of Iowa to the department of public instruction for specified school aid.

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

1 SECTION 1. There is hereby appropriated from the general fund
 2 of the state of Iowa to the department of public instruction for each
 3 year of the biennium beginning July 1, 1951, and ending June 30, 1953,
 4 the sum of six hundred forty-seven thousand five hundred dollars
 5 (\$647,500.00), or so much thereof as may be necessary, to be used in
 6 the following manner:

7 Aid to handicapped children (special education), as
 8 provided in chapter two hundred eighty-one (281), Code
 9 1950, to include thirty thousand dollars (\$30,000.00) for
 10 hearing tests\$526,000.00
 11 Mining camp school emergency 27,000.00
 12 Mining camp schools state aid 45,000.00
 13 Normal Institutes 49,500.00

14 Total\$647,500.00

Approved March 22, 1951.

CHAPTER 9

STATE AID TO SCHOOLS

H. F. 599

AN ACT to appropriate from the general fund of the state of Iowa, six million dollars (\$6,000,000) to the department of public instruction for state aid for transportation as provided by chapter two hundred eighty-five (285), Code 1950.

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

1 SECTION 1. There is hereby appropriated from the general fund of
 2 the state of Iowa to the department of public instruction for each year
 3 of the biennium beginning July 1, 1951, and ending June 30, 1953, the
 4 sum of three million dollars (\$3,000,000), or so much thereof as may
 5 be necessary, for state aid for transportation as provided by chapter
 6 two hundred eighty-five (285), Code 1950.

Approved March 22, 1951.

CHAPTER 10

SUPPLEMENTAL SCHOOL AID

H. F. 600

AN ACT to appropriate from the general fund of the state of Iowa, four million dollars (\$4,000,000) to the department of public instruction for supplemental aid to certain school districts of the state, as provided by chapter two hundred eighty-six (286), Code 1950.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state of Iowa to the department of public instruction for each year
3 of the biennium beginning July 1, 1951, and ending June 30, 1953, the
4 sum of two million dollars (\$2,000,000) or so much thereof as may be
5 necessary for supplemental aid to such school districts of the state as
6 qualify under the provisions of chapter two hundred eighty-six (286),
7 Code 1950.

Approved March 22, 1951.

CHAPTER 11

GENERAL AID TO SCHOOLS

H. F. 601

AN ACT to appropriate twenty-four million dollars (\$24,000,000) from the general fund of the state of Iowa to the department of public instruction to general state aid for school districts as provided by chapter two hundred eighty-six A (286A), Code 1950.

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

1 SECTION 1. There is hereby appropriated from the general fund
2 of the state of Iowa to the department of public instruction for each
3 year of the biennium beginning July 1, 1951, and ending June 30, 1953,
4 the sum of twelve million dollars (\$12,000,000), or so much thereof
5 as may be necessary, for general state aid to school districts as pro-
6 vided by chapter two hundred eighty-six A (286A), Code 1950.

Approved March 20, 1951.

CHAPTER 12

SCHOOL AID APPROPRIATIONS

H. F. 597

AN ACT to appropriate from the general fund of the state of Iowa to the department of public instruction twenty thousand dollars (\$20,000.00) for use as a revolving fund for the veterans administration, and seven thousand five hundred dollars (\$7,500.00) for the school lunch program.

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

1 SECTION 1. There is hereby appropriated from the general fund
2 of the state for the biennium beginning July 1, 1951, and ending June
3 30, 1953, to the department of public instruction the sum of twenty

4 thousand dollars (\$20,000.00) or so much thereof as may be necessary
 5 for the use of the veterans education program to be used as a revolving
 6 ing fund to pay salaries and travel of personnel which will be reim-
 7 bursed by the veterans administration.

8 Total\$20,000.00

1 Sec. 2. There is hereby appropriated from the general fund of the
 2 state for the biennium beginning July 1, 1951, and ending June 30,
 3 1953, to the department of public instruction the sum of seven thousand
 4 five hundred dollars (\$7,500.00) or so much thereof as may be neces-
 5 sary to be used as a revolving fund to cover warehousing, handling,
 6 and transportation of direct distribution of federal surplus commodi-
 7 ties which will be reimbursed by charging pro rata costs of these items
 8 to receiving schools and institutions.

9 Total\$7,500.00

Approved March 22, 1951.

CHAPTER 13

LAKES SANITARY DISTRICTS

S. F. 498

AN ACT providing for the payment by the state of Iowa of a portion of the cost of construction of sanitary facilities, disposal plants and other necessary sewer facilities by the sanitary districts of Clear Lake in Cerro Gordo county and of the great lakes sanitary district, including Spirit Lake, East Okoboji Lake, West Okoboji Lake and other state owned waters in Dickinson county, Iowa.

WHEREAS, it appears that for the preservation and conservation of certain state owned lakes located in Cerro Gordo county and Dickinson county, it is imperatively necessary that proper sewage disposal facilities be provided for the territories adjacent to these lakes, and

WHEREAS, the people of the state of Iowa are vitally interested and concerned in the preservation and conservation of these lakes, and

WHEREAS, it appears that the territories which can be reasonably included in sanitary districts abutting or adjacent to these lakes, are not able to meet the entire cost of the installation of such sewage facilities, therefore

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

1 SECTION 1. There is hereby appropriated, subject to conditions
 2 hereinafter provided, from any unappropriated funds in the state
 3 treasury, the sum of three hundred and fifty thousand dollars (\$350,-
 4 000.00) for assistance by the state in the construction of sewage facil-
 5 ities in the sanitary district of Clear Lake. Before any portion or all
 6 of the sum appropriated shall be paid over by the state treasurer to
 7 the treasurer of such sanitary district the trustees of such sanitary
 8 district shall have authorized by resolution the issuance of general
 9 obligation bonds of not less than ninety per cent (90%) of the legal
 10 limit of five per cent (5%) of the actual valuation of real and personal
 11 property in such district subject to the general property tax. Such
 12 board of trustees shall also have authorized a millage levy of two (2)

13 mills on all taxable property within such district in the year 1951 col-
14 lectible in 1952, and such district shall also by resolution pledge itself
15 to the payment of all costs of operation of such district, except that
16 the state of Iowa shall be liable for sewage disposal rentals from state
17 owned lands lying within such district in the same manner as any
18 other benefited property within the district. All of the amount ap-
19 propriated by the state of Iowa shall be used for the actual construc-
20 tion of sewage facilities within such district. No portion of this
21 appropriation shall be made available to such sanitary district except
22 upon authorization of the budget and financial control committee to
23 the state treasurer.

1 SEC. 2. There is hereby appropriated, subject to conditions here-
2 inafter provided, from any unappropriated funds in the state treasury,
3 the sum of three hundred and fifty thousand dollars (\$350,000.00) for
4 assistance by the state in the construction of sewage facilities in the
5 Great Lakes sanitary district of Dickinson county. Before any portion
6 or all of the sum appropriated shall be paid over by the state treasurer
7 to the treasurer of such sanitary district, the trustees of such sanitary
8 district shall have authorized by resolution the issuance of general
9 obligation bonds of not less than ninety per cent (90%) of the legal
10 limit of five per cent (5%) of the actual valuation of real and personal
11 property in such district subject to the general property tax. Such
12 board of trustees shall also have authorized a millage levy of two (2)
13 mills on all taxable property within such district for the purpose of
14 maintenance and operation of such district in the year 1951 collectible
15 in 1952, and such district shall also by resolution pledge itself to the
16 payment of all costs of operation of such district; except that the state
17 of Iowa shall be liable for sewage disposal rentals in the same manner
18 as any other benefited property within the district. All of the amount
19 appropriated by the state of Iowa shall be used for the actual con-
20 struction of sewage facilities within such district. No portion of this
21 appropriation shall be made available to such sanitary district except
22 upon authorization of the budget and financial control committee to
23 the state treasurer.

1 SEC. 3. These appropriations shall be in lieu of any special assess-
2 ments against any state owned property included within such sanitary
3 districts.

1 SEC. 4. The state of Iowa shall convey to the Great Lakes sanitary
2 district all right and title to the present sewage facilities included
3 within the boundary of such sanitary district outside the limits of
4 incorporated cities and towns whenever conditions as herein provided
5 for the appropriation by the state toward the expense of the sewage
6 system of the Great Lakes sanitary district and if title to the property,
7 or any portion thereof does not vest in the state of Iowa the state
8 shall cooperate with said sanitary district in bringing about the trans-
9 ferring to such sanitary district the title of such property.

1 SEC. 5. If either of the sanitary districts mentioned herein shall
2 fail to comply with the conditions herein imposed as to the qualifica-
3 tion of such sanitary district to receive the appropriations herein
4 made before September 1, 1952, the appropriations for said district

5 herein made shall be considered void and the funds herein appropri-
6 ated shall revert to the state general fund.

Approved April 19, 1951.

CHAPTER 14

STATE LAKES APPROPRIATIONS

S. F. 300

AN ACT to provide for an engineering survey preparatory to the establishment of a state owned lake in Polk county and to make appropriation therefor; to provide for engineering survey and preliminary work preparatory to dredging Lizzard Lake in Pocahontas county and make appropriation therefor; to provide for an appropriation to purchase land on the site in Montgomery county where engineering plans have been completed; to provide additional appropriation for dredging Little Wall Lake in Hamilton county; to provide additional appropriation for dredging Silver Lake in Dickinson county; to provide for additional rip rap on Brown's Lake in Woodbury county and make an appropriation therefor.

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

1 SECTION 1. The state conservation commission is hereby author-
2 ized and directed to conduct an engineering survey for the establish-
3 ment of a state owned lake. Said lake shall be such as will adequately
4 provide the people of Polk county with recreational fishing and
5 hunting facilities.

1 SEC. 2. There is hereby appropriated out of any funds in the gen-
2 eral funds of the state of Iowa, not otherwise appropriated, the sum
3 of fifteen thousand dollars (\$15,000.00), or so much thereof as may
4 be necessary for payment of expenses of conducting the engineering
5 survey as herein directed.

1 SEC. 3. There is hereby appropriated, out of any funds in the
2 general funds of the state of Iowa, not otherwise appropriated, an
3 additional sum of thirty-seven thousand dollars (\$37,000.00), or so
4 much thereof as may be necessary, for payment of expenses for dredg-
5 ing Little Wall lake in Hamilton county.

1 SEC. 4. There is hereby appropriated, out of any funds in the
2 general funds of the state of Iowa, not otherwise appropriated, an
3 additional sum of forty thousand dollars (\$40,000.00), or so much
4 thereof as may be necessary, for payment of expenses for dredging
5 Silver lake in Dickinson county.

1 SEC. 5. There is hereby appropriated, out of any funds in the
2 general funds of the state of Iowa, not otherwise appropriated, the
3 sum of twenty-five thousand dollars (\$25,000.00), or so much thereof
4 as may be necessary for payment of expenses for a preliminary survey
5 regarding the dredging of Lizzard lake in Pocahontas county.

1 SEC. 6. There is hereby appropriated, out of any funds in the
2 general funds of the state of Iowa, not otherwise appropriated, the
3 sum of twenty thousand dollars (\$20,000.00), or so much thereof as
4 may be necessary, to provide additional shore rip rap on Brown's lake
5 in Woodbury county.

1 SEC. 7. There is hereby appropriated, out of any funds in the gen-
 2 eral funds of the state of Iowa, not otherwise appropriated, the sum of
 3 one hundred fifteen thousand dollars (\$115,000.00), or so much
 4 thereof as may be necessary, to purchase land on the site in Mont-
 5 gomery county where engineering plans, for creation of a lake, have
 6 been completed.

Approved May 15, 1951.

CHAPTER 15

PRINTING APPROPRIATION

H. F. 602

AN ACT making an additional appropriation for the payment of the cost of printing for the Fifty-fourth General Assembly.

WHEREAS, the fund appropriated for the cost of printing for the Fifty-fourth General Assembly is now twenty-six thousand dollars (\$26,000.00) overdrawn; and

WHEREAS, it is necessary to make an additional appropriation to cover the cost of printing for the Fifty-fourth General Assembly; Now Therefore

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

1 SECTION 1. There is hereby appropriated an additional sum of
 2 sixty-five thousand dollars (\$65,000.00) or so much thereof as may
 3 be necessary for the payment of the cost of printing for the Fifty-
 4 fourth General Assembly, and the state comptroller is hereby author-
 5 ized to issue warrants against said appropriation upon requisition by
 6 the superintendent of printing.

1 SEC. 2. This Act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 The Daily Freeman-Journal, a newspaper published at Webster City,
 4 Iowa, and the Cedar Valley Daily Times, a newspaper published at
 5 Vinton, Iowa.

Approved April 5, 1951.

I hereby certify that the foregoing act was published in The Daily Freeman-Journal, Webster City, Iowa, April 10, 1951, and in the Cedar Valley Daily Times, Vinton, Iowa, April 10, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 16

CAPITOL BUILDING TUNNEL

S. F. 490

AN ACT to provide for the construction of a tunnel from the capitol building to the state office building on the capitol grounds, and to authorize the legislative advisory committee and the executive council to employ an architect or architects to prepare plans and specifications therefor, and to enter into a contract or contracts for the construction and equipment of such tunnel, and to provide an appropriation therefor.

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

1 SECTION 1. That for the purpose of the construction of a tunnel
2 on the state capitol grounds from the capitol building to the state
3 office building, to expedite the performance of the public business, the
4 legislative advisory committee for the state office building and the
5 executive council are hereby authorized and empowered to employ an
6 architect or architects to prepare plans and specifications for such
7 tunnel and to approve said plans with such changes and alterations as
8 the legislative advisory committee and the executive council may deem
9 proper and appropriate. The said joint committee is hereby authorized
10 and empowered to enter into a contract or contracts for the construc-
11 tion and equipment of such tunnel; all contracts for the construction of
12 such tunnel shall be let in accordance with chapter nineteen (19), Code
13 1950, and all laws amendatory thereof, and said joint committee shall,
14 in the performance of these powers and duties herein bestowed and
15 imposed, be controlled by the provisions of chapter sixteen (16), Acts
16 of the 49th General Assembly.

1 SEC. 2. There is hereby appropriated from the general fund of the
2 state, out of any moneys not otherwise appropriated, the sum of \$90,-
3 000.00, which said sum, reduced by any balance that may be remaining
4 in the state office building appropriation, made by chapter sixteen
5 (16), 49th General Assembly, chapter ten (10), Acts of the 51st Gen-
6 eral Assembly, chapter three hundred seven (307), Acts of the 52nd
7 General Assembly, and chapter seventeen (17), Acts of the 53rd
8 General Assembly, after completion of this building, shall be expended
9 for the construction and equipment of said tunnel as herein provided.

1 SEC. 3. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 The Clayton County Register, a newspaper published at Elkader,
4 Iowa, and in the Farm Bureau News, a newspaper published at Betten-
5 dorf, Iowa.

Approved April 30, 1951.

I hereby certify that the foregoing act was published in The Clayton County Register, Elkader, Iowa, May 10, 1951, and in the Farm Bureau News, Bettendorf, Iowa, May 10, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 17

WORKMEN'S COMPENSATION OF HIGHWAY EMPLOYEES

H. F. 447

AN ACT to appropriate funds from the primary road fund to the industrial commissioner for payment of workmen's compensation claims of employees of the state highway commission.

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

1 SECTION 1. There is hereby appropriated to the industrial com-
2 missioner from the primary road fund for each year of the biennium
3 beginning July 1, 1951, and ending June 30, 1953, the sum of forty
4 thousand dollars (\$40,000.00) or so much thereof as may be neces-
5 sary for the purpose of paying properly established claims of or on
6 behalf of employees or dependents of employees of the state highway
7 commission who are injured or killed while on duty as provided by
8 chapter eighty-five (85), Code 1950.

Approved March 14, 1951.

CHAPTER 18

HIGHWAY COMMISSION EXPENDITURES

H. F. 490

AN ACT authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1951, and ending June 30, 1953.

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

1 SECTION 1. The state highway commission is hereby authorized
2 to expend from the primary road fund for each year of the biennium
3 beginning July 1, 1951, and ending June 30, 1953, not to exceed nine
4 million eight hundred eighty-two thousand five hundred sixteen dol-
5 lars (\$9,882,516.00) or so much thereof as may be necessary to be
6 used in the following manner:

7 For support of the state highway commission, engineering, testing
8 materials and administration of primary and secondary road work
9\$1,882,516.00
10 For maintenance of primary road system \$8,000,000.00

1 SEC. 2. The state highway commission is further authorized to
2 expend under the supervision and direction of the attorney general
3 from the primary road fund for each year of the biennium beginning
4 July 1, 1951, and ending June 30, 1953, not to exceed fifteen thousand
5 (\$15,000.00) or so much thereof as may be necessary for the purpose
6 of paying costs and expenses of litigation arising from or pertaining
7 to primary roads or farm-to-market roads. Any balance unused dur-
8 ing the first fiscal year of the biennium shall be carried over and
9 augment the amount authorized for the second year of the biennium,
10 and at the end of the biennium any balance shall revert to the primary
11 road fund.

Approved March 14, 1951.

CHAPTER 19

GASOLINE TAX REFUNDS

H. F. 616

AN ACT to appropriate funds to the state comptroller from the motor vehicle fuel tax fund.

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

1 SECTION 1. There is hereby appropriated to the state comptroller
2 from motor vehicle fuel tax fund for each year of the biennium be-
3 ginning July 1, 1951, and ending June 30, 1953, the sum of six thou-
4 sand dollars (\$6,000.00) or so much thereof as may be necessary for
5 use in employing help and defraying other expenses in writing motor
6 vehicle fuel tax refund warrants and keeping necessary records.

Approved April 11, 1951.

CHAPTER 20

INAUGURAL APPROPRIATION

H. F. 491

AN ACT making appropriation to defray expense of inaugural ceremonies.

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

1 SECTION 1. There is hereby appropriated out of funds of the state
2 treasury, not otherwise appropriated, the sum of one thousand sixty-
3 three dollars and seventy-five cents (\$1,063.75), or so much thereof as
4 may be necessary, to pay the expenses incurred on account of the
5 inaugural ceremonies and reception. Warrants shall be drawn upon
6 the treasury for the sum herein appropriated in favor of the adjutant
7 general upon the filing of vouchers therefor with the state comptroller.

1 SEC. 2. This Act being deemed of immediate importance, shall
2 take effect and be in force from and after its passage and publication in
3 The New Hampton Tribune, a newspaper published in New Hampton,
4 Iowa, and in the Adair County Free Press, a newspaper published in
5 Greenfield, Iowa.

Approved April 5, 1951.

I hereby certify that the foregoing act was published in The New Hampton Tribune, New Hampton, Iowa, April 12, 1951, and in the Adair County Free Press, Greenfield, Iowa, April 12, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 21

GENERAL ASSEMBLY EXPENSE

S. F. 514

AN ACT making appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-fourth General Assembly.

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

1 SECTION 1. There is hereby appropriated out of any funds in the

2	state treasury, not otherwise appropriated, the following sums, or so	
3	much thereof as may be necessary in payment of miscellaneous ex-	
4	penses incurred or authorized by the Fifty-fourth General Assembly:	
5	A. C. Gustafson, Chief Clerk of the House, for postage and	
6	miscellaneous expenses after adjournment. (This shall be	
7	in addition to postage left over in the House post office after	
8	the session has adjourned).....	\$ 150.00
9	Carroll A. Lane, Secretary of the Senate, for postage and	
10	miscellaneous expenses after adjournment. (This shall be	
11	in addition to postage left over in the Senate post office after	
12	the session has adjourned).....	100.00
13	Executive Council for telephone, telegraph, supplies, post-	
14	age and miscellaneous expense incurred during the 54th	
15	General Assembly and subsequent to its adjournment and	
16	prior to the convening of the 55th General Assembly.....	5000.00
17	Lillian Leffert for assisting in the opening days of the	
18	House of Representatives	100.00
19	Remington Rand, Inc. for servicing typewriters	3.80
20	John P. Berg for meals and miscellaneous expense in con-	
21	nection with trip to Washington, D. C., as provided in S.C.R.	
22	17 of the 53rd G. A.	30.00
23	J. E. Hansen for meals and miscellaneous expense in con-	
24	nection with trip to Washington, D. C., as provided in S.C.R.	
25	17 of the 53rd G. A.	30.00

1 **SEC. 2.** There is hereby appropriated a sum sufficient to pay the
2 per diem compensation made necessary by House Concurrent Resolu-
3 tion No. 26 for services required of officers and employees of the
4 Fifty-fourth General Assembly after final adjournment.

1 **SEC. 3.** There is hereby appropriated for the use of the custodian
2 of public buildings and grounds of the state of Iowa from the general
3 fund of the state of Iowa, not otherwise appropriated, to be expended
4 under the authority of the Executive Council, an amount necessary to
5 cover the cost of the following repairs to the capitol, adjacent build-
6 ings and grounds as approved by the Legislative Improvement and
7 Advisory Committee and by the adoption of the joint report of said
8 committee by joint action of the Fifty-fourth General Assembly: The
9 installation of two boilers and replacement of breeching and other
10 equipment according to specifications submitted to the executive council,
11 the rebuilding of the east masonry wall of the boiler room of the
12 heating plant, repairs to steam lines and Johnson Service Control
13 equipment, replacement of the sidewalks between Grand Avenue and
14 East Walnut Street on both sides of the street leading to the new office
15 building and the Amos Hiatt School Building, repairs to the west steps
16 at the State House leading from the driveway to East Ninth Street,
17 repairs to stonework and caulking of the outside construction of the
18 Capitol Building, repainting of the rotunda, repairs to the lunettes in
19 the rotunda on the second floor, carpentry work and painting in the
20 building, new roofs for the heating plant and the Amos Hiatt School
21 Building, rewiring the lights on the Capitol extension grounds and
22 streets, renewal of five windows on the west side of the House Chamber
23 and five windows on the the west side of the Senate Chamber, draperies
24 for both the House and Senate Chambers, and the repair of the seats

25 in the balcony of the House Chamber. All funds hereunder appropri-
 26 ated shall be expended only for the purposes herein set out and only
 27 after the plans and cost of such equipment and improvements have
 28 had the express approval of the Budget and Finance Control Com-
 29 mittee.

1 SEC. 4. This Act being deemed of immediate importance shall be
 2 in full force and effect after its passage and publication in The Harlan
 3 News Advertiser, a newspaper published at Harlan, Iowa, and the
 4 Atlantic News-Telegraph, a newspaper published at Atlantic, Iowa.

Approved April 27, 1951.

I hereby certify that the foregoing act was published in The Harlan News Advertiser,
 Harlan, Iowa, May 1, 1951, and in the Atlantic News-Telegraph, Atlantic, Iowa, April
 30, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 22

STATE AID TO AGRICULTURAL SOCIETIES

H. F. 614

AN ACT to appropriate from the general fund of the state of Iowa for the biennium
 beginning July 1, 1951, and ending June 30, 1953, to the state fair board for the
 purpose of state aid to agricultural societies.

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

1 SECTION 1. For the state fair board for the purpose of state aid to
 2 agricultural societies there is hereby appropriated from the general
 3 fund of the state for each year of the biennium beginning July 1, 1951,
 4 and ending June 30, 1953, the sum of one hundred seventy-five thou-
 5 sand dollars (\$175,000.00) or so much thereof as may be necessary to
 6 be used in the following manner:

7 For state aid to agricultural societies, one hundred seventy-five
 8 thousand dollars (\$175,000.00).

9 The foregoing appropriation for state aid to agricultural societies
 10 shall be deemed conditional on full compliance with all other statutes
 11 which regulate and prescribe the conditions under which such aid is
 12 payable. In no case shall any county receive more than two thousand
 13 two hundred dollars (\$2,200.00). In counties having more than one
 14 fair entitled to state aid, the state aid available for the county shall be
 15 pro-rated to said fairs on the basis of cash premiums paid by said
 16 fairs.

Approved April 10, 1951.

CHAPTER 23

SOIL CONSERVATION

H. F. 615

AN ACT to appropriate from the general fund of the state of Iowa to the state soil conservation committee the sum of six hundred thousand dollars (\$600,000.00) to carry on soil conservation work in soil conservation districts as provided in chapter four hundred sixty-seven A (467A), Code 1950.

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

1 SECTION 1. There is hereby appropriated from the general fund
2 of the state of Iowa to the state soil conservation committee the sum of
3 three hundred thousand dollars (\$300,000.00) for each year of the
4 biennium beginning July 1, 1951, and ending June 30, 1953, or so much
5 thereof as may be necessary, to carry on soil conservation work in soil
6 conservation districts organized under the soil conservation districts
7 law of the state of Iowa. The fund will be used as follows:

8 1. Aid to soil conservation districts for district commissioners ex-
9 penses, stationery, postage and other uses as they may be authorized
10 by the state soil conservation committee; five hundred dollars
11 (\$500.00) per district. Total fifty thousand dollars (\$50,000.00).

12 2. Personnel (technicians and clerical personnel); and their neces-
13 sary expenses including office rental, equipment and materials to be
14 assigned to the soil conservation districts by the state soil conserva-
15 tion committee on a need basis; two hundred fifty thousand dollars
16 (\$250,000.00).

Approved May 15, 1951.

CHAPTER 24

HIGHWAY PATROL APPROPRIATION

S. F. 515

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1951, and ending June 30, 1953, funds for the department of public safety of the state of Iowa, for the salaries of the increased number of highway patrolmen, as increased by the 54th General Assembly.

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

1 SECTION 1. For the department of public safety there is hereby
2 appropriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1951, and ending June 30, 1953, the sum
4 of three hundred thousand dollars (\$300,000.00) or so much thereof
5 as may be necessary to be used in the payment of salaries to the in-
6 creased number of highway patrolmen, as increased by the 54th Gen-
7 eral Assembly.

Approved April 27, 1951.

CHAPTER 25

PEACE OFFICERS' RETIREMENT SYSTEM

S. F. 484

AN ACT to appropriate from the general fund of the state of Iowa for the period from July 4, 1949 to June 30, 1951, funds for the purpose of paying the contribution by the state to the peace officer's* retirement system, as authorized by law but not previously appropriated.

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

1 SECTION 1. For the department of public safety there is hereby
2 appropriated from the general fund of the state of Iowa eighty-eight
3 thousand sixty-eight dollars and seventy cents (\$88,068.70) for the
4 period beginning July 4, 1949 and ending June 30, 1951, for the pur-
5 pose of paying to the peace officer's* retirement system the contribu-
6 tion of the state as authorized by law and not heretofore paid by the
7 state.

Approved April 27, 1951.

*According to enrolled Act.

CHAPTER 26

GOVERNMENTAL REORGANIZATION COMMITTEE

S. F. 348

AN ACT to make appropriations to DeVere Watson, Council Bluffs, Iowa, X. T. Prentis, Mount Ayr, Iowa, J. Kendall Lynes, Plainfield, Iowa, Leo Elthon, Fertile, Iowa, George Faul, Des Moines, Iowa, Robert P. Munger, Sioux City, Iowa, Gustav T. Kuester, Griswold, Iowa, George L. Paul, Brooklyn, Iowa, Carroll L. Brown, Oskaloosa, Iowa, and George H. Robb, Estherville, Iowa.

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

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the state of Iowa, to DeVere Watson, Council Bluffs, Iowa, the sum
3 of six hundred sixty dollars (\$660.00) in full settlement of all claims
4 which he may have against the state of Iowa on account of services
5 rendered as a member of the governmental reorganization commission.

1 SEC. 2. There is hereby appropriated out the general fund of the
2 state of Iowa, to X. T. Prentis, Mount Ayr, Iowa, the sum of five hun-
3 dred forty dollars (\$540.00) in full settlement of all claims which he
4 may have against the state of Iowa on account of services rendered as
5 a member of the governmental reorganization commission.

1 SEC. 3. There is hereby appropriated out of the general fund of
2 the state of Iowa, to J. Kendall Lynes, Plainfield, Iowa, the sum of
3 four hundred forty dollars (\$440.00) in full settlement of all claims
4 which he may have against the state of Iowa on account of services
5 rendered as a member of the governmental reorganization commission.

1 SEC. 4. There is hereby appropriated out of the general fund of the
2 state of Iowa, to Leo Elthon, Fertile, Iowa, the sum of one hundred
3 dollars (\$100.00) in full settlement of all claims which he may have

4 against the state of Iowa on account of services rendered as a member
5 of the governmental reorganization commission.

1 SEC. 5. There is hereby appropriated out of the general fund of
2 the state of Iowa, to George Faul, Des Moines, Iowa, the sum of seven
3 hundred twenty dollars (\$720.00) in full settlement of all claims which
4 he may have against the state of Iowa on account of services rendered
5 as a member of the governmental reorganization commission.

1 SEC. 6. There is hereby appropriated out of the general fund of
2 the state of Iowa, to Robert P. Munger, Sioux City, Iowa, the sum of
3 four hundred eighty dollars (\$480.00) in full settlement of all claims
4 which he may have against the state of Iowa on account of services
5 rendered as a member of the governmental reorganization commission.

1 SEC. 7. There is hereby appropriated out of the general fund of the
2 state of Iowa, to Gustav T. Kuester, Griswold, Iowa, the sum of two
3 hundred forty dollars (\$240.00) in full settlement of all claims which
4 he may have against the state of Iowa on account of services rendered
5 as a member of the governmental reorganization commission.

1 SEC. 8. There is hereby appropriated out of the general fund of the
2 state of Iowa, to George L. Paul, Brooklyn, Iowa, the sum of five hun-
3 dred sixty dollars (\$560.00) in full settlement of all claims which he
4 may have against the state of Iowa on account of services rendered
5 as a member of the governmental reorganization commission.

1 SEC. 9. There is hereby appropriated out of the general fund of the
2 state of Iowa to Carroll L. Brown, Oskaloosa, Iowa, the sum of four
3 hundred sixty dollars (\$460.00) in full settlement of all claims which
4 he may have against the state of Iowa on account of services rendered
5 as a member of the governmental reorganization commission.

1 SEC. 10. There is hereby appropriated out of the general fund of
2 the state of Iowa, to George H. Robb, Estherville, Iowa, the sum of two
3 hundred dollars (\$200.00) in full settlement of all claims which he
4 may have against the state of Iowa on account of services rendered as
5 a member of the governmental reorganization commission.

1 SEC. 11. The state comptroller is hereby authorized to issue war-
2 rants to the above named parties in the amounts stated, and the state
3 treasurer is hereby directed to pay the same from the general fund of
4 the state of Iowa.

1 SEC. 12. This Act shall be in full force and effect from and after
2 approval by the governor, as provided by section three point eleven
3 (3.11), Code 1950.

Approved April 11, 1951.

CHAPTER 27

HOUSE IMPROVEMENT COMMITTEE APPROPRIATIONS

H. F. 638

AN ACT to make appropriations to Allert G. Olson, Osage, Iowa; Howard E. Brookings, Oakland, Iowa; Jacob Van Zwol, Paullina, Iowa; Gene Poston, Corydon, Iowa and Morse E. Crosier, Coggon, Iowa, for services rendered as members of the house improvement committee.

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

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the state of Iowa, to Allert G. Olson, Osage, Iowa, the sum of three
3 hundred twenty dollars (\$320.00) in full settlement of all claims which
4 he may have against the state of Iowa on account of services rendered
5 as a member of the house improvement committee, state capitol build-
6 ing.

1 SEC. 2. There is hereby appropriated out of the general fund of the
2 state of Iowa, to Howard E. Brookings, Oakland, Iowa, the sum of
3 three hundred forty dollars (\$340.00) in full settlement of all claims
4 which he may have against the state of Iowa on account of services
5 rendered as a member of the house improvement committee, state
6 capitol building.

1 SEC. 3. There is hereby appropriated out of the general fund of
2 the state of Iowa, to Jacob Van Zwol, Paullina, Iowa, the sum of three
3 hundred sixty dollars (\$360.00) in full settlement of all claims which
4 he may have against the state of Iowa on account of services rendered
5 as a member of the house improvement committee, state capitol build-
6 ing.

1 SEC. 4. There is hereby appropriated out of the general fund of the
2 state of Iowa, to Gene Poston, Corydon, Iowa, the sum of forty dollars
3 (\$40.00) in full settlement of all claims which he may have against
4 the state of Iowa on account of services rendered as a member of the
5 house improvement committee, state capitol building.

1 SEC. 5. There is hereby appropriated out of the general fund of
2 the state of Iowa, to Morse E. Crosier, Coggon, Iowa, the sum of seven
3 hundred twenty dollars (\$720.00) in full settlement of all claims which
4 he may have against the state of Iowa on account of services rendered
5 as a member of the house improvement committee, state capitol build-
6 ing.

1 SEC. 6. The state comptroller is hereby authorized to issue warrants
2 to the above named parties in the amounts stated, and the state treas-
3 urer is hereby directed to pay the same from the general fund of the
4 state of Iowa.

1 SEC. 7. This Act shall be in full force and effect from and after ap-
2 proval by the governor as provided by section three point eleven (3.11),
3 Code 1950.

Approved May 2, 1951.

CHAPTER 28

APPROPRIATIONS TO INTERSTATE CO-OPERATION COMMITTEE

S. F. 512

AN ACT to make appropriations to members of the committee on interstate cooperation, namely: Paul E. McCarville, J. E. Hansen, Allert G. Olson, Albert Weiss, Ernest Palmer, Jr., Fred Schwengel, W. Eldon Walter, and F. M. Roberts.

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

1	SECTION 1.	There is hereby appropriated out of the general fund
2		of the state of Iowa to the following named persons the amounts set
3		opposite their respective names in full settlement of all claims which
4		they may have against the state of Iowa on account of services ren-
5		dered as a member of the committee on interstate cooperation, to-wit:
6	Paul E. McCarville	\$502.00
7	J. E. Hansen	182.21
8	Allert G. Olson	160.13
9	Albert Weiss	300.00
10	Ernest Palmer, Jr.	439.41
11	Fred Schwengel	192.08
12	W. Eldon Walter	433.44
13	F. M. Roberts	162.56

1 SEC. 2. The state comptroller is hereby authorized to issue his
2 warrants to the above named parties in the amounts stated, and the
3 treasurer is hereby directed to pay the same from the designated
4 funds or accounts of the state of Iowa.

1 SEC. 3. The acceptance of said sums by the above named parties
2 shall be in full settlement of all claims against the state of Iowa grow-
3 ing out of the above described claims.

Approved April 27, 1951.

CHAPTER 29

OFFICE BUILDING ADVISORY COMMITTEE

S. F. 346

AN ACT to make appropriations to Fern E. Sharp, Elkader, Iowa; Otto H. Henningsen, Clinton, Iowa; Stanley L. Hart, Keokuk, Iowa; Lawrence Putney, Gladbrook, Iowa; Henry Siefkas, Osceola, Iowa and Harvey J. Long, Clinton, Iowa.

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

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the State of Iowa, to Fern E. Sharp, Elkader, Iowa, the sum of four
3 hundred forty dollars (\$440.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of services rendered
5 as a member of the Legislative Advisory Committee, State Office
6 Building.

1 SEC. 2. There is hereby appropriated out of the general fund of the
2 State of Iowa, to Otto H. Henningsen, Clinton, Iowa, the sum of three
3 hundred eighty dollars (\$380.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of services rendered

5 as a member of the Legislative Advisory Committee, State Office
6 Building.

1 SEC. 3. There is hereby appropriated out of the general fund of the
2 State of Iowa, to Stanley L. Hart, Keokuk, Iowa, the sum of four hun-
3 dred forty dollars (\$440.00) in full settlement of all claims which he
4 may have against the State of Iowa on account of services rendered as
5 a member of the Legislative Advisory Committee, State Office Build-
6 ing.

1 SEC. 4. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Lawrence Putney, Gladbrook, Iowa, the sum of
3 three hundred eighty dollars (\$380.00) in full settlement of all claims
4 which he may have against the State of Iowa on account of services
5 rendered as a member of the Legislative Advisory Committee, State
6 Office Building.

1 SEC. 5. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Henry Siefkas, Osceola, Iowa, the sum of three
3 hundred eighty dollars (\$380.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of services rendered
5 as a member of the Legislative Advisory Committee, State Office Build-
6 ing.

1 SEC. 6. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Harvey J. Long, Clinton, Iowa, the sum of four
3 hundred dollars (\$400.00) in full settlement of all claims which he
4 may have against the State of Iowa on account of services rendered as
5 a member of the Legislative Advisory Committee, State Office Build-
6 ing.

1 SEC. 7. The state comptroller is hereby authorized to issue war-
2 rants to the above named parties in the amounts stated, and the state
3 treasurer is hereby directed to pay the same from the general fund of
4 the State of Iowa.

1 SEC. 8. This Act shall be in full force and effect from and after
2 approval by the governor, as provided by section three point eleven
3 (3.11), Code 1950.

Approved April 11, 1951.

CHAPTER 30

MUNICIPAL STATUTES STUDY COMMITTEE

S. F. 347

AN ACT to make appropriations to John R. Hattery, Nevada, Iowa, J. T. Dykhouse, Rock Rapids, Iowa, Morse E. Crosier, Coggon, Iowa, and Harold F. Nelson, Sioux City, Iowa.

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

1 SECTION 1. There is hereby appropriated, out of any moneys in
2 the general fund of the State of Iowa not otherwise appropriated, to
3 John R. Hattery, Nevada, Iowa, the sum of nine hundred sixty dollars
4 (\$960), in full settlement of all claims which he may have against the

5 State of Iowa on account of services rendered as a member of the
6 Municipal Statutes Study Committee.

1 SEC. 2. There is hereby appropriated, out of any moneys in the
2 general fund of the State of Iowa not otherwise appropriated, to J. T.
3 Dykhouse, Rock Rapids, Iowa, the sum of nine hundred forty dollars
4 (\$940), in full settlement of any claims which he may have against
5 the State of Iowa on account of services rendered as a member of the
6 Municipal Statutes Study Committee.

1 SEC. 3. There is hereby appropriated, out of any moneys in the
2 general fund of the State of Iowa not otherwise appropriated, to
3 Morse E. Crosier, Coggon, Iowa, the sum of twelve hundred dollars
4 (\$1200), in full payment of any claims which he may have against the
5 State of Iowa on account of services rendered as a member of the
6 Municipal Statutes Study Committee.

1 SEC. 4. There is hereby appropriated, out of any moneys in the
2 general fund of the State of Iowa not otherwise appropriated, to
3 Harold F. Nelson, Sioux City, Iowa, the sum of ten hundred twenty
4 dollars (\$1020), in full payment of any claims which he may have
5 against the State of Iowa on account of services rendered as a mem-
6 ber of the Municipal Statutes Study Committee.

1 SEC. 5 The state comptroller is hereby authorized to issue war-
2 rants to the above named parties in the amounts stated, and the state
3 treasurer is hereby directed to pay the same from any moneys in the
4 general fund of the State of Iowa not otherwise appropriated.

1 SEC. 6. This Act shall be in full force and effect from and after
2 approval by the governor as provided by section three point eleven
3 (3.11), Code 1950.

Approved April 11, 1951.

CHAPTER 31

CLAIMS APPROPRIATIONS

S. F. 506

AN ACT to make appropriations to certain named persons in settlement of damages sustained by them on account of accidents on primary roads, or on account of collisions with state highway equipment, or on account of acts of commission or omission by the state highway commission or its employees.

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

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the State of Iowa to the following named persons the amounts set
3 opposite their respective names, to-wit:

4	5	6	7	8	9
Claimant	Address	Claim Number	Nature of Claim	Amount	
6 Central Nat'l	Omaha, Nebr.	H-1-51	Collision	415.70	
7 Ins. Co.					
8 Randall W.	Marcus, Ia.	H-2-51	Collision	53.88	
9 Reinholdt					

	Claimant	Address	Claim Number	Nature of Claim	Amount
10	Ronald M. Doty	Hamilton Field,			
11		Calif.	H-5-51	Collision	41.33
12	Am. States	Moline, Ill.	H-6-51	Collision	368.50
13	Ins. Co.				
14	Clarence L. Dilley	Rock Island, Ill.	H-7-51	Collision	50.00
15	Lloyd Balks	Hull, Ia.	H-9-51	Collision	47.65
16	United Casualty	Cedar Rapids, Ia.	H-10-51	Collision	133.63
17	Co.				
18	Farmers Mut.	Des Moines, Ia.	H-11-51	Collision	12.28
19	Hail Ins. Co.				
20	P. M. Dahlem	Cascade, Ia.	H-12-51	Collision	50.00
21	Gaylord Stuelke	Co. Bluffs, Ia.	H-13-51	Collision	47.75
22	Mrs. Ada Sheldon	Percival, Ia.	H-14-51	Collision	122.50
23	Ted Biesanz	Rockford, Ill.	H-15-51	Collision	38.88
24	C & N W Ry. Co.	Chicago, Ill.	H-19-51	Damaged	
25				Signal	295.05
26	Thayer Chev. Co.	Oskaloosa, Ia.	H-22-51	Collision	28.23
27	Walter Earhart, Jr.	Glidden, Ia.	H-26-51	Collision	239.47
28	Mrs. Earl Duncan	Anamosa, Ia.	H-28-51	Collision	20.10
29	George	Chicago, Ill.	H-29-51	Damaged	
30	Zimmerman			Vineyard	200.00
31	Everett Gross	Decorah, Ia.	H-30-51	Collision	35.00
32	C. M. Huff	State Center, Ia.	H-35-51	Collision	59.22
33	Roy Burgess	Des Moines, Ia.	H-36-51	Collision	375.00
34	Max Brown	Des Moines, Ia.	H-37-51	Collision	16.00
35	U. S. Postal	Newton, Ia.	H-38-51	Collision	75.00
36	Dept. & Shenton				
37	Planing Mill				
38	Sarah Mattox	Ames, Ia.	H-39-51	Collision	32.48
39	W. W. Lightfoot	Knoxville, Ia.	H-40-51	Collision	82.14
40	W. R. Hatter	Marengo, Ia.	H-42-51	Collision	157.84
41	Mrs. Orville	Wall Lake, Ia.	H-43-51	Collision	49.70
42	Erickson				
43	A. C. McClellan	Ottumwa, Ia.	H-47-51	Collision	55.38
44	J. W. Hines	Co. Bluffs, Ia.	H-48-51	Collision	17.00
45	Marvin Warnock	Washington, Ia.	H-54-51	Collision	140.19
46	Ia. Farm Mut.	Des Moines, Ia.	H-59-51	Collision	363.30
47	Ins. Co.				
48	Ia. Farm Mut.	Des Moines, Ia.	H-60-51	Collision	25.04
49	Ins. Co.				
50	Town of Garrison	Garrison, Ia.	H-62-51	Property	
51				Damage	17.00
52	Elwood E. Rhoades	Mechanicsville, Ia.	H-63-51	Collision	10.00
53	Ed. Guetzko	Earlville, Ia.	H-65-51	Collision	111.56
54	Walter Link	Dyersville, Ia.	H-67-51	Collision	15.29
55	Herman Tunning	Coon Rapids, Ia.	H-68-51	Flood Damage	75.00
56	Mrs. Alta Sawyer	Central City, Ia.	H-71-51	Collision	49.61
57	D. L. Bassett	Des Moines, Ia.	H-72-51	Collision	366.60
58	Motors Ins. Corp.	Des Moines, Ia.	H-73-51	Collision	62.17
59	Motors Ins. Corp.	Des Moines, Ia.	H-74-51	Collision	282.48
60	Motors Ins. Corp.	Des Moines, Ia.	H-75-51	Collision	5.07

	Claimant	Address	Claim Number	Nature of Claim	Amount
61	Andrew Temple	Williams, Ia.	H-76-51	Collision	50.00
62	Walter Marx	Waterloo, Ia.	H-77-51	Collision	50.00
63	Tom Cantwell	Vinton, Ia.	H-78-51	Collision	100.00
64	Samuel R. Black	Clinton, Ia.	H-82-51	Child's	
65	& L. H.			Death	2,000.00
66	Wohlenberg				
67	J. Lewis Yess	Huntington Park, Calif.	H-84-51	Collision	12.50
68	Iowa So.	Washington, Ia.	H-88-51	Wire Damage	9.18
70	Utilities Co.				
71	Ia. Farm Mut.	Des Moines, Ia.	H-89-51	Collision	39.56
72	Ins. Co.				
73	William Madsen	Burt, Ia.	H-90-51	Collision	10.00
74	Ia. Farm Mut.	Des Moines, Ia.	H-91-51	Collision	88.24
75	Ins. Co.				
76	Mrs. Genevieve	West Point, Ia.	H-92-51	Collision	10.00
77	M. Boeding				
78	C. J. Shelley	Winterset, Ia.	H-102-51	Collision	25.08
79	Leo Kelley	Creston, Ia.	H-105-51	Collision	72.29
80	John L. Kloges	Charles City, Ia.	H-107-51	Dead Pig	12.50
81	Curries Hdw. Co.	Mason City, Ia.	H-108-51	Collision	22.48
82	Display Sign	Waterloo, Ia.	H-109-51	Broken Sign	10.46
83	Service				
84	Vivian Casebeer	Omaha, Nebr.	H-113-51	Collision	75.00
85	Hubert Ulm	Des Moines, Ia.	H-114-51	Collision	129.18
86	C. G. Noren	Marshalltown, Ia.	H-116-51	Collision	99.75
87	Farmers Mut.	Nora Spring, Ia.	H-117-51	Damaged	
88	Tel. Co.			Cable	61.07
89	John E. Habick	Des Moines, Ia.	H-120-51	Paint Damage	25.00
90	Central Mut.	Kansas City, Mo.	H-121-51	Paint Damage	25.00
91	Cas. Co.				
92	New Amsterdam	Des Moines, Ia.	H-122-51	Paint Damage	25.00
93	Cas. Co.				
94	All State Ins. Co.	Des Moines, Ia.	H-123-51	Paint Damage	25.00
95	Motors Ins. Corp.	Des Moines, Ia.	H-124-51	Paint Damage	25.00
96	Motors Ins. Corp.	Des Moines, Ia.	H-125-51	Paint Damage	25.00
97	Motors Ins. Corp.	Des Moines, Ia.	H-126-51	Paint Damage	25.00
98	Motors Ins. Corp.	Des Moines, Ia.	H-127-51	Paint Damage	25.00
99	Motors Ins. Corp.	Des Moines, Ia.	H-128-51	Paint Damage	25.00
100	State Farm	Bloomington, Ill.	H-129-51	Paint Damage	25.00
101	Ins. Co.				
102	State Farm	Bloomington, Ill.	H-130-51	Paint Damage	25.00
103	Ins. Co.				
104	State Farm	Bloomington, Ill.	H-131-51	Paint Damage	25.00
105	Ins. Co.				
106	State Farm	Bloomington, Ill.	H-132-51	Paint Damage	25.00
107	Ins. Co.				
108	State Farm	Bloomington, Ill.	H-133-51	Paint Damage	25.00
109	Ins. Co.				
110	Allied Mutual	Des Moines, Ia.	H-134-51	Paint Damage	25.00
111	Casualty Co.				

	Claimant	Address	Claim Number	Nature of Claim	Amount
112	Allied Mutual	Des Moines, Ia.	H-135-51	Paint Damage	25.00
113	Casualty Co.				
114	Union Fire	Des Moines, Ia.	H-137-51	Collision	69.88
115	Ins. Co.				
116	John A. Russell	Iowa City, Iowa	H-138-51	Collision	50.00
117	Soldier Valley	Ute, Iowa	H-139-51	Damaged	
118	Mut. Tel. Co.			Cable	133.27
119	John H. Heller	Portsmouth, Ia.	H-141-51	Crop Damage	50.00
120	Frank Huebner	Portsmouth, Ia.	H-142-51	Crop Damage	36.50
121	Mr. and Mrs.	Sioux Rapids, Ia.	H-143-51	Collision	448.67
122	Omar Benson				
123	William Pasutti	Des Moines, Ia.	H-145-51	Collision	200.00
124	G. R. Babbitt	Columbus Junction,			
125		Ia.	H-146-51	Tree Damage	50.00
126	Theodore Webb	Cherokee, Ia.	H-147-51	Collision	54.49
127	William Ross	Creston, Ia.	H-148-51	Collision	200.00
128	Robert Shaver	Cumberland, Ia.	H-152-51	Collision	177.89
129	O. D. Farney	Hornick, Ia.	H-154-51	Collision	55.82
130	Ia. Home Mut.	Des Moines, Ia.	H-156-51	Collision	202.92
131	Cas. Co.				
132	Carl Moddrell	Ottumwa, Ia.	H-157-51	Collision	50.00
133	Arrow Head	Minneapolis,			
134	Construction Co.	Minn.	H-161-51	Collision	192.00
135	Norbert Tange	New Hampton, Ia.	H-163-51	Collision	39.74
136	William N. Judd	Clinton, Ia.	H-164-51	Collision	124.78
137	Stephan Treharne	Davenport, Ia.	H-165-51	Collision	82.00
138	Paul W. Fry	Des Moines, Ia.	H-169-51	Collision	69.44
139	Leslie Hale	Council Bluffs, Ia.	H-170-51	Collision	32.87
140	Mrs. Farrell Scott	Oskaloosa, Ia.	H-171-51	Collision	13.47
141	X. T. Prentis	Mt. Ayr, Ia.	H-176-51	Collision	50.00

1 SEC. 2. The state comptroller is hereby authorized and directed
2 to issue his warrants to the above named persons in the amounts set
3 opposite their names, respectively, and the treasurer of the state is
4 hereby authorized and directed to pay the same from the general fund
5 of the state of Iowa.

1 SEC. 3. Receipt of said sums by said persons respectively, shall
2 be in full settlement of all claims they may hold against the state of
3 Iowa, the Iowa state highway commission, on account of damages as
4 above indicated, claims for which were presented to the joint claims
5 committee of the fifty-fourth general assembly.

Approved April 30, 1951.

CHAPTER 32

CLAIMS APPROPRIATIONS

S. F. 510

AN ACT to make appropriations to certain named persons in settlement of claims made against the state of Iowa.

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

1	Section 1.	There is hereby appropriated out of the general fund		
2	of the state of Iowa to the following named persons and/or firms the			
3	amounts set opposite their respective names in full settlement of all			
4	claims which they may have against the state of Iowa, to-wit:			
5		Claim	Nature	
6	Claimant	Number	of Claim	Amount
7	Lawrence G. and Calvin			
8	Howard, Perma, Montana	1	Refund of city license	\$ 52.00
9	J. W. Peterson			
10	Box 237		State owned car damaged	
11	Mount Pleasant, Iowa	10	another's car.	563.55
12	Tomasek & Vogel			
13	Attorneys at Law			
14	Grinnell, Iowa	94	Attorney's fees	513.43
15	County Treasurer		Assessment against state	
16	Pocahontas, Iowa	4	owned land drainage.	1,702.98
17	Robert W. Scott, Est.			
18	Katherine Scott		Money due on state institution	
19	Albert Lea, Minn.	15	contract.	286.90
20	R. O. Holcomb			
21	Oelwein, Iowa	19	Damage to car by state truck.	38.10
22	Winnebago County			
23	c/o County Treasurer's			
24	Office		Assessment against state	
25	Forest City, Iowa	23	land drainage.	32.80
26	Robert K. Stout			
27	Des Moines, Iowa	25	Damage to car by state car.	45.83
28	Dr. George M. Boteler			
29	Cherokee State Hospital			
30	Cherokee, Iowa	27	Damage to auto by state car.	22.42
31	Linn County			
32	Cedar Rapids, Iowa	28	Refund for court expense	293.25
33	Fred Foehring			
34	Fort Madison, Iowa	31	Damage to auto by state car.	50.00
35	Burnell R. Settle			
36	Clemons, Iowa	32	Damage to auto by state car.	43.75
37	Roy Jensen		Damage to car by state owned	
38	Cherokee, Iowa	33	trailer.	48.07
39	Crystal Ice and Coal			
40	Company, Newton, Iowa	36	Damage to truck by state car	12.04
41	Iowa Farm Mutual Insur-			
42	ance Co.,			
43	Des Moines, Iowa	42	Damage to car.	33.06
44	Andrew Graff			
45	Estherville, Iowa	42A	Damage to car.	10.00

	Claimant	Claim Number	Nature of Claim	Amount
46	Iowa Farm Mutual			
47	Insurance Co.,			
48	Des Moines, Iowa	44	Damage to car.	33.04
49	George Mesik			
50	403 Division Street			
51	Webster City, Iowa	44A	Damage to car.	10.00
52	Iowa Farm Mutual			
53	Insurance Co.,			
54	Des Moines, Iowa	45	Damage to car.	22.50
55	Gordan Mirts			
56	Essex, Iowa	45A	Damage to car.	10.00
57	Iowa Farm Mutual			
58	Insurance Co.,			
59	Des Moines, Iowa	46	Damage to car.	17.39
60	Otto Alday, R. R. 3			
61	Atlantic, Iowa	46A	Damage to car.	10.00
62	Iowa Farm Mutual Ins.			
63	Co., Des Moines, Iowa	47	Damage to car.	97.77
64	A. J. Grosenbach			
65	R. R.			
66	Grinnell, Iowa	47A	Damage to car.	10.00
67	Francis A. Weir		Furnishing sewer pipe to	
68	Mt. Pleasant, Iowa	50	state institution	6.13
69	Iowa Farm Mutual Ins.			
70	Co., Des Moines, Iowa	51	Damage to car.	100.00
71	Glenn C. Reed			
72	Beaconsfield, Iowa	51A	Damage to car.	10.00
73	Frozen Foods, Inc.		Fish furnished state	
74	Mason City, Iowa	55	Soldiers' Home	30.00
75	Mrs. Juanita Naeckel			
76	Davenport, Iowa	56	Damage to car.	21.50
77	Iowa Mutual Casualty			
78	Co., De Witt, Iowa	58	Damage to car.	476.17
79	Mrs. Leslie E. Smith			
80	De Witt, Iowa	60	Damage to car.	50.00
81	Council Bluffs Transit Co.			
82	Council Bluffs, Iowa	59	Damage to bus.	177.00
83	Ethyle Ostrem, Adm.			
84	George Ostrem, Dec.		Services to person who was at	
85	Nevada, Iowa	68	Iowa Soldiers' Orphans Home.	5.00
86	Edgar Wakefield		Expense in re-returning	
87	Des Moines, Iowa	69	wanted men to Iowa.	25.50
88	Warren Roetman			
89	Council Bluffs, Iowa	77	Damage to car	12.59
90	Le Mars Mutual Ins. Assn.			
91	Le Mars, Iowa	78	Damage to car.	60.00
92	Gazette Company		Notice to bidders for erection	
93	Cedar Rapids, Iowa	79	of radio towers.	3.73
94	Clinton County			
95	c/o County Treasurer			
96	Clinton, Iowa	89	Drainage assessment.	97.40

	Claimant	Claim Number	Nature of Claim	Amount
97	Pottawattamie County			
98	c/o County Treasurer			
99	Council Bluffs, Iowa	90	Drainage assessment.	22.44
100	Fremont County			
101	c/o County Treasurer			
102	Sidney, Iowa	91	Drainage assessment.	284.70
103	Howard County			
104	c/o County Treasurer			
105	Cresco, Iowa	92	Drainage assessment.	21.21
106	Pottawattamie County			
107	c/o County Treasurer			
108	Council Bluffs, Iowa	96	Drainage assessment.	473.39
109	Orchard Consolidated		Tax refund paid on two	
110	Schools, Orchard, Iowa	100	school busses.	145.52
111	Raymond E. Moyer			
112	Marathon, Iowa	101	Damage to car by state truck.	45.00
113	Maurice L. Richardson			
114	Marengo, Iowa	116	Personal injury.	215.25
115	Independent School			
116	District,			
117	Council Bluffs, Iowa	123	Refund of sales tax.	524.32
118	County Treasurer			
119	Pocahontas County			
120	Pocahontas, Iowa	124	Drainage assessment.	3,007.20
121	City of Clinton			
122	Clinton, Iowa	128	Refund of sales or use taxes.	683.53
123	Employers Mutual			
124	Casualty Co.,			
125	Des Moines, Iowa	129	Damage to car by state truck.	23.49
126	County Treasurer		Agricultural land tax credit	
127	Clarinda, Iowa	138	refund 1948	14.90
128	Pleasant Valley Fire			
129	Dept., Bettendorf, Iowa	137	Refund of sales tax.	92.00
130	County Treasurer			
131	Woodbury County		Agricultural land tax	
132	Sioux City, Iowa	136	credit-refund.	39.94
133	County Treasurer			
134	Allamakee County		Agricultural land tax	
135	Waukon, Iowa	135	credit-refund.	891.20
136	County Treasurer			
137	Cass County		Refund on agricultural land	
138	Atlantic, Iowa	134	tax credit.	229.70
139	County Treasurer		Agricultural land tax	
140	Algona, Iowa	140	credit refund.	214.53
141	Arthur E. Kelley			
142	Davenport, Iowa	141	Damage to car by state bus.	155.00
143	County Treasurer		Agricultural land tax credit	
144	Knoxville, Iowa	143	1946-1947-1948	3,974.02
145	Mrs. Alva Cavitt		Damage to car by state	
146	Council Bluffs, Iowa	146	school bus.	162.00

	Claimant	Claim Number	Nature of Claim	Amount
147	Independent School Dist.		Tuition of children of	
148	of Ames		students & teachers at	
149	Ames, Iowa	130	Iowa State College	31,916.53
150	Independent School Dist.		Tuition of children of stu-	
151	of Iowa City		dents & teachers at The	
152	Iowa City, Iowa	142	University of Iowa	21,252.50
153	Chicago Rock Island &		Transportation for two Iowa	
154	Pacific R. R. Co.		Guard Officers per request	
155	Chicago, Illinois	145	of Adjutant General.	194.15
156	Town of Montrose		Refund of sales tax paid	
157	Montrose, Iowa	148	on fire truck.	123.00
158	County Treasurer			
159	Howard County		Agricultural land tax credit	
160	Cresco, Iowa	151	refund 1949 & 1950.	2,744.49
161	County Treasurer			
162	Mitchell County		Agricultural land tax credit	
163	Osage, Iowa	152	refund for 1950.	664.68
164	County Treasurer			
165	Adams County		Agricultural land tax credit	
166	Corning, Iowa	153	refund	876.72
167	Willard Deming		Damage due to poor condition	
168	Chariton, Iowa	131	of fences on state property.	150.00
169	County Treasurer			
170	Wright County		Refund agricultural land tax	
171	Clarion, Iowa	154	credit 1947 and 1948.	8.67
172	Iowa Farm Mutual			
173	Insurance Company		Damage to car by vehicle	
174	Des Moines, Iowa	158	owned by state hospital.	93.16
175	Gladys L. Knutson		Damage to car by state car,	
176	Eagle Grove, Iowa	160	personal injuries.	1,729.00
177	Earl M. Knutson			
178	Eagle Grove, Iowa	161	Personal injuries and expense.	305.21
179	Mrs. Ruth Maehne		Damage to car by conservation	
180	Maywood, Illinois	166	commission truck.	256.25
181	County Treasurer			
182	Mills County, Iowa		Refund agricultural land tax	
183	Glenwood, Iowa	177	credit 1950.	796.73
184	County Treasurer			
185	Harrison County		Refund agricultural land tax	
186	Logan, Iowa	178	credit 1950.	41.31
187	Treasurer			
188	Clayton County		Refund agricultural land tax	
189	Elkader, Iowa	179	credit 1950.	32.99
190	County Treasurer			
191	Keokuk County, Iowa		Refund agricultural land tax	
192	Sigourney, Iowa	180	credit 1950.	411.27
193	County Treasurer			
194	Cerro Gordo County, Iowa		Refund agricultural land tax	
195	Mason City, Iowa	159	credit.	13.87
196	County Treasurer			
197	Muscatine County			
198	Muscatine, Iowa	95	Drainage assessment.	4,612.52

	Claimant	Claim Number	Nature of Claim	Amount
199	Liberty Mutual Ins. Co.			
200	Des Moines, Iowa	182	Subrogation—car damage.	189.62
201	Malcolm Heefner			
202	2611 Cornell			
203	Des Moines, Iowa	168	Damage to car.	1,182.33
204	Iowa Farm Mutual			
205	Insurance Co.,			
206	Des Moines, Iowa	72	Damage to car.	189.00
207	Walter F. W. Kinne		Claim, personal injuries-	
208	Fort Dodge, Iowa	67	accident	2,135.60
209	County Treasurer			
210	Tama County, Iowa		Refund agricultural land tax	
211	Toledo, Iowa	183	credit.	24.51
212	Carl H. Potthoff		Damage by Iowa National	
213	2800 Stanton		Guard plane crash on	
214	Des Moines, Iowa	18	personal property.	1,112.50
215	Carl Becker		Damage to auto by Iowa	
216	Mt. Vernon, Iowa	186	National Guard vehicle.	304.18

Approved April 27, 1951.

CHAPTER 33

CLAIM APPROPRIATION

S. F. 507

AN ACT to make appropriation to trustee of Robert O. Winn in settlement of claim made against the state of Iowa.

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

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the state of Iowa to C. J. Rosenberger, Trustee for Robert O. Winn,
3 minor, Muscatine, Iowa, claim No. one hundred fifty-six (156), the
4 sum of five thousand, four hundred dollars (\$5,400.00) in full settle-
5 ment of all claims said Robert O. Winn may have against the state of
6 Iowa on account of loss of an arm in a conveyer at Eldora Training
7 School.

1 SEC. 2. Trustee shall expend such sums as are necessary for post
2 high school, education or vocational training of minor and purchase
3 and training, with prosthetic device or devices.

1 SEC. 3. Any balance remaining when minor reaches age thirty
2 (30) shall revert to the state of Iowa or sooner in the discretion of
3 trustee upon failure of Robert O. Winn to conduct himself in a fit and
4 proper manner.

Approved April 30, 1951.

CHAPTER 34

CLAIMS APPROPRIATIONS

S. F. 508

AN ACT to make appropriations to certain named persons in settlement of claims made against the state of Iowa.

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

1	SECTION 1. There is hereby appropriated out of the old age as-			
2	sistance fund of the state of Iowa to the following named persons			
3	and/or firms the amounts set opposite their respective names in full			
4	settlement of all claims which they may have against the state of Iowa,			
5	to-wit:			
6		Claim	Nature of Claim	
7	Claimant	Number	Burial Expense	Amount
8	J. C. Richie			
9	Columbus Junction, Ia.	5	Jesse H. Rodruck	\$150.00
10	Snell Funeral Home			
11	Clinton, Iowa	13	Edgar W. Harman	150.00
12	Woodman's Inc.,			
13	Russell, Iowa	39	Phoebe Jane Lemley	150.00
14	McAuley & Son Funeral Hm.			
15	Mason City, Iowa	34	Charles E. Bales	150.00
16	Hamilton Funeral Home			
17	Des Moines, Iowa	14	John N. Ridgeway	150.00
18	Bert O'Connor		Warrant lost—when found	
19	Sac City, Iowa	3	Eva Rodman outlawed	37.00
20	Burke Funeral Home			
21	Lansing, Iowa	12	George A. Campbell	135.00
22	Enva B. Harris			
23	144 Middle Point Rd.			
24	Bldg. 28 San Francisco, 24,			
25	California	30	Jacob L. Heise	150.00
26	Bogaard Funeral Home			
27	Humboldt, Iowa	49	Joel Xartman	80.00
28	William DeBruyn			
29	Pella, Iowa	52	Antonia Netten	150.00
30	Oathout Funeral Home			
31	Clinton & Court St.			
32	Iowa City, Iowa	63	Joseph Bright Sloan	150.00
33	Parrott & Wood			
34	204 Commercial St.			
35	Waterloo, Iowa	62	Thomas A. Christiason	150.00
36	Devaney Funeral Home			
37	Cascade, Iowa	80	C. H. Huntington	150.00
38	Slade Funeral Home			
39	Leon, Iowa	84	George W. Johnston	150.00
40	O'Toole Funeral Home			
41	Sioux City, Iowa	83		150.00
42	Estes Funeral Home			
43	Des Moines, Iowa	103	J. H. Brown	150.00

	Claimant	Claim Number	Nature of Claim Burial Expense	Amount
44	Caldwell-McIlhon-			
45	Brien Funeral Home			
46	Des Moines, Iowa	104	Anna Van Dyke	150.00
47	Caldwell-McIlhon-			
48	Brien Funeral Home			
49	Des Moines, Iowa	105	Mamie Murphy	150.00
50	Caldwell-McIlhon-			
51	Brien Funeral Home			
52	Des Moines, Iowa	106	Joseph Scalise	150.00
53	Caldwell-McIlhon-			
54	Brien Funeral Home			
55	Des Moines, Iowa	107	Fred Ivory	150.00
56	Caldwell-McIlhon-			
57	Brien Funeral Home			
58	Des Moines, Iowa	108	Margaret Kane	150.00
59	Caldwell-McIlhon-			
60	Brien Funeral Home			
61	Des Moines, Iowa	109	Sophia Pasi	150.00
62	Caldwell-McIlhon-			
63	Brien Funeral Home			
64	Des Moines, Iowa	110	Francis W. Tighe	150.00
65	Caldwell-McIlhon-			
66	Brien Funeral Home			
67	Des Moines, Iowa	111	Robert A. George	150.00
68	Caldwell-McIlhon-			
69	Brien Funeral Home			
70	Des Moines, Iowa	112	Matthew McDermott	84.00
71	Caldwell-McIlhon-			
72	Brien Funeral Home			
73	Des Moines, Iowa	113	Mary Harrigan	150.00
74	Estes & Son			
75	Funeral Home			
76	Des Moines, Iowa	132	Alfred Clayburn	150.00
77	Estel Funeral Home			
78	Marshalltown, Iowa	147	Amelia Sawyer	150.00
79	Kempter Furniture Co.			
80	Bellevue, Iowa	157	Josephine Wandersheid	150.00
81	Arnold Funeral Home			
82	Lenox, Iowa	167	Mrs. Floy Short	150.00
83	Mason Funeral Home			
84	Tama, Iowa	181	Mary Kupka	150.00
85	Wilton Savings Bank			
86	Wilton Junction, Iowa	185	State Warrant cashed	41.50

Approved April 30, 1951.

CHAPTER 35

CLAIMS APPROPRIATIONS

S. F. 509

AN ACT to make appropriations to certain persons in settlement of claims for refunds for motor vehicle license.

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

1	SECTION 1.	There is hereby appropriated out of the motor vehicle		
2		reimbursement fund of the state of Iowa to the following named per-		
3		sons the amounts set opposite their respective names in full settlement		
4		of all claims which they may have against the state of Iowa on account		
5		of surrender of motor vehicle license and refund therefor, to wit:		
6	Claimant	Claim No.		Amount
7	Mrs. Wm. P. Comstock			
8	Administratrix			
9	Estate of William P.			
10	Comstock, Cedar Rapids	75		\$ 9.00
11	Rev. J. A. Peterson			
12	631 South Second St.			
13	Mankato, Minnesota	65		6.25
14	Jeannette McEllinney			
15	2 Bella Vista Place			
16	Iowa City, Iowa	38		15.00
17	G. C. Bidwell			
18	Sutherland, Iowa	37		12.00
19	Harold F. Smeby			
20	Lyle, Minnesota	29		18.75
21	Carl Oelrich			
22	584 N. East End Ave.			
23	Pomona, California	26		14.50
24	Delbert Hurley			
25	McClelland, Iowa	20		20.00

1 SEC. 2. The commissioner of public safety is hereby authorized to
2 issue his checks to the above named parties in the amounts stated.

1 SEC. 3. The acceptance of said sums of the above named parties
2 shall be in full settlement of all claims against the state of Iowa grow-
3 ing out of the above described claims.

Approved April 27, 1951.

CHAPTER 36

CLAIMS APPROPRIATIONS

S. F. 505

AN ACT to make appropriations to sheriff of Marshall county, General Mills Inc., West Riverside Independent School District, Grant Township Independent School District, Garfield Township Independent School District, Red Oak Township School District, Stennett Consolidated School District, Pomeroy Independent School District.

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

1 SECTION 1. There is hereby appropriated out of the general fund

2 of the state of Iowa, to sheriff of Marshall county, Marshalltown, Iowa
3 claim number 149, the sum of six dollars (\$6.00) in full settlement of
4 all claims said sheriff may have against the state of Iowa on account
5 of service of papers in connection with department hearings.

1 SEC. 2. There is hereby appropriated out of the motor vehicle
2 fuel tax refund of the state of Iowa to General Mills Inc., Minneapolis,
3 Minnesota, claim number 98, the sum of six hundred forty-three dol-
4 lars (\$643.00) in full settlement of all claims said company may have
5 against the state of Iowa on account of refund of gas tax.

1 SEC. 3. There is hereby appropriated out of the state sinking fund
2 for public deposits of the state of Iowa to Pomeroy Independent School
3 District, Pomeroy, Iowa, claim number 85, the sum of three thousand
4 one hundred forty-three dollars and twenty-nine cents (\$3,143.29) in
5 full settlement of all claims which it may have against the state of
6 Iowa because of loss of balance of school funds deposited in the First
7 National Bank of Pomeroy, Iowa.

1 SEC. 4. There is hereby appropriated out of the state sinking fund
2 for public deposits of the state of Iowa to Stennett Consolidated School
3 District, Red Oak, Iowa, claim number 169, the sum of four hundred
4 eight dollars and thirty-eight cents (\$408.38) in full settlement of
5 all claims which it may have against the state of Iowa because of loss of
6 balance of school funds deposited in the Red Oak National Bank, of
7 Red Oak, Iowa.

1 SEC. 5. There is hereby appropriated out of the state sinking fund
2 for public deposits of the state of Iowa to Red Oak Township School
3 District, Red Oak, Iowa, claim number 170, the sum of two hundred
4 eight dollars and sixty-nine cents (\$208.69) in full settlement of all
5 claims which it may have against the state of Iowa because of loss of
6 balance of school funds deposited in the Red Oak Trust and Savings
7 Bank of Red Oak, Iowa.

1 SEC. 6. There is hereby appropriated out of the state sinking fund
2 for public deposits of the state of Iowa to Garfield Township Inde-
3 pendent School District No. 7, Red Oak, Iowa, claim number 171 the
4 sum of one hundred twenty-one dollars and twenty-five cents (\$121.25)
5 in full settlement of all claims which it may have against the state of
6 Iowa because of loss of balance of school funds deposited in the Red
7 Oak National Bank of Red Oak, Iowa.

1 SEC. 7. There is hereby appropriated out of the state sinking fund
2 for public deposits of the state of Iowa to Grant Township Independent
3 School District No. 3, Red Oak, Iowa, claim number 172 the sum of
4 eighty-one dollars and forty-three cents (\$81.43) in full settlement of
5 all claims which it may have against the state of Iowa because of loss
6 of balance of school funds deposited in the First National Bank of Red
7 Oak, Iowa.

1 SEC. 8. There is hereby appropriated out of the state sinking fund
2 for public deposits of the state of Iowa to West Riverside Independent
3 School District No. 1, Red Oak, Iowa, claim number 173, the sum of
4 seventy-seven dollars and fifty-five cents (\$77.55) in full settlement
5 of all claims which it may have against the state of Iowa because of

6 loss of balance of school funds deposited in the Red Oak National Bank
7 of Red Oak, Iowa.

1 SEC. 9. The state comptroller is hereby authorized to issue his
2 warrant to the above named parties in the amounts stated, and the
3 state treasurer is hereby directed to pay the same from the respective
4 funds above specified.

1 SEC. 10. The acceptance of said sum by the above parties shall be
2 in full settlement of all claims against the state of Iowa growing out
3 of the above described claims.

Approved April 30, 1951.

CHAPTER 37

GENERAL CONTINGENT FUND

H. F. 634

AN ACT creating the general contingent fund of the state for the biennium beginning July 1, 1951, and appropriating thereto the sum of two million dollars from the general fund of the state, specifying the purposes for which the appropriation may be used, and providing for a report of the dispositions made of the fund.

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

1 SECTION 1. The general contingent fund of the state for the bien-
2 nium beginning July 1, 1951, and ending June 30, 1953, is hereby
3 created and said fund shall consist of the sum of two million dollars
4 (\$2,000,000.00) hereby appropriated thereto from the general fund of
5 the state. Said contingent fund shall be administered by the budget
6 and financial control committee and allocations therefrom may be made
7 only for contingencies arising during the biennium which are legally
8 payable from the funds of the state. Subject to the payment of the
9 compensation and the expenses of members of the budget and financial
10 control committee, authorized by Section 5 of Senate File 1,* Acts of the
11 54th General Assembly, and subject to its use for the payment of
12 obligations incurred under the provisions of Section 6, Senate File 1,
13 Acts of the 54th General Assembly, no allocation from said fund shall
14 be made for the administration of, or carrying out, the provisions of
15 an Act passed by the 54th General Assembly which does not contain an
16 appropriation. Nor shall the budget and financial control committee
17 allocate any funds for any purpose or project which was, or should
18 have been, presented to the General Assembly by way of a bill and
19 which failed to become enacted into law. A report of the dispositions
20 made of the fund during the first eighteen months of the biennium
21 shall be made by the budget and financial control committee to the
22 state comptroller prior to the convening of the 55th General Assembly
23 and by him included in the printed budget. Any balance in said con-
24 tingent fund as of June 30, 1953, shall revert to the general fund of
25 the state.

Approved May 15, 1951.

*Chapter 44.

GENERAL LAWS

GENERAL LAWS

(TEMPORARY)

CHAPTER 38

VOTING BY ARMED FORCES

S. F. 501

AN ACT to permit members of the armed forces to vote in the primary and general elections to be held in the year 1952, and to provide for the waiver of certain sections of the Code 1950, relating to election requirements.

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

1 SECTION 1. The provisions of this Act shall apply only to the
2 primary and general elections to be held in the state of Iowa in June
3 and November respectively in the year 1952. This Act is designed to
4 facilitate the voting in said elections by qualified electors of the state
5 of Iowa who are serving in the armed forces of the United States,
6 irrespective of what part of the world they may be serving in, and to
7 that end special provision is made in this Act advancing the date for
8 filing candidacies in primaries, time of printing ballots, methods of
9 casting ballots, and other changes. It is hereby declared that any
10 changes made by this Act in the election laws of the state are not by
11 way of permanent amendment to existing statutes, but shall be effective
12 only as to said primary and general elections to be held in the year
13 1952.

1 SEC. 2. Notwithstanding the provisions of section forty-three
2 point eleven (43.11), Code 1950, as to the time of filing nomination
3 papers, such papers as are provided for in said section forty-three
4 point eleven (43.11), Code 1950, shall in the year 1952 only be filed
5 as follows:

6 1. For an elective county office, at least seventy (70) days prior to
7 the date fixed for holding the primary elections;

8 2. For United States senator, for an elective state office, for repre-
9 sentative in congress, and for members of the general assembly, not
10 more than one hundred (100) days nor less than eighty (80) days
11 prior to the date fixed for holding the primary election.

1 SEC. 3. Section forty-three point thirteen (43.13), Code 1950,
2 shall be interpreted and construed to comply and conform with the
3 provisions of section two (2) of this Act.

1 SEC. 4. Notwithstanding the provisions of section forty-three point
2 twenty-one (43.21), Code 1950, as to the time for filing nomination
3 papers and affidavits of candidacy, such papers as are provided for in
4 said section forty-three point twenty-one (43.21), Code 1950, shall in
5 the year 1952, be filed at least seventy (70) days prior to such primary
6 election.

1 SEC. 5. Notwithstanding the provisions of section forty-three point
2 twenty-two (43.22), Code 1950, as to the time for certification of can-

3 didacies by the secretary of state to each county auditor, the secretary
4 of state shall, in the year 1952, make the certificates provided for in
5 said section forty-three point twenty-two (43.22), Code 1950, at least
6 seventy (70) days before the primary election.

1 SEC. 6. Notwithstanding the provisions of section forty-three
2 point seventy-three (43.73), Code 1950, as to the time the secretary of
3 state shall make certification of nominations, the secretary of state
4 shall, in the year 1952, make the certifications provided for in said
5 section forty-three point seventy-three (43.73), Code 1950, not less
6 than seventy (70) days before the general election.

1 SEC. 7. Notwithstanding the provisions of section forty-three point
2 ninety (43.90), Code 1950, as to the time for party county central com-
3 mittees to file a statement as to the number of delegates to be elected
4 from each precinct, such statement shall, in the year 1952, be filed
5 with the county auditor at least seventy (70) days before the primary
6 election.

1 SEC. 8. In the year 1952, nominations made under the provisions
2 of chapter forty-four (44), and chapter forty-five (45), Code 1950,
3 which are required to be filed in the office of the secretary of state,
4 shall be filed in said office not more than one hundred (100) nor less
5 than eighty (80) days prior to the date of the general election to be
6 held in November; and those nominations which are required to be filed
7 in the office of the county auditor shall be filed in said office at least
8 seventy (70) days prior to the date of said general election.

1 SEC. 9. In the year 1952, notwithstanding the provisions of section
2 forty-four point four (44.4), Code 1950, as to the time for filing ob-
3 jections, objections which are required to be filed with the secretary of
4 state shall be filed with the secretary of state not less than seventy-five
5 (75) days before the date of election, and such objections as are re-
6 quired to be filed with other officers shall be filed with such other
7 officers not less than sixty-five (65) days before the day of election;
8 in case of nominations made to fill vacancies occurring after said
9 eighty (80) or seventy (70) days, as the case may be, objections shall
10 be filed within three (3) days after the filing of the certificate, pro-
11 vided such vacancies shall be filled not later than seventy-five (75)
12 days prior to the election in the case of offices, certificate for which
13 is required to be filed in the office of the secretary of state, and not
14 later than sixty-five (65) days prior to the election in case of offices,
15 certificate for which is required to be filed in the office of the county
16 auditor.

1 SEC. 10. Notwithstanding the provisions of subsections one (1)
2 and two (2) of section forty-four point nine (44.9), Code 1950, as to
3 time for filing withdrawal of nominations, such withdrawals, in the
4 year 1952, shall be filed in the office of the secretary of state at least
5 seventy-five (75) days before the day of election and in the office of
6 the proper county auditor at least sixty-five (65) days before the day
7 of election.

1 SEC. 11. Notwithstanding the provisions of subsections one (1)
2 and two (2) of section forty-four point fourteen (44.14), Code 1950,

3 as to the time of filing certificates, such certificates for state, con-
4 gressional, judicial, and legislative offices shall, in the year 1952, be
5 filed with the secretary of state not more than one hundred (100) nor
6 less than eighty (80) days before the general election, and such cer-
7 tificates for all other offices, except for cities and towns, shall, in
8 the year 1952, be filed with the county auditor not more than ninety
9 (90) nor less than seventy (70) days before the general election.

1 SEC. 12. Nominations made under the provisions of chapter forty-
2 five (45), Code 1950, in the year 1952, shall be subject to the pro-
3 visions of sections eight (8) to eleven (11), both inclusive, of this Act.

1 SEC. 13. The term "Armed Forces of the United States", as used
2 in this Act shall mean the army, navy, marine corps, and air force
3 of the United States.

1 SEC. 14. In the year 1952 and (each election year thereafter),
2 whenever registration is required in order to vote at either the primary
3 election or general election, in the case of voters in the armed forces
4 of the United States, the affidavit upon the ballot envelope of such
5 voter, otherwise qualified, shall constitute a sufficient registration,
6 whether the registration required be under the provisions of chapter
7 forty-seven (47) or chapter forty-eight (48), Code 1950.

1 SEC. 15. The provisions of sections fifty-three point two (53.2),
2 fifty-three point four (53.4) and fifty-three point five (53.5), Code
3 1950, shall not apply in connection with the primary and general elec-
4 tions in the year 1952 in the case of a qualified elector of the state of
5 Iowa serving in the armed forces of the United States; in any such
6 case an application for ballot as provided for in said sections shall not
7 be required and an absent voter's ballot shall be sent or made available
8 to any such voter upon a request being made therefor as provided for
9 in this Act. All official ballots to be voted by qualified absent voters
10 in the armed forces of the United States at the primary election and
11 the general election in the year 1952, shall be printed prior to fifty-five
12 (55) days before the said respective elections and shall be available for
13 transmittal to such qualified electors in the armed forces of the United
14 States fifty-five (55) days prior to the respective elections. The pro-
15 visions of chapter fifty-three (53), Code 1950, shall apply to absent
16 voting by qualified voters in the armed forces of the United States at
17 said elections in 1952, except as modified by the provisions of this Act.

1 SEC. 16. Request in writing for ballot for the primary election and
2 for the general election in the year 1952 may be made by any member
3 of the armed forces of the United States who is or will be a qualified
4 voter on the day of the election at which said ballot is to be cast, at
5 any time prior to either of said elections, the request stating for which
6 election the request is made. In the case of the general election such
7 request may likewise be made, not more than seventy (70) days before
8 said election, for and on behalf of a voter in the armed forces of the
9 United States by a spouse, parent, adult brother, adult sister, or adult
10 child of any such voter, residing in the county of said voter's residence,
11 provided that any such request made by other than the voter may be
12 required to be made on forms prescribed by the Iowa servicemen's
13 ballot commission.

14 A request shall show the residence (including street address, if any)
15 of the voter, the age of the voter, and length of residence in the city,
16 town or township, county and state, and shall designate the address
17 to which the ballot is to be sent, and in the case of the primary election,
18 the party affiliation of such voter. Such request shall be made to the
19 county auditor of the county of the voter's residence, provided that
20 if the request is made by the voter to any elective state, city, town or
21 county official, the said official shall forward it to the county auditor
22 of the county of the voter's residence, and such request so forwarded
23 shall have the same force and effect as if made direct to the county
24 auditor by the voter.

25 The county auditor shall immediately on the fifty-fifth (55) day
26 prior to the particular election transmit ballots to the voter by mail
27 or otherwise, postage prepaid, as may be directed by the Iowa service-
28 men's ballot commission, requests for which are in his hands at that
29 time, and thereafter so transmit ballots immediately upon receipt of
30 requests for same. A request for ballot for the primary election
31 which does not state the party affiliation of the voter making the re-
32 quest shall be void and of no effect. A request which does not show
33 that the person for whom ballot is requested will be a qualified voter
34 in the precinct in which said ballot is to be cast on the day of the elec-
35 tion for which the ballot is requested, shall not be honored; provided
36 that a request which states the age and the city or town, including
37 street address, if any, or township, and county wherein the voter re-
38 sides, and which shows a sufficient period of residence, shall be suffi-
39 cient to show that he is such a qualified voter. A request by the voter
40 containing substantially the information required herein shall be
41 sufficient.

42 If the affidavit on the ballot envelope shows that the affiant is not
43 a qualified voter on the day of the election at which said ballot is
44 offered for voting, the envelope shall not be opened, but the envelope
45 and ballot contained therein shall be preserved and returned by the
46 judges of election to the county auditor, who shall preserve same for
47 the period of time and under the conditions provided for in sections
48 fifty point twelve (50.12) to fifty point fifteen (50.15), Code 1950,
49 inclusive.

1 SEC. 17. The county auditor of each county shall establish and
2 maintain a record of all requests for ballots which are made, and of
3 all ballots transmitted, and the manner of transmittal, from and re-
4 ceived in his office under the provisions of this Act. In the event more
5 than one request for absent voter's ballot for a particular election shall
6 be made to the county auditor by or on behalf of a voter in the armed
7 forces of the United States, the request first received shall be honored,
8 except that if one of the requests is made by the voter himself, and a
9 request on his behalf has not been previously honored, such request
10 of the voter shall be honored in preference to a request made on his
11 behalf by another. Not more than one ballot shall be transmitted by
12 the county auditor to any voter for a particular election. In the event
13 the county auditor shall receive more than one absent voter's ballot,
14 provided for by this Act, from or purporting to be from any one voter
15 for a particular election, all of said ballots so received from or pur-
16 porting to be from such voter shall be null and void, and the county

17 auditor shall not deliver any of said ballots to the judges of election,
18 but shall retain them in his office, and preserve them for the period
19 and under the conditions provided for in sections fifty point twelve
20 (50.12) to fifty point fifteen (50.15), Code 1950, inclusive.

1 SEC. 18. Notwithstanding the provision as to time found in
2 section fifty-three point eleven (53.11), Code 1950, in the year 1952
3 any qualified voter in the armed forces of the United States may per-
4 sonally appear in the office of the county auditor of the county of his
5 residence and there vote an absent voter's ballot at any time not earlier
6 than fifty-five (55) days before the primary or general election, as the
7 case may be.

1 SEC. 19. The ballots and envelopes used in connection with voting
2 by absent voter's ballot by voters who are members of the armed
3 forces of the United States, shall have stamped or printed on them the
4 words "Serviceman's Ballot" and a designation of the election at
5 which said ballot is to be cast, either "Primary Election" or "General
6 Election", as the case may be.

1 SEC. 20. Any commissioned officer in the armed forces of the
2 United States, or any person authorized by the Government of the
3 United States to administer oaths to members of the armed forces of
4 the United States are authorized to administer and attest any oath
5 required in connection with the voting of an absent voter's ballot by
6 a voter in the armed forces of the United States. Such officer or person
7 shall show his rank and branch of service or other legal qualifications
8 in connection with his signature in attesting any oath.

1 SEC. 21. There is hereby created for the year 1952 the "Iowa
2 Servicemen's Ballot Commission", which shall be composed of the
3 secretary of state, who is the state official charged with the conduct
4 and supervision of elections and who shall be chairman of the com-
5 mission, and four other members who shall be appointed in the follow-
6 ing manner, to wit: On or before January 15, 1952, the respective
7 chairmen of the state central committees of the two political parties
8 which cast the largest and second largest number of votes for governor
9 at the next preceding general election, as shown by the records in the
10 office of the secretary of state, shall each designate two members,
11 qualified electors of the state of Iowa, from his political party for
12 membership on said commission and notify the governor thereof in
13 writing; the governor shall immediately upon receipt of such notifica-
14 tion appoint said persons so designated as members of the commission
15 and issue his commission of appointment therefor; in the event either
16 of said state chairmen shall fail to so make such designation and noti-
17 fication of either or both of said designates within said ten (10) days,
18 the governor shall immediately thereafter make the appointment there-
19 to from the membership of the political party of the chairman failing
20 to make such designation and notification and issue his commission
21 of appointment therefor. The commissioners appointed shall qualify
22 by subscribing the oath provided in section sixty-three point ten
23 (63.10), Code 1950. The members of the commission shall be reim-
24 bursed their actual expenses in the performance of their duties, but
25 shall receive no compensation for their services.

1 SEC. 22. The said commission is authorized and empowered:

2 1. To make rules and regulations for the purpose of carrying out
3 the provisions and intent of this Act;

4 2. To prescribe and direct the preparation of specially printed
5 ballots, envelopes and other papers of different size and weight to be
6 used in connection with absent voting by voters in the armed forces
7 of the United States, if, in the discretion of the commission, it shall
8 determine that such a special ballot and other papers will facilitate
9 voting by such voters; provided that the content of any such specially
10 printed matter shall be the same as that used for absent voters gen-
11 erally in the particular precinct in which said serviceman's ballot is
12 to be cast, and provided further that such ballots, envelopes and other
13 papers shall be substantially uniform in size and weight throughout
14 the state; and provided further that the provisions of section forty-
15 nine point fifty-six (49.56), Code 1950, establishing the maximum cost
16 of printing ballots, shall not govern as to the cost of any specially
17 printed ballots authorized by this Act, but the cost of printing any
18 such specially printed ballots by the several counties shall not exceed
19 an amount, per thousand such ballots or fraction thereof, which may
20 be determined by the state printing board upon the basis of cost and
21 weight of paper, size of ballots and type measurements;

22 3. To prescribe any forms that are not otherwise prescribed by law,
23 and which in the judgment of the commission are necessary to facilitate
24 the carrying out of the purposes and intent of this Act;

25 4. To arrange for special transportation of ballots either in coopera-
26 tion with the government of the United States through any authorized
27 instrumentality thereof or otherwise, and to that end the commission
28 is empowered to direct the county auditors of the several counties of
29 the state to send ballots to voters in the armed forces of the United
30 States other than in the usual course of mail;

31 5. To employ such clerical assistance as it may require in carrying
32 out its functions, to purchase and requisition any office supplies it may
33 require, and certify for payment the expenses of carrying out its func-
34 tions;

35 6. To call upon any department or division of the state government
36 for information and assistance in connection with carrying out the
37 provisions of this Act;

38 7. To cooperate with any authorized departments, agencies and in-
39 strumentalities of the government of the United States in effecting the
40 intent and purposes of this Act.

1 SEC. 23. In order to establish uniformity in size, weight and other
2 characteristics of the ballot and facilitate its distribution and return,
3 the state printing board shall upon direction of the "Iowa Servicemen's
4 Ballot Commission" purchase any material needed for any special
5 ballots, envelopes and other printed matter, and sell any such materials
6 to the several counties of the state at cost plus handling and transporta-
7 tion costs.

8 There is hereby appropriated to the state printing board from the
9 general fund of the state such sums as may be necessary to purchase
10 any materials provided for herein. The proceeds from sale of such
11 materials to counties shall be turned into the general fund of the state
12 upon receipt of same by the state printing board.

1 SEC. 24. In the event the government of the United States or any
2 branch, department, agency or other instrumentality thereof shall
3 make provision for sending of any voting matter provided for in this
4 Act through the mails postage free, or otherwise, the election officials
5 of the state of Iowa and of the several counties of the state are author-
6 ized to make use thereof under the direction of the Iowa servicemen's
7 commission.

1 SEC. 25. The provisions of this Act as to absent voting shall apply
2 only to absent voters in the armed forces of the United States. The
3 provisions of chapter fifty-three (53), Code 1950, shall apply to all
4 other qualified voters not members of the armed forces of the United
5 States, unaffected by any provision of sections three (3) to twelve
6 (12), both inclusive, of this Act.

1 SEC. 26. There is hereby appropriated to the Iowa servicemen's
2 ballot commission from the general fund of the state such sums as are
3 necessary for it to pay its expenses and perform its functions under
4 this Act. Warrants shall be drawn by the comptroller upon certifica-
5 tion by the chairman of the commission, or in the event of his inability
6 or unavailability to act, by three members of the commission.

1 SEC. 27. This Act shall be liberally construed in order to provide
2 means and opportunity for qualified voters of the state of Iowa serving
3 in the armed forces of the United States to vote at the primary and
4 general elections in the year 1952.

1 SEC. 28. The provision or provisions of this Act which are incon-
2 sistent with any provision or provisions of any other existing statute
3 or any part of any such other existing statute, shall prevail. Likewise,
4 the provision or provisions of any other existing statute or any part of
5 any other existing statute which is not inconsistent with this Act,
6 shall prevail.

Approved May 15, 1951.

CHAPTER 39

STATE BOARD OF SOCIAL WELFARE

H. F. 482

AN ACT to amend chapter one (1), section fifty (50), Acts of the Fifty-third General Assembly relating to compensation of members of board of social welfare.

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

1 SECTION 1. Chapter one (1), section fifty (50), Acts of the Fifty-
2 third General Assembly is hereby amended by striking the comma (,)
3 in line four (4) after the word and quotation marks (") "thousand"
4 and insert in lieu thereof a period (.) and striking from lines four (4),
5 five (5) and six (6) the following "provided, however, the salary of
6 the member of the board of social welfare, whose term expires June
7 30, 1955, shall be forty-five hundred dollars (\$4500.00).".

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The West Des

3 Moines Express, a newspaper published at West Des Moines, Iowa,
4 and in the Jackson Sentinel, a newspaper published at Maquoketa,
5 Iowa.

Approved May 15, 1951.

I hereby certify that the foregoing act was published in The West Des Moines Express, West Des Moines, Iowa, May 24, 1951, and in the Jackson Sentinel, Maquoketa, Iowa, May 25, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 40

COUNCIL IN MANAGER CITIES

H. F. 161

AN ACT relating to the number of city councilmen to be elected under a city organized under the manager by election plan, and for amending section four hundred nineteen point seven (419.7), Code 1950.

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

1 SECTION 1. Section four hundred nineteen point seven (419.7),
2 Code 1950, is hereby amended by adding thereto the following: "Not-
3 withstanding the provisions of any other statute: for the year 1951
4 the population under this section shall be determined by the census
5 of 1950 certified to cities or towns by the federal census bureau of
6 the United States Department of Commerce."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Lone Tree
3 Reporter, a newspaper published at Lone Tree, Iowa, and in the Iowa
4 City Press-Citizen, a newspaper published at Iowa City, Iowa.

Approved February 19, 1951.

I hereby certify that the foregoing act was published in the Lone Tree Reporter, Lone Tree, Iowa, March 1, 1951, and in the Iowa City Press-Citizen, Iowa City, Iowa, February 23, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 41

INCOME TAX

H. F. 109

AN ACT to amend sections four hundred twenty-two point five (422.5), four hundred twenty-two point twelve (422.12), four hundred twenty-two point thirteen (422.13), Code 1950, chapter forty-one (41), Acts of the Fifty-third General Assembly and chapter one (1), Acts of the Fifty-second General Assembly, relating to decreasing the rate of tax imposed on income; increasing the deductions from the computed tax and relating to returns by individuals for the filing of individual income tax for the years nineteen hundred fifty-one and nineteen hundred fifty-two; and also providing for refunds and making such credit applicable to returns on a fiscal year basis.

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

1 SECTION 1. Section four hundred twenty-two point five (422.5),
2 Code 1950, is amended by inserting a paragraph after line twenty-four
3 (24) as follows:

4 "The rates herein provided are hereby reduced twenty-five per cent
5 (25%) on all taxable income earned in 1951 and 1952, and this pro-
6 vision shall apply to returns made on a fiscal year basis for any fiscal
7 year beginning after January 1, 1951."

1 SEC. 2. Section four hundred twenty-two point twelve (422.12),
2 Code 1950, is hereby amended by adding the following paragraph:

3 "For the years 1951 and 1952, the deductions from the computed
4 tax shall be as follows:

5 1. For a single individual, fifteen dollars.

6 2. For husband and wife or head of a family, thirty dollars.

7 3. For each child under the age of twenty-one years who is actually
8 supported by and dependent upon the taxpayer for his support, an
9 additional seven dollars fifty cents.

10 4. For each actual dependent other than as specified in subsection
11 3 of this section, the taxpayer may deduct the sum of seven dollars
12 fifty cents; or in lieu thereof in the case of a father, mother, or grand-
13 parent dependent upon the taxpayer, the taxpayer in computing the
14 net income may make deduction therefrom of four hundred fifty dollars
15 for such dependent."

1 SEC. 3. Amend section four hundred twenty-two point thirteen
2 (422.13), Code 1950, by adding the following:

3 "For the years 1951 and 1952, a return shall be made by an indi-
4 vidual as follows:

5 1. Every individual having a net income for the tax year from
6 sources taxable under this division, of \$1500.00 or over, if single, or
7 if married and not living with husband or wife; or having a net in-
8 come for the tax year of \$2350.00 or over, if married and living with
9 husband or wife, shall make and sign a return, stating specifically the
10 items of gross income and the deductions and exemptions allowed by
11 this division.

12 2. If husband and wife living together have an aggregate net in-
13 come of \$2,000.00 or over, each shall make such a return, unless the
14 income of each is included in a single joint return."

1 SEC. 4. Amend section one (1), chapter forty-one (41), Acts of
2 the Fifty-third General Assembly by striking all after the word "basis"
3 in lines six (6) and seven (7).

1 SEC. 5. Amend section one (1), chapter one (1), Acts of the Fifty-
2 second General Assembly, Extraordinary session by striking all after
3 the word "basis" in lines six (6) and seven (7).

Approved May 15, 1951.

CHAPTER 42

CORPORATION STOCK ISSUES

H. F. 441

AN ACT to legalize certain issues of capital stocks of Iowa corporations, upon compliance herewith.

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

1 SECTION 1. Any corporation organized under the laws of this
2 state which, prior to January 1, 1951, issued capital stock for property
3 without complying with section four hundred ninety-two point six
4 (492.6), Code 1950, and obtaining approval pursuant to section four
5 hundred ninety-two point seven (492.7), Code 1950, may within ninety
6 (90) days after the effective date of this Act, make application for
7 the approval of the issuance of such stock.

1 SEC. 2. Any corporation organized under the laws of this state
2 which prior to January 1, 1951, failed to comply with the provisions of
3 section four hundred ninety-two point nine (492.9), Code 1950, but
4 which subsequently did in the first annual corporation report filed by
5 such corporation following such failure, correctly report the amount
6 of its capital stock issued, may within ninety (90) days after the
7 effective date of this Act, file with the secretary of state of Iowa, a
8 certificate as to unreported issues; and such certificates shall have the
9 same force and effect as certificates filed within the time required by
10 the provisions of said section four hundred ninety-two point nine
11 (492.9), Code 1950.

1 SEC. 3. Nothing in this Act contained shall affect or be construed
2 as affecting pending litigation.

1 SEC. 4. This Act being deemed of immediate importance, shall be
2 effective from and after the date of its publication, as required by law
3 in the Thornton Enterprise, a newspaper published at Thornton, Iowa,
4 and The Sioux Rapids Bulletin-Press, a newspaper published at Sioux
5 Rapids, Iowa.

Approved April 5, 1951.

I hereby certify that the foregoing act was published in the Thornton Enterprise, Thornton, Iowa, April 13, 1951, and in The Sioux Rapids Bulletin-Press, Sioux Rapids, Iowa, April 12, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

GENERAL LAWS

(PERMANENT)

CHAPTER 43

EFFIGY MOUNDS NATIONAL MONUMENT

S. F. 368

AN ACT to permit and provide for conveying to the United States, certain lands in Allamakee and Clayton counties in the state of Iowa.

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

1 SECTION 1. The Executive Council may, upon a majority recom-
 2 mendation of the conservation commission, convey to the United States
 3 as a gift and in the manner provided by section one hundred eleven
 4 point thirty-three (111.33) of the Code of 1950, two hundred and four
 5 and thirty-nine hundredths (204.39) acres, more or less, located within
 6 the boundaries of Effigy Mounds National Monument as established by
 7 Presidential Proclamation No. 2860, of October 25, 1949, in Allamakee
 8 and Clayton Counties in the State of Iowa, and in section ten (10) of
 9 Township ninety-five (95), range three (3) west of the fifth principal
 10 meridian and in sections twenty-seven (27) and thirty-three (33)
 11 township ninety-six (96) range three (3) west of the fifth principal
 12 meridian.

Approved April 14, 1951.

CHAPTER 44

BUDGET AND FINANCIAL COMMITTEE

S. F. 1

AN ACT to create a budget and financial control committee with certain powers relating to state budget and finance, and to abolish the retrenchment and reform committee and transfer its powers to the budget and financial control committee.

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

1 SECTION 1. Committee created. There is hereby created a com-
 2 mittee to be known as the budget and financial control committee,
 3 which shall have 10 members. Five of said members shall be mem-
 4 bers of the house of representatives and appointed by the speaker;
 5 3 of these members shall be from the majority party and 2 from
 6 the minority party. Five of said members shall be members of the
 7 senate and appointed by the president of the senate; three of which
 8 shall be from the majority party and two from the minority party.

1 SEC. 2. Terms of office—vacancies. The terms of office for the
 2 committee members shall be four years beginning February first
 3 after the convening of the general assembly in regular session. Any
 4 vacancies occurring on the committee shall be filled by appointment
 5 for the unexpired term made in the same manner as original ap-

6 pointments. A vacancy shall exist whenever a committee mem-
7 ber ceases to be a member of the general assembly.

8 The expiration of terms of office of the membership of said com-
9 mittee shall be staggered, and in order to achieve that purpose the
10 initial appointments of members by the speaker of the house shall
11 be three members for the two-year terms and two members for the
12 four-year terms, and initial appointments by the president of the
13 senate shall be three members for four-year terms and two mem-
14 bers for two-year terms.

1 **SEC. 3. Authorized purposes of committee.** The authorized pur-
2 poses of the budget and financial control committee shall be as fol-
3 lows:

4 1. *Budget.* To gather information relative to budget matters
5 for the purpose of aiding the legislature to properly appropriate
6 money for the functions of government, and to report their findings
7 to the legislature.

8 2. *Examination.* Said committee shall examine into the reports
9 and official acts of the executive council and of each officer, board,
10 commission, and department of the state, in respect to the conduct
11 and expenditures thereof and the receipts and disbursements of pub-
12 lic funds thereby.

13 3. *Reorganization.* The committee shall make a continuous
14 study of all offices, departments, agencies, boards, bureaus and com-
15 missions of the state government and shall determine and recom-
16 mend to each session of the legislature what changes therein are
17 necessary to accomplish the following purposes:

18 (a) To reduce expenditures and promote economy to the fullest
19 extent consistent with the efficient operation of state government;

20 (b) To increase the efficiency of the operations of the state gov-
21 ernment to the fullest extent practicable within the available reve-
22 nues;

23 (c) To group, coordinate, and consolidate judicial districts, agencies
24 and functions of the government, as nearly as may be according to
25 major purposes;

26 (d) To reduce the number of offices, agencies, boards, commis-
27 sions, and departments by consolidating those having similar func-
28 tions, and to abolish such offices, agencies, boards, commissions and
29 departments, or functions thereof, as may not be necessary for the
30 efficient and economical conduct of state government; and

31 (e) To eliminate overlapping and duplication of effort on the
32 part of such offices, agencies, boards, commissions and departments
33 of the state government.

1 **SEC. 4. Powers and duties.** For the purpose of carrying out the
2 foregoing authorized purposes, the committee shall have the fol-
3 lowing powers and duties.

4 1. *Organization.* To elect one of their own number chairman and
5 to determine their own method of procedure.

6 2. *Meetings.* To hold monthly meetings at the office of the state
7 comptroller or at such meeting place as the committee may direct.
8 Six members shall constitute a quorum.

9 3. *Special meetings.* To meet on call of the chairman or any three
10 members.

11 4. *Record.* To make a record of its meetings and transactions
12 which shall be kept in the office of the secretary of state and shall be
13 open to public inspection.

14 5. *Subpoenas.* To summon and examine witnesses, administer
15 oaths, compel the production of books and papers and punish for
16 contempt in the conduct of any investigation.

17 6. *Investigators.* To employ its own investigators and other nec-
18 essary personnel and pay for same from funds appropriated.

19 7. *Suggestions to governor.* To make suggestions to the governor
20 concerning the committee's opinion as to what ought to be included
21 in the budget.

22 8. *Departmental cooperation.* To require all offices, departments,
23 agencies, boards, bureaus and commissions of the state to cooperate
24 and furnish such information as the committee may from time to
25 time desire. The office and facilities of the state comptroller shall
26 be available to the committee for its meetings.

1 **SEC. 5. Compensation and expenses.** For meetings of the committee
2 other than those held during the time the legislature is in session,
3 each member of the committee shall receive his actual traveling
4 expenses and a per diem of twenty dollars per day for each day in
5 attendance.

1 **SEC. 6.** Sections two point forty-one (2.41) to two point forty-
2 eight (2.48), Code 1950, inclusive, are hereby repealed.

1 **SEC. 7.** Section eight point twenty-nine (8.29), Code 1950, is
2 hereby repealed.

1 **SEC. 8.** Section eight point forty-two (8.42), Code 1950, is
2 amended by striking from lines four (4) and five (5) the words
3 "committee on retrenchment and reform" and inserting in lieu thereof
4 the words "budget and financial control committee".

1 **SEC. 9.** Section eight point forty-three (8.43), Code 1950, is
2 amended by striking from lines two (2) and three (3) the words "com-
3 mittee on retrenchment and reform" and inserting in lieu thereof
4 the words "budget and financial control committee".

1 **SEC. 10.** Section twenty point one (20.1), Code 1950, is amended
2 as follows:

3 1. By striking from lines fourteen (14) and fifteen (15) the words
4 "committee on retrenchment and reform" and inserting in lieu
5 thereof the words "budget and financial control committee".

6 2. By striking from lines fifteen (15) and sixteen (16) the words
7 "retrenchment and reform committee" and inserting in lieu thereof

8 the words "budget and financial control committee".

1 SEC. 11. Section twenty point three (20.3), Code 1950, is
2 amended by striking from lines one (1) and two (2) the words
3 "committee on retrenchment and reform" and inserting in lieu
4 the words "budget and financial control committee".

5 Further amend said section by striking from lines five (5) and six
6 (6) the words "committee on retrenchment and reform" and insert-
7 ing in lieu thereof the words "budget and financial control commit-
8 tee".

1 SEC. 12. Section one hundred sixty-five point seventeen (165.17),
2 Code 1950, is amended by striking from lines six (6) and seven (7)
3 the words "committee on retrenchment and reform" and inserting
4 in lieu thereof the words "budget and financial control committee".

1 SEC. 13. Section two hundred eighteen point fifty-eight (218.58),
2 Code 1950, is amended by striking from lines twelve (12) and thir-
3 teen (13) the words "committee on retrenchment and reform" and
4 inserting in lieu thereof the words "budget and financial control com-
5 mittee".

1 SEC. 14. Wherever reference is made in the statutes, other than
2 in this Act, to the committee on retrenchment and reform, it is the
3 intention of the general assembly to strike such reference and insert
4 in lieu thereof reference to the budget and financial control commit-
5 tee.

1 SEC. 15. This Act being deemed of immediate importance shall
2 be in full force and effect from and after its passage and publication
3 in the New Nonpareil, a newspaper published at Council Bluffs,
4 Iowa, and The Mount Ayr Record-News, a newspaper published at
5 Mount Ayr, Iowa.

Approved February 15, 1951.

I hereby certify that the foregoing act was published in The Council Bluffs Non-
pareil, Council Bluffs, Iowa, a newspaper owned by The New Nonpareil Company, an
Iowa corporation with a principal place of business at Council Bluffs, Iowa, February
19, 1951, and in The Mount Ayr Record-News, Mount Ayr, Iowa, February 22, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 45

FISCAL MANAGEMENT AND PERSONNEL DIRECTOR

S. F. 2

AN ACT relating to the administration of state budget, finances and fiscal control and
to assign certain duties relating thereto to the state comptroller.

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

1 SECTION 1. Amend section eleven point five (11.5), Code 1950, by
2 inserting after the period (.) in line seven (7) the following new
3 sentence: "Each department and institution of the state shall keep
4 its records and accounts in a current condition."

1 SEC. 2. Amend section eight point six (8.6), Code 1950, as follows:

2 1. Amend subsection six (6) by inserting a period (.) after the
3 word "state" in line nine (9), and striking in lines nine (9), ten (10),
4 eleven (11), twelve (12) and thirteen (13) the words "and to central-
5 ize all disbursements of the state government other than the disburse-
6 ments of the state fair board, the institutions under the state board
7 of education and state conservation commission."

8 2. Amend subsection seven (7) by adding a new subsection as fol-
9 lows: "The comptroller shall assign an employee or employees of his
10 office to check and preaudit receipts and expenditures, whether public
11 or private, of the state fair board and the institutions under the state
12 board of education. The employee or employees of the comptroller
13 as hereinbefore provided shall be under the direction and supervision
14 of the comptroller and act as an agent of said comptroller. The state
15 fair board and the institutions under the state board of education
16 shall furnish said employee or employees of the comptroller with office
17 space and such help and assistance as may be necessary to properly
18 perform the duties herein specified."

1 SEC. 3. Amend section eight point five (8.5), Code 1950, by adding
2 thereto a new subsection as follows:

3 "Division of personnel. There shall be a personnel division in the
4 office of the state comptroller which shall be organized as follows:

5 1. *Director.* The division shall be in the charge of an administrative
6 officer appointed by the comptroller with the approval of the Govern-
7 nor, and shall be known as the director of personnel.

8 2. Through the personnel director, the executive council shall adopt
9 and establish a plan of classification and compensation for each posi-
10 tion and type of employment in state government, except for positions
11 for which the salaries or compensation is fixed by statute, and shall
12 prescribe therein the necessary salary schedules, fixing a minimum
13 and maximum for each class of employees doing the same general
14 type of work. With the approval of the executive council, the per-
15 sonnel director shall make such regulations and adopt such methods
16 of qualifying employees for positions as will make the plan effective,
17 and shall prescribe rules to provide for personnel administration
18 which shall include rules governing appointments, promotions, demo-
19 tions, transfers, separations, vacations and sick leave as provided by
20 law, and hours of employment.

21 The plan adopted for personnel administration shall be based on
22 merit system principles and standards.

23 3. The employees under the attorney general, employees of the
24 supreme court, employees of the clerk and reporter of the supreme
25 court, and those employees under the state banking board and the
26 employees of institutions under the state board of education shall not
27 come under the division of personnel.

28 4. *Merit system.* The present joint merit system now effective in
29 state agencies expending federal funds shall remain in full force and
30 effect so far as they apply to such agencies until such time as the plan
31 and rules promulgated under the provisions of the preceding sections
32 are approved by the appropriate federal agencies."

1 SEC. 4. Amend section two hundred sixty-two point twenty-three
 2 (262.23), subsection two (2), Code 1950, by inserting after the word
 3 "only" in line one (1) the words "after preaudit by the state comp-
 4 troller and".

1 SEC. 5. Amend section one hundred seventy-three point eleven
 2 (173.11), subsection two (2), Code 1950, by striking the period (.) at
 3 the end of said subsection and inserting in lieu thereof a comma (,) and
 4 adding the following: "provided that all claims against the state
 5 fair board shall be checked and preaudited by the state comptroller
 6 before such claims are approved and before warrants for the same are
 7 signed by the president and secretary."

1 SEC. 6. Amend section one hundred twenty-three point ten
 2 (123.10), Code 1950, by striking the words "said commission" in line
 3 eleven (11) thereof and inserting in lieu thereof the words "the state
 4 division of personnel".

Approved May 15, 1951.

CHAPTER 46

STATE COMPTROLLER

H. F. 563

AN ACT to amend section eight point six (8.6), Code 1950, relating to specific powers and duties of the state comptroller.

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

1 SECTION 1. Section eight point six (8.6), Code 1950, subsection
 2 nine (9), is hereby amended by striking from line three (3) the words
 3 "and September".

Approved April 30, 1951.

CHAPTER 47

AUDITORS' SALARIES

S. F. 230

AN Act relating to the per diem salary of county, municipal, and school examiners and their assistants and to amend section eleven point nine (11.9), Code 1950.

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

1 SECTION 1. Section eleven point nine (11.9), Code 1950, is
 2 amended by striking from line three (3) the word "ten" and inserting
 3 in lieu thereof the word "fifteen".

Approved April 6, 1951.

CHAPTER 48

PUBLICATION OF RULES OF CIVIL PROCEDURE

S. F. 408

AN ACT relating to publication and distribution of the rules of civil procedure and supreme court rules and to amend sections fourteen point three (14.3), sixteen point twenty-four (16.24), seventeen point twenty-one (17.21), and seventeen point twenty-two (17.22), Code 1950.

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

1 SECTION 1. Section fourteen point three (14.3), Code 1950, is
2 amended by adding thereto a new subsection as follows:

3 "6. Prepare and cause to be published, at such times as the supreme
4 court shall by order direct, the Rules of Civil Procedure and Supreme
5 Court Rules."

1 SEC. 2. Section sixteen point twenty-four (16.24), Code 1950, is
2 amended by inserting in line three (3) after the word "code" the fol-
3 lowing: ", Rules of Civil Procedure and Supreme Court Rules".

1 SEC. 3. Section seventeen point twenty-one (17.21), Code 1950, is
2 amended by inserting in line one (1) after the word "code" the follow-
3 ing: ", Rules of Civil Procedure and Supreme Court Rules".

1 SEC. 4. Section seventeen point twenty-two (17.22), Code 1950, is
2 amended by adding a new subsection as follows:

3 "8. Rules of Civil Procedure and Supreme Court Rules."

Approved April 30, 1951.

CHAPTER 49

DISTRIBUTION OF LEGAL PUBLICATIONS

S. F. 7

AN ACT to amend chapter sixteen (16), Code 1950, by increasing the number of copies of the Code, Acts of the General Assembly, Annotations to the Code and supplements thereto, and Reports of the Supreme Court that are distributed to the law library of the state university.

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

1 SECTION 1. Section sixteen point twenty-four (16.24), Code 1950,
2 is amended by striking from subsection two (2), line two (2), the
3 number fifty "50" and inserting in lieu thereof the number seventy-
4 five "75".

1 SEC. 2. Section sixteen point twenty-five (16.25), Code 1950, is
2 amended by striking from subsection two (2), line two (2), the
3 number forty "40" and inserting in lieu thereof the number seventy-
4 five "75".

1 SEC. 3. Section sixteen point twenty-eight (16.28), Code 1950, is
2 amended by striking from subsection eleven (11), line one (1) the
3 number fifty "50" and inserting in lieu thereof the number seventy-five
4 "75".

Approved May 15, 1951.

CHAPTER 50

DEPARTMENT OF HISTORY AND ARCHIVES

H. F. 171

AN ACT relating to biennial reports of the state department of history and archives and to amend section seventeen point three (17.3), Code 1950.

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

1 SECTION 1. Section seventeen point three (17.3), Code 1950, is
2 amended by striking all of subsection thirteen (13) and inserting in
3 lieu thereof the following:

4 "13. Curator of state department of history and archives."

Approved March 29, 1951.

CHAPTER 51

ADMINISTRATIVE RULES AND REGULATIONS

H. F. 606

AN ACT relating to the adoption, amendment, revision, or repeal of rules and regulations adopted by administrative agencies of the state of Iowa as defined herein and to the publication and distribution of said rules and regulations.

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

1 SECTION 1. As used in this Act the following words and phrases
2 shall have the meanings respectively ascribed to them.

3 1. "Administrative agency" or "agency" means each state board,
4 commission, bureau, division, or department, other than a court, hav-
5 ing statewide jurisdiction.

6 2. "Person" includes individuals, associations, partnerships, and
7 corporations.

8 3. "Rules and regulations" includes rules, regulations and amend-
9 ments thereto of general application and rules of administrative pro-
10 cedure issued under authority of law but shall not include rules and
11 regulations adopted relating solely to the internal operation of the
12 agency nor to rules and regulations adopted relating to the manage-
13 ment, discipline, or release of any person committed to any state
14 institution, nor such rules and regulations of the state department of
15 health as may be necessary during emergencies such as floods,
16 epidemics, invasion, or other disasters.

1 SEC. 2. Wherever in the statutes any administrative agency is
2 empowered to make rules and regulations, said agency shall proceed as
3 follows:

4 1. A copy of the proposed rule or regulation before adoption shall
5 be forwarded to the attorney general who shall, within twenty days,
6 approve or disapprove of the form and legality thereof.

7 2. Upon such approval by the attorney general the agency may
8 adopt the rule or regulation and shall cause a copy thereof to be filed
9 in the office of the secretary of state.

10 3. If the attorney general disapproves of the form or legality of
 11 any proposed rule or regulation he shall state in writing his reasons
 12 therefor, and the administrative agency shall then not proceed until
 13 the reasons for his objections have been removed. If the attorney
 14 general fails to approve or disapprove within twenty days the agency
 15 may proceed as though he had approved.

1 SEC. 3. When a rule or regulation adopted as provided in section
 2 two (2) is filed in the office of the secretary of state, he shall make an
 3 original copy thereof in substantially the same manner that acts of the
 4 General Assembly are enrolled, endorse thereon the time and date of
 5 filing in his office, and deposit and index the same in the files of his
 6 office.

1 SEC. 4. The secretary of state shall furnish a copy of every rule
 2 and regulation, filed in his office, to the code editor.

1 SEC. 5. Each administrative agency shall mail a copy of each of
 2 its rules and regulations to the office of the clerk of each district court,
 3 to the secretary of the state bar association, to each district and
 4 supreme court judge, and to any person requesting same.

1 SEC. 6. Any group of twenty or more persons substantially in-
 2 terested or affected in their rights of person or property by a rule or
 3 regulation adopted by any administrative agency may petition to the
 4 attorney general for a reconsideration of such rule or regulation or for
 5 an amendment or modification thereof. Such petition shall set forth a
 6 clear, concise description of the facts and the grounds upon which such
 7 action is sought. Upon filing of such petition the attorney general
 8 shall cause the agency to grant the petitioners a public hearing. The
 9 agency shall give thirty days notice of the time and place of such hear-
 10 ing to said petitioners by registered mail.

1 SEC. 7. Within six months after the effective date of this act every
 2 administrative agency shall file its rules and regulations, existing on
 3 that date in the office of the secretary of state, who shall proceed
 4 therewith as provided in sections three (3) and four (4). After the
 5 expiration of said period any rule or regulation not so filed shall be of
 6 no further force or effect.

1 SEC. 8. Section fourteen point three (14.3), Code 1950, is amended
 2 by adding a new subsection as follows:

3 "Prepare the manuscript copy, and cause to be printed by the state
 4 superintendent of printing, a volume in each even numbered year
 5 which shall contain the permanent rules and regulations of general
 6 application, promulgated by each state board, commission, bureau,
 7 division or department, other than a court, having statewide juris-
 8 diction and authority to make such rules. The code editor may omit
 9 from said volume all rules and regulations applying to professional
 10 and regulatory examining and licensing provisions and any rules and
 11 regulations of limited application. The code editor may make refer-
 12 ence in the volume as to where said omitted rules and regulations may
 13 be procured.

14 "This volume shall be known as the Iowa Departmental Rules and
 15 any rule printed therein may be cited as I.D.R.

16giving the year of publication and the page where the
17 particular rule, by number, may be found."

1 SEC. 9. Each administrative agency promulgating professional
2 and regulatory examining and licensing rules and regulations and
3 each agency promulgating rules and regulations of limited application
4 shall cause the same to be published in pamphlet form for distribution
5 upon demand.

1 SEC. 10. The volume of rules and regulations published by the
2 code editor shall be sold and distributed by the superintendent of
3 printing in the same manner as codes and session laws.

1 SEC. 11. Nothing in this Act shall be construed as giving any addi-
2 tional power to any administrative agency to make rules and regu-
3 lations.

Approved April 11, 1951.

CHAPTER 52

CAPITOL BUILDINGS

S. F. 350

AN ACT relating to the power of the executive council to assign rooms in the capitol or capitol building to the several departments of the state and for amending section nineteen point fifteen (19.15), Code 1950.

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

1 SECTION 1. Section nineteen point fifteen (19.15), Code 1950, is
2 hereby amended by adding to such section the following: "The term
3 'capitol' or 'capitol building' as used in the Code shall be descriptive of
4 all buildings upon the capitol grounds."

Approved April 13, 1951.

CHAPTER 53

IOWA STATE GUARD

S. F. 310

AN ACT to amend the military code (chapter 29, Code 1950) to provide for the payment of expenses of the Iowa state guard.

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

1 SECTION 1. Chapter 29, Code 1950, is hereby amended by adding
2 thereto the following: "Any expense necessary for organizing, equip-
3 ping and maintaining the Iowa state guard shall be paid on approval
4 of the governor by warrant drawn on any state funds not otherwise
5 appropriated, or funds now or hereafter appropriated for the mainte-
6 nance of the national guard."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect upon its passage and publication in the Storm

- 3 Lake Pilot-Tribune, a newspaper published at Storm Lake, Iowa, and
4 in the Daily Record, a newspaper published at Cedar Falls, Iowa.

Approved May 15, 1951.

I hereby certify that the foregoing act was published in the Storm Lake Pilot-Tribune, Storm Lake, Iowa, May 17, 1951, and in the Daily Record, Cedar Falls, Iowa, May 18, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 54

VETERANS SERVICE COMPENSATION APPROPRIATION

S. F. 68

AN ACT providing for an appropriation to the service compensation fund existing under section 35A.3, Code 1950, for the purpose of paying unpaid claims to veterans of World War II and the expenses of administration of the service compensation board.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state from funds not otherwise appropriated the sum of eight mil-
3 lion dollars (\$8,000,000), or so much thereof as may be necessary to
4 carry out the provisions of Section two (2) of this act, to the service
5 compensation fund provided for by Section 35A.3 of the Code of 1950.
6 Notwithstanding the provisions of any other statute or statutes, the
7 balance remaining in the service compensation fund after the payment
8 of all expenditures herein authorized shall revert to the general fund
9 of the state.

1 SEC. 2. The sum herein appropriated shall be used for the purpose
2 of paying claims filed with the World War II Service Compensation
3 Board on or before December 31, 1950, which have been, or might
4 hereafter be, allowed by that board and to pay the expenses of the ad-
5 ministration of that board in carrying out its duties as prescribed by
6 the provisions of Chapter 35A of the Code of 1950.

1 SEC. 3. This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in the
3 Reinbeck Courier, a newspaper published at Reinbeck, Iowa, and the
4 Red Oak Express, newspaper published at Red Oak, Iowa.

Approved January 23, 1951.

I hereby certify that the foregoing act was published in the Red Oak Express, Red Oak, Iowa, January 25, 1951, and the Reinbeck Courier, Reinbeck, Iowa, January 31, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 55

MEMORIAL BUILDINGS COMMISSIONERS

H. F. 437

AN ACT to provide for staggered terms of office for commissioners charged with the construction and operation of memorial buildings and monuments, amending section thirty-seven point nine (37.9), Code 1950.

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

1 SECTION 1. Section thirty-seven point nine (37.9), Code 1950, is
 2 hereby amended by inserting at the conclusion of said section the fol-
 3 lowing: "Commencing with the commissioners elected to take office
 4 after January 1, 1952, one (1) commissioner shall be elected for a
 5 term of one (1) year, two (2) commissioners shall be elected for a
 6 term of two (2) years, and two (2) commissioners shall be elected for
 7 a term of three (3) years, or in each of the foregoing instances until
 8 his successor is elected and qualified. Thereafter, the successors in each
 9 instance shall hold office for a term of three (3) years."

Approved April 30, 1951.

CHAPTER 56

PRIMARY ELECTIONS

H. F. 24

AN ACT to amend section forty-three point thirty-two (43.32), Code 1950, relating to compensation of judges and clerks of primary elections.

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

1 SECTION 1. Section forty-three point thirty-two (43.32), Code
 2 1950, is hereby amended by striking from line five (5) the words
 3 "fifty cents per hour", and substituting in place thereof the words
 4 "seventy-five cents per hour".

Approved March 20, 1951.

CHAPTER 57

HIGHWAY PATROL

H. F. 65

AN ACT to amend section eighty point four (80.4), Code 1950, relating to members of the Iowa highway safety patrol.

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

1 SECTION 1. Amend section eighty point four (80.4), Code 1950, by
 2 striking from line seven (7) the words "one hundred sixty" and in-
 3 serting in lieu thereof the words "two hundred twenty-five".

Approved May 15, 1951.

CHAPTER 58

WORKMEN'S COMPENSATION BY NONRESIDENTS

S. F. 408

AN ACT to amend chapters eighty-five (85) and eighty-six (86), Code 1950, so as to provide a method of obtaining jurisdiction over non-resident employers under the workmen's compensation and occupational disease compensation laws.

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

1 SECTION 1. Chapter eighty-five (85), Code 1950, is hereby
2 amended by inserting a new section following section eighty-five point
3 three (85.3) thereof to provide as follows:

4 "Any employer who is a non-resident of the state, for whom services
5 are performed within the state by employees entitled to rights under
6 this or chapter eighty-five A (85A) by virtue of having such services
7 performed shall be deemed:

8 (a) To agree that such employer and employees shall be subject to
9 the jurisdiction of the industrial commissioner and to all of the pro-
10 visions of this chapter, chapter eighty-five A (85A), eighty-six (86)
11 and eighty-seven (87), as to any and all personal injuries sustained
12 by an employee arising out of and in the course of such employment
13 within this state.

14 (b) To appoint the secretary of state of this state as its lawful
15 attorney upon whom may be served any and all notices authorized or
16 required by the provisions of this chapter, chapter eighty-five A
17 (85A), eighty-six (86), and eighty-seven (87) and to agree that any
18 and all such services of notice on the secretary of state shall be of the
19 same legal force and validity as if personally served upon such non-
20 resident employer in this state."

1 SEC. 2. Chapter eighty-six (86), Code 1950, is hereby amended by
2 inserting a new section following eighty-six point thirty-six (86.36)
3 thereof to provide as follows:

4 "(a) Whenever service of any notice is made on a non-resident em-
5 ployer under the provisions of section one (1) of this act, the same
6 shall be done in the following manner:

7 1. By filing a copy of said notice with the secretary of state.

8 2. By mailing to such employer within ten (10) days after said
9 filing with the secretary of state, by restricted registered mail ad-
10 dressed to the non-resident employer at his last known residence or
11 place of abode, a copy of said notice on which shall be noted the date
12 of filing of the copy with the secretary of state.

13 (b) The term 'restricted registered mail' means mail which carries
14 on the face thereof, in a conspicuous place where it will not be obliterated,
15 the endorsement 'deliver to addressee only', and which also re-
16 quires a return receipt.

17 (c) In lieu of mailing said copy of notice to the non-resident em-
18 ployer in a foreign state, plaintiff may cause the same to be personally
19 served in the foreign state on such employer by any adult person not
20 a party to the proceedings, by delivering said copy of notice to the

21 non-resident employer or by offering to make such delivery in case he
22 refused to accept delivery.

23 (d) Proof of the filing of a copy of said notice with the secretary
24 of state and proof of the mailing or personal delivery of the copy to
25 said non-resident employer shall be made by affidavit of the party
26 doing said acts. All affidavits of service shall be endorsed upon or
27 attached to the original of the papers to which they relate and all
28 such proofs of service, including the return registry receipt shall be
29 forthwith filed with the original of the papers.

30 (e) The secretary of state shall keep a record of all notices filed
31 with him pursuant to this act and shall not permit said filed notices to
32 be taken from his office except on an order of court but shall, on re-
33 quest and without fee, furnish any non-resident employer or his in-
34 surer with a certified copy of any notice in which he is named."

1 SEC. 3. The term non-resident employer as used in this Act shall
2 not be construed to mean foreign corporations lawfully qualified to
3 transact business within the state of Iowa under Chapter 494, Code
4 1950.

Approved April 16, 1951.

CHAPTER 59

WORKMEN'S COMPENSATION

H. F. 264

AN ACT to amend sections eighty-five point twenty-seven (85.27), eighty-five point thirty-one (85.31), eighty-five point thirty-four (85.34), eighty-five point thirty-five (85.35), eighty-five point thirty-seven (85.37), and eighty-five point sixty-four (85.64), Code 1950, relating to workmen's compensation so as to increase medical and hospital allowances, to provide for furnishing prosthetic devices, to change method of paying dependent parents in the event of the death of minor employees, to increase benefit payments for permanent total disability and for permanent partial disability, to increase the weekly compensation amount, and to liberalize the provisions of the second injury fund.

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

1 SECTION 1. Section eighty-five point twenty-seven (85.27), Code
2 1950, is hereby amended by inserting after the period (.) in line four
3 (4) thereof, the following: "The employer shall also furnish reason-
4 able and necessary crutches, artificial members and appliances but
5 shall not be required to furnish more than one permanent prosthetic
6 device."

7 Further amend section eighty-five point twenty-seven (85.27),
8 Code 1950, by adding at the end of the first paragraph thereof the
9 following sentence: "The commissioner may upon application and
10 upon reasonable proofs being furnished of necessity therefor, allow
11 and order additional surgical, medical, osteopathic, chiropractic and
12 hospital services and supplies, but not to exceed an aggregate cost of
13 one thousand dollars (\$1,000.00) in addition to the amounts herein-
14 before allowed."

1 SEC. 2. Section eighty-five point thirty-one (85.31), Code 1950, is

2 hereby amended by striking paragraph number two (2) and inserting
3 in lieu thereof the following:

4 "2. When the injury causes the death of a minor employee whose
5 earnings were received by the parent and such parent was wholly
6 dependent upon the earnings of the minor employee for support at the
7 time of his injury, the compensation to be paid such parent shall be
8 the weekly compensation for an adult with like earnings."

1 SEC. 3. Section eighty-five point thirty-four (85.34), Code 1950, is
2 hereby amended by striking from line five (5) thereof the word "four"
3 and inserting in lieu thereof the word "five".

1 SEC. 4. Section eighty-five point thirty-five (85.35), Code 1950, is
2 hereby amended by striking all thereof after line eight (8) and insert-
3 ing in lieu thereof the following:

4 "1. For the loss of a thumb, weekly compensation during sixty
5 weeks.

6 "2. For the loss of a first finger, commonly called the index finger,
7 weekly compensation during thirty-five weeks.

8 "3. For the loss of a second finger, weekly compensation during
9 thirty weeks.

10 "4. For the loss of a third finger, weekly compensation during
11 twenty-five weeks.

12 "5. For the loss of a fourth finger, commonly called the little finger,
13 weekly compensation during twenty weeks.

14 "6. The loss of the first or distal phalange of the thumb or of any
15 finger shall equal the loss of one-half of such thumb or finger and
16 compensation shall be one-half of the time for the loss of such thumb
17 or finger.

18 "7. The loss of more than one phalange shall equal the loss of the
19 entire finger or thumb.

20 "8. For the loss of a great toe, weekly compensation during forty
21 weeks.

22 "9. For the loss of one of the toes other than the great toe, weekly
23 compensation during fifteen weeks.

24 "10. The loss of the first phalange of any toe shall equal the loss of
25 one-half of such toe and the compensation shall be one-half of the
26 time provided for the loss of such toe.

27 "11. The loss of more than one phalange shall equal the loss of the
28 entire toe.

29 "12. For the loss of a hand, weekly compensation during one hun-
30 dred seventy-five weeks.

31 "13. The loss of two-thirds of that part of an arm between the
32 shoulder joint and the elbow joint shall equal the loss of an arm and the
33 compensation therefor shall be weekly compensation during two hun-
34 dred thirty weeks.

35 "14. For the loss of a foot, weekly compensation during one hundred
36 fifty weeks.

37 "15. The loss of two-thirds of that part of a leg between the hip
38 joint and the knee joint shall equal the loss of a leg, and the compen-

39 sation therefor shall be weekly compensation during two hundred
40 weeks.

41 "16. For the loss of an eye, weekly compensation during one hun-
42 dred twenty-five weeks.

43 "17. For the loss of an eye, the other eye having been lost prior to the
44 injury, weekly compensation during two hundred weeks.

45 "18. For the loss of hearing in one ear, weekly compensation during
46 fifty weeks, and for the loss of hearing in both ears, weekly compen-
47 sation during one hundred seventy-five weeks.

48 "19. The loss of both arms, or both hands, or both feet, or both
49 legs, or both eyes, or of any two thereof, caused by a single accident,
50 shall equal a permanent total disability, to be compensated as such.

51 "20. In all other cases of permanent partial disability, the com-
52 pensation shall bear such relation to the periods of compensation
53 stated in the above schedule as the disability bears to those produced
54 by the injuries named in the schedule."

1 SEC. 5. Section eighty-five point thirty-seven (85.37), Code 1950,
2 is hereby amended by striking from line six (6) thereof the word
3 "sixty" and inserting in lieu thereof the words "sixty-six and two-
4 thirds"; also by striking from line eight (8) the word "twenty-four"
5 and inserting in lieu thereof the word "twenty-eight".

1 SEC. 6. Section eighty-five point sixty-four (85.64), Code 1950, is
2 hereby amended by striking from line four (4) the words "and
3 totally"; by striking from lines sixteen and seventeen the words
4 "permanent total disability" and inserting in lieu thereof the words
5 "the degree of permanent disability involved".

Approved April 6, 1951.

CHAPTER 60

EMPLOYMENT AGENCIES

S. F. 191

AN ACT to amend section ninety-four point six (94.6), Code 1950, relating to limita-
tion of employment agency fees.

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

1 SECTION 1. Section ninety-four point six (94.6), Code 1950, is
2 hereby amended by striking from line four (4) thereof the word "ten"
3 and substituting in lieu thereof the word "twenty-five".

Approved April 5, 1951.

CHAPTER 61

UNEMPLOYMENT COMPENSATION

H. F. 265

AN ACT to amend sections ninety-six point three (96.3) and ninety-six point seven (96.7), Code 1950, relating to unemployment compensation, so as to increase weekly benefit amounts, and to reduce certain contribution rates to be paid by employers.

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

1 SECTION 1. Section ninety-six point three (96.3), Code 1950, is
2 hereby amended by striking from lines seven (7) and eight (8) of
3 subsection four (4), the words "twenty-two dollars and fifty cents"
4 and inserting in lieu thereof the words "twenty-six dollars".

1 SEC. 2. Section ninety-six point seven (96.7), Code 1950, is hereby
2 amended by striking from paragraph d of subsection three (3), all of
3 subparagraphs one (1), two (2), three (3), four (4) and five (5)
4 thereof and inserting in lieu thereof the following:

5 "(1) One and eight-tenths percent, if such excess equals or exceeds
6 two and one-half percent but is less than five percent of his average
7 annual payroll.

8 (2) Nine-tenths of one percent, if such excess equals or exceeds
9 five percent but is less than seven and one-half percent of his average
10 annual payroll.

11 (3) Forty-five hundredths of one percent, if such excess equals or
12 exceeds seven and one-half percent but is less than ten percent of his
13 average annual payroll.

14 (4) If such excess equals or exceeds ten percent of his average an-
15 nual payroll, then no contributions shall be required.

16 (5) Whenever the unemployment trust fund account of the state
17 equals or exceeds one hundred ten million dollars the contribution rates
18 in subparagraphs one (1), two (2) and three (3) hereof shall be re-
19 duced to and shall remain at fifty percent thereof until said unem-
20 ployment trust fund account of the state shall have been reduced to
21 seventy million dollars, in which event the said contribution rates shall
22 revert to the rates stated in subparagraphs one (1), two (2) and three
23 (3) hereof."

1 SEC. 3. Interest paid upon the trust fund deposited with the Secre-
2 tary of the Treasury of the United States under the provisions of
3 paragraph 2 of section ninety-six point nine (96.9) of this chapter
4 for any calendar year shall be allocated and credited to and become
5 a part of each employer's reserve account, said allocation to be made in
6 the following manner: for the calendar year 1950 and each calendar
7 year thereafter, the commission shall add and credit to each employer's
8 reserve account, the percentage of the total interest paid upon the
9 aggregate of the reserve accounts of all of the employers in the state in
10 said year that each such employer's individual reserve account bears to
11 said aggregate reserve account. Said interest shall be credited and
12 applied in the same manner as a voluntary contribution made by each
13 such employer.

1 SEC. 4. The contribution rate of every employer commencing with
2 January 1, 1951 shall be determined on the basis of the schedule of

3 rates stated in section two (2) hereof. If any employer has paid his
 4 contribution before such determination of his rate for the year 1951
 5 has been made by the commission, said contribution shall be credited
 6 to his account and his future contributions shall be adjusted accord-
 7 ingly, or said contribution shall be refunded if it is determined that no
 8 contribution is required.

1 SEC. 5. This Act being deemed of immediate importance shall be
 2 in full force and effect upon its publication in The Lamoni Chronicle, a
 3 newspaper published at Lamoni, Iowa, and in the Oskaloosa Tribune-
 4 Press, a newspaper published at Oskaloosa, Iowa.

Approved April 5, 1951.

I hereby certify that the foregoing act was published in The Lamoni Chronicle, La-
 moni, Iowa, April 12, 1951, and in the Oskaloosa Tribune-Press, Oskaloosa, Iowa, April
 13, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 62

EMPLOYMENT SECURITY

S. F. 447

AN ACT to amend section ninety-six point seven (96.7), Code 1950, relating to pay-
 ments charged against an employer.

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

1 SECTION 1. Amend section ninety-six point seven (96.7), sub-
 2 section three a. two (3-a-(2)), Code of 1950, by adding at the end of said
 3 section the following: "Provided, that in any case in which a claimant
 4 to whom such benefits are paid is in the employ of a base period em-
 5 ployer at the time he is receiving such benefits, and he is receiving the
 6 same employment from such employer that he received during his
 7 base period, then no charge of benefits paid to such claimant shall be
 8 made against the account of such employer."

Approved April 16, 1951.

CHAPTER 63

OLD AGE AND SURVIVORS INSURANCE

H. F. 531

AN ACT to amend section ninety-seven point forty-five (97.45), Code 1950, relating
 to old age and survivors insurance.

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

1 SECTION 1. Section ninety-seven point forty-five (97.45),* Code
 2 1950, is hereby amended by striking from subsection two (2) thereof
 3 all of paragraph (b) and inserting in lieu thereof the following: "(b)
 4 Any service performed in any calendar quarter in which the remunera-
 5 tion for such service does not equal or exceed the sum of two hundred

*Figures added by Code editor; see §3.1, Code 1950.

6 dollars (\$200.00); provided, however, that in any case in which the
7 individual is already in employment under the provisions of this act,
8 such coverage will continue to be under the provisions of this act
9 although such remuneration for such service does not equal or exceed
10 the sum of two hundred dollars (\$200.00)."

1 SEC. 2. Further amend section ninety-seven point forty-five
2 (97.45), Code 1950, by adding after paragraph (b) of subsection two
3 (2) thereof the following: "(c) Services performed during school
4 vacations or outside of school hours by students who devote their time
5 and efforts chiefly to their studies rather than to incidental employ-
6 ment."

7 "(d) Any individual performing service for the state or any political
8 subdivision thereof that is exempt from coverage under the provisions
9 of this act because the remuneration for such employment does not
10 equal or exceed the sum of two hundred dollars (\$200.00) in any
11 calendar quarter may become covered under the provisions of this
12 chapter by filing an election to so become covered. Such election shall
13 be in writing and filed with the Iowa employment security commission
14 and upon approval by such commission such individual shall thereafter
15 be covered under the provisions of this chapter for all services per-
16 formed as an employee of the state of Iowa or any political subdivision
17 thereof."

1 SEC. 3. Further amend section ninety-seven point forty-five
2 (97.45), Code 1950, by placing a period after the word "chapter" in
3 line eight (8) of subsection five (5) of such section and by striking the
4 remainder of said subsection.

1 SEC. 4. Further amend section ninety-seven point forty-five
2 (97.45), Code 1950, by striking from line forty-two (42) of subsection
3 six (6) of such section the words "paid not less than fifty dollars
4 (\$50.00) in wages" and inserting in lieu thereof the words "in em-
5 ployment under this chapter".

1 SEC. 5. Further amend section ninety-seven point forty-five
2 (97.45), Code 1950, by striking therefrom all of subsection seven (7)
3 and enacting in lieu thereof the following: "7. An individual who has
4 been in employment under the provisions of this chapter for one quar-
5 ter shall be a currently insured individual against death in each
6 subsequent quarter in which he is or has been so employed and for as
7 many quarters after he has been separated from such employment as
8 he was employed therein."

Approved April 30, 1951.

CHAPTER 64

GAMBLING DEVICES—LICENSES REVOKED

S. F. 3

AN ACT providing for revocation of licenses for carrying on, or used in carrying on of any business, trade, vocation, commercial enterprise or undertaking, by reason of the possession of gambling devices, and prohibiting the issuance of licenses in certain instances.

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

- 1 SECTION 1. For the purpose of this act, the words, terms, and
 2 phrases defined in this section shall have the meanings given them.
- 3 1. "Gambling devices" means roulette wheels, klondike tables,
 4 poker tables, punch boards, faro layouts, keno layouts, slot machines,
 5 any ticket, sheet, or writing of any kind used or designed to be used
 6 for gambling purposes, and all machines and devices used for
 7 gambling or with an element of chance attending operation, and all
 8 machines and devices of any nature whatsoever adapted, devised
 9 and designed for the purpose of gambling. Nothing in this definition
 10 shall be construed to include ordinary playing cards.
- 11 2. "Person" means an individual, a copartnership, an association,
 12 corporation, or any other entity or organization.
- 13 3. "Municipality" means any county, city, village, township or
 14 town.
- 15 4. "License" includes permits of every kind, nature and descrip-
 16 tion issued pursuant to any statute or ordinance for the carrying
 17 on, or used in the carrying on, of any business, trade, vocation, com-
 18 mercial enterprise or undertaking.
- 19 5. "Licensee" means any person to whom a license of any kind is
 20 issued.
- 21 6. "Licensed business" means any business, trade, vocation, com-
 22 mercial enterprise, or undertaking for which any license is issued.
- 23 7. "Licensed premises" means the place or building, or the room
 24 in a building of the licensed business, and all land adjacent thereto
 25 and used in connection with and in the operation of a licensed busi-
 26 ness, and all adjacent or contiguous rooms or buildings operated or
 27 used in connection with the buildings of the licensed business.
- 28 8. "Issuing authority" and "authority issuing the license" mean
 29 and include the officer, board, bureau, department, commission, or
 30 agency of the state, or of any of its municipalities, by whom any
 31 license is issued and include the councils and governing bodies of all
 32 municipalities.

1 SEC. 2. The intentional possession or willful keeping of a gam-
 2 bling device upon any licensed premises is cause for the revocation
 3 of any license upon the premises where the gambling device is found.
 4 Possession by an employee of the licensee on the premises of the
 5 licensee shall give rise to the presumption of intentional possession
 6 by the licensee.

7 All licenses of any licensed business shall be revoked if the inten-
 8 tional possession or willful keeping of any such gambling device upon
 9 the licensed premises is established, notwithstanding that it may

10 not be made to appear that such devices have actually been used or
11 operated for the purpose of gambling.

1 SEC. 3. The proceedings for revocation shall be had before the
2 issuing authority, which shall have power to revoke the license or
3 licenses involved, as hereinafter provided.

1 SEC. 4. Every sheriff, deputy sheriff, constable, marshal, police-
2 man, police officer, and peace officer shall observe and inspect licensed
3 premises and ascertain whether gambling devices are present there-
4 on and immediately report the finding thereof to the authority or
5 authorities issuing the license or licenses applicable to the premises
6 in question.

1 SEC. 5. Upon the receipt of such information from any of the
2 peace officers referred to in section 4, if any issuing authority is of
3 the opinion that cause exists for the revocation of any such license,
4 then that authority shall issue an order to show cause directed to the
5 licensee of the premises, stating the ground upon which the proceed-
6 ing is based and requiring him to appear and show cause at a time
7 and place within the county in which the licensed premises are lo-
8 cated, not less than ten days after the date of the order, why his
9 license should not be revoked. The order to show cause shall be
10 served upon the licensee as an original notice, or by registered mail,
11 not less than eight days before the date fixed for the hearing thereof.
12 A copy of the order shall forthwith be mailed to the owner of the
13 premises, as shown by the records in the office of the County Re-
14 corder at his last known postoffice address. A copy of the order shall
15 at the same time be mailed to any other issuing authority, of which
16 the authority issuing the order to show cause has knowledge, by
17 which other licenses to that licensee may have been issued, and any
18 such other authority may participate in the revocation proceedings
19 after notifying the licensee and the officer or authority holding the
20 hearing of its intention so to do on or before the date of hearing, and
21 after the hearing take such action as it could have taken had it insti-
22 tuted the revocation proceedings in the first instance.

1 SEC. 6. If, upon the hearing of the order to show cause, the issu-
2 ing authority finds that the licensee intentionally possessed or will-
3 fully kept upon his licensed premises any gambling device, then the
4 license or licenses under which the licensed business is operated, or
5 used in the operation of such business on the licensed premises, shall
6 be revoked.

7 A licensee whose license has been revoked or any owner of licensed
8 premises aggrieved by an order of an issuing authority, may within
9 fifteen days after the date of the order of the issuing authority file
10 an application for writ of certiorari in the District Court in and for
11 the county where the business of the licensee is located.

12 Unless the licensee has filed an application for writ of certiorari
13 in the District Court, revocation shall date from the 16th day fol-
14 lowing the date of the order of the issuing authority. In the event
15 the licensee has filed an application for writ of certiorari in the Dis-
16 trict Court revocation shall date from the 31st day following entry
17 of the order of the District Court, if action by the District Court is
18 adverse to the licensee.

19, If the licensee appeals to the Supreme Court of Iowa, or applies
 20 for writ of certiorari to such court, revocation shall not be effective
 21 pending determination by the Supreme Court of Iowa, provided the
 22 licensee shall post bond with the Clerk of the District Court in an
 23 amount fixed by the clerk of the court in the district wherein the
 24 business is licensed, conditioned to pay all costs adjudged against him
 25 on the appeal, or the hearing on a writ, if the action of the district
 26 court is affirmed. Revocation shall date from the day following final
 27 disposition of such court.

28 No new license or licenses shall be granted the licensee, nor for
 29 the same business if it is established that the owner had actual
 30 knowledge of the existence of the gambling devices resulting in the
 31 license revocation, upon the same premises, for the period of one
 32 year following the date of revocation.

1 SEC. 7. The county attorney for the county in which the hearing
 2 is held shall, and the attorney general may, attend the hearing, inter-
 3 rogate the witnesses, and advise the issuing authority. The county
 4 attorney, shall, and the attorney general may, also appear for the
 5 issuing authority in any certiorari proceeding taken pursuant to
 6 the provisions of section 6.

1 SEC. 8. The issuing authority may issue subpoenas and compel
 2 the attendance of witnesses at any hearing. Witnesses duly sub-
 3 poenaed and attending any such hearing shall be paid fees and mile-
 4 age by the issuing authority equal to the fees and mileage paid wit-
 5 nesses in the district court.

1 SEC. 9. When the license is revoked under the provisions of this
 2 Act, subject to the provisions of section 6, the owner of the premises
 3 upon which any licensed business has been operated shall not be
 4 penalized by reason thereof unless it is established that he had
 5 knowledge of the existence of the gambling devices resulting in the
 6 license revocation.

1 SEC. 10. This Act being deemed of immediate importance shall
 2 become effective from and after its publication in The Clarksville
 3 Star, a newspaper published at Clarksville, Iowa, and in The Cedar
 4 Rapids Gazette, a newspaper published at Cedar Rapids, Iowa.

Approved February 19, 1951.

I hereby certify that the foregoing act was published in The Clarksville Star,
 Clarksville, Iowa, February 22, 1951, and in The Cedar Rapids Gazette, Cedar Rapids,
 Iowa, February 23, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 65

FISH RESTORATION

H. F. 60

AN ACT to amend chapter one hundred seven (107), Code 1950, to provide for partici-
 pation in the federal restoration Act.

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

1 SECTION 1. Chapter one hundred seven (107), Code 1950, is hereby

2 amended by including the following: "The State of Iowa hereby
 3 assents to the provisions of the Act of Congress entitled 'An Act to
 4 provide that the United States shall aid the states in fish restoration
 5 projects, and for other purposes', approved August 9, 1950, Public
 6 Law 681,* and the State Conservation Commission is hereby authorized
 7 and empowered to perform such acts as may be necessary to the con-
 8 duct and establishment of cooperative fish restoration projects, as
 9 defined in said act of congress, in compliance with said act and with
 10 rules and regulations promulgated by the Secretary of the Interior
 11 thereunder; and no funds accruing to the State of Iowa from license
 12 fees paid by fishermen shall be diverted for any other purposes than as
 13 set out in sections 107.17 and 107.19, Code 1950".

Approved May 15, 1951.

*64 Stat. L.

CHAPTER 66

CONSERVATION COMMISSION EMPLOYEES

H. F. 436

AN ACT to amend sections one hundred seven point twelve (107.12) and one hundred seven point thirteen (107.13), Code 1950, relating to compensation of employees of the state conservation commission.

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

1 SECTION 1. Section one hundred seven point twelve (107.12),
 2 Code 1950, is hereby amended by inserting in line four (4) after the
 3 word "thousand" the words "five hundred" (500).

1 SEC. 2. Section one hundred seven point thirteen (107.13), Code
 2 1950, is hereby amended by striking the word "twenty-seven" (27)
 3 in line fifteen (15), and substituting in lieu thereof the word "thirty-
 4 two" (32).

Approved May 15, 1951.

CHAPTER 67

TRAINING HUNTING DOGS

S. F. 201

AN ACT relating to the use of live pigeons, sparrows, crows and starlings in training hunting dogs and to amend section one hundred nine point twenty-one (109.21), Code 1950.

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

1 SECTION 1. Section one hundred nine point twenty-one (109.21),
 2 Code 1950, is amended by inserting at the end thereof the following:
 3 "Nothing in this section shall prevent any person from shooting at
 4 live pigeons, sparrows, crows and starlings when used in the training
 5 of hunting dogs."

Approved May 15, 1951.

CHAPTER 68

TROLLING

S. F. 60

AN ACT to permit trolling from power boats and sail boats on the waters of the state of Iowa where the use of outboard motors is permitted.

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

1 SECTION 1. Section one hundred nine point seventy-seven
2 (109.77), Code 1950, is hereby repealed.

1 SEC. 2. Section one hundred six point sixteen (106.16), Code 1950,
2 is hereby amended by adding to subsection one (1) thereof the fol-
3 lowing:

4 "Provided, however, that boats in classes IV and V, when equipped
5 with an outboard motor not to exceed five (5) horsepower, shall be
6 permitted upon any artificial lake of one hundred (100) acres or more
7 in size."

1 SEC. 3. This act being deemed of immediate importance shall be in
2 full force and effect upon its passage and publication in The Sheldon
3 Mail, a newspaper published at Sheldon, Iowa, and in The Thompson
4 Courier, a newspaper published at Thompson, Iowa.

Approved March 23, 1951.

I hereby certify that the foregoing act was published in The Sheldon Mail, Sheldon, Iowa, March 28, 1951, and in The Thompson Courier, Thompson, Iowa, March 29, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 69

CONSERVATION COMMISSION PERMITS

S. F. 370

AN ACT relating to prohibited acts on lands and waters of the state and fees for appropriate use of such lands and waters and to amend certain sections of the Code 1950 relating thereto.

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

1 SECTION 1. Amend section one hundred eleven point thirty-five
2 (111.35), Code 1950, by striking from lines thirteen (13) and fourteen
3 (14) the words "as defined in this chapter or as may hereafter be
4 amended".

1 SEC. 2. Further amend section one hundred eleven point thirty-
2 five (111.35), Code 1950, by striking from line sixteen (16) the word
3 "herein" and inserting in lieu thereof the words "by the conservation
4 commission".

1 SEC. 3. Section one hundred eleven point four (111.4), Code 1950,
2 is amended by adding thereto a new paragraph as follows:

3 "No person, association or corporation shall operate any commer-
4 cial concession on any state owned lands or waters without first ob-
5 taining from the conservation commission a permit therefor. The

6 commission may issue such permits and charge appropriate fees there-
7 for within its discretion and may cancel said permits for cause and
8 make refunds of any equitable portion of the amount paid."

1 SEC. 4. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in The Milford
3 Mail, a newspaper published at Milford, Iowa, and in The Spirit Lake
4 Beacon, a newspaper published at Spirit Lake, Iowa.

Approved April 16, 1951.

I hereby certify that the foregoing act was published in The Milford Mail, Milford, Iowa, April 26, 1951, and in The Spirit Lake Beacon, Spirit Lake, Iowa, April 26, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 70

NURSING HOMES

S. F. 122

AN ACT to amend chapter one hundred thirty-five B (135B), Code 1950, relating to licensure and regulations of hospitals, and chapter one hundred thirty-five C (135C), Code 1950, relating to the regulation of nursing homes, and to provide that county homes shall be exempt from the provisions thereof.

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

1 SECTION 1. Chapters one hundred thirty-five B (135B) and one
2 hundred thirty-five C (135C) are amended by inserting therein the
3 following new section:

4 "The provisions of this chapter shall not apply to county homes
5 established pursuant to chapter 253 and managed by the county board
6 of supervisors."

1 SEC. 2. Amend chapter one hundred thirty-five C (135C), Code
2 1950, by adding the following section:

3 "The state department of health shall issue a special license to an
4 applicant to care for not to exceed three persons providing that the
5 application for license referred to in this chapter is accompanied by a
6 certificate of the local board of health of the applicant recommending
7 that such special license be issued."

Approved April 14, 1951.

CHAPTER 71

SHIPMENT OF DEAD BODIES

H. F. 125

AN ACT to amend section one hundred forty-one point nineteen (141.19), Code 1950, relating to permits received from other states for dead bodies being shipped into the state.

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

1 SECTION 1. Section one hundred forty-one point nineteen (141.19),
2 Code 1950, is hereby amended by striking all of said section following

3 the word "by" in line seven (7) and inserting in lieu thereof the
 4 words "the sexton of the cemetery as authority for final disposition
 5 of the body and he shall make return thereon to the local registrar as
 6 provided in section one hundred forty-one point thirty (141.30)."

Approved March 16, 1951.

CHAPTER 72

CHIROPODISTS

H. F. 168

AN ACT relating to the change in the name of the profession of "podiatry" to that of "chiroprody".

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

1 SECTION 1. Section one hundred forty-six point five (146.5), Code
 2 1950, is amended by striking from line nine (9) the word, "podiatrists"
 3 and inserting in lieu thereof the word, "chiroprodists".

1 SEC. 2. Section one hundred fifty point three (150.3), Code 1950,
 2 is amended by striking from line five (5) the word, "podiatrists" and
 3 inserting in lieu thereof the word, "chiroprodists".

1 SEC. 3. Section one hundred fifty-seven point two (157.2), Code
 2 1950, is amended by striking from line two (2) of subsection one (1)
 3 the word, "podiatrists" and inserting in lieu thereof the word, "chiro-
 4 odist".

1 SEC. 4. Section one hundred fifty-eight point two (158.2), Code
 2 1950, is amended by striking from line three (3) of subsection one
 3 (1) the word, "podiatrists" and inserting in lieu thereof the word,
 4 "chiroprodists".

Approved February 21, 1951.

CHAPTER 73

COSMETOLOGISTS

H. F. 130

AN ACT to amend section one hundred forty-seven point three (147.3), Code 1950, relating to qualifications to practice a profession, and providing that men, as well as women, may be licensed as practitioners of cosmetology upon reaching eighteen years of age.

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

1 SECTION 1. Amend section one hundred forty-seven point three
 2 (147.3), Code 1950, by striking from line seven (7) thereof the words
 3 "practitioners of cosmetology or", and inserting after the word "bar-
 4 bers" in line nine (9) thereof the following: "or as cosmetologists,".

Approved March 12, 1951.

CHAPTER 74
MEDICAL EXAMINERS
S. F. 156

AN ACT to amend section one hundred forty-seven point seventeen (147.17), Code 1950, relating to general provisions of the practice acts to change the provisions governing medical examiners.

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

- 1 SECTION 1. Section one hundred forty-seven point seventeen
- 2 (147.17), Code 1950, is hereby amended by striking from lines three
- 3 (3), four (4), and five (5), the following: "and not more than two of
- 4 such examiners shall belong to the same school of medical practice."
- 5 and inserting in lieu thereof a period (.).

Approved April 6, 1951.

CHAPTER 75
CHIROPRACTORS
S. F. 96

AN ACT to amend chapter one hundred fifty-one (151), Code 1950, relating to the practice of chiropractic.

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

- 1 SECTION 1. That section one hundred fifty-one point four (151.4)
- 2 of chapter one hundred fifty-one (151), Code 1950, be amended by
- 3 striking subsection one (1) thereof and substituting therefor the fol-
- 4 lowing:
- 5 "1. Requires for graduation or for the receipt of any chiropractic
- 6 degree the completion of a course of study covering a period of four
- 7 academic years totalling not less than four thousand (4,000) sixty
- 8 minute hours in actual resident attendance."
- 9 Provided, however, that this requirement shall not apply to students
- 10 who on October 1, 1950, were regularly enrolled and either in resident
- 11 attendance or in military service at approved schools or colleges of
- 12 chiropractic.

Approved February 20, 1951.

CHAPTER 76
COUNTY OR DISTRICT FAIRS
H. F. 152

AN ACT to amend section one hundred seventy-four point two (174.2), Code 1950, to clarify the powers of a "society" as defined in section one hundred seventy-four point two (174.2).

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

- 1 SECTION 1. Section one hundred seventy-four point two (174.2),
- 2 Code 1950, is hereby amended by adding to said section following the

3 period (.) in line seven (7) thereof the following:

4 "In addition to the powers granted herein the society shall possess*
5 the powers of a corporation not for pecuniary profit under the laws of
6 this state and those powers enumerated in its articles of incorporation,
7 such powers to be exercised* before and after the holding of such fairs.
8 "No salary or compensation of any kind shall be paid to the presi-
9 dent, vice president, treasurer, or to any director of the association
10 for such duties."

Approved April 18, 1951.

*According to enrolled Act.

CHAPTER 77

FARM AID ASSOCIATIONS

S. F. 258

AN ACT to amend chapter one hundred seventy-six (176), Code 1950, relating to farm aid associations and amending the law relative to the annual meetings of such associations, the amounts to be appropriated for such associations and the method of disbursing the money appropriated.

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

1 SECTION 1. Amend section one hundred seventy-six point three
2 (176.3) by striking all of the second paragraph of subsection (Article)
3 three (3) and substituting in lieu thereof the following:

4 "Such officers and directors shall be elected by the members of the
5 corporation at an annual meeting held at such time and place in the
6 county each year, as the board of directors shall by resolution fix and
7 determine and provided further that the members shall be given not
8 less than ten (10) days notice of such meeting by mailing notice
9 thereof to the members, at their last known address, as shown by the
10 records of the association; the term of such officers and directors shall
11 begin on the first Monday in the next January after their election and
12 they shall serve for a term of one year and until their successors are
13 elected and have qualified. Not more than two of such directors shall
14 be residents of the same township at the time of election."

1 SEC. 2. Amend section one hundred seventy-six point eight (176.8)
2 by striking all of the first sentence of said section after the word
3 "appropriate" in line nine (9) and substituting in lieu thereof the
4 words "annually, during the month of January, to such organization or
5 association from the general fund of the county such amounts as are
6 hereinafter set forth, such monies to be disbursed semi-annually or
7 quarterly by the county board of supervisors."

1 SEC. 3. Further amend section one hundred seventy-six point eight
2 (176.8) by striking all of the second sentence of said section and sub-
3 stituting in lieu thereof, the following:

4 "The county board of supervisors shall appropriate to such associ-
5 ation the sum of Five Thousand (\$5,000.00) Dollars, such amount to
6 be so appropriated to be used by such association for the payment of
7 the expenses of carrying on the extension program of such association

8 as contemplated in this chapter; provided, however, that counties with
 9 an assessed valuation of sixteen million dollars (\$16,000,000) or less
 10 which are levying the millage rate provided for in section four hundred
 11 forty-four point nine (444.9), Code 1950, shall not be required to ap-
 12 propriate a sum larger than has been appropriated prior to January 1,
 13 1951.

14 "In addition to such above stated amount the county board of super-
 15 visors may annually, during the month of January appropriate to such
 16 association an additional sum not to exceed Two Thousand (\$2,000.00)
 17 Dollars, if such association has in its employ, or is about to employ a
 18 County Extension Home Economist or a Youth Assistant.

19 "In the event that either a County Extension Home Economist or the
 20 Youth Assistant shall not be in the employ of such association for the
 21 full fiscal year of the association, then and in that event, the amount
 22 which shall be expended from the sum appropriated by the county
 23 board of supervisors for such purpose shall be computed on a pro-rata
 24 basis for each of said positions, depending on the number of weeks such
 25 positions have been filled, and any amount remaining in said fund for
 26 any of said positions, at the end of any fiscal year of such association,
 27 shall be repaid to the county general fund as hereinafter in this chap-
 28 ter provided.

29 "In the event that there are such associations in counties holding
 30 court in two cities and having a population greater than sixty thousand
 31 (60,000) and wherein two farm aid associations have been organized
 32 and shall have qualified under this law, there shall be annually ap-
 33 propriated to each of such associations the sum of Five Thousand
 34 (\$5,000.00) Dollars, and each of such associations may qualify for and
 35 may be entitled to the additional appropriations hereinbefore pro-
 36 vided."

1 SEC. 4. Amend section one hundred seventy-six point eleven
 2 (176.11) by striking all of said section after the words "Funds—how
 3 expended" and substituting in lieu thereof, the following:

4 "The funds which shall be appropriated by the board of supervisors
 5 to such association, as hereinbefore in this chapter set forth, shall be
 6 paid over to the treasurer of such association who shall place said
 7 funds in a special bank account designated as 'The County Agricultural
 8 Extension Program Fund' and no other funds shall be commingled
 9 therewith and said funds shall be disbursed from said special bank
 10 account by the treasurer only on bills allowed by the board of directors
 11 and certified to by the president or secretary of such association and
 12 in the event that after the close of any fiscal year of such association
 13 there shall remain any unencumbered funds in such special account,
 14 the board of directors shall authorize and order the treasurer of such
 15 association to pay over any such funds remaining in such special
 16 account to the county treasurer who shall transfer such funds to the
 17 general fund of the county. Separate books of account shall be kept by
 18 the association covering the funds in such special account. Within one
 19 month after the close of the fiscal year, the board of directors of the
 20 association shall publish in two newspapers of general circulation in
 21 the county a complete list of all income and expenditures of the special
 22 account received and used for educational purposes for the last fiscal

23 year. Such list shall itemize the appropriation made by the county
24 board of supervisors and state the amount of money contributed by
25 the association to carry out the educational program.

26 "All other funds advanced to or belonging to such association shall
27 be paid over to the treasurer of such association and such funds shall
28 be paid out only on bills allowed by the board of directors and certified
29 to by the president or secretary of such association."

Approved April 5, 1951.

CHAPTER 78

IOWA CROP IMPROVEMENT ASSOCIATION

H. F. 158

AN ACT to amend chapter one hundred seventy-seven (177), Code 1950, relating to corn and small grain growers association.

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

1 SECTION 1. Chapter one hundred seventy-seven (177), Code 1950,
2 is hereby amended as follows:

3 1. Strike from section one hundred seventy-seven point one (177.1)
4 line four (4) the words "corn and small grain growers" and insert in
5 lieu thereof the words "crop improvement".

6 2. Strike all of section one hundred seventy-seven point two (177.2)
7 and insert in lieu thereof:

8 "The purposes and objectives of the Iowa crop improvement associ-
9 ation shall be:

10 (a) To encourage the use of good agricultural practices in crop
11 production and to conserve, maintain and improve soil productivity.

12 (b) To encourage the production of high quality pure seed of varie-
13 ties having proved adaption and performance as determined by ex-
14 perimental trials.

15 (c) To encourage the more wide-spread use of superior seeds by
16 such means as may be designated by its members or board of directors.

17 (d) To co-operate with the agricultural experiment station of the
18 Iowa state college of agriculture and mechanic arts in conducting tests
19 to determine the adaption and performance of crop hybrids, crop
20 varieties, and new crops of potential value in Iowa.

21 (e) Promote in such other ways as the association may deem ad-
22 visable the objects as set out in this section.

23 (f) Hold an annual meeting.

24 (g) Submit an annual report of the proceedings, receipts and ex-
25 penditures to the Iowa state secretary of agriculture."

26 3. Strike all of section one hundred seventy-seven point three
27 (177.3) and insert in lieu thereof:

28 "The business of the association shall be transacted by a board of
29 directors which shall consist of:

30 (a) The director of the agricultural experiment station of the Iowa
31 state college of agriculture and mechanic arts.

32 (b) The head of farm crops in the Iowa agricultural experiment
33 station.

34 (c) The secretary of the state department of agriculture.

35 (d) Six persons who shall be elected from its membership."

36 4. Strike from section one hundred seventy-seven point four (177.4)
37 from lines one (1) two (2) and seven (7) the words "executive com-
38 mittee" and insert in lieu thereof the word "directors".

1 SEC. 2. All funds heretofore appropriated to the Iowa corn and
2 small grain growers association and those now on hand shall be trans-
3 ferred and made available to the Iowa crop improvement association.

Approved April 13, 1951.

CHAPTER 79

BUTTERFAT TAX

S. F. 79

AN ACT to amend sections one hundred seventy-nine point two (179.2), one hundred seventy-nine point five (179.5) and one hundred seventy-nine point six (179.6), Code 1950, relating to the compensation of appointive members of the Iowa dairy industry commission and to the extension of the annual butterfat tax period.

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

1 SECTION 1. Section one hundred seventy-nine point two (179.2),
2 Code 1950, is amended by striking from last line of said section the
3 words "three and one-half" and inserting in lieu thereof the word
4 "five".

1 SEC. 2. Section one hundred seventy-nine point five (179.5), Code
2 1950, is hereby amended by striking from lines four (4) and five (5)
3 the following words: "June 1 and terminating June 15" and inserting
4 in lieu thereof the following: "May 1 and terminating June 30".

1 SEC. 3. Section one hundred seventy-nine point six (179.6), Code
2 1950, is hereby amended by striking from line twelve (12) the follow-
3 ing words: "June 1 to June 15" and inserting in lieu thereof the
4 words: "May 1 to June 30".

1 SEC. 4. Any person from whom the excise tax provided in this
2 chapter is collected may, by application filed with this commission
3 within thirty (30) days after the collection from him of said tax, have
4 said tax remitted to him by the commission.

1 SEC. 5. This Act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in the
3 Mt. Pleasant News, a newspaper published at Mt. Pleasant, Iowa, and
4 The Kalona News, a newspaper published at Kalona, Iowa.

Approved March 27, 1951.

I hereby certify that the foregoing act was published in the Mt. Pleasant News, Mt. Pleasant, Iowa, March 29, 1951, and in The Kalona News, Kalona, Iowa, April 5, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 80

MILK REGULATIONS

H. F. 483

AN ACT to amend chapter one hundred ninety-two (192), and section one hundred ninety-five point seven (195.7), Code 1950, relating to the handling and sale of market milk.

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

1 SECTION 1. Section one hundred ninety-two point seven (192.7),
2 Code 1950, is amended, revised and codified to read as follows:

3 "Pasteurization defined. The terms 'pasteurization', 'pasteurized'
4 and similar terms as they may be applied to milk or milk products
5 shall be taken to refer to the process of heating every particle of milk
6 or milk products to at least one hundred forty-three degrees fahren-
7 heit (143°F) and holding continuously at such temperature for at
8 least thirty (30) minutes; or to at least one hundred sixty degrees
9 fahrenheit (160°F), and holding at such temperature continuously
10 for at least fifteen (15) seconds, in approved and properly operated
11 equipment; provided, that nothing contained in this definition shall be
12 construed as disbarring* any other process which has been demon-
13 strated to be equally efficient and is approved by the department."

1 SEC. 2. Section one hundred ninety-two point eight (192.8), Code
2 1950, is amended, revised and codified to read as follows:

3 "Record. Every owner, manager or operator of a milk plant, cream-
4 ery, or ice cream factory, shall equip each vat or pasteurizer used in
5 pasteurizing milk, cream or dairy products with an accurate recording
6 thermometer and an accurate indication thermometer. Each temper-
7 ature chart from such recording thermometer shall be identified with
8 the date, the identification of material pasteurized and be initialed by
9 the person responsible for the pasteurization and be kept on file for
10 six (6) months for the inspection of the department."

1 SEC. 3. Section one hundred ninety-two point ten (192.10), Code
2 1950, is amended by striking lines sixteen (16) to thirty-four (34)
3 inclusive and inserting in lieu thereof the following:

4 "Grade 'A' raw milk, to be bottled or sold as such is milk coming
5 from healthy cows; which cows have been subjected to an annual test
6 for both tuberculosis and brucellosis by an accredited veterinarian and
7 found negative; that has been kept at the proper temperature and
8 has been handled in a sanitary manner, is wholesome, unadulterated
9 and otherwise fit for human consumption; the bacteria count of which
10 does not exceed fifty-thousand (50,000) bacteria per milliliter, stand-
11 ard plate count, as determined by the logarithmic averages of four (4)
12 consecutive tests of milk samples taken on separate days and pro-
13 duced under the following conditions:

14 "a. Milking barn or milking parlor shall be of a type that can be
15 readily cleaned and be kept clean.

16 "b. Cow's flanks and udders shall be clipped. Udders and teats shall
17 be washed and disinfected before milking is begun.

*According to enrolled Act.

18 "c. A milk house, or milk room, shall be used and it shall be
19 equipped to care for all milking equipment, the straining and cooling
20 of all milk.

21 "d. All milking equipment and containers shall be effectively cleaned,
22 treated with a bacteriocidal* solution and be stored where protected
23 from contamination.

24 "e. Bottling and capping shall be done only by mechanical equip-
25 ment. Bottle lips shall be covered.

26 "f. All milk must be effectively cooled.

27 "g. The water supply must meet state health department require-
28 ments.

29 "Milk that is to be used for Pasteurized Grade 'A' shall meet the
30 production requirements as set forth for Grade 'A' raw milk excepting
31 the bacteria plate count or direct microscopic clump count, as de-
32 livered from the farm, does not exceed two hundred thousand (200,-
33 000) per milliliter, or a Methylene Blue reduction time which is not less
34 than 5½ hours, or the Resazurin reduction time of which to P 7/4 is
35 not less than 2¾ hours.

36 "Provided, further that the composite raw milk, at no time between
37 dumping and pasteurization, has a bacteria plate count or a direct mi-
38 croscopic clump count exceeding four hundred thousand (400,000) per
39 milliliter or a Methylene Blue reduction time of less than 4¾ hours or
40 a Resazurin reduction time to P 7/4 of less than 2½ hours.

41 "Excepting further that cows furnishing milk which subsequently
42 will be pasteurized for Grade 'A' pasteurized milk shall be exempted
43 from the annual test for brucellosis but shall by January 1, 1955 be
44 from herds certified by the United States Bureau of Animal Industry
45 and the Iowa Department of Agriculture as following one of the pro-
46 cedures approved by them for the control of Brucellosis.

47 "Grade 'A' pasteurized milk is grade 'A' raw milk for pasteurization
48 which has been pasteurized, cooled, and placed in the final container in
49 a milk plant approved by the secretary of agriculture which in all cases
50 shows efficient pasteurization as evidenced by satisfactory phosphatase
51 tests, and which at no time after pasteurization and until final delivery
52 exceeds thirty thousand (30,000) bacteria per milliliter, standard plate
53 count or a coliform count exceeding ten (10) per milliliter, as deter-
54 mined by the logarithmic averages of four (4) consecutive tests of
55 milk samples taken on separate days.

56 "Provided, that the composite raw milk, at no time between dumping
57 and pasteurization, has a bacteria plate count, or a direct microscopic
58 clump count exceeding four hundred thousand (400,000) per milliliter,
59 or a methylene blue reduction time of less than four and three-fourths
60 (4¾) hours or a resazurin reduction time of P seven-fourths (P 7/4)
61 of less than two and one-half (2½) hours and processed in plants com-
62 plying with the following:

63 a. Processing room must be separated from rooms used for other
64 purposes.

65 b. The plant must be kept in a sanitary condition.

66 c. All equipment must be of a recognized standard type; have ade-
67 quate drip protection.

*According to enrolled Act.

68 *d.* All milk must be carried between equipment in sanitary lines.
69 Drip and overflow milk must be discarded.

70 *e.* All equipment must be dis-assembled daily and thoroughly cleaned
71 and after re-assembling must be subjected to bactericidal treatment
72 before use by approved methods, unless other methods are approved
73 by the department.

74 *f.* Toilets must be conveniently located and meet sanitary standards.

75 *g.* Hand-washing facilities of approved type, having hot water, soap
76 and individual towels must be provided convenient to the processing
77 room.

78 *h.* The water supply must meet state health department requirements.

79 **"Pasteurized milk—Grade not declared.** Milk coming from healthy
80 cows, that has been kept at the proper temperature and handled in a
81 sanitary manner, is wholesome, unadulterated and otherwise fit for
82 human consumption. The bacteria standard plate count or direct
83 microscopic clump count, as delivered from the farm, must not exceed
84 five hundred thousand (500,000) per milliliter or a methylene blue
85 reduction time which is not less than three and one-half (3½) hours
86 or a resazurin reduction time to seven-fourths (7/4) of less than two
87 (2) hours; which shows efficient pasteurization; and which at no time
88 after pasteurization and until final delivery exceeds seventy-five thou-
89 sand (75,000) bacteria per milliliter, standard plate count, as deter-
90 mined by the logarithmic averages of four (4) consecutive tests of
91 milk samples taken on separate days.

92 "The secretary of agriculture shall be authorized to make needed
93 regulations to promulgate production, processing and distribution
94 standards for grade 'A' pasteurized, pasteurized (grade not declared)
95 and grade 'A' raw milk which shall conform to United States public
96 health service recommendations. Nothing contained in this chapter
97 shall invalidate ordinances or regulations of any Municipal Corpora-
98 tion, providing inspections or imposing requirements higher than the
99 minimum requirements provided in this chapter."

1 SEC. 4. Section one hundred ninety-two point twelve (192.12),
2 Code 1950, is amended, revised and codified to read as follows:

3 **"Bacteriologists.** The state department of agriculture may employ
4 dairy specialists or bacteriologists who shall devote their full time to
5 the improvement of sanitation in the production, processing and mar-
6 keting of dairy products. Said dairy specialists and bacteriologists
7 shall have qualifications as to education and experience and such other
8 requirements as the secretary may require."

1 SEC. 5. Chapter one hundred ninety-two (192), Code 1950, is
2 amended by inserting therein the following new sections:

3 1. "To insure uniformity in the tests and reporting the bacteriologi-
4 cal laboratory of the department shall certify all laboratories doing
5 work in the sanitary quality of milk and dairy products for public
6 report. Such approval by the department shall be based on the evalu-
7 ation of these laboratories as to personnel training, laboratory methods
8 used and reporting. The results on tests made by approved laboratories
9 shall be reported to the department on request, on forms prescribed

10 by the secretary of agriculture and such reports may be used by the
11 department.”.

12 2. “It shall be the duty of the milk or cream grader to thoroughly
13 mix with all rejected milk or cream, a harmless coloring matter as will
14 prevent all such rejected milk from being offered for sale.”.

15 3. “**Transportation.** Every vehicle used to transport milk from
16 producers to any dairy plant shall be in a sanitary condition. Every
17 vehicle so used shall be enclosed to protect the milk from extreme heat
18 or cold and from dust or other contamination; provided, however, that
19 this provision shall not be applied to producers delivering their own
20 milk when such milk is otherwise protected from extreme heat or cold
21 and from dust or other contamination.”.

1 SEC. 6. Section one hundred ninety-five point seven (195.7), Code
2 1950, is amended as follows:

3 1. Insert in line one (1) after the word “of” the words “milk or”.

Approved April 26, 1951.

CHAPTER 81

WOODWARD AND GLENWOOD INSTITUTIONS

H. F. 167

AN ACT relating to the change in name of the hospital for epileptics and feeble-minded and the school for feeble-minded to “Woodward state hospital and school” and “Glenwood state school”.

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

1 SECTION 1. Section two hundred eighteen point one (218.1),
2 Code 1950, is amended by striking all of subsection three (3) and
3 and inserting in lieu thereof the following:

4 “3. Woodward state hospital and school.”

1 SEC. 2. Section four hundred forty-four point twelve (444.12),
2 Code 1950, is amended by striking from lines sixteen (16) to eighteen
3 (18), inclusive, the words, “for the feeble-minded, the hospital for
4 epileptics and school for feeble-minded at Woodward,” and insert-
5 ing in lieu thereof the words, “, the Woodward state hospital and
6 school,”.

Approved February 19, 1951.

CHAPTER 82

THE IOWA ANNIE WITTENMYER HOME

H. F. 169

AN ACT relating to the change in name of the soldiers' orphans home to The Iowa Annie Wittenmyer Home.

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

1 SECTION 1. Section two hundred eighteen point one (218.1), Code
2 1950, is amended by striking all of subsection eleven (11) and insert-

3 ing in lieu thereof the following: "11. The Iowa Annie Wittenmyer
4 Home."

1 SEC. 2. Section two hundred eighteen point eighty (218.80), Code
2 1950, is amended by striking from lines three (3) and four (4) of sub-
3 section one (1) the words, "soldiers' orphans home" and inserting in
4 lieu thereof the following: "The Iowa Annie Wittenmyer Home".

1 SEC. 3. Section two hundred fifty-five point twenty-eight (255.28),
2 Code 1950, is amended by striking from lines three (3) and four (4)
3 the words, "the soldiers' orphans home" and inserting in lieu thereof
4 the following: "The Iowa Annie Wittenmyer Home".

1 SEC. 4. Section four hundred forty-four point twelve (444.12),
2 Code 1950, is amended by striking from line nineteen (19) the words,
3 "the Iowa soldiers' orphans home" and inserting in lieu thereof the
4 following: "The Iowa Annie Wittenmyer Home".

Approved February 26, 1951.

CHAPTER 83

MENTAL HEALTH INSTITUTES

H. F. 592

AN ACT to change the official designation of the four state hospitals for insane to mental health institutes at the cities and towns wherein located.

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

1 SECTION 1. The "Cherokee State Hospital" shall hereafter be desig-
2 nated as follows: "Mental Health Institute, Cherokee, Iowa".

1 SEC. 2. The "Clarinda State Hospital" shall hereafter be desig-
2 nated as follows: "Mental Health Institute, Clarinda, Iowa".

1 SEC. 3. The "Independence State Hospital" shall hereafter be
2 designated as follows: "Mental Health Institute, Independence, Iowa".

1 SEC. 4. The "Mount Pleasant State Hospital" shall hereafter be
2 designated as follows: "Mental Health Institute, Mount Pleasant,
3 Iowa".

1 SEC. 5. The code editor is hereby authorized and directed to change
2 the designation of the institutions herein mentioned, by striking all
3 reference to "State Hospitals", wherever in the statutes they appear,
4 and inserting in lieu thereof the "Mental Health Institute" designation
5 followed by the appropriate location thereof as herein set forth.

Approved May 15, 1951.

CHAPTER 84

LIEN FOR CARE AT INSTITUTIONS

H. F. 31

AN ACT to amend section two hundred twenty-three point sixteen (223.16), Code 1950, to provide for the creation of a lien for the cost of care of inmates in Woodward state hospital and Glenwood state school.

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

- 1 SECTION 1. Section two hundred twenty-three point sixteen
- 2 (223.16), Code 1950, is amended by inserting in line three (3) after
- 3 the word "liability," the words "pertaining to liens and".

Approved May 15, 1951.

CHAPTER 85

REHABILITATION OF ALCOHOLICS

S. F. 341

AN ACT to provide for the rehabilitation of alcoholics who voluntarily enter or who are committed thereto as provided herein to state hospitals* for treatment.

WHEREAS, the number of alcoholics in the United States has increased more than three hundred thousand (300,000) in the last few years; and

WHEREAS, the state of Iowa is engaged in an attempt to control the consumption of alcoholic liquors by the distribution and sale thereof; and

WHEREAS, recent discoveries by science have tended to show that alcoholism is a disease—and will respond to medical and psychiatric treatment; and

WHEREAS, no proper and effective method for admission and treatment of alcoholics has been set up in the state of Iowa; now, therefore,

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

- 1 SECTION 1. Any resident of the state may apply for voluntary
- 2 admission for the treatment of alcoholism to Cherokee State Hospital*,
- 3 Independence State Hospital*, Clarinda State Hospital*, or Mt. Pleasant State Hospital*, the state hospital* serving the district in which
- 4 he resides. This application shall be made on forms provided by the
- 5 board of control and under such regulations as the board may pre-
- 6 scribe. If the superintendent shall be satisfied, after examination of
- 7 the applicant by the staff, that he is in need of hospital treatment and
- 8 will be benefited thereby, the superintendent may receive and care
- 9 for the applicant in the state hospital for such a period of time as he
- 10 shall deem necessary for the treatment, improvement or recovery of
- 11 said patient.
- 12

- 13 Chapter two hundred thirty (230), Code 1950, shall apply so far as
- 14 applicable in connection with the payment of the costs, expenses and
- 15 maintenance of the applicant in any of said institutions.

*See chapter 83.

1 SEC. 2. The board of control is directed to segregate and set aside
2 such accommodations as may be necessary which shall be used ex-
3 clusively for the treatment of patients received under this chapter.

1 SEC. 3. The discharge of patients from the state hospitals who
2 voluntarily entered the hospital shall be only by order of the superin-
3 tendent, but he shall be guided in his decisions by the physicians at-
4 tending such patient.

1 SEC. 4. Neither the superintendent nor any other official or em-
2 ployee of the state hospital shall be liable for the detention of any
3 person voluntarily admitted in such state hospital under the provisions
4 herein until thirty (30) days after the patient has made demand in
5 writing for his release from detention, and then only if it be established
6 that such detention was unreasonable and arbitrary. Nothing in this
7 Act, however, shall in any way restrict the right of any patient to
8 secure, or attempt to secure, his freedom by habeas corpus proceedings
9 as now provided by law.

1 SEC. 5. Upon receipt of such a demand for discharge the superin-
2 tendent may immediately request a writ of commitment from the
3 district court in which the hospital is located. Such request shall be
4 accompanied by a statement of attending physician that further treat-
5 ment is necessary in the best interests of the patient and the public.
6 The court shall set said request for immediate hearing before the court
7 and prescribe the notice to be given therefor. If it appears that the
8 patient is not represented by counsel, the court shall appoint one to
9 appear and defend said patient and who shall receive such compensa-
10 tion as the court shall fix, which shall be taxed as costs. The board of
11 control shall pay the costs of such proceedings. Such hearing shall be
12 private and all records made thereof shall be confidential. If upon
13 such hearing which shall be in presence of the patient the court shall
14 find the patient to be an alcoholic and in further need of treatment, he
15 shall issue a writ of commitment to the state hospital for a period not
16 to exceed ninety (90) days.

1 SEC. 6. This act shall be construed as severable. A decision in-
2 validating any portion hereof shall not affect other provisions which
3 can be given effect without such invalid part.

Approved May 15, 1951.

CHAPTER 86

PSYCHIATRIC TREATMENT

S. F. 108

AN ACT to amend section two hundred twenty-nine point nine (229.9), Code 1950, relating to the findings and orders of the county commission of insanity; and to amend section two hundred thirty point twenty-four (230.24), Code 1950, providing for the expenditure of county funds for psychiatric examination and treatment.

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

1 SECTION 1. Section two hundred twenty-nine point nine (229.9),
2 Code 1950, is amended by inserting after the word "order" in line four

3 (4) of said section the following: "first his observation and treatment
4 at the screening center located at the hospital in the district nearest
5 to the county in which the hearing is conducted and no order of com-
6 mitment shall issue until the superintendent of the hospital at which
7 said screening center is located shall find and recommend that such
8 order should be issued and, in the event that such recommendation of
9 commitment is made, the commission shall order".

10 Further amend section two hundred twenty-nine point nine (229.9),
11 Code 1950, by adding at the end thereof a paragraph as follows: "A
12 person ordered to screening center for observation and treatment shall
13 have the same right to appeal from the order as from the order of
14 commitment finding him insane as provided in sections two hundred
15 twenty-seven point seventeen (227.17), two hundred twenty-seven
16 point eighteen (227.18) and two hundred twenty-seven point nineteen
17 (227.19),* Code 1950."

1 SEC. 2. Amend section two hundred thirty point twenty-four
2 (230.24), Code 1950, by adding a new paragraph as follows:

3 The county board of supervisors are authorized to expend from
4 the county insane fund as provided in this section funds for psychiatric
5 examination and treatment of persons in need thereof in each county
6 where they have facilities available for such treatment, and any
7 county not having such facilities may contract through its board of
8 supervisors with any other county, which has facilities for psychiatric
9 examination and treatment, for the use thereof."

Approved May 15, 1951.

*According to enrolled Act. See sections 229.17 to 229.19, inclusive, of the Code.

CHAPTER 87

PROBATION OFFICERS

H. F. 69

AN ACT to amend section two hundred thirty-one point eight (231.8), Code 1950, relating to the appointment of probation officers in juvenile court and their salaries and expenses.

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

1 SECTION 1. Section two hundred thirty-one point eight (231.8),
2 Code 1950, is hereby amended by striking subsection six (6) from
3 said section, and inserting in lieu thereof the following:

4 "6. A probation officer may be appointed to serve two (2) or more
5 counties. The salary of such officer, and deputies, if any, shall be
6 fixed by the judges of the judicial district and shall not exceed seventy-
7 five percent (75%) of the aggregate of the salaries permissible by
8 law for the individual counties served. Such salary and the reasonable
9 expense of such office shall be prorated among the counties served
10 in such proportion as may be determined by the judges of the district
11 court of such district who shall, in making such determination, con-
12 sider the volume of work in such counties. The salary of such pro-
13 bation officers shall not exceed forty-two hundred dollars (\$4,200.00)
14 per annum."

Approved March 16, 1951.

CHAPTER 88

JUVENILE COURT OFFICERS

H. F. 348

AN ACT to amend section two hundred thirty-one point eight (231.8), Code 1950, relating to the appointment and compensation of juvenile court probation officers and secretaries.

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

1 SECTION 1. Section two hundred thirty-one point eight (231.8),
2 Code 1950, subsection two (2), is hereby amended by striking every-
3 thing after the word "exceed" in line eight (8) and substituting in
4 lieu thereof the following: "four thousand dollars (\$4,000.00) per
5 year and such deputy probation officers may be appointed as may be
6 necessary to carry out the work of the court. Such deputies shall be
7 paid not to exceed three thousand dollars (\$3,000.00) per year."

1 SEC. 2. Section two hundred thirty-one point eight (231.8), Code
2 1950, subsection three (3), is hereby amended by striking everything
3 after the word "exceed" in line four (4) and substituting in lieu thereof
4 the following: "forty-five hundred dollars (\$4500.00) per year and
5 such deputy probation officers may be appointed as may be necessary
6 to carry out the work of the court. Such deputies shall be paid not to
7 exceed thirty-six hundred dollars (\$3600.00) per year."

1 SEC. 3. Section two hundred thirty-one point eight (231.8), Code
2 1950, subsection four (4), is hereby amended by striking everything
3 after the word "exceed" in line four (4) and substituting in lieu thereof
4 the following: "fifty-four hundred dollars (\$5400.00) per year and
5 such deputy probation officers may be appointed as may be necessary
6 to carry out the work of the court. Such deputies shall be paid not
7 to exceed four thousand dollars (\$4,000.00) per year."

1 SEC. 4. Section two hundred thirty-one point eight (231.8), Code
2 1950, subsection five (5), is hereby amended as follows:

3 1. By striking the words "two thousand" (2000) in line six (6)
4 and substituting in lieu thereof the words "twenty-two hundred"
5 (2200).

6 2. By striking the word "four" (4) in line ten (10) and substituting
7 in lieu thereof the word "seven" (7).

Approved May 15, 1951.

CHAPTER 89

ASSISTANCE FOR BLIND PERSONS

H. F. 474

AN ACT to amend section two hundred forty-one point three (241.3), Code 1950, relating to assistance for blind persons.

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

1 SECTION. 1. Section two hundred forty-one point three (241.3),
2 Code 1950, is amended by striking the period (.) at the end thereof

3 and adding the following: "provided, however, that in determining
4 the eligibility of an individual claiming aid to the blind, or in determin-
5 ing the amount of such aid, the first fifty dollars (\$50.00) per month
6 of earned income of such individual shall be disregarded."

Approved May 15, 1951.

CHAPTER 90

PAROLES

S. F. 295

AN ACT to amend section two hundred forty-seven point twenty-three (247.23), Code 1950, relating to expenditures of the board of parole in caring for a court parolee.

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

1 SECTION 1. Amend section two hundred forty-seven point twenty-
2 three (247.23), Code 1950, by placing a comma instead of a period at
3 the end of the section and adding; "except costs connected with the
4 delivery of a person so paroled to the institution to which sentenced
5 upon revocation of the parole."

Approved April 16, 1951.

CHAPTER 91

TUBERCULOSIS HOSPITALS

S. F. 202

AN ACT to amend sections two hundred fifty-four point four (254.4), two hundred fifty-four point five (254.5) and four hundred forty-four point twelve (444.12), Code 1950, relating to cost of care of persons in tuberculosis hospitals and inspection of tuberculosis hospitals.

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

1 SECTION 1. That section two hundred fifty-four point four
2 (254.4), Code 1950, is amended by striking from line six (6) thereof
3 the words "twenty dollars per week." and substituting in lieu thereof
4 the following: "the average per patient per day cost of treatment in
5 any such institution."

1 SEC. 2. That section two hundred fifty-four point five (254.5),
2 Code 1950, is amended by striking from line three (3) thereof the
3 words "board of control, which board" and substituting in lieu thereof
4 the words "state department of health, which department".

1 SEC. 3. That section four hundred forty-four point twelve
2 (444.12), Code 1950, is amended by adding after the end of the sen-
3 tence in line twenty-three (23) thereof the following: "Cost of out-
4 patient care of tuberculous patients administered under the super-
5 vision of a tuberculosis sanatorium may be paid from the state institu-
6 tion fund."

Approved April 14, 1951.

CHAPTER 92

STATE AID FOR VOCATIONAL EDUCATION

S. F. 188

AN ACT to amend chapter two hundred fifty-eight (258), Code 1950, relating to state aid for vocational education.

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

1 SECTION 1. Sections two hundred fifty-eight point five (258.5)
2 and two hundred fifty-eight point eight (258.8), Code 1950, are hereby
3 repealed and the following substituted in lieu thereof:

4 "Whenever a school district maintains an approved vocational
5 school, department, or classes in accordance with the rules and regu-
6 lations established by the state board and the state plan for vocational
7 education, adopted by that board and approved by the U. S. office of
8 education or other federal agency to which its functions are assigned,
9 the state board shall reimburse such school district at the end of the
10 fiscal year for its expenditures for salaries and authorized travel of
11 vocational teachers from federal and state funds: Provided, that no
12 school district shall receive from federal and state funds a larger
13 amount than one-half the sum which has been expended by the school
14 district for that particular type of program; further, provided that in
15 the event federal and state funds are not sufficient to make such reim-
16 bursement to the extent herein provided, the state board shall prorate
17 the respective amounts available to the districts entitled to such re-
18 imbursement.

19 "The state board shall have the authority to use federal funds to
20 reimburse approved teacher training schools, departments, or classes
21 for the training of teachers of agriculture, home economics, trades
22 and industrial education, distributive education, and for the training
23 of guidance counselors."

1 SEC. 2. Section two hundred fifty-eight point six (258.6) is
2 amended by inserting the words "and state" after the word "federal"
3 in line five (5) and inserting words "and authorized travel" after the
4 word "salaries" in line five (5).

1 SEC. 3. There is hereby created as a permanent fund in the office
2 of the state board for vocational education a fund to be known as the
3 vocational education aid fund to be used for reimbursement to local
4 districts for programs of vocational education conducted in accord-
5 ance with the provisions of this chapter, and for the purpose of estab-
6 lishing and maintaining such fund for each fiscal year beginning July
7 1, 1951, there is appropriated thereto from funds in the general fund
8 not otherwise appropriated the sum of two hundred thousand dollars
9 (\$200,000.00), or so much thereof as may be necessary.

1 SEC. 4. This Act being deemed of immediate importance shall be
2 in full force and effect on its publication in The Kalona News, a news-
3 paper published at Kalona, Iowa, and in The Mediapolis New Era, a
4 newspaper published at Mediapolis, Iowa.

Approved April 30, 1951.

I hereby certify that the foregoing act was published in The Kalona News, Kalona, Iowa, May 3, 1951, and in The Mediapolis New Era, Mediapolis, Iowa, May 3, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 93

IOWA BRAILLE AND SIGHT-SAVING SCHOOL

S. F. 217

AN ACT to change the name of the state school for the blind to the Iowa braille and sight-saving school.

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

1 SECTION 1. Section two hundred sixty-nine point one (269.1),
2 Code 1950, is amended by striking from lines six (6) and eight (8) the
3 words, "school for the blind" and inserting in lieu thereof in each
4 instance the words, "Iowa braille and sight-saving school".

1 SEC. 2. Section two hundred sixty-nine point two (269.2), Code
2 1950, is amended by striking from lines three (3) and four (4) the
3 words, "school for the blind" and inserting in lieu thereof the words,
4 "Iowa braille and sight-saving school".

1 SEC. 3. Section two hundred sixty-two point seven (262.7), Code
2 1950, is amended by striking all of subsection four (4) and inserting
3 in lieu thereof a new subsection as follows:

4 "4. The Iowa braille and sight-saving school."

1 SEC. 4. Section ninety-three point one (93.1), Code 1950, is
2 amended by striking from line four (4) the words, "state school for
3 the blind" and inserting in lieu thereof the words, "Iowa braille and
4 sight-saving school".

1 SEC. 5. Section one hundred ninety-two point thirty-two (192.32),
2 Code 1950, is amended by striking from line five (5) the words, "col-
3 lege for the blind" and inserting in lieu thereof the words, "Iowa
4 braille and sight-saving school".

1 SEC. 6. Section two hundred fifty-five point twenty-eight (255.28),
2 Code 1950, is amended by striking from lines two (2) and three (3)
3 the words, "school for the blind" and inserting in lieu thereof the
4 the words, "Iowa braille and sight-saving school".

1 SEC. 7. Section two hundred eighty-one point three (281.3), Code
2 1950, is amended by striking from lines four (4) and five (5) of sub-
3 section ten (10) the words, "state school for the blind" and inserting
4 in lieu thereof the words, "Iowa braille and sight-saving school".

1 SEC. 8. Section two hundred eighty-one point seven (281.7), Code
2 1950, is amended by striking from the second line from the end of said
3 section the words, "state school for the blind" and inserting in lieu
4 thereof the words, "Iowa braille and sight-saving school".

1 SEC. 9. Section four hundred forty-four point twelve (444.12),
2 Code 1950, is amended by striking from line twenty (20) the words,
3 "school for the blind" and inserting in lieu thereof the words, "Iowa
4 braille and sight-saving school".

Approved April 14, 1951.

CHAPTER 94

REORGANIZATION OF SCHOOL DISTRICTS

S. F. 203

AN ACT to amend section two hundred seventy-five point three (275.3), Code 1950, section two hundred seventy-five point ten (275.10), Code 1950, section two hundred seventy-five point four (275.4), Code 1950, repeal section four (4), chapter one hundred fifty (150), Acts of the Fifty-second (52nd) General Assembly and amend section two hundred seventy-four point sixteen (274.16), Code 1950, section two hundred seventy-three point thirteen (273.13) relating to the reorganization of school districts and changing the boundary lines of school corporations and the duties of the county board of education in relation thereto.

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

1 SECTION 1. Section two hundred seventy-five point three (275.3),
2 Code 1950, is hereby amended by striking from line nine (9) the words
3 "In the development of such" and by striking lines ten (10), eleven
4 (11), twelve (12), thirteen (13), fourteen (14), and fifteen (15), and
5 by striking from line sixteen (16) the words "For the purpose of
6 assisting" and inserting in lieu thereof the words "Upon the written
7 request of".

1 SEC. 2. Section two hundred seventy-five point ten (275.10), Code
2 1950, is hereby amended by striking from line eight (8) the words
3 "shall be final" and inserting in lieu thereof the words "may be ap-
4 pealed to a court of record in one of the counties involved, by an
5 aggrieved party to the controversy, within thirty (30) days after the
6 decision of the state department of public instruction, by a writ of
7 certiorari where upon such appeal the hearing shall be de novo.

1 SEC. 3. Section four (4), chapter one hundred fifty (150), Acts
2 of the fifty-second (52nd) general assembly is hereby repealed and the
3 following enacted: "The county board of education shall prepare and
4 approve tentative plans for reorganization of school districts within
5 the county after consultation with the boards of the various districts
6 in the county and the state department of public instruction. Within
7 ten (10) days after the county board has approved their tentative plan
8 they shall file such plan with the state department of public instruction.
9 Any proposal for merger, consolidation or boundary change shall first
10 be submitted to the county board of education for approval before
11 being submitted to the affected districts at an election. Such proposal
12 shall in no way interfere with the countywide plan for reorganization
13 which has been approved by the county board."

1 SEC. 4. Section two hundred seventy-four point sixteen (274.16),
2 Code 1950, is hereby amended by striking the period (.) at the end of
3 line five (5) and adding the following: "; provided, a written request
4 for such action by any ten legal voters residing in each of said con-
5 tiguous districts or, if there be not ten, then a majority of such voters,
6 has been filed with their respective board of directors and the proposed
7 boundary changes are approved by the legal voters of each of said
8 contiguous districts at an election called and conducted in the same
9 manner as provided for in section two hundred seventy-four point
10 thirty-eight (274.38)."

1 SEC. 5. Section two hundred seventy-five point four (275.4), Code

2 1950, is hereby amended by striking from line one (1) the word "final"
 3 and by striking the lines two (2), three (3), four (4), five (5), and
 4 inserting in lieu thereof the following: "approval by the county board
 5 of any plan of reorganization, consolidation or merger, the boards of
 6 the affected districts shall, at a special election, submit same to the
 7 qualified electors of each of".

8 Section two hundred seventy-five point four (275.4), Code 1950, is
 9 further amended by striking all of said section after the word "elec-
 10 tion" in line thirteen (13) thereof and inserting a period (.) in lieu
 11 of the semi-colon (;) following the word "election".

1 SEC. 6. Section two hundred seventy-three point thirteen (273.13),
 2 Code 1950, sub-section twelve (12) is hereby amended by striking line
 3 one (1) and the words "of public instruction," in line two (2) and
 4 capitalize the word "With" in line two (2).

5 Section two hundred seventy-three point thirteen (273.13), sub-
 6 section 12, Code 1950, is further amended by striking the words
 7 ", and the superintendent of public instruction" from lines twelve (12)
 8 and thirteen (13).

1 SEC. 7. This Act being deemed of immediate importance shall be in
 2 full force and effect from and after its publication in The Lockridge
 3 Times, a newspaper published at Lockridge, Iowa, and the Hudson
 4 Herald, a newspaper published at Hudson, Iowa.

Approved March 20, 1951.

I hereby certify that the foregoing act was published in The Lockridge Times, Lock-
 ridge, Iowa, March 22, 1951, and in the Hudson Herald, Hudson, Iowa, March 29, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 95

SCHOOL LUNCH PROGRAMS

S. F. 228

AN ACT to provide for the establishment, maintenance and operation, of non-profit
 school lunch programs in public schools in the state of Iowa, to authorize the
 state of Iowa to accept federal funds for this purpose.

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

1 SECTION 1. **Definitions.** For the purpose of this act:

2 (1) "School board" means a board of school directors regularly
 3 elected by the qualified voters of a school corporation or district of
 4 the state of Iowa.

5 (2) "School" means a public school of high school grade or under.

6 (3) "School lunch program" means a program under which lunches
 7 are served by any public school in the state of Iowa on a non-profit
 8 basis to children in attendance, including any such program under
 9 which a school receives assistance out of funds appropriated by the
 10 congress of the United States.

1 SEC. 2. **School boards.** School boards shall have power to operate
 2 or provide for the operation of school lunch programs in schools under

3 their jurisdiction, and may use therefor funds disbursed to them under
4 the provisions of this act, gifts, funds received from sale of school
5 lunches under such programs, and any other funds legally available.

1 **SEC. 3. Expenditure of federal funds.** The superintendent of pub-
2 lic instruction is hereby authorized to accept and direct the disburse-
3 ment of funds appropriated by any act of congress and appropriated
4 to the state of Iowa for use in connection with school lunch programs.
5 The superintendent of public instruction shall deposit all such funds
6 with the treasurer of the state of Iowa, who shall make disbursements
7 therefrom upon the direction of the superintendent of public in-
8 struction.

1 **SEC. 4. Administration of program.** The superintendent of public
2 instruction may enter into such agreements with any agency of the
3 federal government, with any school board, or with any other agency
4 or person, prescribe such regulations, employ such personnel, and take
5 such other action as he may deem necessary to provide for the estab-
6 lishment, maintenance, operation, and expansion of any school lunch
7 program, and to direct the disbursement of federal and state funds, in
8 accordance with any applicable provisions of federal or state law. The
9 superintendent of public instruction may give technical advice and
10 assistance to any school board in connection with the establishment
11 and operation of any school lunch program and may assist in training
12 such personnel engaged in the operation of such program. The super-
13 intendent of public instruction and any school board may accept any
14 gift for use in connection with any school lunch program.

1 **SEC. 5. Accounts, records, reports, and operations.** The superin-
2 tendent of public instruction shall prescribe regulations for the keeping
3 of accounts and records and the making of reports by or under the
4 supervision of school boards. Such accounts and records shall at all
5 times be available for inspection and audit by authorized officials and
6 shall be preserved for such period of time, not in excess of five (5)
7 years, as the superintendent of public instruction may lawfully pre-
8 scribe. The superintendent of public instruction shall conduct or
9 cause to be conducted such audits and inspections with respect to
10 school lunch programs as may be necessary to determine whether its
11 agreement with school boards and regulations made pursuant to this
12 act are being complied with, and to insure that school lunch programs
13 are effectively administered.

1 **SEC. 6.** This act being deemed of immediate importance shall take
2 effect and be in force from and after its being published in The Record-
3 Republican, a newspaper published in Bonaparte, Iowa and the Mar-
4 shalltown Times-Republican, a newspaper published in Marshalltown,
5 Iowa.

Approved April 11, 1951.

I hereby certify that the foregoing act was published in The Record-Republican, Bona-
parte, Iowa, April 19, 1951, and in the Marshalltown Times-Republican, Marshalltown,
Iowa, April 14, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 96

TEACHERS' CERTIFICATES

H. F. 90

AN ACT to amend section two hundred seventy-nine point thirteen (279.13), Code 1950, relating to teachers' contracts and section two hundred sixty point ten (260.10) relating to the issuance of teachers' certificates by the board of educational examiners to foreign applicants and providing for the exchange of teachers between school districts and other schools, and providing for necessary regulations and rules governing the same.

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

1 SECTION 1. Section two hundred seventy-nine point thirteen
2 (279.13), Code 1950, is amended by inserting a new paragraph fol-
3 lowing the word "board" in line twenty (20) as follows:

4 "Boards of school directors shall have power to arrange for an ex-
5 change of teachers in the public schools under their jurisdiction with
6 other public school corporations either within or without the state or
7 the United States on such terms and conditions as are approved by the
8 state superintendent of public instruction and when so arranged and
9 approved the board may continue to pay the salary of the teacher ex-
10 changed as provided in the contract between said teacher and the
11 board for a period of one year, and such teacher shall not lose any
12 privileges of tenure, old age and survivors insurance, or certification
13 as a result of such exchange. Said contract may be renewed each year
14 as determined by the employing school board provided that the visiting
15 exchange teacher is paid in full for the service rendered by the school
16 authorities with whom his contract is made. Such exchange teachers
17 must have qualifications equivalent to the regular teacher employed
18 by the board and who is serving as the exchange teacher and must
19 secure a special certificate covering the subjects designated for him
20 to teach in the public schools in which the instruction is given. The
21 state superintendent of public instruction is hereby authorized to
22 formulate, establish, and enforce any reasonable regulation necessary
23 to govern the exchange of teachers as provided in this act, including
24 the waiver of Iowa certification requirements for teachers who are
25 regularly certificated or licensed in the jurisdiction from which they
26 come."

1 SEC. 2. Section two hundred sixty point ten, (260.10), Code 1950,
2 is amended by adding the words "or country" after the word "state"
3 in line four (4) thereof and by adding the words "or country" after
4 the word "state" in line nine (9).

Approved March 28, 1951.

CHAPTER 97

SCHOOL BUSES

H. F. 186

AN ACT to amend section two hundred eighty-five point eleven (285.11), Code 1950, pertaining to school busses.

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

1 SECTION 1. Section two hundred eighty-five point eleven (285.11),

2 Code 1950, is hereby amended by adding to subsection seven (7) the
 3 following: "Provided, however, nothing in this paragraph shall pro-
 4 hibit the use of school busses in transporting a school teacher going to
 5 and from her school when such school is on an established school bus
 6 route and such teacher makes arrangements with the district operating
 7 such school bus."

Approved May 15, 1951.

CHAPTER 98

SCHOOL TRANSPORTATION

S. F. 177

AN ACT relating to appeals from orders made by local school boards and county boards of education respecting school transportation and bus routes and by repealing sections two hundred eighty-five point twelve (285.12) and two hundred eighty-five point thirteen (285.13), Code 1950, and enacting substitutes therefor.

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

1 SECTION 1. Section two hundred eighty-five point twelve (285.12),
 2 Code 1950, is hereby repealed and the following enacted in lieu
 3 thereof:

4 "In the event of a disagreement between a school patron and the
 5 board of the school district, the patron if dissatisfied with the decision
 6 of the district board, may appeal the same to the county board of
 7 education, notifying the secretary of the district in writing within
 8 ten days of the decision of the board and by filing an affidavit of appeal
 9 with the county board of education within the ten-day period. The
 10 affidavit of appeal shall include the reasons for the appeal and points
 11 at issue. The secretary of the local board on receiving notice of appeal
 12 shall certify all papers to the county board of education which shall
 13 hear the appeal within ten days of the receipt of the papers and decide
 14 it within three days of the conclusion of the hearing and shall immedi-
 15 ately notify all parties of its decision. Either party may appeal the
 16 decision of the county board to the state superintendent of public in-
 17 struction by notifying the opposite party and the county superintend-
 18 ent of schools in writing within five days after receipt of notice of the
 19 decision of the county board of education and shall file with the state
 20 superintendent of public instruction an affidavit of appeal, reasons for
 21 appeal, and the facts involved in the disagreement. The county super-
 22 intendent of schools shall, within ten days of said notice, file with the
 23 state superintendent of public instruction all records and papers per-
 24 taining to the case, including action of the county board of education.
 25 The state superintendent of public instruction shall hear the appeal
 26 within fifteen days of the filing of the records in his office, notifying all
 27 parties and the county superintendent of schools of the time of hear-
 28 ing. The state superintendent of public instruction shall forthwith
 29 decide the same and notify all parties of his decision and return all
 30 papers with a copy of the decision to the county superintendent of
 31 schools. The decision of the state superintendent of public instruction
 32 shall be subject to appeal to the district court. Any order of the
 33 district court shall be subject to appeal to the supreme court in accord

34 with the statutes respecting appeals to that court. Pending final order
 35 made by the state superintendent of public instruction, or the district
 36 court, or the supreme court, as the case may be, upon any appeal
 37 prosecuted to such superintendent or to such courts, the order of the
 38 county board of education from which the appeal is taken shall be
 39 operative and be in full force and effect.

1 SEC. 2. Section two hundred eighty-five point thirteen (285.13),
 2 Code 1950, is hereby repealed and the following enacted in lieu thereof:

3 "In the event of a disagreement between the board of a school district
 4 and the county board of education, the board of the school district
 5 may appeal to the state superintendent of public instruction and the
 6 procedure and times provided for in section two hundred eighty-five
 7 point twelve (285.12), Code 1950, shall prevail in any such case. The
 8 decision of the state superintendent of public instruction shall be subject
 9 to appeal to the courts as provided for in section two hundred
 10 eighty-five point twelve (285.12), Code 1950."

Approved April 14, 1951.

CHAPTER 99

SCHOOLHOUSE SITES

H. F. 370

AN ACT to amend section two hundred ninety-seven point two (297.2), Code 1950, relating to the acreage limitation on schoolhouse sites.

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

1 SECTION 1. Section two hundred ninety-seven point two (297.2),
 2 Code 1950, is hereby amended by striking from line six (6) the word
 3 "two" (2) and inserting in lieu thereof the word "ten" (10).

Approved May 15, 1951.

CHAPTER 100

SCHOOL TAXES

H. F. 183

AN ACT to amend section two hundred ninety-eight point one (298.1), and section two hundred ninety-eight point two (298.2), Code 1950, relating to school taxes.

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

1 SECTION 1. Amend section two hundred ninety-eight point one
 2 (298.1), Code 1950, by striking from line three (3) of subsection one
 3 (1) the word "ten" and substituting in lieu thereof the word "forty".

1 SEC. 2. Amend section two hundred ninety-eight point one (298.1),
 2 Code 1950, by striking from line four (4) of subsection two (2) the
 3 word "twenty-five" and substituting in lieu thereof the word "sixty".

1 SEC. 3. Amend section two hundred ninety-eight point one (298.1),
 2 Code 1950, by striking from line two (2) of subsection three (3) the

3 word "forty" and substituting in lieu thereof the word "seventy-five".
 4 Further amend subsection three (3) of said section by striking all
 5 after the word "dollars" in line two (2) and substituting in lieu there-
 6 of the following: "except corporations not maintaining an approved
 7 high school, two hundred dollars, and such additional amount as will
 8 be necessary to pay the cost of tuition for pupils attending high
 9 schools; provided, however, that compliance with chapter twenty-four
 10 (24), Code 1950, shall be observed."

1 SEC. 4. Amend section two hundred ninety-eight point one (298.1),
 2 Code 1950, by inserting after the word "required" and before the word
 3 "for" in line six (6), the following: "to be raised by taxation".

1 SEC. 5. Amend section two hundred ninety-eight point two
 2 (298.2), Code 1950, by striking the period at the end of said section
 3 and adding the following: "; provided that the comptroller may, upon
 4 recommendation of the county board of education, or the county board
 5 of supervisors of the county in which the school is located, authorize
 6 such district to levy an amount in excess of thirty-five per cent."

Approved April 19, 1951.

CHAPTER 101

PERMANENT SCHOOL FUND

H. F. 564

AN ACT to amend chapter three hundred two (302), Code 1950, relating to school funds.

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

1 SECTION 1. Section three hundred two point one (302.1), Code
 2 1950, subsection one (1), is hereby amended by striking the comma
 3 (,) in line five (5), and substituting in lieu thereof a period (.), and
 4 by striking everything thereafter.

1 SEC. 2. Section three hundred two point two (302.2), Code 1950,
 2 is hereby amended by striking the period (.) in line five (5), and sub-
 3 stituting in lieu thereof the following: ", and the county treasurer
 4 shall pay the proceeds to the state treasurer once each month."

1 SEC. 3. Section three hundred two point five (302.5), Code 1950,
 2 is hereby amended by adding at the end thereof the following: "Such
 3 county treasurer shall pay to the state treasurer on the first (1st.)
 4 day of February all interest collected."

1 SEC. 4. Section three hundred two point seven (302.7), Code 1950,
 2 is hereby amended by striking everything after the word "and" in
 3 line thirty-two (32), and substituting in lieu thereof the following:
 4 "the county treasurer shall forthwith pay the same to the state treas-
 5 urer which shall become a part of the permanent school fund."

1 SEC. 5. Sections three hundred two point thirteen (302.13) and
 2 three hundred two point fourteen (302.14), Code 1950, are hereby re-
 3 pealed and the following substituted in lieu thereof:

4 "On the first (1st.) Monday of March annually, the state comptroller

5 shall apportion the interest of the permanent school fund among the
6 several counties, in proportion to the number of persons of school age
7 in each county, as shown by the report of the superintendent of public
8 instruction, as provided by section two hundred fifty-seven point four
9 (257.4), subsection twelve (12)."

1 SEC. 6. Section three hundred two point fifteen (302.15), Code
2 1950, is hereby repealed and the following substituted in lieu thereof:

3 "All property and money hereafter accrued to the school fund shall
4 be managed and controlled by the state treasurer, and he shall be
5 responsible for the safekeeping, investment, reinvestment and dis-
6 bursement of the same."

1 SEC. 7. Section three hundred two point sixteen (302.16), Code
2 1950, is hereby amended as follows:

3 1. By striking the word "county" in line three (3) and substituting
4 in lieu thereof the word "state".

5 2. By striking the words "county attorney" in line four (4), and
6 substituting in lieu thereof the words "attorney general", and by plac-
7 ing a period (.) thereafter, and by striking the following: "or such
8 attorney as the board may select."

1 SEC. 8. Section three hundred two point nineteen (302.19), Code
2 1950, is hereby amended by striking everything after line two (2) and
3 substituting in lieu thereof the following: "the state treasurer as it
4 comes into his hands."

1 SEC. 9. Section three hundred two point twenty (302.20), Code
2 1950, is hereby repealed and the following substituted in lieu thereof:

3 "The permanent school fund which is, at any time, in the custody of
4 the state treasurer, shall be invested as follows:

5 1. In bonds, notes, certificates and other valid obligations of the
6 United States;

7 2. In bonds, notes, debentures and other securities issued by any
8 federal instrumentality and fully guaranteed by the United States;

9 3. In bonds, notes, certificates and other valid obligations of the
10 state of Iowa or of any county, township, city, town or other political
11 subdivision of the state of Iowa which are issued pursuant to law."

1 SEC. 10. Sections three hundred two point twenty-one (302.21),
2 three hundred two point twenty-two (302.22), three hundred two
3 point twenty-three (302.23), three hundred two point twenty-five
4 (302.25), three hundred two point twenty-six (302.26), three hundred
5 two point twenty-seven (302.27) and three hundred two point forty-
6 three (302.43), Code 1950, are hereby repealed.

1 SEC. 11. Chapter three hundred two (302), Code 1950, is further
2 amended by adding thereto the following:

3 "The board of supervisors shall order and direct the county auditor
4 to draw his warrant, payable to the state treasurer, for the amount
5 of the permanent school fund not loaned and which is held in cash in
6 the custody and possession of such county.

7 "All loans of the permanent school fund which are secured by mort-
8 gages and are outstanding and unpaid as of January 1 (1st.), 1951,

9 shall be collected when the mortgages mature and be paid to the state
10 treasurer to become a part of the permanent school fund.

11 "All bonds, whether federal, state or municipal, held by the counties
12 which were purchased with permanent school funds by the counties
13 shall be surrendered to the state treasurer to become a part of the
14 permanent school fund."

Approved May 2, 1951.

CHAPTER 102

DESTRUCTION OF PUBLIC DOCUMENTS

S. F. 142

AN ACT relating to the public archives and authorizing destruction of certain documents after custody for a fixed period and for amending section three hundred three point ten (303.10), Code 1950.

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

1 SECTION 1. Section three hundred three point ten (303.10), Code
2 1950, is amended by adding thereto the following:

3 "The curator shall not be required to preserve permanently, cancelled
4 or redeemed state warrants or duplicate warrant registers, respec-
5 tively, of the state comptroller and the treasurer of state, but is hereby
6 empowered to destroy by burning any such warrants, having no his-
7 torical value, that have been in his custody for a period of ten (10)
8 years, and likewise to destroy by burning any duplicate warrant
9 registers after having been in his custody for a period of five (5)
10 years."

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in The
3 Red Oak Express, a newspaper published at Red Oak, Iowa, and The
4 Villisca Review, a newspaper published at Villisca, Iowa.

Approved March 27, 1951.

I hereby certify that the foregoing act was published in The Red Oak Express, Red Oak, Iowa, March 29, 1951, and in The Villisca Review, Villisca, Iowa, April 5, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 103

HIGHWAYS

H. F. 59

AN ACT to amend chapters three hundred six (306), three hundred eight (308), three hundred nine (309), three hundred ten (310), three hundred thirteen (313), four hundred seventy-one (471) and four hundred seventy-three (473), Code 1950, all relating to classification, jurisdiction, control, establishment, alteration and vacation of highways.

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

1 SECTION 1. Chapter three hundred six (306), Code 1950, except
2 sections three hundred six point forty-eight (306.48), three hundred

3 six point fifty-one (306.51), to three hundred six point fifty-nine
4 (306.59), both inclusive, and three hundred six point sixty-one
5 (306.61), is hereby repealed.

1 **SEC. 2. Classification of highways.** The highways of the state are
2 hereby classified into three systems, to-wit: The primary road sys-
3 tem, the state park and institutional road system, and the secondary
4 road system.

5 The secondary road system is subdivided into farm to market roads
6 and local secondary roads.

1 **SEC. 3. Definition of road systems.** The following words and
2 phrases when used in this chapter or in any chapter of the code re-
3 lating to highways shall respectively have the following meaning:

4 1. *Primary roads.* The term "primary roads" or "primary road
5 system" shall include those main market roads and highway traffic
6 arteries, outside of cities and towns, which have been designated as
7 primary roads under section three hundred thirteen point two (313.2),
8 Code 1950, or which may hereafter be so designated as the law may
9 provide.

10 2. *State park and institutional roads.* The term "state park and
11 institutional roads" shall include those highways, either inside or out-
12 side of cities and towns, upon or adjacent to land belonging to the state
13 at any state park or state institution.

14 3. *Secondary roads.* The term "secondary roads" or "secondary
15 road system" shall include all public highways, outside of cities and
16 towns, except primary roads and state park and institutional roads.

17 4. *Farm to market roads.* The term "farm to market roads" or
18 "farm to market road system" shall include those main secondary
19 roads which have been designated as farm to market roads under
20 section three hundred ten point ten (310.10), Code 1950, or which may
21 hereafter be so designated as the law may provide.

22 5. *Local secondary roads.* The term "local secondary roads" or
23 "local secondary road system" shall include all those secondary roads
24 which are not now, or may not hereafter be, included in the farm to
25 market road system.

1 **SEC. 4. Jurisdiction—control.** Jurisdiction and control over the
2 highways of the state are hereby vested in and imposed on (a) the
3 state highway commission as to primary roads; (b) the county board
4 of supervisors as to secondary roads within their respective counties;
5 and (c) the board or commission in control of any state park or insti-
6 tution as to any state park or institutional road at such state park or
7 state institution.

1 **SEC. 5. Power to establish, alter or vacate.** In the construction,
2 improvement, operation or maintenance of any highway, or highway
3 system, the board or commission which has control and jurisdiction
4 over such highway or highway system, shall have power, on its own
5 motion, to alter or vacate and close any such highway or railroad
6 crossing thereon, and to establish new highways or railroad crossing
7 thereon which are or are intended to become a part of the highway

8 system over which said board or commission has jurisdiction and
9 control.

1 **SEC. 6. Hearing—place—date.** In proceeding to the vacation and
2 closing of any road, part thereof, or railroad crossing, the board or
3 commission in control of said road, or road system, shall fix a date
4 for a hearing thereon in the county where said road, or part thereof,
5 or crossing, is located, and if located in more than one county, then in
6 a county wherein any part of such road or crossing is located. If the
7 road to be vacated or changed is a secondary road located in more than
8 one county, the boards of supervisors of such counties, acting jointly,
9 shall fix a date for a hearing thereon in either or any of the counties
10 where such road, or part thereof, is located.

1 **SEC. 7. Notice—service.** Notice of such hearing shall be published
2 in some newspaper of general circulation in the county or counties
3 where such road is located, at least twenty (20) days prior to the date
4 of hearing. The board or commission which instituted said proceed-
5 ings and is holding such hearing, shall notify the state highway com-
6 mission, the board or boards of supervisors, or board or commission
7 in control of affected state lands, as the case may be, of the time and
8 place of such hearing, by registered mail addressed to the state high-
9 way commission, the county auditor, or the board or commission in
10 control of affected state lands, as the case may be.

1 **SEC. 8. Notice—requirements.** Said notice shall state the time
2 and place of such hearing, the location of the particular road, or part
3 thereof, or crossing, the vacation and closing of which is to be con-
4 sidered, and such other data as may be deemed pertinent.

1 **SEC. 9. Objections—claims for damages.** At such hearing, the
2 state highway commission, the board of supervisors, or the board or
3 commission in control of affected state lands, as the case may be, and
4 any interested person, may appear and object and be heard. Any
5 person owning land abutting on a road which it is proposed to vacate
6 and close, shall have the right to file, in writing, a claim for damages
7 at any time on or before the date fixed for hearing.

1 **SEC. 10. Purchase and sale of property.** If as to any one or more
2 properties affected by the proposed vacation and closing of any second-
3 ary road, it should appear to the board of supervisors to be in the
4 interest of economy or public welfare, the board may purchase or con-
5 demn, by proceeding as this act provides, the said entire property or
6 properties, and make payment therefor out of the secondary road fund.
7 After the road has been vacated and closed the board shall sell such
8 property or properties at the best attainable price, and credit the
9 proceeds of such sale to the secondary road fund.

1 **SEC. 11. Final order.** After such hearing, the commission, board
2 or boards which instituted such proceedings and conducted such hear-
3 ing, shall enter an order. Said commission or board may dismiss the
4 proceedings, or it may vacate and close such road, part thereof, or
5 crossing, in which event it shall determine and state in the order the
6 amount of the damages allowed to each claimant. Said order thus
7 entered shall be final except as to the amount of the damages. A copy

8 of such order shall be filed with the county auditor of the county or
9 counties in which the road, part thereof, or crossing, is located and
10 with the state highway commission and the board or commission in
11 control of any affected state land.

1 **SEC. 12. Appeal.** Any claimant for damages may, by serving,
2 within twenty (20) days after the said final order has been issued,
3 a written notice upon the commission, board or boards which insti-
4 tuted and conducted such proceedings, appeal as to the amount of
5 damages, to the district court of the county in which the land is located,
6 in the manner and form prescribed in chapter four hundred seventy-
7 two (472), Code 1950, with reference to appeals from condemnation,
8 and such proceedings shall thereafter likewise conform to the appli-
9 cable provisions of said chapter.

1 **SEC. 13. Establishment.** In the establishment of any road, the
2 board or commission in control of such road or road system need not
3 cause a hearing to be held thereon or notice to be published thereof,
4 but may do so.

1 **SEC. 14. Purchase or condemnation of right of way—procedure.**
2 Proceedings for the condemnation of land for any highway shall be
3 under the provisions of chapter four hundred seventy-one (471) and
4 chapter four hundred seventy-two (472), Code 1950, or as said chap-
5 ters may be amended.

6 Provided that, in the condemnation of right of way for secondary
7 roads, the board of supervisors may proceed as provided in sections
8 three hundred six point fifty-one (306.51) to three hundred six point
9 fifty-nine (306.59), both inclusive, and three hundred six point sixty-
10 one (306.61), Code 1950.

1 **SEC. 15.** No road shall be established through any cemetery or
2 burying ground without the consent of all the parties affected by the
3 same, nor shall any ground be taken for the rounding of a corner where
4 the dwelling house, lawn and ornamental trees connected therewith are
5 located at such corner, except by consent of the owner thereof.

1 **SEC. 16. Plat and field notes.** After any road has been finally
2 established or altered, a plat and field notes thereon must be filed by
3 the commission or board having control and jurisdiction over said
4 road, with and recorded by the county auditor.

1 **SEC. 17. Sale of unused right of way.** When title to any tract or
2 parcel of land has been or may hereafter be acquired for the improve-
3 ment of any highway, and when in the judgment of the board or com-
4 mission in control of said highway, said tract or parcel of land, or part
5 thereof, is not now and will not hereafter be used in connection with
6 or for the improvement, maintenance, or use of said highway, the
7 board or commission in control of such highway may sell said tract,
8 parcel, or piece of land, or any part thereof, for cash. If such tract,
9 parcel, or piece of land or part thereof is held or used in connection
10 with any primary road, or state park or institutional road, such sale
11 shall be subject to approval of the executive council of the state of
12 Iowa.

13 In the event any such tract or parcel of land is sold, such sale shall

14 be subject to the right of a utility association, company or corporation
15 to continue in possession of a right of way in use at the time of such
16 sale.

1 **SEC. 18. Notice—preference of sale.** Notice of intention to sell
2 such tract, parcel, or piece of land, or part thereof, must, not less than
3 ten (10) days prior to the sale thereof, be sent by registered mail, by
4 the board or commission in control of such land, to the last known
5 address of the present owner of adjacent land from which said tract,
6 parcel, piece of land or part thereof, was originally bought or con-
7 demned for highway purposes, and if located in a city or town, to the
8 mayor thereof. Said notice shall give an opportunity to the present
9 owner of adjacent property to be heard and make offers for the tract,
10 parcel or piece of land to be sold, and if such offer is equal to or ex-
11 ceeds in amount any other offer received, it shall be given preference
12 by the board in control of said land. Neglect or failure for any reason,
13 to comply with the provisions of said notice, shall in no way prevent
14 the giving of a clear title to the purchaser of said tract, parcel or piece
15 of land.

1 **SEC. 19. Conditions.** Any sale of land as herein authorized shall be
2 upon the conditions that the tract, parcel, or piece of land so sold shall
3 not be used in any manner so as to interfere with the use of the high-
4 way by the public, or to endanger public safety in the use of the high-
5 way, or to the material damage of the adjacent owner.

1 **SEC. 20. Execution of conveyance.** Where a sale of land in con-
2 nection with any primary road or state park or institutional road has
3 been authorized as herein provided, written conveyances containing
4 the conditions as prescribed by the executive council shall be made in
5 the name of the state and signed by the governor and secretary of
6 state, and the great seal of the state of Iowa attached thereto. Where
7 a sale of land in connection with any secondary road has been author-
8 ized by the board of supervisors as herein provided, written con-
9 veyances containing the provisions prescribed by the board of super-
10 visors shall be made in the name of the county and signed by the chair-
11 man of the board of supervisors and the county auditor.

1 **SEC. 21. Payment of damages and right of way cost—proceeds of**
2 **sale.** Damages allowed on account of the vacation of any highway and
3 costs incident thereto, right of way or land purchased or condemned
4 for or on account of any highway and costs incident thereto, and the
5 funds received from the sale of any highway right of way or land, shall
6 be paid from or credited to, as the case may be, the road fund or funds
7 applicable to said highway or highway system.

1 **SEC. 22.** Sections three hundred eight point two (308.2), three
2 hundred nine point one (309.1), three hundred nine point two (309.2),
3 three hundred nine point sixty-four (309.64), three hundred ten point
4 twenty-three (310.23), three hundred ten point twenty-four (310.24),
5 three hundred thirteen point twenty-five (313.25), three hundred
6 thirteen point twenty-six (313.26), three hundred thirteen point forty-
7 two (313.42), three hundred thirteen point forty-six (313.46), to
8 three hundred thirteen point fifty-seven (313.57), both inclusive, four

9 hundred seventy-three point three (473.3) and four hundred seventy-
10 three point four (473.4), Code 1950, are hereby repealed.

1 SEC. 23. Section three hundred ten point one (310.1), Code 1950,
2 is hereby amended by striking subsections one (1) and two (2) of
3 said section and renumbering the remaining subsections of said sec-
4 tion, one (1) and two (2), respectively.

1 SEC. 24. Section four hundred seventy-one point four (471.4),
2 Code 1950, is hereby amended by striking the period (.) at the end of
3 subsection one (1) of said section and adding thereto the following:
4 "and the construction, improvement or maintenance of highways."

1 SEC. 25. **Constitutionality.** If any part of this Act shall be held
2 to be unconstitutional, such unconstitutionality shall not affect the
3 validity of the remaining parts of this Act. The legislature hereby
4 declares that it would have passed the remainder of this Act if it had
5 known that such part thereof would have been declared unconsti-
6 tutional.

Approved April 26, 1951.

CHAPTER 104

HIGHWAY WEIGHING STATIONS

H. F. 409

AN ACT to amend section three hundred thirteen point twenty-five (313.25), Code 1950, relating to the condemnation of land by the highway commission.

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

1 SECTION 1. Section three hundred thirteen point twenty-five
2 (313.25)*, Code 1950, is hereby amended by inserting following the
3 word "therefor" in line nine (9) thereof the following: ", for the
4 drainage thereof, for yards for storage of road material and storage
5 and repair of maintenance equipment, for traffic weighing stations".

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect upon its passage and publication in the Oskaloosa
3 Tribune-Press, a newspaper published at Oskaloosa, Iowa, and in The
4 Oakland Acorn, a newspaper published at Oakland, Iowa.

Approved April 14, 1951.

I hereby certify that the foregoing act was published in the Oskaloosa Tribune-Press, Oskaloosa, Iowa, April 20, 1951, and in The Oakland Acorn, Oakland, Iowa, April 19, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

*Section repealed by chapter 103, §22.

CHAPTER 105

ROAD USE TAX FUNDS

S. F. 200

AN ACT to amend section three hundred eight A point three (308A.3), Code 1950, relating to the apportionment of the road use tax fund to cities and towns whose corporation status has been changed since the latest federal census.

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

1 SECTION 1. Section three hundred eight A point three (308A.3),
2 Code 1950, is hereby amended by adding thereto the following sub-
3 section:

4 "In any case where a city or town has been incorporated since the
5 latest available federal census the mayor and council shall certify to
6 the state treasurer the actual population of such incorporated city or
7 town as of the date of incorporation and its apportionment of funds
8 under this section shall be based upon such certification until the
9 next federal census enumeration. Any community which has dis-
10 solved its corporation shall not receive any apportionment of funds
11 under this certificate for any period after said corporation has been
12 dissolved."

Approved March 22, 1951.

CHAPTER 106

SECONDARY ROADS

H. F. 365

AN ACT to amend section three hundred eleven point seven (311.7), Code 1950, relating to secondary roads.

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

1 SECTION 1. Section three hundred eleven point seven (311.7), Code
2 1950, is hereby amended by adding the following sentence at the end
3 of the first paragraph:

4 "When a proper petition is filed, it shall retain its preference in suc-
5 ceeding years."

1 SEC. 2. Section three hundred eleven point seven (311.7), Code
2 1950, is further amended by inserting the following after the third
3 paragraph of said section:

4 "Provided further, that the total expenditure of secondary road
5 funds of the county in any year for or on account of special secondary
6 road assessment district projects on local secondary roads under this
7 section shall not exceed the total secondary road funds legally expend-
8 able for construction on local secondary roads in said county in said
9 year, and the expenditure of secondary road funds of the county, in
10 any township in any three year period, for or on account of special
11 secondary road assessment district projects on local secondary roads
12 under this section, shall not exceed said township's pro-rata share, on
13 the area basis, of the total secondary road funds legally expendable
14 for construction on local secondary roads in said county in said three

15 year period, unless there be a township or townships from which there
16 are no petitions filed during the first two years of said three year
17 period.

18 "If the engineer's estimated cost of the grading, bridges, culverts,
19 and draining of the road proposed to be included in any special assess-
20 ment district project under this section, exceeds an average of seven
21 thousand dollars per mile, the board of supervisors of said county
22 may appeal to the state highway commission as to whether the county
23 shall proceed with the construction of said project. The state highway
24 commission shall hold a hearing on said matter, at a time and place
25 of which the petitioners and the county board shall be duly notified, and
26 shall have an opportunity to appear and be heard. After such hearing
27 the state highway commission shall determine whether the county
28 shall proceed with said project, which determination shall be final."

Approved April 30, 1951.

CHAPTER 107
PRIMARY ROADS
H. F. 58

AN ACT to amend, revise, and codify chapter three hundred thirteen (313), Code 1950, relating to primary roads.

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

1 SECTION 1. Section three hundred thirteen point four (313.4),
2 Code 1950, is hereby amended,

3 1. By striking from lines eight (8), nine (9), ten (10) and eleven
4 (11) of said section, the following: "the payment of interest and
5 redemption of any bonds issued in anticipation of such primary road
6 fund, and".

7 2. By striking from lines thirteen (13), fourteen (14), and fifteen
8 (15) of said section the following: ", the costs of issuance and re-
9 demption of any bonds issued in anticipation of said primary road
10 fund," and inserting in lieu thereof the word "and".

11 3. By striking from lines sixteen (16) and seventeen (17) of said
12 section the following: ", and the refund of special assessments for
13 paving".

1 SEC. 2. Section three hundred thirteen point six (313.6), Code
2 1950, is hereby amended and revised to read as follows:

3 "The state highway commission shall keep accounts in relation to
4 the primary road fund, crediting said fund with all amounts by law
5 creditable thereto and charging said fund with the amount of all duly
6 and finally approved vouchers for claims properly chargeable thereto."

1 SEC. 3. Section three hundred thirteen point eight (313.8), Code
2 1950, is hereby amended and revised to read as follows:

3 "The state highway commission shall proceed to the improvement of
4 the primary road system as rapidly as funds become available therefor
5 until the entire mileage of the primary road system is built to estab-
6 lished grade, bridged, and surfaced with pavement or other surface

7 suited to the traffic on such road. Improvements shall be made and
8 carried out in such manner as to equalize the condition of the primary
9 roads, as nearly as possible, in all sections of the state.

10 "The state highway commission shall not purchase right of way
11 and construct a new system of diagonal highways radiating from any
12 city with a population over one hundred thousand."

1 SEC. 4. Section three hundred thirteen point fourteen (313.14),
2 Code 1950, is hereby amended by inserting a period (.) after the word
3 "fund" at the end of line three (3) and striking the remainder of said
4 section.

1 SEC. 5. Section three hundred thirteen point eighteen (313.18),
2 Code 1950, is hereby amended by striking from lines four (4) and
3 five (5) the following: "or from the state highway commission
4 maintenance fund,".

1 SEC. 6. Section three hundred thirteen point twenty (313.20),
2 Code 1950, is hereby amended by striking from line seven (7) the
3 words "its support" and substituting in lieu thereof the words "the
4 primary road."

1 SEC. 7. Section three hundred thirteen point twenty-seven
2 (313.27), Code 1950, is hereby amended and revised to read as follows:

3 "The state highway commission may construct or aid in the construc-
4 tion, and may maintain bridges, viaducts, and railroad grade crossing
5 eliminations on primary road extensions in cities and towns."

1 SEC. 8. Section three hundred thirteen point thirty-six (313.36),
2 Code 1950, is hereby amended and revised to read as follows:

3 "Primary roads shall be maintained by the state highway commis-
4 sion and the cost thereof paid out of the primary road fund. Exten-
5 sions of primary roads in cities and towns may be maintained by the
6 state highway commission and the cost thereof paid out of the primary
7 road fund."

1 SEC. 9. Sections three hundred thirteen point thirty-eight
2 (313.38), three hundred thirteen point thirty-nine (313.39), and three
3 hundred thirteen point forty (313.40), Code 1950, are hereby repealed.

1 SEC. 10. The total amount of funds expended in any one year on
2 extensions of primary roads in cities and towns shall not exceed
3 twenty-five per cent (25%) of the primary road fund.

Approved April 26, 1951.

CHAPTER 108
NOXIOUS WEEDS
H. F. 485

AN ACT to amend section three hundred seventeen point four (317.4) and section three hundred seventeen point three (317.3), Code 1950, relating to the control and destruction of noxious weeds, and the employment and compensation of the county weed commissioner.

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

1 SECTION 1. Amend section three hundred seventeen point four
2 (317.4), Code 1950, by adding after the word "provided" in line four-
3 teen (14) the following: "and shall have the authority at any time to
4 enter upon any land in his county for the performance of his duties,"

1 SEC. 2. Further amend section three hundred seventeen point four
2 (317.4), Code 1950, by striking all of said section after the period in
3 line nineteen (19).

1 SEC. 3. Section three hundred seventeen point three (317.3),
2 Code 1950, is hereby amended by adding thereto as follows:

3 "Notwithstanding the provisions of this section as to time of hiring
4 the county weed commissioner, the board of supervisors shall pre-
5 scribe the time per year he shall work which may be during the part
6 of year when noxious weeds can effectively be killed. Compensation
7 shall be for the period of actual work only. The board of supervisors
8 shall likewise determine whether employment shall be by hour, day
9 or month and the rate of pay per employment time."

Approved April 26, 1951.

CHAPTER 109
MOTOR VEHICLE BLUE LIGHTS
S. F. 207

AN ACT to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road.

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

1 SECTION 1. Chapter three hundred twenty-one (321), Code 1950,
2 is hereby amended by adding thereto the following new section:

3 "A motor vehicle operated by a member of an organized volunteer
4 fire department may be equipped with a lamp or device thereon dis-
5 playing a flashing blue light visible from directly in front of such
6 motor vehicle when such motor vehicle is duly authorized as herein-
7 after provided and while such motor vehicle is in actual use for fire or
8 other emergency service."

9 "No volunteer fireman shall be permitted to display a flashing blue
10 light upon a motor vehicle as hereinbefore provided except while
11 actually enroute to the scene of a fire or other emergency requiring his
12 services as a volunteer fireman and unless he shall be an active member
13 of an organized volunteer fire department and shall have been author-
14 ized in writing to so display a flashing blue light by the commissioner."

15 "The commissioner is hereby empowered to authorize the display of
 16 a flashing blue light upon a privately owned light delivery truck, panel
 17 delivery truck, pickup, station wagon, or passenger type motor vehicle
 18 except a motorcycle or motor bicycle, owned or usually operated by a
 19 volunteer fireman, and to issue a certificate of authorization therefor,
 20 upon written request being made on forms provided by the department
 21 and showing necessity for such authorization. Such written request
 22 shall be accompanied by a statement in writing by the chief of the
 23 volunteer fire department of which the applicant is a member certifying
 24 that the applicant is an active member in good standing in said vol-
 25 unteer fire department and recommending that such authorization be
 26 granted. Such certificate of authorization issued by the commissioner
 27 shall be at all times carried with the certificate of registration of the
 28 vehicle to which it refers and shall expire at midnight on the thirty-
 29 first day of December in the year in which it was issued. The com-
 30 missioner may at any time revoke such certificate of authorization
 31 upon a showing of abuse thereof or upon notification by the certifying
 32 fire chief that applicant has ceased to be an active member of the
 33 volunteer fire department."

34 "The provisions of section three hundred twenty-one point four
 35 hundred twenty-three (321.423), Code 1950, shall not apply to the use
 36 of a flashing blue light on a motor vehicle so authorized by the com-
 37 missioner, but such flashing blue light shall not be used except when
 38 such motor vehicle is actually enroute to the scene of a fire or other
 39 emergency requiring the services of a volunteer fireman."

1 SEC. 2. This Act being deemed of immediate importance shall be in
 2 full force and effect from and after its passage and publication in The
 3 Record-Herald and Indianola Tribune, a newspaper published at In-
 4 dianola, Iowa, and The Perry Daily Chief, a newspaper published at
 5 Perry, Iowa.

Approved March 22, 1951.

I hereby certify that the foregoing act was published in The Record-Herald and
 Indianola Tribune, Indianola, Iowa, March 27, 1951, and in The Perry Daily Chief,
 Perry, Iowa, March 26, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 110

USED MOTOR VEHICLES

H. F. 453

AN ACT to amend chapter three hundred twenty-one (321), Code 1950, relating to motor
 vehicles and law of road and chapter three hundred twenty-two (322), Code 1950,
 relating to motor vehicle dealers and to define the terms "used motor vehicle" or
 "second-hand motor vehicle".

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

1 SECTION 1. Section three hundred twenty-one point one (321.1),
 2 Code 1950, is hereby amended by adding thereto the following new sub-
 3 section:

4 "Used motor vehicle" or "second-hand motor vehicle" means any
 5 motor vehicle of a type subject to registration under the laws of this

6 state, which has been previously registered or for which a certificate of
7 title has been issued in this or any other state.”

1 SEC. 2. Section three hundred twenty-two point two (322.2), Code
2 1950, is hereby amended by adding thereto the following new sub-
3 section:

4 “Used motor vehicle” or “second-hand motor vehicle” means any
5 motor vehicle of a type subject to registration under the laws of this
6 state, which has been previously registered or for which a certificate
7 of title has been issued in this or any other state.”

Approved April 2, 1951.

CHAPTER 111

MOTOR VEHICLE REGISTRATIONS

H. F. 497

AN ACT to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road.

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

1 SECTION 1. Section three hundred twenty-one point twenty-four
2 (321.24), Code 1950, is hereby amended by adding thereto the
3 following:

4 “All such receipts shall be typewritten or printed by other mechan-
5 ical machines or so printed by hand that all four copies thereof are
6 legible.”

Approved April 11, 1951.

CHAPTER 112

MOTOR VEHICLE REGISTRATION

H. F. 399

AN ACT to amend section three hundred twenty-one point thirty-four (321.34), section three hundred twenty-one point thirty-seven (321.37), section three hundred twenty-one point thirty-nine (321.39), section three hundred twenty-one point one hundred sixty-six (321.166) and section three hundred twenty-one point one hundred sixty-seven (321.167), Code 1950, relating to registrations, registration cards and registration plates issued for motor vehicles.

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

1 SECTION 1. Section three hundred twenty-one point thirty-four
2 (321.34), Code 1950, is hereby amended by inserting after the period
3 (.) following the word “vehicle” in line seven (7) the following:

4 “Provided, however, that until December thirty-first, nineteen hun-
5 dred fifty-three, notwithstanding any other provision of law, the de-
6 partment shall be authorized, whenever deemed necessary within that
7 period, to select and issue to each registrant of a motor vehicle, for use
8 during any registration year ending on or prior to such date, a single
9 registration plate in lieu of two such plates.”

1 SEC. 2. Section three hundred twenty-one point thirty-seven
2 (321.37), Code 1950, is hereby amended by inserting after the period
3 (.) following the word "rear" in line four (4) the following:

4 "Provided, however, that until December thirty-first, nineteen hun-
5 dred fifty-three, in the event that the department shall issue for use
6 during any registration year ending on or prior to such date a single
7 registration plate for a motor vehicle, such plate shall be attached to
8 and displayed on the rear of such motor vehicle and none need be dis-
9 played on its front."

1 SEC. 3. Section three hundred twenty-one point one hundred sixty-
2 seven (321.167), Code 1950 is hereby amended by inserting after the
3 period (.) following the word "sequence" in line ten (10) the fol-
4 lowing:

5 "Provided however, that the provisions contained herein relating
6 to duplicate number plates shall not apply in the event that the depart-
7 ment shall issue a single registration plate for use during any registra-
8 tion year ending on or prior to December thirty-first, nineteen hundred
9 and fifty-three."

1 SEC. 4. Section three hundred twenty-one point thirty-nine
2 (321.39), Code 1950, is hereby amended by adding thereto the fol-
3 lowing:

4 "The provisions of this section shall not apply to any vehicle which
5 is registered without the payment of fees as provided in section 321.19,
6 but the registration plate or plates issued for such vehicle shall remain
7 valid until suspended or revoked or cancelled by the department, or
8 until the title or ownership of such vehicle has been transferred."

1 SEC. 5. Section three hundred twenty-one point one hundred sixty-
2 six (321.166), Code 1950, is hereby amended by adding thereto the fol-
3 lowing new paragraph:

4 "Number plates issued for use on a vehicle in accordance with the
5 provisions of section 321.19 need not indicate the year for which issued
6 nor be of a distinctively different color each year."

Approved April 2, 1951.

CHAPTER 113

MOTOR TRUCK RECIPROCITY

H. F. 360

AN ACT relating to the taxation and registration of motor vehicles exclusively engaged in interstate commerce and providing for reciprocity agreements: amending sections three hundred twenty-one point fifty-three (321.53), three hundred twenty-one point fifty-six (321.56) and three hundred twenty-six point two (326.2), Code 1950.

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

1 SECTION 1. Section three hundred twenty-one point fifty-three
2 (321.53), Code 1950, is hereby amended as follows:

3 1. By striking the word "and" following the figures "321.54" in line
4 three (3) thereof and substituting in lieu thereof a comma (,).

5 2. By striking the comma (,) following the figures "321.55" in line
6 three (3) thereof and substituting in lieu thereof the following: "and
7 321.56".

1 SEC. 2. Section three hundred twenty-one point fifty-six (321.56),
2 Code 1950, is hereby amended as follows:

3 1. By striking the period (.) following the word "state" in line
4 nine (9) and substituting in lieu thereof the following: "until July
5 1, 1952, or until the date a reciprocity agreement as hereinafter pro-
6 vided is in effect with such country, state, territory or federal district,
7 whichever date first occurs."

8 2. By striking the second paragraph thereof and substituting in lieu
9 thereof the following: "The commissioner shall have the authority to
10 make reciprocity agreements with the duly authorized representa-
11 tives of any country, state, territory or federal district, exempting the
12 residents of such country, state, territory or federal district using the
13 highways of this state from the registration requirements of this
14 chapter with such restrictions, conditions, and privileges or lack of
15 them as he may deem advisable provided that residents of this state
16 when using the highways of such other state shall receive exemptions
17 of a similar kind to a like degree. Such agreements may provide for
18 the denial of registration exemption to one or more particular non-
19 residents at any time if in the opinion of the commissioner such non-
20 residents should not be granted exemption privileges. Notwithstand-
21 ing any provisions of this chapter to the contrary or inconsistent
22 herewith such agreements may provide with respect to resident or
23 nonresident fleets of two or more commercial vehicles which are
24 engaged in interstate movement, that the registrations of such fleets
25 be apportioned between this state and the other states in which such
26 fleets operate. The percentage of miles such fleets operate in this
27 state, as related to the total miles such fleets operate in all states, shall
28 be used by the commissioner to determine what percentage of the
29 total number of vehicles in such fleets are to be registered in this state.
30 When a vehicle has been licensed in one of the reciprocating states
31 under an agreement as provided herein, such vehicle shall not be
32 subject to licensing in the other reciprocating state. The commissioner
33 may require fleet owners to submit under oath such information as he
34 deems necessary for the proper carrying out of the provisions of this
35 section, and his determination of the number of vehicles in fleets
36 subject to this section to be registered in this state shall be final. Any
37 nonresident motor vehicle, trailer, or semi-trailer shall be subject to all
38 laws, rules and regulations governing the operation of such vehicles on
39 the highways of this state, and violations of such laws, rules or regu-
40 lations by any carrier may be a ground for denial of registration
41 exemption to such carrier. The registration number plates assigned
42 and furnished to any foreign-licensed motor vehicle, trailer, or semi-
43 trailer for the current registration year by another state where the
44 same is licensed shall be displayed on such motor vehicle, trailer, or
45 semi-trailer substantially as provided in this chapter for vehicles
46 registered pursuant to the provisions thereof. Agreements made by
47 the commissioner shall be subject to the approval of the attorney
48 general. Nothing herein contained shall authorize the waiving of the

49 registration requirements of this chapter relating to motor vehicles
50 operated within this state in intra-state commerce.

1 SEC. 3. Section three hundred twenty-six point two (326.2), Code
2 1950, is hereby amended by adding thereto the following:

3 "The provisions of this section shall not apply to any motor vehicle
4 or combination of tractor and semi-trailer or trailer when operated by
5 Iowa residents in any state or by residents of such state in Iowa when
6 such state and Iowa have executed an agreement as provided in section
7 two (2) of this Act, and, exclusively used in interstate commerce."

1 SEC. 4. This act being deemed of immediate importance shall be
2 in full force and effect upon its passage and publication in the Oskaloosa
3 Tribune-Press, a newspaper published at Oskaloosa, Iowa, and in
4 the Davis County Republican, a newspaper published at Bloomfield,
5 Iowa.

Approved April 14, 1951.

I hereby certify that the foregoing act was published in the Oskaloosa Tribune-Press, Oskaloosa, Iowa, April 20, 1951, and in the Davis County Republican, Bloomfield, Iowa, April 24, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 114

MOTOR VEHICLE TRANSIT PERMITS

S. F. 302

AN ACT to amend section three hundred twenty-one point one hundred nine (321.109), Code 1950, relating to motor vehicles and law of road, and transit permits.

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

1 SECTION 1. Section three hundred twenty-one point one hundred
2 nine (321.109), Code 1950, is hereby amended by inserting after the
3 period (.) following the word "paid" in line nineteen (19) the fol-
4 lowing:

5 "And provided, however, that for any used motor vehicle held by a
6 registered dealer and not currently registered in this state, when pur-
7 chased in this state by a nonresident for removal to his state of resi-
8 dence, the purchaser shall make application to the county treasurer
9 in the county of purchase for a transit plate for which a fee of three
10 dollars shall be paid."

Approved March 27, 1951.

CHAPTER 115

STORAGE OF MOTOR VEHICLES

H. F. 396

AN ACT to amend chapter three hundred twenty-one (321), Code 1950, relating to motor vehicles and law of road.

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

1 SECTION 1. Section three hundred twenty-one point one hundred
2 twenty-six (321.126), Code 1950, is hereby amended by adding to

3 subsection four (4) thereof the following:

4 "Whenever the owner of a vehicle so placed in storage desires to
5 reregister such vehicle the county treasurer shall register such vehicle
6 and shall compute and collect the fees for such registration on the basis
7 of one-twelfth of the annual registration fee as provided in this chapter
8 multiplied by the number of unexpired months in the year. Whenever
9 any such fee so computed contains a fractional part of a dollar, it shall
10 be computed as of the nearest fractional quarter dollar thereto."

1 SEC. 2. Further amend section three hundred twenty-one point
2 one hundred twenty-six (321.126), Code 1950, by striking in line three
3 (3) of subsection four (4) the words "in time of war".

Approved March 29, 1951.

CHAPTER 116

DRIVERS' LICENSES

H. F. 64

AN ACT to amend section three hundred twenty-one point one hundred ninety-one (321.191), Code 1950, relating to fees for operator's and chauffeur's licenses.

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

1 SECTION 1. Section three hundred twenty-one point one hundred
2 ninety-one (321.191), Code 1950, is hereby amended by striking from
3 line two (2) the words "fifty cents" and inserting in lieu thereof the
4 words: "one dollar fifty cents (\$1.50)".

Approved May 2, 1951.

CHAPTER 117

TURNING OF VEHICLES AT INTERSECTIONS

H. F. 142

AN ACT to amend section three hundred twenty-one point two hundred thirty-six (321.236), Code 1950, relating to the powers of local authorities.

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

1 SECTION 1. Section three hundred twenty-one point two hundred
2 thirty-six (321.236), Code 1950, is hereby amended by adding thereto
3 the following new subsection:

4 "Regulating or prohibiting the turning of vehicles at intersections."

Approved April 10, 1951.

CHAPTER 118

DRIVING WHILE INTOXICATED—PENALTY

H. F. 34

AN ACT to amend section three hundred twenty one point two hundred eighty one (321.281), Code 1950, relating to the penalties for operating a motor vehicle while intoxicated.

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

1 SECTION 1. Section three hundred twenty-one point two hundred
2 eighty one (321.281), Code 1950, is amended by inserting after the
3 word "offense" in line sixteen (16) thereof, the words "and each of-
4 fense thereafter".

Approved February 6, 1951.

CHAPTER 119

DRIVING WHILE DRUGGED

H. F. 6

AN ACT to amend section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, relating to the crime of operating a motor vehicle while intoxicated or under the influence of drugs or a combination of drugs and alcohol.

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

1 SECTION 1. Section three hundred twenty-one point two hundred
2 eighty-one (321.281), Code 1950, is hereby amended by inserting after
3 the word "narcotic" in line three (3) thereof the following: "and or
4 hypnotic".

1 SEC. 2. Further amend said section by inserting after the word
2 "drugs" in line three (3) thereof the following: "or a combination of
3 such drugs and alcohol".

1 SEC. 3. Further amend said section by adding thereto the fol-
2 lowing:

3 "This section shall not apply to a person operating a motor vehicle
4 while under the influence of narcotic or hypnotic drugs if such drugs
5 were prescribed for such person and have been taken under such
6 prescription and in accordance with the directions of a reputable
7 doctor of medicine, provided however there is no evidence of the con-
8 sumption of alcohol and further provided said doctor of medicine has
9 not directed such person to refrain from operating a motor vehicle."

Approved March 29, 1951.

CHAPTER 120

MOTOR VEHICLE TRAILERS

H. F. 170

AN ACT relating to certain vehicles pulling or towing four-wheel trailers and to amend section three hundred twenty-one point three hundred ten (321.310), Code 1950.

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

- 1 SECTION 1. Section three hundred twenty-one point three hundred
- 2 ten (321.310), Code 1950, is amended by striking from line ten (10)
- 3 the word, "license" and inserting in lieu thereof the word, "regis-
- 4 tration".

Approved April 5, 1951.

CHAPTER 121

TRUCK WEIGHT LIMITS

H. F. 410

AN ACT to amend section three hundred twenty-one point three hundred ten (321.310), Code 1950, relating to weight limit on pickup truck registration.

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

- 1 SECTION 1. Section three hundred twenty-one point three hundred
- 2 ten (321.310), Code 1950, is amended by striking from line twelve
- 3 (12) the words "one thousand" and inserting in lieu thereof the words
- 4 "two thousand" (2000).

Approved May 15, 1951.

CHAPTER 122

MOTOR VEHICLES AT RAILROAD CROSSINGS

H. F. 454

AN ACT to amend section three hundred twenty-one point three hundred forty-two (321.342), Code 1950, relating to the stopping of vehicles at certain railroad crossings.

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

- 1 SECTION 1. Section three hundred twenty-one point three hundred
- 2 forty-two (321.342), Code 1950, is hereby amended by striking from
- 3 line one (1) the word "is" and inserting in lieu thereof the words
- 4 "with reference to primary highways and local authorities with refer-
- 5 ence to other highways under their jurisdiction are each".

Approved March 29, 1951.

CHAPTER 123

PARKING OF VEHICLES

H. F. 96

AN ACT to amend section three hundred twenty-one point three hundred sixty-one (321.361), Code 1950, relating to the parking of vehicles.

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

1 SECTION 1. Section three hundred twenty-one point three hundred
2 sixty-one (321.361), Code 1950, is hereby amended by striking all of
3 said section and inserting in lieu thereof the following:

4 "Additional parking regulations. Except as otherwise provided in
5 this section every vehicle stopped or parked upon a roadway where
6 there are adjacent curbs shall be so stopped or parked with the right-
7 hand wheels of such vehicle parallel to and within eighteen inches of
8 the right-hand curb.

9 "Local authorities may by ordinance permit parking of vehicles
10 with the left-hand wheels adjacent to and within eighteen inches of
11 the left-hand curb of a one-way roadway.

12 "Local authorities may by ordinance permit angle or center parking
13 on any roadway under their jurisdiction".

Approved April 5, 1951.

CHAPTER 124

BLUE LIGHTS ON PUBLIC VEHICLES

H. F. 232

AN ACT to amend section three hundred twenty-one point three hundred ninety-three (321.393), Code 1950, relating to the color and mounting of lighting devices and reflectors on motor trucks or trailers.

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

1 SECTION 1. Section three hundred twenty-one point three hundred
2 ninety-three (321.393), Code 1950, is hereby amended by adding
3 thereto the following paragraph:

4 "The provisions of this section shall not prohibit the use of a light-
5 ing device or reflector displaying a blue light when such lighting device
6 or reflector is mounted on a motor truck or trailer owned by this state,
7 or any political subdivision of this state, or any municipality therein,
8 and such motor truck or trailer is equipped with a snow removal or
9 sanding device and is being used for the express purpose of removing
10 snow or sanding on any public street or highway."

Approved April 11, 1951.

CHAPTER 125

MOTORCYCLE HEADLIGHTS

H. F. 322

AN ACT relating to the number of lighted lamps required on a motorcycle and to amend section three hundred twenty-one point four hundred nineteen (321.419), Code 1950.

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

1 SECTION 1. Section three hundred twenty-one point four hundred
2 nineteen (321.419), Code 1950, is amended by inserting after the word,
3 "lamps" in line two (2) the following, ", except where one only is
4 permitted,".

Approved April 5, 1951.

CHAPTER 126

RED REFLECTORS ON VEHICLES

H. F. 400

AN ACT to amend section three hundred twenty-one point four hundred twenty-two (321.422), Code 1950, relating to motor vehicles and law of road.

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

1 SECTION 1. Section three hundred twenty-one point four hundred
2 twenty-two (321.422), Code 1950, is hereby amended by inserting after
3 the word "displaying" in line four (4) the words "or reflecting".

Approved March 21, 1951.

CHAPTER 127

HEIGHT OF VEHICLES

H. F. 154

AN ACT to amend section three hundred twenty-one point four hundred fifty-six (321.456), Code 1950, relating to the height of vehicles.

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

1 SECTION 1. Section three hundred twenty-one point four hundred
2 fifty-six (321.456), Code 1950, is hereby amended by striking the
3 period (.) after the word "inches" in line three (3) and inserting in
4 lieu thereof a semicolon (;) and by adding the following: "provided,
5 however, that a vehicle used exclusively for the transportation of
6 motor vehicles may be of a total height, unladen or with load, of
7 thirteen feet six inches. Nothing herein contained shall be construed
8 to require the public authorities to provide sufficient vertical clearance
9 to permit the operation of such vehicle upon the highways of this
10 state".

1 SEC. 2. Any damage to highways, highway structures or under-
2 passes caused by the increase in height of any vehicle provided for by
3 this Act shall be borne by the operator or owner of such vehicle.

Approved April 5, 1951.

CHAPTER 128

AXLE OVERLOADS

H. F. 430

AN ACT to amend section three hundred twenty-one point four hundred sixty-three (321.463), Code 1950, relating to the maximum legal weight of any axle or vehicle or combination of vehicles, and providing penalties for violations, and to amend section three hundred twenty-one point four hundred sixty-five (321.465), Code, 1950, relating to the weighing of vehicles, and to amend section three hundred twenty-one point four hundred fifty-two (321.452), Code 1950, relating to penalties.

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

1 SECTION 1. Section three hundred twenty-one point four hundred
2 sixty-three (321.463), Code 1950, is hereby amended by adding thereto
3 the following:

4 1. "Any person who operates any vehicle in violation of the pro-
5 visions of this section, and any owner, or any other person, employing
6 or otherwise directing the operator of any vehicle who requires or
7 knowingly permits the operation of any vehicle in violation of the pro-
8 visions of this section shall upon conviction or a plea of guilty be pun-
9 ished in accordance with the following schedule:

10 AXLE AND TANDEM AXLE WEIGHT VIOLATIONS	
11 PERCENTAGE OF	12 AMOUNT OF FINE
12 OVERLOAD	PER HUNDRED POUNDS
13 Over 3% to and including 8%	\$1.00
14 Over 8% to and including 10%	1.25
15 Over 10% to and including 12%	1.75
16 Over 12% to and including 14%	2.50
17 Over 14% to and including 16%	3.50
18 Over 16% to and including 18%	5.00
19 Over 18% to and including 20%	6.50
20 Over 20%	8.00

21 GROSS OR GROUP OF AXLES WEIGHT VIOLATIONS	
22 PERCENTAGE OF	23 AMOUNT OF FINE
23 OVERLOAD	PER HUNDRED POUNDS
24 Over 8% to and including 10%	\$1.00
25 Over 10% to and including 12%	1.50
26 Over 12% to and including 14%	2.50
27 Over 14% to and including 16%	4.00
28 Over 16% to and including 18%	5.00
29 Over 18% to and including 20%	6.00
30 Over 20%	8.00."

31 2. "The penalties herein provided shall not be construed to be in
32 lieu of any other penalties provided for violations of other provisions
33 of this chapter.

34 "Any person who issues or executes, or causes to be issued or ex-
35 ecuted, any bill of lading, manifest, or shipping document of any kind
36 which states the false weight of the cargo set forth on such bill, mani-
37 fest or document, to be less than the actual weight of such cargo, shall
38 be punished by a fine of not more than one hundred dollars or by im-
39 prisonment for not more than thirty days."

1 SEC. 2. Section three hundred twenty-one point four hundred
2 sixty-five (321.465), Code 1950, is hereby amended by adding thereto
3 the following:

4 "Upon weighing a vehicle and load, as above provided, if such load
5 is a sealed load, the weight officer shall issue a certificate setting forth
6 the weights as determined by him and the seal number or numbers, if
7 requested by the operator."

1 SEC. 3. Section three hundred twenty-one point four hundred fifty-
2 two (321.452), Code 1950, is hereby amended by inserting before the
3 word "it" in line one (1) thereof: "Except for offenses punishable
4 under the provisions of section three hundred twenty-one point four
5 hundred sixty-three (321.463)".

1 SEC. 4. This act being deemed of immediate importance shall be
2 in full force and effect upon its passage and publication in the Davis
3 County Republican, a newspaper published at Bloomfield, Iowa, and
4 in The Oakland Acorn, a newspaper published at Oakland, Iowa.

Approved April 14, 1951.

I hereby certify that the foregoing act was published in the Davis County Republican,
Bloomfield, Iowa, April 24, 1951, and in The Oakland Acorn, Oakland, Iowa, April 19,
1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 129

MOVING HEAVY MACHINERY ON HIGHWAYS

S. F. 87

AN ACT to amend section three hundred twenty-one point four hundred sixty-seven
(321.467), Code 1950, relating to permits for excess size and weight.

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

1 SECTION 1. Section three hundred twenty-one point four hundred
2 sixty-seven (321.467), Code 1950, is hereby amended as follows:

3 1. By striking all of said section following the word "of" in line
4 nineteen (19) of said section, and substituting the following in lieu
5 thereof: "construction machinery, equipment or material for a dis-
6 tance exceeding twenty-five (25) miles if such machinery, equipment
7 or material is to be moved to or from construction projects in this
8 state or is manufactured or assembled within this state".

1 SEC. 2. Provided further that, in an emergency, or very special
2 or unusual cases, or as a means of cooperating with national defense
3 officials, the state highway commission may grant permits for moving
4 oversize or overweight vehicles or objects over the highways for a
5 distance exceeding twenty-five (25) miles, if in the judgment of the
6 commission, such special, unusual, emergency or defense movement is
7 essential.

1 SEC. 3. In no event, however, is the gross weight on any axle to
2 exceed the maximum axle load as prescribed in section three hundred
3 twenty-one point four six three (321.463) hereof.

Approved April 2, 1951.

CHAPTER 130

ELECTRIC TRANSIT SYSTEMS

H. F. 527

AN ACT to amend section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1950, so as to authorize the issuance of permits for the operation of electric trolley buses, or trackless trolley buses, on certain rural highways, and to amend section four hundred thirty-four point fifteen (434.15), Code 1950, relating to the valuation and assessment for taxation of property for railway companies; and to provide that property subject to taxation of companies operating a public passenger transit system in cities having a population of one hundred twenty-five thousand (125,000) or over shall be subject to assessment in the same manner as a railway.

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

1 SECTION 1. Section three hundred twenty-one point four hundred
2 sixty-seven (321.467), Code 1950, is hereby amended by adding the
3 following to said section:

4 "The state highway commission as to primary roads, and the county
5 board of supervisors as to secondary roads may, in their discretion,
6 grant permits for the operation of electric trolley buses, or trackless
7 trolley buses, on such roads in any township adjacent to any city of
8 over one hundred fifty thousand (150,000) population, and which
9 township has an unincorporated population and which township has
10 an unincorporated population* of over seven thousand five hundred
11 (7500), all according to the latest available federal census.

12 "Such permit shall require that the person or company operating
13 such buses shall, for the use of such highways, quarterly report and
14 pay to the state highway commission for the benefit of the primary
15 road fund, and to the county board of supervisors for the benefit of
16 the secondary road fund of said county, an amount equal to two and
17 three fourths percent (2¾%) of the total gross revenue derived
18 from the operation of such trackless trolley buses on such roads in
19 such township, divided according to the mileage of roads so used."

1 SEC. 2. Section four hundred thirty-four point fifteen (434.15),
2 Code 1950, is hereby amended by adding thereto the following:

3 "For the purpose of assessment of its property which is subject to
4 property taxation, every corporation, company or person operating
5 a public passenger transit system in cities having a population of one
6 hundred twenty-five thousand (125,000) or over, consisting of street
7 cars or trackless-trolley passenger busses propelled by electric power
8 obtained from overhead trolley wires and/or self-propelled motor
9 driven passenger busses operated between fixed termini shall be
10 subject to assessment in the same manner as a railway."

Approved May 15, 1951.

*According to enrolled Act.

CHAPTER 131

WEIGHING VEHICLES ON HIGHWAYS

H. F. 458

AN ACT to amend sections three hundred twenty-one point four hundred seventy-six (321.476) and three hundred twenty-one point four hundred seventy-seven (321.477), Code 1950, relating to the weighing of vehicles, and the control of traffic on the highways.

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

1 SECTION 1. Section three hundred twenty-one point four hundred
2 seventy-six (321.476), Code 1950, is hereby amended by adding there-
3 to the following:

4 "Authority is also hereby granted to subject to weighing and in-
5 spection vehicles which have moved from a highway onto private
6 property under circumstances which indicate that the load of the
7 vehicle, if any, is substantially the same as the load which the vehicle
8 carried before moving onto the private property."

1 SEC. 2. Section three hundred twenty-one point four hundred
2 seventy-seven (321.477), Code 1950, is hereby amended by striking
3 from lines five (5) and six (6) thereof the following: "to control,
4 direct, and weigh traffic on the highways" and insert in lieu thereof the
5 following: "to control and direct traffic and weigh vehicles".

1 SEC. 3. Any person who prevents or in any manner obstructs an
2 officer attempting to carry out the provisions of section three hundred
3 twenty-one point four hundred seventy-six (321.476) is guilty of a
4 misdemeanor and shall be punished as provided in section three hun-
5 dred twenty-one point four hundred eighty-two (321.482).

1 SEC. 4. This act being deemed of immediate importance shall be
2 in full force and effect upon its passage and publication in The Oak-
3 land Acorn, a newspaper published at Oakland, Iowa, and in The In-
4 dependence Bulletin-Journal, a newspaper published at Independence,
5 Iowa.

Approved April 14, 1951.

I hereby certify that the foregoing act was published in The Oakland Acorn, Oakland, Iowa, April 19, 1951, and in The Independence Bulletin-Journal, Independence, Iowa, April 27, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 132

WEIGHING MOTOR TRUCKS

H. F. 408

AN ACT to amend section three hundred twenty-one point four hundred eighty (321.480), Code 1950, relating to expenses of the highway commission involved in the weighing and inspection of motor vehicles and trailers.

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

1 SECTION 1. Section three hundred twenty-one point four hundred
2 eighty (321.480), Code 1950, is hereby amended by striking from line

3 eight (8) thereof the words "eighty-three" and inserting in lieu there-
4 of the words "two hundred fifty".

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect upon its passage and publication in The Lake View
3 Resort, a newspaper published at Lake View, Iowa, and in the Grinnell
4 Herald-Register, a newspaper published at Grinnell, Iowa.

Approved April 14, 1951.

I hereby certify that the foregoing act was published in The Lake View Resort, Lake View, Iowa, April 19, 1951, and in the Grinnell Herald-Register, Grinnell, Iowa, April 19, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 133

NONRESIDENT MOTORISTS INSURANCE LIABILITY

S. F. 11

AN ACT relating to the liability of estates of non-resident motorists in Iowa and to amend section three hundred twenty-one point four hundred ninety-nine (321.499), Code 1950.

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

1 SECTION 1. Section three hundred twenty-one point four hundred
2 ninety-nine (321.499), Code 1950, is hereby amended by striking
3 the following: "4. The executor or administrator of the estate of the
4 owner or operator of the motor vehicle."

1 SEC. 2. Any contract insuring the liability of a non-resident
2 motorist in Iowa shall, in the event of the death of said non-resident,
3 be considered an asset of his estate having a situs in Iowa in any
4 civil action arising out of a motor vehicle accident in which said non-
5 resident may be liable.

Approved March 22, 1951.

CHAPTER 134

MOTOR CARRIERS INSURANCE

H. F. 449

AN ACT to regulate motor carriers and to set certain standards with reference to liability insurance by amending sections three hundred twenty-five point twenty-six (325.26), three hundred twenty-seven point one (327.1), three hundred twenty-seven point three (327.3), three hundred twenty-seven point four (327.4), three hundred twenty-seven point six (327.6), three hundred twenty-seven point fifteen (327.15), and three hundred twenty-seven point eighteen (327.18), Code 1950.

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

1 SECTION 1. Section three hundred twenty-five point twenty-six
2 (325.26) is revised, amended and codified to read as follows:
3 "No certificate shall be issued until and after the applicant shall
4 have filed with the commission an insurance policy, policies, surety
5 bond, or certificate of insurance, in form to be approved by the com-

6 mission, issued by some company, association, reciprocal or interinsur-
7 ance exchange or other insurer authorized to do business in this state.
8 The minimum limits of liability of any policies or surety bond shall,
9 for each motor vehicle thereby covered, be as follows:

10 1. *Passenger motor carriers.*

11 a. To cover the assured's legal liability as a motor carrier for bodily
12 injury or death resulting therefrom as a result of any one accident or
13 other cause, twenty-five thousand dollars (\$25,000.00) for any re-
14 covery by one person and subject to said limit for one person one hun-
15 dred fifty thousand dollars (\$150,000.00) for more than one person.

16 b. To cover the assured's legal liability as a motor carrier for damage
17 to or destruction of any property other than that of or in charge
18 of the assured, as a result of any one accident or other cause, ten
19 thousand dollars (\$10,000.00).

20 c. To cover the assured's legal liability as a motor carrier for loss
21 of or damage to property of passengers as a result of any one accident
22 or any other cause, one thousand dollars (\$1,000.00).

23 2. *Freight motor carriers.*

24 a. To cover the assured's legal liability as a motor carrier for bodily
25 injury or death resulting therefrom, as a result of any one accident
26 or other cause twenty-five thousand dollars (\$25,000.00) for any re-
27 covery by one person and subject to said limit for one person fifty
28 thousand dollars (\$50,000.00) for more than one person.

29 b. To cover the assured's legal liability as a motor carrier for damage
30 to or destruction of any property other than that of or in charge
31 of the assured, as a result of any one accident or other cause ten
32 thousand dollars (\$10,000.00).

33 c. To cover the assured's legal liability as a motor carrier for loss
34 of or damage to property in the possession or custody of the assured
35 while for the purpose of or being transported, except property of the
36 assured as a result of any one accident or other cause ten thousand
37 dollars (\$10,000.00). Such insurance policy, policies, surety bond, or
38 certificate of insurance shall bind the obligors thereunder to make
39 compensation for injuries to persons, excluding injury to or death of
40 the applicant's employees while engaged in the course of their employ-
41 ment, and loss of or damage to property resulting from the operation
42 of such motor carrier and for which such motor carrier would be
43 legally liable. Such insurance policy, policies, surety bond, or cer-
44 tificate of insurance shall also provide that any person, firm, associa-
45 tion or corporation having a right of action against such motor carrier
46 for injuries to persons or loss of or damage to property, when service
47 cannot be obtained on the motor carrier within this state, may bring
48 action for recovery directly upon such insurance policy, policies, surety
49 bond, or certificate of insurance and against such insurance company,
50 association, reciprocal or interinsurance exchange or other insurer or
51 bonding company. No other or additional policies, bonds, or certif-
52 icates shall be required of any motor carrier by any city, town or other
53 agency of the state."

1 SEC. 2. Section three hundred twenty-seven point one (327.1),
2 Code 1950, is hereby amended by adding to subsection one (1), line

3 eight (8) after the word "route" the following: " or used in connec-
 4 tion with the transportation of property for compensation under a
 5 lease, contract, or any other arrangement but shall not include motor
 6 trucks used in the operations defined in paragraph (a) and (b) of
 7 Section 3 of this Act."

1 SEC. 3. Section three hundred twenty-seven point one (327.1),
 2 Code 1950, is hereby amended by adding the following new subsection:

3 "The term 'contract carrier' shall mean any person other than a
 4 motor carrier, as defined in section three hundred twenty-five (325)*
 5 or a truck operator or a private carrier, who engages in transportation
 6 of property by motor truck for compensation under a lease, contract,
 7 or any other arrangement, but said term 'contract carrier' shall not
 8 include:

9 (a) any person regularly engaged in the transaction of business
 10 other than the business of transporting property for compensation and
 11 who as an incident to or in the furtherance of such other business
 12 transports by motor vehicle property of which such person is the
 13 owner, seller, bailee, consignee, factor or lessee, nor

14 (b) any person who as employee, agent, bailee, consignee or factor
 15 is engaged for the purpose of selling and distributing or buying and
 16 assembling goods, wares or merchandise for and on behalf of his em-
 17 ployer or principal."

1 SEC. 4. Section three hundred twenty-seven point three (327.3),
 2 Code 1950, is hereby amended by adding to line five (5) after the
 3 word "operators" the words "and contract carriers".

1 SEC. 5. Section three hundred twenty-seven point four (327.4),
 2 Code 1950, is hereby amended by adding to line six (6) after the word
 3 "operators" the words "and contract carriers".

1 SEC. 6. Section three hundred twenty-seven point six (327.6),
 2 Code 1950, is hereby amended by adding to line two (2) after the
 3 word "operator" the words "or contract carrier"; further amend said
 4 section by adding thereto the following: "Providing, however, that
 5 any person, firm, or corporation whose truck operator or contract
 6 carrier permit has been revoked for a willful violation shall be required
 7 to pay a fee of one hundred dollars (\$100.00), in addition to the other
 8 fees required by this section before such person, firm or corporation
 9 shall be granted a new permit. And providing, further, that any
 10 person, firm or corporation whose permit has been revoked shall not
 11 operate as a truck operator or contract carrier until such person, firm,
 12 or corporation shall have applied for and received a new permit from
 13 the commission."

1 SEC. 7. Section three hundred twenty-seven point fifteen (327.15)
 2 is revised, amended and codified to read as follows: "No permit shall
 3 be issued until and after the applicant shall have filed with the com-
 4 mission an insurance policy, policies, surety bond or certificate of in-
 5 surance in form to be approved by the commission issued by some in-
 6 surance carrier or bonding company authorized to do business in this

*According to enrolled Act.

7 state. The minimum limits of liability of any policy, policies or surety
8 bond shall, for each motor truck thereby covered, be as follows:

9 1. To cover the assured's legal liability as a truck operator or con-
10 tract carrier for bodily injury or death resulting therefrom as a result
11 of any one accident or other cause, twenty-five thousand dollars
12 (\$25,000.00) for any recovery by one person, and subject to said limit
13 for one person fifty thousand dollars (\$50,000.00) for more than one
14 person.

15 2. To cover the assured's legal liability as a truck operator or con-
16 tract carrier for damage to or destruction of any property other than
17 that of or in charge of the assured, as a result of any one accident or
18 other cause, ten thousand dollars (\$10,000.00).

19 3. To cover the assured's legal liability as a truck operator for loss
20 of or damage to property in the possession or custody of the assured
21 while for the purpose of or being transported, except property of the
22 assured, as a result of any one accident or any other cause, two thou-
23 sand dollars (\$2,000.00) for each motor truck, except a combination
24 of truck tractor and semi-trailer for which such minimum limit shall
25 be five thousand dollars (\$5,000.00). Such insurance policy, policies
26 or surety bond shall bind the obligors thereunder to make compen-
27 sation for injuries to persons, excluding injury to or death of the
28 applicant's employees while engaged in the course of their employ-
29 ment, and loss of or damage to property resulting from the operation
30 of such motor truck and for which such truck operator would be
31 legally liable. Such insurance policy, policies or surety bond shall also
32 provide that any person, firm, association or corporation having a right
33 of action against such truck operator for injuries to persons or loss of
34 or damage to property, may bring action for recovery directly upon
35 such insurance policy, policies or surety bond against such insurance
36 carrier or bonding company when service cannot be obtained on the
37 truck operator within this state. No other or additional policies or
38 bond shall be required of any truck operator by any city, town, or
39 other agency in the state. Failure to keep such insurance in force at
40 all times shall cause the permit of the truck operator to be revoked."

Approved May 15, 1951.

CHAPTER 135

BOARDS OF SUPERVISORS

H. F. 117

AN ACT to amend chapter three hundred thirty-one (331), Code 1950, relating to elec-
tion of boards of supervisors of counties.

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

1 SECTION 1. Chapter three hundred thirty-one (331), Code 1950,
2 is hereby amended by adding the following new sections:

3 1. In all counties, having twenty-four (24) townships and having
4 five (5) board members elected at large, the board of supervisors at
5 its regular meeting in January, in any even-numbered year may divide

6 its county by townships into a number of supervisor districts cor-
7 responding to the number of supervisors in such county.

8 2. Such districts shall be as nearly equal in population as prac-
9 ticable and shall each embrace townships as nearly contiguous as
10 practicable, each of which said districts shall be entitled to one mem-
11 ber of said board to be elected by the electors of the entire county.

12 3. In case such division or any subsequent division does leave any
13 district or districts without a member of such board of supervisors,
14 then at the next ensuing general election, a supervisor shall be elected
15 from such district having no member of such board by the electors of
16 the entire county; and if there be two (2) such districts or more,
17 then the new member or members of said board shall be elected by the
18 electors of the entire county from the district or districts having the
19 greater population according to the last federal census, and so on,
20 until each of said districts shall have one member of such board.

21 4. No member elected from such new district shall serve until a
22 vacancy occurs in such old district having two (2) members.

1 SEC. 2. Amend section three hundred thirty-one point eight
2 (331.8), Code 1950, by inserting after the comma (,) in line two (2)
3 the following: "or shall, when petitioned by 10% of the number of
4 qualified electors having voted in the last previous general election
5 for governor"; and by striking the period (.) at the end of the section
6 and adding the following: ", except that when districted following
7 petition the districts cannot be abolished except by petition of one-
8 tenth of the qualified electors of the said county and submission of the
9 question to the qualified electors of the county at the next general
10 election."

1 SEC. 3. Amend section three hundred thirty-one point nine
2 (331.9), Code 1950, by inserting the following after the comma (,) in
3 line two (2): "except that after the year 1950, in the division of
4 counties now having five supervisors, and made up of sixteen town-
5 ships with a county seat having a population between 6,000 and 7,000
6 shall be divided into four districts containing four townships each
7 the borders of which are contiguous and one district made up of the
8 county seat;"

1 SEC. 4. In any county having three (3) members of the board of
2 supervisors elected at large, the board of supervisors, the county
3 auditor and the clerk of the district court at the time provided for the
4 regular meeting of the board in January in any even-numbered year
5 may divide its county into three supervisor districts corresponding
6 to the number of miles of road in such county. Such districts shall be
7 as nearly equal in miles of road as practicable and shall embrace a
8 territory as compact as is practicable considering the miles of road and
9 the location of the roads in such districts. In the laying out of such
10 districts corporation boundaries shall not necessarily be considered
11 as district boundaries wherein the division board set up by this Act
12 feels the purpose of the Act will be best served by not following such
13 corporation boundaries. Each of said districts shall be entitled to one
14 member residing therein on said board to be elected at large by the
15 electors of the entire county.

1 SEC. 5. In setting out such districts the division board shall
 2 number such districts 1, 2 and 3. Should there be a district in which
 3 no supervisors live such district shall be district No. 1. Should there
 4 be two districts wherein no supervisors live they shall be Nos. 1 and 2.
 5 At the next general election following the setting up of such districts
 6 there shall be a supervisor elected in each of said districts wherein no
 7 supervisor lives and no supervisor shall be elected in a district in which
 8 there is a holdover supervisor.

1 SEC. 6. No supervisor so elected shall serve until there is a vacancy
 2 in such district having more than one member and such vacancy shall
 3 be for the same term as the supervisor elect in such district was elected
 4 to fill.

Approved May 2, 1951.

CHAPTER 136

COMPENSATION OF COUNTY OFFICERS

H. F. 422

AN ACT to amend chapter three hundred forty (340) and sections three hundred thirty-one point twenty-two (331.22), three hundred thirty-one point twenty-three (331.23) and four hundred forty-one point six (441.6), Code 1950, all relating to the compensation of county officers and deputies, assistants and clerks, county attorneys and assistant county attorneys and county assessors, and providing for annual adjustment of such compensation.

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

1 SECTION 1. Section three hundred thirty-one point twenty-two
 2 (331.22), Code 1950, is amended as follows: By striking from lines
 3 three (3) and four (4) the word "eight" and inserting in lieu thereof
 4 the word "ten"; by striking from lines eighteen (18) and nineteen
 5 (19) the words "three thousand" and inserting in lieu thereof the
 6 words "thirty- six hundred"; by striking from line twenty-four (24)
 7 the words "four thousand" and inserting in lieu thereof the words
 8 "forty-six hundred" and by striking from line twenty-eight (28) the
 9 words "forty-two hundred" and inserting in lieu thereof the words
 10 "five thousand". Further amend said line twenty-eight (28) by insert-
 11 ing at the end thereof the following: "However, in counties now
 12 having, or which may hereafter have, a population in excess of one
 13 hundred thousand, with boards not exceeding three members in
 14 number, the county supervisors shall receive an annual salary of four
 15 thousand eight hundred dollars (\$4,800.00)."

1 SEC. 2. Section three hundred thirty-one point twenty-three
 2 (331.23), Code 1950, is hereby amended by striking from line two (2)
 3 the word "section" and inserting in lieu thereof the following: "sec-
 4 tions three hundred thirty-one point twenty-two (331.22) and".

1 SEC. 3. Section three hundred forty point one (340.1), three hun-
 2 dred forty point three (340.3), three hundred forty point five (340.5)
 3 and three hundred forty point eleven (340.11), Code 1950, are hereby

- 4 amended by striking therefrom subsections one (1) to thirteen (13),
 5 inclusive, and inserting in lieu thereof the following:
- 6 "1. Less than ten thousand, thirty-two hundred dollars.
 7 "2. Ten thousand and less than fifteen thousand, thirty-three hun-
 8 dred fifty dollars.
 9 "3. Fifteen thousand and less than twenty thousand, thirty-five hun-
 10 dred dollars.
 11 "4. Twenty thousand and less than twenty-five thousand, thirty-six
 12 hundred fifty dollars.
 13 "5. Twenty-five thousand and less than thirty thousand, thirty-eight
 14 hundred dollars.
 15 "6. Thirty thousand and less than thirty-five thousand, thirty-nine
 16 hundred fifty dollars.
 17 "7. Thirty-five thousand and less than forty thousand, forty-one
 18 hundred dollars.
 19 "8. Forty thousand and less than forty-five thousand, forty-two
 20 hundred fifty dollars.
 21 "9. Forty-five thousand and less than fifty thousand, forty-four
 22 hundred dollars.
 23 "10. Fifty thousand and less than sixty thousand, forty-seven hun-
 24 dred dollars.
 25 "11. Sixty thousand and less than seventy thousand, five thousand
 26 dollars.
 27 "12. Seventy thousand and less than eighty thousand, fifty-three
 28 hundred dollars.
 29 "13. Eighty thousand and over, fifty-six hundred dollars."

1 SEC. 4. Section three hundred forty point two (340.2), Code 1950,
 2 is hereby amended by striking from lines four (4) and five (5) the
 3 words "in counties having a population of: ", by striking all of sub-
 4 sections one (1) to five (5), inclusive, and inserting in lieu thereof the
 5 following: "of not more than seventy-five per cent of the amount of
 6 the salary of his or her principal."

7 "In any county in which more than two deputies are required, and
 8 such additional deputies are of equal ability, such deputies shall re-
 9 ceive an annual salary of not more than sixty-five per cent of the salary
 10 of his or her principal. The board of supervisors shall fix all com-
 11 pensation for extra help and clerks."

1 SEC. 5. Section three hundred forty point seven (340.7), Code
 2 1950, is hereby amended by striking subsections one (1) to fourteen
 3 (14), inclusive, and inserting in lieu thereof the following:

- 4 "1. Less than ten thousand, thirty-two hundred dollars.
 5 "2. Ten thousand and less than fifteen thousand, thirty-three hun-
 6 dred fifty dollars.
 7 "3. Fifteen thousand and less than twenty thousand, thirty-five
 8 hundred dollars.
 9 "4. Twenty thousand and less than twenty-five thousand, thirty-six
 10 hundred fifty dollars.
 11 "5. Twenty-five thousand and less than thirty thousand, thirty-eight
 12 hundred dollars.
 13 "6. Thirty thousand and less than thirty-five thousand, thirty-nine
 14 hundred fifty dollars.

15 "7. Thirty-five thousand and less than forty thousand, forty-one
16 hundred dollars.

17 "8. Forty thousand and less than forty-five thousand, forty-two
18 hundred and fifty dollars.

19 "9. Forty-five thousand and less than fifty thousand, forty-four
20 hundred dollars.

21 "10. Fifty thousand and less than sixty thousand, forty-seven hun-
22 dred dollars.

23 "11. Sixty thousand and less than seventy thousand, five thousand
24 dollars.

25 "12. Seventy thousand and less than eighty thousand, fifty-three
26 hundred dollars.

27 "13. Eighty thousand and less than one hundred twenty-five thou-
28 and, fifty-eight hundred dollars.

29 "14. One hundred twenty-five thousand and over, sixty-eight hun-
30 dred dollars."

1 SEC. 6. Section three hundred forty point eight (340.8), Code
2 1950, is hereby amended by striking subsections one (1) to three (3),
3 inclusive, and inserting in lieu thereof the following:

4 "1. The first deputy sheriff, and the second such deputy if a second
5 deputy sheriff is required, shall receive an annual salary of not more
6 than eighty-five per cent of the amount of the salary of the sheriff, as
7 fixed by the board of supervisors.

8 "2. All other deputy sheriffs shall receive an annual salary as fixed
9 by the board of supervisors, but not to exceed the salaries of the first
10 or second deputies."

1 SEC. 7. Section three hundred forty point eighteen (340.18), Code
2 1950, is hereby repealed and the following is enacted in lieu thereof:

3 "340.18. Dual County Seats. In any county having two county
4 seats and where the district court is held in two places, the first deputy
5 county auditor, county treasurer, county clerk and county recorder
6 shall receive not more than seventy-five per cent of the amount of the
7 salary of his principal. Other deputies shall receive between fifty per
8 cent and seventy-five per cent of the amount of the salaries of their
9 principals as determined by the board of supervisors."

1 SEC. 8. Section three hundred forty point nine (340.9), Code 1950,
2 is hereby amended by striking therefrom subsections eleven (11) to
3 fifteen (15) inclusive, and inserting in lieu thereof the following:

4 "11. Sixty thousand and less than seventy thousand, five thousand
5 dollars.

6 "12. Seventy thousand and less than eighty thousand, fifty-three
7 hundred dollars.

8 "13. Eighty thousand and less than one hundred thousand, fifty-
9 eight hundred dollars.

10 "14. One hundred thousand and less than one hundred fifty thou-
11 sand, sixty-four hundred dollars.

12 "15. One hundred fifty thousand and over, sixty-eight hundred
13 dollars."

1 SEC. 9. Section four hundred forty-one point six (441.6), Code
2 1950, is hereby amended by striking from line nine (9) the word

3 "less" and inserting in lieu thereof the word "more". Further amend
 4 section four hundred forty-one point six (441.6), Code 1950, by strik-
 5 ing the period (.) at the end thereof and inserting the following: "
 6 provided, however, that with the approval of the board of supervisors
 7 the county conference may fix such salary in excess of the salary of
 8 the county auditor."

1 SEC. 10. Section three hundred thirty-one point twenty-two
 2 (331.22), Code 1950, is hereby amended by inserting after the word
 3 "however" in line fourteen (14) the following: "In counties now
 4 having, or which may hereafter have, a population in excess of forty
 5 thousand (40,000) and not more than sixty thousand (60,000) with
 6 boards not exceeding five members in number, the county supervisors
 7 shall receive an annual salary of thirty-two hundred dollars
 8 (\$3200.00)."

1 SEC. 11. Section three hundred forty point seven (340.7), Code
 2 1950, is hereby amended by striking from line two (2) of subsection
 3 fifteen (15) the word "three" and inserting in lieu thereof the word
 4 "five". Section three hundred forty point seven (340.7), Code 1950,
 5 is further amended by striking from line three (3) of subsection six-
 6 teen (16) the word "three" and inserting in lieu thereof the word
 7 "six".

1 SEC. 12. Section three hundred forty point eleven (340.11), Code
 2 1950, is hereby amended by striking from line two (2) of subsection
 3 fourteen (14) the word "four" and inserting in lieu thereof the word
 4 "five".

1 SEC. 13. No county officer of a county with a population of eighty
 2 thousand (80,000) or less, shall draw a salary in excess of fifty-three
 3 hundred dollars (\$5300.00).

Approved April 18, 1951.

CHAPTER 137

COUNTY OFFICERS' FEES

H. F. 421

AN ACT to amend sections three hundred thirty-five point fourteen (335.14), five hun-
 dred forty-seven point three (547.3), five hundred fifty-six point twenty (556.20),
 five hundred forty-four point thirty-seven (544.37), five hundred fifty-six point
 seventeen (556.17), five hundred fifty-seven point twenty-four (557.24) and five hun-
 dred fifty-seven point twenty-six (557.26), relating to fees to be charged by the
 county recorder; sections three hundred thirty-three point fifteen (333.15), five
 hundred fifty-eight point fifty-seven (558.57), and five hundred fifty-eight point
 sixty-six (558.66), Code 1950, relating to fees to be charged by the county auditor;
 section three hundred thirty-seven point eleven (337.11), Code 1950, relating to
 fees to be charged by the county sheriff; sections three hundred twenty-one point
 one hundred fifty-two (321.152), four hundred forty-five point twenty-three
 (445.23), four hundred forty-five point twenty-six (445.26) and four hundred forty-
 six point twenty-nine (446.29), Code 1950, relating to fees to be charged by the
 county treasurer; section six hundred six point fifteen (606.15), Code 1950, relating
 to fees to be charged by the clerk of the district court.

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

1 SECTION 1. Section three hundred thirty-five point fourteen

2 (335.14), Code 1950, is amended by striking from lines four (4), six
3 (6) and nine (9) the words "fifty cents", "ten" and "twenty-five",
4 respectively, and inserting in lieu thereof the words "one dollar",
5 "twenty" and "fifty", respectively.

1 SEC. 2. Section five hundred forty-seven point three (547.3), Code
2 1950, is hereby amended by striking from line three (3) the words
3 "twenty-five cents" and substituting in lieu thereof the words "one
4 dollar".

1 SEC. 3. Section five hundred fifty-six point twenty (556.20), Code
2 1950, is amended by striking from lines six (6), eight (8) and nine
3 (9) the words "twenty-five", "fifty cents" and "ten", respectively,
4 and inserting in lieu thereof the words "fifty", "one dollar" and
5 "twenty", respectively; and by striking from line two (2) of sub-
6 section three (3) the word "twenty-five" and substituting in lieu
7 thereof the word "fifty".

1 SEC. 4. Section five hundred fifty-six point seventeen (556.17),
2 Code 1950, is hereby repealed and the following enacted in lieu
3 thereof:

4 "Release of mortgages. When the amount due on any chattel mort-
5 gage, conditional sales contract, or pledge of personal property is paid,
6 the mortgagee, conditional vendor, pledgee or his personal repre-
7 sentative or assignee, or those legally acting for him shall release of
8 record such instrument evidencing the security, at his own expense, by
9 filing with the original instrument a duly executed satisfaction piece
10 or release, or by indorsing a satisfaction on the index book under the
11 heading of "remarks" in the same manner as mortgages are released
12 by marginal satisfaction, and when so released on index book, the
13 recorder shall enter a memorandum thereof on the original instrument
14 or on the record thereof, if recorded.

15 "Any person who fails to comply with the provisions of this section
16 within thirty days after being requested in writing shall forfeit to
17 the mortgagor, conditional vendee or pledgor the sum of \$25.00."

1 SEC. 5. Chapter five hundred fifty-seven (557), Code 1950, is
2 hereby amended as follows:

3 1. By striking from line four (4) section five hundred fifty-seven
4 point twenty-four (557.24) the words "one dollar" and substituting in
5 lieu thereof the words "three dollars".

6 2. By striking from line ten (10) section five hundred fifty-seven
7 point twenty-six (557.26) the word "twenty-five" and substituting
8 in lieu thereof the word "fifty".

1 SEC. 6. Section three hundred thirty-three point fifteen (333.15),
2 Code 1950, is amended by striking from lines two (2) of subsection
3 one (1) and subsection two (2) the word "twenty-five" and inserting
4 in lieu thereof the word "fifty", and by striking from line three (3) of
5 subsection three (3) the word "fifteen" and inserting in lieu thereof
6 the word "fifty".

1 SEC. 7. Section five hundred forty-four point thirty-seven
2 (544.37), Code 1950, is hereby amended as follows: By striking from

3 line nine (9) the word "twenty-five" and substituting in lieu thereof
4 the word "fifty".

1 SEC. 8. Section five hundred fifty-eight point fifty-seven (558.57),
2 Code 1950, is amended by striking from line ten (10) the figures and
3 symbol "25c" and inserting in lieu thereof the figures and symbol
4 "50c".

1 SEC. 9. Section five hundred fifty-eight point sixty-six (558.66),
2 Code 1950, is amended by striking from line seven (7) the word
3 "twenty-five" and inserting in lieu thereof the word "fifty".

1 SEC. 10. Section three hundred thirty-seven point eleven (337.11),
2 Code 1950, is amended by striking from lines two (2) and three (3)
3 of subsection one (1) the words "fifty" and "twenty-five", respectively,
4 and inserting in lieu thereof the words "seventy-five" and "fifty", re-
5 spectively; by striking from line one (1) of subsection two (2) the
6 word "two" and inserting in lieu thereof the word "three"; by striking
7 from line two (2) of subsection three (3) the word "twenty" and in-
8 serting in lieu thereof the word "fifty"; by striking from line four (4)
9 of subsection five (5) the word "five" and inserting in lieu thereof the
10 words "seven and one-half"; by striking from line four (4) of sub-
11 section six (6) the word "two" and inserting in lieu thereof the word
12 "three"; by striking from line three (3) of subsection seven (7) the
13 word "one" and inserting in lieu thereof the words "one and one-half";
14 by striking from line three of subsection eight (8) the words "fifty
15 cents" and inserting in lieu thereof the words "one dollar"; and by
16 striking from line three (3) of subsection nine (9) the word "ten"
17 and inserting in lieu thereof the word "twenty-five".

1 SEC. 11. Section three hundred twenty-one point one hundred
2 fifty-two (321.152), Code 1950, is amended by striking from line six
3 (6) the word "ten" and inserting in lieu thereof the word "twenty-
4 five".

1 SEC. 12. Section four hundred forty-five point twenty-three
2 (445.23), Code 1950, is amended by striking from line eleven (11) the
3 words "fifty cents" and inserting in lieu thereof the words "one dol-
4 lar", and by striking from line twelve (12) the word "ten" and insert-
5 ing in lieu thereof the word "twenty".

1 SEC. 13. Section four hundred forty-five point twenty-six (445.26),
2 Code 1950, is amended by striking from line three (3) the word
3 "thirty" and inserting in lieu thereof the word "sixty", and by strik-
4 ing from line four (4) the word "ten" and inserting in lieu thereof the
5 word "twenty", and by striking from line seven (7) the words "fifty
6 cents" and inserting in lieu thereof the words "one dollar".

1 SEC. 14. Section four hundred forty-six point twenty-nine
2 (446.29), Code 1950, is amended by striking from line twelve (12) the
3 words "fifty cents" and inserting in lieu thereof the words "one dollar".

1 SEC. 15. Section six hundred six point fifteen (606.15), Code 1950,
2 is amended by increasing by one hundred per cent the amount of the
3 various fees therein directed to be charged by the clerk of the district
4 court, except that the amount of the fees directed to be charged by the

5 said clerk under the provisions of subsection twenty-nine (29) shall
6 be increased fifty per cent.

- 1 SEC. 16. This Act being deemed of immediate importance shall
2 become effective from and after its publication in the Ida County
3 Pioneer Record, a newspaper published at Ida Grove, Iowa, and in
4 The Pomeroy Herald, a newspaper published at Pomeroy, Iowa.

Approved May 2, 1951.

I hereby certify that the foregoing act was published in the Ida County Pioneer Record, Ida Grove, Iowa, May 10, 1951, and in The Pomeroy Herald, Pomeroy, Iowa, May 10, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 138

COUNTY PUBLIC HOSPITALS

H. F. 88

AN ACT to amend section three hundred forty-seven point seven (347.7), Code 1950, to raise the limitation on the power to levy annually special taxes for the improvement and maintenance fund of county public hospitals in counties having a population of one hundred thirty-five thousand (135,000) inhabitants or over.

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

- 1 SECTION 1. Section three hundred forty-seven point seven (347.7),
2 Code 1950, is hereby amended by striking from line thirteen (13) the
3 words "two mills" and substituting in lieu thereof the words "three
4 and one-half (3½) mills".

Approved March 16, 1951.

CHAPTER 139

PUBLICATION FEES

H. F. 350

AN ACT to amend section three hundred forty-nine point seventeen (349.17), Code 1950, relating to official newspapers.

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

- 1 SECTION 1. Section three hundred forty-nine point seventeen
2 (349.17), Code 1950, hereby is amended by striking from lines three
3 (3) and four (4) the words "fifty cents for each ten lines of brevier
4 type or its equivalent for each insertion," and substituting in lieu
5 thereof the words "one-half the legal fee provided by statute for the
6 publication of legal notices."

Approved April 13, 1951.

CHAPTER 140

BOUNTIES ON WILD ANIMALS

H. F. 94

AN ACT to amend sections three hundred fifty point one (350.1), three hundred fifty point five (350.5) and three hundred fifty point six (350.6), Code 1950, relating to bounties on wild animals, and providing a levy for the payment of such bounties.

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

1 SECTION 1. Section three hundred fifty point one (350.1), Code
2 1950, is hereby amended by adding thereto the following: "For each
3 red or gray fox, two dollars."

1 SEC. 2. Section three hundred fifty point five (350.5) subsection
2 one (1), Code 1950, is hereby amended by adding after the word
3 "lynx," in line one (1) thereof, the word "fox,".

1 SEC. 3. Section three hundred fifty point six (350.6), Code 1950,
2 is hereby amended by adding after the word "lynx" in line two (2) of
3 subsection one (1), the word "fox".

1 SEC. 4. The board of supervisors of each county may levy the
2 necessary taxes to pay the claims provided for under this chapter, and
3 such taxes shall be used for no other purposes.

Approved April 18, 1951.

CHAPTER 141

SANITARY DISTRICT TAXES

H. F. 613

AN ACT to amend sections three hundred fifty-eight point sixteen (358.16), three hundred fifty-eight point eighteen (358.18), three hundred fifty-eight point twenty (358.20), three hundred fifty-eight point twenty-one (358.21) and three hundred fifty-eight point twenty-two (358.22), Code 1950, providing for the imposition of a tax for the retirement of bonds of a sanitary district, and in general relating to the powers and financing of sanitary districts organized under the provisions of chapter three hundred fifty-eight (358), Code 1950.

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

1 SECTION 1. Section three hundred fifty-eight point sixteen
2 (358.16), Code 1950, is hereby amended by inserting after paragraph
3 one (1) of said section the following:

4 "The board of trustees, however, may upon such petition of prop-
5 erty owners representing at least twenty-five per cent (25%) of the
6 valuation of property not included within the district as constituted
7 which seeks benefit from the operation of such sanitary district, in-
8 clude such property and the area involved within the limits of such
9 sanitary district, and such added areas shall be subject to the same
10 taxation as other portions of the district."

11 Further amend said section by adding thereto the following para-
12 graph:

13 "The board of trustees of such sanitary district may, however, upon
 14 petition of the council or governing body of any incorporated town
 15 within the sanitary district, contract with such city or town to under-
 16 take the operation of local municipal sewage facilities as part of the
 17 functioning of the sanitary district and make an agreement with such
 18 municipality for the levying of additional sewer or sewage disposal
 19 taxes, which taxes shall be levied by the municipality as now provided
 20 by law."

1 SEC. 2. Section three hundred fifty-eight point eighteen (358.18),
 2 Code 1950, is hereby amended by striking from lines four (4) and
 3 five (5) thereof the words "for corporate purposes" and inserting in
 4 lieu thereof the following: "for the purpose of paying the administra-
 5 tive costs of such district, and/or for the payment of deficiencies in
 6 special assessments".

1 SEC. 3. Section three hundred fifty-eight point twenty (358.20),
 2 Code 1950, is hereby amended by adding thereto the following:

3 "The provisions of chapter three hundred ninety-three (393), Code
 4 1950, shall apply to sanitary districts organized under this section
 5 insofar as they are applicable."

1 SEC. 4. Section three hundred fifty-eight point twenty-one (358.21),
 2 Code 1950, is hereby amended by adding thereto the following:

3 "The proceeds of any bond issue made under the provisions of this
 4 section shall be used only for the purpose of acquiring, locating, laying
 5 out, establishing and construction of drainage facilities, conduits,
 6 treatment plants, pumping plants, works, ditches, channels and out-
 7 lets of such capacity and character as may be required for the treat-
 8 ment, carrying off and disposal of the sewage and industrial wastes
 9 and other drainage incidental thereto of such district, or to repair,
 10 change, enlarge and add to such facilities as may be necessary or
 11 proper to meet the requirements present and future for the purposes
 12 aforesaid. Proceeds from such bond issue may also be used for the
 13 payment or* special assessment deficiencies. Said bonds shall be pay-
 14 able in not more than twenty (20) annual installments and at interest
 15 not exceeding five per cent (5%) per annum, and shall be made pay-
 16 able at such place and be of such form as the board of trustees shall by
 17 resolution designate. Any sanitary district issuing bonds as au-
 18 thorized in this section is hereby granted authority to pledge the future
 19 avails of a tax levy not exceeding five (5) mills per annum to the pay-
 20 ment of the principal and interest of such bonds after the same come
 21 due, and the power to impose and certify said levy is hereby granted
 22 to the trustees of sanitary districts organized under the provisions
 23 of this chapter.

1 SEC. 5. Section three hundred fifty-eight point twenty-two
 2 (358.22), Code 1950, is hereby amended by inserting after the figures
 3 "391" in line forty-four (44), a comma (,) and the figures ", 391 A".

Approved April 14, 1951.

*According to enrolled Act.

CHAPTER 142

TOWNSHIP TRUSTEES

H. F. 323

AN ACT relating to the duties of the township trustees and to amend section three hundred fifty-nine point seventeen (359.17), Code 1950.

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

1 SECTION 1. Section three hundred fifty-nine point seventeen
2 (359.17), Code 1950, is amended by striking all of the second sentence
3 in lines four (4), five (5), and six (6) of said section and inserting in
4 lieu thereof the following, "The trustees shall act as overseers of the
5 poor and as fence viewers."

Approved April 5, 1951.

CHAPTER 143

TOWNSHIP CEMETERIES

S. F. 109

AN ACT to amend section three hundred fifty-nine point thirty-five (359.35), Code 1950, relating to use of cemetery funds by township trustees.

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

1 SECTION 1. Section three hundred fifty-nine point thirty-five
2 (359.35), Code 1950, is hereby amended by striking the period (.) at
3 the end of line six (6) and adding thereto the following: "and, when
4 any such cemetery has been so utilized for more than twenty-five (25)
5 years and has been maintained by township funds, the township trus-
6 tees of the township where the cemetery is located shall continue to
7 improve and maintain the same."

Approved April 11, 1951.

CHAPTER 144

INCORPORATION OF CITIES AND TOWNS AND CHANGE OF BOUNDARIES

S. F. 93

AN ACT relating to municipal corporations, including their incorporation, discontinuance, annexation or severance of territory and the changing of names thereof and to repeal various sections of chapter three hundred sixty-two (362), Code 1950, relating thereto and to enact substitutes therefor.

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

1 SECTION 1. Section three hundred sixty-two point five (362.5),
2 Code 1950, is amended by striking the comma (,) after the word "in-
3 corporation" in line four (4), inserting a period (.) in lieu thereof,
4 and striking the balance of the section.

5 Further amend said section by adding the following sentence:
6 "Such notice shall state the time and place of holding the elections, a
7 description of the geographical limits of the proposed municipal cor-

8 poration, that a plat and description of such limits are on file in the
9 office of the clerk of the district court, and shall be published once each
10 week for three (3) consecutive weeks in the manner provided by
11 chapter six hundred eighteen (618).”.

1 SEC. 2. Section three hundred sixty-two point seven (362.7), Code
2 1950, is amended by striking therefrom the sentence beginning with
3 the word “The” in line six (6) and ending with the word “town” in
4 line thirteen (13), and inserting in lieu thereof the following sen-
5 tence: “The commissioners shall cause notice of the time and place of
6 holding the election to be published once each week for three con-
7 secutive weeks in the manner provided by chapter six hundred
8 eighteen (618).”.

1 SEC. 3. Section three hundred sixty-two point eleven (362.11),
2 Code 1950, is amended by striking the comma (,) after the word
3 “election” in line eleven (11) and inserting a period (.) in lieu thereof.
4 Further amend said section by striking from lines eleven (11) to
5 sixteen (16) the words commencing with “by publication” in line
6 eleven (11) and ending with the word “therein” in line sixteen (16),
7 and inserting in lieu thereof the following sentence: “Such notice shall
8 be published once each week for three consecutive weeks in the manner
9 provided by chapter six hundred eighteen (618).”.

1 SEC. 4. Section three hundred sixty-two point fifteen (362.15),
2 Code 1950, is hereby amended by striking therefrom the last sentence
3 in lines six (6) to twelve (12), inclusive, and inserting in lieu thereof
4 the following: “All court records of any mayor or other officer shall
5 be deposited with the clerk of the district court in the county where the
6 office of the mayor or other officer is situated, and the judge of said
7 court shall have authority to execute and complete all unfinished
8 business standing on the same.”.

1 SEC. 5. Section three hundred sixty-two point sixteen (362.16),
2 Code 1950, is amended by striking from lines five (5) to seven (7) the
3 words “for four consecutive weeks in the county where the court is
4 held” and inserting in lieu thereof the following: “for three consecu-
5 tive weeks in the manner provided by chapter six hundred eighteen
6 (618).”.

1 SEC. 6. Section three hundred sixty-two point nineteen (362.19),
2 Code 1950, is amended by striking the last sentence thereof from lines
3 twelve (12) to twenty-four (24) and inserting in lieu thereof the
4 following: “Thereupon a copy of the ordinance, together with a
5 statement that both councils have adopted the same, shall be published
6 once each week for three consecutive weeks in the manner provided by
7 chapter six hundred eighteen (618). The date of the third publication
8 shall be not less than one week nor more than two weeks prior to the
9 election.”.

1 SEC. 7. Sections three hundred sixty-two point twenty-six
2 (362.26), three hundred sixty-two point twenty-eight (362.28), three
3 hundred sixty-two point twenty-nine (362.29), and three hundred
4 sixty-two point thirty-one (362.31), Code 1950, are hereby repealed
5 and the following enacted in lieu thereof: “Unincorporated territory

6 adjoining any city or town may be annexed thereto and become a part
7 thereof by proceeding as follows:

8 1. The clerk of the municipal corporation, on order of the council,
9 shall cause to be published, once each week for two consecutive weeks
10 in the manner provided by section six hundred eighteen point fourteen
11 (618.14), Code 1950, a notice that the council will meet at a certain
12 date, time, and place to consider a proposed resolution for the annexa-
13 tion of certain described territory and to hear objectors and pro-
14 ponents for such annexation.

15 2. The council may provide at said meeting or at a subsequent meet-
16 ing by resolution, adopted at least one month before any regular
17 municipal election, for the annexation of territory described therein.

18 3. The proposition shall be submitted to the voters of said city or
19 town at said election in the following form: "Shall the proposition to
20 annex the territory described as follows: (here set out legal descrip-
21 tion of the territory); in the resolution adopted by the council of the
22 city (or town) of, on the day of
23 be approved?" Notice of the submission of said proposition shall be
24 given by publication once each week for three consecutive weeks in the
25 manner provided by chapter six hundred eighteen (618).

26 4. If the proposition is adopted by a majority of those voting there-
27 on, the council shall cause to be filed in the district court a suit in equity
28 against the owners of the property proposed to be annexed.

29 5. The petition shall contain:

30 a. A description of the entire property proposed to be annexed and
31 of that portion thereof owned by each defendant as shown by the plat
32 books in the office of the county auditor.

33 b. The facts constituting the desirability of such annexation.

34 c. A plat of such territory showing its relation to the corporate
35 limits.

36 6. If the court finds that annexation of such territory, or any part
37 thereof is necessary for proper municipal purposes, the court may
38 decree the annexation of such territory, or any part thereof, provided
39 there is an affirmative showing that the municipal corporation is
40 capable of extending into such territory substantial municipal services
41 and benefits not theretofore enjoyed by such territory. Annexation
42 shall not be decreed merely for the purpose of increasing the revenues
43 from taxation of such municipal corporation. No costs shall be taxed
44 against any defendant who fails to make a defense.

1 SEC. 8. Section three hundred sixty-two point twenty-seven
2 (362.27), Code 1950, is hereby repealed and the following enacted in
3 lieu thereof: "Notice of the filing of the petition shall be served by
4 publication once each week for three consecutive weeks in the manner
5 provided by chapter six hundred eighteen (618)."

1 SEC. 9. Nothing in this bill shall affect pending proceedings or
2 litigation brought under any provisions of chapter three hundred sixty-
3 two (362), Code 1950, prior to the effective date of this enactment.

1 SEC. 10. Section three hundred sixty-two point thirty-three
2 (362.33), Code 1950, is hereby amended by striking from lines eight

3 (8) and nine (9) the words "and also in the office of the secretary of
4 state."

1 SEC. 11. When ten percent of the owners of territory adjoining
2 any city or town petition the council of such city or town for annexa-
3 tion such territory may be annexed by the same procedure as is pro-
4 vided by law for annexation proceedings initiated by the council, except
5 that the petitioners shall be plaintiffs and the city or town and all
6 owners of property in the territory other than petitioners shall be
7 defendants.

Approved May 2, 1951.

CHAPTER 145

CITIES AND TOWNS—GENERAL POWERS

S. F. 165

AN ACT relating to the forms of government, classification, and fiscal year of municipal corporations and to the election of officers thereof, and to repeal certain sections of chapters three hundred sixty-three (363), four hundred sixteen (416), four hundred nineteen (419), and four hundred twenty (420), Code 1950, relating thereto, and to enact a substitute therefor, and to amend various sections of the Code to conform thereto.

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

1 Sections one (1) to nine (9) and fifteen (15) to forty (40) hereof
2 are enacted as a new chapter to be added to Title XV of the Code.

FORMS OF MUNICIPAL GOVERNMENT

1 SECTION 1. **Forms enumerated.** The form of government of a
2 municipal corporation shall be one of the following:

- 3 a. Mayor-Council form,
- 4 b. Commission form,
- 5 c. Council-Manager form by ordinance,
- 6 d. Council-Manager form by popular election.

1 SEC. 2. **Applicability.** This chapter shall apply to all municipal
2 corporations, and to all forms of municipal government, except as
3 otherwise provided by laws relating to a particular form of govern-
4 ment and to elections in cities operating under chapters forty-four
5 (44) and forty-five (45), and except as provided by section forty-three
6 point one hundred twelve (43.112), Code 1950.

1 SEC. 3. **The governing body.** The governing body of all municipal
2 corporations shall be the mayor and council, chosen by the electorate
3 as provided by this chapter. All legislative and other powers granted
4 to municipal corporations shall be exercised by the council, except
5 those conferred upon some officer by law or ordinance. All executive
6 functions and powers shall be exercised by the mayor and other officers
7 and boards, and neither the council nor the members thereof shall
8 exercise any executive functions unless expressly conferred by law.

1 **SEC. 4. Classification.** Municipal corporations are divided into
2 cities and towns.

3 1. Any municipal corporation which has a population of two thou-
4 sand (2,000) or more is a city.

5 2. Any municipal corporation which has a population less than two
6 thousand (2,000) is a town.

1 **SEC. 5. Change of class—loss of population.** Within sixty (60)
2 days after the publication of any Federal census, the executive council
3 shall cause a statement and list of each city or town affected thereby
4 in its class as a corporation to be published in some newspaper at the
5 seat of government, and in each city and town, the class of which is
6 changed. No city shall be affected in its classification by a subsequent
7 loss of population unless its population falls below fifteen hundred
8 (1,500).

1 **SEC. 6. Change of class—ordinances.** Before the next election
2 in a city or town, after a change of class, the council shall make and
3 publish such ordinances as are necessary to perfect such organization,
4 in respect to the election, duties, and compensation of officers. All
5 assets and property of the corporation shall be held and administered
6 as provided by law for its new class.

1 **SEC. 7. Wards.** Cities may be by ordinance divided into wards,
2 new wards created, or the boundaries changed, but in all cases the
3 boundaries of wards shall be as far as practicable established so as to
4 give all wards an equal population.

ELECTIONS

1 **SEC. 8. When held—voting places.** Except as hereinafter pro-
2 vided, regular municipal elections shall be held on the Tuesday next,
3 after the first Monday in November, of odd numbered years, and
4 elective officers shall be chosen biennially to succeed officers whose
5 terms expire on December 31st, following said election. Voting places
6 shall be fixed by the council, and at least one polling place provided
7 for each precinct or ward, as the case may be.

1 **SEC. 9.** All elective municipal officers shall be elected for a term of
2 office of two years except as hereinafter provided. Members of the
3 council in cities operating under the council-manager plan by popular
4 election shall be elected for terms of office of four years. In all municip-
5 al corporations the terms of office of any or all elective municipal
6 officials may be changed from two year terms to four year terms or
7 from four year terms to two year terms upon petition and election.
8 The procedure for change in form of government provided in sec-
9 tions thirty-five (35) to thirty-nine (39) hereof shall be applicable to
10 changes in duration of terms of office except that the number of signers
11 of the petition need equal only ten percent of the votes cast for the
12 candidate for any municipal office receiving the greatest number of
13 votes at the last preceding regular municipal election. In all
14 municipal corporations where members of the council are elected for
15 four year terms such terms shall be staggered so that one-half of the
16 members of the council, as nearly as may be, are elected at each regular
17 municipal election.

18 The references in sections ten (10) to fourteen (14) hereof to
 19 "longer" and "shorter" terms shall apply only to municipal corpora-
 20 tions where members of the council are elected for four year terms.

CHANGING TO FOUR YEAR TERMS

1 **SEC. 10. Transition from municipal election in March, 1950.** All
 2 municipal corporations, except those operating under the provisions
 3 of chapter four hundred nineteen (419), Code 1950, in which the last
 4 regular municipal election was held in March, 1950, shall hold the
 5 next regular municipal election in November, 1951, as provided in
 6 section eight (8) hereof. At said election, elective officers shall be
 7 chosen to succeed those whose terms of office expire on the first Monday
 8 in April, 1952. The mayor, one-half of the members of the council, as
 9 nearly as may be, and other elective officers shall be elected to terms
 10 of office which expire December 31, 1953, as provided in section twelve
 11 (12), hereof. All succeeding regular municipal elections shall be held
 12 as provided in section eight (8), hereof.

1 **SEC. 11. Transition from election in April 1950 or March 1951.**
 2 All municipal corporations except those operating under the provisions
 3 of chapter four hundred nineteen (419), Code 1950, in which the last
 4 regular municipal election was held in April 1950 or March, 1951, shall
 5 hold the next regular municipal election in November, 1953, as pro-
 6 vided in section eight (8), hereof, and the terms of office of all elective
 7 officers of said municipal corporations are hereby extended to Decem-
 8 ber 31, 1953. At said election, the mayor, one-half of the members of
 9 the council, as nearly as may be, and other elective officers shall be
 10 elected for four-year terms of office, and the rest of the members of
 11 the council shall be elected for two-year terms, as provided in section
 12 twelve (12), hereof. All succeeding municipal elections shall be held
 13 as provided in section eight (8), hereof.

1 **SEC. 12. Transition terms—councilmen.** In municipal corporations
 2 where some of the members of the council are elected by wards, mem-
 3 bers of the council, representing even-numbered wards, and one of the
 4 councilmen at large, shall be elected to the longer terms. In municipal
 5 corporations where members of the council are elected at large their
 6 length of term shall be determined by the number of votes received
 7 by each such candidate at the municipal election. Those candidates
 8 for council equal in number to one-half of the number of councilmen
 9 to be elected, or where an odd number are to be elected a bare majority
 10 of such number, who receive the greatest number of votes shall be
 11 elected for the longer term. In the event of a tie the mayor and clerk
 12 shall determine by lot which candidate or candidates shall receive the
 13 longer term.

1 **SEC. 13. Certain cities with election in 1950.** All municipal corpo-
 2 rations operating under the provisions of chapter four hundred nine-
 3 teen (419), Code 1950, in which the last regular municipal election was
 4 held in 1950, shall hold a regular municipal election in November 1951,
 5 as provided in section eight (8), hereof. At said election, elective offi-
 6 cers shall be chosen to succeed those whose terms expire on the first
 7 Monday in April, 1952, and said officers shall be elected for terms of
 8 office which expire December 31, 1955. Similarly, at the regular

9 municipal election held in November 1953, elective officers shall be
 10 chosen to succeed those whose terms expire on the first Monday in
 11 April, 1954, and said officers shall be elected for terms which expire
 12 December 31, 1957. All succeeding regular municipal elections shall
 13 be held as provided in section eight (8), hereof.

1 SEC. 14. Certain cities with election in March, 1951. All municipal
 2 corporations operating under the provisions of chapter four hundred
 3 nineteen (419), Code 1950, in which the last regular municipal election
 4 was held in March, 1951, shall hold their next regular municipal elec-
 5 tion in November, 1953, as provided in section eight (8) hereof. In
 6 such municipal corporations the terms of incumbent elective officers
 7 are hereby extended as follows: Terms of office which expire on the
 8 first Monday in April, 1953, are extended to December 31, 1953; and
 9 terms of office which expire on the first Monday in April, 1955, are ex-
 10 tended to December 31, 1955. Thereafter all regular municipal elec-
 11 tions shall be held in such municipal corporations in November as
 12 provided in section eight (8), hereof.

NOMINATION OF CANDIDATES

1 SEC. 15. Candidates—filing. Any person desiring to become a
 2 candidate for any elective municipal office shall, at least four (4)
 3 weeks prior to the election, file with the clerk of the municipal corpora-
 4 tion a petition signed by qualified voters equaling in number at least
 5 two per cent (2%) of the greatest number of votes cast for any candi-
 6 date for such office at the last regular municipal election, and in no
 7 case less than ten (10), requesting that his (or her) name be printed
 8 upon the official election ballot.

1 SEC. 16. Form of petition. Said petition shall be in substantially
 2 the following form:

Candidate's petition

4 The undersigned, duly qualified electors of the municipal corpora-
 5 tion of, and residing at the places set opposite
 6 our respective names hereto, hereby request that the name of (*name*
 7 *of candidate*) be placed on the ballot as a candidate for (*here specify*
 8 *office*) at the regular municipal election to be held in said incorporated
 9 municipality on the (*specify date of regular municipal election*).

10 We further state that we know the aforesaid person to be a qualified
 11 elector of said municipal corporation, a person of good moral char-
 12 acter, and qualified in our judgment for the duties of said office.

13 Name of qualified elector	Address
14	(including street and
15	residence numbers, if any)
16
17

1 SEC. 17. Affidavit—signer's qualifications. The affidavit of one or
 2 more electors of the municipal corporation, as to the qualifications and
 3 address of each signer of the petition shall be endorsed on or attached
 4 to each petition. When a municipal officer is elected to represent a
 5 ward, signers of his petition must be qualified electors of that ward.

1 SEC. 18. Candidate's affidavit. The candidate's petition shall be

2 accompanied by an affidavit by said candidate in substantially the
3 following form:

4 State of Iowa }
5 County } ss.

6 I, (name), being first duly sworn, say that I reside at (address,
7 including residence and street number, if any); that I am a qualified
8 voter therein; that I am a candidate for the office of (here specify the
9 office) to be voted on at the regular municipal election to be held on
10 (specify date), and I hereby request that my name be printed upon
11 the official ballot for said election. I furthermore declare that if
12 elected, I shall qualify for said office.

13 Signed.....
14 Subscribed and sworn to (or affirmed) before me by.....
15, on this day of,
16 19.....

17
18 Official signature of officer
19 administering oath.

1 SEC. 19. **Population 10,000 or less—procedure.** Four weeks prior
2 to the election, the clerk and mayor shall canvass the petitions of all
3 candidates that have been filed with the clerk, and in all municipal
4 corporations having a population of ten thousand (10,000) or less, as
5 shown by the latest Federal census, shall find all candidates that have
6 filed proper petitions, as herein provided, to be the nominees for the
7 offices sought. The clerk shall then do all things necessary for con-
8 ducting the election. The election shall be conducted in the manner
9 provided by law for general elections.

1 SEC. 20. **Population over 10,000—procedure.** In cities having a
2 population of more than ten thousand (10,000), as shown by the latest
3 Federal census, the procedure shall be as follows:

4 If the clerk and mayor find that the number of candidates for any
5 office, as shown by candidates' petitions filed with the clerk, be not
6 more than twice the number of persons that may be elected to said
7 office, said candidates shall be found to be the nominees, and for said
8 office no primary election shall be held. For any office or offices, for
9 which the number of candidates, as shown by the candidates' peti-
10 tions filed with the clerk, is found to be more than twice the number of
11 persons that may be elected to said office or offices, the nominees shall
12 be determined by a municipal primary election, as hereinafter pro-
13 vided. The clerk and mayor shall file a written report with the coun-
14 cil, stating the nominees for such office or offices, if any, for which no
15 municipal primary election is required, and also stating the office,
16 or offices, if any, for which the nominees shall be determined by a
17 municipal primary election.

1 SEC. 21. **Primary election—time.** The municipal primary election
2 shall be held on the second Tuesday prior to the regular municipal
3 election.

1 SEC. 22. **Names on ballot.** The only persons whose name shall be
2 printed on the municipal primary election ballots shall be the candi-
3 dates for the office, or offices, for which the number of candidates is

4 more than twice the number of persons that may be elected to said
5 office, or offices.

1 **SEC. 23. Publication of ballot.** The clerk shall forthwith cause to
2 be published once in a newspaper or newspapers published within the
3 municipal corporation and of general circulation therein, in proper
4 form, the names of persons as they are to appear upon the municipal
5 primary ballot. No ballot shall have any party designation thereon.

1 **SEC. 24. Primary election procedure.** In conducting municipal
2 primary elections, the same procedure shall be followed as that pro-
3 vided for the conduct of general elections, except as herein modified.

1 **SEC. 25. Qualifications of voters.** Each qualified elector may vote
2 at said municipal primary election, and at the regular municipal elec-
3 tion which follows, who for ten days has been a resident of the pre-
4 cinct in which he offers to vote. Electors who are registered and
5 otherwise qualified, and who change residence from the precinct where
6 registered to another precinct within ten days preceding the election,
7 may vote in the precinct where registered except at elections where
8 councilmen are to be elected by the voters of a ward.

1 **SEC. 26. Tie votes—contests.** A tie vote for nomination or elec-
2 tion to any elective municipal office shall be determined as provided
3 in the title on elections. The nomination or election of any person to
4 a municipal office may be contested on the same grounds and in the
5 same manner provided for contesting elections to county offices, so far
6 as applicable. The mayor shall be the presiding officer of the court, but
7 if the mayor's nomination or election is contested, the council shall
8 elect one of its members to be the presiding officer.

1 **SEC. 27. Qualifications of officers.** Every official elected by a mu-
2 nicipality shall be a qualified voter thereof, and every official elected
3 by the voters of any ward of a municipal corporation shall reside
4 within the limits of said ward.

1 **SEC. 28. Returns canvassed.** On the day following the municipal
2 primary election, the clerk shall publicly canvass said election returns
3 and shall report the results thereof to the council. For municipal
4 officers for which but one person is to be elected, the number of nom-
5 inees, as determined by the municipal primary election, shall be twice
6 the number of persons to be elected and the candidates receiving the
7 greatest number of votes shall be the nominees.

1 **SEC. 29. Report to council.** The clerk's report to the council shall
2 list the nominees for all offices to be filled at the forthcoming municipal
3 election and shall show whether nomination was by municipal primary
4 election, or by petition.

MUNICIPAL ELECTIONS

1 **SEC. 30. Municipal election procedure.** The municipal election
2 shall be conducted in the manner provided by law for conducting
3 general elections.

1 **SEC. 31. Officers elected at large.** In all municipal corporations,
2 except those under the council-manager plan by popular election, the

3 mayor shall be elected by the entire electorate. Members of the council
4 may be elected by wards, or by the entire electorate, as hereinafter
5 provided.

1 SEC. 32. **Time of taking office.** All elected municipal officers shall
2 take office on or before noon of the second secular day of January fol-
3 lowing their election.

1 SEC. 33. **The fiscal year.** The fiscal year for all municipal corpora-
2 tions for which taxes are collected through the office of the county
3 treasurer and for all departments, boards, and commissions thereof
4 shall begin on the first day of January each year and shall end on
5 December thirty-first following.

1 SEC. 34. **Government of new corporations.** All municipalities
2 when first incorporated under the provisions of chapter 362 shall be
3 under the mayor-council form of government.

1 SEC. 35. **Petition for change.** Municipal corporations may change
2 from one form of municipal government to any other form of municipi-
3 pal government by proceeding as follows:

4 Upon petition of electors equal in number to twenty-five per cent
5 (25%) of the votes cast for the candidate for any municipal office
6 receiving the greatest number of votes at the last preceding municipal
7 election, the mayor shall, not less than thirty (30) days prior to the
8 election to be held as herein provided, by proclamation submit the
9 question of changing the form of municipal government at a special
10 election to be held at a time specified therein and within two (2)
11 months after said petition is filed.

1 SEC. 36. **Question submitted.** At such election, the proposition
2 submitted shall be: "Shall the proposition to change the form of
3 municipal government at a special election to be held at a time speci-
4 fied therein and within two (2) months after said petition is filed,*
5 be adopted?"

1 SEC. 37. **Election of officers—time of change.** If the majority of
2 the votes cast be in favor of the proposed change in the form of municipi-
3 pal government, said change shall become effective at the beginning of
4 the year following the next regular municipal election, at which elec-
5 tion, elective officers shall be chosen as required by law for said form
6 of government.

1 SEC. 38. **Resubmission of question.** If the majority of votes cast
2 be not in favor of the proposed change in the form of municipal govern-
3 ment, the question of adopting any change in the form of municipal
4 government shall not be again submitted to the voters of said municipi-
5 pal corporation within two (2) years thereafter.

1 SEC. 39. **Frequency of change.** No municipal corporation shall
2 change its form of government, unless said form of government has
3 been in effect at least six (6) years.

1 SEC. 40. **Vested rights on change.** When a municipal corporation
2 changes its form of government, such change shall have no effect upon

*According to enrolled Act.

3 the territorial limits of said municipal corporation, nor shall it affect
4 any property, rights, or liabilities of said municipal corporation, but
5 shall go solely to the form of government.

1 SEC. 41. **Certification of adoption.** Immediately after such prop-
2 osition has been adopted, the mayor shall transmit to the governor,
3 to the secretary of state, and to the county auditor, each a certificate
4 stating that such proposition was adopted.

1 SEC. 42. **Departments to continue.** All departments in any mu-
2 nicipal corporation which has voted to change its form of government
3 shall continue to exist and function during the interim necessary to
4 effectuate reorganization under the new form.

1 SEC. 43. Sections three hundred sixty-three point one (363.1) to
2 three hundred sixty-three point five (363.5), inclusive, Code 1950, are
3 hereby repealed.

1 SEC. 44. Sections three hundred sixty-three point six (363.6) to
2 three hundred sixty-three point eight (363.8), inclusive, Code 1950,
3 are hereby repealed.

1 SEC. 45. Section three hundred sixty-three point ten (363.10),
2 Code 1950, is hereby repealed.

1 SEC. 46. Section three hundred sixty-three point thirty-five
2 (363.35), Code 1950, is hereby repealed.

1 SEC. 47. Sections four hundred sixteen point two (416.2) to four
2 hundred sixteen point five (416.5), inclusive, Code 1950, are hereby
3 repealed.

1 SEC. 48. Section four hundred sixteen point six (416.6), Code 1950,
2 is hereby repealed.

1 SEC. 49. Section four hundred sixteen point seven (416.7), Code
2 1950, is hereby repealed.

1 SEC. 50. Section four hundred sixteen point nine (416.9), Code
2 1950, is hereby repealed.

1 SEC. 51. Sections four hundred sixteen point ten (416.10), and
2 four hundred sixteen point eleven (416.11), Code 1950, are hereby re-
3 pealed.

1 SEC. 52. Section four hundred sixteen point fifteen (416.15), Code
2 1950, is hereby repealed.

1 SEC. 53. Section four hundred sixteen point sixteen (416.16), Code
2 1950, is hereby repealed.

1 SEC. 54. Section four hundred sixteen point seventeen (416.17),
2 Code 1950, is hereby repealed.

1 SEC. 55. Section four hundred sixteen point eighteen (416.18),
2 Code 1950, is hereby repealed.

1 SEC. 56. Section four hundred sixteen point nineteen (416.19),
2 Code 1950, is hereby repealed.

1 SEC. 57. Section four hundred sixteen point twenty (416.20), Code
2 1950, is hereby repealed.

1 SEC. 58. Section four hundred sixteen point twenty-one (416.21),
2 Code 1950, is hereby repealed.

1 SEC. 59. Section four hundred sixteen point twenty-two (416.22),
2 Code 1950, is hereby repealed.

1 SEC. 60. Section four hundred sixteen point twenty-three (416.23),
2 Code 1950, is hereby repealed.

1 SEC. 61. Sections four hundred sixteen point twenty-four (416.24),
2 four hundred sixteen point twenty-five (416.25), and four hundred
3 sixteen point twenty-seven (416.27) to four hundred sixteen point
4 twenty-nine (416.29), inclusive, Code 1950, are hereby repealed.

1 SEC. 62. Sections four hundred sixteen point thirty (416.30) to
2 four hundred sixteen point thirty-eight (416.38), inclusive, Code 1950,
3 are hereby repealed.

1 SEC. 63. Sections four hundred sixteen point thirty-nine (416.39)
2 and four hundred sixteen point forty (416.40), Code 1950, are hereby
3 repealed.

1 SEC. 64. Section four hundred sixteen point seventy-three (416.73),
2 Code 1950, is hereby repealed.

1 SEC. 65. Sections four hundred sixteen point eighty-eight (416.88)
2 and four hundred sixteen point eighty-nine (416.89), Code 1950, are
3 hereby repealed.

1 SEC. 66. Section four hundred sixteen point ninety-four (416.94),
2 Code 1950, is hereby repealed.

1 SEC. 67. Sections four hundred nineteen point one (419.1) to four
2 hundred nineteen point fourteen (419.14), inclusive, Code 1950, are
3 hereby repealed.

1 SEC. 68. Sections four hundred nineteen point twenty (419.20) to
2 four hundred nineteen point thirty (419.30), inclusive, Code 1950, are
3 hereby repealed.

1 SEC. 69. Sections four hundred nineteen point sixty-three (419.63)
2 to four hundred nineteen point sixty-five (419.65), inclusive, Code
3 1950, are hereby repealed.

1 SEC. 70. Section four hundred nineteen point sixty-eight (419.68),
2 Code 1950, is hereby repealed.

1 SEC. 71. Section four hundred nineteen point seventy-four (419.74),
2 Code 1950, is hereby repealed.

1 SEC. 72. Sections four hundred nineteen point seventy-five (419.75)
2 to four hundred nineteen point seventy-seven (419.77), inclusive, Code
3 1950, are hereby repealed.

1 SEC. 73. Chapter three hundred fifty-four (354), Code 1950, is
2 amended by adding the following new section: "Town sites platted and
3 unincorporated shall be known as villages."

1 SEC. 74. Section thirty-seven point eight (37.8), Code 1950, is
2 amended by striking from line one (1) of subsection two (2) the words
3 "of the first class,".

4 Further amend said section by striking from line one (1) of sub-
5 section three (3) the words "other first class" and by inserting after
6 the word "city" in said line the words "having a population of at least
7 fifteen thousand but not more than fifty thousand,".

8 Further amend said section by striking from line one (1) of sub-
9 section four (4) the words "of the second class" and inserting in lieu
10 thereof the words "having a population of less than fifteen thousand,".

1 SEC. 75. Section forty-three point one hundred twelve (43.112),
2 Code 1950, is amended as follows:

3 1. By striking from line four (4) the words "cities of the first class
4 and".

5 2. By inserting after the word "charter" in line five (5) the words
6 "in 1950".

1 SEC. 76. Section forty-three point one hundred fourteen (43.114),
2 Code 1950, is hereby repealed and the following enacted in lieu thereof:
3 "In special charter cities holding a municipal primary election under
4 the provisions of section forty-three point one hundred twelve (43.112)
5 such primary shall be held on the first Monday in October of the year
6 in which general municipal elections are held."

1 SEC. 77. Section ninety-eight point thirteen (98.13), subsection
2 three (3), paragraph (b.), Code 1950, is hereby amended by striking
3 from line one (1) the words "the second class" and inserting in lieu
4 thereof "less than fifteen thousand population".

5 Further amend said subsection by striking from line one (1) of
6 paragraph (c.) the words "the first class" and inserting in lieu thereof
7 the words "fifteen thousand or more population".

1 SEC. 78. Section two hundred seventy-seven point twenty-three
2 (277.23), Code 1950, is hereby amended by striking from line two (2)
3 the words "the first class" and inserting in lieu thereof the words
4 "fifteen thousand or more population".

1 SEC. 79. Section three hundred point one (300.1), Code 1950, is
2 amended by striking the words commencing with "cities" in line two
3 (2) and ending with "government," in line five (5) inclusive, and in-
4 serting in lieu thereof the words "any city".

5 Further amend said section by inserting a period (.) after the
6 words "such cities" in line twenty-six (26) and striking the balance
7 of the section.

1 SEC. 80. Section three hundred point two (300.2), Code 1950, is
2 amended by striking from lines three (3) to six (6) the words "of the
3 first or second class, city under special charter, or city under the com-
4 mission plan of government,".

1 SEC. 81. Section three hundred twenty-one point two hundred
2 seventy-four (321.274), Code 1950, is amended by striking from line
3 three (3) the words "the first class" and inserting in lieu thereof
4 the words "fifteen thousand or more population".

1 SEC. 82. Section three hundred forty point three (340.3), subsection
2 fourteen (14), Code 1950, is amended by striking from line two
3 (2) the words "the first class" and inserting in lieu thereof the words
4 "fifteen thousand or more population".

1 SEC. 83. Section three hundred forty point ten (340.10) subsection
2 four (4), Code 1950, is amended by striking from line three (3) the
3 words "the second class" and inserting in lieu thereof the words "less
4 than fifteen thousand population".

5 Further amend said subsection by striking from lines four (4) and
6 five (5) the words "of the second class".

1 SEC. 84. Section three hundred fifty-eight point twenty-one
2 (358.21), paragraph two (2), Code 1950, is amended by striking all of
3 lines six (6) to eight (8), inclusive, and inserting in lieu thereof the
4 following "cities and towns".

1 SEC. 85. Section three hundred sixty-seven point one (367.1),
2 Code 1950, is amended by striking from lines one (1) and two (2) the
3 words "the first class" and inserting in lieu thereof the words "fifteen
4 thousand or more population".

1 SEC. 86. Section three hundred sixty-eight point twenty (368.20),
2 Code 1950, is amended by striking from lines one (1) to three (3) the
3 words "of the first and second class, including cities under the com-
4 mission form of government,".

1 SEC. 87. Section three hundred sixty-eight point thirty-nine
2 (368.39), Code 1950, is amended by striking from line two (2) the
3 words "the first class" and inserting in lieu thereof the words "fifteen
4 thousand or more population".

1 SEC. 88. Section three hundred sixty-eight point forty (368.40),
2 Code 1950, is amended by striking from line thirteen (13) the words
3 "the first class" and inserting in lieu thereof the words "fifteen thou-
4 sand or more population".

1 SEC. 89. Section three hundred seventy-two point one (372.1),
2 Code 1950, is amended by striking from lines two (2) and three (3)
3 the words "of the first class" and by striking from line four (4) the
4 words ", to cities of the second class".

1 SEC. 90. Section three hundred eighty point nine (380.9), Code
2 1950, is amended by striking from line one (1) the words "of the
3 second class".

4 Further amend said section by striking from lines three (3) and
5 four (4) the words "the second class" and inserting in lieu thereof
6 the words "less than fifteen thousand population".

1 SEC. 91. Section three hundred eighty-one point two (381.2),
2 Code 1950, is amended by striking from line two (2) the words "the
3 second class" and inserting in lieu thereof the words "less than fifteen
4 thousand population".

1 SEC. 92. Section three hundred eighty-one point seven (381.7),
2 Code 1950, is amended by striking from lines one (1) and two (2) the

3 words "the first class" and inserting in lieu thereof the words "fifteen
4 thousand or more population".

1 SEC. 93. Section three hundred eighty-nine point fifteen (389.15),
2 Code 1950, is amended by striking from lines one (1) and two (2) the
3 words "the first class" and inserting in lieu thereof the words "fifteen
4 thousand or more population".

1 SEC. 94. Section three hundred eighty-nine point seventeen
2 (389.17), Code 1950, is amended by striking from line two (2) the
3 words "the first class" and inserting in lieu thereof the words "fifteen
4 thousand or more population".

1 SEC. 95. Section three hundred ninety-seven point twenty-nine
2 (397.29), Code 1950, is amended by striking from line two (2) the
3 words "of the first class".

1 SEC. 96. Section three hundred ninety-eight point one (398.1),
2 Code 1950, is amended by striking from lines one (1) and two (2) the
3 words "of the first class, and cities of the second class".

1 SEC. 97. Section three hundred ninety-eight point five (398.5),
2 Code 1950, is amended by striking from lines one (1) and two (2) the
3 words "of the first class, and cities of the second class".

1 SEC. 98. Section four hundred four point three (404.3), subsection
2 two (2), Code 1950, is amended by striking from line one (1) the
3 words "the first class" and inserting in lieu thereof "fifteen thousand
4 or more population".

5 Further amend said section by striking from subsection three (3),
6 line one (1) the words "of the second class" and by inserting after the
7 word "thousand" in line two (2) of said subsection the words "but
8 less than fifteen thousand".

1 SEC. 99. Section four hundred four point seven (404.7), Code 1950,
2 is amended by striking from lines one (1) and two (2) the words
3 "the first class", and inserting in lieu thereof "fifteen thousand or more
4 population".

1 SEC. 100. Section four hundred eight point sixteen (408.16), Code
2 1950, is amended by striking from line two (2) the words, "the first
3 class" and inserting in lieu thereof the words "fifteen thousand or
4 more population".

1 SEC. 101. Section four hundred fifteen point one (415.1), Code
2 1950, is amended by striking from lines one (1) and two (2) the words
3 "of the first and second class".

1 SEC. 102. Section four hundred sixteen point fifty-four (416.54),
2 Code 1950, is amended by striking from lines one (1) and two (2) the
3 words "the first class" and inserting in lieu thereof the words "fifteen
4 thousand or more population".

1 SEC. 103. Section four hundred sixteen point fifty-five (416.55),
2 Code 1950, is amended by striking from line two (2) the words "the
3 second class" and inserting in lieu thereof the words "less than fifteen
4 thousand population".

1 SEC. 104. Section four hundred sixteen point ninety-two (416.92),
2 Code 1950, is amended by striking from line two (2) the words "of
3 the first and second class".

1 SEC. 105. Section four hundred eighteen point one (418.1), Code
2 1950, is amended by striking from lines three (3) to six (6) the words
3 "and cities having a population of more than twenty-five thousand as
4 shown by the last preceding census,".

1 SEC. 106. Sections four hundred twenty point one (420.1) to four
2 hundred twenty point seven (420.7), inclusive, Code 1950, are hereby
3 repealed.

1 SEC. 107. Section four hundred twenty point forty-eight (420.48),
2 Code 1950, is hereby repealed.

1 SEC. 108. Section three hundred sixty-three point fifty-one
2 (363.51), Code 1950, is hereby repealed.

1 SEC. 109. Section seventeen point seven (17.7), Code 1950, is
2 amended by striking from line three (3) the word "March" and insert-
3 ing in lieu thereof the word "December".

1 SEC. 110. Section three hundred ninety-eight point ten (398.10),
2 Code 1950, is amended as follows:

3 1. Insert in line seventeen (17), after the word "board", the words
4 "for the first three quarters of the fiscal year".

5 2. Strike from line nineteen (19) the word "January" and insert
6 in lieu thereof the word "April".

1 SEC. 111. The code editor is authorized to make the following
2 changes in the statutes:

3 1. Wherever in the statutes, other than in this Act, reference is
4 made to cities of the first class, the code editor is authorized to strike
5 such reference and to insert in lieu thereof reference to cities having
6 a population of fifteen thousand or over.

7 2. Wherever in the statutes, other than in this Act, reference is
8 made to cities of the second class, the code editor is authorized to strike
9 such reference and to insert in lieu thereof reference to cities having a
10 population of less than fifteen thousand.

1 SEC. 112. Section six hundred two point eleven (602.11), Code
2 1950, is amended by striking from lines three (3) and four (4) the
3 word "Monday" and inserting in lieu thereof the words "day of
4 January".

Approved May 2, 1951.

CHAPTER 146

MAYOR-COUNCIL FORM OF CITY GOVERNMENT

S. F. 28

AN ACT to provide for the government of cities and towns under the mayor-council form of municipal government, and to repeal various sections of chapter three hundred sixty-three (363), Code 1950, relating thereto and to enact a substitute therefor.

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

1 Sections one (1) to four (4) hereof are hereby enacted as a new
2 chapter to be added to Title XV, Code 1950.

1 SECTION 1. **Applicability of chapter.** All incorporated cities and
2 towns which are not under the commission, city manager by ordinance,
3 or city manager by popular election forms of government shall be
4 considered as having the mayor-council form of government and the
5 provisions of this chapter shall be applicable.

1 SEC. 2. **Councilmen—number and election.** Towns operating un-
2 der the mayor-council form of government shall have a council com-
3 posed of five councilmen at large, elected by the entire electorate.
4 Cities operating under the mayor-council form of government may
5 have a council composed of five councilmen at large, or may have a
6 council composed of two councilmen at large, and one councilman from
7 each ward; but if any city embraces within its limits the whole or part
8 of two or more townships, two of which parts contain one thousand
9 or more electors, only one councilman at large shall be chosen from
10 any one township.

1 SEC. 3. **Appointment of officers.** The mayor shall appoint the fol-
2 lowing officers:

3 1. A marshal, and such other police officers, including police matrons
4 as may be provided by ordinance.

5 2. Such other officers as the council may, by ordinance, direct him
6 to appoint.

7 The council shall elect all other officers.

8 The prior civil service rights of any person appointed to any position
9 under this section shall not be abridged by such appointment.

1 SEC. 4. **Compensation of other officers.** The council shall prescribe
2 the rate of compensation of all elected or appointed officers or em-
3 ployees, whose compensation is not fixed by law.

1 SEC. 5. Section three hundred sixty-three point nine (363.9), Code
2 1950, is hereby repealed.

1 SEC. 6. Sections three hundred sixty-three point eleven (363.11),
2 three hundred sixty-three point twelve (363.12), and three hundred
3 sixty-three point fifteen (363.15), Code 1950, are hereby repealed.

1 SEC. 7. Sections three hundred sixty-three point thirteen (363.13)
2 and three hundred sixty-three point fourteen (363.14), Code 1950, are
3 hereby repealed.

1 SEC. 8. Sections three hundred sixty-three point forty-one
 2 (363.41), three hundred sixty-three point forty-four (363.44), and
 3 three hundred sixty-three point forty-five (363.45), Code 1950, are
 4 hereby repealed.

Approved May 2, 1951.

CHAPTER 147

GENERAL POWERS OF MUNICIPAL OFFICERS

S. F. 164

AN ACT to define the general powers and duties of municipal officers and to repeal various sections of the Code relating thereto and to enact substitutes therefor.

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

GENERAL POWERS AND DUTIES OF MUNICIPAL OFFICERS

The Administration

1 SECTION 1. The council. In all municipal corporations, except
 2 when otherwise provided by laws relating to a specific form of mu-
 3 nicipal government, the council shall:

4 1. *First meeting.* After taking office, assemble, organize and ap-
 5 point a clerk.

6 2. *Meetings.* Determine the time and place of holding their meet-
 7 ings, which at all times shall be open to the public, and in the absence
 8 of the mayor or clerk appoint a temporary chairman or clerk, as the
 9 case may be, from their own number, which appointment shall be en-
 10 tered of record. A majority of the whole number of members to which
 11 the corporation is entitled shall be necessary to constitute a quorum.

12 3. *Special meetings.* Hold special meetings when called by the
 13 mayor or a majority of the members of the council. Notice thereof
 14 shall be given personally or left at the usual place of residence of each
 15 member of the council, and a record of the services of notice made
 16 by the clerk.

17 4. *Rules—journal.* Determine the rules of their own proceedings,
 18 and cause to be kept a journal thereof which shall be open to public
 19 inspection.

20 5. *Attendance of members.* Have power to compel the attendance
 21 of absent members in such manner and under such penalties as they
 22 may prescribe.

23 6. *Seal.* Cause to be provided a seal in the center of which shall
 24 be the name of the city or town, and around the margin the words
 25 "city seal" or "town seal", as the case may be, which shall be affixed
 26 to all transcripts, orders, or certificates which it may be necessary
 27 or proper to authenticate.

28 7. *Appointments.* Have power to appoint an attorney, city clerk,
 29 engineer, health officer, and such other officers, assistants and em-
 30 ployees as are provided by ordinance and are necessary for the proper
 31 and efficient conduct of the affairs of the municipal corporation, and
 32 fix the terms of employment which may include vacations, retirement
 33 plans and sick leave.

34 8. *Election for filling vacancies.* Elect by ballot persons to fill va-
35 cancies in offices not filled by election by the council, and the person
36 receiving a majority of the votes of the whole number of members
37 shall be declared elected to fill the vacancy.

38 9. *Terms of officers.* Fix by ordinance the terms of service, which
39 shall not exceed two years, of all officers whose terms are not pre-
40 scribed by law.

41 10. *Powers of officers.* Prescribe by ordinance the powers to be
42 exercised and duties performed by officers insofar as such powers and
43 duties are not defined by law.

44 11. *Defend employees.* Have power to direct the city attorney, or to
45 employ an attorney, to defend any municipal officer or employee in
46 any cause of action arising out of or in the course of the performance
47 of the duties of his office or employment and to pay the costs of such
48 defense.

49 12. *Liability insurance.* Have power to purchase and pay the
50 premiums on liability and property damage insurance covering and
51 insuring municipal employees while in the performance of their duties
52 and operating an automobile, truck, road grader, machinery or other
53 vehicles owned or used by the municipal corporation, which insurance
54 shall insure, cover, and protect against any liability the municipal
55 employee or the municipal corporation may incur.

56 13. *Surety bond.* Have power to purchase a surety bond running
57 to the municipal corporation and covering all municipal officers and
58 employees for the purpose of indemnifying the municipal corporation
59 against any loss occasioned through embezzlement of municipal funds
60 by any municipal officer or employee.

1 SEC. 2. **The mayor.** In all municipal corporations, the mayor shall
2 have the following powers and perform the following duties except
3 when otherwise provided by laws relating to specific forms of munici-
4 pal government.

5 1. *Executive officer—magistrate.* He shall be a conservator of the
6 peace, and, within the limits of the corporation, shall have all the
7 powers conferred upon sheriffs to suppress disorders. He shall be the
8 chief executive officer thereof, and it shall be his duty to enforce all
9 regulations and ordinances; he may, upon view, arrest anyone guilty
10 of a violation thereof, or of any crime under the laws of the state, and
11 shall, upon information supported by affidavit, issue process for the
12 arrest of any person charged with violating any ordinance of the
13 corporation; shall supervise the conduct of all corporate officers, ex-
14 amine into the grounds of complaint made against them, and cause
15 all neglect or violation of duty to be corrected, or report the same to
16 the proper tribunal, that they may be dealt with as provided by law.

17 2. *Office.* He shall keep an office at some convenient place in the
18 city or town, to be provided by the council, and provide for the keeping
19 of the corporate seal thereof.

20 3. *Signature.* He shall sign all commissions, licenses, and permits
21 granted by the authority of the council, and do such other acts as by
22 law or ordinance may require his signature or certificate.

23 4. *Treasurer—appointment.* He shall appoint the treasurer and
24 such appointment shall be subject to approval by the council. However,
25 in lieu of such appointment, the council may, by ordinance, provide for
26 the election at large of the treasurer at the regular municipal election.

27 5. *Other duties.* He shall also perform such other duties compatible
28 with the nature of his office as the council may from time to time
29 require.

30 6. *Presiding officer—vote.* He shall be the presiding officer of the
31 council with the right to vote only in case of a tie.

1 SEC. 3. **The clerk.** In all municipal corporations the clerk shall
2 perform the following duties:

3 1. Attend all meetings of the council, but in no event have the right
4 to vote on any question before it.

5 2. Make an accurate record of and have custody of all proceedings
6 had, rules and ordinances adopted by the council, and the same shall
7 at all times be open to the public.

8 3. Immediately following a regular or special meeting of the city
9 or town council, the clerk shall prepare a condensed statement of the
10 proceedings of said council, including the total expenditure from each
11 municipal fund, and cause the same to be published in a newspaper of
12 general circulation in the city or town. Said statement shall include a
13 list of all claims allowed and a summary of all receipts, providing
14 however that in cities having more than one hundred fifty thousand
15 (150,000) population the council shall each month print in pamphlet
16 form a detailed itemized statement of all receipts and disbursements
17 of the city, and a summary of its proceedings during the preceding
18 month, and furnish copies thereof to the state library, the city library,
19 the daily newspapers of the city and to persons who shall apply
20 therefor at the office of the city clerk, and such pamphlet shall con-
21 stitute publication as required herein. Failure by the clerk to make
22 such publication shall constitute a misdemeanor.

23 4. Supply the treasurer with a statement of all warrants issued
24 after each meeting, giving the number and amounts of each.

25 5. Upon order of the council, destroy all records and papers, other
26 than proceedings, ordinances, and instruments having to do with real
27 estate and bond issues, which are more than ten years old, or offer
28 such of same as may be of historical interest to a historical society or
29 public library.

30 6. Perform such duties as may be required by the council.

31 7. Perform such duties in respect to elections and other matters as
32 are required by law.

1 SEC. 4. **The treasurer.** In all municipal corporations the treasurer
2 shall perform the following duties:

3 1. He shall receive all money payable to the corporation, and dis-
4 burse same only on warrants drawn and signed by the proper officer.

5 2. He shall make returns monthly, or oftener if required by the
6 council, to the officer drawing such warrants, showing the warrants
7 paid and the amount of principal and interest paid.

8 3. He shall make a written report under oath to the council at its

9 first regular meeting in each month, showing the balance in each fund
10 of the corporation at the end of the preceding month.

11 4. He shall not loan or in any manner use for private purposes any
12 funds coming into his hands as treasurer.

13 5. He shall give bond in such sum as is fixed by the council and the
14 cost of said bond, not to exceed one per cent per annum, shall be paid
15 by the municipal corporation.

Accounts and Accounting Officers.

1 **SEC. 5. Accounts.** All cities and towns shall establish and keep
2 their accounts so the same shall exhibit a true and detailed statement
3 of all public funds collected, received, and expended on account of such
4 municipal corporation for any purpose whatever, by any and all public
5 officers, employees or other persons. Such accounts shall show the
6 receipt, use, and disposition of all public property, and the income, if
7 any, derived therefrom, and of all sources of public income and the
8 amount due and received from each source. All receipts, vouchers,
9 and other documents kept, or that may be required to be kept, neces-
10 sary to prove the validity of every transaction and the identity of
11 every person having any beneficial relation thereto, shall be filed and
12 preserved in the office of the clerk or recorder as the case may be.

1 **SEC. 6. Separate accounts.** Separate accounts shall be kept for
2 every appropriation, showing date and manner of each payment made
3 out of the funds provided by such appropriation, the name and address
4 of each person or corporation to whom paid, and for what purpose paid.

5 Separate accounts shall be kept for each department, public im-
6 provement, or undertaking, and for each public utility owned or oper-
7 ated by the said municipality.

8 Said separate accounts for each public utility shall show the true
9 and entire cost of the said utility and the operation thereof, the amount
10 collected annually by general or special taxation for the services ren-
11 dered to the public, and the amount and character of the services
12 rendered therefor, and the amount collected annually from private
13 users, if any, for the services rendered to them, and the amount and
14 character of the services rendered therefor.

1 **SEC. 7. Accounting officers—reports.** All accounting officers of all
2 boards, commissions, departments, and offices within the municipal
3 corporation receiving or disbursing public funds shall file with the
4 auditor or clerk within thirty days from the expiration of the muni-
5 cipal fiscal year, a detailed report in writing showing the receipts and
6 disbursements of all funds in the department, board, or commission in
7 question for said fiscal year.

1 **SEC. 8. Penalty.** The failure to make the said report shall consti-
2 tute a misdemeanor.

1 **SEC. 9. Annual reports.** Each city or town shall, through its chief
2 accounting and warrant issuing officer, make an annual public report
3 which shall contain an accurate statement in summarized form of all
4 collections made or receipts of the municipal corporation from all
5 sources, all accounts due the public but not collected, and all expendi-
6 tures for every purpose, and, except as otherwise provided by law, a

7 statement in detail of the cost of operation and income of each public
8 utility operated or owned by the municipality. It shall show in detail
9 the entire public debt of the municipality and the amount of debt
10 which it may under the law contract for the year in which the report
11 is made.

1 **SEC. 10. Enforcement of duty.** The auditor or clerk may institute
2 legal proceedings to enforce the making of said reports.

1 **SEC. 11. Publication.** The annual report shall be published in a
2 newspaper of general circulation in the city or town except where
3 there is no Iowa newspaper of general circulation in the town, said
4 annual report may be posted in three (3) public places.

1 **SEC. 12. Report to state auditor.** On or before the first secular day
2 in February of each year, the official making the report for each city
3 or town shall forward to the auditor of state a certified copy of the
4 annual report. If such official fails to file his report with the auditor of
5 state within the time prescribed, the auditor may send an examiner or
6 examiners to make the report and the expenses thereof shall be
7 charged against the delinquent city or town.

1 **SEC. 13. Report—by whom made.** It shall be the duty of the
2 auditor or clerk who served in the capacity during the time covered
3 by the report, to prepare and file the same, and if said official has
4 retired from office, the council shall allow him such compensation for
5 preparing the report as may be deemed proper.

1 **SEC. 14. Warrants—how drawn.** The auditor, clerk, or other offi-
2 cer of cities and towns whose duty it is to draw the warrants thereof,
3 shall not draw any such warrant except upon the vote of the council.

1 **SEC. 15. List of warrants.** The officer drawing such warrants
2 shall, on or before the tenth day of each month, furnish the council
3 a sworn and complete list of all warrants, and the amount thereof,
4 drawn by him during the preceding month, which list shall state on
5 whose account and the object and purpose for which each warrant
6 was drawn.

1 **SEC. 16. Prohibitions as to warrants.** All the provisions of sections
2 three hundred thirty-four point three (334.3), three hundred thirty-
3 four point four (334.4), three hundred forty-three point seven (343.7)
4 to three hundred forty-three point nine (343.9), inclusive shall be
5 applicable to cities and towns, their officers and employees, subject
6 only to such modifications as may be necessary therefor.

Police Department

1 **SEC. 17. The marshal.** The marshal shall be ex officio chief of
2 police and may appoint one or more deputy marshals, who may per-
3 form his duties, and who, in cities of fifteen thousand or more popu-
4 lation shall be members of the police force. He shall have the
5 supervision and general direction of the police force, and shall be the
6 ministerial officer of the corporation. He shall suppress all riots,
7 disturbances, and breaches of the peace, arrest all disorderly persons
8 in the city or town and all persons committing any offense against the

9 ordinances thereof, and forthwith bring such persons before the
 10 proper court for examination or trial. He shall pursue and arrest any
 11 person fleeing from justice, and shall diligently enforce all laws,
 12 ordinances, and regulations for the preservation of the public welfare
 13 and good order, and shall have the same powers and duties as con-
 14 stables in similar cases. He shall attend upon the sittings of the
 15 mayor's and police court, and execute within the county and return
 16 all writs and other processes directed to him therefrom.

1 **SEC. 18. Policemen.** The officers and members of the police force
 2 shall have such powers and perform such duties as may be provided by
 3 law or ordinance, and shall have the same powers as marshals to make
 4 arrests and suppress riots, disturbances, and breaches of the peace.

1 **SEC. 19. Police matrons.** Police matrons shall have charge of all
 2 the women and children under arrest, accompanying to court such as
 3 may require such aid. They shall be subject to the authority of the
 4 marshal and the rules and regulations prescribed by his authority, and
 5 in stations, when on duty, shall be subject to the authority of the
 6 officers in command. In cities where workhouses are established for
 7 the detention of women, or where there are houses of detention, they
 8 shall have at all times the right of entering such establishments, and
 9 shall visit them whenever in their judgment such visits may be neces-
 10 sary. A suitable place shall be provided for the police matrons, when
 11 not on duty, for rest and refreshment.

Other Officers

1 **SEC. 20. Other officers.** The city attorney, engineer, auditor,
 2 physician, and such additional officers as may be provided for, shall
 3 have such powers and perform such duties as are prescribed by law or
 4 ordinance.

General Restrictions on Municipal Officers

1 **SEC. 21. Ineligibility—change of compensation.** No member of
 2 any city or town council shall, during the time for which he has been
 3 elected, be appointed to any municipal office which has been created
 4 or the emoluments of which have been increased during the term for
 5 which he was elected, nor shall the emoluments of any city or town
 6 officer be changed during the term for which he has been elected. No
 7 person who shall resign or vacate any office shall be eligible to the same
 8 during the time for which he was elected, when, during the time, the
 9 emoluments of the office have been increased.

1 **SEC. 22. Interest in contracts.** No officer, including members of
 2 the city council, shall be interested, directly or indirectly, in any con-
 3 tract or job of work or material or the profits thereof or services to be
 4 furnished or performed for the city or town.

1 **SEC. 23. Free passes.** No such officer shall accept or receive, di-
 2 rectly or indirectly, from any person, firm, or corporation operating
 3 within the said city or town any railway, interurban railway, street
 4 railway, gasworks, waterworks, electric light or power plants, tele-
 5 graph line, or telephone exchange, or other business using a public

6 franchise, any frank, free pass, or ticket, or other service upon terms
 7 more favorable than is granted to the public generally, except where,
 8 by franchise granted by the municipal corporation to any such person
 9 or corporation, any officers of said municipal corporation are granted
 10 such privileges as part of such franchise, and except that members of
 11 the police and fire departments of any city or town shall be carried
 12 without charge. Any violation of the provisions of this section or
 13 section twenty-two of this Act shall be a misdemeanor. The provisions
 14 of this section shall not prohibit the acceptance and use of free passes
 15 under the provisions of section four hundred seventy-nine point
 16 ninety-four (479.94).

1 SEC. 24. **Publication by state auditor.** Chapter eleven (11) of the
 2 Code is amended by adding the following section:

3 "The auditor of state shall prepare the annual reports certified to
 4 him under the provisions of the Chapter on the powers and duties of
 5 municipal officers for publication in a separate volume. Said reports
 6 shall show under appropriate schedules the total receipts and expendi-
 7 tures, assets and indebtedness, and related data of all cities and towns
 8 in the state, together with comments and recommendations respecting
 9 desirable changes in the law governing financial administration in
 10 municipal corporations."

1 SEC. 25. **Utilities boards—proceedings.** Immediately following
 2 each meeting of the trustees or governing board of each municipally
 3 owned public utility, the trustees or board members shall publish by
 4 one insertion in at least one newspaper a summary of the proceedings
 5 together with a list of warrants drawn, the names of persons, firms,
 6 or corporations to whom drawn, the amount thereof, and the reason
 7 therefor. Publication shall be made in the manner provided by sec-
 8 tion six hundred eighteen point fourteen (618.14). Failure to make
 9 such publication shall constitute a misdemeanor.

1 SEC. 26. Section three hundred sixty-three point eleven (363.11),
 2 Code 1950, is hereby repealed.

1 SEC. 27. Section three hundred sixty-three point eighteen
 2 (363.18), Code 1950, is hereby repealed.

1 SEC. 28. Section three hundred sixty-three point nineteen
 2 (363.19), Code 1950, is hereby repealed.

1 SEC. 29. Sections three hundred sixty-three point twenty (363.20),
 2 to three hundred sixty-three point twenty-two (363.22), inclusive,
 3 and three hundred sixty-three point thirty-seven (363.37), Code 1950,
 4 are hereby repealed.

1 SEC. 30. Sections three hundred sixty-three point twenty-three
 2 (363.23) to three hundred sixty-three point twenty-eight (363.28),
 3 inclusive, Code 1950, are hereby repealed.

1 SEC. 31. Sections three hundred sixty-three point thirty (363.30)
 2 to three hundred sixty-three point thirty-three (363.33), inclusive,
 3 Code 1950, are hereby repealed.

1 SEC. 32. Section three hundred sixty-three point thirty-six
2 (363.36), Code 1950, is hereby repealed.

1 SEC. 33. Sections three hundred sixty-three point forty-six
2 (363.46) to three hundred sixty-three point forty-eight (363.48), in-
3 clusive, Code 1950, are hereby repealed.

1 SEC. 34. Sections three hundred sixty-three point forty-nine
2 (363.49) to three hundred sixty-three point fifty-nine (363.59), in-
3 clusive, Code 1950, are hereby repealed.

1 SEC. 35. Section three hundred sixty-six point ten (366.10), Code
2 1950, is hereby repealed.

1 SEC. 36. Sections four hundred sixteen point fourteen (416.14),
2 four hundred sixteen point forty-five (416.45), four hundred sixteen
3 point forty-nine (416.49), four hundred sixteen point fifty-three
4 (416.53), four hundred sixteen point ninety-five (416.95), and four
5 hundred sixteen point ninety-six (416.96), Code 1950, are hereby
6 repealed.

1 SEC. 37. Section four hundred sixteen point one hundred nine
2 (416.109), Code 1950, is hereby repealed.

1 SEC. 38. Section four hundred sixteen point one hundred ten
2 (416.110), Code 1950, is hereby repealed.

1 SEC. 39. Sections four hundred sixteen point fifty-eight (416.58)
2 to four hundred sixteen point sixty-one (416.61), inclusive, and four
3 hundred nineteen point forty-two (419.42), Code 1950, are hereby
4 repealed.

1 SEC. 40. Sections four hundred twenty point twenty-six (420.26)
2 to four hundred twenty point thirty (420.30), inclusive, Code 1950,
3 are hereby repealed.

1 SEC. 41. Sections four hundred nineteen point sixteen (419.16) to
2 four hundred nineteen point eighteen (419.18), inclusive, four hun-
3 dred nineteen point thirty-four (419.34), and four hundred nineteen
4 point thirty-five (419.35), Code 1950, are hereby repealed.

Approved May 2, 1951.

CHAPTER 148

MUNICIPAL ORDINANCES

S. F. 33

AN ACT relating to the ordinances of municipal corporations, and to repeal certain sections of chapter three hundred sixty-six (366), Code 1950, relating thereto, and to amend certain sections of said chapter.

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

1 SECTION 1. Section three hundred sixty-six point three (366.3),
2 Code 1950, is amended by striking from lines one (1) to three (3) the

3 following words: "of a general or permanent nature and those for the
4 appropriation of money".

1 SEC. 2. Section three hundred sixty-six point four (366.4), Code
2 1950, is amended by striking from lines two (2) and three (3) the
3 following words: "for any of the purposes hereinafter set forth".

4 Further amend said section by striking the colon (:) from line
5 seven (7), inserting a period (.) in lieu thereof, and striking the
6 balance of the section.

1 SEC. 3. Sections three hundred sixty-six point seven (366.7), three
2 hundred sixty-six point eight (366.8), and three hundred sixty-six
3 point nine (366.9), Code 1950, are all repealed and the following new
4 section added to chapter three hundred sixty-six (366), Code 1950, in
5 lieu thereof:

6 "Notice of the passage, revision, or amendment of ordinances shall
7 be given to the public in the following manner:

8 1. Upon passage by the council, ordinances shall be published once
9 in the manner provided by section six hundred eighteen point fourteen
10 (618.14).

11 2. When an ordinance is revised or amended, such revision or
12 amendment shall be made in the form prescribed by section three hun-
13 dred sixty-six point two (366.2) and shall be published once in the
14 manner provided by section six hundred eighteen point fourteen
15 (618.14).

16 3. Ordinances and revisions or amendments thereof shall take effect
17 on the date of publication or at a subsequent date provided by the
18 council.

19 4. Publication of its existing ordinances in a bound or loose-leaf
20 book or pamphlet by any municipal corporation shall be prima facie
21 evidence of the passage, content, and legal publication of such ordi-
22 nances as of the date provided or mentioned therein. Copies of such
23 published ordinances shall be kept available at the clerk's office for
24 public inspection and use.

25 5. Publication by a municipal corporation, in cities having more
26 than one hundred fifty thousand (150,000) population, of its ordi-
27 nances in the form of a bound or loose-leaf municipal code, or as a new
28 edition of such municipal code, or as supplements to an existing
29 edition of such municipal code, shall be deemed a sufficient publication
30 and in lieu of publication in a newspaper, provided that: (a) Copies
31 of such bound or loose-leaf codes shall be kept available at the clerk's
32 office for public inspection and for sale at cost to the public; (b) A
33 copy of such municipal code shall be furnished to the state law library,
34 the municipal library, if any, and to a newspaper of general circula-
35 tion in the municipality; (c) Copies of all amendments, new ordi-
36 nances, and a list of repealed ordinances shall be provided, on or before
37 the tenth day of the month succeeding final action thereon by the
38 council, in the form of pamphlets or loose-leaf inserts, and made avail-
39 able to the public in the same manner as provided in paragraphs (a)
40 and (b) hereof."

1 SEC. 4. Building Codes. Any municipal corporation may adopt a
2 building code as an ordinance by the following procedure:

- 3 1. The council shall, by resolution, direct the clerk to publish notice
4 that it is proposing to adopt a building code, and that a public hearing
5 on such adoption will be held. Said notice shall be published once each
6 week for two (2) consecutive weeks, as provided in section 618.14,
7 with the date of last publication not less than five nor more than ten
8 days prior to the date of hearing. Said notice shall specify:
- 9 a. The time and place that said public hearing will be held, at which
10 hearing the council will consider arguments for or against the pro-
11 posed adoption of the building code;
- 12 b. That copies of the proposed building code may be seen or may be
13 secured at the office of the clerk.
- 14 2. After said public hearing, the council may, by resolution adopt
15 said proposed building code or may amend same.
- 16 3. If the council proposes to amend said building code, before adop-
17 tion a public hearing on the proposed amended code shall be held in
18 the same manner as herein provided for the code originally proposed.
- 19 4. Following the public hearings as herein provided, the council
20 may pass an ordinance adopting said code in its original or amended
21 form as the case may be. Said ordinance shall recite:
- 22 a. That pursuant to published notice, a public hearing or public
23 hearings had been duly held, and the council had determined that the
24 proposed building code, in its original or amended form, as the case
25 may be, should be adopted as an ordinance of the municipal corpora-
26 tion.
- 27 b. That an official copy of the building code as adopted, including a
28 certificate by the mayor as to its adoption, and its effective date, duly
29 attested by the clerk, is on file at the office of the city clerk.
- 30 4.* Amendments to existing building codes may be adopted by the
31 same procedure and attestation as herein provided for the adoption of
32 original building code ordinances.

1 SEC. 5. Every ordinance or resolution appropriating money or
2 ordering any street improvement or sewer, or making or authorizing
3 the making of any contract, or granting any franchise or right to
4 occupy or use the streets, highways, bridges, or public places in the
5 municipal corporation for any purpose, shall be complete in the form
6 in which it is finally passed, and remain on file with the city clerk for
7 public inspection at least one week before the final passage or adoption
8 thereof, and a motion therefor in writing indicating the nature of such
9 ordinance or resolution shall become part of the council's proceedings.

Approved April 30, 1951.

*According to enrolled Act.

CHAPTER 149
MAYORS' AND POLICE COURTS

S. F. 23

AN ACT relating to the mayors and police courts of cities and towns, and to repeal various sections of chapters three hundred sixty-three (363), four hundred sixteen (416), four hundred nineteen (419), and four hundred twenty (420), Code 1950, and to amend chapter three hundred sixty-seven (367), Code 1950.

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

1 SECTION 1. Title fifteen (XV), Code 1950, is amended as follows:

2 1. Section three hundred sixty-three point twelve (363.12) is hereby
3 amended by striking all of the last sentence beginning with the word
4 "In" in line six (6).

5 2. Section three hundred sixty-three point sixteen (363.16) is hereby
6 repealed.

7 3. Section four hundred sixteen point fifty-four (416.54) is hereby
8 repealed.

9 4. Section four hundred nineteen point thirty-seven (419.37) is here-
10 by amended by striking from lines four (4) and five (5) the following:
11 "appoint a police judge or magistrate,".

12 5. Chapter three hundred sixty-seven (367) is amended by adding
13 the following: "The police court shall be presided over by a police
14 judge, who shall be appointed by the council. The council may, in lieu
15 of such appointment, provide by ordinance for the election of the police
16 judge by the entire electorate of the city. The council may by ordinance
17 empower the police judge to appoint a clerk of the police court, who
18 shall be subject to removal by said judge."

1 SEC. 2. Title fifteen (XV), Code 1950, is amended as follows:

2 1. Section three hundred sixty-three point eighteen (363.18) subsec-
3 tion seven (7) is hereby repealed.

4 2. Chapter three hundred sixty-seven (367) is amended by adding
5 the following: "During any vacancy in the office of police judge the
6 mayor shall hold police court."

1 SEC. 3. Title fifteen (XV), Code 1950, is amended as follows:

2 1. Section three hundred sixty-three point forty-four (363.44) is
3 hereby repealed.

4 2. Section three hundred sixty-three point forty (363.40) is hereby
5 repealed.

6 3. Chapter three hundred sixty-seven (367) is amended by adding
7 the following: "Police judges in criminal cases under ordinances or
8 state laws shall receive the same fees as justices of the peace receive in
9 similar cases. In criminal cases under ordinance, said fees shall be pay-
10 able from the municipal treasury, and in criminal cases under state law,
11 said fees shall be payable from the county treasury. The council may
12 by ordinance provide a salary in lieu of all fees, and thereafter all fees
13 collected shall be paid into the municipal treasury."

1 SEC. 4. Title fifteen (XV), Code 1950, is amended as follows:

2 1. Section three hundred sixty-three point thirty (363.30) is hereby
3 amended by striking that part thereof which commences with the word

4 "attend" in line eight (8) and ends with the word "court," in line
5 twelve (12).

6 2. Section three hundred sixty-three point forty-two (363.42) is
7 hereby repealed.

8 3. Chapter three hundred sixty-seven (367) is amended by adding
9 the following: "The marshal or his deputy shall attend upon the
10 sittings of the mayors' and police courts and perform the duties of
11 bailiff therein. The fees for such services shall be the same as con-
12 stables receive for similar services in justice of the peace court. Fees
13 shall be payable from the municipal treasury for services in connec-
14 tion with criminal cases under ordinances, and from the county
15 treasury for services in connection with criminal cases under the state
16 law. The council may by ordinance provide a salary in lieu of all fees,
17 and thereafter all fees collected shall be paid into the municipal treas-
18 ury."

1 SEC. 5. Title fifteen (XV), Code 1950, is amended as follows:

2 1. Section three hundred sixty-three point eighteen (363.18) sub-
3 section one (1) is hereby amended by striking the words commencing
4 with the word "and" in line nine (9) and ending with the word
5 "city," in line thirteen (13).

6 2. Section three hundred sixty-three point thirty-nine (363.39) is
7 hereby repealed.

8 3. Section four hundred sixteen point fifty-five (416.55) is hereby
9 repealed.

10 4. Chapter three hundred sixty-seven (367) is amended by adding
11 the following: "For holding a mayor's or police court, or discharging
12 the duties of a justice of the peace, the mayor shall receive in addition
13 to his regular salary as mayor, such fees or salary as is by law or
14 ordinance provided for officers performing such duties."

1 SEC. 6. Section three hundred sixty-seven point one (367.1), Code
2 1950, is amended by adding at the end thereof the following sentence:
3 "In cities having a population of less than fifteen thousand the council
4 may by ordinance provide for the establishment of a police court."

Approved May 2, 1951.

CHAPTER 150

CITY OR TOWN GARAGES

S. F. 166

AN ACT relating to the construction and maintenance of garages for storage, repair and servicing of motor vehicles and other equipment of cities and towns, and to amend chapter three hundred sixty-eight (368), Code of 1950, and section four hundred seven point three (407.3), Code of 1950.

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

1 SECTION 1. Chapter three hundred sixty-eight (368), Code of
2 1950, is amended by adding the following new section: "Any city or
3 town is authorized to construct and maintain garages or sheds for the
4 storage, repair and servicing of city or town motor vehicles and other
5 equipment."

1 **SEC. 2.** Section four hundred seven point three (407.3), Code 1950,
 2 is amended by striking from line three (3) of subsection five (5) the
 3 word "or" and inserting in said line after the words "fire stations" the
 4 following: ", or garages for the storage, repair and servicing of city
 5 or town motor vehicles and other equipment".

Approved March 30, 1951.

CHAPTER 151

GENERAL POWERS OF MUNICIPAL CORPORATIONS

S. F. 163

AN ACT relating to the general powers of municipal corporations and to repeal chapter three hundred sixty-eight (368) of the Code, relating thereto, and certain other sections of the Code, relating thereto and to enact a substitute therefor, and to amend various sections of the Code relating thereto.

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

1 That Chapter three hundred sixty-eight (368), Code 1950, except
 2 sections three hundred sixty-eight point five (368.5), three hundred
 3 sixty-eight point six (368.6), three hundred sixty-eight point seven
 4 (368.7) and three hundred sixty-eight point eight (368.8), is hereby
 5 repealed and sections one (1) to thirty-five (35), inclusive, hereof
 6 enacted in lieu thereof.

GENERAL POWERS OF MUNICIPAL CORPORATIONS

1 **SECTION 1. Applicability.** This Act is applicable to all municipal
 2 corporations and to all forms of government thereof.

1 **SEC. 2. Bodies corporate—name—authority.** Cities and towns are
 2 bodies politic and corporate, under such name and style as may be
 3 selected at the time of their organization, with the authority vested
 4 in the mayor and a common council, together with such officers as are
 5 in this title mentioned or may be created under its authority, and shall
 6 have the general powers and privileges granted, and such others as
 7 are incident to municipal corporations of like character, not incon-
 8 sistent with the statutes of the state, for the protection of their prop-
 9 erty and inhabitants, and the preservation of peace and good order
 10 therein, and they may sue and be sued, contract and be contracted
 11 with, acquire, lease, and hold real and personal property, and have a
 12 common seal.

1 **SEC. 3. Nuisances.** They shall have power to abate, restrain, or
 2 prohibit any nuisance, public or private, and provide for the assess-
 3 ment of the cost thereof against the property. Said power shall include
 4 the authority to abate all nuisances as defined in section six hundred
 5 fifty-seven point one (657.1) and in section six hundred fifty-seven
 6 point two (657.2) or in any other statutory enumeration.

1 **SEC. 4. Collection of assessed costs.** Wherever provision is made
 2 in this Code that municipal corporations shall have power to do or
 3 cause to be done certain acts and assess the cost thereof against the
 4 property, but fails to specify the manner of collection, the clerk of
 5 such municipal corporations shall certify said cost to the county

6 auditor and it shall then be collected with, and in the same manner
7 as, general property taxes.

1 **SEC. 5. Buildings.** They shall have power to adopt a building code,
2 and they may provide for the regulation and inspection of all con-
3 struction, major repairs and remodeling, and the installation of elec-
4 trical, heating, ventilating, air conditioning, and plumbing fixtures,
5 apparatus, and equipment. They shall have power to provide for the
6 removal, repair, or dismantling of any dangerous building or struc-
7 ture and to assess the cost thereof against the property. They shall
8 have power to require the numbering of buildings and, in the event said
9 requirement is not complied with, to cause the same to be done and
10 assess the cost thereof against the property.

1 **SEC. 6. Building lines.** They shall have power to establish by
2 ordinance building lines on private or public property for the protec-
3 tion of public health or safety, and to prohibit any building or other
4 structure from being erected between such line and the street or high-
5 way line, upon the following procedure:

6 1. Preliminary approval of a proposed ordinance by the council
7 establishing the proposed building lines.

8 2. Publication of said proposed ordinance once each week for two
9 consecutive weeks in the manner provided by section six hundred
10 eighteen point fourteen (618.14) and the time and place of a public
11 hearing on same.

12 3. At such hearing the proposed ordinance may be amended but
13 it shall not be adopted until the next regular council meeting.

14 4. If such ordinance is adopted the municipal corporation shall
15 compensate owners of property for any loss of use or enjoyment
16 caused thereby.

17 5. The amount of compensation to be paid by the municipal corpo-
18 ration shall be determined by agreement with the property owner,
19 or in the manner provided by chapter four hundred seventy-two (472).

1 **SEC. 7. Fire protection.** They shall have power to provide for
2 the protection of life and property against fire and to establish, house,
3 equip, staff, uniform and maintain a fire department. They may
4 establish fire limits. They may consistent with code standards pro-
5 mulgated by nationally recognized fire prevention agencies regulate
6 the storage, handling, use, and transportation of all inflammables,
7 combustibles, and explosives, within the corporate limits, and inspect
8 for and abate fire hazards. They may provide conditions upon which
9 the fire department will answer calls outside the corporate limits and
10 the corporation shall have the same governmental immunity as when
11 operating within the corporate limits. Firemen operating equipment
12 on calls outside the corporate limits shall be entitled to the benefits of
13 chapters four hundred ten (410) and four hundred eleven (411).

1 **SEC. 8. Joint facilities.** They shall have the power, when author-
2 ized by a majority vote of the electors thereof at a regular or special
3 election called for that purpose, upon notice as required by law, to
4 own, use, or operate jointly with any other city, town or township,
5 fire apparatus, equipment, or facilities and to provide for the purchase,
6 rental, or maintenance of such equipment, facilities, or services.

1 **SEC. 9. Short courses.** Municipal corporations may require the
2 attendance and pay the expenses of firemen, policemen, and other
3 employees at conferences and short courses designed to increase the
4 efficiency of such personnel.

1 **SEC. 10. Volunteer firemen—insurance.** Municipal corporations
2 maintaining a volunteer fire department may insure the members
3 thereof against death or injury. Dependents of such volunteer firemen
4 shall be the beneficiaries.

1 **SEC. 11. Police protection.** They shall provide for the preservation
2 of the peace and enforcement of law within the corporate limits, and
3 may establish, house, equip, staff, uniform and maintain a police de-
4 partment, of which the marshal shall be chief. They shall have power
5 to establish, erect, and maintain a jail, and such number of station
6 houses as circumstances require. They shall have power, when author-
7 ized by a majority vote of the electors thereof, to maintain a joint
8 police department with any contiguous municipal corporation.

1 **SEC. 12. Plumbing.** All cities having a population of six thousand
2 or more shall, and other cities and towns may, by ordinance, adopt a
3 set of plumbing regulations not inconsistent with state law or state
4 administrative regulations, and provide for the inspection of plumbing
5 installations. They shall have authority to examine and license plumb-
6 ers, but such licenses shall be valid only in the municipal corporations
7 where issued, provided, however, that any such license issuing au-
8 thority may issue a license without examination to any plumber hold-
9 ing a license from another municipal corporation recognized by such
10 authority as having similar licensing standards.

1 **SEC. 13. Municipal buildings and property.**

2 1. They shall have power by a three-fourths majority vote of the
3 council to acquire, erect, or purchase buildings and building sites to
4 the extent necessary to house and carry on authorized governmental
5 functions or purposes of the municipal corporation, but any proposed
6 expenditures in connection with the exercise of such power which
7 exceed one thousand dollars or the amount which would be raised by
8 a three-fourths mill levy at current valuations, whichever amount
9 is greater, must be approved by the electorate of the corporation at
10 a general or special election.

11 2. They shall have power to maintain and keep in repair all mu-
12 nicipally owned buildings and property.

1 **SEC. 14. Joint city and county buildings.** A city or town in which
2 a county seat is located and such county may contract one with the
3 other for the joint purchase, acquisition, ownership and control of
4 real and other property suitable as the site of a building or buildings
5 for use and occupancy by such city or town and such county jointly,
6 and any such county or city or town owning a site or any interest
7 therein, may, upon such terms as shall appear fair and just to the
8 board of supervisors of such county and to the council or other gov-
9 erning body of such city or town, contract with reference to the joint
10 acquisition, ownership, control, improvement, use and occupancy of
11 such property, and with reference to the construction, use and oc-

12 cupancy of a building or buildings thereon. Such contract shall set
13 forth the amount of money to be contributed by the county and by the
14 city or town toward the acquisition of such site and the improvement
15 thereof, or the proportion of their respective contributions and the pur-
16 pose or purposes for which the building or buildings to be erected
17 thereon are to be used. Such contract may provide for the amount of
18 money to be contributed annually by the county and by the city or
19 town for the upkeep, maintenance, and operation of such property,
20 and the building or buildings thereon, or it may provide for the re-
21 spective proportions of such expense which the county and the city or
22 town shall pay, and may provide for an adjustment at stated periods
23 of the amounts or proportions to be so paid. Such contract may specify
24 the part or parts of such property and building or buildings to be used
25 and occupied by the county and by the city or town. All such con-
26 tracts shall be made on behalf of the county only when approved by
27 resolution of the board of supervisors thereof and on behalf of the
28 city or town when approved by ordinance adopted by the council or
29 other governing body of such city or town, and when made shall be
30 binding upon such county and city or town during the period specified
31 in such contract unless modified or abrogated by mutual consent.

1 **SEC. 15. Bonds issued.** When such county and such city or town
2 have agreed upon their respective portions or proportions of the cost
3 of any such building or buildings, including the site or sites therefor,
4 they may, for the purpose of paying their respective portions of such
5 cost and for the purpose of equipping the portions of the building or
6 buildings to be used and occupied by them, issue their bonds as here-
7 inafter permitted; provided, no such bonds shall be issued by such
8 county or city or town unless and until the proposition to issue same
9 shall have been approved by at least a majority of the votes cast for
10 and against the proposition at an election called and held as herein-
11 after provided. Such proposition may be submitted at a general, reg-
12 ular, or special election when ordered pursuant to a resolution of the
13 board of supervisors of such county and of the council or other gov-
14 erning body of the city or town. Notice of such election setting forth
15 forth the proposition as it is to be voted upon shall be given by pub-
16 lication once each week for at least three consecutive weeks in a news-
17 paper having general circulation in the county, and if the proposi-
18 tions of issuing bonds by the county and also by the city or town are
19 submitted on the same date of election, then, if either or both of the
20 elections be unfavorable the proposition may be submitted at a sub-
21 sequent election or elections. To the extent not otherwise herein pro-
22 vided the general election laws shall be applicable to an election where-
23 at such proposition is submitted.

1 **SEC. 16. Interest on bonds—tax levy.** All such bonds issued pur-
2 suant to such election or elections may bear interest at a rate not ex-
3 ceeding four percent per annum payable semi-annually and the prin-
4 cipal thereof shall be scheduled to mature in not more than twenty
5 years from the date of such bonds. Whenever a county or city or town
6 has issued bonds under the provisions of section fifteen (15) there
7 shall be thereafter annually levied on all of the taxable property in the
8 county, or in the city or town, a tax sufficient to pay the interest on

9 and principal of said bonds as the same will become due, and each such
 10 county and city or town is further authorized to levy taxes sufficient
 11 to pay their respective portions of the cost of operating, maintaining
 12 and keeping insured the building or buildings acquired or constructed
 13 under the provisions hereof.

1 **SEC. 17. Contracts—conditions.** All contracts for the construc-
 2 tion of any building or buildings under the provisions of sections four-
 3 teen (14) to sixteen (16), inclusive, which involve the expenditure
 4 of five thousand dollars or more shall be entered into pursuant to ad-
 5 vertisement for bids in such manner as may be approved and author-
 6 ized by both the board of supervisors of the county and the council
 7 or other governing body of the city or town. Any county and any
 8 city or town may apply for and accept federal aid in the construc-
 9 tion of any building or buildings under the provisions of said sec-
 10 tions, subject to such conditions and stipulations as may be imposed
 11 in connection with such federal aid and as may be approved by the
 12 board of supervisors for the county, and by the council or other gov-
 13 erning body of the city or town.

1 **SEC. 18. Rule of construction.** Sections fourteen (14) to seventeen
 2 (17), inclusive, and this section shall be construed as a complete and
 3 independent law for providing joint county and municipal buildings
 4 and for the issuance of bonds in connection therewith.

1 **SEC. 19. Garbage disposal.** They shall have power to provide for
 2 the collection and disposal of garbage and refuse and to establish,
 3 erect or purchase garbage and refuse disposal plants and grounds and
 4 equip, operate and maintain same.

1 **SEC. 20. Milk inspection.** They shall have power to provide for
 2 the inspection of all milk or milk products sold for human consumption
 3 within the corporate limits, and to compel the tuberculin and other
 4 tests by an accredited veterinarian for dairy cattle supplying such milk.
 5 They may provide for the pasteurization and sanitary handling of milk
 6 and milk products sold for human consumption. However nothing in
 7 this section shall be construed as giving municipal corporations power
 8 to provide regulations or standards in conflict with state law.

1 **SEC. 21. Drains and sewers.**

2 1. They shall have power to provide drainage systems for flood
 3 and other surface waters and to regulate the connection of private
 4 drains thereto. They may order connections thereto from abutting
 5 private property when public health or safety requires such connection
 6 and in the event such orders are not complied with they may cause the
 7 work to be done and the cost thereof to be assessed against the prop-
 8 erty.

9 2. They shall have power to provide sewer systems and sewage dis-
 10 posal plants and to regulate sewer connections to private property.
 11 They may order sanitary toilet facilities to be installed by any property
 12 owner whose property abuts on a sewer line and the abandonment and
 13 removal of all other toilet facilities and in the event such order is not
 14 complied with may cause the work to be done and the cost to be

15 assessed against the property, which assessment may be spread over a
16 period not to exceed ten years.

17 3. Municipal corporations having a population of less than fifty
18 thousand are hereby authorized to place the management of munic-
19 ipally owned sewage works in the hands of a board of trustees. The
20 provisions of sections three hundred ninety-seven point twenty-seven
21 (397.27) to three hundred ninety-seven point thirty-five (397.35) shall
22 be applicable to such boards.

1 SEC. 22. **Veterans housing—jurisdiction.** They shall have power
2 to establish and regulate health and safety measures for and operate
3 veterans housing projects upon federally or state owned land, either
4 within or without any such municipal corporation, and when any estab-
5 lished school, college, or university has established a veterans housing
6 project for its students, for the housing of veterans of World War II,
7 or their families.

1 SEC. 23. **Certain proprietary functions.** They shall have power
2 to establish and regulate markets, public scales, wharves, docks, piers,
3 basins, ferries, and an infirmary and to fix rates in connection there-
4 with.

1 SEC. 24. **Burials, cemeteries—crematories.** They shall have power
2 to regulate the burial of the dead; to provide places for the interment
3 of the dead; to cause any body interred contrary to such regulations to
4 be taken up and buried in accordance therewith; to exercise over all
5 cemeteries within their limits, and those without their limits estab-
6 lished by their authority, the powers conferred upon township trustees
7 with reference to cemeteries; or they may, by ordinance, transfer such
8 duties and the general management of such cemeteries to a board of
9 trustees; and to authorize the establishment of crematories for the
10 cremation of the dead, within or without the limits of such corporation
11 and regulate the same.

1 SEC. 25. **Parks—recreation facilities.** They shall have power to
2 establish, purchase, maintain, and regulate the use of parks and play-
3 grounds, and to provide recreational and playground facilities, such as
4 are necessary and proper in respect to the size and circumstances of
5 the corporation. They shall have power to lease a portion of any
6 park under their jurisdiction for such time or times not to exceed six
7 consecutive months as the council shall deem proper for the purpose of
8 permitting the playing of baseball and other athletic games and con-
9 tests, and under such conditions as to charging a fee for the use of
10 same and for the attendance at same as the council shall determine. In
11 municipal corporations having a park board or park commission such
12 lease shall require the approval of such board or commission. This
13 section shall not apply to cities which have established permanent park
14 boards, under the provisions of chapter 371 of the Code of Iowa, 1950,
15 now or hereafter having a population of 125,000 or more according to
16 the last federal census.

1 SEC. 26. **Destruction of weeds.** They shall have power by ordi-
2 nance to provide for the cutting or destroying by the property owners,

3 of all weeds, vines, brush or other growth which constitute a health,
4 safety or fire hazard and to provide for such destruction by the city
5 or town and for the assessment of the cost and expenses thereof to the
6 property in the event of the owner's failure to comply after due notice.

1 **SEC. 27. Trees and shrubbery.** Municipal corporations shall have
2 power by ordinance to assume charge, custody and control of all trees
3 and shrubbery upon the public streets, and to plant, prune, care for,
4 remove, and maintain all trees and shrubbery upon the public streets.
5 They may by ordinance confer such charge, control, custody, and au-
6 thority to plant, prune, care for, remove and maintain trees and shrub-
7 bery upon the park board or commission, and may further confer upon
8 said park board or commission the exclusive charge, custody and con-
9 trol of all property outside the lot and property lines and inside the
10 curb lines upon the public streets, and the right to determine the loca-
11 tion of permanent sidewalks outside the lot or property lines and upon
12 the public streets. They may similarly put responsibility for such
13 maintenance upon the abutting property owner.

1 **SEC. 28. Snow, ice, and accumulations—removal.** It shall be the
2 responsibility of the abutting property owner to promptly remove
3 snow, ice, and accumulations from the sidewalks, but in the event that
4 such snow, ice, or accumulations are permitted to remain on said side-
5 walks for more than a reasonable length of time, then the municipal
6 corporation shall have power to remove them and to assess the actual
7 cost thereof against the said property.

1 **SEC. 29. Notice to person liable over.** When any action is brought
2 against a municipal corporation for personal injuries alleged to have
3 been caused by its negligence, said municipal corporation may notify
4 in writing any person or corporation by whose negligence it claims the
5 injury was caused. Said notice shall state the pendency of said action,
6 the name of the plaintiff, the name and location of the court where the
7 action is pending, a brief statement of the alleged facts from which
8 the cause arose, that said municipal corporation believes that the
9 person or corporation so notified is liable to it for any judgment ren-
10 dered against said municipal corporation, and asking such person or
11 corporation to appear and defend. Thereupon, any judgment obtained
12 in such suit shall be conclusive in any action by the municipal corpo-
13 ration against any person or corporation so notified, as to the existence
14 of the defect or other cause of the injury or damage, as to the liability
15 of the municipal corporation to the plaintiff in the first named action
16 in consequence thereof, and as to the amount of the damage or injury
17 occasioned thereby; and every such municipal corporation is hereby
18 empowered to maintain an action against the person or corporation
19 so notified to recover the amount of any such judgment together with
20 all the expenses incurred by such municipal corporation in such suit.

1 **SEC. 30. Lease of municipal property.** Any municipal corporation
2 may lease, for a period not to exceed five years, any municipal prop-
3 erty which in the opinion of the council is not likely to be sooner needed
4 for municipal purposes, upon a two-thirds vote of the council. Pro-
5 vided, however, that when the period of such lease is for more than

6 three years, the council shall cause a notice of the terms of the pro-
7 posed lease to be published once in the manner provided by section six
8 hundred eighteen point fourteen (618.14), together with the date,
9 time, and place of a public hearing at which the council will hear
10 objectors against and proponents for the lease. If, after such hearing,
11 the council is of the opinion that such lease is in the best interests
12 of the public, it may, by a two-thirds vote in favor thereof, cause said
13 lease to be executed.

1 **SEC. 31. Purchase on execution.** Municipal corporations shall have
2 power to acquire real estate, or any interest therein, as a purchaser
3 at an execution sale, when judgment is entered in favor of the corpo-
4 ration, or when it has a lien thereon, or is otherwise interested therein.

1 **SEC. 32. Condemnation—power.** Municipal corporations shall have
2 power to purchase or provide for the condemnation of, pay out of the
3 general fund or the specific fund, as may be provided, enter upon and
4 take any lands within or without the territorial limits of the corpora-
5 tion for such public purposes and as an incident to such other powers
6 and duties conferred upon such corporations as make necessary or
7 reasonable the acquisition of such land by said municipal corporations.

1 **SEC. 33. Condemnation—procedure.** The procedure for the con-
2 demnation of land by municipal corporations shall be that provided
3 by chapter four hundred seventy-two (472).

1 **SEC. 34. Disposal of lands and streets.** They shall have power to dis-
2 pose of the title or interest of such corporation in any real estate, or
3 any lien thereon, or sheriff's certificate therefor, owned or held by it,
4 including any street or portion thereof vacated or discontinued, how-
5 ever acquired or held, in such manner and upon such terms as the
6 council shall direct. However, where exercise of said power deprives
7 or restricts the abutting property owners from free access to their
8 property, so as to decrease the value thereof, the corporation shall be
9 liable in damages therefor. Notice of any proposal to dispose of real
10 property under the provisions of this section shall be given by publica-
11 tion, once each week for two consecutive weeks in the manner provided
12 by section six hundred eighteen point fourteen (618.14). The last of
13 said publications shall appear not less than ten days before the meeting
14 of the council at which said proposal is to be acted on.

1 **SEC. 35. Right of appeal.** Whenever the council of any municipal
2 corporation enters into an agreement for the sale, lease, or disposal
3 by other means of any municipal property, any elector of such mu-
4 nicipal corporation shall have the right to appeal from the action of
5 the council to the district court, within thirty days of the final action
6 thereon by the council, on the ground that such agreement is not in
7 the public interest. All such agreements shall be voidable pending
8 the decision of the court.

1 **SEC. 36. Nuisance enumeration.** Section six hundred fifty-seven
2 point two (657.2), Code 1950, is amended by adding thereto the follow-
3 ing new subsections:

4 10. The depositing or storing of inflammable junk, such as old rags,

5 rope, cordage, rubber, bones, and paper, by dealers in such articles
6 within the fire limits of any city, unless it be in a building of fireproof
7 construction, is a public nuisance.

8 11. The emission of dense smoke, noxious fumes, or fly ash in cities
9 is a nuisance and cities may provide the necessary rules for inspection,
10 regulation and control.

11 12. Dense growth of all weeds, vines, brush, or other vegetation in
12 any city or town so as to constitute a health, safety, or fire hazard is
13 a public nuisance.

14 Further amend section six hundred fifty-seven point two (657.2) by
15 striking from lines two (2) and three (3) of subsection eight (8) the
16 words "acting under special charter of more than fifty thousand pop-
17 ulation".

1 SEC. 37. **Flood control.** Chapter three hundred ninety-five (395),
2 Code 1950, is hereby amended by adding the following section:

3 "Whenever in any municipal corporation proceedings have been or
4 shall be begun for the purpose of providing flood protection under the
5 provisions of this chapter, the council shall have power, after the
6 election provided for in this chapter has been held, and without again
7 submitting the matter at an election, to divide the work into parts,
8 sections, or districts, and determine what property would be benefited
9 by the work or improvement in each part, section, or district; to omit
10 parts of said work or any part, section or district; and to contract for
11 any part, section, or district separately and proceed therewith the
12 same as if the entire work or improvement was contracted for, done,
13 or made. Whenever the tax provided for in this chapter has not been
14 levied beginning on the date fixed in the resolution of necessity and
15 in the proposition submitted to a vote of the electors, and a part of
16 the period in which such levy is authorized to be made by such vote has
17 expired without such levy having been made, and no certificates or
18 bonds have been issued or sold for the payment of the improvement as
19 provided in this chapter, the council shall have the power to continue
20 the levy provided for in this chapter and in the proposition theretofore
21 submitted to a vote of the electors, for a period not exceeding twenty
22 years, including the several years, if any, for which such tax has
23 heretofore been levied; and it is hereby made the duty of the council
24 to make the levy in the manner provided in section three hundred
25 ninety-five point twenty-two (395.22) and to appropriate and apply the
26 proceeds collected from such tax so levied to the payment of flood
27 protection bonds issued by such city under section three hundred
28 ninety-five point twenty-five (395.25) if any such there be."

1 SEC. 38. **Gravel pits.** Chapter three hundred eighty-nine (389)
2 of the Code is amended by adding the following section:

3 "They shall have power to purchase or provide for the condemnation
4 of, pay for out of the funds available for street purposes of the mun-
5 icipal corporation, lands within or without the territorial limits of
6 the corporation, including a suitable roadway thereto by the most
7 reasonable route, for the purpose of obtaining gravel, stone, or other
8 suitable material with which to improve the streets and alleys of said
9 city or town."

1 SEC. 39. Sections three hundred sixty-three point thirty-four
2 (363.34) and three hundred sixty-three point thirty-six (363.36) sub-
3 section eleven (11), Code 1950, are hereby repealed.

1 SEC. 40. Section three hundred eighty-nine point nineteen
2 (389.19), Code 1950, is hereby repealed.

1 SEC. 41. Chapter four hundred three (403), Code 1950, is hereby
2 repealed.

1 SEC. 42. Sections four hundred sixteen point ninety-seven (416.97)
2 to four hundred sixteen point ninety-nine (416.99), inclusive, Code
3 1950, are hereby repealed.

1 SEC. 43. Section four hundred sixteen point ninety-two (416.92),
2 Code 1950, is hereby repealed.

1 SEC. 44. Section four hundred sixteen point one hundred five
2 (416.105), Code 1950, is hereby repealed.

1 SEC. 45. Sections four hundred sixteen point one hundred seven
2 (416.107) and four hundred sixteen point one hundred eight (416.108),
3 Code 1950, are hereby repealed.

1 SEC. 46. Sections four hundred sixteen point one hundred twenty
2 (416.120) to four hundred sixteen point one hundred twenty-three
3 (416.123), inclusive, Code 1950, are hereby repealed.

1 SEC. 47. Section four hundred sixteen point one hundred twenty-
2 seven (416.127), Code 1950, is hereby repealed.

1 SEC. 48. Section four hundred sixteen point one hundred twenty-
2 nine (416.129), Code 1950, is hereby repealed.

1 SEC. 49. Section four hundred sixteen point one hundred thirty-
2 one (416.131), Code 1950, is hereby repealed.

1 SEC. 50. Section four hundred sixteen point one hundred thirty-
2 eight (416.138), Code 1950, is hereby repealed.

1 SEC. 51. Section four hundred sixteen point one hundred thirty-
2 nine (416.139), Code 1950, is hereby repealed.

1 SEC. 52. Section four hundred sixteen point one hundred forty
2 (416.140), Code 1950, is hereby repealed.

1 SEC. 53. Section four hundred nineteen point sixty-six (419.66),
2 Code 1950, is hereby repealed.

1 SEC. 54. Section four hundred nineteen point seventy-three
2 (419.73), Code 1950, is hereby repealed.

1 SEC. 55. Section four hundred twenty point forty-seven (420.47),
2 Code 1950, is hereby repealed.

1 SEC. 56. Sections four hundred twenty point forty-nine (420.49)
2 to four hundred twenty point fifty-eight (420.58), inclusive, Code 1950,
3 are hereby repealed.

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.

CHAPTER 154

GRADE CROSSING SEPARATIONS

S. F. 440

AN ACT relating to viaducts, underpasses and railroad grade separations in cities and to amend sections three hundred eighty-seven point one (387.1), three hundred eighty-seven point two (387.2), three hundred eighty-seven point three (387.3), three hundred eighty-seven point six (387.6), three hundred eighty-seven point seven (387.7), three hundred eighty-seven point eight (387.8), three hundred eighty-seven point nine (387.9), three hundred eighty-seven point ten (387.10), three hundred eighty-seven point twelve (387.12), three hundred eighty-seven point thirteen (387.13), three hundred eighty-seven point fourteen (387.14), three hundred eighty-seven point fifteen (387.15) and three hundred eighty-seven point sixteen (387.16), Code 1950, also authorizing cities to enter into and participate in agreements for elimination or separation of railroad crossings at grade and make contribution to the cost thereof.

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

1 SECTION 1. Sections three hundred eighty-seven point one (387.1),
 2 three hundred eighty-seven point two (387.2), three hundred eighty-
 3 seven point three (387.3), three hundred eighty-seven point six
 4 (387.6), three hundred eighty-seven point seven (387.7), three hun-
 5 dred eighty-seven point eight (387.8), three hundred eighty-seven
 6 point nine (387.9), three hundred eighty-seven point ten (387.10),
 7 three hundred eighty-seven point twelve (387.12), three hundred
 8 eighty-seven point thirteen (387.13), three hundred eighty-seven point
 9 fourteen (387.14), three hundred eighty-seven point fifteen (387.15),
 10 and three hundred eighty-seven point sixteen (387.16), Code 1950, are
 11 amended by inserting in each section after the word "viaduct"
 12 wherever such word appears in each section, the words "or underpass".

1 SEC. 2. Section three hundred eighty-seven point two (387.2),
 2 Code 1950, is amended by inserting in line four (4) after the word
 3 "required" the words "of the same railroad company or companies,".

1 SEC. 3. By adding a new section to chapter three hundred eighty-
 2 seven (387) as follows:
 3 "Cities shall have power to enter into and participate in any agree-
 4 ment, project or plan with any railroad or railroads owning or operat-
 5 ing any railroad tracks upon or across any public streets of such city
 6 for the elimination or separation of railroad crossings at grade,
 7 through the relocating, depressing, elevating or consolidating of exist-
 8 ing main line or belt line trackage, and to contribute to or pay a portion
 9 of the costs thereof."

Approved April 11, 1951.

CHAPTER 155
OFF-STREET PARKING
S. F. 250

AN ACT to amend section three hundred ninety point nine (390.9), Code 1950, relating to off-street parking and issuance of revenue bonds.

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

1 SECTION 1. Section three hundred ninety point nine (390.9), Code
2 1950, is hereby amended by striking the period at the end of said
3 section and substituting a comma in lieu thereof and adding thereto the
4 following: "and said funds may be pledged as security for the payment
5 of such bonds and the interest thereon and such bonds, excepting bonds
6 payable from a tax levied against a benefited district, shall be a lien
7 on the property purchased from the proceeds thereof but shall not be a
8 general obligation of such city or town and shall not be payable in any
9 manner by taxation nor shall the municipality be in any manner liable
10 by reason of said funds being insufficient to pay said bonds."

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Iowa Falls
3 Citizen, a newspaper published at Iowa Falls, Iowa, and in the Eagle
4 Grove Eagle, a newspaper published at Eagle Grove, Iowa.

Approved March 27, 1951.

I hereby certify that the foregoing act was published in the Iowa Falls Citizen, Iowa Falls, Iowa, April 5, 1951, and in the Eagle Grove Eagle, Eagle Grove, Iowa, March 29, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 156
MUNICIPAL PUBLIC IMPROVEMENTS
S. F. 314

AN ACT relating to special assessment of public improvements in municipal corporations, and to repeal chapter three hundred ninety-one A (391A), Code 1950, and enact in lieu thereof a new alternate method for financing public improvements and to amend certain other sections of the code relating to special assessments.

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

1 That chapter three hundred ninety-one A (391A), Code 1950, is
2 hereby repealed and sections one (1) to thirty-nine (39) hereof
3 enacted in lieu thereof.

1 SECTION 1. Definitions. The following words or terms, as used in
2 this chapter, shall have the respective meanings as stated:

3 1. "Municipality" shall mean any city or town, regardless of form
4 of government or manner of incorporation.

5 2. "Council" shall mean the governing body of the municipality.

6 3. "Clerk" shall mean the officer performing the duties of city or
7 town clerk.

8 4. "Public improvements" shall include the principal structures,
9 works, component parts, and accessories of any of the following:

10 a. Sanitary, storm and combined sewers;

- 11 **b. Drainage conduits, channels, and levees;**
12 **c. Street grading, paving, graveling, macadamizing, curbing,**
13 **guttering, and surfacing with oil, oil and gravel, and chloride;**
14 **d. Street lighting fixtures, connections, and facilities;**
15 **e. Sewage pumping stations and disposal and treatment plants;**
16 **f. Underground gas, water, heating, sewer, and electrical connec-**
17 **tions located in streets for private property;**
18 **g. Sidewalks and pedestrian underpasses or overpasses;**
19 **h. Waterworks, water mains, and extensions.**
- 20 **5. "Construction" shall include all materials, labor, acts, operations,**
21 **and services necessary to complete a public improvement.**
- 22 **6. "Repair" shall include all materials, labor, acts, operations, and**
23 **services necessary for the repair, reconstruction, or resurfacing of a**
24 **public improvement.**
- 25 **7. "Street" shall mean any public street, highway, boulevard, ave-**
26 **nue, alley, parkway, public place, or publicly owned right of way or**
27 **easement within the limits of the municipality.**
- 28 **8. "Lot" shall mean any lot, part of lot, tract, or parcel of land**
29 **under one ownership including improvements thereon.**
- 30 **9. "Total cost" of a public improvement may include the cost of**
31 **engineering, preliminary reports, property valuations, estimates,**
32 **plans, specifications, notices, legal services, acquisition of land, conse-**
33 **quential damages or costs, easements, rights of way, construction,**
34 **repair, supervision, inspection, testing, notices and publication, in-**
35 **terest during construction and for not more than six months there-**
36 **after, and printing and sale of bonds.**
- 37 **10. "Gravel" shall include gravel, crushed rock, cinders, shale, and**
38 **similar materials suitable for street construction or repair.**
- 39 **11. "Oil" shall mean any asphaltic or bituminous material suitable**
40 **for street construction or repair.**
- 41 **12. "Sewer" shall mean structures designed, constructed, and used**
42 **for the purpose of controlling or carrying off streams, surface waters,**
43 **waste, or sanitary sewage.**
- 44 **13. "Main sewer" means any sewer which serves as an outlet for**
45 **two or more lateral sewers, and which is commonly referred to as an**
46 **intercepting sewer, outfall sewer, or trunk sewer.**
- 47 **14. "Lateral sewer" means any sewer which contributes sewage or**
48 **surface or ground water from a local area to a main sewer or outlet.**
- 49 **15. "Sewer systems" are composed of the main sewers, sewage**
50 **pumping stations, treatment and disposal plants, lateral sewers, drain-**
51 **age conduits or channels, and sewer connections in public streets for**
52 **private property within a sewer assessment district.**
- 53 **16. "District" means the lots or parts of lots within boundaries**
54 **established by the council for the purpose of the assessment of the cost**
55 **of a public improvement.**
- 56 **17. "Private property" means all property within the district except**
57 **streets, property owned by the United States, and property owned by**
58 **the municipality.**
- 59 **18. "Abutting lot" means a lot which abuts or joins the street in**
60 **which the public improvement is located or which abuts the right of**
61 **way of the public improvement.**

62 19. "Adjacent lot" means any lot within the district which does
63 not abut upon the street or right of way of the public improvement.

64 20. "Street improvement" means the construction, or repair of any
65 street by grading, paving, curbing, guttering, and surfacing with oil,
66 oil and gravel, or chloride; and street lighting fixtures, connections,
67 and facilities.

68 21. "Proposal" means a legal bid on work advertised for a public
69 improvement.

70 22. "Paving" means any kind of hard street surface including, but
71 not limited to, concrete, bituminous concrete, brick, stabilized gravel,
72 or combinations thereof, together with curb and gutter.

73 23. "Engineer" means a professional engineer, registered in the
74 state of Iowa, authorized by the council to render services in connec-
75 tion with the public improvement.

76 24. "Grade" means the longitudinal reference lines, as established
77 by the council, which designate the elevations at which a street or
78 sidewalk is to be built.

79 25. "Final grade" means the grade to which the public improvement
80 is proposed to be constructed or repaired as shown on the final plans
81 adopted by the council.

82 26. "Railways" shall mean all railways except street railways.

83 27. "Publication" shall mean public notice given in the manner pro-
84 vided by section six hundred eighteen point fourteen (618.14).

1 SEC. 2. **Grant of power.** Municipalities shall have the power to
2 construct, and repair all public improvements within their limits, and
3 main sewers, sewage pumping stations, disposal and treatment plants,
4 waterworks, water mains, and extensions, and drainage conduits ex-
5 tending outside their limits, and assess the cost thereof to private
6 property within the municipality as hereinafter provided.

1 SEC. 3. **Limitation—paving and sidewalks.** The construction of
2 paving, curbing, guttering, or sidewalks shall not be ordered unless
3 such improvement, when completed, shall be to grade.

1 SEC. 4. **Connections to private property.** The council may include
2 underground gas, water, heating, sewer, or electrical connections to
3 the street or property line for private property as a part of the public
4 improvement; or, it may order the property owner to make, repair, or
5 relocate such connections by publication of a notice once each week for
6 two consecutive weeks in the manner provided by section six hundred
7 eighteen point fourteen (618.14) and in the event that such order is
8 not complied with at the end of thirty days after the date of the first
9 publication cause the work to be done and assess the cost thereof
10 against the property served by the connection.

1 SEC. 5. **Preliminary procedure.** When the council deems it neces-
2 sary to construct or repair any public improvement under the provi-
3 sions of this chapter, it shall proceed as follows:

4 1. Arrange for engineering services to prepare the plats, schedules,
5 estimates of cost, plans, and specifications, as hereinafter provided,
6 and supervise the construction of the proposed improvement.

7 2. Adopt a preliminary resolution, which shall require for passage

8 the vote of a majority of all the members of the council. The prelim-
9 inary resolution shall contain the following:

10 a. A description of the type or alternate types of improvement
11 proposed.

12 b. The beginning and terminal points or general location of the
13 proposed improvement.

14 c. An order to the engineer to prepare preliminary plans and
15 specifications, an estimated total cost of the work, and a plat and
16 schedule, and to file same with the clerk.

17 d. A general description of the property or a designation of the
18 lots which the council believes would be specially benefited by the
19 improvement.

20 3. The preliminary resolution may also contain the following:

21 a. A statement of the proportion of the total cost which the council
22 proposes to assess against benefited property.

23 b. A short and convenient designation for the public improvement
24 by which it shall be sufficient to refer to the improvement in all subse-
25 quent proceedings.

26 4. A preliminary resolution may include more than one improve-
27 ment or class thereof only when they are so located or otherwise related
28 as to make it advisable in the opinion of the council to carry on the
29 work simultaneously.

30 5. A single improvement may be in more than one locality or street,
31 and that portion of the street which has been improved by any railway,
32 or which the municipality is authorized under franchise or contract
33 with such railway to require it to improve may be excluded.

1 SEC. 6. **Preliminary plans and specifications.** Preliminary plans
2 and specifications need only be in sufficient detail to advise any person
3 interested of the general nature, character, and type of the improve-
4 ment.

1 SEC. 7. **Estimated total cost.** The estimated total cost of any pub-
2 lic improvement constructed under this chapter shall include all of the
3 items of cost listed in subsection nine (9) of section one (1) hereof,
4 which the council proposes to include as a part of the cost of such pub-
5 lic improvement, and in addition thereto may include an item to be
6 known as the default fund amounting to not more than ten percent of
7 that portion of the total cost of the improvement which the council
8 proposes to assess against benefited property.

1 SEC. 8. **Requirements of the plat.** The plat as prepared and filed
2 by the engineer shall show the following information:

3 1. The boundaries of the district containing the lots proposed to
4 be assessed.

5 2. The location of each lot under separate ownership within the dis-
6 trict, including the property of all railways and utilities subject to
7 assessment.

8 3. The location of the improvement within the district together
9 with the terminal points of all major parts thereof proposed to be
10 assessed.

11 4. The type and general details of the improvement.

1 SEC. 9. **Valuations.** Upon completion of the plat, the council shall
2 proceed to determine the valuation of each lot within the proposed

3 assessment district and shall report same to the engineer, who will
 4 show such valuation on the schedule before same is filed with the clerk.
 5 Said valuation shall be its present fair market value with the proposed
 6 public improvement completed. As an aid in determining said valua-
 7 tions the council may appoint a committee of three persons skilled in
 8 the knowledge of real estate values within the municipality to appraise
 9 the present fair market value of each lot within such district and to
 10 file a written report of its appraisals with the council.

1 SEC. 10. Requirements of schedule. The schedule, as prepared by
 2 the engineer, shall show the following information for each lot within
 3 the district:

4 1. A description of each lot and the name of the owners thereof as
 5 shown by the records in the office of the county auditor of the county
 6 in which the lot is located.

7 2. The valuation of each lot as determined by the council.

8 3. The total amount proposed to be assessed each lot, which shall
 9 include the assessment for the default fund, if any.

10 4. The amount of deficiency, if any, between the amount proposed
 11 to be assessed and the proportion of the estimated total cost of the
 12 public improvement allocated to each lot.

1 SEC. 11. Plat, schedule, and estimate adopted. When the plat,
 2 schedule, and estimate of cost have been so filed, the council may,
 3 before adopting a proposed resolution of necessity as hereinafter
 4 provided, cause the estimate, valuation, or assessment of any lot or
 5 the boundaries of the district as reported by the engineer to be
 6 amended and adopt the same as amended or may adopt the same as
 7 filed.

1 SEC. 12. Proposed resolution of necessity. If, upon adoption of
 2 the plat, schedule, and estimate, the council determines to proceed with
 3 all or any part of the public improvement, it shall cause a proposed
 4 resolution of necessity to be prepared and introduced. Said resolution
 5 shall describe briefly the proposed public improvement and shall state
 6 that there is on file in the office of the clerk an estimated total cost
 7 of the work, and a preliminary plat and schedule showing the amount
 8 proposed to be assessed to each lot for the improvement; and it shall
 9 state the date, time, and place the council will hear property owners
 10 subject to the assessment and interested parties for or against the im-
 11 provement, its cost, the assessment thereof, or the boundaries of the
 12 district.

1 SEC. 13. Notice of hearing. The clerk shall cause public notice of
 2 the date, time, and place of the hearing to be given by publication once
 3 each week for two consecutive weeks in the manner provided by section
 4 six hundred eighteen point fourteen (618.14), the first publication of
 5 which shall be not less than fifteen nor more than twenty-five days
 6 prior to the hearing. The notice shall be in the following form:

7 NOTICE TO PROPERTY OWNERS

8 Notice is hereby given that there is now on file for public inspection
 9 in the office of the clerk of, Iowa, a proposed
 10 resolution of necessity, and estimate of cost and a plat and schedule
 11 showing the amounts proposed to be assessed against each lot and the

12 valuation thereof within a district as approved by the
 13 council of, Iowa, for a
 14 improvement of the type and in the location as follows:

15
 16 The council (or other governing body) will meet at
 17 o'clockM. on, 19....., at the
 18 at which time the owners of property subject
 19 to assessment for the proposed improvement or any other person
 20 having an interest in the matter may appear and be heard for or
 21 against the making of the improvement, the boundaries of the district,
 22 the cost, the assessment against any lot, or the final adoption of a
 23 resolution of necessity.

24
 25 Clerk.

26 The clerk shall mail a copy of the foregoing notice by ordinary mail
 27 to the owners of property, as shown by the records in the office of the
 28 county auditor, within the bounds of the proposed improvement. Fail-
 29 ure to receive such notice shall not constitute a defense to the special
 30 assessment.

1 **SEC. 14. Hearing.** The council shall meet as specified in the pub-
 2 lished notice, and after hearing all objections and indorsements from
 3 the owners of property and other persons having an interest in the
 4 matter, and after causing all written objections theretofore filed to be
 5 read, may adopt or amend and adopt, the proposed resolution of ne-
 6 cessity, or may defer action thereon until a subsequent meeting.
 7 Such resolution of the council shall require for passage the vote of
 8 three-fourths of all the members of the council, or, in municipalities
 9 having but three members of the council, the vote of two members, and
 10 where a remonstrance has been filed with the clerk, signed by the
 11 owners subject to seventy-five percent of the amount of the proposed
 12 assessment, no such resolution shall be passed except by unanimous
 13 vote of the council. However, any amendment which extends the
 14 boundaries of a district or increases the amount to be assessed against
 15 any lot shall not be effective until an amended plat, schedule, and
 16 estimate have been prepared and adopted and a notice published and
 17 hearing held in the same manner as hereinbefore provided for the
 18 original proceedings; or until all property owners affected thereby
 19 agree in writing to the change.

1 **SEC. 15. Order to engineer and attorney.** After adopting a resolu-
 2 tion of necessity, the council may, by resolution, order the engineer to
 3 prepare and file with the clerk detailed plans and specifications, and
 4 order the engineer and city attorney, or an attorney designated by
 5 the council, to prepare and file with the clerk a notice to bidders and
 6 form of contract.

1 **SEC. 16. Notice to bidders.**
 2 1. The notice to bidders shall state:
 3 a. The time and place for filing sealed proposals;
 4 b. The time and place such proposals will be opened and considered
 5 by the council;
 6 c. The general nature and approximate extent of the work;
 7 d. When the work shall be commenced and when it shall be com-
 8 pleted;

- 9 e. The terms and method of payment;
- 10 f. That each bidder shall accompany his bid with a cashier's or
 11 certified check on an Iowa bank in an amount fixed by the council in
 12 the manner provided by subsection three (3) hereof, as security
 13 that the bidder will enter into the contract for the work bid upon and
 14 will furnish a corporate surety bond acceptable to the council for the
 15 faithful performance of the contract.
- 16 2. The notice for bids may provide that bids will be received for
 17 the furnishing of all labor and materials required to complete all parts
 18 of the proposed work under one contract, or for parts thereof in sep-
 19 arate sections.
- 20 3. Upon approval by the council of the detailed plans, specifica-
 21 tions, notice to bidders, and form of contract, it shall by resolution fix
 22 the amount of the check to accompany each bid, which amount shall
 23 equal at least five percent, but shall not exceed ten percent, of the
 24 engineer's estimated total cost of the work, and shall order the clerk
 25 to publish the notice to bidders.
- 26 4. Publication of the notice to bidders shall be made once each week
 27 for two consecutive weeks, in the manner provided by section six
 28 hundred eighteen point fourteen (618.14), the first of which publica-
 29 tions shall be not less than twelve days before the date set for re-
 30 ceiving bids.

1 **SEC. 17. Award of contract or rejection of bids.** The council
 2 shall open, announce the amount of the bids, and file all proposals re-
 3 ceived, at the time and place specified in the notice to bidders. They
 4 may, thereafter by resolution, award the contract to the lowest bidder,
 5 or they may reject all received proposals and may order the clerk to
 6 again publish notice to bidders, in the manner hereinbefore provided.

7 The check of the successful bidder shall be retained by the municipi-
 8 pality until the approved contract form has been completed and exe-
 9 cuted and a bond filed by the bidder and approved by the council as
 10 provided in section nineteen (19) hereof. If the successful bidder
 11 fails to sign the contract and furnish the required bond within ten
 12 days after the award of the contract to him, the check may be cashed
 13 and the amount thereof retained by the municipality as agreed
 14 liquidated damages. The checks of unsuccessful bidders shall be
 15 promptly returned to such bidders by the clerk and a receipt therefor
 16 obtained and placed on file in his office.

1 **SEC. 18. Optional court confirmation procedure.** After the receipt
 2 and consideration of bids as provided in section seventeen (17) but
 3 before awarding the contract the council may elect to proceed as fol-
 4 lows:

5 1. The council shall direct the city attorney to file, in the district
 6 court of the county in which the property proposed to be assessed is
 7 located, a petition praying that the acts done by said council relative
 8 to the proposed public improvement be confirmed by decree.

9 2. There shall be attached to said petition:

10 a. A copy of the resolution of necessity as adopted by the council.
 11 b. A copy of the proposed schedule of assessments as adopted by
 12 the council under sections eleven (11) and fourteen (14) hereof, which

- 13 schedule shows the maximum amount that the council proposes to
14 assess against any lot.
- 15 c. Detailed plans and specifications as prepared by the engineer.
- 16 d. A copy of the proposed contract as prepared by the city attorney.
- 17 3. Notice of the filing of such petition shall be given in the same
18 form and manner as is provided for service of original notice by pub-
19 lication by the Rules of Civil Procedure.
- 20 4. Any such petition shall have precedence over any other business
21 of the court, except in criminal cases, and said court shall set the
22 said petition for hearing within thirty days from the date of final
23 publication of notice.
- 24 5. If no person having an interest in property proposed to be as-
25 sessed has entered an appearance or filed an answer within the time
26 set for hearing on said petition the court shall immediately confirm
27 said assessment and order the clerk to certify same to the city clerk.
- 28 6. If any person having an interest in property proposed to be as-
29 sessed has entered an appearance or filed an answer to said petition,
30 the court shall hear the cause. Said cause shall be triable as in equity.
- 31 7. Upon the hearing the court shall have power to correct any ir-
32 regularities or inequalities in valuations or in the schedule of assess-
33 ments, and shall consider any objections because of alleged illegal
34 procedure or fraud.
- 35 8. The court shall render a decision upon said hearing within seven
36 days thereafter.
- 37 9. The clerk of said court shall certify to the city clerk the final
38 action of the court within three days from the date of the final order
39 or judgment of said court, upon said petition, showing assessments
40 as confirmed in the schedule of assessments.
- 41 10. An appeal from the decree of the district court shall be per-
42 fected within thirty days from the date of said decree and the abstract
43 shall be served and filed in the office of the clerk of the supreme court
44 within ninety days from the date of said district court decree.
- 45 11. If the aggregate of all appeals exceeds ten percent of the total
46 assessment as confirmed by the district court, the contract may or
47 may not be let, in the discretion of the council, until said appeals are
48 finally determined, but said appeals shall not delay the execution of a
49 contract for the work, if council concludes said appeals were not
50 taken in good faith.
- 51 12. An appeal shall not, in the discretion of the council, delay the
52 certification of an assessment or progress of an improvement, but
53 upon decision of the appeal the assessment appealed from shall be
54 corrected and collected in the same manner as provided by section
55 thirty-six (36).
- 56 13. Corrections of assessments or valuations made by or upon the
57 order of the district court shall be conclusive and not subject to review
58 on appeal, or otherwise, except as provided in subsections ten (10)
59 to twelve (12) of this section. When court confirmation is obtained
60 as herein provided there shall be no right of appeal under the provi-
61 sions of section thirty-one (31) hereof.
- 62 14. In the event no contract is entered into within sixty days from
63 the date of confirmation by the district court the court shall cancel

64 said assessment, upon application of the city attorney, if no appeal is
65 pending.

66 15. The cost of all court proceedings shall be a legitimate item of
67 expense in connection with any public improvement, and shall be in-
68 cluded within the final assessment against any property proposed to
69 be improved.

1 SEC. 19. **Bond of contractor.** Each contractor for a public im-
2 provement shall give bond to the municipality, conforming to the
3 requirements of section five hundred seventy-three point six (573.6),
4 with corporate sureties approved by the council, for the faithful per-
5 formance of the contract, in a sum equal to the contract price, and
6 action upon such bond may be brought in the county where the council
7 holds its meetings.

1 SEC. 20. **Underground connections—waterworks trustees.** In mu-
2 nicipalities having a board of waterworks trustees and in which water
3 connections are not installed by such trustees at public expense, the
4 council shall notify such board, at the time of the adoption of a pre-
5 liminary resolution, of any proposed street paving projects. There-
6 upon the board shall report to the council the number of connections
7 from water mains in such streets to the curb lines of the proposed
8 improvement necessary to serve private property dependent upon
9 those particular mains for water supply, and the numbers of the lots
10 to be served by such connections, and the names of the owners thereof.
11 Notice shall be given to such property owners, at the same time and in
12 the same manner as the notice provided in section thirteen (13) hereof,
13 to install the necessary connections within thirty days after hearing.
14 For the purposes of such hearing, property owners who are notified to
15 install water connections, but whose property is not within the pro-
16 posed assessment district, may appear as interested parties. If, upon
17 hearing, the council determines to proceed with the improvement, and
18 any property owner fails to make connections as required, the board
19 of waterworks trustees shall cause them to be made and certify the
20 cost thereof to the council to be assessed against the property and
21 collected in the same manner as provided in section four (4) hereof
22 for other underground connections.

1 SEC. 21. **State property and roads.** Municipalities may assess the
2 cost of a public improvement which extends through or abuts upon,
3 or is adjacent to lands owned by the state, and the executive council
4 shall pay such portion of the cost of making said improvement through
5 or along such lands as provided hereinafter. Payment of such as-
6 sessments shall be made by the executive council from any funds of
7 the state not otherwise appropriated.

8 When a state park or institutional road abutting on or adjacent to
9 state lands is improved by paving, the state shall pay one-half the
10 total assessed cost of that portion of the improvement abutting, or
11 adjacent to such lands, lots, parts or portions thereof, but for any
12 other type of improvement so constructed and located the state shall
13 pay such portion of the cost as would be assessable against such lands
14 were they privately owned.

15 When any portion of the cost of a public improvement is to be paid
16 by the state under this section, the clerk shall, at the time of publica-

17 tions of the notice required by section thirteen (13), cause a copy
18 of such notice to be sent to the secretary of the executive council by
19 registered mail with return receipt.

20 Municipalities in which state buildings are located shall permit
21 sewers for such buildings to be constructed through or under the
22 streets of the municipality, and connections to be made to the sewer
23 system of the municipality under the same regulations as for sewer
24 connections to private property.

1 SEC. 22. **Monthly payments to contractor.** When the specified
2 duration of time for the performance of a public improvement con-
3 struction contract exceeds sixty days, the municipality may contract
4 to pay not to exceed ninety percent of the engineer's estimated value
5 of the acceptable work completed during the month to the contractor at
6 the end of each month. Payment shall be made in warrants drawn
7 on any fund from which payment for such work may be made and
8 such warrants, unless paid upon presentation, shall draw interest at
9 the rate of four percent per annum from and after the date of pres-
10 entation for payment. If such fund is depleted, anticipatory warrants
11 may be issued and if the collection of taxes or special assessments, or
12 income from the sale of bonds applicable to the public improvement
13 shall be after the end of the fiscal year in which the warrants are
14 issued, said warrants shall not constitute a violation of section four
15 hundred four point seventeen (404.17).

1 SEC. 23. **Inspection, acceptance and payment.**

2 1. The engineer for the municipality shall inspect all work done
3 under this chapter, and within fifteen days of the final completion of
4 the public improvement he shall file a certificate with the clerk stating:

5 a. That he has inspected the completed work;

6 b. That such work has or has not been performed in compliance
7 with the terms of the contract, and the particulars, if any, in which
8 the work varies from said terms;

9 c. The total cost of the completed work.

10 2. Within fifteen days after the filing of the engineer's certificate,
11 the council shall by resolution accept or reject the work.

12 3. Upon accepting the work, or within ten days thereafter, the
13 council shall ascertain the total cost thereof and by resolution deter-
14 mine the proportion or amount of such cost to be assessed against
15 private property within the assessment district.

16 4. Upon accepting the work the council shall order payment of any
17 amounts due the contractor to be made by warrants issued in the
18 manner provided by section twenty-two (22) hereof.

1 SEC. 24. **Final schedule—filing.** Within thirty days after the coun-
2 cil adopts a resolution fixing the amount to be assessed against private
3 property, the engineer shall file with the clerk an assessment schedule
4 showing:

5 1. A description of each lot to be assessed;

6 2. The valuation of each lot as fixed by the council;

7 3. The amount to be assessed against each lot, which amount shall
8 include the assessment for the default fund, if any.

1 **SEC. 25. Final schedule—adoption and certification.** Within ten
2 days after filing by the engineer, the council shall meet, consider, and
3 adopt or amend and adopt, by resolution, the final assessment schedule.
4 Said resolution shall:

- 5 1. Confirm and levy the assessments;
- 6 2. State the number of installments, not exceeding fifteen, into
7 which assessments of ten dollars or more are divided;
- 8 3. Provide for interest on all unpaid installments at five percent
9 per annum;
- 10 4. State the time when assessments are payable;
- 11 5. Direct the clerk to certify such final schedule to the auditor of
12 the county or counties in which the assessed property is located and
13 publish notice thereof.

14 Thereupon, the county auditor shall place on the tax list the amounts
15 to be assessed against each lot within the assessment district as
16 certified.

1 **SEC. 26. Assessment of cost.** The total cost of a public improve-
2 ment, except for that part for which railways are liable or which is
3 to be otherwise paid, shall be assessed against all lots within the
4 assessment district in accordance to the special benefits conferred
5 upon the property thereby and not in excess of such benefits.

6 If any owner of property subject to special assessment shall divide
7 the same into two or more lots and if such plan of division is accepted
8 or approved by the council, he may discharge the lien upon any one
9 or more of them by payment of the amount unpaid, calculated as
10 determined by the council.

1 **SEC. 27. Limitations on assessment costs.** No special assessment
2 against any lot, for any public improvement as defined herein, shall
3 be in excess of the amount of such assessment as shown in the schedule
4 confirmed by the court, or if court confirmation is not utilized then
5 on the original plat and schedule as adopted by the council and no
6 such assessment shall exceed twenty-five percent of the value of the
7 lot as shown by the plat and schedule theretofore approved by the
8 council.

9 Special assessments for the construction or repair of underground
10 connections for private property for gas, water, sewers, or electricity
11 shall be assessed to each lot for the actual cost of each connection for
12 such lot and the twenty-five percent limitation of the preceding para-
13 graph shall not apply.

1 **SEC. 28. Deficiencies.** If the special assessment which may be
2 levied against any lot be insufficient to pay its proportion of the cost
3 of the improvement, the deficiency may be paid from the fund or funds
4 most logically related to the type of improvement.

5 If there be property against which no special assessment can be
6 levied or collected, the portion of the cost of the public improvement
7 which would have been assessed against such property shall be paid in
8 like manner.

1 **SEC. 29. Assessment against railway property.** The right of way
2 of any railway company shall be subject to special assessments for all
3 public improvements provided in this chapter and such assessments

4 shall constitute a debt due the municipality which shall be a paramount
5 lien upon the track of the railway company owning or leasing such
6 right of way within the limits of the municipality. No part of the
7 property of any railway to which a lien for unpaid special assessments
8 has attached shall be released from such lien until the whole assess-
9 ment is paid.

1 **SEC. 30. Installments—payment—delinquency.**

2 1. *First installment.* The first installment of each assessment, or
3 total amount thereof if it be less than ten dollars, with interest on
4 the whole assessment from date of acceptance of the work by the
5 council, shall become due and payable on January 1 next succeeding the
6 date of such levy unless the assessment is filed with the county au-
7 ditor less than thirty days prior to such next succeeding January 1
8 after the date of levy.

9 2. *Annual installments.* The succeeding annual installments, with
10 interest on the whole unpaid amount, shall respectively become due
11 on January 1 annually thereafter and shall be paid at the same time
12 and in the same manner as the March semi-annual payment of ordi-
13 nary taxes.

14 3. *Outstanding balance—payments.* All future installments of an
15 assessment may be paid on any date by payment of the then outstand-
16 ing balance plus interest to the succeeding June 1.

17 4. *Delinquency.* All such assessments with interest shall become
18 delinquent after the thirty-first day of March next after their due
19 date, and shall bear the same interest with the same penalties as
20 ordinary taxes, and when collected the said interest and penalties shall
21 be credited to the same fund as the said special assessment.

22 5. *Interest period.* Upon the payment of any assessment or in-
23 stallment thereof interest shall be computed and collected as aforesaid
24 to the first day of June following the date of such payment.

25 6. *Lien of assessment.* All assessments shall constitute liens on the
26 lots assessed from the date they are certified to the county auditor
27 and such liens shall have the same preference and priorities as liens
28 for ordinary taxes; provided, that in no case shall the owner of any
29 lot be liable for an assessment greater than provided for in sections
30 twenty-six (26) and twenty-seven (27) hereof.

1 **SEC. 31. Appeals to district court.**

2 1. Any person or corporation, having an interest in any property
3 subject to special assessment under any given exercise of the powers
4 conferred upon municipalities by this chapter, shall have the right,
5 within twenty days after the adoption of a resolution of necessity, to
6 test the regularity of the proceedings under such exercise of power by
7 a petition in equity filed in the district court of the county wherein
8 such property is located. Filing such petition shall not operate as a
9 stay of further proceedings on the improvement by the council unless
10 there is also filed a bond in an amount and with security approved by
11 the court.

12 2. Any person or corporation, having an interest in any property
13 specially assessed under any exercise of the powers conferred upon
14 municipalities by this chapter, shall have the right to appeal from the

15 amount of such assessment at any stage of the special assessment
 16 procedure up to twenty days after the publication of notice of adoption
 17 of the final assessment schedule by petition to the district court of
 18 the county wherein such property is located, but such appeal shall go
 19 only to the amount of that assessment and shall in no event operate
 20 as a stay of further proceedings by the council on the improvement.

21 3. Nothing herein set forth shall be construed so as to deny any
 22 person or corporation having an interest in property subject to special
 23 assessment a right of appeal to the district court on the ground of
 24 fraud or to avail himself of such other remedies as are available by
 25 law.

1 SEC. 32. **Payment of assessments.** Assessments levied and certi-
 2 fied under the provisions of this chapter and installments thereof and
 3 interest thereon shall be payable at the office of the county treasurer
 4 of the county wherein the property assessed is located, and assess-
 5 ments may be there paid in full and without interest within thirty
 6 days after the date of certification thereof to the county auditor.

1 SEC. 33. **Special assessment bonds.**

2 1. *Issuance.* After certification of the final assessment schedule
 3 the municipality shall, by resolution of the council, authorize and
 4 issue bonds in anticipation of the collection of unpaid special assess-
 5 ments, provided that the total principal amount of bonds issued for
 6 account of any public improvement shall not exceed the total amount
 7 of unpaid special assessments less the amount assessed for the default
 8 fund.

9 2. *Form.* All such bonds shall be negotiable and shall recite on
 10 their face that they have been issued under the provisions of this
 11 chapter and are payable as to both principal and interest from the
 12 proceeds of the special assessments levied for account of the public
 13 improvement. Such bonds shall bear interest at a rate not exceeding
 14 five percent and shall mature serially on June 1 of the years in which
 15 any of such principal is scheduled to become due and shall contain a
 16 provision that the municipality reserves the right and option of call-
 17 ing and redeeming any or all of the bonds on June 1 of each year prior
 18 to maturity upon such terms as are specified therein.

19 3. *Payment.* The proceeds of the special assessments and interest
 20 collected thereon shall be used and applied by the treasurer of the
 21 municipality to the payment of the interest on the bonds and to the
 22 retirement of the principal as rapidly as such proceeds are collected.

23 4. *Sale—proceeds.* Said bonds shall be sold at public sale in the
 24 manner provided for by chapter seventy-five (75), but shall not be
 25 sold for less than par value with accrued interest from date to the
 26 time of delivery. In the event that no bid is received at the public
 27 sale, the council may require the contractor for the public improvement
 28 to purchase same at par value for bonds bearing five percent interest.
 29 The proceeds shall be used and applied to the payment of the cost of
 30 the public improvement.

31 5. *Procedure.* The provisions of chapter three hundred ninety-six
 32 (396) shall be applicable to bonds issued under this chapter.

33 6. *Surplus.* Any excess of proceeds from special assessment re-

34 maining after all of the bonds for account of a particular improvement
35 have been paid with interest shall be credited to the fund from which
36 deficiencies for such improvement were paid.

1 **SEC. 34. Tax sale.** Property against which a special assessment
2 has been levied for public improvements may be sold for any sum of
3 principal or interest due and delinquent at any regular or adjourned
4 tax sale, in the same manner, with the same forfeitures, penalties,
5 right of redemption, certificates, and deeds as for the nonpayment of
6 ordinary taxes. The purchaser at such sale shall take the property
7 charged with the lien of the remaining unpaid installments and inter-
8 est. At any such sale where bonds have been issued in anticipation of
9 such special assessments and interest, the municipality may be a pur-
10 chaser and be entitled to all the rights of purchasers at tax sales. The
11 proceeds subsequently realized from sales of any property so purchased
12 by the municipality shall be credited to the funds of the municipality
13 from which deficiencies on such improvement were paid, or if there
14 were no deficiencies to the general fund.

1 **SEC. 35. Payment from other funds.** The whole or any part of the
2 cost of construction or repair of any public improvement may be paid
3 under the provisions of sections three hundred ninety-six point twenty-
4 two (396.22) and three hundred ninety-six point twenty-three (396.23),
5 or they may be paid from the fund or funds of the municipality au-
6 thorized to be used for the particular type of improvement and the
7 council shall provide that the tax authorized for purposes of such fund
8 or funds shall be annually levied to the full extent necessary to reim-
9 burse said fund or funds for the amount paid therefrom for the con-
10 struction or repair of the improvement.

1 **SEC. 36. Relevy.** When by reason of nonconformity to any law or
2 resolution, or by reason of any omission, informality, or irregularity,
3 any special tax or assessment levied is determined by the council to be
4 invalid or is adjudged illegal, the council shall have power to correct
5 the same by resolution, and may reassess and relevy the same, with
6 the same force and effect as if done at the proper time and in the
7 manner provided by law or by the resolution relating thereto.

1 **SEC. 37. Joint municipal and state improvements.** The provisions
2 of this chapter shall apply to any street improvement undertaken
3 jointly by the municipality and the highway commission under the
4 provisions of sections three hundred thirteen point twenty-one
5 (313.21) to three hundred thirteen point twenty-three (313.23), in-
6 clusive, and any such municipality may assess and pay its portion of
7 the cost of such street improvement as herein provided, but any re-
8 quirement of this chapter in respect to approval of detailed plans and
9 specifications, calling for construction bids, awarding construction con-
10 tracts, and acceptance of the completed improvement shall be carried
11 out by such municipality with the state highway commission as may
12 be provided in any agreement entered into as permitted by section
13 three hundred thirteen point twenty-two (313.22).

1 **SEC. 38. Streets with tracks.** In the making of assessments for
2 paving streets, avenues, or public places along or upon which any
3 track of a railway or street railway company is located, the engineer

4 shall make an estimate of the cost of building the improvement, and
 5 he shall also make an estimate of what would be the cost of such im-
 6 provement if such tracks did not there exist. The railway or street
 7 railway company shall be charged with the difference between said
 8 estimates of cost and shall make payment in the same manner as other
 9 special assessments are paid. This section applies only to track within
 10 the limits of the improvement proper and nothing herein contained
 11 shall be construed as exempting such railway or street railway com-
 12 pany from any special assessment on any other property, adjacent or
 13 abutting, within the assessment district and owned by such company,
 14 nor shall this section be construed as relieving such company from
 15 any of its duties or liabilities set forth in any other sections of the law
 16 concerning repair or construction of the strip of paving between the
 17 rails and one foot outside thereof.

1 SEC. 39. Interpretation. The provisions of this Act shall not be
 2 construed as invalidating any special assessment proceedings or bonds
 3 issued thereunder which were undertaken under the provisions of any
 4 law which existed at the time such proceedings were initiated.

1 Sec. 40. Section four hundred seventeen point one (417.1), Code
 2 1950, is amended by striking the words "operating under the com-
 3 mission plan of municipal government and" in lines two (2) and three
 4 (3) thereof. Section four hundred seventeen point fifty-four (417.54),
 5 subsection one (1), Code 1950, is amended by striking from line three
 6 (3) of said subsection the word "wholly", and by striking from lines
 7 three (3) and four (4) of said subsection the words "under the com-
 8 mission form of government". Section four hundred seventeen point
 9 fifty-four (417.54), subsection two (2), is amended by striking from
 10 line six (6) of said subsection the word "wholly", and by inserting
 11 after the word "busses", in line thirteen (13), the following: "operat-
 12 ing over fixed routes or parts of routes within such city".

1 Sec. 41. Chapter three hundred ninety-one A (391A), Code 1950,
 2 is hereby repealed.

Approved May 2, 1951.

CHAPTER 157

JOINT MUNICIPAL SEWERS

H. F. 586

AN ACT to amend section three hundred ninety-two point one (392.1), Code 1950, relat-
 ing to joint use of sanitary sewer system.

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

1 SECTION 1. Section three hundred ninety-two point one (392.1),
 2 Code 1950, is hereby amended by adding at the end thereof the follow-
 3 ing:
 4 "Provided, however, that nothing herein shall prevent cities and
 5 towns adjacent to each other from contracting with each other for the
 6 joint use of the sanitary sewer system of either city or town."

Approved April 26, 1951.

CHAPTER 158

STREET CONSTRUCTION FUND

H. F. 418

AN ACT relating to bonds of cities or towns for street improvements and their payment from the street construction fund and to amend section three hundred ninety-six point twenty-two (396.22), Code 1950.

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

1 SECTION 1. Section three hundred ninety-six point twenty-two
2 (396.22),* Code 1950, is amended by striking from the next to the last
3 line of said section the figures, "324.63" and inserting in lieu thereof
4 the figures "308A.6".

Approved April 5, 1951.

*Repealed by chapter 159, §82.

CHAPTER 159

MUNICIPAL REVENUE

S. F. 212

AN ACT relating to taxation and other sources of municipal revenue, and to repeal chapter four hundred four (404) of the Code relating thereto and enact a substitute therefor, and to repeal certain other sections of the Code relating thereto, and to amend certain sections of the Code relating thereto.

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

1 That Chapter four hundred four (404), Code 1950, is hereby re-
2 pealed and Sections one (1) to twenty-five (25), inclusive, hereof are
3 enacted in lieu thereof.

1 SECTION 1. Power to tax. Municipal corporations shall have power
2 to cause to be levied, the taxes provided by this Chapter, and such
3 other taxes and special assessments as are specifically provided by law
4 except as modified by the provisions of this Chapter.

1 SEC. 2. Functional funds—maximum levy. Municipal corporations
2 shall have power to establish the functional funds provided by sections
3 six (6) to twelve (12), inclusive of this Chapter and to cause taxes to
4 be levied on all taxable property within the corporate limits according
5 to the needs of the particular corporation for each particular function,
6 not to exceed the maximum millage rate designated in said sections
7 for any function, and in the aggregate not to exceed thirty mills on
8 the dollar in any tax year for all of said functions, and they shall also
9 have power to establish a debt service fund, and trust or agency funds.

1 SEC. 3. Certification of taxes and assessments. All assessments
2 and taxes of every kind and nature caused to be levied by the council,
3 except as otherwise provided by law, shall be certified by the clerk on
4 or before the first day of September to the county auditor, and by him
5 placed upon the tax list for the current year, and the county treasurer
6 shall collect such assessments and taxes in the same manner as other
7 taxes, and when delinquent they shall draw the same interest and
8 penalties.

1 **SEC. 4. Allocation of revenue.** Municipal corporations shall, at
2 the first meeting of the Council after January 1, allocate by resolution
3 the estimated revenue from all levies to the purposes authorized by
4 law and shall allocate sufficient revenue to the debt service fund from
5 other funds or sources to pay all bonds and interest thereon as they
6 become due. Said allocations shall also include receipts from sources
7 other than taxation, estimated unincumbered balances from the pre-
8 vious year, and any contemplated transfers of funds. The books of
9 the corporation shall reflect at all times:

10 1. The nature and amount of each sum received and expended in
11 each functional fund.

12 2. The total amount appropriated in each functional fund.

13 3. The total amount appropriated in each of the divisions or accounts
14 within each functional fund as set forth in sections six (6) through
15 twelve (12) of this act.

16 4. The unexpended balance remaining in each functional fund and
17 in each division or account within such functional fund.

18 5. All financial records of the corporation shall be a public record
19 and open to public inspection during business hours.

1 **SEC. 5. Flexibility provisions.** Municipal corporations may fit
2 their income to their needs in the following ways:

3 1. Before certification, by determining the amounts to be levied for
4 each functional fund, as provided by section two (2) of this chapter
5 and by proposed allocations for each particular division or account
6 within each functional fund;

7 2. By allocation of estimated income to authorized purposes within
8 each functional fund as provided in section four (4) of this chapter;

9 3. By subsequent resolution of the council amending such allocations
10 within any functional fund to fit actual income to the authorized pur-
11 poses of such functional fund, as the need arises, provided, however,
12 that said amendments may not increase such allocations without a
13 two-thirds ($\frac{2}{3}$) vote of the body which made the original allocation;

14 4. By transfers from one functional fund to another in the manner
15 provided by chapter twenty-four (24), or by creating an emergency
16 fund in the manner provided by that chapter;

17 5. By transfers of surplus from the debt service fund, as provided
18 by section nineteen (19) of this chapter, subject, however, to the
19 approval of the state comptroller. Before such approval is given, the
20 state comptroller shall assure himself that good business practice has
21 been followed and that there is reasonable assurance of prompt, regular
22 payment of the debt in the future.

1 **SEC. 6. General government.** Municipal corporations shall have
2 power to annually cause to be levied for a fund to be known as the
3 general fund a tax not to exceed seven (7) mills on the dollar on all
4 taxable property within the corporate limits and allocate the proceeds
5 thereof to be used for the following purposes:

6 1. General and incidental expenses;

7 2. Construction, purchase, or remodeling of a city or town hall and
8 such other buildings as the size, condition, and governmental activities

9 of the corporation make reasonable or necessary, and purchase of the
10 necessary sites therefor;

11 3. Improvement, operation and maintenance of the city or town
12 hall and other governmental buildings;

13 4. City planning purposes as provided in chapter three hundred
14 seventy-three (373);

15 5. Expenses in connection with weights and standards, as provided
16 in section two hundred thirteen point seven (213.7);

17 6. Expenses in connection with elections required or authorized by
18 law to be paid by municipal corporations;

19 7. Bonds of municipal officers or employees to be paid by the mu-
20 nicipal corporation;

21 8. Defense expenses of a municipal officer sought to be removed
22 from office, when payable by the municipal corporation under the
23 provisions of section sixty-six point twenty-three (66.23).

1 SEC. 7. Street fund. Municipal corporations shall have power to
2 annually cause to be levied for a fund to be known as the street fund
3 a tax not to exceed seven (7) mills on the dollar on all taxable prop-
4 erty within the corporate limits and allocate the proceeds thereof to
5 be spent for the following purposes;

6 1. Construction, reconstruction, repair, and maintenance of vi-
7 aducts, underpasses, grade crossing separations, and approaches there-
8 to, except those constructed or maintained by any railroad company
9 under the provisions of chapter three hundred eighty-seven (387);

10 2. Opening, widening, extending, constructing, maintaining, repair-
11 ing, surfacing, marking, and grading any street, highway, avenue,
12 alley, public ground, or market place, and purchase of necessary equip-
13 ment and machinery therefor;

14 3. To pay for deficiencies in assessments and for plats and schedules
15 as provided by law, and for the construction, reconstruction, and re-
16 pair of any street improvements at the intersection of streets, high-
17 ways, avenues, and alleys, and for one-half of the cost of such improve-
18 ments at the intersection of streets, avenues, highways, and alleys not
19 crossing, and for spaces opposite property owned by the municipal
20 corporation or by the United States, and for the purchase price of
21 property purchased by the city at tax sale and subsequent taxes as-
22 sessed against such property;

23 4. For the removal of snow and ice from the streets;

24 5. In lieu of the tax provided by section three hundred ninety point
25 two (390.2) to acquire and improve real estate and to erect or improve
26 buildings thereon for the parking of vehicles to the extent that income
27 from parking meters or parking lots is insufficient for said purposes;

28 6. To pay any special assessment with interest, or any installment
29 thereof with interest, levied against any street, alley, highway, public
30 way, or park by the board of supervisors for drainage purposes;

31 7. In lieu of the tax provided by section three hundred eighty-seven
32 point six (387.6) for the payment of damages to property caused by
33 construction of a viaduct;

34 8. For all bridge purposes;

35 9. In lieu of the tax provided by section three hundred eighty-three
36 point eight (383.8) for preliminary expense on interstate bridges;

37 10. For payment of damages to property for which the municipal
38 corporation is liable under the provisions of sections three hundred
39 eighty-nine point twenty-two (389.22) to three hundred eighty-nine
40 point twenty-five (389.25), inclusive;

41 11. To plant, prune, care for, and maintain trees and shrubbery on
42 public streets;

43 12. For the purchase of necessary street equipment and machinery,
44 provided, however, that in no fiscal year more than ten percent (10%)
45 or twenty thousand dollars (\$20,000), whichever is the greater, of
46 said fund be used for this purpose;

47 13. For any other purpose having to do with streets specifically
48 authorized by law.

1 SEC. 8. Public safety fund. Municipal corporations shall have
2 power to annually cause to be levied for a fund to be known as the
3 public safety fund a tax not to exceed twelve (12) mills on the dollar
4 on all taxable property within the corporate limits and allocate the
5 proceeds thereof to be used for the following purposes:

6 1. To establish, equip, staff, and maintain a police department;

7 2. To establish, equip, staff, and maintain a fire department;

8 3. To establish, erect, and maintain a jail and such number of police
9 and fire stations as circumstances require;

10 4. To pay the expenses of maintaining a municipal court;

11 5. In lieu of the taxes provided in chapter three hundred ninety-five
12 (395) on flood control;

13 6. Liability insurance premiums authorized by section three hun-
14 dred twenty-one point four hundred ninety-seven (321.497);

15 7. For any other purpose having to do with public safety specifically
16 authorized by law.

1 SEC. 9. Sanitation fund. Municipal corporations shall have power
2 to annually cause to be levied for a fund to be known as the sanitation
3 fund a tax not to exceed seven (7) mills on the dollar on all taxable
4 property within the corporate limits and allocate the proceeds thereof
5 to be used for the following purposes:

6 1. To pay for deficiencies in special assessments for sewers as pro-
7 vided by law, and for the construction, reconstruction, and repair of
8 any sewer at the intersection of streets, highways, avenues, and alleys,
9 and for one-half of the cost of such sewer at the intersections of streets,
10 highways, avenues, and alleys not crossing and for spaces opposite
11 property owned by the municipal corporation or by the United States,
12 and for the whole or any part of the construction, reconstruction, or
13 repair of any sewer within the limits of said municipal corporation,
14 and for the construction, reconstruction, maintenance, and operation
15 of any sewage disposal plants;

16 2. To control surface waters flowing into sewers, sewer outlets, and
17 disposal plants;

18 3. To construct sewer outlets and sewage purifying plants and to
19 purchase dump grounds;

- 20 4. To pay for establishing and maintaining comfort stations ;
 21 5. To pay the cost of collection and disposal of garbage and refuse
 22 and for the sprinkling, flushing, or cleaning of streets ;
 23 6. For the construction, reconstruction, or repair of any main sewer
 24 within the municipal corporation and those extending outside the cor-
 25 porate limits ;
 26 7. For the purpose of carrying out the provisions of the laws relat-
 27 ing to public health ;
 28 8. For any other purpose having to do with sanitation, specifically
 29 authorized by law.

- 1 SEC. 10. **Municipal enterprises.** Municipal corporations shall have
 2 power to annually cause to be levied for a fund to be known as the
 3 municipal enterprises fund an annual tax not to exceed ten (10) mills
 4 on the dollar on all taxable property within the corporate limits and
 5 allocate the proceeds thereof to be spent for the following purposes :
- 6 1. To pay for land acquired for cemetery purposes and the interest
 7 accruing on the cost thereof ;
 8 2. For the care, preservation, and adornment of any cemetery
 9 utilized for burial purposes by the people of the city or town ;
 10 3. For the purchase of a library site and construction of buildings
 11 thereon ;
 12 4. For the maintenance of a free public library. The board of
 13 library trustees shall, on or before the first day of August in each year,
 14 make an estimate of the amount it deems necessary for the improve-
 15 ment, operation, and maintenance of the library and shall transmit
 16 said estimate together with a statement of the amount necessary for
 17 the purposes authorized by subsection three (3) to the council. In
 18 no event shall the amount of tax allocated for maintenance purposes
 19 exceed the amount that would be derived from a three mill levy at
 20 current valuations, nor shall the amount allocated for purposes of sub-
 21 section three (3) exceed the amount that would be derived from a
 22 levy of three-fourths mill at current valuations.
 23 5. When a public library has not been established, to secure for the
 24 inhabitants of the municipal corporation the free use of a public
 25 library.
 26 6. When a municipal hospital has been established, for the purpose
 27 of purchasing sites for hospitals or sites with buildings thereon for
 28 hospital purposes, and constructing, reconstructing, rebuilding, re-
 29 modeling or enlarging buildings to be used for hospitals ;
 30 7. To improve, operate, and maintain a municipal hospital ;
 31 8. In lieu of the taxes provided by sections three hundred thirty
 32 point seven (330.7) and three hundred thirty point sixteen (330.16)
 33 to acquire, operate, or equip a municipal airport ;
 34 9. For purposes of river front improvement and in lieu of the taxes
 35 provided therefor in chapter three hundred seventy-two (372) ;
 36 10. In lieu of the taxes provided by sections five hundred sixty-five
 37 point nine (565.9) and five hundred sixty-five point thirteen (565.13)
 38 to provide annuities for gifts accepted by municipal corporations, but
 39 not in excess of the limits provided therein ;

40 11. In lieu of the taxes provided by section three hundred eighty-
41 four point three (384.3) for dock purposes;

42 12. In lieu of the taxes provided by sections thirty-seven point seven
43 (37.7) and thirty-seven point eight (37.8) for memorial halls and
44 monuments;

45 13. For any other purpose having to do with municipal enterprises,
46 specifically authorized by law.

1 SEC. 11. **Recreation.** Municipal corporations shall have power to
2 annually cause to be levied for a fund to be known as the recreation
3 fund a tax not to exceed five (5) mills on the dollar on all taxable
4 property within the corporate limits and allocate the proceeds thereof
5 to be used for the following purposes:

6 1. To purchase real estate for use as a community center and con-
7 struct thereon buildings with proper equipment;

8 2. For the development, improvement, maintenance, or operation of
9 community centers, playgrounds, and swimming pools;

10 3. For the purchase, construction, maintenance, and operation of
11 a place for the exhibition of works of art, or for the support of an
12 established art gallery, museum, institute, or center conducted for the
13 use and benefit of the public and not for profit;

14 4. To purchase real estate for park, art, or memorial purposes;

15 5. For the purpose of caring for and improving the parks;

16 6. Procuring a site and for constructing swimming pools, bathing
17 beaches, bath houses, exhibition halls, armories, ice rinks, dance pa-
18 vilions, shelter houses, wading pools, river walls, field house, athletic
19 or recreational facilities, and for paving, macadamizing, and other-
20 wise improving roadways, drives, avenues, and walks in parks;

21 7. In lieu of the tax provided by sections three hundred seventy-
22 five point one (375.1) and three hundred seventy-five point four
23 (375.4) for band purposes;

24 8. In lieu of all taxes provided by chapter three hundred seventy
25 (370) for park purposes;

26 9. In lieu of the tax provided by section three hundred seventy-
27 nine-A point one (379A.1) for a symphony orchestra;

28 10. For any other purpose having to do with recreation, specifically
29 authorized by law.

1 SEC. 12. **Utilities.** Municipal corporations shall have power to
2 annually cause to be levied for a fund to be known as the utilities
3 fund a tax not to exceed five (5) mills on the dollar on all taxable
4 property within the corporate limits and allocate the proceeds thereof
5 to be used for the following purposes:

6 1. If the authorized rates or rentals are insufficient to meet the ex-
7 penses of running, operating, and repairing the waterworks, gas or
8 electric plant, or power plant owned or operated by the municipal
9 corporation, and the interest on any bonds issued to pay for the con-
10 struction, reconstruction, repair, or extension of such works, such
11 amount as may be necessary to make up the deficiency;

12 2. To pay the principal of bonds issued for the construction or pur-
13 chase of waterworks, gasworks, electric light or power plants;

14 3. In cities and towns owning and operating a light plant to pay
15 for electricity for street lighting and other municipal purposes;

16 4. Payment for water furnished the corporation under contract;

17 5. Payment for gas, light, heat, and power furnished the corporation
18 under contract;

19 6. In lieu of the tax provided by section three hundred eighty-nine
20 point eighteen (389.18) for street lighting;

21 7. In lieu of the taxes provided by sections three hundred ninety-
22 eight point one (398.1) and three hundred ninety-nine point five
23 (399.5) for the purchase or construction of waterworks;

24 8. For any other purpose relating to municipal utilities, specifically
25 authorized by law.

1 SEC. 13. **Debt service.** Municipal corporations shall establish a
2 debt service fund and shall cause to be levied for said fund a tax in
3 such number of mills on the dollar on all taxable property within the
4 corporate limits, as is necessary for the following purposes:

5 1. To pay all judgments against the municipal corporation other
6 than those specifically authorized by law to be paid from other funds;

7 2. To pay the interest accruing on funding and refunding bonds
8 outstanding, and such proportion of the principal that at the end of
9 the first quarter of the term of any issue of bonds the sum raised shall
10 equal at least twenty percent of the bonds issued; at the end of the
11 second quarter of said term at least forty percent of said amount; at
12 the end of the third quarter of said term at least sixty-five percent of
13 said amount; and on or before the date of maturity of said bonds a
14 sum equal to the whole amount of unpaid interest and principal;

15 3. For such other purposes relating to debt service as are specifically
16 authorized by law;

17 It shall be the duty of the council to allocate the proceeds of the tax
18 herein provided to accomplish the purposes herein enumerated.

1 SEC. 14. **Separate allocations.** A separate allocation within each
2 functional fund shall be made for each particular purpose enumerated
3 in the various subsections of sections six (6) to twelve (12) inclusive,
4 and for each particular purpose within a particular subsection when
5 they are reasonably separable.

1 SEC. 15. **Agricultural lands.** No land included within the limits
2 of any municipal corporation which is not laid off into lots of ten
3 acres or less, and which is also in good faith occupied and used for
4 agricultural or horticultural purposes shall be taxable for any city
5 or town purpose, except that said lands and all personal property neces-
6 sary to the use and cultivation of said agricultural or horticultural
7 lands, shall be liable to taxation, not to exceed one and one-fourth
8 ($1\frac{1}{4}$) mills in any year, for municipal street purposes.

1 SEC. 16. **Trust and agency funds.** Municipal corporations shall
2 have power to establish trust and agency funds for the purpose of
3 accounting for gifts received by the corporation for a particular pur-
4 pose and for the purpose of accounting for money and property re-
5 ceived and handled by such corporations as trustee or custodian or in

6 the capacity of an agent of any public moneys as authorized by law
7 and to levy such taxes as are authorized by law.

1 **SEC. 17. Establishment of operating fund.** For the purpose of
2 simplifying administrative procedure, the council may, by resolution,
3 authorize the transfer of receipts in the general fund, the street fund,
4 the public safety fund and the sanitation fund, to a fund to be known
5 as the operating fund, and claims payable from any of said functional
6 funds may be paid by warrants drawn against the operating fund. In
7 no event, however, shall the amount disbursed from the operating fund
8 for any purpose be in excess of the receipts to said operating fund
9 from the applicable functional fund or in excess of the amount ap-
10 propriated for said purpose or particular function, without prior ap-
11 proval by the state comptroller.

1 **SEC. 18. Anticipation of revenue.** Loans may be negotiated or
2 warrants issued by any municipal corporation in anticipation of its
3 revenues for the fiscal year in which such loans are negotiated or war-
4 rants issued, but the aggregate amount of such loans and warrants
5 shall not exceed the estimated revenue of such corporation for the
6 fund or purpose for which the taxes are to be collected for such fiscal
7 year, except as provided in the law relating to special assessments of
8 public improvements. The council may cause bonds to be issued for
9 purposes of cemetery purchase, dump ground purchase, grading, street
10 improvement, sewer and purifying plant construction, flood protection,
11 equipping fire departments, airports, and parking lots, provided that
12 the maximum amount of such outstanding bonds at any one time shall
13 be no more than can be retired within twenty years, both as to prin-
14 cipal and interest, by a levy not to exceed five mills, and provided
15 further that the maximum millage levy authorized by section two (2)
16 shall be reduced by whatever such amount is required to be levied in
17 the debt service fund for financing such bonds.

1 **SEC. 19. Taxes paid over.** Before the third Monday of each month,
2 the county treasurer shall give written notice to the clerk of each
3 municipal corporation in the county of the amount collected for each
4 fund up to the first day of that month, including the amounts collected
5 to pay bonds issued to pay the costs of public improvements for which
6 special assessments have been levied and certified, and the clerk of
7 each municipal corporation shall draw an order therefor in favor of
8 the municipal treasurer, countersigned by the mayor or auditor of the
9 municipal corporation, upon the county treasurer, who shall pay such
10 taxes to the municipal treasurer only on such order.

1 **SEC. 20. Surplus of tax.** When a tax has been levied by any mu-
2 nicipal corporation for the debt service fund, such tax shall not be
3 held invalid if the rate of tax raises an amount in excess of that sought
4 for specific purposes. Money so raised shall be held in the debt service
5 fund until all debts except those evidenced by revenue bonds are dis-
6 charged and any surplus remaining thereafter may be transferred to
7 any other fund or funds as the council by resolution may direct.

1 **SEC. 21. Tax sales.** Sales for delinquent assessments and taxes
2 caused to be levied by any municipal corporation shall be made in the

3 manner provided by chapter four hundred forty-six (446), and should
4 there be other delinquent taxes or assessments due from the same per-
5 son, and collectible by the county treasurer, the sale shall be for all
6 such delinquent assessments and taxes.

1 **SEC. 22. Diversion of funds.** Any councilman or officer of a mu-
2 nicipal corporation who shall participate in, advise, consent, or allow
3 the proceeds of any tax or assessment caused to be levied by such mu-
4 nicipal corporation, or the proceeds of any source of municipal revenue
5 other than taxation, to be diverted to any purpose not authorized by
6 law, or who shall in any way become a party to such diversion, shall
7 be guilty of willful maladministration.

1 **SEC. 23. Other sources of income.** Any income to a municipal
2 corporation not designated by law to be placed in or credited to a
3 certain existing fund enumerated in this chapter or otherwise provided
4 by law shall be credited to the functional fund or funds enumerated in
5 this chapter, which are allocable to the purpose or class of purposes
6 most nearly related to the type of transaction from which the income
7 arose.

1 **SEC. 24. Applicability.** The provisions of this chapter shall be
2 applicable to all municipal corporations, regardless of form of gov-
3 ernment or manner of incorporation.

1 **SEC. 25. Construction.** 1. The provisions of this chapter relating
2 to the allocation of the proceeds from any tax to a particular purpose
3 shall not be construed as superseding any provision in the law requir-
4 ing an election as a prerequisite to taxation or expenditure of public
5 funds for such purpose or to carrying out such purpose.

6 2. No enumeration of purposes contained in this chapter shall be
7 construed to authorize the expenditure of funds for those purposes
8 where the section of the Code conferring general power to carry on
9 such purpose is limited to municipal corporations of a certain size or
10 class unless the municipal corporation making the allocation is within
11 such size or class.

12 3. When any section of the Code provides for the expenditure of
13 funds for a purpose not designated under any of the functional funds
14 provided in this chapter and such section also fails to specify an
15 existing fund or funds from which such expenditure may be made, the
16 proper fund allocable to the purpose shall be the functional fund al-
17 locable to the class of purposes which would most logically include the
18 purpose in question.

19 4. Whenever a body charged by law with administering funds for
20 any particular function, shall have been elected by the people, the
21 corporation shall adopt the budget of said body and shall allocate
22 sufficient funds to meet said budget. However, in no event shall levies
23 exceed the limits prescribed in section two (2) and in sections six (6)
24 to twelve (12), inclusive, or exceed, for this purpose, without council
25 approval, the levies heretofore permitted by law.

26 5. No other statute whether heretofore or hereafter enacted relating
27 to the taxing power of municipal corporations, shall be construed to
28 increase, the limits on millage levies established in section two (2)

29 and sections six (6) through twelve (12) of this Act, unless this Act
30 is amended. In all laws hereafter enacted such amendment shall be
31 a separate section of the Act.

1 SEC. 26. Section twenty-four point twenty-one (24.21), Code 1950,
2 is amended by striking from lines nine (9) and ten (10) the words
3 "general or contingent fund of the municipality" and inserting in lieu
4 thereof the words "fund or funds of the municipality designated by
5 such board".

1 SEC. 27. Section forty-eight point eighteen (48.18), Code 1950, is
2 amended by striking from line six (6) the words "provide out of the
3 current revenue" and inserting in lieu thereof "allocate from the gen-
4 eral fund".

1 SEC. 28. Section three hundred point seven (300.7), Code 1950, is
2 amended by striking from line fifteen (15) the words "general funds"
3 and inserting in lieu thereof the words "recreation fund".

1 SEC. 29. Section three hundred eight-A point three (308A.3) sub-
2 section two (2), Code 1950, is amended by striking from line eight
3 (8) the words "street construction" and inserting in lieu thereof the
4 word "street".

1 SEC. 30. Section three hundred eight-A point four (308A.4) sub-
2 section two (2), Code 1950, is amended by striking from paragraph
3 (d) the words "street construction" and inserting in lieu thereof the
4 word "street".

1 SEC. 31. Section three hundred eight-A point six (308A.6), Code
2 1950, is repealed, and the following enacted in lieu thereof:

3 "Limitation on use of funds. Funds received by municipal cor-
4 porations from the road use tax fund shall be used solely for the con-
5 struction, reconstruction, repair, and maintenance of roads and streets
6 within municipal corporations. Such funds shall not be used for the
7 purchase of machinery or equipment, except as provided in subsection
8 twelve (12) of section seven (7).

1 SEC. 32. Section three hundred eleven point nineteen (311.19),
2 Code 1950, is amended by striking from lines eight (8) and nine (9)
3 of the second paragraph the word "general" and inserting in lieu
4 thereof the word "street".

1 SEC. 33. Section three hundred twenty-one point two hundred
2 thirty-eight (321.238), Code 1950, is amended by striking from lines
3 five (5) to seven (7) "proceeds of the collection of fees charged for
4 testing motor vehicles, including trucks" and inserting in lieu thereof
5 "allocations from the public safety fund".

1 SEC. 34. Section three hundred twenty-one point two hundred
2 thirty-nine (321.239), Code 1950, is amended by striking all of lines
3 eight (8) to fifteen (15), inclusive, and inserting in lieu thereof "shall
4 pay all fees so collected into the public safety fund".

1 SEC. 35. Section three hundred twenty-one point two hundred
2 forty-six (321.246), Code 1950, is amended by striking therefrom all

3 of lines five (5) to twelve (12), inclusive, and inserting in lieu thereof
4 "from allocations of the public safety fund".

1 SEC. 36. Section three hundred twenty-one point four hundred
2 ninety-five (321.495), Code 1950, is amended by inserting the words
3 "from the public safety fund" after the word "pay" in line fifteen (15).

1 SEC. 37. Section three hundred forty-eight point five (348.5), Code
2 1950, is amended by striking all of lines twelve (12) to fourteen (14),
3 inclusive, and inserting in lieu thereof "allocation of the municipal
4 enterprises fund for hospital purposes shall cease".

1 SEC. 38. Section three hundred seventy point eight (370.8), Code
2 1950, is amended by striking from line four (4) the words "county
3 auditor" and inserting in lieu thereof the word "council".

1 SEC. 39. Sections three hundred seventy point twenty-five (370.25)
2 and three hundred seventy point twenty-six (370.26), Code 1950, are
3 hereby repealed.

1 SEC. 40. Section three hundred seventy point twenty-eight
2 (370.28), Code 1950, is amended by striking from line nine (9) the
3 words "county auditor" and inserting in lieu thereof the word
4 "council".

1 SEC. 41. Section three hundred seventy point twenty-nine
2 (370.29), Code 1950, is amended by striking from line eleven (11)
3 the words "county auditor" and inserting in lieu thereof the word
4 "council".

1 SEC. 42. Section three hundred seventy point thirty (370.30), Code
2 1950, is amended by striking from line four (4) the words "county
3 auditor" and inserting in lieu thereof the word "council".

1 SEC. 43. Section three hundred seventy point thirty-one (370.31),
2 Code 1950, is amended by striking all of lines one (1) to ten (10),
3 inclusive, and inserting in lieu thereof the following: "Any municipal
4 corporation may locate and erect its city or town hall in any public
5 park, public square, or public grounds within the corporate limits and
6 the park".

1 SEC. 44. Section three hundred sixty-eight point thirty-three
2 (368.33), Code 1950, is hereby repealed.

1 SEC. 45. Section three hundred seventy-eight point ten (378.10)
2 subsection eight (8), Code 1950, is amended by striking from lines two
3 (2) and three (3) the words "taxes levied for library purposes as
4 provided by law" and inserting in lieu thereof the words "portions of
5 the municipal enterprises fund allocated for library purposes by the
6 council".

1 SEC. 46. Section three hundred seventy-eight point seventeen
2 (378.17), Code 1950, is amended by striking from lines one (1) and two
3 (2) the words "received and set apart" and inserting in lieu thereof
4 "allocated by the council".

5 Further amend said section by striking from lines seventeen (17)

6 and eighteen (18) the words "any and all library taxes collected by
7 him monthly" and inserting in lieu thereof the words "moneys
8 allocated by the council for library maintenance when collected".

1 SEC. 47. Section three hundred seventy-eight point eighteen
2 (378.18), Code 1950, is amended by striking from line ten (10) the
3 words "as it may deem important" and inserting in lieu thereof the
4 words "as required by the council".

1 SEC. 48. Section three hundred seventy-nine point eleven (379.11),
2 Code 1950, is amended by striking from line two (2) of subsection
3 eight (8) the words "taxes levied" and inserting in lieu thereof the
4 words "moneys allocated by the council".

1 SEC. 49. Section three hundred seventy-nine point thirteen
2 (379.13), Code 1950, is amended by striking all of lines two (2) and
3 three (3) and inserting in lieu thereof "allocate each year such portion
4 of the proceeds of the recreation levy as they deem necessary for".

1 SEC. 50. Section three hundred seventy-nine point fourteen
2 (379.14), Code 1950, is amended by striking lines four (4) and five
3 (5) and inserting in lieu thereof "recreation fund".

1 SEC. 51. Section three hundred seventy-nine point fifteen
2 (379.15), Code 1950, is amended by striking from line fourteen (14)
3 the words "as may be deemed important" and inserting in lieu thereof
4 the words "as may be required by the council".

1 SEC. 52. Section three hundred seventy-nine-A point four
2 (379A.4), Code 1950, is amended by adding the following: "In lieu
3 of the levy provided herein the council may allocate a portion of the
4 proceeds of the recreation fund not to exceed the amount which would
5 have been raised by the levy provided herein".

1 SEC. 53. Section three hundred eighty point eight (380.8), Code
2 1950, is amended by striking from lines two (2) to four (4) the words
3 "appropriate each year not exceeding five percent of its general fund"
4 and inserting in lieu thereof the words "allocate such portion of the
5 municipal enterprises fund as the council deems necessary".

1 SEC. 54. Section three hundred eighty-one point two (381.2), Code
2 1950, is hereby repealed, effective December 31, 1951.

1 SEC. 55. Section three hundred eighty-one point three (381.3),
2 Code 1950, is amended by striking from lines seven (7) and eight (8)
3 the words "city bridge fund" and inserting in lieu thereof the words
4 "street fund".

1 SEC. 56. Sections three hundred eighty-one point five (381.5) and
2 three hundred eighty-one point six (381.6), Code 1950, are hereby
3 repealed.

1 SEC. 57. Section three hundred eighty-one point eight (381.8),
2 Code 1950, is hereby repealed.

1 SEC. 58. Section three hundred eighty-seven point five (387.5),
2 Code 1950, is amended by striking all of said section after the word

3 "paid" in line two (2) and inserting in lieu thereof "from the street
4 fund."

1 SEC. 59. Section three hundred eighty-seven point thirteen
2 (387.13), Code 1950, is amended by striking all of lines four (4) and
3 five (5) and inserting in lieu thereof the words "be paid into the street
4 fund".

1 SEC. 60. Section three hundred eighty-nine point three (389.3),
2 Code 1950, is amended by striking from lines three (3) and four (4)
3 the words "general fund, the grading fund, or from the highway or
4 poll taxes" and inserting in lieu thereof the words "allocations of the
5 street fund".

1 SEC. 61. Section three hundred eighty-nine point twenty (389.20),
2 Code 1950, is amended by striking the word "general" from line five
3 (5) and by striking all of lines six (6) to eight (8), inclusive, and
4 inserting in lieu thereof "street fund".

1 SEC. 62. Section three hundred ninety-one point thirty-eight
2 (391.38), Code 1950, is amended by striking lines twelve (12) to
3 fifteen (15), inclusive, and inserting in lieu thereof the words "from
4 the sanitation fund. In the case of street improvements such cost
5 may be paid from the street fund."

1 SEC. 63. Section three hundred ninety-one point forty-two
2 (391.42), Code 1950, is amended by striking lines five (5) to eight
3 (8), inclusive, and inserting in lieu thereof "sanitation fund; and the
4 portion".

1 SEC. 64. Section three hundred ninety-one point forty-three
2 (391.43), Code 1950, is amended by striking from lines three (3) and
3 four (4) the words "improvement fund or the general fund" and in-
4 serting in lieu thereof the words "street fund".

5 Further amend said section by striking all of lines six (6) to nine
6 (9), inclusive, and inserting in lieu thereof the words "paid from the
7 sanitation fund".

1 SEC. 65. Section three hundred ninety-one point forty-four
2 (391.44), Code 1950, is amended by striking from lines six (6) and
3 seven (7) the words "general fund or the improvement fund" and in-
4 serting in lieu thereof the words "street fund".

5 Further amend by striking from line eight (8) the words "general
6 fund or the sewer fund" and inserting "sanitation fund".

1 SEC. 66. Section three hundred ninety-one point sixty-seven
2 (391.67), Code 1950, is amended by striking from line four (4) the
3 words "improvement fund" and inserting in lieu thereof the words
4 "street fund".

1 SEC. 67. Section three hundred ninety-one point sixty-nine
2 (391.69), Code 1950, is amended by striking from line four (4) the
3 words "improvement fund" and inserting in lieu thereof the words
4 "street fund".

1 SEC. 68. Section three hundred ninety-one point seventy (391.70),
2 Code 1950, is hereby repealed.

1 SEC. 69. Section three hundred ninety-one point seventy-five
2 (391.75), Code 1950, is amended by striking from lines three (3) to
3 five (5) the words "sewer fund of any sewer district or from the
4 sewer fund or from the main sewer fund" and inserting in lieu thereof
5 the words "sanitation fund".

1 SEC. 70. Sections three hundred ninety-one point ninety-two
2 (391.92) and three hundred ninety-one point ninety-three (391.93),
3 Code 1950, are hereby repealed.

1 SEC. 71. Section three hundred ninety-one-A point twenty-five
2 (391A.25), Code 1950, is amended by striking from lines six (6) and
3 seven (7) the words "general fund, the improvement fund, or the
4 street construction" and inserting in lieu thereof the word "street".

5 Further amend said section by striking from lines eight (8) and
6 nine (9) the words "general fund, its improvement fund or its sewer"
7 and inserting in lieu thereof the word "sanitation".

1 SEC. 72. Section three hundred ninety-one-A point thirty-one
2 (391A.31), Code 1950, is amended by striking all of lines twenty (20)
3 to twenty-three (23), inclusive, and inserting in lieu thereof "shall be
4 credited to the street fund."

1 SEC. 73. Section three hundred ninety-one-A point thirty-two
2 (391A.32), Code 1950, is amended by striking from lines five (5) and
3 six (6) the word "improvement" and inserting in lieu thereof the word
4 "street".

1 SEC. 74. Section three hundred ninety-two point six (392.6), Code
2 1950, is amended by striking all of lines fourteen (14) to nineteen
3 (19), inclusive, and inserting the following in lieu thereof: "of the
4 sanitation fund, such city or town council shall, in such proposed
5 resolution, state the amount to be allocated from said fund, and if it
6 is proposed".

7 Further amend said section by striking from line twenty-six (26)
8 the words "a joint sewer tax" and inserting in lieu thereof the words
9 "the sanitation fund".

1 SEC. 75. Section three hundred ninety-two point eight (392.8),
2 Code 1950, is amended by striking from lines three (3) to five (5) the
3 words "describe the district or districts wherein it is proposed to levy
4 a joint sewer tax, if any, and advise the taxpayers" and inserting in
5 lieu thereof the words "name the amount to be allocated from the
6 sanitation fund".

1 SEC. 76. Section three hundred ninety-two point twelve (392.12),
2 Code 1950, is amended by striking all of said section after but not in-
3 cluding the word "paid" in line three (3) and inserting in lieu thereof
4 the words "from the sanitation fund."

1 SEC. 77. Section three hundred ninety-five point thirty (395.30),
2 Code 1950, is repealed and the following enacted in lieu thereof: "The
3 council shall have power to allocate a portion of the street fund for the
4 purchase of right of way or the maintenance of the completed flood
5 control project."

1 SEC. 78. Section three hundred ninety-six point eighteen (396.18),
2 Code 1950, is amended by striking the word "taxes" from line four (4)
3 and inserting in lieu thereof the word "assessments".

1 SEC. 79. Section three hundred ninety-six point nineteen (396.19),
2 Code 1950, is amended by striking the word "taxes" from line three
3 (3) and inserting in lieu thereof the word "assessments".

1 SEC. 80. Section three hundred ninety-six point twenty (396.20),
2 Code 1950, is amended by striking from line four (4) the word "taxes"
3 and inserting in lieu thereof the word "assessments".

1 SEC. 81. Section three hundred ninety-six point twenty-one
2 (396.21), Code 1950, is amended by striking from line six (6) the
3 word "taxes" and inserting in lieu thereof the word "assessments".

4 Further amend said section by striking from line ten (10) the
5 words "city improvement fund" and inserting in lieu thereof the
6 words "street fund or sanitation fund".

1 SEC. 82. Section three hundred ninety-six point twenty-two
2 (396.22), Code 1950, paragraph two (2), is amended by striking from
3 lines three (3) to six (6) the words "pledge the future avails of the
4 street construction fund as constituted under the provisions of sec-
5 tion 324.63" and inserting in lieu thereof the words "allocate a fixed
6 portion of the street fund not to exceed in any year the amount re-
7 ceived from allocations of the road use tax fund".

1 SEC. 83. Section three hundred ninety-six point twenty-seven
2 (396.27), Code 1950, is amended by striking from lines two (2) and
3 three (3) the words "city improvement" and inserting in lieu thereof
4 the words "street or sanitation".

1 SEC. 84. Section three hundred ninety-nine point nine (399.9),
2 Code 1950, is amended by striking from line two (2) the words "to
3 collect and".

4 Further amend said section by inserting after the word "tax" in
5 line three (3) the words "or such portion of the proceeds of the utili-
6 ties fund as is allocated in lieu thereof by the council".

1 SEC. 85. Section three hundred ninety-nine point twenty-three
2 (399.23), Code 1950, is amended by striking all of lines three (3) to
3 six (6), inclusive, and inserting in lieu thereof the following words
4 "allocate a portion of the proceeds of the utilities fund to pay for
5 water used by such cities for public purposes".

1 SEC. 86. Section four hundred three point two (403.2), Code 1950,
2 is amended by striking from lines three (3) and four (4) the words
3 "general fund, the grading fund, or the highway or poll taxes" and in-
4 serting in lieu thereof "street fund".

1 SEC. 87. Chapter four hundred six (406), Code 1950, is hereby
2 repealed.

1 SEC. 88. Section four hundred seven point fourteen (407.14),
2 Code 1950, is amended by striking from line two (2) the word "gen-
3 eral" and inserting in lieu thereof the word "sanitation".

4 Further amend said section by striking from lines four (4) and
5 five (5) the words "particular fund created therefor" and inserting in
6 lieu thereof the words "debt service fund".

1 SEC. 89. Section four hundred eight point ten (408.10), Code
2 1950, is amended by striking all of lines three (3) to fifteen (15), in-
3 clusive, and inserting in lieu thereof "portions of the streets, public
4 safety, and sanitation funds allocated for a particular purpose and
5 may issue".

1 SEC. 90. Section four hundred eight point thirteen (408.13), Code
2 1950, is amended by striking all of lines three (3) to eleven (11),
3 inclusive, and inserting in lieu thereof "by the name of the fund from
4 which allocations are made for their payment and the particular pur-
5 pose for which they are issued".

1 SEC. 91. Section four hundred eight point fourteen (408.14), Code
2 1950, is hereby repealed and the following enacted in lieu thereof:
3 "Said certificates and bonds and interest thereon shall be paid from
4 allocations of the debt service fund".

1 SEC. 92. Section four hundred sixteen point ninety-five (416.95),
2 Code 1950, is hereby repealed.

1 SEC. 93. Sections four hundred sixteen point one hundred three
2 (416.103) and four hundred sixteen point one hundred four (416.104),
3 Code 1950, are hereby repealed.

1 SEC. 94. Sections four hundred sixteen point one hundred six
2 (416.106) and four hundred sixteen point one hundred seven
3 (416.107), Code 1950, are hereby repealed.

1 SEC. 95. Sections four hundred sixteen point one hundred fifteen
2 (416.115), to four hundred sixteen point one hundred twenty-eight
3 (416.128), inclusive, Code 1950, are hereby repealed.

1 SEC. 96. Sections four hundred sixteen point one hundred thirty-
2 two (416.132) and four hundred sixteen point one hundred thirty-
3 three (416.133), Code 1950, are hereby repealed.

1 SEC. 97. Sections four hundred sixteen point one hundred thirty-
2 six (416.136) to four hundred sixteen point one hundred thirty-eight
3 (416.138), inclusive, Code 1950, are hereby repealed.

1 SEC. 98. Section four hundred sixteen point one hundred forty
2 (416.140), Code 1950, is hereby repealed.

1 SEC. 99. Section four hundred seventeen point twenty-two
2 (417.22), Code 1950, is hereby repealed.

1 SEC. 100. Section four hundred seventeen point fifty-four
2 (417.54), subsection four (4), Code 1950, is amended by striking from
3 lines two (2) and three (3) the words "special improvement fund" and
4 inserting in lieu thereof "street fund".

1 SEC. 101. Section four hundred seventeen point fifty-four
2 (417.54), subsection six (6), Code 1950, is amended by striking from

3 line five (5) the word and numerals "chapter 396" and inserting in
4 lieu thereof "the chapter on taxation".

1 SEC. 102. Section four hundred twenty-six-A point five (426A.5),
2 Code 1950, is hereby repealed.

1 SEC. 103. Section four hundred forty-one point twenty-six
2 (441.26), Code 1950, is hereby repealed.

1 SEC. 104. Sections six hundred two point fifty-three (602.53),
2 and six hundred two point fifty-four (602.54), Code 1950, are hereby
3 repealed and the following enacted in lieu thereof: "Such building
4 and grounds shall be financed and paid for in the same manner as jails
5 and station houses".

1 SEC. 105. Section six hundred two point fifty-seven (602.57),
2 Code 1950, is hereby repealed.

1 SEC. 106. Section seven hundred fifty point five (750.5), Code
2 1950, is amended by striking from the last line thereof the word
3 "general" and inserting in lieu thereof the words "public safety".

1 SEC. 107. This Act shall have its initial application to taxes
2 certified by municipalities in 1951 for collection in 1952. In preparing
3 its budget for 1952 the council shall estimate unencumbered balances
4 according to functional funds as of December 31, 1951.

1 SEC. 108. Sections four hundred sixteen point one hundred thirty-
2 four (416.134) and four hundred sixteen point one hundred thirty-five
3 (416.135), Code 1950, are hereby repealed.

Approved May 2, 1951.

CHAPTER 160

AUDITORIUM FUNDS

S. F. 344

AN ACT to amend section four hundred four point five (404.5), Code 1950, and to authorize an auditorium fund and an auditorium building fund for municipal corporations.

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

1 SECTION 1. Section four hundred four point five (404.5)*, Code
2 1950, is amended by adding at the end thereof the following two new
3 subsections:

4 "Auditorium fund. When a municipal auditorium has been estab-
5 lished in any city or town under the general powers conferred by law
6 on such municipal corporations, not exceeding one mill in all cities and
7 towns having a population of more than thirty-five thousand, which
8 shall be used only for maintenance and operation of such auditoriums.

9 "Auditorium building fund. When a municipal auditorium has been
10 fully completed and paid for, no further levies shall be made for that
11 purpose, but may be made for the purpose of providing funds for im-
12 provements and repairs at a rate not to exceed one-half mill."

*Repealed by chapter 159; see substitute, section 10 thereof.

1 SEC. 2. 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 April 6, 1951.

I hereby certify that the foregoing act was published in The Coggon Monitor, Coggon, Iowa, April 12, 1951, and in The Anthon Herald, Anthon, Iowa, April 11, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 161
 CITY ASSESSORS
 H. F. 111

AN ACT to amend section four hundred five point six (405.6), Code 1950, to provide for the re-appointment of an incumbent city assessor to a new term without re-examination.

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

1 SECTION 1. Section four hundred five point six (405.6) of Chapter
 2 four hundred five (405), Code 1950, is hereby amended by striking
 3 therefrom all that part of the first paragraph following the period in
 4 line three (3) and substituting in lieu thereof the following:

5 "Appointments for each succeeding term shall be made in the same
 6 manner as the original appointment except that not less than ninety
 7 days before the expiration of the term of the city assessor the three
 8 taxing bodies may hold a joint meeting to determine whether or not
 9 they desire to reappoint the incumbent city assessor to a new term.
 10 The taxing bodies shall have the power to reappoint the incumbent as-
 11 sessor without re-examination if they see fit to do so. If the incumbent
 12 city assessor is not reappointed as above provided, then not less than
 13 sixty days before the expiration of the term of said assessor, the ex-
 14 amining board shall give a new examination for the position."

Approved February 15, 1951.

CHAPTER 162
 GRADE CROSSING SEPARATIONS
 S. F. 441

AN ACT relating to the incurring of indebtedness by cities and towns for the elimination or separating of railroad grade crossings and to amend section four hundred seven point three (407.3), Code 1950.

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

1 SECTION 1. Section four hundred seven point three (407.3), Code
 2 1950, is amended by adding the following subsection:

3 "9. When authorized to do so as provided in Section four hundred
 4 seven point five (407.5), Code 1950, cities and towns may also incur
 5 indebtedness for the purpose of defraying the cost in whole or in part
 6 of eliminating railroad grade crossings within the municipality by any

7 method, or for the purpose of deriving funds to be contributed to such
 8 cost, or for the purpose of deriving funds with which to pay the
 9 damages imposed upon the municipality in connection with the con-
 10 struction of a viaduct, underpass, or railroad track relocation."

Approved April 11, 1951.

CHAPTER 163

COMMISSION FORM CITIES

S. F. 20

AN ACT to provide for the government of cities and towns under the commission form of municipal government, and to repeal various sections of chapter four hundred sixteen (416), Code 1950, relating thereto and to enact a substitute therefor.

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

1 SECTION 1. Cities of 30,000 or more population. Municipal cor-
 2 porations operating under the commission form of government, and
 3 having a population of thirty thousand or over shall be governed by a
 4 council, consisting of a mayor and four councilmen elected at large.
 5 One councilman shall be elected to preside over the department of
 6 accounts and finances. One councilman shall be elected to preside over
 7 the department of public safety. One councilman shall be elected to
 8 preside over the department of parks and public property. One council-
 9 man shall be elected to preside over the department of streets and
 10 public improvements.

1 SEC. 2. Council—cities of less than 30,000 population. Cities oper-
 2 ating under the commission form of government, and having a popula-
 3 tion of less than thirty thousand, shall be governed by a council
 4 consisting of a mayor and two councilmen elected at large. One council-
 5 man shall be elected to preside over the departments of accounts and
 6 finances and public safety. One councilman shall be elected to preside
 7 over the departments of parks and public property and streets and
 8 public improvements.

1 SEC. 3. Whenever any city shall have been organized on the com-
 2 mission plan on or before the effective date of this Act, no reduction
 3 or increase of the population of such city, shown by a subsequent
 4 census shall have any effect upon the organization and number of
 5 councilmen but the same shall continue, remain, and be as in this
 6 chapter prescribed for cities of the population such city had at the time
 7 its electors voted to adopt such plan of government as shown by the
 8 then preceding census.

1 SEC. 4. Departments. The executive and administrative powers,
 2 authority, and duties in such cities shall be distributed into and among
 3 five departments, as follows:

- 4 1. Department of public affairs.
- 5 2. Department of accounts and finances.
- 6 3. Department of public safety.
- 7 4. Department of streets and public improvements.
- 8 5. Department of parks and public property.

1 **SEC. 5. Department superintendents.** The mayor shall be super-
2 intendent of the department of public affairs and each councilman
3 shall be the superintendent of the particular department or combina-
4 tion of departments to which he was elected.

1 **SEC. 6. Existing ordinances.** All ordinances and resolutions law-
2 fully passed and in force in any such city under its former organiza-
3 tion shall remain in force until altered or repealed by the council
4 elected under the provisions of this chapter.

1 **SEC. 7. President of council.** The mayor shall be president of the
2 council and preside at its meetings, and shall supervise all depart-
3 ments and report to the council for its action all matters requiring
4 attention in either.

1 **SEC. 8. Vice-president.** The superintendent of the department of
2 accounts and finances shall be vice-president of the council, and in
3 case of vacancy in the office of mayor, or the absence or inability of
4 the mayor, shall perform the duties of mayor.

1 **SEC. 9. Compensation of council.** The mayor and councilmen shall
2 have an office in the city hall, and their total compensation shall be as
3 follows:

4 1. In cities having by the last preceding federal census a population
5 of less than twenty-five thousand, the mayor and councilmen shall
6 receive as their annual salaries the amount to be fixed by ordinance,
7 as follows: For the mayor, not to exceed the sum of two hundred dol-
8 lars per annum for each one thousand of population, or major portion
9 thereof, in such city; and for each councilman in such city, not to
10 exceed the sum of one hundred fifty dollars per annum for each one
11 thousand population, or major portion thereof; provided, however,
12 that in such city no mayor shall receive a salary greater than the sum
13 of forty-five hundred dollars per annum, nor in any such city shall a
14 councilman receive as his annual salary an amount greater than
15 thirty-seven hundred fifty dollars per annum; and provided, further
16 that during the first term of office under the provisions of this chapter,
17 the mayor and councilmen shall by ordinance fix their compensation as
18 herein provided for their term of office.

19 2. In cities having by such census a population of twenty-five
20 thousand and less than forty thousand, the mayor's annual salary shall
21 be fifty-two hundred fifty dollars, and that of each councilman, forty-
22 two hundred dollars.

23 3. In cities having by such census a population of forty thousand
24 and less than sixty thousand, the mayor's annual salary shall be six
25 thousand dollars, and that of each councilman forty-eight hundred
26 dollars.

27 4. In cities having by such census a population of sixty thousand
28 and less than one hundred thousand, the mayor's annual salary shall
29 be sixty-seven hundred fifty dollars, and that of each councilman, fifty-
30 two hundred fifty dollars.

31 5. In cities having by such census a population of one hundred
32 thousand or more, the mayor's annual salary shall be seventy-five

33 hundred dollars, and that of each councilman, sixty-three hundred
34 dollars.

35 Such salaries shall be payable in equal monthly installments.

1 SEC. 10. Increase in salary. Any increase in salary occasioned
2 under the provisions of this scale by increase in population in any
3 city shall commence with the month next after the official publication
4 of the census showing such increase therein.

1 SEC. 11. Salaries of other officers. Every other officer or assistant
2 and members of the fire department and police department, shall re-
3 ceive such salary or compensation as the council shall by ordinance
4 provide, payable in equal monthly or semimonthly installments. The
5 salary or compensation of all other employees of such city shall be
6 fixed by the council and shall be payable monthly or at such shorter
7 periods as the council shall determine.

1 SEC. 12. Section four hundred sixteen point one (416.1), Code
2 1950, is hereby repealed.

1 SEC. 13. Section four hundred sixteen point eight (416.8), Code
2 1950, is hereby repealed.

1 SEC. 14. Sections four hundred sixteen point twelve (416.12) and
2 four hundred sixteen point thirteen (416.13), Code 1950, are hereby
3 repealed.

1 SEC. 15. Section four hundred sixteen point twenty-six (416.26),
2 Code 1950, is hereby repealed.

1 SEC. 16. Section four hundred sixteen point forty-one (416.41),
2 Code 1950, is hereby repealed.

1 SEC. 17. Section four hundred sixteen point forty-two (416.42),
2 Code 1950, is hereby repealed.

1 SEC. 18. Section four hundred sixteen point forty-three (416.43),
2 Code 1950, is hereby repealed.

1 SEC. 19. Section four hundred sixteen point forty-four (416.44),
2 Code 1950, is hereby repealed.

1 SEC. 20. Section four hundred sixteen point forty-six (416.46),
2 Code 1950, is hereby repealed.

1 SEC. 21. Section four hundred sixteen point forty-seven (416.47),
2 Code 1950, is hereby repealed.

1 SEC. 22. Sections four hundred sixteen point forty-eight (416.48)
2 and four hundred sixteen point fifty (416.50), Code 1950, are hereby
3 repealed.

1 SEC. 23. Section four hundred sixteen point fifty-one (416.51).
2 Code 1950, is hereby repealed.

1 SEC. 24. Section four hundred sixteen point fifty-two (416.52),
2 Code 1950, is hereby repealed.

1 SEC. 25. Section four hundred sixteen point fifty-four (416.54),
2 Code 1950, is hereby repealed.

1 SEC. 26. Section four hundred sixteen point fifty-six (416.56),
2 Code 1950, is hereby repealed.

1 SEC. 27. Section four hundred sixteen point fifty-seven (416.57),
2 Code 1950, is hereby repealed.

1 SEC. 28. Section four hundred sixteen point sixty-two (416.62),
2 Code 1950, is hereby repealed.

1 SEC. 29. Sections four hundred sixteen point seventy-four
2 (416.74) to four hundred sixteen point eighty-seven (416.87), in-
3 clusive, Code 1950, are hereby repealed.

1 SEC. 30. Section four hundred sixteen point ninety (416.90),
2 Code 1950, is hereby repealed.

1 SEC. 31. Section four hundred sixteen point ninety-one (416.91),
2 Code 1950, is hereby repealed.

1 SEC. 32. Section four hundred sixteen point ninety-two (416.92),
2 Code 1950, is hereby repealed.

1 SEC. 33. Section four hundred sixteen point ninety-three (416.93),
2 Code 1950, is hereby repealed.

Approved April 14, 1951.

CHAPTER 164

COUNCIL-MANAGER FORM OF CITY GOVERNMENT

S. F. 18

AN ACT to provide for the government of municipal corporations under the council-manager by popular election form of municipal government, and to repeal various sections of chapter four hundred nineteen (419), Code 1950, relating thereto, and to enact substitutes therefor and to amend various other sections of the Code relating thereto.

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

1 SECTION 1. Council—number and election. Municipal corporations
2 operating under the council-manager by popular election form of
3 municipal government shall be governed by a council elected at large.
4 In cities having a population of twenty thousand or more there shall
5 be elected five councilmen. In cities having a population of less than
6 twenty thousand there shall be elected three councilmen. At the first
7 meeting after election the council shall elect one of their own number
8 mayor, appoint a clerk, and, at said meeting or as soon thereafter as
9 practicable, appoint an attorney and such number of assistant at-
10 torneys as are deemed necessary.

1 SEC. 2. Council—compensation. The compensation of members
2 of the council shall be fixed by ordinance. In cities having a population
3 of less than five thousand, the annual compensation of each member
4 of the council shall not exceed one hundred dollars. In cities having a

5 population of at least five thousand but less than fifteen thousand, the
6 annual compensation of each member of the council shall not exceed
7 two hundred fifty dollars. In cities having a population of at least
8 fifteen thousand but less than thirty thousand, the annual compensa-
9 tion of each member of the council shall not exceed two hundred fifty
10 dollars. In cities having a population of thirty thousand or more, the
11 annual compensation of each member of the council shall not exceed
12 five hundred dollars.

1 **SEC. 3. Manager appointed.** At the first meeting after election,
2 or as soon thereafter as practicable, the council shall appoint a compe-
3 tent person manager, who shall be the administrative head of the
4 municipal government of the city in which he is appointed.

1 **SEC. 4. Qualifications of manager.** The council in making the ap-
2 pointment of a manager, shall consider only the qualification and fit-
3 ness of the person appointed, and he shall be appointed without regard
4 to his political affiliation and need not be a resident of the city at the
5 time of his appointment.

1 **SEC. 5. Manager pro tem.** During the absence or disability of the
2 manager, the council may designate some properly qualified person to
3 perform and execute the duties of his office.

1 **SEC. 6. Oath and bond of manager.** Before entering upon the duties
2 of his office, the manager shall take an official oath that he will support
3 the constitution of the United States, the constitution of the state of
4 Iowa, and, without fear or favor, will, to the best of his ability, faith-
5 fully and honestly perform the duties of his office, and shall execute
6 a bond in favor of the city, for the faithful performance of his duties,
7 in such sum as may be fixed by the council.

1 **SEC. 7. Duties of manager.** The duties of the manager shall be as
2 follows:

3 1. He shall see that the laws and ordinances of the municipal cor-
4 poration are faithfully enforced and executed.

5 2. He shall attend all meetings of the council.

6 3. He shall recommend to the council such measures as he may deem
7 necessary or expedient for the good government and welfare of the city.

8 4. He shall have the general supervision and direction of the ad-
9 ministration of the city government and may appoint with approval
10 of the council such administrative assistants as shall be deemed ad-
11 visable.

12 5. He shall supervise and direct the official conduct of all officers of
13 of the city whom he has appointed and shall take active control of the
14 police, fire, and engineering departments of the city.

15 6. He shall supervise the performance of all contracts for work to
16 be done for the city, make all purchases of material and supplies, and
17 see that such material and supplies are received, and are of the quality
18 and character called for by the contract.

19 7. He shall have power to employ, reclassify, or discharge all em-
20 ployees of the city, as the occasion requires, and to fix the compensa-
21 tion to be paid to such employees, except as otherwise herein provided,

22 subject, however, to the provisions of chapters seventy (70) and three
23 hundred sixty-five (365).

24 8. He shall have power to discharge summarily any officer, ap-
25 pointee, or employee that he has power to appoint or employ, subject,
26 however, to the provisions of chapters seventy (70) and three hundred
27 sixty-five (365), except that any administrative assistants to the man-
28 ager shall hold office at his pleasure.

29 9. He shall supervise and manage all public improvements, works,
30 and undertakings of the city, and all public buildings, and shall have
31 charge of their construction, improvement, repair, and maintenance,
32 except those designated in and which are covered by the provisions of
33 chapters three hundred seventy (370), three hundred seventy-one
34 (371), sections three hundred ninety-seven point twenty-nine
35 (397.29), three hundred ninety-seven point thirty (397.30), three hun-
36 dred ninety-seven point thirty-one (397.31), three hundred ninety-
37 seven point thirty-two (397.32), three hundred ninety-seven point
38 thirty-three (397.33), three hundred ninety-seven point thirty-four
39 (397.34), three hundred ninety-seven point thirty-five (397.35),
40 and chapter three hundred ninety-nine (399). Nothing herein shall
41 be construed so as to prevent cooperation between the manager and
42 any commission, board, trustees, or other body.

43 10. He shall have charge of the making and preservation of all sur-
44 veys, maps, plans, drawings, specifications, and estimates for public
45 works or public improvements except those designated in and which
46 are covered by the provisions of chapter three hundred seventy (370),
47 three hundred seventy-one (371), sections three hundred ninety-seven
48 point twenty-nine (397.29), three hundred ninety-seven point thirty
49 (397.30), three hundred ninety-seven point thirty-one (397.31), three
50 hundred ninety-seven point thirty-two (397.32), three hundred ninety-
51 seven point thirty-three (397.33), three hundred ninety-seven point
52 thirty-four (397.34), three hundred ninety-seven point thirty-five
53 (397.35), and chapter three hundred ninety-nine (399); the cleaning,
54 sprinkling, and lighting of streets, alleys, and public places; the col-
55 lection and disposal of waste, and the preservation of tools, equipment,
56 vehicles, and appliances belonging to the corporation.

57 11. He shall manage all municipal parks, airports, and cemeteries,
58 and all municipal water, lighting, heating, or power plants, and trans-
59 portation enterprises, except those operated under a board of trustees
60 or other board or commission at the time that the council-manager
61 form of government is or was adopted, or placed there by a subsequent
62 election. If a board or commission is abolished or ceases to exist,
63 management theretofore exercised by such board or commission shall
64 thereupon vest in the manager. This exception shall also apply to per-
65 manent park boards in cities now or hereafter having a population of
66 125,000 or more, according to the last or subsequent Federal census.

67 12. He may, without notice, summarily cause the affairs of any de-
68 partment or the conduct of any officer under his supervision, or of any
69 employee, to be investigated; and he, or any person appointed by him
70 to examine or investigate the affairs of any department or the conduct
71 of any officer or employee, shall have power to compel the attendance
72 of witnesses and the production of books and papers or other evidence.

73 13. He shall provide for the issuance and revocation of such licenses

74 and permits as are authorized by law or ordinance and shall cause a
75 record thereof to be kept.

76 14. He shall keep the council fully advised of the financial and other
77 conditions of the city, and of its future needs.

78 15. He shall have power to appoint or employ persons to fill all places
79 for which no other mode of appointment is provided, and shall have
80 power to administer oaths.

81 16. He shall prepare and submit to the council an annual budget in
82 the manner provided by chapter twenty-four (24).

83 17. He shall, at all times, see that the business affairs of the mu-
84 nicipal corporation of which he is manager are transacted by modern
85 and scientific methods and in an efficient and businesslike manner, and
86 that accurate records of all of the business affairs of the city under his
87 management are fully and accurately kept.

88 18. He shall make to the council an itemized monthly report in
89 writing, showing the receipts and disbursements for the preceding
90 month, and such report shall be made by him not later than the tenth
91 day of each month. Copies of said reports shall be kept available at the
92 clerk's office for public distribution.

93 19. He shall perform such other and further duties as the council
94 by ordinance shall direct.

1 **SEC. 8. Manager accountable to council.** The manager shall be
2 under the direction and supervision of the council, and shall hold office
3 at its pleasure.

1 **SEC. 9. Compensation of manager.** The salary of the manager
2 shall be fixed by the council, and paid monthly from the treasury of the
3 city, upon an order signed by the presiding officer of the council and
4 by the clerk.

1 **SEC. 10. Councilmen ineligible for office.** No councilman elected
2 under the provisions of this chapter shall be appointed by the manager
3 to any office of the city in which he is elected, or employed in any de-
4 partment thereof; and any councilman or manager who shall violate
5 the provisions of this section shall be guilty of a misdemeanor. Any
6 councilman or manager violating the provisions of this section may be
7 removed from office, under the provisions of chapter sixty-six (66).

1 **SEC. 11. Political activity by manager.** The manager shall take
2 no part in any election held for the purpose of electing councilmen,
3 except that he may attend at the polls and cast his vote, if he is a
4 qualified elector of the city, and any attempt upon his part to procure
5 the election of any person as councilman, or to induce any elector to
6 vote for any person for the office of councilman, shall be a misde-
7 meanor, and he may be removed from office under the provisions of
8 chapter sixty-six (66).

1 **SEC. 12. Existing ordinances.** All ordinances and resolutions law-
2 fully passed and in force in any such municipal corporation under its
3 former organization shall continue in force until altered or repealed
4 by the council elected under the provisions of this chapter and depart-
5 ments shall continue to function.

1 **SEC. 13. Public emergency.** The mayor may take command of the
2 police and govern the city by proclamation in times of public danger,
3 or during an emergency, and shall be the judge as to what constitutes
4 such public danger or emergency.

1 **SEC. 14. Applicable statutes.** Unless otherwise specifically pro-
2 vided by statute, all laws which are applicable by their terms to all
3 cities and towns shall be applicable to cities under the city manager
4 plan by popular election, and all laws applicable by their terms to
5 cities of a certain population shall be applicable to cities of like popula-
6 tion under the city manager plan by popular election.

1 **SEC. 15.** Sections four hundred nineteen point seven (419.7), four
2 hundred nineteen point eight (419.8), and four hundred nineteen point
3 thirty-one (419.31), Code 1950, are hereby repealed.

1 **SEC. 16.** Section four hundred nineteen point nineteen (419.19),
2 Code 1950, is hereby repealed.

1 **SEC. 17.** Sections four hundred nineteen point thirty-two (419.32),
2 four hundred nineteen point thirty-three (419.33), and four hundred
3 nineteen point thirty-six (419.36), Code 1950, are hereby repealed.

1 **SEC. 18.** Sections four hundred nineteen point thirty-seven
2 (419.37) and four hundred nineteen point thirty-eight (419.38), Code
3 1950, are hereby repealed.

1 **SEC. 19.** Sections four hundred nineteen point forty (419.40),
2 four hundred nineteen point forty-one (419.41), and four hundred
3 nineteen point forty-three (419.43) to four hundred nineteen point
4 fifty (419.50), inclusive, Code 1950, are hereby repealed.

1 **SEC. 20.** Sections four hundred nineteen point fifty-one (419.51)
2 to four hundred nineteen point sixty-two (419.62), inclusive, Code
3 1950, are hereby repealed.

1 **SEC. 21.** Section four hundred nineteen point sixty-seven
2 (419.67), Code 1950, is hereby repealed.

1 **SEC. 22.** Sections four hundred nineteen point sixty-nine (419.69)
2 to four hundred nineteen point seventy-one (419.71), inclusive, Code
3 1950, are hereby repealed.

1 **SEC. 23.** Section three hundred sixty-five point six (365.6), sub-
2 section one (1), Code 1950, is hereby amended by inserting in line four
3 (4) of paragraph (a) thereof, after the words, "market master", the
4 words "city manager and administrative assistants to the manager".

Approved May 2, 1951.

CHAPTER 165

CITIES UNDER SPECIAL CHARTER AND SPECIFIC FORMS OF
GOVERNMENT

S. F. 32

AN ACT to make all general laws pertaining to municipal corporations applicable to cities organized under special charter (with certain exceptions and limitations) as well as to cities organized under other specific and exceptional forms of municipal government; and to repeal various sections of chapter four hundred twenty (420), Code 1950, relating to cities organized under special charter; and to enact substitutes for certain of the sections so repealed; and to amend various other sections of the Code by striking therefrom references to cities organized under special charter or organized under other specific and exceptional forms of municipal government; and to authorize editorial revisions of the Code to strike such references in general.

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

1 SECTION 1. Section four hundred twenty point forty (420.40),
2 Code 1950, is hereby repealed and the following enacted in lieu
3 thereof: "Municipal corporations organized under special charter
4 shall have all of the powers and privileges of municipal corporations
5 of like population organized under the general law and having the
6 mayor-council form of government."

1 SEC. 2. Section four hundred twenty point forty-one (420.41),
2 Code 1950, is hereby repealed and the following enacted in lieu thereof:

3 "1. Except as hereinafter in this section provided, the provisions
4 of this Code which, by their terms, are made applicable to all municipal
5 corporations, shall be applicable to cities organized under special
6 charter, and the provisions of this Code, applicable by their terms to
7 municipal corporations of a certain population, shall be applicable to
8 cities under special charter of like population, and except as herein-
9 after in this section provided, said special charters shall have no
10 further force and effect.

11 "2. To whatever extent provisions made applicable by subsection
12 one (1) of this section to cities organized under special charter shall
13 be inconsistent with the provisions of this chapter, the provisions so
14 made applicable shall be construed to provide additional rights,
15 powers and privileges to such cities or to provide alternative proce-
16 dures which such cities may adopt or avail themselves of at the election
17 of their respective governing bodies or appropriate officers, insofar
18 as such provisions, so made applicable, are susceptible to such con-
19 struction. Insofar as such provisions, so made applicable, are not
20 susceptible to such construction the provisions of this chapter shall
21 be controlling.

22 "3. Notwithstanding the provisions of subsection one (1) of this
23 section, nothing herein contained shall be deemed to impair, alter or
24 affect the provisions of any such special charter or any existing amend-
25 ment thereto in any of the following respects:

26 "(a) As an Act of incorporation or as evidence thereof.

27 "(b) In respect of authority to license, tax and regulate various
28 persons, occupations, amusements, places and objects, as said general
29 subjects of licensing, taxing and regulation are more specifically set
30 forth in the respective charters of such cities.

31 “(c) In respect of the levy and collection of taxes for city purposes,
 32 in accordance with provisions of the respective charters of such cities
 33 and other provisions of law relating to such levy and collections in-
 34 cluding, but without limitation, provisions relating to liens, distraint,
 35 tax sales, redemptions, tax deeds and other provisions incident to the
 36 levy and collection of taxes; provided that this paragraph shall apply
 37 only with respect to cities which prior to and currently with the taking
 38 effect of this Act collect general city taxes directly or by or through
 39 their own officers, rather than indirectly and by or through any other
 40 public body or officer thereof.

41 “(d) In respect of the election or appointment of a clerk, treasurer,
 42 police magistrate and marshal or in respect of the authority, functions,
 43 duties or compensation of any thereof.

44 “(e) In respect of the power or authority of any such city to borrow
 45 and expend money and issue bonds or other evidences of indebtedness
 46 therefor.

47 “(f) In respect of the appropriation, condemning or taking of lands
 48 and property by any such city for public purposes and in respect of
 49 procedure and appeals in connection with any such taking.

50 “(g) In respect of the power to enact, make, adopt, amend and
 51 repeal ordinances necessary or proper in connection with any provi-
 52 sions referred to in paragraphs (a) to (f) inclusive, of this sub-
 53 section.”

1 SEC. 3. The following sections of the Code of 1950 are hereby re-
 2 pealed: Sections four hundred twenty point one (420.1) to four hun-
 3 dred twenty point thirteen (420.13), inclusive; four hundred twenty
 4 point seventeen (420.17) to four hundred twenty point thirty
 5 (420.30), inclusive; four hundred twenty point thirty-two (420.32);
 6 and four hundred twenty point thirty-three (420.33).

1 SEC. 4. The following sections of the Code of 1950 are hereby re-
 2 pealed: Sections four hundred twenty point forty-two (420.42); four
 3 hundred twenty point forty-seven (420.47) to four hundred twenty-
 4 point fifty-eight (420.58), inclusive; four hundred twenty point sixty-
 5 two (420.62) to four hundred twenty point one hundred fifty-four
 6 (420.154), inclusive; four hundred twenty point one hundred fifty-
 7 nine (420.159); four hundred twenty point one hundred ninety
 8 (420.190) to four hundred twenty point two hundred three (420.203),
 9 inclusive; four hundred twenty point two hundred eight (420.208) to
 10 four hundred twenty point two hundred twelve (420.212), inclusive;
 11 four hundred twenty point two hundred forty-nine (420.249); and
 12 four hundred twenty point two hundred seventy-two (420.272).

1 SEC. 5. Section twenty point five (20.5), Code 1950, is amended
 2 as follows:

- 3 1. By striking from lines five (5) and six (6) of subsection two (2)
 4 the words “including cities acting under special charter.”
- 5 2. By striking from lines two (2) and three (3) of subsection three
 6 (3) the words “including cities acting under a special charter.”
- 7 3. By striking from lines ten (10) and eleven (11) of subsection
 8 three (3) the words “including cities acting under special charters.”

1 SEC. 6. Section twenty-three point one (23.1), Code 1950, is
2 amended by striking from lines nine (9) and ten (10) the words "in-
3 cluding cities acting under special charter,".

1 SEC. 7. Section forty-seven point one (47.1), Code 1950, is
2 amended by striking from lines three (3) and four (4) the words "in-
3 cluding cities acting under special charter;".

1 SEC. 8. Section forty-seven point four (47.4), Code 1950, is
2 amended by striking from lines two (2) and three (3) the words "in-
3 cluding cities under special charter,".

1 SEC. 9. Section eighty point twelve (80.12), Code 1950, is amended
2 by striking from line thirteen (13) the words "including cities under
3 special charter,".

1 SEC. 10. Section eighty-five point sixty-one (85.61), subsection
2 one (1), Code 1950, is amended by striking from lines three (3) to five
3 (5) the words "city under special charter and under the commission
4 form of government,".

1 SEC. 11. Section one hundred twenty-four point three (124.3),
2 Code 1950, is amended by striking from line ten (10) of the second
3 paragraph the words "including cities under special charter,".

1 SEC. 12. Section one hundred twenty-four point four (124.4),
2 Code 1950, is amended as follows:

3 1. By striking from line three (3) the words "including special
4 charter cities".

5 2. By striking from line three (3) of the second paragraph the
6 words "including special charter cities".

7 3. By striking from line four (4) of the fourth paragraph the words
8 "including special charter cities".

9 4. By striking from lines nine (9) and ten (10) of the fourth para-
10 graph the words "special charter cities".

11 5. By striking from line twenty-four (24) of the fourth paragraph
12 the words "including special charter cities".

1 SEC. 13. Section one hundred twenty-four point five (124.5), Code
2 1950, is amended by striking from lines six (6) and seven (7) the
3 words "including cities under special charter".

1 SEC. 14. Section one hundred twenty-four point fifteen (124.15),
2 Code 1950, is amended by striking from line two (2) the words "in-
3 cluding cities under special charter".

1 SEC. 15. Section one hundred twenty-four point sixteen (124.16),
2 subsection one (1), Code 1950, is amended as follows:

3 1. By striking from line three (3) the comma (,) before the word
4 "town" and inserting in lieu thereof the word "or".

5 2. By striking from line three (3) the words "or special charter
6 city".

1 SEC. 16. Section one hundred twenty-four point thirty-four
2 (124.34), Code 1950, is amended as follows:

3 1. By striking from lines four (4) and five (5) the words "includ-
4 ing cities under special charter,".

5 2. By striking from lines twenty-three (23) and twenty-four (24)
6 the words "including cities under special charter,".

1 SEC. 17. Section one hundred twenty-four point thirty-nine
2 (124.39), subsection one (1), Code 1950, is amended by striking from
3 lines four (4) and five (5) the words "including cities or towns organ-
4 ized under special charter,".

1 SEC. 18. Section one hundred twenty-seven point nineteen
2 (127.19), Code 1950, is amended by striking from lines three (3) and
3 four (4) the words "including cities under special charter,".

1 SEC. 19. Section two hundred fifteen point nine (215.9), Code
2 1950, is amended by striking from lines four (4) to six (6) the words
3 "or city under special charter or under the commission form of
4 government".

1 SEC. 20. Section two hundred forty-nine point thirty-six (249.36),
2 Code 1950, is amended by striking from lines two (2) and three (3) of
3 the second paragraph the words "and special charter cities".

1 SEC. 21. Section two hundred ninety-four point eleven (294.11),
2 Code 1950, is amended by striking from line four (4) the words "act-
3 ing under special charter".

1 SEC. 22. Section three hundred point one (300.1), Code 1950, is
2 amended as follows:

3 1. By striking from lines three (3) to five (5) the words "of the
4 first and second class, cities under special charter, or cities under the
5 commission plan of government,".

6 2. By striking from lines twenty-six (26) to twenty-eight (28) the
7 words "of the first and second class, cities under special charter, or
8 cities under the commission plan of government".

1 SEC. 23. Section three hundred point two (300.2), Code 1950, is
2 amended by striking from lines three (3) to five (5) the words "of the
3 first or second class, city under special charter, or city under the com-
4 mission plan of government".

1 SEC. 24. Section three hundred thirteen point twenty-one (313.21),
2 Code 1950, is amended by striking from lines five (5) and six (6) the
3 words "including cities under special charter,".

1 SEC. 25. Section three hundred thirteen point thirty-six (313.36),
2 Code 1950, is amended by striking from lines three (3) and four (4)
3 of the second paragraph the words "including cities under special
4 charter,".

1 SEC. 26. Section three hundred thirteen point forty-one (313.41),
2 Code 1950, is hereby repealed.

1 SEC. 27. Section three hundred twenty-one point four hundred
2 ninety-five (321.495), Code 1950, is amended by striking from lines
3 one (1) and two (2) the words "including those operating under
4 special charter,".

1 SEC. 28. Section three hundred twenty-one point four hundred
2 ninety-seven (321.497), Code 1950, is amended by striking from lines
3 one (1) and two (2) the words "including those operating under
4 special charter,".

1 SEC. 29. Section three hundred forty point one (340.1) subsection
2 fourteen (14), Code 1950, is amended by striking therefrom the last
3 sentence.

1 SEC. 30. Section three hundred forty point three (340.3), sub-
2 section fourteen (14), Code 1950, is amended by striking therefrom
3 the last sentence.

1 SEC. 31. Section three hundred seventy point twenty-eight
2 (370.28), Code 1950, is amended by striking from lines two (2) and
3 three (3) the words "including cities acting under special charter,".

1 SEC. 32. Section three hundred seventy-two point one (372.1),
2 Code 1950, is amended by inserting a period in line two (2) after the
3 word "cities" and striking all that follows said period.

1 SEC. 33. Section three hundred seventy-three point one (373.1),
2 Code 1950, is amended by striking from lines two (2) and three (3) the
3 words "including commission governed cities and special charter
4 cities,".

1 SEC. 34. Section three hundred seventy-nine point one (379.1),
2 Code 1950, is amended by striking from lines two (2) and three (3)
3 the words "including cities acting under special charter,".

1 SEC. 35. Section three hundred seventy-nine-A point one (379A.1),
2 Code 1950, is amended by striking from lines one (1) and two (2) the
3 words "including special charter cities".

1 SEC. 36. Section three hundred eighty-two point one (382.1),
2 Code 1950, is amended by striking from lines two (2) and three (3)
3 the words "including cities under the commission plan,".

1 SEC. 37. Section three hundred eighty-three point one (383.1),
2 Code 1950, is amended by striking from lines two (2) and three (3)
3 the words "including cities under the commission plan,".

1 SEC. 38. Section three hundred eighty-three point ten (383.10),
2 Code 1950, is amended by striking from lines one (1) and two (2)
3 the words "including cities under the commission plan,".

1 SEC. 39. Section three hundred eighty-four point one (384.1),
2 Code 1950, is amended by striking from lines two (2) and three (3)
3 the words "including cities under the commission plan".

1 SEC. 40. Section three hundred eighty-four point three (384.3)
2 subsection three (3), Code 1950, is amended by inserting in line
3 twenty-nine (29) a period (.) after the word "board" and striking all
4 of said subsection that follows said period.

1 SEC. 41. Section three hundred eighty-six point two (386.2),
2 Code 1950, is amended by striking all of lines thirty-six (36) and
3 thirty-seven (37).

1 SEC. 42. Section three hundred eighty-eight point one (388.1),
2 Code 1950, is amended by striking from lines two (2) to four (4) the
3 words "including cities acting under the commission form of govern-
4 ment and cities acting under the city manager plan of government,".

1 SEC. 43. Section three hundred ninety-one-A point one (391A.1),
2 Code 1950, is amended by striking from lines five (5) to seven (7) the
3 words "including a city or town organized and operating pursuant to
4 special charter".

1 SEC. 44. Section three hundred ninety-one-A point thirty-six
2 (391A.36), Code 1950, is hereby repealed.

1 SEC. 45. Section three hundred ninety-six point twenty-two
2 (396.22), Code 1950, is amended by striking from lines two (2) and
3 three (3) the words "including cities operating under the commission
4 form of government".

1 SEC. 46. Section three hundred ninety-six point twenty-three
2 (396.23), Code 1950, is amended by striking from lines four (4) and
3 five (5) "including cities operating under the commission form of
4 government".

1 SEC. 47. Section three hundred ninety-seven point twenty-nine
2 (397.29), Code 1950, is amended by striking from lines one (1) to
3 four (4) the words "including cities of the first class under the com-
4 mission form of government having a population of less than fifty
5 thousand".

1 SEC. 48. Section three hundred ninety-seven point thirty-three
2 (397.33), Code 1950, is amended by striking from line two (2) the
3 words "operating under the commission plan and".

1 SEC. 49. Section three hundred ninety-seven point thirty-eight
2 (397.38), Code 1950, is amended by striking from lines four (4) and
3 five (5) the words "including cities under special charter,".

1 SEC. 50. Section three hundred ninety-seven point thirty-nine
2 (397.39), Code 1950, is amended by striking from line two (2) the
3 words "including cities under special charter,".

1 SEC. 51. Section three hundred ninety-nine point one (399.1),
2 Code 1950, is amended by striking from lines three (3) and four (4)
3 the words "including cities acting under the commission form of
4 government".

1 SEC. 52. Section four hundred eight point sixteen (408.16), Code
2 1950, is amended by striking from lines two (2) and three (3) the
3 words "of the first class, including cities under the commission form of
4 government".

1 SEC. 53. Section four hundred eleven point one (411.1), subsection
2 twenty-three (23), Code 1950, is amended by striking the comma (,)
3 after the word "chapter" in line three (3) and inserting in lieu thereof
4 a period (.).

5 Further amend said subsection by striking all of lines four (4) and
6 five (5).

1 SEC. 54. Section four hundred eleven point ten (411.10), Code
2 1950, is amended by striking from lines one (1) and two (2) the words
3 “, including special charter cities.”

1 SEC. 55. Section four hundred twelve point one (412.1), Code
2 1950, is amended by striking from lines eight (8) to ten (10) the
3 words “, including cities under commission form of government, and
4 cities under city manager plan.”

1 SEC. 56. Section four hundred thirteen point one (413.1), Code
2 1950, is amended by striking from lines three (3) and four (4) the
3 words “of the first class and cities under the commission form of gov-
4 ernment”.

1 SEC. 57. Section four hundred fourteen point one (414.1), Code
2 1950, is amended by striking from lines three (3) to five (5) the words
3 “, including cities operating under the commission plan of govern-
4 ment.”

1 SEC. 58. Section four hundred fifteen point one (415.1), Code
2 1950, is amended by striking from lines one (1) to three (3) the words
3 “of the first and second class, including cities under the commission
4 form of government.”

1 SEC. 59. Section four hundred twenty-five point one (425.1), Code
2 1950, is amended by striking all of subsection five (5).

1 SEC. 60. Section four hundred twenty-six-A point five (426A.5),
2 Code 1950, is hereby repealed.

1 SEC. 61. Section four hundred forty-six point twenty (446.20),
2 Code 1950, is hereby repealed.

1 SEC. 62. Section four hundred fifty-nine point one (459.1), Code
2 1950, is amended by striking from line five (5) the words “, including
3 cities under special charter.”

1 SEC. 63. Section four hundred eighty-four point two (484.2),
2 Code 1950, is amended by striking from lines three (3) and four (4)
3 the words “or of any city acting under special charter.”

1 SEC. 64. Section five hundred sixty-five point six (565.6), Code
2 1950, is amended by striking from lines three (3) and four (4) the
3 words “, including cities operating under special charter”.

1 SEC. 65. Section five hundred ninety-two point five (592.5), Code
2 1950, is amended by striking from lines three (3) and four (4) the
3 words “including cities acting under special charter.”

1 SEC. 66. Section six hundred three point one (603.1), Code 1950,
2 is amended by striking from lines three (3) to five (5) the words
3 “, whether organized under special charter or the general law for the
4 incorporation of cities and towns.”

1 SEC. 67. Section six hundred sixteen point sixteen (616.16), Code
2 1950, is amended by striking from lines two (2) and three (3) the
3 words “, including cities organized under special charters.”

1 SEC. 68. Section six hundred fifty-seven point two (657.2), sub-
 2 section eight (8), Code 1950, is amended by striking from lines two
 3 (2) and three (3) the words "acting under special charter."

1 SEC. 69. Wherever reference is made in the statutes, other than
 2 in this Act, to cities and such reference is followed by the phrase "in-
 3 cluding special charter cities" or by any other phrase of similar import
 4 referring to a specific form or forms of city government, the code
 5 editor is authorized to strike such reference to specific forms so that
 6 the reference will apply to cities generally.

Approved May 2, 1951.

CHAPTER 166

HOMESTEAD CREDIT CLAIMS

S. F. 44

AN ACT to amend sections four hundred twenty-five point two (425.2) and four
 hundred twenty-five point three (425.3), Code 1950, relating to the filing of claim
 for homestead credit with the assessor or the county auditor, and to place such
 filing exclusively in the office of the assessor on or before July 1 of each year.

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

1 SECTION 1. Section four hundred twenty-five point two (425.2),
 2 Code 1950, is amended as follows:

3 1. Strike from lines three (3) and four (4) thereof the words "com-
 4 mencing January 1, 1938" and insert in lieu thereof the words "on
 5 or before July 1".

6 2. Strike from line nine (9) the words "with the assessment roll"
 7 and insert the words "on July 2 of each year".

8 3. Strike from line eleven (11) the semi-colon (;) and the words
 9 "provided that" and insert in lieu thereof a period (.).

10 4. Strike all of lines twelve (12) to eighteen (18) inclusive.

11 5. Strike from line nineteen (19) the words "claimed homestead
 12 is located".

1 SEC. 2. Section four hundred twenty-five point three (425.3), Code
 2 1950, is amended as follows:

3 1. Strike from line three (3) the word "whether".

4 2. Strike from line four (4) the words "or filed with the county".

5 3. Strike from line five (5) the word "auditor".

Approved April 16, 1951.

CHAPTER 167

MILITARY SERVICE HOMESTEAD TAX CREDIT

H. F. 624

AN ACT to amend section four hundred twenty-five point eleven (425.11), Code 1950, relating to eligibility of persons drafted into the armed forces of the United States to the homestead tax credit, and to provide that any person inducted into active military service of the United States armed forces shall during his period of military service be considered as occupying or living on the homestead during such service.

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

- 1 SECTION 1. Section four hundred twenty-five point eleven (425.11),
- 2 Code 1950, is amended by striking from line fifteen (15) thereof the
- 3 word and figures as follows: "of 1940".

Approved April 30, 1951.

CHAPTER 168

MONEYS AND CREDITS TAX

H. F. 27

AN ACT to amend subsection twenty (20) of section four hundred twenty-seven point one (427.1), Code 1950, relating to exemptions from moneys and credits taxation of the capital stock in certain manufacturing corporations.

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

- 1 SECTION 1. Subsection twenty (20) of section four hundred
- 2 twenty-seven point one (427.1), Code 1950, is hereby amended by in-
- 3 serting after the comma in line nine (9) the following:
- 4 "and manufacturing corporations organized under the laws of
- 5 other states having their main operating offices and principal factories
- 6 in the state of Iowa,".

Approved May 15, 1951.

CHAPTER 169

SEWAGE WORKS RETIREMENT SYSTEM

H. F. 39

AN ACT to amend section four hundred twelve point five (412.5), Code 1950, relating to municipal utilities retirement systems.

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

- 1 SECTION 1. Section four hundred twelve point five (412.5), Code
- 2 1950, is amended by inserting in line three (3), after the word "water-
- 3 works," the words "sewage works,".

Approved March 12, 1951.

CHAPTER 170

TAX EXEMPTIONS FOR ARMED FORCES

H. F. 357

AN ACT to amend section four hundred twenty-seven point one (427.1), subsection seventeen (17), Code 1950, relating to personal tax exemption for United States armed forces members on certain personal property.

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

1 SECTION 1. Section four hundred twenty-seven point one (427.1),
 2 Code 1950, is amended by adding a new subsection thereto:
 3 "If any person enters any branch of the armed service of the United
 4 States in time of national emergency, all personal property used in
 5 making his livelihood, in excess of three hundred dollars (\$300.00)
 6 in value, of such person shall be assessed but no tax shall be due if
 7 such person upon return from service, or in event of his death if his
 8 executor, administrator or next of kin, executes an affidavit to the
 9 county assessor that such property was not used in any manner during
 10 his absence, the tax as assessed thereon shall be waived and no pay-
 11 ment shall be required."

Approved May 15, 1951.

CHAPTER 171

TAXATION OF LOAN AGENCIES

S. F. 328

AN ACT to amend chapter four hundred thirty A (430A), Code 1950, relating to the taxation of loan agencies and by fixing the conditions under which Iowa corporations may elect to be taxed under this chapter, and the basis of taxing such Iowa corporations.

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

1 SECTION 1. Section four hundred thirty A point one (430A.1),
 2 Code 1950, is hereby amended by inserting after the word "loaned" in
 3 line thirteen (13) thereof, the words "or invested", and by adding to
 4 said section four hundred thirty A point one (430A.1) the following:
 5 "The terms 'loaned' or 'invested' as employed in this section shall have
 6 the same meaning and effect with respect to loans and investments
 7 outside the state of Iowa as is hereinafter provided with respect to
 8 loans and investments within the state of Iowa."

1 SEC. 2. Section four hundred thirty A point three (430A.3), Code
 2 1950, is hereby amended by adding thereto the following: "The term
 3 'loans' as used herein shall mean the lending of money to members of
 4 the general public upon other than real estate security. The term
 5 'investments' as used herein shall mean the discounting, purchasing,
 6 or otherwise acquiring notes, mortgages, sales contracts, debentures,
 7 or any other evidences of indebtedness, based upon other than real
 8 estate security when such investments are made in connection with
 9 loans made to members of the general public in the state of Iowa or
 10 in the course of any operations having as their effect the financing
 11 of business transactions within the state of Iowa resulting in the

12 incurring of any indebtedness based upon security other than real
13 estate security."

1 SEC. 3. Section four hundred thirty A point four (430A.4), Code
2 1950, is hereby amended by striking the period (.) following the word
3 "Iowa" in line nineteen (19) thereof, and adding thereto the following:
4 "; provided that no deduction for indebtedness shall be allowed in
5 excess of eighty per cent (80%) of the amount of capital employed in
6 the business of making loans or investments within the state of Iowa as
7 provided by this Act and that in the determination of the indebted-
8 ness deducted, any and all assets of the company in the form of
9 accounts receivable, cash on hand, or other capital used or available
10 for use in connection with loans and investments on other than real
11 estate security which have not been included in capital, shall be de-
12 ductible from any such indebtedness for which credit is claimed or
13 allowed."

1 SEC. 4. Section four hundred thirty A point five (430A.5), Code
2 1950, is hereby amended by adding thereto the following: "The state
3 tax commission shall have the power to require the making of a return
4 by any corporation, individual, partnership, or agency which it deems
5 to be subject to taxation under the provisions of this Act and in case
6 of failure or refusal to make such a return, the state tax commission
7 shall make an assessment based upon the best information it is able
8 to obtain against any such corporation, individual, partnership, or
9 agency, and shall certify such assessment as provided by this Act.
10 Appeals may be taken from the action of the state tax commission in
11 regard to assessments or orders made by it in connection with this
12 Act under the same procedure generally, as is provided by section
13 422.29, Code 1950."

1 SEC. 5. Section four hundred thirty A point seven (430A.7), Code
2 1950, is hereby repealed and the following is hereby enacted in lieu
3 thereof:

4 "430A.7. Any corporation incorporated under the laws of the state
5 of Iowa engaged in the business referred to in Section 430A.1 hereof,
6 both within and without the state of Iowa and whose loans and invest-
7 ments outside of the state of Iowa, whether made directly or through
8 a wholly owned subsidiary, exceeds fifteen per cent (15%) of its total
9 loans and investments, may by filing a statement or return elect to
10 be assessed and taxed in the manner and to the extent provided in the
11 foregoing sections and in each year in which it is so assessed, its
12 shares of stock, its loans to or capital invested in wholly owned subsidi-
13 aries described in the next sentence following, and moneys and credits
14 shall not be assessed under chapter four hundred thirty-one (431) or
15 otherwise, except as herein provided. In determining the amount of
16 capital employed within the state of Iowa by a corporation making a
17 return under this section, there shall not be included therein the
18 amount of loans to or capital invested in a wholly owned subsidiary
19 engaged in the business of making loans and investments on other than
20 real estate security and not incorporated under the laws of Iowa;
21 provided, however, that any capital employed by any such subsidiary
22 in the operation of a place of business of making loans or investments
23 within the state of Iowa as defined by this Act shall be subject to tax

24 as capital employed within the state of Iowa. Any corporation elect-
25 ing under this section shall notify the local assessor or assessors of the
26 fact of such election on or before March thirty-first (31st) following."

1 SEC. 6. The provisions of this Act shall be effective upon all assess-
2 ments made under this Act in the state of Iowa upon returns made for
3 assessment during the year 1951 and thereafter.

1 SEC. 7. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in The Clayton
3 County Press-Journal, a newspaper published at Strawberry Point,
4 Iowa, and in The Clear Lake Reporter, a newspaper published at Clear
5 Lake, Iowa.

Approved April 14, 1951.

I hereby certify that the foregoing act was published in The Clayton County Press-
Journal, Strawberry Point, Iowa, April 19, 1951, and in The Clear Lake Reporter, Clear
Lake, Iowa, April 19, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 172

GROSS PREMIUM TAX ON INSURANCE

S. F. 62

AN ACT to amend section four hundred thirty-two point one (432.1), Code 1950, relat-
ing to gross premium tax payable by life insurance companies and associations.

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

1 SECTION 1. Section four hundred thirty-two point one (432.1),
2 Code 1950, is amended by inserting after the word "excluded" in line
3 twenty-four (24) thereof the following: "all premiums received from
4 policies or contracts issued in connection with a pension plan or profit
5 sharing plan qualified under section 23 (p) or section 165 (a) of the
6 Federal Internal Revenue Code as now or hereafter amended and".

Approved February 1, 1951.

CHAPTER 173

COUNTY CONFERENCE BOARD

S. F. 113

AN ACT to amend section four hundred forty-one point nine (441.9), Code 1950, relat-
ing to the duties of the county assessor, and to provide for the county assessor to
be clerk of the county conference board.

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

1 SECTION 1. Section four hundred forty-one point nine (441.9),
2 Code 1950, is hereby amended by adding thereto the following sub-
3 section: "The county assessor shall be clerk of the county conference
4 board created by section four hundred forty-two point one (442.1)".

Approved March 27, 1951.

CHAPTER 174

INHERITANCE TAX LIENS

S. F. 50

AN ACT to amend section four hundred fifty point fifty-nine (450.59), Code 1950, relating to jurisdiction of the court in the release of real or personal property from the lien of inheritance tax.

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

1 SECTION 1. Section four hundred fifty point fifty-nine (450.59),
2 Code 1950, is amended by adding thereto the following:
3 "The court may, upon satisfactory showing and on notice to the
4 state tax commission by registered mail or personal service and on
5 such other notice to other parties who may be affected by the release
6 of the lien as the court may prescribe, make an order releasing any
7 item of real estate including a deferred estate or remainder interest
8 therein or personal property from the lien of the tax imposed by this
9 chapter; provided that the payment of the tax as fixed by the state
10 tax commission on the specific item of property released, or the de-
11 termination by the court that other property subject to the lien of the
12 tax to be released constitutes good and sufficient security for the pay-
13 ment of the tax, or an arrangement or adjustment fixed by the court
14 which will be fair and equitable to all parties affected and which will
15 assure the payment of the tax shall constitute a satisfactory showing."

Approved April 14, 1951.

CHAPTER 175

NATURAL RESOURCES COUNCIL

S. F. 316

AN ACT amending section four hundred fifty-five A point eighteen (455A.18), Code 1950, and granting to the natural resources council authority for permitting diversion of water from any natural watercourse, drainage ditch or settling basin for the purpose of replenishing or maintaining the waters of any state owned lake.

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

1 SECTION 1. Section four hundred fifty-five A point eighteen
2 (455A.18), Code 1950, is hereby amended by adding thereto the fol-
3 lowing: "Upon application by the State Conservation Commission for
4 permission to divert, pump, or otherwise take waters from any natural
5 watercourse, drainage ditch or settling basin within the State of Iowa
6 for the purpose of maintaining a proper level of the water in any
7 state owned lake, the Natural Resources Council shall cause to be
8 made an investigation of the effect of such diversion upon the natural
9 flow of such watercourse and also the effect of any such diversion upon
10 the owners of any land which might be affected by such diversion.
11 The application to be made to the Council shall set forth the amount
12 of water it is sought to divert and the period of time during which
13 such diversion may be permitted.
14 If the Council shall determine after due investigation that such
15 diversion will not be detrimental to the public interests, including

16 drainage and levee districts, or to the interests of property owners
 17 who might be affected, the Council shall grant a permit for such diver-
 18 sion. Any person or public body aggrieved by the granting of such
 19 permit may appeal as provided by section four hundred fifty-five A
 20 point twenty-three (455A.23). Such permit shall remain in force for
 21 one (1) year from the date of issue and shall be renewable at the date
 22 of its expiration upon application for such renewal".

1 SEC. 2. The state conservation commission, for the purpose of
 2 carrying out any permission granted, as hereinbefore provided, shall
 3 have and exercise the power of eminent domain.

Approved April 27, 1951.

CHAPTER 176

DRAINAGE DISTRICT TRUSTEES

H. F. 156

AN ACT to amend section four hundred sixty-two point seven (462.7), Code 1950, relating to eligibility of trustees in drainage districts.

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

1 SECTION 1. Section four hundred sixty-two point seven (462.7),
 2 Code 1950, is hereby amended by inserting after the second word
 3 "the" in line four (4) the following word: "bona fide".

1 SEC. 2. Further amend section four hundred sixty-two point
 2 seven (462.7) by inserting after the second word "of" in line four (4)
 3 the following: "agricultural".

Approved March 16, 1951.

CHAPTER 177

HEADLIGHTS ON RAILROAD EQUIPMENT

H. F. 81

AN ACT to amend section four hundred seventy-seven point twenty-two (477.22), and section four hundred seventy-seven point twenty-five (477.25), Code 1950, relating to headlights for railroad locomotives, power vehicles, power cars, and other equivalent equipment.

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

1 SECTION 1. Section four hundred seventy-seven point twenty-two
 2 (477.22), Code 1950, is amended and revised and codified to read as
 3 follows: "Headlights. It shall be the duty of every person, firm, or
 4 corporation owning or operating any line of railway within the state,
 5 except lines under twenty miles in length operated wholly within this
 6 state, to equip all locomotives, power vehicles, power cars, or other
 7 equipment used as the equivalent of or in place of a locomotive, when
 8 used in the transportation of passengers, employees or freight, with a
 9 headlight of sufficient candle power, measured with a reflector, to
 10 throw a light in clear weather that will enable the operator of same to

11 plainly discern an object the size of a man lying prone on the track
 12 at a distance of eleven hundred feet from the headlight, and thereafter
 13 to maintain and use such headlights upon every such locomotive,
 14 vehicle, car, or other equipment; provided, however, that track power
 15 cars when used during the nighttime by employees in the performance
 16 of work, shall be equipped with an electric headlight of sufficient can-
 17 dlepower, measured with a reflector to throw a light in clear weather
 18 that will enable the operator to see an obstruction on the track for a
 19 distance of five hundred (500) feet."

1 SEC. 2. Section four hundred seventy-seven point twenty-five
 2 (477.25), Code 1950, is amended by inserting after the word "loco-
 3 motive" in line four (4) the words "or track power work car".

1 SEC. 3. This act shall not be effective until January 1, 1952.

Approved March 22, 1951.

CHAPTER 178

EMINENT DOMAIN

S. F. 323

AN ACT to amend section four hundred eighty-nine point fourteen (489.14), Code 1950, relating to eminent domain for electric transmission lines, electric power generating plants and electric substations, and further providing for an increase in the amount of land that may be condemned.

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

1 SECTION 1. That section four hundred eighty-nine point fourteen
 2 (489.14), Code 1950, be amended by striking in line 9 the words "one
 3 acre" and by substituting in lieu thereof the words "one hundred sixty
 4 acres".

1 SEC. 2. That section four hundred eighty-nine point fourteen
 2 (489.14) be further amended by striking in lines 10 and 11 the words
 3 "transformer or other stations" and inserting in lieu thereof "electric
 4 power generating plants and electric substations".

1 SEC. 3. That section four hundred eighty-nine point fourteen
 2 (489.14) be further amended by inserting and adding after the period
 3 in line 12, the following: "A homestead site, cemetery, orchard or
 4 schoolhouse location shall not be condemned for the purpose of erecting
 5 an electric power generating plant or electric substation".

6 That section four hundred eighty-nine point fourteen (489.14) be
 7 further amended by inserting and adding in line 15 after the comma
 8 (,) the following: "electric power generating plants or electric sub-
 9 stations".

Approved April 5, 1951.

CHAPTER 179

CORPORATIONS

S. F. 226

AN ACT relating to the regulation and supervision of corporations for pecuniary profit and to amend various sections of chapter four hundred ninety-one (491), Code 1950, relating thereto.

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

1 SECTION 1. Section four hundred ninety-one point five (491.5),
2 Code 1950, is amended by inserting in line two (2) of subsection three
3 (3) after the words, "classes of stock" the following: "and number of
4 shares".

1 SEC. 2. Section four hundred ninety-one point thirteen (491.13),
2 Code 1950, is amended by striking all of the second paragraph of said
3 section and inserting in lieu thereof the following: "When a corpora-
4 tion changes its principal place of business from one county to another,
5 an amendment for this purpose shall be filed with the secretary of
6 state, recorded in the office of the recorder of deeds of the county of
7 the previous place of business, and then said amendment together with
8 the articles of incorporation and all amendments thereto shall be filed
9 with the recorder of deeds of the county to which said corporation's
10 principal place of business is changed."

1 SEC. 3. Section four hundred ninety-one point twenty (491.20),
2 Code 1950, is amended by inserting after the words, "to be" in line eight
3 (8) the following: "except where the amendment provides for chang-
4 ing the principal place of business from one county to another, in which
5 event said amendment shall be published in both the counties of the
6 former and new place of business".

1 SEC. 4. Sections four hundred ninety-one point fifteen (491.15) and
2 four hundred ninety-one point sixteen (491.16), Code 1950, are re-
3 pealed and the following enacted in lieu thereof: "Any corporation
4 organized under the laws of this state that does not maintain an office
5 in the county of its organization may file with the secretary of state a
6 certified copy of a resolution of the board of directors of said corpora-
7 tion giving name and address in Iowa of a resident agent on whom the
8 service of original notice of civil suit in the courts of this state may be
9 served, or file with the secretary of state a written instrument duly
10 signed and acknowledged authorizing the secretary of state to acknowl-
11 edge service of notice or process for and in behalf of such corporation
12 in this state and consenting that service of notice or process may be
13 made upon the secretary of state. Failing which, or in the event such
14 agent may not be found within the state, service of such process may
15 then be made upon said corporation through the secretary of state by
16 sending the original and two copies thereof to him, and he shall im-
17 mediately upon its receipt acknowledge service thereon in behalf of
18 the defendant corporation by writing thereon, giving the date thereof,
19 and shall immediately return such notice or process by registered mail
20 to the clerk of the court in which the suit is pending, addressed
21 by his official title, and shall also forthwith mail a copy with a copy of
22 his acknowledgment of service written thereon, by registered mail ad-

23 dressed to the corporation at the address of its principal place of busi-
 24 ness as shown by the records in his office, and shall retain the second
 25 copy for his files."

1 SEC. 5. Sections four hundred ninety-one point twenty-five (491.25)
 2 and four hundred ninety-one point twenty-six (491.26), Code 1950,
 3 are amended to read as follows:

4 "491.25. Corporations existing for a period of years may be renewed
 5 from time to time for the same or shorter periods, or may be renewed
 6 to exist perpetually, if a majority of votes cast at any regular election
 7 or special election called for that purpose be in favor of such renewal,
 8 at any time during the corporate life or within three months after the
 9 termination thereof, with such renewal taking effect upon the filing
 10 with and approval by the secretary of state and the payment of fees as
 11 set forth in section 491.28, although corporations may renew within a
 12 a three months period prior to normal expiration with renewal taking
 13 effect at normal expiration, and if those voting for such renewal will
 14 purchase at its real value the stock voted against such renewal. Stock-
 15 holders voting for renewal shall have three years from the date such
 16 action for renewal was taken in which to purchase the stock voted
 17 against such renewal, which purchase price shall bear interest at five
 18 per cent per annum from the date of such renewal action until paid.

19 "491.26. The provisions of this act shall not apply to any renewal
 20 voted before this act becomes operative but all rights of any corpora-
 21 tion described or referred to in the last two paragraphs of section
 22 491.20 to purchase stock of dissenting stockholders or any portion
 23 thereof are preserved to said corporation both before and after this
 24 section become operative."

1 SEC. 6. Section four hundred ninety-one point twenty-seven
 2 (491.27), Code 1950, is amended by striking from line one (1) the
 3 words, "Within ten days".

Approved February 21, 1951.

CHAPTER 180

CORPORATIONS

S.F. 224

AN ACT providing for the repeal of sections four hundred ninety-one point forty-four (491.44) and four hundred ninety-one point forty-five (491.45) of the Code of Iowa, 1950, relating to the posting of by-laws and statements of capital stock and indebtedness of corporations.

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

1 SECTION 1. Section four hundred ninety-one point forty-four
 2 (491.44) and Section four hundred ninety-one point forty-five (491.45)
 3 of the Code of Iowa, 1950, are hereby repealed.

Approved March 8, 1951.

CHAPTER 181

CORPORATION STOCKHOLDERS' LISTS

S. F. 222

AN ACT providing for the repeal of sections four hundred ninety-one point forty-six (491.46), four hundred ninety-one point forty-seven (491.47), four hundred ninety-one point fifty (491.50), and part of section four hundred ninety-one point fifty-three (491.53), Code 1950, relating to the furnishing of stockholders' lists, stock books and transfers of shares and the right of inspection of such records, and the enactment of substitutes therefor providing for the preparation and keeping of capital stock and stock ownership and transfer records and for the examination of corporation records by stockholders.

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

1 SECTION 1. Sections four hundred ninety-one point forty-six
2 (491.46), four hundred ninety-one point forty-seven (491.47) and
3 four hundred ninety-one point fifty (491.50) of the Code of Iowa,
4 1950, are hereby repealed.

1 SEC. 2. Amend Section four hundred ninety-one point fifty-three
2 (491.53) of the Code of Iowa, 1950, by striking the comma (,) after
3 the word "collateral" in the fifth (5th) line thereof and inserting a
4 period (.) in lieu thereof, and repealing all of said section following
5 such comma (,).

1 SEC. 3. The books of the corporation shall be kept to show the
2 amount of capital stock actually paid in, the number of shares of stock
3 issued, the original stockholders, and all transfers of shares of stock,
4 and there shall be entered upon the books of the corporation the name
5 of the person by and to whom stock is transferred, the numbers or
6 other designations of the shares of stock and the date of transfer.
7 Nothing herein contained shall create any rights or impose any duties
8 inconsistent with the provisions of chapter four hundred ninety-
9 three A (493A) of the Code of Iowa, 1950.

1 SEC. 4. It shall be the duty of the officer or agent of any corpo-
2 ration organized under the laws of the State of Iowa, or any foreign
3 corporation qualified to do business in the State of Iowa and holding
4 a meeting of its stockholders in the State of Iowa, who has charge of
5 the stock records of such corporation to prepare and make, at least
6 ten (10) days before the holding of such meeting, a complete list of
7 the stockholders entitled to vote thereat, arranged in alphabetical
8 order. Such list shall be open and available at the place where said
9 meeting is to be held for said ten (10) days to the examination of any
10 stockholder, and shall be kept at the time and place of meeting during
11 the whole time thereof, and subject to the inspection of any stock-
12 holder who may be present at said meeting. The original or duplicate
13 stock ledger of the corporation shall be the only evidence as to who
14 are the stockholders entitled to examine such list or the books of the
15 corporation or to vote in person or by proxy at such meeting. Failure
16 to comply with the requirements of this section shall not affect the
17 validity of any action taken at such meeting. An officer or agent
18 having charge of the transfer books who shall fail to prepare the
19 list of stockholders, or keep the same on file for a period of ten (10)
20 days, or produce and keep the same open for inspection at the meeting,

21 as provided in this section, shall be liable to any stockholder suffering
22 damage on account of such failure, to the extent of such damage.

1 SEC. 5. Any person who shall be a stockholder of record of any
2 corporation organized under the laws of the State of Iowa or any
3 foreign corporation authorized to transact business in the State of
4 Iowa and maintaining its books and records in the State of Iowa shall
5 have the right to examine in person or by duly authorized agent or
6 attorney at any reasonable time or times and for any proper purpose
7 the stock records, minutes and records of stockholders' meetings, and
8 the books and records of account and to make extracts therefrom.

1 SEC. 6. The provisions of Sections three (3), four (4) and five (5)
2 hereof, shall not apply to building and loan associations, savings and
3 loan associations, deposit, loan and investment records of banks and
4 trust companies, or insurance companies organized under the laws of
5 the State of Iowa, and to whom the provisions of chapter four hundred
6 ninety-one (491) of the Code of Iowa, 1950, would otherwise be ap-
7 plicable.

Approved March 22, 1951.

CHAPTER 182

AMANA CORPORATION STOCK

H. F. 20

AN ACT relating to the issuance of stock by certain corporations and the payment there-
for.

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

1 SECTION 1. Anything contained in Chapters four hundred ninety-
2 one (491), four hundred ninety-two (492), five hundred one (501),
3 and five hundred two (502), Code 1950, to the contrary notwith-
4 standing, any corporation organized under the laws of the State of
5 Iowa having assets of the value of one million dollars (\$1,000,000) or
6 more, the articles of the corporation of which provide that no individ-
7 ual may vote more than one share of the common voting shares of
8 stock of said corporation, the articles of incorporation of which give
9 to children of the owner or owners of shares of the common voting
10 stock of such corporations the right to purchase one common voting
11 share of stock therein upon attaining majority or within a fixed
12 period thereafter and the articles of incorporation of which whether
13 now in effect or hereafter adopted, authorize the issuance, sale and
14 delivery of not to exceed one share of said common voting stock to any
15 one individual, shall have the power to issue, sell and deliver its shares
16 of common voting stock, whether held by it as treasury stock or
17 whether issued as an original issue, for the following considerations
18 and upon the following terms and conditions, and with the following
19 limitations:

20 1. Such common voting stock may be issued, sold and delivered by
21 the corporation either for cash or upon credit or time payments or
22 installment payments or for a consideration evidenced in part or in
23 whole by the written agreement of the purchaser thereof to pay for

24 the same, payment of said purchase price to be secured by a lien on
25 said stock.

26 2. No such stock shall be issued, sold and delivered for a price
27 less than the par value thereof at the time of such issuance, sale and
28 delivery.

29 3. Not more than one share of said stock shall be so issued, sold
30 and delivered to any one individual, but when issued, sold and de-
31 livered, said stock may be voted by the owner thereof, if the articles
32 of incorporation or by-laws of such corporation, whether now in effect
33 or hereafter adopted or amended, so provide, although a part or all of
34 the price to be paid therefor may be owing to the corporation under
35 said written agreement of the purchaser to pay for the same.

1 SEC. 2. This Act, being deemed of immediate importance, shall be
2 in full force and effect from and after its publication in The Iowa City
3 Press-Citizen, a newspaper published at Iowa City, Iowa, and in The
4 Pioneer-Republican, a newspaper published at Marengo, Iowa.

Approved March 15, 1951.

I hereby certify that the foregoing act was published in The Iowa City Press-Citizen,
Iowa City, Iowa, March 17, 1951, and in The Pioneer-Republican, Marengo, Iowa, March
22, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 183

CAPITAL STOCK OF BANKS AND INSURANCE COMPANIES

H. F. 216

AN ACT to amend chapter four hundred ninety-two (492), Code 1950, relating to pay-
ment in property other than cash for capital stock.

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

1 SECTION 1. Amend Section four hundred ninety-two point six
2 (492.6), Code 1950, by adding in front of the period at the end thereof
3 the words, "providing that the foregoing provision shall not apply to
4 banks or trust companies or insurance companies organized under the
5 laws of this state.

6 Any bank or trust company proposing to issue capital stock for
7 property or any thing other than money, before issuing the capital
8 stock in any form, shall apply to the superintendent of banking for
9 leave so to do. Any insurance company proposing to issue capital
10 stock for property or any thing other than money, before issuing the
11 capital stock in any form, shall apply to the commissioner of insurance
12 for leave so to do. Such application to the superintendent of banking
13 or to the commissioner of insurance shall state the amount of capital
14 stock proposed to be issued for a consideration other than money and
15 set forth specifically the property or other thing to be received in
16 payment for such stock."

1 SEC. 2. Amend Section four hundred ninety-two point seven
2 (492.7) by inserting after the word "council" in line two (2) thereof,
3 "the superintendent of banking or the commissioner of insurance as
4 the case may be,".

1 SEC. 3. This act, being deemed of immediate importance, shall
 2 take effect and be in full force from and after its passage and publica-
 3 tion in The Lamoni Chronicle, a newspaper published at Lamoni, Iowa,
 4 and in the Carroll Daily Times Herald, a newspaper published at
 5 Carroll, Iowa.

Approved March 19, 1951.

I hereby certify that the foregoing act was published in The Lamoni Chronicle, La-
 moni, Iowa, March 22, 1951, and in the Carroll Daily Times Herald, Carroll, Iowa,
 March 22, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 184

CORPORATION STOCK

S. F. 225

AN ACT to amend chapter four hundred ninety-two (492), Code 1950, relating to
 capital stock.

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

1 SECTION 1. Section four hundred ninety-two point nine (492.9),
 2 Code 1950, is amended by striking from line four (4) the word "ten"
 3 and inserting in lieu thereof the word "thirty", and said section is
 4 further amended by adding thereto the following: "If the corporation
 5 fails to file said certificate of issuance of stock within the thirty day
 6 period herein provided, it may thereafter file the same upon first pay-
 7 ing to the secretary of state a penalty of ten dollars when the said
 8 certificate is offered for filing. Provided further that the penalty
 9 herein provided for is first paid and provided the said report contains
 10 the specific information required by this section as to the issuance of
 11 any capital stock not previously reported, then the first annual report
 12 filed by such corporation following such failure to comply with the
 13 provisions of this section, shall be received by the secretary of state
 14 as a compliance with this section."

1 SEC. 2. Section four hundred ninety-two point ten (492.10), Code
 2 1950, is amended by striking from line three (3) the numbers "492.9"
 3 and inserting in lieu thereof the numbers "492.8".

1 SEC. 3. Section four hundred ninety-two point eleven (492.11),
 2 Code 1950, is amended by striking from line two (2) the numbers
 3 "492.9" and inserting in lieu thereof the numbers "492.8".

1 SEC. 4. Section four hundred ninety-two point twelve (492.12),
 2 Code 1950, is amended by striking from line three (3) the numbers
 3 "492.9" and inserting in lieu thereof the numbers "492.8".

Approved March 22, 1951.

CHAPTER 185

FOREIGN CORPORATIONS

S. F. 223

AN ACT relating to the regulation and supervision of foreign corporations and to amend various sections of chapter four hundred ninety-four (494), Code 1950, relating thereto.

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

1 SECTION 1. Section four hundred ninety-four point one (494.1),
2 Code 1950, is amended by adding thereto the following: "The secre-
3 tary of state may accept duly certified restated articles, substituted
4 articles, and articles or certificates of merger, or similar instruments
5 which purport to be a complete restatement of the corporate articles in
6 lieu of the original articles and amendments which they purport to
7 supersede, if satisfied that such instruments in fact contain a complete
8 restatement to the date thereof of all articles and amendments."

1 SEC. 2. Section four hundred ninety-four point four (494.4), Code
2 1950, is amended by striking from line five (5) thereof the words, "of
3 incorporation."

1 SEC. 3. Section four hundred ninety-four point five (494.5), Code
2 1950, is amended by repealing the words "a permit to transact business
3 within the" in lines eleven and twelve (11 and 12) thereof and by in-
4 serting in lieu thereof the words "duration in its home." Section four
5 hundred ninety-four point five (494.5), Code 1950, is further amended
6 by repealing the words "permit to transact business within the" in line
7 fourteen (14) and by inserting in lieu thereof the words "duration in
8 its home."

1 SEC. 4. Section four hundred ninety-four point eight (494.8), Code
2 1950, is amended by repealing the first sentence thereof and by enact-
3 ing in lieu thereof the following: "A foreign corporation which has a
4 permit under this chapter may requalify or renew its permit hereunder
5 by fully completing the proceedings therefor at any time within three
6 months before or after the date upon which its permit expires by filing
7 a list duly attested to by the secretary of state of the home state of the
8 corporate documents filed therein together with the dates of said filing
9 accompanied by a resolution of its board of directors or stockholders
10 authorizing the filing thereof and by paying fees as set forth in section
11 four hundred ninety-four point four (494.4). The renewal papers
12 shall include a duly certified copy of any corporate document on file in
13 the home state as indicated by the above list which is not already on
14 file in the office of the secretary of state.

Approved February 21, 1951.

CHAPTER 186

IOWA CENTENNIAL MEMORIAL FOUNDATION

H. F. 631

AN ACT to grant perpetual existence without payment of fees to the Iowa Centennial Memorial Foundation, and to prescribe the duties of certain state officials with respect to the Iowa Centennial Memorial Foundation.

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

1 SECTION 1. The Iowa Centennial Memorial Foundation established
2 on the fifth day of January, 1949, shall have perpetual existence, and
3 the certificate of incorporation heretofore issued to the Iowa Centen-
4 nial Memorial Foundation by the secretary of state shall be deemed
5 a valid certificate of perpetual existence, and no corporation fees shall
6 hereafter be required to renew or continue its existence.

1 SEC. 2. It shall be the duty of the Governor to serve as president
2 of the Iowa Centennial Memorial Foundation, and it shall be the duty
3 of the treasurer to serve as treasurer of the Iowa Centennial Memorial
4 Foundation, and it shall be the duty of the Attorney General to serve
5 as legal counsel for the Iowa Centennial Memorial Foundation, and it
6 shall be the duty of the president of the State Board of Education to
7 serve as secretary of the Iowa Centennial Memorial Foundation.

1 SEC. 3. The duties of the state officials hereinbefore provided with
2 respect to the Iowa Centennial Memorial Foundation shall be a part
3 of their official duties pertaining to their respective offices.

1 SEC. 4. If any section, sub-section, paragraph, sentence, clause or
2 phrase of this act is for any reason held to be unconstitutional and
3 invalid, such unconstitutionality or invalidity shall not affect the con-
4 stitutionality or validity of the remaining portions of this act. The
5 General Assembly hereby declares that it would have passed this act
6 and each section, sub-section, paragraph, sentence, clause or phrase
7 hereof, irrespective of whether any one or more of the sections, sub-
8 sections, paragraphs, sentences, clauses or phrases be declared un-
9 constitutional.

1 SEC. 5. This act being deemed of immediate importance shall be-
2 come effective upon its publication in The Sioux County Capital, a
3 newspaper published at Orange City, Iowa, and in The Monticello
4 Express, a newspaper published at Monticello, Iowa.

Approved May 15, 1951.

I hereby certify that the foregoing act was published in The Sioux County Capital, Orange City, Iowa, May 24, 1951, and in The Monticello Express, Monticello, Iowa, May 24, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 187

INVESTMENT OF INSURANCE FUNDS

S. F. 63

AN ACT to amend section five hundred eleven point eight (511.8), Code 1950, relating to the investment of funds of life insurance companies and associations.

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

1 SECTION 1. Section five hundred eleven point eight (511.8), Code
2 1950, is amended by inserting after the word "notes," in line one (1)
3 of subsection eight (8), paragraph *a.*, the word "obligations," and by
4 inserting after the word "property" in line four (4) of subsection eight
5 (8), paragraph *a.*, the words "and appurtenances thereto", and by in-
6 serting after the word "America," in line five (5) of subsection eight
7 (8), paragraph *a.*, the words "or any insular or territorial possession
8 of the United States," and by inserting after the word "Canada," in
9 line five (5) of subsection eight (8), paragraph *a.*, the words "and
10 upon leasehold estates in real property where fifty years or more of the
11 term including renewals is unexpired," and by substituting a comma
12 (,) for the word "and" in line eleven (11) of subsection eight (8),
13 paragraph *a.*, and by inserting after the letter "d" in line twelve (12)
14 of subsection eight (8), paragraph *a.*, the words and letters "e" and
15 "f", and by inserting after the word "Improvements" in line thirteen
16 (13) of subsection eight (8), paragraph *a.*, the words "and appurte-
17 nances".

1 SEC. 2. Section five hundred eleven point eight (511.8), Code 1950,
2 is further amended by adding the following new paragraphs to sub-
3 section eight (8):

4 "e. Bonds, notes or other evidences of indebtedness representing
5 loans and advances of credit that have been issued or guaranteed, in
6 whole or in part, in accordance with Title I of the Bankhead-Jones
7 Farm Tenant Act, an act of the Congress of the United States, cited as
8 the "Farmers Home Administration Act of 1946", as heretofore or
9 hereafter amended."

10 "f. Bonds, notes or other evidences of indebtedness secured by mort-
11 gages or deeds of trust which are a first lien upon unencumbered real
12 property within the United States of America, or any insular or terri-
13 torial possession of the United States of America, or the Dominion of
14 Canada, under lease to a corporation whose obligations qualify under
15 section* 4 (a) hereof, if there is pledged and assigned, as additional
16 security for the loan, sufficient of the rentals payable under the lease
17 to provide the required payments on the loan, including but not limited
18 to payments of principal, interest, taxes and the final payments. In-
19 vestments made in accordance with the provisions of this subsection
20 shall not be eligible in excess of five per cent of the legal reserve."

Approved February 5, 1951.

*According to enrolled Act.

CHAPTER 188

ACCIDENT AND SICKNESS INSURANCE

H. F. 238

AN Act relating to individual accident and sickness insurance policies, making uniform the law relating thereto, to repeal section five hundred eleven point thirty-six (511.36), Code 1950, also relating to accident or health insurance.

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

1 SECTION 1. Definition of accident and sickness insurance policy.
 2 The term "policy of accident and sickness insurance" as used herein
 3 includes any policy or contract covering insurance against loss re-
 4 sulting from sickness or from bodily injury or death by accident, or
 5 both. For the purposes of this Act the words "policy of accident and
 6 sickness insurance" are interchangeable without deviation of mean-
 7 ing with the words "policy of accident and health insurance" or the
 8 words "policy of accident or health insurance". The provisions of
 9 this Act shall apply to all individual policies of such accident and
 10 sickness insurance as are written by Iowa or non-Iowa companies or
 11 associations duly licensed under the provisions of either chapter five
 12 hundred eight (508), five hundred ten (510), five hundred fifteen
 13 (515) or five hundred twenty (520) of the Code 1950, also, societies,
 14 orders or associations licensed under the provisions of chapter five
 15 hundred twelve (512) of the Code 1950 writing sickness and accident
 16 policies providing benefits for loss of time.

17 Orders, societies or associations which admit to membership only
 18 persons engaged in one (1) or more crafts or hazardous occupations
 19 in the same or similar lines of business and the ladies' societies or
 20 ladies' auxiliaries to such orders shall not be subject to the pro-
 21 visions of this Act nor shall any religious order be subject to the
 22 provisions of this Act.

1 SEC. 2. Form of policy.

2 (A) No policy of accident and sickness insurance shall be delivered
 3 or issued for delivery to any person in this state unless:

4 (1) the entire money and other considerations therefor are ex-
 5 pressed therein; and

6 (2) the time at which the insurance takes effect and terminates
 7 is expressed therein; and

8 (3) it purports to insure only one person, except that a policy may
 9 insure, originally or by subsequent amendment, upon the application
 10 of an adult member of a family who shall be deemed the policyholder,
 11 any two or more eligible members of that family, including husband,
 12 wife, dependent children or any children under a specified age which
 13 shall not exceed nineteen years and any other person dependent upon
 14 upon the policyholder; and

15 (4) the style, arrangement and over-all appearance of the policy
 16 give no undue prominence to any portion of the text, and unless every
 17 printed portion of the text of the policy and of any endorsements or
 18 attached papers is plainly printed in light-faced type of a style in
 19 general use, the size of which shall be uniform and not less than ten-
 20 point with a lower-case unspaced alphabet length not less than one

21 hundred and twenty-point (the "text" shall include all printed mat-
22 ter except the name and address of the insurer, name or title of the
23 policy, the brief description if any, and captions and subcaptions);
24 and

25 (5) the exceptions and reductions of indemnity are set forth in
26 the policy and, except those which are set forth in section 3 of this
27 Act, are printed, at the insurer's option, either included with the
28 benefit provision to which they apply, or under an appropriate cap-
29 tion such as "exceptions", or "exceptions and reductions", provided
30 that if an exception or reduction specifically applies only to a particu-
31 lar benefit of the policy, a statement of such exception or reduction
32 shall be included with the benefit provision to which it applies; and

33 (6) each such form, including riders and endorsements, shall be
34 identified by a form number in the lower left-hand corner of the first
35 page thereof; and

36 (7) it contains no provision purporting to make any portion of
37 the charter, rules, constitution, or by-laws of the insurer a part of
38 the policy unless such portion is set forth in full in the policy, except
39 in the case of the incorporation of, or reference to, a statement of
40 rates or classification of risks, or shortrate table filed with the com-
41 missioner.

42 (B) If any policy is issued by an insurer domiciled in this state
43 for delivery to a person residing in another state, and if the official
44 having responsibility for the administration of the insurance laws of
45 such other state shall have advised the commissioner that any such
46 policy is not subject to approval or disapproval by such official, the
47 commissioner may by ruling require that such policy meet the stand-
48 ards set forth in sub-section (A) of this section and in section 3.

1 SEC. 3. Accident and sickness policy provisions.

2 (A) Required provisions. Except as provided in paragraph (C)
3 of this section each such policy delivered or issued for delivery to
4 any person in this state shall contain the provisions specified in this
5 subsection in the words in which the same appear in this section;
6 provided, however, that the insurer may, at its option, substitute
7 for one or more of such provisions corresponding provisions of differ-
8 ent wording approved by the commissioner which are in each instance
9 not less favorable in any respect to the insured or the beneficiary.
10 Such provisions shall be preceded individually by the caption appear-
11 ing in this subsection or, at the option of the insurer, by such appro-
12 priate individual or group captions or subcaptions as the commis-
13 sioner may approve.

14 (1) A provision as follows:

15 Entire contract; changes: This policy, including the endorsements
16 and the attached papers, if any, constitutes the entire contract of
17 insurance. No change in this policy shall be valid until approved by
18 an executive officer of the insurer and unless such approval be en-
19 dorsed hereon or attached hereto. No agent has authority to change
20 this policy or to waive any of its provisions.

21 (2) A provision as follows:

22 Time limit on certain defenses: (a) After three years from the
23 date of issue of this policy no misstatements, except fraudulent mis-

24 statements, made by the applicant in the application for such policy
25 shall be used to void the policy or to deny a claim for loss incurred or
26 disability (as defined in the policy) commencing after the expiration
27 of such three year period.

28 (The foregoing policy provision shall not be so construed as to
29 affect any legal requirement for avoidance of a policy or denial of a
30 claim during such initial three year period, nor to limit the applica-
31 tion of section 3 (B), (1), (2), (3), (4) and (5) in the event of
32 misstatement with respect to age or occupation or other insurance.)

33 (A policy which the insured has the right to continue in force sub-
34 ject to its terms by the timely payment of premium (1) until at least
35 age 50 or, (2) in the case of a policy issued after age 44, for at least
36 five years from its date of issue, may contain in lieu of the foregoing
37 the following provision (from which the clause in parentheses may
38 be omitted at the insurer's option) under the caption "incontestable":

39 After this policy has been in force for a period of three years dur-
40 ing the lifetime of the insured, (excluding any period during which
41 the insured is disabled) it shall become incontestable as to the state-
42 ments contained in the application.)

43 (b) No claim for loss incurred or disability (as defined in the
44 policy) commencing after three years from the date of issue of this
45 policy shall be reduced or denied on the ground that a disease or
46 physical condition not excluded from coverage by name or specific
47 description effective on the date of loss had existed prior to the effec-
48 tive date of coverage of this policy.

49 (3) A provision as follows:

50 Grace period: A grace period of (insert a number not less than
51 "7" for weekly premium policies, "10" for monthly premium policies
52 and "31" for all other policies) days will be granted for the payment
53 of each premium falling due after the first premium, during which
54 grace period the policy shall continue in force.

55 (A policy which contains a cancellation provision may add, at the
56 end of the above provision, subject to the right of the insurer to
57 cancel in accordance with the cancellation provision hereof.

58 A policy in which the insurer reserves the right to refuse any re-
59 newal shall have, at the beginning of the above provision,

60 Unless not less than five days prior to the premium due date the
61 insurer has delivered to the insured or has mailed to his last address
62 as shown by the records of the insurer written notice of its intention
63 not to renew this policy beyond the period for which the premium
64 has been accepted,).

65 (4) A provision as follows:

66 Reinstatement: If any renewal premium be not paid within the
67 time granted the insured for payment, a subsequent acceptance of
68 premium by the insurer or by any agent duly authorized by the in-
69 surer to accept such premium, without requiring in connection there-
70 with an application for reinstatement, shall reinstate the policy;
71 provided, however, that if the insurer or such agent requires an appli-
72 cation for reinstatement and issues a conditional receipt for the pre-
73 mium tendered, the policy will be reinstated upon approval of such
74 application by the insurer or, lacking such approval, upon the forty-
75 fifth day following the date of such conditional receipt unless the in-

76 surer has previously notified the insured in writing of its disapproval
 77 of such application. The reinstated policy shall cover only loss result-
 78 ing from such accidental injury as may be sustained after the date
 79 of reinstatement and loss due to such sickness as may begin more
 80 than ten days after such date. In all other respects the insured and
 81 insurer shall have the same rights thereunder as they had under the
 82 policy immediately before the due date of the defaulted premium,
 83 subject to any provisions endorsed hereon or attached hereto in con-
 84 nection with the reinstatement. Any premium accepted in connection
 85 with a reinstatement shall be applied to a period for which premium
 86 has not been previously paid, but not to any period more than sixty
 87 days prior to the date of reinstatement.

88 (The last sentence of the above provision may be omitted from any
 89 policy which the insured has the right to continue in force subject
 90 to its terms by the timely payment of premiums (1) until at least age
 91 50 or, (2) in the case of a policy issued after age 44, for at least five
 92 years from its date of issue.)

93 (5) A provision as follows:

94 Notice of claim: Written notice of claim must be given to the in-
 95 surer within twenty days after the occurrence or commencement of
 96 any loss covered by the policy, or as soon thereafter as is reasonably
 97 possible. Notice given by or on behalf of the insured or the bene-
 98 ficiary to the insurer at (insert the location
 99 of such office as the insurer may designate for the purpose), or to any
 100 authorized agent of the insurer, with information sufficient to identify
 101 the insured, shall be deemed notice to the insurer.

102 (In a policy providing a loss-of-time benefit which may be payable
 103 for at least two years, an insurer may at its option insert the follow-
 104 ing between the first and second sentences of the above provision:

105 Subject to the qualifications set forth below, if the insured suffers
 106 loss of time on account of disability for which indemnity may be pay-
 107 able for at least two years, he shall, at least once in every six months
 108 after having given notice of claim, give to the insurer notice of con-
 109 tinuance of said disability, except in the event of legal incapacity. The
 110 period of six months following any filing of proof by the insured or
 111 any payment by the insurer on account of such claim or any denial
 112 of liability in whole or in part by the insurer shall be excluded in ap-
 113 plying this provision. Delay in the giving of such notice shall not
 114 impair the insured's right to any indemnity which would otherwise
 115 have accrued during the period of six months preceding the date on
 116 which such notice is actually given.)

117 (6) A provision as follows:

118 Claim Forms: The insurer, upon receipt of a notice of claim, will
 119 furnish to the claimant such forms as are usually furnished by it for
 120 filing proofs of loss. If such forms are not furnished within fifteen
 121 days after the giving of such notice the claimant shall be deemed to
 122 have complied with the requirements of this policy as to proof of loss
 123 upon submitting, within the time fixed in the policy for filing proofs
 124 of loss, written proof covering the occurrence, the character and the
 125 extent of the loss for which claim is made.

126 (7) A provision as follows:

127 Proofs of loss: Written proof of loss must be furnished to the

128 insurer at its said office in case of claim for loss for which this policy
129 provides any periodic payment contingent upon continuing loss within
130 ninety days after the termination of the period for which the insurer
131 is liable and in case of claim for any other loss within ninety days
132 after the date of such loss. Failure to furnish such proof within the
133 time required shall not invalidate nor reduce any claim if it was not
134 reasonably possible to give proof within such time, provided such
135 proof is furnished as soon as reasonably possible and in no event,
136 except in the absence of legal capacity, later than one year from the
137 time proof is otherwise required.

138 (8) A provision as follows:

139 Time of payment of claims: Indemnities payable under this policy
140 for any loss other than loss for which this policy provides any periodic
141 payment will be paid immediately upon receipt of due written proof of
142 such loss. Subject to due written proof of loss, all accrued indemnities
143 for loss for which this policy provides periodic payment will be paid
144 (insert period for payment which must not be less
145 frequently than monthly) and any balance remaining unpaid upon the
146 termination of liability will be paid immediately upon receipt of due
147 written proof.

148 (9) A provision as follows:

149 Payment of claims: Indemnity for loss of life will be payable in
150 accordance with the beneficiary designation and the provisions re-
151 specting such payment which may be prescribed herein and effective
152 at the time of payment. If no such designation or provision is then
153 effective, such indemnity shall be payable to the estate of the insured.
154 Any other accrued indemnities unpaid at the insured's death may, at
155 the option of the insurer, be paid either to such beneficiary or to such
156 estate. All other indemnities will be payable to the insured.

157 (The following provisions, or either of them, may be included with
158 the foregoing provision at the option of the insurer:

159 If any indemnity of this policy shall be payable to the estate of the
160 insured, or to an insured or beneficiary who is a minor or otherwise
161 not competent to give a valid release, the insurer may pay such in-
162 demnity, up to an amount not exceeding \$..... (insert an
163 amount which shall not exceed \$1000), to any relative by blood or
164 connection by marriage of the insured or beneficiary who is deemed
165 by the insurer to be equitably entitled thereto. Any payment made
166 by the insurer in good faith pursuant to this provision shall fully dis-
167 charge the insurer to the extent of such payment.

168 Subject to any written direction of the insured in the application
169 or otherwise all or a portion of any indemnities provided by this
170 policy on account of hospital, nursing, medical, or surgical services
171 may, at the insurer's option and unless the insured requests other-
172 wise in writing not later than the time of filing proofs of such loss,
173 be paid directly to the hospital or person rendering such services;
174 but it is not required that the service be rendered by a particular
175 hospital or person.)

176 (10) A provision as follows:

177 Physical examinations and autopsy: The insurer at its own ex-
178 pense shall have the right and opportunity to examine the person of
179 the insured when and as often as it may reasonably require during

180 the pendency of a claim hereunder and to make an autopsy in case of
181 death where it is not forbidden by law.

182 (11) A provision as follows:

183 Legal actions: No action at law or in equity shall be brought to
184 recover on this policy prior to the expiration of sixty days after writ-
185 ten proof of loss has been furnished in accordance with the require-
186 ments of this policy. No such action shall be brought after the
187 expiration of three years after the time written proof of loss is re-
188 quired to be furnished.

189 (12) A provision as follows:

190 Change of beneficiary: Unless the insured makes an irrevocable
191 designation of beneficiary, the right to change of beneficiary is re-
192 served to the insured and the consent of the beneficiary or benefici-
193 aries shall not be requisite to surrender or assignment of this policy
194 or to any change of beneficiary or beneficiaries, or to any other
195 changes in this policy.

196 (The first clause of this provision, relating to the irrevocable desig-
197 nation of beneficiary, may be omitted at the insurer's option.)

198 (B) Other provisions. Except as provided in paragraph (C) of
199 this section, no such policy delivered or issued for delivery to any
200 person in this state shall contain provisions respecting the matters set
201 forth below unless such provisions are in the words in which the same
202 appear in this section; provided, however, that the insurer may, at
203 its option, use in lieu of any such provision a corresponding provision
204 of different wording approved by the commissioner which is not less
205 favorable in any respect to the insured or the beneficiary. Any such
206 provision contained in the policy shall be preceded individually by
207 the appropriate caption appearing in this subsection or, at the option
208 of the insurer, by such appropriate individual or group captions or
209 subcaptions as the commissioner may approve.

210 (1) A provision as follows:

211 Change of occupation: If the insured be injured or contract sick-
212 ness after having changed his occupation to one classified by the
213 insurer as more hazardous than that stated in this policy or while
214 doing for compensation anything pertaining to an occupation so
215 classified, the insurer will pay only such portion of the indemnities
216 provided in this policy as the premium paid would have purchased
217 at the rates and within the limits fixed by the insurer for such more
218 hazardous occupation. If the insured changes his occupation to one
219 classified by the insurer as less hazardous than that stated in this
220 policy, the insurer, upon receipt of proof of such change of occupa-
221 tion, will reduce the premium rate accordingly, and will return the
222 excess pro-rata unearned premium from the date of change of occu-
223 pation or from the policy anniversary date immediately preceding
224 receipt of such proof, whichever is the more recent. In applying this
225 provision, the classification of occupational risk and the premium
226 rates shall be such as have been last filed by the insurer prior to the
227 occurrence of the loss for which the insurer is liable or prior to date
228 of proof of change in occupation with the state official having super-
229 vision of insurance in the state where the insured resided at the time
230 this policy was issued; but if such filing was not required, then the
231 classification of occupational risk and the premium rates shall be

232 those last made effective by the insurer in such state prior to the oc-
233 currence of the loss or prior to the date of proof of change in occu-
234 pation.

235 (2) A provision as follows:

236 Misstatement of age: If the age of the insured has been misstated,
237 all amounts payable under this policy shall be such as the premium
238 paid would have purchased at the correct age.

239 (3) A provision as follows:

240 Other insurance in this insurer: If an accident or sickness or ac-
241 cident and sickness policy or policies previously issued by the insurer
242 to the insured be in force concurrently herewith, making the aggre-
243 gate indemnity for (insert type of coverage or coverages)
244 in excess of \$..... (insert maximum limit of indemnity or
245 indemnities) the excess insurance shall be void and all premiums paid
246 for such excess shall be returned to the insured or to his estate.

247 or, in lieu thereof:

248 Insurance effective at any one time on the insured under a like
249 policy or policies in this insurer is limited to the one such policy
250 elected by the insured, his beneficiary or his estate, as the case may
251 be, and the insurer will return all premiums paid for all other such
252 policies.

253 (4) A provision as follows:

254 Insurance with other insurers: If there be other valid coverage,
255 not with this insurer, providing benefits for the same loss on a provi-
256 sion of service basis or on an expense incurred basis and of which this
257 insurer has not been given written notice prior to the occurrence or
258 commencement of loss, the only liability under any expense incurred
259 coverage of this policy shall be for such proportion of the loss as the
260 amount which would otherwise have been payable hereunder plus the
261 total of the like amounts under all such other valid coverages for the
262 same loss of which this insurer had notice bears to the total like
263 amounts under all valid coverages for such loss, and for the return of
264 such portion of the premiums paid as shall exceed the pro-rata portion
265 for the amount so determined. For the purpose of applying this provi-
266 sion when other coverage is on a provision of service basis, the "like
267 amount" of such other coverage shall be taken as the amount which
268 the services rendered would have cost in the absence of such coverage.

269 (If the foregoing policy provision is included in a policy which also
270 contains the next following policy provision there shall be added to
271 the caption of the foregoing provision the phrase "—expense incurred
272 benefits". The insurer may, at its option, include in this provision a
273 definition of "other valid coverage", approved as to form by the com-
274 missioner, which definition shall be limited in subject matter to cover-
275 age provided by organizations subject to regulation by insurance law
276 or by insurance authorities of this or any other state of the United
277 States or any province of Canada, and by hospital or medical service
278 organizations, and to any other coverage the inclusion of which may
279 be approved by the commissioner. In the absence of such definition
280 such term shall not include group insurance, automobile medical pay-
281 ments insurance, or coverage provided by hospital or medical service
282 organizations or by union welfare plans or employer or employee
283 benefit organizations. For the purpose of applying the foregoing

284 policy provision with respect to any insured, any amount of benefit
285 provided for such insured pursuant to any compulsory benefit statute
286 (including any workmen's compensation or employer's liability
287 statute) whether provided by a governmental agency or otherwise
288 shall in all cases be deemed to be "other valid coverage" of which the
289 insurer has had notice. In applying the foregoing policy provision no
290 third party liability coverage shall be included as "other valid cover-
291 age".)

292 (5) A provision as follows:

293 Insurance with other insurers: If there be other valid coverage,
294 not with this insurer, providing benefits for the same loss on other
295 than an expense incurred basis and of which this insurer has not been
296 given written notice prior to the occurrence or commencement of loss,
297 the only liability for such benefits under this policy shall be for such
298 proportion of the indemnities otherwise provided hereunder for such
299 loss as the like indemnities of which the insurer had notice (including
300 the indemnities under this policy) bear to the total amount of all like
301 indemnities for such loss, and for the return of such portion of the
302 premium paid as shall exceed the pro-rata portion for the indemnities
303 thus determined.

304 (If the foregoing policy provision is included in a policy which also
305 contains the next preceding policy provision there shall be added to
306 the caption of the foregoing provision the phrase "—other benefits".
307 The insurer may, at its option, include in this provision a definition of
308 "other valid coverage", approved as to form by the commissioner,
309 which definition shall be limited in subject matter to coverage pro-
310 vided by organizations subject to regulation by insurance law or by
311 insurance authorities of this or any other state of the United States or
312 any province of Canada, and to any other coverage the inclusion of
313 which may be approved by the commissioner. In the absence of such
314 definition such term shall not include group insurance, or benefits
315 provided by union welfare plans or by employer or employee benefit
316 organizations. For the purpose of applying the foregoing policy
317 provision with respect to any insured, any amount of benefit provided
318 for such insured pursuant to any compulsory benefit statute (in-
319 cluding any workmen's compensation or employer's liability statute)
320 whether provided by a governmental agency or otherwise shall in all
321 cases be deemed to be "other valid coverage" of which the insurer
322 has had notice. In applying the foregoing policy provision no third
323 party liability coverage shall be included as "other valid coverage".)

324 (6) A provision as follows:

325 Relation of earnings to insurance: If the total monthly amount of
326 loss of time benefits promised for the same loss under all valid loss
327 of time coverage upon the insured, whether payable on a weekly or
328 monthly basis, shall exceed the monthly earnings of the insured at
329 the time disability commenced or his average monthly earnings for
330 the period of two years immediately preceding a disability for which
331 claim is made, whichever is the greater, the insurer will be liable only
332 for such proportionate amount of such benefits under this policy as
333 the amount of such monthly earnings or such average monthly earn-
334 ings of the insured bears to the total amount of monthly benefits for
335 the same loss under all such coverage upon the insured at the time
336 such disability commences and for the return of such part of the

337 premiums paid during such two years as shall exceed the pro-rata
338 amount of the premiums for the benefits actually paid hereunder;
339 but this shall not operate to reduce the total monthly amount of
340 benefits payable under all such coverage upon the insured below the
341 sum of two hundred dollars or the sum of the monthly benefits speci-
342 fied in such coverages, whichever is the lesser, nor shall it operate to
343 reduce benefits other than those payable for loss of time.

344 (The foregoing policy provision may be inserted only in a policy
345 which the insured has the right to continue in force subject to its
346 terms by the timely payment of premiums (1) until at least age 50 or,
347 (2) in the case of a policy issued after age 44, for at least five years
348 from its date of issue. The insurer may, at its option, include in this
349 provision a definition of "valid loss of time coverage", approved as to
350 form by the commissioner, which definition shall be limited in subject
351 matter to coverage provided by governmental agencies or by organ-
352 izations subject to regulation by insurance law or by insurance au-
353 thorities of this or any other state of the United States or any
354 province of Canada, or to any other coverage the inclusion of which
355 may be approved by the commissioner or any combination of such
356 coverages. In the absence of such definition such term shall not
357 include any coverage provided for such insured pursuant to any com-
358 pulsory benefit statute (including any workmen's compensation or
359 employer's liability statute), or benefits provided by union welfare
360 plans or by employer or employee benefit organizations.)

361 (7) A provision as follows:

362 Unpaid premium: Upon the payment of a claim under this policy,
363 any premium then due and unpaid or covered by any note or written
364 order may be deducted therefrom.

365 (8) A provision as follows:

366 Cancellation: The insurer may cancel this policy at any time by
367 written notice delivered to the insured, or mailed to his last address
368 as shown by the records of the insurer, stating when, not less than
369 five days thereafter, such cancellation shall be effective; and after
370 the policy has been continued beyond its original term the insured
371 may cancel this policy at any time by written notice delivered or
372 mailed to the insurer, effective upon receipt or on such later date as
373 may be specified in such notice. In the event of cancellation, the in-
374 surer will return promptly the unearned portion of any premium
375 paid. If the insured cancels, the earned premium shall be computed
376 by the use of the short-rate table last filed with the state official having
377 supervision of insurance in the state where the insured resided when
378 the policy was issued. If the insurer cancels, the earned premium
379 shall be computed pro-rata. Cancellation shall be without prejudice to
380 any claim originating prior to the effective date of cancellation.

381 (9) A provision as follows:

382 Conformity with state statutes: Any provision of this policy
383 which, on its effective date, is in conflict with the statutes of the
384 state in which the insured resides on such date is hereby amended
385 to conform to the minimum requirements of such statutes.

386 (10) A provision as follows:

387 Illegal occupation: The insurer shall not be liable for any loss to
388 which a contributing cause was the insured's commission of or

389 attempt to commit a felony or to which a contributing cause was the
390 insured's being engaged in an illegal occupation.

391 (11) A provision as follows:

392 Intoxicants and narcotics: The insurer shall not be liable for any
393 loss sustained or contracted in consequence of the insured's being
394 intoxicated or under the influence of any narcotic unless administered
395 on the advice of a physician.

396 (C) Inapplicable or inconsistent provisions. If any provision
397 of this section is in whole or in part inapplicable to or inconsistent
398 with the coverage provided by a particular form of policy the insurer,
399 with the approval of the commissioner, shall omit from such policy
400 any inapplicable provision or part of a provision, and shall modify
401 any inconsistent provision or part of the provision in such manner as
402 to make the provision as contained in the policy consistent with the
403 coverage provided by the policy.

404 (D) Order of certain policy provisions. The provisions which
405 are the subject of subsections (A) and (B) of this section, or any cor-
406 responding provisions which are used in lieu thereof in accordance
407 with such subsections, shall be printed in the consecutive order of
408 the provisions in such subsections or, at the option of the insurer, any
409 such provision may appear as a unit in any part of the policy, with
410 other provisions to which it may be logically related, provided the
411 resulting policy shall not be in whole or in part unintelligible, un-
412 certain, ambiguous, abstruse, or likely to mislead a person to whom
413 the policy is offered, delivered or issued.

414 (E) Third party ownership. The word "insured", as used in this
415 act, shall not be construed as preventing a person other than the in-
416 sured with a proper insurable interest from making application for
417 and owning a policy covering the insured or from being entitled
418 under such a policy to any indemnities, benefits and rights provided
419 therein.

420 (F) Requirements of other jurisdictions.

421 (1) Any policy of a foreign or alien insurer, when delivered or
422 issued for delivery to any person in this state, may contain any pro-
423 vision which is not less favorable to the insured or the beneficiary
424 than the provisions of this Act and which is prescribed or required
425 by the law of the state under which the insurer is organized.

426 (2) Any policy of a domestic insurer may, when issued for de-
427 livery in any other state or country, contain any provision permitted
428 or required by the laws of such other state or country.

429 (G) Filing procedure. The commissioner may make such reason-
430 able rules and regulations concerning the procedure for the filing or
431 submission of policies subject to this Act as are necessary, proper
432 or advisable to the administration of this Act. This provision shall
433 not abridge any other authority granted the commissioner by law.

1 SEC. 4. Conforming to statute.

2 (A) Other policy provisions. No policy provision which is not
3 subject to section 3 of this Act shall make a policy, or any portion

4 thereof, less favorable in any respect to the insured or the beneficiary
5 than the provisions thereof which are subject to this Act.

6 (B) Policy conflicting with this Act. A policy delivered or issued
7 for delivery to any person in this state in violation of this Act shall
8 be held valid but shall be construed as provided in this Act. When
9 any provision in a policy subject to this Act is in conflict with any
10 provision of this Act, the rights, duties and obligations of the insurer,
11 the insured and the beneficiary shall be governed by the provisions
12 of this Act.

1 SEC. 5. Application.

2 (A) The insured shall not be bound by any statement made in an
3 application for a policy unless a copy of such application is attached
4 to or endorsed on the policy when issued as a part thereof. If any
5 such policy delivered or issued for delivery to any person in this
6 state shall be reinstated or renewed, and the insured or the beneficiary
7 or assignee of such policy shall make written request to the insurer
8 for a copy of the application, if any, for such reinstatement or re-
9 newal, the insurer shall within fifteen days after the receipt of such
10 request at its home office or any branch office of the insurer, deliver
11 or mail to the person making such request, a copy of such application.
12 If such copy shall not be so delivered or mailed, the insurer shall be
13 precluded from introducing such application as evidence in any action
14 or proceeding based upon or involving such policy or its reinstatement
15 or renewal.

16 (B) No alteration of any written application for any such policy
17 shall be made by any person other than the applicant without his
18 written consent, except that insertions may be made by the insurer,
19 for administrative purposes only, in such manner as to indicate clear-
20 ly that such insertions are not to be ascribed to the applicant.

21 (C) The falsity of any statement in the application for any policy
22 covered by this Act may not bar the right to recovery thereunder
23 unless such false statement materially affected either the acceptance
24 of the risk or the hazard assumed by the insurer.

1 SEC. 6. Notice, waiver. The acknowledgement by any insurer of
2 the receipt of notice given under any policy covered by this Act, or
3 the furnishing of forms for filing proofs of loss, or the acceptance
4 of such proofs, or the investigation of any claim thereunder shall not
5 operate as a waiver of any of the rights of the insurer in defense of
6 any claim arising under such policy.

1 SEC. 7. Age limit. If any such policy contains a provision estab-
2 lishing, as an age limit or otherwise, a date after which the coverage
3 provided by the policy will not be effective, and if such date falls
4 within a period for which premium is accepted by the insurer or if
5 the insurer accepts a premium after such date, the coverage provided
6 by the policy will continue in force subject to any right of cancella-
7 tion until the end of the period for which premium has been accepted.
8 In the event the age of the insured has been misstated and if, accord-
9 ing to the correct age of the insured, the coverage provided by the
10 policy would not have become effective, or would have ceased prior to
11 the acceptance of such premium or premiums, then the liability of the

12 insurer shall be limited to the refund, upon request, of all premiums
13 paid for the period not covered by the policy.

1 SEC. 8. Non-application to certain policies. Nothing in this Act
2 shall apply to or affect (1) any policy of workmen's compensation
3 insurance or any policy of liability insurance with or without supple-
4 mentary expense coverage therein; or (2) any policy or contract of
5 reinsurance; or (3) any blanket or group policy of insurance; or (4)
6 life insurance, endowment or annuity contracts, or contracts supple-
7 mental thereto which contain only such provisions relating to accident
8 and sickness insurance as (a) provide additional benefits in case of
9 death or dismemberment or loss of sight by accident, or as (b) oper-
10 ate to safeguard such contracts against lapse, or to give a special
11 surrender value or special benefit or an annuity in the event that
12 the insured or annuitant shall become totally and permanently dis-
13 abled, as defined by the contract or supplemental contract.

1 SEC. 9. Violation. Any person, partnership or corporation will-
2 fully violating any provision of this Act or order of the commissioner
3 made in accordance with this Act, shall forfeit to the people of the
4 state a sum not to exceed \$100.00 for each such violation, which may
5 be recovered by a civil action. The commissioner may also suspend
6 or revoke the license of an insurer or agent for any such willful vio-
7 lation.

1 SEC. 10. Judicial review. Any order or decision of the commis-
2 sioner under this Act shall be subject to review by appeal (writ of
3 certiorari) to the District Court at the instance of any party in in-
4 terest. The filing of the appeal (petition for such writ) shall operate
5 as a stay of any such order or decision until the Court directs other-
6 wise. The Court may review all the facts and, in disposing of the
7 issue before it, may modify, affirm or reverse the order or decision
8 of the commissioner in whole or in part.

1 SEC. 11. Section five hundred eleven point thirty-six (511.36),
2 of the Code 1950, is hereby repealed.

1 SEC. 12. If any section, subsection, paragraph, sentence, clause
2 or phrase of this Act is for any reason held to be unconstitutional or
3 invalid, such unconstitutionality or invalidity shall not affect the con-
4 stitutionality or validity of the remaining portions of this Act.

1 SEC. 13. Inconsistent acts not applicable. Except as provided in
2 Section 12 of this Act, all acts or parts of acts inconsistent with this
3 Act shall not apply to the provisions hereof to the extent of said in-
4 consistency.

1 SEC. 14. Title and effective date of Act. This Act may be cited
2 as the Uniform Individual Accident and Sickness Act. This Act shall
3 take effect on the 4th day of July, 1951. A policy, rider or endorse-
4 ment, which could have been lawfully used or delivered or issued for
5 delivery to any person in this state immediately before the effective
6 date of this Act may be used or delivered or issued for delivery to any
7 such person during five years after the effective date of this Act with-
8 out being subject to the provisions of sections 2, 3 or 4 of this Act.

Approved April 6, 1951.

CHAPTER 189

INSURANCE INVESTMENTS

S. F. 178

AN ACT to amend section five hundred fifteen point thirty-five (515.35), Code 1950, relating to investments of insurance companies other than life.

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

1 SECTION 1. Section five hundred fifteen point thirty-five (515.35),
2 Code 1950, is hereby amended by striking the words "any of the states
3 of the United States" in lines seven (7) and eight (8) of subsection
4 six (6) thereof and substituting in lieu thereof the following: "the
5 United States of America, or any state thereof,".

1 SEC. 2. This Act, being deemed of immediate importance, shall be
2 in full force and effect on its publication in The Cedar Rapids Gazette,
3 a newspaper published at Cedar Rapids, Iowa, and in The Anamosa
4 Eureka, a newspaper published at Anamosa, Iowa.

Approved March 15, 1951.

I hereby certify that the foregoing act was published in The Cedar Rapids Gazette, Cedar Rapids, Iowa, March 23, 1951, and in The Anamosa Eureka, Anamosa, Iowa, March 22, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 190

EXCESS INSURANCE

S. F. 491

AN ACT to amend section five hundred fifteen point one hundred twelve (515.112), Code 1950, relating to excess and coinsurance riders and exceptions thereto.

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

1 SECTION 1. Section five hundred fifteen point one hundred twelve
2 (515.112), Code 1950, is amended by adding after the word "for" in
3 line two (2) thereof the following: "insurance in excess of a stip-
4 ulated amount of loss; or for".

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in The Eddyville
3 Tribune, a newspaper published at Eddyville, Iowa, and the Ottumwa
4 Daily Courier, a newspaper published at Ottumwa, Iowa.

Approved April 16, 1951.

I hereby certify that the foregoing act was published in The Eddyville Tribune, Eddyville, Iowa, April 26, 1951, and in the Ottumwa Daily Courier, Ottumwa, Iowa, April 19, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 191

ANNUAL INSURANCE REPORTS

S. F. 239

AN ACT to amend section five hundred eighteen point eighteen (518.18), Code of 1950, relating to the time permitted for filing annual reports with the commissioner of insurance.

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

- 1 SECTION 1. Section five hundred eighteen point eighteen (518.18),
- 2 Code of 1950, is hereby amended by striking out the words "in the
- 3 month of January" in the first sentence thereof, and inserting in lieu
- 4 thereof the words "on or before March 1".

Approved April 11, 1951.

CHAPTER 192

BANKING DEPARTMENT

H. F. 217

AN ACT to amend section five hundred twenty-four point sixteen (524.16), Code, 1950, relating to the expenses of the banking department.

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

- 1 SECTION 1. That section five hundred twenty-four point sixteen
- 2 (524.16), Code, 1950, be and the same is hereby amended by striking
- 3 from lines fifteen (15) and sixteen (16) the words, "the federal reserve
- 4 bank of Chicago", and inserting in lieu thereof the words, "any federal
- 5 bank supervisory agency"; and by striking from lines twenty-one
- 6 (21), twenty-two (22) and twenty-three (23), the words, "not to ex-
- 7 ceed five hundred dollars in any one year, as shall be approved by the
- 8 state comptroller", and inserting in lieu thereof the words, "or for any
- 9 other meetings relating to his department as may be approved by the
- 10 state banking board, not to exceed fifteen hundred dollars (\$1500) in
- 11 any one year, as shall be approved by the said state banking board."

Approved February 15, 1951.

CHAPTER 193

BANKS AND TRUST COMPANIES

H. F. 214

AN ACT to amend section five hundred twenty-six point thirty-two (526.32), Code 1950, to include the surplus funds of state banks and trust companies.

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

- 1 SECTION 1. That section five hundred twenty-six point thirty-two
- 2 (526.32), Code 1950, be and the same is hereby amended by inserting
- 3 in line two (2) thereof after the word "bank", the words, "state bank
- 4 or trust company".

Approved March 19, 1951

CHAPTER 194

BANK EXAMINERS

H. F. 215

AN ACT to amend section five hundred twenty-eight point twenty-one (528.21), Code 1950, relating to per diem compensation paid to any member of an examining committee of a bank.

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

- 1 SECTION 1. That section five hundred twenty-eight point twenty-
- 2 one (528.21), Code 1950, be and the same is hereby amended by strik-
- 3 ing from line five (5) thereof the word, "five" and inserting in lieu
- 4 thereof the words, "thirty-five".

Approved February 15, 1951.

CHAPTER 195

AUDITORS' SALARIES

S. F. 229

AN ACT to amend section five hundred thirty-four point ninety-seven (534.97), Code 1950, relating to compensation of building and loan examiners.

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

- 1 SECTION 1. Section five hundred thirty-four point ninety-seven
- 2 (534.97), Code 1950, is amended by striking out the words "eleven
- 3 dollars a day" in line seven (7) and inserting in lieu thereof the words
- 4 "not to exceed fifteen (15) dollars a day".

Approved April 6, 1951.

CHAPTER 196

BUILDING AND LOAN ASSOCIATIONS

H. F. 324

AN ACT relating to revocation of certificates of building and loan associations and to amend section five hundred thirty-four point one hundred one (534.101), Code 1950.

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

- 1 SECTION 1. Section five hundred thirty-four point one hundred one
- 2 (534.101), Code 1950, is amended by striking from line twenty (20)
- 3 the figures "9365" and inserting in lieu thereof the figures, "534.58".

Approved April 5, 1951.

CHAPTER 197

BANKING TRANSACTIONS LEGALIZED

H. F. 213

AN ACT to legalize the payment, certification or acceptance of a check or other negotiable instrument or any other transaction by a bank or trust company in this state performed after banking hours or on any legal holiday.

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

1 SECTION 1. Nothing in any law of this state shall in any manner
2 whatsoever affect the validity of, or render void or voidable, the pay-
3 ment, certification, or acceptance of a check or other negotiable instru-
4 ment or any other transaction by a bank or trust company in this state
5 because done or performed on any legal holiday or during any time
6 other than regular banking hours, if such payment, certification, ac-
7 ceptance or other transaction could have been validly done or per-
8 formed on any other day; provided that nothing herein shall be con-
9 strued to compel any bank or trust company in this state, which by law
10 or custom is entitled to close for the whole or any part of any legal
11 holiday, to keep open for the transaction of business or to perform any
12 of the acts or transactions aforesaid on any legal holiday except at its
13 own option.

Approved February 15, 1951.

CHAPTER 198

PUBLIC CONTRACTS—EMERGENCY STOPPAGE

H. F. 288

AN ACT to provide for the termination of contracts for the construction of public improvements when construction or work thereon is stopped because of a national emergency, and to prescribe procedures, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith.

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

1 SECTION 1. In the event work or construction upon a public im-
2 provement is stopped directly or indirectly by or as the result of an
3 order or action of any federal or state authority or of any court be-
4 cause of the occurrence or existence of a situation which the President
5 or the Congress of the United States has declared to be national emer-
6 gency, and the circumstances or conditions are such that it is and will
7 be impracticable to proceed with such work or construction, then the
8 public corporation and the contractor or contractors may, by written
9 agreement terminate said contract. Such an agreement shall include
10 the terms and conditions of the termination of the contract and provi-
11 sion for the payment of compensation or money, if any, which any
12 party shall pay to the other, or any other person, firm or corporation
13 under the facts and circumstances in the case.

1 SEC. 2. Whenever a public corporation and a contractor or con-
2 tractors, have entered into a contract for the construction of a public
3 improvement, and any party to such contract desires to terminate said
4 contract because of the occurrence of the event and under the circum-

5 stances stated in section one (1) hereof, and another party thereto
6 will not agree to such termination, or said parties having agreed upon
7 the termination of the contract cannot agree upon the terms and condi-
8 tions thereof, then any party may have the issues in dispute deter-
9 mined in the manner hereinafter provided.

1 SEC. 3. Any party to the contract may have the issue in dispute
2 determined by filing in the district court of the county in which the
3 public improvement or any part thereof is located a verified petition
4 which shall allege in detail the ultimate facts upon which the petitioner
5 relies for the termination of such contract. All subcontractors and
6 the sureties upon all bonds given in connection with the contract and
7 subcontracts shall be made parties to the proceeding.

1 SEC. 4. The rules of civil procedure shall be applicable to such
2 action. The cause shall be tried forthwith in equity, and the court
3 shall give such cases preference over other cases, except criminal cases.

1 SEC. 5. The district court shall have jurisdiction of the issue which
2 is thus presented, and of all parties including any public corporation
3 as defined in this Act. The court shall make findings and render its
4 judgment determining the issues involved in accordance with the pur-
5 pose and spirit of this Act.

1 SEC. 6. Any party aggrieved by the findings and judgment of the
2 district court may appeal to the supreme court as in other cases and
3 the case shall be given preference over other cases in the supreme
4 court.

1 SEC. 7. If the court determines that said contract should be ter-
2 minated, or if the parties have agreed to its termination, the court
3 shall include in its order:

4 1. The terms and conditions imposed upon each party to the con-
5 tract, including the extent of the liability of the sureties upon any
6 bond;

7 2. The protective requirements, if any be deemed necessary, to pro-
8 tect the property, and provision for the payment of the cost thereof;

9 3. The determination of the relative rights of the parties involved,
10 including the compensation or payments, if any, which any party shall
11 pay to any other person, firm or corporation under the facts and cir-
12 cumstances of the case.

13 If the court determines that the contract shall not be terminated,
14 it shall state in its order the reasons therefor. The court shall adjust
15 and assess the costs in such manner as may be equitable and fair under
16 the circumstances.

1 SEC. 8. In no event shall the public corporation pay or be required
2 to pay compensation or monies in excess of the total compensation
3 stated in the contract for the construction of the public improvement.

1 SEC. 9. The provisions of this Act shall not apply unless it is
2 specifically contracted for between the contracting parties.

1 SEC. 10. For the purposes of this Act:

2 1. "Public corporation" shall embrace the state, and all counties,

3 cities, towns, public school corporations, drainage districts, and all
4 officers, boards or commissions empowered by law to enter into con-
5 tracts for the construction of public improvements;

6 2. "Public improvement" is one, the cost of which is payable from
7 taxes or other funds under the control of the public corporation;

8 3. "Construction" shall, in addition to its ordinary meaning, em-
9 brace repair and alteration.

1 SEC. 11. This Act being deemed of immediate importance shall be
2 in force and effect upon its publication in The Clayton County Register,
3 a newspaper published at Elkader, Iowa, and in The Oakland Acorn,
4 a newspaper published at Oakland, Iowa.

Approved April 20, 1951.

I hereby certify that the foregoing act was published in The Clayton County Register,
Elkader, Iowa, May 3, 1951, and in The Oakland Acorn, Oakland, Iowa, April 26, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 199

NOTARIES' ACTS LEGALIZED

H. F. 221

AN ACT to amend section five hundred eighty-six point one (586.1), Code 1950,
relating to legalizing acts of notaries public and acknowledgments.

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

1 SECTION 1. Section five hundred eighty-six point one (586.1), Code
2 1950, is hereby amended as follows:

3 1. Strike from subsection one (1) line one (1) the figures "1930"
4 and insert in lieu thereof the figures "1940".

5 2. Strike from subsection two (2) line one (1) the figures "1930"
6 and insert in lieu thereof the figures "1940".

7 3. Add to subsection three (3) line four (4) after the figures
8 "1939" the following, "and section seventy-eight point two (78.2) to
9 and including the Code of 1950".

10 4. Strike from subsection four (4) line three (3) the figures "1930"
11 and insert in lieu thereof the figures "1940".

12 5. Strike from subsection six (6) line two (2) the figures "1930"
13 and insert in lieu thereof the figures "1940".

14 6. Strike from subsection seven (7) line two (2) the figures "1930"
15 and insert in lieu thereof the figures "1940"; strike from line three (3)
16 the parentheses and the words and figures therein "(Codes 1924 and
17 1927)" and insert in lieu thereof the following, "to and including the
18 Code of 1939"; strike from line six (6) the parentheses and the words
19 and figures therein "(Codes 1924 and 1927)" and insert in lieu thereof
20 the following, "to and including the Code of 1939".

21 7. Strike from subsection eight (8) line two (2) the figures "1930"
22 and insert in lieu thereof the figures "1940".

23 8. Strike from subsection nine (9) line two (2) the figures "1930"
24 and insert in lieu thereof the figures "1940".

1 SEC. 2. This Act shall not affect pending litigation nor shall it oper-
 2 ate to revive the rights or claims previously barred nor permit an
 3 action to be brought or maintained upon any claim or cause of action
 4 which is barred by any statute which is in force prior to July 4, 1951,
 5 nor shall it affect any action which may be brought on or before Janu-
 6 ary 1, 1952.

Approved February 15, 1951.

CHAPTER 200

JUDGMENTS AND DECREES LEGALIZED

S. F. 359

AN ACT to amend chapter five hundred eighty-seven (587), Code 1950, relating to legalizing judgments and decrees.

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

1 SECTION 1. Chapter five hundred eighty-seven (587), Code 1950,
 2 is hereby amended as follows:

3 1. Strike from section five hundred eighty-seven point three (587.3),
 4 line two (2), the words and figures "January 1, 1941" and insert in
 5 lieu thereof the words and figures "July 4, 1943".

6 2. Strike from section five hundred eighty-seven point four (587.4),
 7 line three (3), the figures: "1941" and insert in lieu thereof the
 8 figures: "1950".

9 3. Strike from section five hundred eighty-seven point seven
 10 (587.7), line three (3), the figures "1936" and insert in lieu thereof
 11 the figures: "1946".

12 4. Strike from section five hundred eighty-seven point eight (587.8),
 13 line two (2), the figures "1935" and insert in lieu thereof the figures
 14 "1945"; strike from line six (6), after the figures "1931" the word
 15 "and" and insert in lieu thereof a comma ","; add to line six (6), after
 16 the figures and comma "1935," the following words and figures: "1939
 17 and rule of civil procedure, number sixty (60), effective July 4, 1943,".

18 5. Strike from section five hundred eighty-seven point nine (587.9),
 19 line two (2), the figures "1939" and insert in lieu thereof the figures
 20 "1949"; strike from line fourteen (14), after the figures "1931" the
 21 word "and" and insert in lieu thereof a comma (,) ; add to line fourteen
 22 (14), after the figures and comma "1935," the following words and
 23 figures: "1939 and rule of civil procedure, number sixty (60), Code
 24 1946,".

25 6. Strike from section five hundred eighty-seven point ten (587.10),
 26 line five (5), the figures "1940" and insert in lieu thereof the figures
 27 "1950".

1 SEC. 2. This Act shall not affect pending litigation nor shall it
 2 operate to revive rights or claims previously barred, nor permit an
 3 action to be brought or maintained upon any claim or cause of action
 4 which is barred by any statute which is in force prior to July 4, 1951,
 5 nor shall it affect any action which may be brought on or before Janu-
 6 ary 1, 1952.

Approved March 22, 1951.

CHAPTER 201

WILLS—LEGALIZING ACTS

H. F. 237

An ACT to amend chapter five hundred ninety (590), Code 1950, relating to wills—legalizing acts.

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

1 SECTION 1. Chapter five hundred ninety (590), Code 1950, is here-
2 by amended as follows:

3 1. Strike from section five hundred ninety point one (590.1), line
4 one (1) the figures "1935" and insert in lieu thereof the figures
5 "1945"; strike from line five (5) the word "and" after the figures
6 "1927" and insert in lieu thereof a comma ","; add to line five (5)
7 after the figures "1931" the following "and 1939".

8 2. Strike from section five hundred ninety point two (590.2) line
9 two (2) the figures "1939" and insert in lieu thereof the figures "1949";
10 strike from line seven (7) the figures "1935" and insert in lieu thereof
11 the following "1939 and section six hundred thirty-three point twenty
12 (633.20), Code 1946".

1 SEC. 2. This Act shall not affect pending litigation nor shall it
2 operate to revive rights or claims previously barred nor permit an
3 action to be brought or maintained upon any claim or cause of action
4 which is barred by any statute which is in force prior to July 4, 1951,
5 nor shall it affect any action which may be brought on or before
6 January 1, 1952.

Approved March 16, 1951.

CHAPTER 202

CORPORATION LEGALIZING ACT

H. F. 355

AN ACT to amend, revise and codify chapter five hundred ninety-one (591), Code 1950, relating to the legalization of acts concerning corporations.

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

1 Chapter five hundred ninety-one (591), Code 1950, is hereby
2 amended, revised and codified to read as follows:

1 SECTION 1. Section five hundred ninety-one point one (591.1).
2 Corporations heretofore incorporated under the laws of the state
3 which have caused notice of their incorporation to be published once
4 each week for four consecutive weeks in some daily, semiweekly or
5 triweekly newspaper, instead of causing the same to be published in
6 each issue of such newspaper for four consecutive weeks, are hereby
7 legalized and are declared legal incorporations, the same as though the
8 law had been complied with in all respects in regard to the publication
9 of notice.

1 SEC. 2. Section five hundred ninety-one point two (591.2). In all
2 instances where the incorporators of corporations organized in this

3 state for pecuniary profit have omitted to publish notice of such in-
4 corporation within three months after the date of the certificates of
5 incorporation issued by the secretary of state, but did publish such
6 notices thereafter in the manner and form as required by law, such
7 notices of incorporation are hereby legalized and shall have the same
8 force and effect as though published within said period of three
9 months.

1 SEC. 3. Section five hundred ninety-one point three (591.3). In all
2 instances where proper action has been taken prior to July 1, 1950, by
3 the stockholders for renewal of any corporation for pecuniary profit
4 and the certificates showing such proceedings, together with the
5 articles of incorporation, have been filed and recorded in the office of
6 the county recorder and later in the office of the secretary of state, or
7 have been filed and recorded in the office of the secretary of state and
8 later in the office of the county recorder, although there has been failure
9 to file such certificates and articles of incorporation in either or both of
10 the said offices within the time specified therefor by law, such renewals
11 are hereby legalized and shall be held to have the same force and effect
12 as though the filings of the said documents in the said offices had been
13 made within the periods prescribed by statute.

1 SEC. 4. Section five hundred ninety-one point four (591.4). In all
2 instances where the incorporators of corporations organized in the
3 state prior to January 1, 1950, have failed to publish notices of such
4 incorporation within three months from and after the date of the
5 certificates of incorporation issued by the secretary of state, but did
6 publish such notices within three months after the date required by
7 law in such cases in manner and form as required by law, and in all
8 instances where the number of incorporators or the signatures or
9 acknowledgments thereof were less than the number required by law,
10 or the articles of incorporation were otherwise defective, but where
11 the corporation or association has thereafter been conducted with the
12 requisite number of stockholders or members, such notices of incor-
13 poration and the incorporation of corporations or associations so de-
14 fectively incorporated are in each and every case hereby legalized and
15 all the corporate acts of all such corporations and associations are
16 hereby legalized in all respects.

1 SEC. 5. Section five hundred ninety-one point five (591.5). In all
2 instances where the incorporators of corporations for pecuniary profit
3 have omitted to publish notice of incorporation within three months
4 from the date of the certificate of incorporation issued by the secretary
5 of state, but have published notice thereafter in manner and form as
6 by law required, such notices are hereby legalized and shall have the
7 same force and effect as though published within said period of three
8 months, as to all acts of said corporation from the date of said com-
9 pleted publication.

1 SEC. 6. Section five hundred ninety-one point six (591.6). Any
2 corporation, organized under chapter two (2) of title Nine (IX), Code
3 of 1897, or chapter three hundred ninety-four (394), Codes of 1924,
4 1927, 1931, 1935 and 1939, or chapter five hundred four (504), Codes
5 of 1946 and 1950, which shall have heretofore adopted articles of in-

6 corporation or changed its name or amended its articles, and some
7 question has arisen as to whether such articles, change in name or
8 amendment was adopted by a majority of the members of such corpo-
9 ration as required by section one thousand six hundred fifty-one
10 (1651), Code of 1897, and section eight thousand five hundred ninety-
11 three (8593), Codes of 1924, 1927, 1931, 1935 and 1939 and section five
12 hundred four point nineteen (504.19), Codes of 1946 and 1950, and
13 such corporation shall have been engaged in the exercise of its cor-
14 porate functions for the period of at least three years, such articles,
15 change in name or amendment shall be held and considered to have
16 been duly adopted by a majority of all the members of such corporation
17 and are hereby legalized and made valid.

1 SEC. 7. Section five hundred ninety-one point seven (591.7). In all
2 instances where cooperative associations or corporations have been
3 organized under the law as it appears in chapter three hundred eighty-
4 nine (389), Code of 1927, where such associations or corporations have
5 filed the original articles rather than a verified copy with the county
6 recorder, or where the secretary of state failed to certify the filing
7 and acceptance of such articles, or where the certificate of the secretary
8 of state contained a facsimile signature rather than the true signature
9 of the secretary of state, or where there is any defect in the articles,
10 notice, procedure or otherwise, the incorporation of such corporation
11 or association and all of the corporate acts thereof are hereby legalized
12 in all respects.

1 SEC. 8. Section five hundred ninety-one point eight (591.8). In all
2 cases wherein a corporation organized or purporting to have been
3 organized under the laws of this state has adopted articles of incorpo-
4 ration or other instrument of similar import and has functioned as a
5 corporation in carrying out the objects and purposes set forth therein
6 and in the transaction of its business, but has failed to file its articles
7 of incorporation or such other instrument with the secretary of state,
8 or otherwise to comply with the laws of this state relating to the
9 organization of corporations, or to take appropriate action for the
10 renewal of its existence within the period limited by law, and has,
11 subsequent thereto, filed in the office of the secretary of state its re-
12 newal articles of incorporation and a certificate of the adoption thereof,
13 paid all fees in connection therewith and has heretofore received a
14 certificate from the secretary of state renewing and extending its
15 corporate existence, the acts, franchises, rights, privileges and cor-
16 porate existence of any such corporation are hereby legalized and
17 validated and shall have the same force and effect as if all the laws of
18 this state relating to the organization of corporations and the renewal
19 of their corporate existence had been strictly complied with.

1 SEC. 9. Section five hundred ninety-one point nine (591.9). In all
2 cases wherein any corporation organized or purporting to have been
3 organized under the laws of this state for the purpose of constructing
4 and/or operating a bridge, one extremity of which shall rest in an
5 adjacent state, has attempted to merge or consolidate its stock, prop-
6 erty, franchises, assets and liabilities with the stock, property, fran-
7 chises, assets and liabilities of a corporation organized or purporting to
8 have been organized for a similar purpose under the laws of such

9 adjacent state, and such corporations have in fact united and combined
 10 their stock, property, franchises, assets and liabilities, such merger or
 11 consolidation, together with the action taken in effecting such merger
 12 or consolidation, is hereby legalized and validated, and such corpora-
 13 tions so merging or consolidating shall be deemed to have become one
 14 corporation under such name as shall have been agreed upon, and such
 15 corporation shall be deemed on the date of such merger or consolidation
 16 to have succeeded to all the property, rights, privileges, assets and
 17 franchises and to have assumed all of the liabilities of such merging or
 18 consolidating corporations.

1 SEC. 10. Section five hundred ninety-one point ten (591.10). In
 2 all instances where there has been an omission to publish notice of
 3 renewal within three (3) months after the filing of the certificate and
 4 articles of incorporation with the secretary of state as provided in
 5 section four hundred ninety-one point thirty-two (491.32) of the Code,
 6 1950, but such notice was published thereafter in the manner and
 7 form as required by law and proof of publication filed in the office of
 8 the secretary of state, such notices are hereby legalized and shall have
 9 the same force and effect as though published within said period of
 10 three months and proper proof of publication thereof was filed.

1 SEC. 11. Section five hundred ninety-one point eleven (591.11). In
 2 all instances where notices of amendments to articles of incorporation
 3 have not been published within three (3) months after the filing with
 4 and approval by the secretary of state of such amendments, as provided
 5 in section four hundred ninety-one point twenty (491.20) of the Code,
 6 1950, but such notices have been thereafter published in the form and
 7 manner as required by law and proof of publication filed with the
 8 secretary of state, such notices are hereby legalized and shall have the
 9 same force and effect as though published within said period of three
 10 months and proper proof of publication filed with the secretary of
 11 state.

1 SEC. 12. Section five hundred ninety-one point twelve (591.12).
 2 Sections one (1) to eleven (11) hereof, both inclusive, shall not affect
 3 pending litigation and shall not operate to revive rights or claims pre-
 4 viously barred and shall not permit an action to be brought or main-
 5 tained upon any claim or cause of action which was barred by any
 6 statute which was in force prior to July 4, 1951.

Approved April 5, 1951.

CHAPTER 203

MARRIAGE LICENSE REQUIREMENTS

H. F. 155

AN ACT to amend section five hundred ninety-five point seventeen (595.17), Code 1950, relating to the requiring of blood test by persons exempted from the licensing provisions on religious grounds.

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

1 SECTION 1. Section five hundred ninety-five point seventeen (595.17),
 2 Code 1950, is hereby amended by striking from line six (6) after the

3 word "relation" the period (.) and inserting in lieu thereof a semi-
 4 colon (;) and adding "but each and every denomination and religious
 5 society thus exempted from the duties on the part of their members
 6 as to procuring a marriage license, before they allow such marriage
 7 relation to be entered into in their church, meeting or society, shall
 8 require and ascertain that a certificate as provided by chapter five
 9 hundred ninety-six (596), Code 1950, has been filed in the office of the
 10 clerk of the court; in the county where such marriage ceremony is to
 11 take place; and the clerk of the district court shall not make any record
 12 or certificate regarding such marriage or marriage ceremony until
 13 such certificate has been filed in his office, as provided in section five
 14 hundred ninety-six point two (596.2), Code 1950".

Approved May 15, 1951.

CHAPTER 204

ADOPTION OF CHILDREN

S. F. 248

AN ACT to amend section six hundred point three (600.3), Code 1950, relating to consent, when necessary, for adoption.

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

1 SECTION 1. Section six hundred point three (600.3), Code 1950, is
 2 hereby amended by inserting after the word "necessary" in line thirty-
 3 two (32), thereof, the following sentence: "If the parents have been
 4 deprived of the custody of the child by a final order of court which has
 5 not been appealed, reversed or remanded, and which is not then ap-
 6 pealable and the child has not been placed by the court in the custody
 7 of the state or a licensed child-placing welfare agency, the court, which
 8 has removed the child from the custody of its parents, may give con-
 9 sent to its adoption, upon notice to such person or persons and given
 10 in such manner as the court may prescribe."

Approved March 22, 1951.

CHAPTER 205

JUSTICES OF PEACE AND CONSTABLES

S. F. 149

AN ACT to amend section six hundred one point one hundred thirty-one (601.131), Code 1950, relating to salaries for justices of the peace and constables.

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

1 SECTION 1. Section six hundred one point one hundred thirty-
 2 one (601.131), Code 1950, is amended as follows:
 3 1. Strike from subsection three (3), paragraph (a), lines two (2)
 4 and three (3) the words "twenty-two hundred fifty" and insert in lieu
 5 thereof the words "thirty-three hundred seventy-five", and further
 6 amend said paragraph by striking from lines three (3) and four (4)
 7 the words "eighteen hundred seventy-five dollars" and insert in lieu

8 thereof the words "twenty-eight hundred twelve dollars and fifty
9 cents".

10 2. Strike from subsection three (3), paragraph (b), lines three
11 (3) and four (4) the words "eighteen hundred seventy-five dollars"
12 and insert in lieu thereof the words "twenty-eight hundred twelve
13 dollars and fifty cents", and further amend said paragraph by striking
14 from line four (4) the words "fifteen hundred" and inserting in lieu
15 thereof the words "twenty-two hundred fifty".

16 3. Strike from subsection three (3), paragraph (c), line three
17 (3) the words "fifteen hundred" and insert in lieu thereof the words
18 "twenty-two hundred fifty", and further amend said paragraph by
19 striking from line four (4) the words "twelve hundred fifty" and in-
20 serting in lieu thereof the words "eighteen hundred seventy-five
21 dollars".

22 4. Strike from subsection three (3), paragraph (d), line three (3),
23 the words "twelve hundred fifty" and insert in lieu thereof the words
24 "eighteen hundred seventy-five", and further amend said paragraph
25 by striking from lines three (3) and four (4) the words "one thou-
26 sand" and inserting in lieu thereof the words "fifteen hundred".

1 SEC. 2. Section six hundred one point one hundred thirty-one
2 (601.131), Code 1950, is hereby amended by striking paragraphs (a)
3 and (b) of subsection two (2) thereof and inserting in lieu thereof the
4 following:

5 "(a) In townships having a population of four thousand and under
6 ten thousand, justices one thousand two hundred dollars plus an
7 amount equal to fifty percent of fees collected in excess of one thousand
8 two hundred dollars; constables eight hundred dollars.

9 "(b) In townships having a population of under four thousand,
10 justices one thousand two hundred dollars plus an amount equal to
11 fifty percent of fees collected in excess of one thousand two hundred
12 dollars; constables six hundred twenty-five dollars.

13 "(c) In addition they shall pay into the county treasury all criminal
14 fees collected in proceedings in townships other than that in which
15 they were elected."

Approved April 6, 1951.

CHAPTER 206

SALARIES OF COURT EMPLOYEES

H. F. 115

AN ACT to amend section six hundred two point forty-six (602.46) and section six hundred two point forty-nine (602.49), Code 1950, relating to salaries of court reporters and the clerk and bailiff of the municipal court.

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

1 SECTION 1. Section six hundred two point forty-nine (602.49),
2 Code 1950, is amended as follows:

3 1. Strike from line sixteen the words "twenty-seven" and insert
4 in lieu thereof the words "thirty-five".

5 2. Strike from line seventeen (17) the words "thirty-two" and
6 insert in lieu thereof the words "four thousand".

7 3. Strike from line twenty (20) the words "thirty-seven" and in-
8 sert in lieu thereof the words "forty-five".

9 4. Strike from line twenty-three (23) the words "twenty-five" and
10 insert in lieu thereof the words "thirty-three".

11 5. Strike from line twenty-four (24) the words "twenty-seven"
12 and insert in lieu thereof the words "thirty-five".

13 6. Strike from line twenty-seven (27) the words "three thousand"
14 and insert in lieu thereof the words "thirty-eight".

1 SEC. 2. Section six hundred two point forty-six (602.46), Code
2 1950, is hereby amended by striking from line seven (7) the words
3 and figures "ten dollars (\$10.00)" and inserting in lieu thereof the
4 words and figures "twelve dollars and fifty cents (\$12.50)" and from
5 lines nine (9) and ten (10) the words "twelve dollars and fifty cents
6 (\$12.50)" and inserting in lieu thereof the words "fifteen dollars
7 (\$15.00)."

1 SEC. 3. This Act being of immediate importance, shall be in full
2 force and effect from and after its publication in The New Hampton
3 Tribune, a newspaper published at New Hampton, Iowa, and in The
4 Times-Republican, a newspaper published at Corydon, Iowa.

Approved April 27, 1951.

I hereby certify that the foregoing act was published in The New Hampton Tribune,
New Hampton, Iowa, May 3, 1951, and in The Times-Republican, Corydon, Iowa, May 3,
1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 207

SHORTHAND REPORTERS

S. F. 186

AN ACT to amend section six hundred five point eight (605.8) and section six hundred five point nine (605.9), Code 1950, relating to compensation of shorthand reporters of the district courts, and to amend section six hundred five point ten (605.10), Code 1950, relating to expense of shorthand reporters of the district courts.

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

1 SECTION 1. Section six hundred five point eight (605.8), Code
2 1950, is hereby amended by striking out the word "fifteen" in line two
3 (2), and inserting in lieu thereof the word "twenty".

1 SEC. 2. Section six hundred five point nine (605.9), Code 1950,
2 is hereby amended by striking out the words "thirty-six hundred" in
3 lines three (3) and four (4), and inserting in lieu thereof the words
4 "forty-eight hundred".

1 SEC. 3. Section six hundred five point ten (605.10), Code 1950,
2 is hereby amended by striking out the word "four" in line seven (7).
3 and inserting in lieu thereof the word "six".

1 SEC. 4. This Act being deemed of immediate importance shall be in
 2 full force and effect upon its publication in The Eldora Herald-Ledger,
 3 a newspaper published at Eldora, Iowa, and in The Iowa Federationist,
 4 published at Des Moines, Iowa.

Approved April 6, 1951.

I hereby certify that the foregoing act was published in The Eldora Herald-Ledger, Eldora, Iowa, April 10, 1951, and in The Iowa Federationist, Des Moines, Iowa, April 13, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 208

ACTIONS AGAINST STATE

S. F. 107

AN ACT relating to actions against the state of Iowa and amending sections six hundred thirteen point eight (613.8) and six hundred thirteen point nine (613.9), Code 1950.

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

1 SECTION 1. Section six hundred thirteen point eight (613.8),
 2 Code 1950, is hereby amended by adding at the end thereof the fol-
 3 lowing:

4 "The petition in such action shall specifically allege the interest
 5 or apparent interest of the state and the specific facts upon which the
 6 claim against the state is based and it shall be legally insufficient to
 7 allege said claim is general terms."

1 SEC. 2. Section six hundred thirteen point nine (613.9), Code
 2 1950, is hereby amended by striking the comma (,) and the following
 3 words from lines eight (8) and nine (9):

4 ", at least twenty days before the first day of the next term of
 5 court" and substituting in lieu thereof the following: "The State
 6 shall appear within thirty days after the day such notice is served
 7 upon the county attorney or within thirty days after such notice is
 8 mailed to the attorney general, whichever is later."

Approved March 22, 1951.

CHAPTER 209

LIMITATIONS OF ACTIONS

S. F. 189

AN ACT to amend sections six hundred fourteen point fourteen (614.14), six hundred fourteen point fifteen (614.15), six hundred fourteen point seventeen (614.17), six hundred fourteen point twenty (614.20), six hundred fourteen point twenty-two (614.22), and six hundred fourteen point sixteen (614.16), Code 1950, relating to special limitations of actions in regard to recovery of interests in real estate.

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

1 SECTION 1. Section six hundred fourteen point fourteen (614.14),
 2 Code 1950, is amended by striking from lines seven (7) and eight (8)

3 the words and figures, "January 1, 1930" and inserting in lieu thereof
4 the following, "January 1, 1940".

5 Further amend said section by striking from the last line the words
6 and figures, "March 1, 1944", and inserting in lieu thereof the follow-
7 ing, "March 1, 1952".

1 SEC. 2. Section six hundred fourteen point fifteen (614.15), Code
2 1950, is amended as follows:

3 1. Strike from line three (3) the figures "1930" and insert in lieu
4 thereof the figures "1940";

5 2. Strike from lines ten (10) and eleven (11) the words and figures,
6 "July 4, 1943" and insert in lieu thereof the following, "July 4, 1951";

7 3. Strike from line twenty (20) the words and figures, "July 4, 1943"
8 and insert in lieu thereof the following, "July 4, 1951".

1 SEC. 3. Section six hundred fourteen point seventeen (614.17),
2 Code 1950, is amended by striking from lines two (2) and eleven (11)
3 the figures "1930" and inserting in each instance the figures "1940"
4 in lieu thereof.

5 Further amend said section by striking from line sixteen (16)
6 the figures "1943" and inserting the figures "1951" in lieu thereof.

7 Strike the period (.) at the end of section six hundred fourteen
8 point seventeen (614.17), Code 1950, and add thereto the following:
9 "and in like manner, such affidavits may be filed and recorded
10 where any action was barred on any claim by this section as in force
11 prior to July 4, 1951."

1 SEC. 4. Section six hundred fourteen point twenty (614.20),
2 Code 1950, is amended by striking from line nineteen (19) the word
3 and figures "July 4, 1943" and inserting in lieu thereof the follow-
4 ing, "July 4, 1951".

1 SEC. 5. Section six hundred fourteen point twenty-two (614.22),
2 Code 1950, is amended by striking from line ten (10) the figures,
3 "1930" and inserting the figures, "1940" in lieu thereof.

4 Further amend said section by striking from lines twelve (12)
5 and fifteen (15) the figures "1945" and inserting the figures "1953"
6 in lieu thereof.

7 Further amend said section by striking from line twenty-five (25)
8 the figures "1943" and inserting the figures "1951" in lieu thereof.

1 SEC. 6. Section six hundred fourteen point sixteen (614.16),
2 Code 1950, is hereby repealed and the following enacted in lieu
3 thereof:

4 "Section* six hundred fourteen point fourteen (614.14) and six
5 hundred fourteen point fifteen (614.15), Code 1950, as amended by
6 this Act, shall not affect pending litigation, nor shall they operate to
7 revive rights or claims previously barred, nor permit an action to be
8 brought or maintained upon any claim or cause of action which is
9 barred by any statute which is in force prior to July 4, 1951."

Approved February 15, 1951.

*According to enrolled Act.

CHAPTER 210

JUDGMENTS AND DECREES LEGALIZED

H. F. 227

AN ACT to legalize and validate orders, judgments and decrees entered prior to July 4, 1951, upon service of notice by publication or posting, and to limit the time within which actions may be brought to question such orders, judgments and decrees or rights or status arising thereunder.

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

1 SECTION 1. In all actions or in proceedings in probate where an
2 order, judgment or decree has been entered prior to July 4, 1951,
3 based upon service of notice by publication as provided by rule sixty
4 (60) of the Iowa Rules of Civil Procedure or any statute authorizing
5 publication of notice or upon service of notice by publication or post-
6 ing pursuant to authorization or direction of any court of competent
7 jurisdiction in the State of Iowa, all such orders, judgments or decrees
8 are hereby declared valid and of full force and effect, unless an action
9 shall be commenced within the time provided in section two (2) hereof
10 to question such order, judgment or decree, or any right or status
11 created, confirmed or existing thereunder.

1 SEC. 2. No action shall be maintained in any court to question any
2 such order, judgment or decree, or any right or status created, con-
3 firmed or existing thereunder unless such action shall be commenced
4 within one (1) year from July 4, 1951.

1 SEC. 3. The provisions of section six hundred fourteen point eight
2 (614.8), Code 1950, as to the rights of minors and insane persons
3 and any other provision of law fixing or extending the time within
4 which actions may be commenced shall not be applicable to extend
5 the time within which any such action shall be commenced beyond
6 one (1) year after July 4, 1951.

1 SEC. 4. This act shall not affect pending litigation and shall not
2 operate to revive rights or claims previously barred, or permit any
3 action to be brought or maintained upon any claim or cause of action
4 which was barred by any rule, law or statute in force prior to July 4,
5 1951.

1 SEC. 5. If any clause, sentence, paragraph, section or part of this
2 act shall for any reason be adjudged by any court of competent juris-
3 diction to be invalid, such judgment shall not affect, impair or in-
4 validate the remainder of the act, but shall be confined in its operation
5 to the clause, sentence, paragraph, section or part thereof directly
6 involved in the controversy in which said judgment has been rendered.

Approved March 9, 1951.

CHAPTER 211

JUDGMENTS AND DECREES LEGALIZED

H. F. 228

AN ACT to legalize and validate orders, judgments and decrees entered prior to July 4, 1951, where acceptance of service of notice, delivery of copy thereof or posting or proof of posting was done by an attorney or his agent.

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

1 SECTION 1. In all actions or in proceedings in probate where an
2 order, judgment or decree was entered prior to July 4, 1951, upon any
3 notice provided by the Iowa Rules of Civil Procedure or any other
4 statute authorizing notice and in effect prior thereto or upon service
5 of notice by publication or posting pursuant to any order, judgment
6 or decree of any court of competent jurisdiction in the State of Iowa,
7 and the acceptance of service of any such notice or the delivery of copy
8 thereof or the posting or proof of posting of any such notice was taken
9 or made by an attorney or his agent, the service of such notice, de-
10 livery of copy thereof and the posting and proof of posting are hereby
11 declared valid and of the same force and effect as if such acts were
12 done by any person competent to perform such acts under the rules
13 of procedure and the laws and statutes of the State of Iowa at the
14 time thereof, and no action shall be maintained in any court to ques-
15 tion such notice or the validity thereof by reason of such acceptance,
16 delivery, posting or proof of service unless the claimant, his agent or
17 attorney, or if he be a minor or under legal disability, his guardian,
18 trustee or either parent, shall within one (1) year from July 4, 1951,
19 file in the office of the Clerk of the District Court where such decree
20 or order was entered a statement in writing, duly acknowledged,
21 claiming a good defense to the action or proceeding in which such
22 order, judgment or decree was entered, and stating the facts upon
23 which such claim is based. Such claim shall be entered by the Clerk
24 in the docket record of the action in which the order, judgment or de-
25 cree was entered or in the probate docket, if such order, judgment or
26 decree shall be in any proceeding in probate, and indexed so as to
27 refer to such order, judgment or decree.

1 SEC. 2. This act shall not affect pending litigation and shall not
2 operate to revive rights or claims previously barred, or permit any
3 action to be brought or maintained upon any claim or cause of action
4 which was barred by rule, law or statute in force prior to July 4, 1951.

Approved March 9, 1951.

CHAPTER 212

PUBLICATION OF NOTICES

S. F. 110

AN ACT to amend section six hundred eighteen point two (618.2), Code 1950, relating to the publication of notices, reports of proceedings, and similar matter, and providing penalties for failure to make such publications.

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

1 SECTION 1. Section six hundred eighteen point two (618.2), Code
2 1950, is repealed and the following is enacted in lieu thereof:

3 "Any public official who violates the provisions of section six hun-
4 dred eighteen point one (618.1) or who willfully fails to make publi-
5 cation as now required of him by law of any notice, report of proceed-
6 ings or other matter whatsoever, shall be guilty of a misdemeanor and
7 upon conviction thereof shall be punished by a fine of not more than
8 one hundred dollars (\$100.00) or by imprisonment in the county jail
9 for not more than thirty (30) days."

Approved April 2, 1951.

CHAPTER 213

PUBLICATION FEES

H. F. 351

AN ACT to amend section six hundred eighteen point eleven (618.11), Code 1950, relating to fees for publication.

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

1 SECTION 1. Section six hundred eighteen point eleven (618.11),
2 Code 1950, hereby is amended by striking from line five (5) thereof
3 the words "one dollar" and inserting in lieu thereof the words "one
4 dollar and fifty cents."

1 SEC. 2. Section six hundred eighteen point eleven (618.11), Code
2 1950, hereby is amended by striking from line six (6) thereof the
3 words "fifty cents" and inserting in lieu thereof the words "one dollar."

1 SEC. 3. The increases in rates herein provided shall not become
2 effective until April 1, 1952.

Approved April 13, 1951.

CHAPTER 214

PHOTOGRAPHIC EVIDENCE

H. F. 36

AN ACT to amend chapter six hundred twenty-two (622), Code 1950, relating to the admission in evidence of copies of any memorandum, writing, entry print, representation or combination thereof, of any act, transaction, occurrence or event in the regular course of business, reproduced by any photographic, photostatic, micro-film, micro-card, miniature photographic, or other process which accurately reproduces or forms a durable medium for so reproducing the original.

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

1 SECTION 1. Chapter six hundred twenty-two (622), Code 1950,
2 is hereby amended by adding thereto the following:
3 "If any business, institution, member of a profession or calling,
4 or any department or agency of government, in the regular course
5 of business or activity has kept or recorded any memorandum, writ-
6 ing, entry print, representation or combination thereof, of any act,
7 transaction, occurrence or event and in the regular course of business
8 has caused any or all of the same to be recorded, copied or repro-
9 duced by any photographic, photostatic, micro-film, micro-card,
10 miniature photographic, or other process which accurately repro-
11 duces or forms a durable medium for so reproducing the original,
12 the original may be destroyed in the regular course of business un-
13 less held in a custodial or fiduciary capacity or unless its preserva-
14 tion is required by law. Such reproduction, when satisfactorily
15 identified, is as admissible in evidence as the original itself in any
16 judicial or administrative proceeding whether the original is in exist-
17 ence or not and an enlargement or facsimile of such reproduction
18 is likewise admissible in evidence if the original reproduction is in
19 existence and available for inspection under direction of court. The
20 introduction of a reproduced record, enlargement or facsimile, does
21 not preclude admission of the original."

Approved February 19, 1951.

CHAPTER 215

ALIENS' INHERITANCE

S. F. 318

AN ACT to amend chapter six hundred thirty-six (636), Code 1950, relating to descent and distribution and providing that aliens may inherit to the extent that citizens of the United States may inherit in such foreign country.

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

1 SECTION 1. Chapter six hundred thirty-six (636), Code 1950, is
2 hereby amended by adding thereto the following new sections:
3 1. "The right of aliens not residing within the United States or its
4 territories to take real property in this state by succession or testa-
5 mentary disposition, upon the same terms and conditions as residents
6 and citizens of the United States is dependent in each case upon the
7 existence of a reciprocal right upon the part of citizens of the United
8 States to take real property upon the same terms and conditions as

9 residents and citizens of the respective countries of which such aliens
 10 are residents and the right of aliens not residing in the United States
 11 or its territories to take personal property in this state by succession
 12 or testamentary disposition, upon the same terms and conditions as
 13 residents and citizens of the United States is dependent in each case
 14 upon the existence of a reciprocal right upon the part of citizens of
 15 the United States to take personal property upon the same terms and
 16 conditions as residents and citizens of the respective countries of which
 17 such aliens are residents.

18 2. "The burden shall be upon such nonresident aliens to establish
 19 the fact of existence of the reciprocal rights set forth in paragraph
 20 one (1).

21 3. "If such reciprocal rights are not found to exist and if no heirs
 22 other than such aliens are found eligible to take such property, the
 23 property shall be disposed of as escheated property."

Approved April 16, 1951.

CHAPTER 216

DISTRIBUTIVE SHARE OF SURVIVING SPOUSE

H. F. 21

AN ACT to amend section six hundred thirty-six point thirty-eight (636.38), Code 1950, relating to the amount a surviving spouse may select from the estate of a deceased spouse.

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

1 SECTION 1. Section six hundred thirty-six point thirty-eight
 2 (636.38), Code 1950, is amended by striking from lines five (5) and
 3 six (6) the words "seventy-five hundred" and inserting in lieu there-
 4 of the words "fifteen thousand."

Approved February 1, 1951.

CHAPTER 217

PAYMENT OF SMALL LEGACIES

H. F. 401

AN ACT to amend section six hundred thirty-eight point forty-one (638.41), Code 1950, relating to payment of small legacies to minors or incompetents.

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

1 SECTION 1. Section six hundred thirty-eight point forty-one
 2 (638.41), Code 1950, is hereby amended by striking from line eight
 3 (8), the word "two" (2) and inserting in lieu thereof the word "five"
 4 (5).

Approved May 15, 1951.

CHAPTER 218

ACTIONS TO QUIET TITLE

H. F. 157

AN ACT to amend section six hundred forty-nine point two (649.2), Code 1950, relating to affidavits attached to petitions in actions to quiet title.

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

- 1 SECTION 1. Section six hundred forty-nine point two (649.2),
- 2 Code 1950, is hereby amended by adding after the word "makes" in
- 3 line six (6) the following: "or may make".

Approved April 30, 1951.

CHAPTER 219

GUARDIANS FOR MINORS

H. F. 199

AN ACT to amend section six hundred sixty-eight point three (668.3), Code 1950, relating to the appointment of a guardian for a minor owning property.

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

- 1 SECTION 1. Section six hundred sixty-eight point three (668.3),
- 2 Code 1950, is amended by adding thereto the following:
- 3 "If no guardian has been appointed, money due the minor or other
- 4 property to which the minor is entitled, not exceeding in the aggregate
- 5 the sum of five hundred dollars (\$500) in value, may be paid or
- 6 delivered to a parent of the minor entitled to the custody of the minor
- 7 or to the natural guardian, or to the person with whom said minor
- 8 resides, for such minor, upon written assurance verified by the oath
- 9 of such person that all of such money or property of the minor does
- 10 not exceed in the aggregate the sum of five hundred dollars (\$500);
- 11 and the written receipt of such person shall be acquittance of the
- 12 person making such payment of money or delivery of such property."

Approved March 22, 1951.

CHAPTER 220

GUARDIANSHIPS TERMINATED

H. F. 200

AN ACT to amend section six hundred sixty-eight point thirty-three (668.33), Code 1950, relating to the termination of exhausted guardianships.

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

- 1 SECTION 1. Section six hundred sixty-eight point thirty-three
- 2 (668.33), Code 1950, is amended by striking from line six (6) thereof
- 3 the words "two hundred" and inserting in lieu thereof the words "five
- 4 hundred".

Approved March 22, 1951.

CHAPTER 221

TRUST FUNDS INVESTMENT

S. F. 245

AN ACT to amend section six hundred eighty-two point twenty-three (682.23) of the Code 1950, relating to the investment of funds by fiduciaries.

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

1 SECTION 1. Section six hundred eighty-two point twenty-three
2 (682.23), Code 1950, is hereby amended by adding thereto another
3 subsection:

4 "Nothing in this section contained shall be construed as requiring
5 investments of trust funds by fiduciaries to be reported to any court
6 or judge for approval where the trust agreement or other document
7 under which the fiduciary is acting is not being administered under the
8 jurisdiction of any court or by its terms specifically exempts the fiduciary
9 from reporting any such investments for approval."

Approved March 22, 1951.

CHAPTER 222

INVESTMENTS BY FIDUCIARIES

S. F. 243

AN ACT to amend section six hundred eighty-two point twenty-six (682.26) of the Code, 1950, relating to the release and discharge of investments and liens of fiduciaries, and to legalize releases of liens heretofore made by fiduciaries.

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

1 SECTION 1. Section six hundred eighty-two point twenty-six
2 (682.26) of the Code, 1950, is hereby repealed and the following is
3 enacted in lieu thereof:

4 "When any investment is made pursuant to approval of the court
5 or judge thereof as required by section six hundred eighty-two point
6 twenty-three (682.23) or made or held by and with the consent of the
7 court as provided in section six hundred eighty-two point twenty-five
8 (682.25), such investment shall not be transferred and any security
9 taken to secure such investment shall not be discharged or impaired
10 prior to payment or satisfaction thereof without an order of the court
11 or judge thereof to that effect, unless otherwise authorized by the will,
12 trust agreement or other document under which the fiduciary is acting.
13 Nothing herein contained shall be construed as requiring the
14 approval of any court or judge thereof to release or discharge of
15 record any mortgage or other lien held by any fiduciary upon the pay-
16 ment or satisfaction thereof in full."

1 SEC. 2. All releases or discharges of record of mortgages or other
2 liens prior to the effective date of this Act by any fiduciary without
3 an order of court where such order was required by section six hundred
4 eighty-two point twenty-six (682.26), Code 1950, are hereby
5 declared to be valid and effective from the filing or recording thereof
6 without such order of court being had and obtained, unless within six

7 (6) months after the effective date of this Act a statement is filed
 8 under oath by the claimant or on his behalf if under disability with
 9 the county recorder where such release or discharge was filed or
 10 recorded setting forth the claim upon which the invalidity of such
 11 release or discharge is based. Nothing herein contained shall affect
 12 pending litigation.

Approved March 15, 1951.

CHAPTER 223

RULES OF CIVIL PROCEDURE

S. F. 204

AN ACT relating to the preservation of the report of amendments to rules of civil procedure and to amend section six hundred eighty-four point nineteen (684.19), Code 1950.

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

1 SECTION 1. Section six hundred eighty-four point nineteen
 2 (684.19), Code 1950, is amended by adding thereto the following:

3 "At adjournment of the General Assembly where such report has
 4 been filed, an enrolled copy thereof, together with any changes, shall
 5 be made in substantially the same manner as Acts are enrolled. The
 6 enrolled copy shall be certified as to whether or not any action was
 7 taken by the General Assembly and if any, what action, and there-
 8 upon it shall be filed with the Secretary of State and bound with the
 9 Acts of the General Assembly."

Approved March 22, 1951.

CHAPTER 224

CLERK OF GRAND JURY

H. F. 633

AN ACT to amend section seven hundred seventy point twenty-one (770.21), Code 1950, relating to compensation of the clerk of the grand jury.

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

1 SECTION 1. Section seven hundred seventy point twenty-one
 2 (770.21), Code 1950, is amended as follows:

3 1. By striking from line six (6) the word "eight" (8) and substitut-
 4 ing in lieu thereof the word "ten" (10).

5 2. By striking from line thirteen (13) the word "fifteen" (15) and
 6 substituting in lieu thereof the word "twenty-three" (23).

7 3. By striking from lines eighteen (18) and nineteen (19) the
 8 words "three thousand" (3000) and substituting in lieu thereof the
 9 words "thirty-eight hundred" (3800).

10 4. By striking from line twenty-two (22) the word "thirty-six" (36)
 11 and substituting in lieu thereof the word "forty-four" (44).

Approved May 15, 1951.

CHAPTER 225

CRIMINAL JUDGMENTS

H. F. 5

AN ACT to amend section seven hundred eighty-nine point eleven (789.11), Code 1950, relating to the entry of criminal judgments.

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

1 SECTION 1. Section seven hundred eighty-nine point eleven
2 (789.11), Code 1950, is amended by adding thereto the following:
3 "In every case the court shall include in the judgment entry the
4 number of the particular section of the Code under which the defend-
5 ant is sentenced."

Approved April 26, 1951.

CHAPTER 226

SENTENCES FOR CRIMES

H. F. 9

AN ACT to amend section seven hundred eighty-nine point thirteen (789.13), Code 1950, relating to the imposition of sentences for crimes the maximum punishment for which is life imprisonment.

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

1 SECTION 1. Section seven hundred eighty-nine point thirteen
2 (789.13), Code 1950, is hereby amended by inserting after the word
3 "murder" in line three (3) thereof the following:
4 "or any crime the maximum penalty for which is life imprison-
5 ment,".

Approved February 19, 1951.

SPECIAL AND LEGALIZING ACTS

See also

**Chapters 200, 201, 202, 210, and 211
for permanent legalizing Acts**

SPECIAL AND LEGALIZING ACTS

CHAPTER 227

LAND PATENT IN MONROE COUNTY

S. F. 393

AN ACT authorizing a patent to issue to the southeast quarter (SE $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of section nine (9), township seventy-one (71) north, range eighteen (18), west of the fifth (5th) principal meridian, Monroe County, Iowa.

WHEREAS, it appears that on September 4, 1841, under Act of congress, the United States of America granted to the state of Iowa the following described land, to wit: The southeast quarter (SE $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of section nine (9), township seventy-one (71) north, range eighteen (18), west of the fifth (5th) principal meridian, Monroe county, Iowa, and

WHEREAS, it further appears that the school fund sold the foregoing described premises to John W. Clark on the second (2nd) day of July, 1941, and

WHEREAS, it appears that the above described property has since that time been sold through a chain of title since the aforementioned sale to John W. Clark, and

WHEREAS, it appears that no certificate of purchase or patent for said land has ever been issued to the said John W. Clark, or to any other person, and

WHEREAS, it appears that the state of Iowa claims no ownership in the foregoing described land although the apparent legal title thereto still remains in the state of Iowa, and

WHEREAS, the present owners of the above described premises now in possession of said land, together with the previous grantor and grantee, have been in open, actual, notorious and adverse possession of said land, and

WHEREAS, the records of the county auditor of Monroe county, Iowa, are insufficient to issue a certificate of purchase as required by law for the hereinbefore described property;

Now, THEREFORE,

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

1 SECTION 1. That the governor and the secretary of the state of Iowa
2 are hereby authorized, empowered and directed to issue a patent to
3 John W. Clark,* conveying the southeast quarter (SE $\frac{1}{4}$) of the south-
4 east quarter (SE $\frac{1}{4}$) of section nine (9), township seventy-one (71)
5 north, range eighteen (18), west of the fifth (5th) principal meridian,
6 Monroe county, Iowa, for the use and benefit of the successive owners
7 of said land.

*Amended by chapter 228.

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in The Lovilia
 3 Press, a newspaper published at Lovilia, Iowa, and in The Monroe
 4 County News, a newspaper published at Albia, Iowa, said publication
 5 to be without expense to the state.

Approved April 11, 1951.

I hereby certify that the foregoing act was published in The Lovilia Press, Lovilia, Iowa, May 3, 1951, and in The Monroe County News, Albia, Iowa, April 30, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 228

LAND PATENT AMENDMENT

H. F. 635

AN ACT to amend senate file 393* passed by the Fifty-fourth General Assembly, and approved by the governor, providing for the issuance of a patent to a certain tract of land in Monroe county, Iowa.

WHEREAS, Senate File 393, passed by the Fifty-fourth General Assembly, and approved by the governor, provides for the issuance of a patent to the following described land, to-wit: The southeast quarter (SE $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of section nine (9), township seventy-one (71) north, range eighteen (18) west of the fifth (5th) principal meridian, Monroe County, Iowa, and

WHEREAS, it appears from the record, and it was so intended in the drafting of this bill, that the patent should issue to George M. and Elsie J. Ostermeyer who purchased the foregoing described premises from John W. Clark, named as the party to whom the patent was to issue as provided in Senate File 393, now, therefore,

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

1 SECTION 1. That Senate File 393, Acts of the Fifty-fourth General
 2 Assembly, be and the same are** hereby amended by striking the name
 3 "John W. Clark" wherever the same appears in said act, and inserting
 4 in lieu thereof the names: "George M. and Elsie J. Ostermeyer".

Approved April 30, 1951.

*Chapter 227.

**According to enrolled Act.

CHAPTER 229

LAND PATENT TO CHARLES HENDERSON

S. F. 161

AN ACT authorizing a patent to issue to the Southeast quarter (SE $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section sixteen (16), Township seventy-eight (78) North, Range two (2), west of the 5th P.M., Muscatine County, Iowa.

WHEREAS, it appears that on March 3, 1845, the United States of America granted to the State of Iowa the following described land, to wit:

The Southeast quarter (SE $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section sixteen (16), Township seventy-eight (78) North, Range two (2), West of the 5th P. M., Muscatine County, Iowa.

WHEREAS, it further appears that the School fund sold the foregoing described premises to Charles Henderson on the first day of October, 1849, and

WHEREAS, it appears that the above described property or portions thereof have since that time been sold and resold through a chain of title since the aforementioned sale to Charles Henderson, and

WHEREAS, it appears that no certificate of purchase or patent for said land has ever been issued to the said Charles Henderson or to any other person, and

WHEREAS, it appears that the State of Iowa claims no ownership in the foregoing described land although the apparent legal title thereto still remains in the State of Iowa, and

WHEREAS, the present owner and owners of the above described premises or portions thereof now in possession of said land together with the several previous grantors and grantees, has been in open, actual, notorious and adverse possession of said land and the parts thereof for more than seventy-five (75) years last past; NOW, THEREFORE,

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

1 SECTION 1. That the governor and the secretary of state of the
2 state of Iowa are hereby authorized, empowered and directed to issue a
3 patent to Charles Henderson, conveying the Southeast quarter (SE $\frac{1}{4}$)
4 of the Southwest quarter (SW $\frac{1}{4}$) of Section sixteen (16), Township
5 seventy-eight (78) North, Range two (2), West of the 5th P. M.,
6 Muscatine County, Iowa, for the use and benefit of the successive
7 owners of said land.

1 SEC. 2. This Act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Muscatine
3 Journal, a newspaper published at Muscatine, Iowa, and in the West
4 Liberty Index, a newspaper published at West Liberty, Iowa, said
5 publication to be without expense to the state.

Approved February 22, 1951.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of Section 3.9, Code of Iowa, 1950, the Muscatine Journal, Muscatine, Iowa, being non-existent, The Muscatine Journal & News-Tribune, a newspaper published in Muscatine, Iowa, is designated to publish the foregoing Act, Senate File 161, said publication to be without expense to the state.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing act was published in The Muscatine Journal & News-Tribune, Muscatine, Iowa, March 12, 1951, and in the West Liberty Index, West Liberty, Iowa, March 8, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 230

PATENT FOR SCHOOL LANDS

H. F. 334

AN ACT authorizing a patent to issue to lot twenty-nine (29), being the southwest quarter (SW $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of section sixteen (16), township seventy-three (73), north, range seven (7) west, of the 5th P. M., Henry county, Iowa.

WHEREAS, it appears that on March 3, 1845, the United States of America granted to the state of Iowa the following described land, to wit: Lot twenty-nine (29), being the southwest quarter (SW $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of section sixteen (16), township seventy-three (73) north, range seven (7) west, of the 5th P. M., Henry county, Iowa.

WHEREAS, it further appears that the school fund sold the foregoing described premises to W. P. McClure on the twelfth day of January, 1849, and

WHEREAS, it appears that the above described property or portions thereof have since that time been sold and resold through a chain of title since the aforementioned sale to W. P. McClure, and

WHEREAS, it appears that no certificate of purchase or patent for said land has ever been issued to the said W. P. McClure or to any other person, and

WHEREAS, it appears that the state of Iowa claims no ownership in the foregoing described land although the apparent legal title thereto still remains in the state of Iowa, and

WHEREAS, the present owner and owners of the above described premises or portions thereof now in possession of said land together with the several previous grantors and grantees, has been in open, actual, notorious and adverse possession of said land and the parts thereof for more than seventy-five (75) years last past; now, therefore,

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

1 SECTION 1. That the Governor and the secretary of state of the
2 state of Iowa are hereby authorized, empowered and directed to issue
3 a patent to W. P. McClure, conveying the lot twenty-nine (29), being
4 the southwest quarter (SW $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of
5 section sixteen (16), township seventy-three (73) north, range seven
6 (7) west, of the 5th P. M., Henry county, Iowa for the use and benefit
7 of the successive owners of said land.

1 SEC. 1.* This Act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Mount
3 Pleasant News, a newspaper published at Mt. Pleasant, Iowa, and in
4 the New London Journal, a newspaper published at New London,
5 Iowa, said publication to be without expense to the state.

Approved March 16, 1951.

I hereby certify that the foregoing act was published in the Mount Pleasant News, Mt. Pleasant, Iowa, March 26, 1951, and in the New London Journal, New London, Iowa, March 29, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

*According to enrolled Act.

CHAPTER 231

LAND PATENT TO ISSUE

H. F. 636

AN ACT authorizing patent to issue to the west half ($W\frac{1}{2}$) of the southwest quarter ($SW\frac{1}{4}$) of section sixteen (16) in township eighty-four (84) north, range three (3) east of the fifth (5th) principal meridian, lying south of the Maquoketa river in Jackson county, Iowa.

WHEREAS, it appears that prior to April 14, 1853, the United States of America granted to the state of Iowa the following described land, to-wit: The west half ($W\frac{1}{2}$) of the southwest quarter ($SW\frac{1}{4}$) of section sixteen (16) in township eighty-four (84) north, range three (3) east of the fifth (5th) principal meridian, lying south of the Maquoketa river in Jackson county, Iowa; and

WHEREAS, it further appears that the school fund sold the foregoing premises to George D. Lyon and Otto V. Schrader prior to April 14, 1853; and

WHEREAS, it appears that the above described property or portions thereof have since that time been sold or resold through a chain of title since the aforementioned sale to George D. Lyon and Otto V. Schrader; and

WHEREAS, it appears that no certificate of purchase or patent for said land has ever been issued to any person; and

WHEREAS, it appears that the state of Iowa claims no ownership in the foregoing described land, although the apparent legal title thereto still remains in the state of Iowa; and

WHEREAS, the present owner and owners of the above described premises or portions thereof now in possession of said land, together with the several previous grantors and grantees, has been in open, actual, notorious and adverse possession of said land and the parts thereof for more than seventy-five (75) years last past; now, therefore,

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

1 SECTION 1. That the governor and the secretary of state of the
2 state of Iowa are hereby authorized, empowered and directed to issue
3 a patent to George D. Lyon and Otto V. Schrader, conveying the west
4 half ($W\frac{1}{2}$) of the southwest quarter ($SW\frac{1}{4}$) of section sixteen (16)
5 in township eighty-four (84) north, range three (3) east of the fifth
6 (5th) principal meridian, lying south of the Maquoketa river in Jack-
7 son County, Iowa, for the use and benefit of the successive owners of
8 said land.

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in The Maquoketa
3 Community Press, a newspaper published at Maquoketa, Iowa, and in
4 The Anamosa Journal, a newspaper published at Anamosa, Iowa, said
5 publication to be without expense to the state.

Approved April 30, 1951.

I hereby certify that the foregoing act was published in The Maquoketa Community Press, Maquoketa, Iowa, May 10, 1951, and in The Anamosa Journal, Anamosa, Iowa, May 10, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 232

PATENT TO LAND

S. F. 198

AN ACT authorizing the governor and secretary of state to issue a patent to William Ware to the Northwest fractional one-fourth ($\frac{1}{4}$) of the southwest quarter of section nineteen (19), township seventy-two (72) north, range fourteen (14) west of the fifth principal meridian, Wapello County, Iowa.

WHEREAS, it appears of record that real estate described as the northwest fractional one-fourth ($\frac{1}{4}$) of the southwest quarter of section nineteen (19), township seventy-two (72) north, range fourteen (14) west of the fifth principal meridian, Wapello County, Iowa, was granted by the United States to the State of Iowa and

WHEREAS, the register of certificates and the register of receipts shows that William Ware paid for and received certificate to the aforementioned real property.

WHEREAS, William Ware was erroneously issued a patent for the northwest fractional one-fourth ($\frac{1}{4}$) of the northwest quarter of section nineteen (19), township seventy-two (72) north, range fourteen (14) west of the fifth principal meridian in Wapello County, on which land patent was also issued to the true owner thereof

WHEREAS, title to the northwest fractional quarter of the southwest quarter of said section, township and range has come down by an unbroken chain of title from the said William Ware and the records do not reveal a patent issued to any other person.

WHEREAS, it appears that through an error the patent has not been issued by the State of Iowa to William Ware, and that William Ware has paid the full consideration therefor,

NOW THEREFORE

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

1 SECTION 1. The governor and the secretary of state are hereby
2 authorized and directed to issue a patent to the northwest fractional
3 quarter of the southwest quarter of section nineteen (19), township
4 seventy-two (72) north, range fourteen (14) west of the fifth prin-
5 cipal meridian in Wapello County, Iowa, to William Ware.

1 SEC. 2. Nothing in this Act shall be deemed or construed to affect
2 pending litigation.

Approved March 22, 1951.

CHAPTER 233

CLARINDA MENTAL HEALTH INSTITUTE

H. F. 417

AN ACT to authorize the purchase of a tract of land to be used as the site for an institutional sewage disposal plant at the Clarinda state hospital.*

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

1 SECTION 1. That the executive council of the state of Iowa is
2 hereby authorized to acquire, in the name of the state of Iowa, a tract
3 of land containing approximately three (3) acres to be used as the
4 site for an institutional sewage disposal plant for the Clarinda State
5 Hospital,* the tract being legally described as follows:

6 "Beginning at the SE corner of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section
7 thirty (30), Township sixty-nine (69) North, Range thirty-six (36)
8 West of the 5th P.M.; thence West along South line of said NW $\frac{1}{4}$ of
9 NE $\frac{1}{4}$ 300 feet; thence North parallel to the West line of said NW $\frac{1}{4}$ of
10 NE $\frac{1}{4}$ 316 feet; thence West parallel to South line of said NW $\frac{1}{4}$ of
11 NE $\frac{1}{4}$ 1020 feet to the West line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$; thence North
12 along the West line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$ 20 feet; thence East
13 parallel to the South line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$ 1320 feet to the East
14 line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$; thence South along the East line of said
15 NW $\frac{1}{4}$ of NE $\frac{1}{4}$ 336 feet to the point of beginning."

1 SEC. 2. There is hereby appropriated out of any uncommitted
2 funds in the board of control capital improvement fund the sum of
3 five thousand dollars (\$5,000.00), or so much thereof as may be neces-
4 sary, to carry out the provisions of this act. The comptroller shall
5 draw upon said fund upon certification from the executive council that
6 warranty deed and evidence of merchantable title have been received
7 by them from the owner. The executive council is authorized to accept
8 a warranty deed in which reservation has been made for right of
9 ingress and egress to abutting property through and over the twenty
10 (20) foot strip running from the public highway to the northwest
11 corner of the plant site herein described.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Malvern Leader, a newspaper published at Malvern, Iowa, and
4 the Herald Journal, newspaper published at Clarinda, Iowa.

Approved April 26, 1951.

I hereby certify that the foregoing act was published in the Malvern Leader, Malvern, Iowa, May 3, 1951, and in the Herald Journal, Clarinda, Iowa, April 30, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

*See chapter 83.

CHAPTER 234

LAND FOR REFORMATORY PURCHASED

H. F. 92

AN ACT authorizing the executive council to purchase a strip and certain parcels of land in Jones county from the Chicago and North Western Railway Company and to provide an appropriation therefor.

WHEREAS, the state of Iowa owns certain lands used in connection with the Men's Reformatory at Anamosa, across which the Chicago and North Western Railway Company, a Wisconsin corporation, owns a strip and other parcels of land used by them in the operation of a railroad, and

WHEREAS, the railroad company has since abandoned the railroad and has offered to convey by quit claim deed all of its right, title and interest in and to said strip and parcels of land to the state of Iowa in consideration of the sum of One Hundred Twenty-five (\$125.00) Dollars, now, therefore,

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

1 SECTION 1. That the executive council is hereby authorized to
2 acquire in the name of the state of Iowa all of the right, title and
3 interest of the Chicago and North Western Railway Company, a
4 Wisconsin corporation, and to pay therefor the sum of One Hundred
5 Twenty-five (\$125.00) Dollars, as consideration for a quit claim deed
6 to the following described real estate:

7 "A strip of land, 100 feet wide, extending across the North Half of
8 the Southwest Quarter, the Southeast Quarter of the Northwest
9 Quarter, the Southwest Quarter of the Northeast Quarter, and the
10 Northwest Quarter of the Southeast Quarter of Section Six (6),
11 Township Eighty-four (84) North, Range Three (3) West, said
12 strip of land being Fifty (50) feet in width on each side of the center
13 line of the main track (now removed) of the party of the first part,
14 as said main track center line was originally surveyed and established
15 over and across the above described premises.

16 ALSO, a part of the Southeast Quarter of the Northwest Quarter,
17 and the Southwest Quarter of the Northeast Quarter of said Section
18 Six (6) described as follows, to-wit: Commencing at the intersection
19 of the Southerly line of the aforesaid 100-foot strip of land with the
20 center line of Culvert No. 1437 extended Southerly; thence Southerly
21 on said extended Culvert center line Twenty-five (25) feet to the place
22 of beginning; thence Westerly Five Hundred (500) feet on a straight
23 line to the Southerly line of said 100-foot strip; thence Easterly along
24 the Southerly line of said 100-foot strip to a point Five Hundred (500)
25 feet Easterly of the place of beginning; thence Westerly Five Hundred
26 (500) feet to the place of beginning.

27 ALSO, a part of the Southeast Quarter of the Northwest Quarter of
28 said Section Six (6) described by beginning at a point on the Northerly
29 extension of the center line of said Culvert which point is Twenty-five
30 (25) feet north of the Northerly line of said 100-foot strip of land;
31 thence Easterly on a straight line, Four Hundred (400) feet to the
32 Northerly line of said 100-foot strip; thence Westerly on the Northerly
33 line of said 100-foot strip to a point Three Hundred Forty-five (345)
34 feet Westerly of the place of beginning; thence Easterly on a straight
35 line, Three Hundred Forty-five (345) feet to the place of beginning.

36 Comprising in all Ten and Six One-Hundredths (10.06) acres, more or
 37 less. Subject to the permanent rights heretofore granted to the
 38 Maquoketa Valley Rural Electric Cooperative and the Iowa Electric
 39 Company for facilities consisting of a line across said strip of land
 40 and guy wires anchored thereon supporting lines not on said strip or
 41 parcels of land."

1 SEC. 2. There is hereby appropriated out of any unappropriated
 2 funds in the general fund of the state of Iowa, the sum of One Hundred
 3 Thirty (\$130.00) Dollars, or so much thereof as is necessary to pay the
 4 consideration for the deed of conveyance herein provided for and for
 5 other expenses incidental to the acquiring and recording of the deed
 6 of conveyance. The comptroller shall draw upon said fund on requisition
 7 by the executive council when the deed conveying and quit claim-
 8 ing all of the right, title and interest of the Chicago and North Western
 9 Railway Company to the state of Iowa has been tendered to them and
 10 found to be acceptable.

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 The Montezuma Republican, a newspaper published at Montezuma,
 4 Iowa, and the Rake Register, a newspaper published at Thompson,
 5 Iowa.

Approved March 16, 1951.

I hereby certify that the foregoing act was published in The Montezuma Republican,
 Montezuma, Iowa, March 22, 1951, and in The Rake Register, Thompson, Iowa, March
 22, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 235

STATE OFFICE BUILDING

S. F. 106

AN ACT creating a legislative advisory committee to carry out the provisions of chapter three hundred seven (307), Acts of the Fifty-second General Assembly, chapter sixteen (16), Acts of the Forty-ninth General Assembly, chapter ten (10), Acts of the Fifty-first General Assembly, and chapter seventeen (17), Acts of the Fifty-third General Assembly, relating to the construction of the state office building.

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

1 SECTION 1. Notwithstanding the provisions of chapter nineteen
 2 (19), Acts of the fiftieth general assembly, there shall be created a
 3 legislative advisory committee consisting of three members of the
 4 senate and three members of the house of representatives to be ap-
 5 pointed by the respective presiding officers of the senate and house,
 6 for the purpose of carrying out the legislative intent of this Act and of
 7 chapter sixteen (16), Acts of the forty-ninth general assembly, chap-
 8 ter ten (10), Acts of the fifty-first general assembly, chapter three
 9 hundred seven (307), Acts of the fifty-second general assembly, and
 10 chapter seventeen (17), Acts of the fifty-third general assembly.
 11 The members of such committee shall serve without compensation and

12 they will be entitled to no expenses in the performance of their duties
13 under this Act.

1 **SEC. 2.** The term of the legislative advisory committee shall termi-
2 nate upon the adjournment sine die of the fifty-fourth general assem-
3 bly. Any vacancy occurring on the legislative advisory committee
4 shall be filled by the presiding officer of the house in the event the va-
5 cancy occurs in the membership of said committee from the house of
6 representatives, and by the lieutenant governor, in the event the va-
7 cancy occurs in the membership of said committee from the senate.

8 In carrying out the provisions of this Act, chapter three hundred
9 seven (307), Acts of the fifty-second general assembly, chapter six-
10 teen (16), Acts of the forty-ninth general assembly, chapter ten
11 (10), Acts of the fifty-first general assembly, and chapter seventeen
12 (17), Acts of the fifty-third general assembly, the executive council
13 of the state of Iowa and the legislative advisory committee shall meet
14 jointly at such places as may be determined by the executive council,
15 and in determining all matters coming before said meetings it shall re-
16 quire a majority vote of the members of the joint committee of the
17 executive council and of the legislative advisory committee.

18 The legislative advisory committee shall meet and organize upon the
19 effective date of this Act, and at the same time and immediately fol-
20 lowing its organization, meet with the executive council in order that
21 the committee and council may advise on carrying out the provisions
22 of this Act, and the provisions of chapter three hundred seven (307),
23 Acts of the fifty-second general assembly, chapter ten (10), Acts of
24 the fifty-first general assembly, chapter sixteen (16), Acts of the
25 forty-ninth general assembly, and chapter seventeen (17), Acts of
26 the fifty-third general assembly.

1 **SEC. 3.** Insofar as chapter nineteen (19), Acts of the fiftieth gen-
2 eral assembly is in conflict with this Act, the same is hereby repealed.

1 **SEC. 4.** This Act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Clinton Her-
3 ald, a newspaper published at Clinton, Iowa, and in the Clayton County
4 Register, a newspaper published at Elkader, Iowa.

Approved January 25, 1951.

I hereby certify that the foregoing act was published in the Clinton Herald, Clinton, Iowa, January 26, 1951, and the Clayton County Register, Elkader, Iowa, February 1, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 236

STATE OFFICE BUILDING COMMITTEE

S. F. 849

AN ACT creating a legislative advisory committee to carry out the provisions of chapter three hundred seven (307), Acts of the Fifty-second General Assembly, chapter sixteen (16), Acts of the Forty-ninth General Assembly, chapter ten (10), Acts of the Fifty-first General Assembly, and chapter seventeen (17), Acts of the Fifty-third General Assembly, relating to the construction of the state office building.

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

1 SECTION 1. Notwithstanding the provisions of chapter nineteen
2 (19), Acts of the 50th General Assembly, there shall be created a
3 Legislative Advisory Committee consisting of three members of the
4 Senate and three members of the House of Representatives to be ap-
5 pointed by the respective presiding officers of the Senate and House,
6 for the purpose of carrying out the legislative intent of this act and
7 of chapter sixteen (16), Acts of the 49th General Assembly, Chapter
8 ten (10), Acts of the 51st General Assembly, Chapter three hundred
9 seven (307), Acts of the 52nd General Assembly, and Chapter seven-
10 teen (17), Acts of the 53rd General Assembly.

1 SEC. 2. The term of the Legislative Advisory Committee shall
2 terminate upon the convening of the fifty-fifth (55) General Assembly.
3 Any vacancy occurring on the Legislative Advisory Committee shall be
4 filled by the presiding officer of the House in the event the vacancy
5 occurs in the membership of said committee from the House of Repre-
6 sentatives, and by the Lieutenant Governor, in the event the vacancy
7 occurs in the membership of said committee from the Senate.

8 In carrying out the provisions of this Act, chapter seventeen (17),
9 Acts of the 53rd General Assembly, chapter three hundred seven (307)
10 in the 52nd General Assembly, chapter sixteen (16) in the 49th Gen-
11 eral Assembly, and chapter ten (10) of the 51st General Assembly, the
12 Executive Council of the State of Iowa and the Legislative Advisory
13 Committee shall meet jointly at such places as may be determined by
14 the Executive Council, and in determining all matters coming before
15 said meetings it shall require a majority vote of the members of the
16 joint committee of the Executive Council and of the Legislative Ad-
17 visory Committee.

18 The Legislative Advisory Committee shall meet and organize im-
19 mediately following sine die adjournment of the Fifty-fourth General
20 Assembly, and at the same time and immediately following its organ-
21 ization, meet with the Executive Council in order that the committee
22 and council may advise on carrying out the provisions of this Act, and
23 the provisions of chapter seventeen (17) of the 53rd General Assem-
24 bly, Chapter three hundred seven (307) of the 52nd General Assembly,
25 chapter ten (10) of the 51st General Assembly and chapter sixteen
26 (16), Acts of the 49th General Assembly.

1 SEC. 3. Each member of the Legislative Advisory Committee shall
2 be entitled to actual necessary hotel and traveling expenses incurred
3 in the discharge of his duties, upon an itemized certification of the
4 amounts due, filed with the comptroller for audit, and in payment

5 thereof the comptroller shall issue warrants on the state office build-
 6 ing fund, from which a sufficient amount is hereby set aside for this
 7 purpose. In addition, each member of such Legislative Advisory Com-
 8 mittee shall receive such compensation for time spent in the discharge
 9 of his duties as may be allowed by the General Assembly next con-
 10 vening.

1 SEC. 4. Insofar as chapter nineteen (19), Acts of the 50th General
 2 Assembly is in conflict with this Act, the same is hereby repealed.

1 SEC. 5. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in The Gutten-
 3 berg Press, a newspaper published at Guttenberg, Iowa, and in The
 4 Daily Times, a newspaper published at Davenport, Iowa.

Approved April 11, 1951.

I hereby certify that the foregoing act was published in The Guttenberg Press, Gutten-
 berg, Iowa, April 19, 1951, and in The Daily Times, Davenport, Iowa, April 14, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 237

GOVERNOR'S APPOINTMENTS LEGALIZED

S. F. 511

AN ACT to legalize the appointments of certain public officials by the governor of Iowa
 which have been confirmed by the senate.

WHEREAS, the laws of Iowa provide that the governor of Iowa shall
 appoint certain public officials subject to confirmation by the senate, and,

WHEREAS, the time within which such appointments are directed to be
 made varies in certain of the statutes, and,

WHEREAS, due largely to press of business, such appointments to be
 made by the governor have been delayed and some were made after the
 expiration of the time prescribed therefor, and,

WHEREAS, it is the desire of the legislature to remove any doubt as to
 the timeliness of such appointments and the legality of same; therefore,

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

1 SECTION 1. All appointments to public office made by the governor
 2 of Iowa during the session of the fifty-fourth General Assembly which
 3 have been confirmed by the senate during said session, are hereby
 4 declared to be legal and valid for the offices and terms included in said
 5 appointments, and to be of the same force and effect as if such appoint-
 6 ments had been made by the governor within the time prescribed by
 7 law and thereafter confirmed by the senate during said session.

1 SEC. 2. Nothing herein contained shall affect any provision of law
 2 relative to the filling of vacancies between sessions of the general as-
 3 sembly.

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in The Clinton

3 Herald, a newspaper published at Clinton, Iowa, and in The DeWitt
4 Observer, a newspaper published at DeWitt, Iowa.

Approved April 27, 1951.

I hereby certify that the foregoing act was published in The Clinton Herald, Clinton, Iowa, May 1, 1951, and in The DeWitt Observer, DeWitt, Iowa, May 3, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 238

IOWA CENTENNIAL MEMORIAL FOUNDATION

H. F. 630

AN ACT to legalize the incorporation of the Iowa Centennial Memorial Foundation and the executive order relating to said foundation.

WHEREAS, in commemoration of the one hundredth anniversary of the State of Iowa, the Iowa Centennial Memorial Foundation was established on the fifth day of January, 1949; and

WHEREAS, the said Foundation is of general public interest; and

WHEREAS, it is deemed desirable to remove any doubt as to the validity of the incorporation and establishment of the said Foundation and the Executive Order with relation to said Foundation, therefore

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

1 SECTION 1. That the incorporation of Iowa Centennial Memorial
2 Foundation on the fifth day of January, 1949, and the Executive Order
3 of the Governor of Iowa dated the fifth day of January, 1949, establish-
4 ing a charitable trust and creating the Iowa Centennial Memorial
5 Foundation, and all transactions and proceedings heretofore had and
6 taken with relation to said Iowa Centennial Memorial Foundation, are
7 hereby legalized, validated and confirmed.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 The Anamosa Eureka, a newspaper published at Anamosa, Iowa, and
4 The Monticello Express, a newspaper published at Monticello, Iowa.

Approved May 15, 1951.

I hereby certify that the foregoing act was published in The Anamosa Eureka, Anamosa, Iowa, May 17, 1951, and in The Monticello Express, Monticello, Iowa, May 24, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 239

ROAD USE TAX FUND

S. F. 199

AN ACT to amend section three hundred eight A point three (308A.3), Code 1950, relating to the apportionment of the road use tax fund to cities and towns which have been incorporated since the taking of the federal census of 1940 and prior to the census of 1950.

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

1 SECTION 1. Section three hundred eight A point three (308A.3),
 2 Code 1950, is hereby amended by adding thereto the following sub-
 3 section:
 4 "In any case, where a city or town became incorporated after the
 5 federal census of 1940 and prior to the federal census of 1950 and
 6 where the treasurer of state, pursuant to a certification to him by offi-
 7 cers of any such city or town, paid or reserved funds for the payment
 8 of any such city or town's portion of the road use tax fund, all such
 9 payments are hereby legalized and made valid and where such funds
 10 have been reserved and set aside but not paid, the treasurer of state
 11 shall forthwith make such payments."

1 SEC. 2. This Act being deemed of immediate importance shall be
 2 in full force and effect upon its publication in the Clear Lake Mirror, a
 3 newspaper published at Clear Lake, Iowa, and in The Clear Lake Re-
 4 porter, a newspaper published at Clear Lake, Iowa.

Approved March 22, 1951.

I hereby certify that the foregoing act was published in the Clear Lake Mirror, Clear Lake, Iowa, March 29, 1951, and in The Clear Lake Reporter, Clear Lake, Iowa, March 29, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 240

TOWN OF ALBION LEGALIZING ACT

S. F. 338

AN ACT to legalize and validate the proceedings of the council of the town of Albion, Marshall County, Iowa, in calling and holding an election on the proposition to establish a waterworks system in said town and on the proposition to incur an indebtedness for the construction of said waterworks system and for the issuance of waterworks bonds in payment of such indebtedness and proceedings for the levy and collection of annual taxes to pay the same, and to legalize and validate the proceedings for the issuance, sale and delivery of such bonds and waterworks revenue bonds issued in payment for the construction of such waterworks system, and the provisions for payment thereof.

WHEREAS, the town of Albion, Marshall county, Iowa did heretofore, by resolution, and in response to a petition of qualified electors, authorize and submit at its regular election March 27, 1950, two (2) separate propositions, one (1) for the establishment of a waterworks system for said town at a cost not to exceed thirty-four thousand dollars (\$34,000.00) and another to incur and contract indebtedness for such purpose not exceeding fourteen thousand dollars (\$14,000.00) and to issue general obligation waterworks bonds in the amount of fourteen thousand dollars (\$14,000.00)

and levy an annual tax for twenty (20) years not exceeding ten (10) mills upon the taxable property to pay said bonds and interest, and at such election more than sixty percent (60%) of the votes cast for and against said propositions were in favor thereof, and

WHEREAS, for the purpose of paying the remaining cost of construction of said waterworks system, and in reliance upon the said election the council of said town authorized and provided for the issuance, sale and delivery of twenty thousand dollars (\$20,000.00) in waterworks revenue bonds of said town to make the total authorized cost of thirty-four thousand dollars (\$34,000.00), such waterworks revenue bonds to be payable, both as to principal and interest from future net revenues of said waterworks, and

WHEREAS, such general obligation waterworks bonds in the amount of fourteen thousand dollars (\$14,000.00) and such waterworks revenue bonds in the amount of twenty thousand dollars (\$20,000.00) have been sold and their issuance and delivery authorized by said town council, and

WHEREAS, doubts have arisen as to the legal sufficiency of the petition of electors for such waterworks election, for creation of such indebtedness and the issuance of general obligation waterworks bonds and the authority to levy and collect annual taxes to pay the principal and interest thereon as the same mature, and doubts have arisen as to the authority for the issuance and sale of the twenty thousand dollars (\$20,000.00) in waterworks revenue bonds for payment of the remaining cost of the waterworks system of said town although included in and not in excess of the amount authorized for the establishment thereof and to pledge the said system and its future net earnings in payment of said waterworks revenue bonds as the same mature with interest thereon, and it is deemed advisable to put such doubts, and all others, forever at rest and to cure any irregularities or insufficiencies that might have arisen, or may arise relative thereto,

Now, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the council of
2 the town of Albion, in Marshall county, Iowa, in declaring the suffi-
3 ciency of the electors' petition and in holding an election for the
4 establishment of a waterworks system in said town at a cost not to
5 exceed thirty-four thousand dollars (\$34,000.00) and to incur and
6 contract indebtedness not exceeding fourteen thousand dollars (\$14,-
7 000.00), and in authorizing and providing for the sale, issuance and
8 delivery of fourteen thousand dollars (\$14,000.00) waterworks bonds
9 by the town of Albion, Iowa, and providing for the levy and collection
10 of annual taxes to pay principal and interest of said bonds, are hereby
11 legalized, validated and confirmed and the said waterworks bonds,
12 sold, issued and delivered pursuant to and in accordance with said
13 proceedings are hereby declared to be legal and to constitute valid and
14 binding obligations of said town.

1 SEC. 2. That all proceedings heretofore taken by the council of the
2 town of Albion, in Marshall county, Iowa, in authorizing and provid-
3 ing for the sale, issuance and delivery of twenty thousand dollars

4 (\$20,000.00), waterworks revenue bonds by the town of Albion, Iowa,
 5 and providing for the payment of principal and interest on said bonds
 6 from future net earnings of the waterworks system of said town are
 7 hereby legalized, validated and confirmed and said waterworks revenue
 8 bonds, sold, issued and delivered pursuant to and in accordance with
 9 such proceedings are hereby declared to be legal and to constitute valid
 10 and binding obligations of said town, payable only from such future
 11 net earnings but said bonds shall not be a corporate indebtedness of
 12 said town nor shall said town be authorized to levy and collect ad
 13 valorem taxes to pay either principal or interest thereon.

1 SEC. 3. This Act being deemed of immediate importance it shall
 2 take effect from and after its publication in the Marshalltown Times-
 3 Republican, a newspaper published at Marshalltown, Iowa and in the
 4 State Center Enterprise, a newspaper published at State Center, Iowa,
 5 all without expense to the state of Iowa.

Approved April 11, 1951.

I hereby certify that the foregoing act was published in the Marshalltown Times-
 Republican, Marshalltown, Iowa, April 20, 1951, and in the State Center Enterprise,
 State Center, Iowa, April 26, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 241

CITY OF BURLINGTON LEGALIZING ACT

S. F. 468

AN ACT to legalize and validate the proceedings authorizing and providing for the
 repair of the existing municipally owned toll bridge extending across the Missis-
 sippi river from the city of Burlington, Iowa, and for the issuance, sale and
 delivery by said city of "bridge revenue bonds" to pay the cost of such repairs, and
 the provisions made for the payment of said bonds and declaring said proceedings
 and the bonds issued pursuant thereto legally sufficient and enforceable.

WHEREAS, it appears from the official records of the city council of
 the city of Burlington, Iowa, that said city council did heretofore authorize
 and provide for the repair of the existing municipally owned toll bridge
 extending across the Mississippi river from said city and by resolution did
 authorize and provide for the issuance, sale and delivery of "Bridge Re-
 venue Bonds" of said city in the principal amount of four hundred twenty-
 five thousand dollars (\$425,000.00) for the purpose of paying the cost of
 repairing said bridge and provided in and by said resolution for the use
 and application of the income and revenues from said bridge to pay the
 costs of its operation and maintenance and to pay the interest on and
 principal of said bonds on a self-sustaining and liquidating basis; and

WHEREAS, doubts have arisen concerning the validity and legal suffi-
 ciency of said proceedings and bonds, and the provisions made for the use
 and application of the income and revenues for the payment of said bonds,
 and it is deemed advisable to put said doubts and all others that might arise
 concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the city coun-
 2 cil of the city of Burlington, Iowa, ordering and providing for the

3 repair of the existing municipally owned toll bridge extending across
 4 the Mississippi river from said city and authorizing and providing for
 5 the issuance, sale and delivery of "Bridge Revenue Bonds" by said city
 6 to pay the cost of repairing said bridge and providing for the use and
 7 application of the income and revenues from said bridge to pay the
 8 costs of the operation and maintenance of said bridge and to pay the
 9 interest on and principal of said bonds are hereby declared to be and
 10 to constitute complete, lawful and sufficient authority for the repair
 11 of said bridge and for the issuance of said revenue bonds of said city,
 12 and said "Bridge Revenue Bonds" issued, sold and delivered pursuant
 13 to and in accordance with said proceedings are hereby declared to be
 14 legal and to constitute valid and binding obligations of said city pay-
 15 able only from such income and revenue, but said bonds shall not be
 16 a corporate indebtedness of said city nor shall said city be authorized
 17 to levy ad valorem taxes to pay either principal thereof or interest
 18 thereon.

1 SEC. 2. This Act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in the Burlington
 3 Hawk-Eye Gazette, a newspaper published in the city of Burlington,
 4 Iowa, and The Mediapolis New Era, a newspaper published in Medi-
 5 apolis, Iowa, all without expense to the state.

Approved March 22, 1951.

I hereby certify that the foregoing act was published in the Burlington Hawk-Eye Gazette, Burlington, Iowa, April 18, 1951, and in The Mediapolis New Era, Mediapolis, Iowa, April 12, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 242

TOWN OF ELLSWORTH LEGALIZING ACT

S. F. 103

AN ACT to legalize and validate the proceedings taken by the town council of the Town of Ellsworth, Iowa, authorizing and providing for the issuance and sale of \$12,500 worth of general obligation bonds of said incorporated town.

WHEREAS, during the years 1949 and 1950 the town council of the town of Ellsworth, Iowa, adopted proceedings, published notices and sold \$12,500 in bonds to the Farmers State Bank of Jewell, Iowa, and

WHEREAS, the town council of Ellsworth, Iowa, on the 10th day of April, 1950, adopted proceedings for the issuance of the said bonds, and

WHEREAS, on March 29, 1950, special election was held by the said town of Ellsworth, Iowa, at which the question of the issuance of \$12,500 in general obligation bonds was submitted to the electors of said town, at which special election the said electors voted in favor of said proposal by a vote more than 80% in favor thereof, and

WHEREAS, the town council of Ellsworth, Iowa, on the 9th day of July, 1950, adopted proceedings levying a tax sufficient to retire the \$12,500 general obligation bonds and authorizing the advertisement of the sale of said bonds, and

WHEREAS, said general obligation bonds were for the purpose of retiring a deficiency in special assessments for street improvements constructed in said town, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and contracts, notices given and publication or omissions thereof, and concerning the issuance of the said \$12,500 general obligation bonds and the payment of the principal and interest on said bonds and it is deemed advisable to put said doubts and all others that might arise forever at rest; NOW THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the town
2 council of the town of Ellsworth, Iowa, in connection with the issuance
3 and sale of \$12,500 worth of general obligation bonds referred to in the
4 preamble hereof, and the tax levied for the payment of the principal
5 and interest on said bonds issued and delivered pursuant to and in
6 accordance with said proceedings are hereby declared to be legal and
7 to constitute valid and binding obligations of said town according to
8 their tenor.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Ellsworth
3 News, a newspaper published in the town of Ellsworth, Iowa, and the
4 Jewell Record, a newspaper published in the town of Jewell, Iowa.
5 The publication herein provided for shall be without cost to the state
6 of Iowa.

Approved March 8, 1951.

I hereby certify that the foregoing act was published in the Ellsworth News, Ellsworth, Iowa, March 14, 1951, and in the Jewell Record, Jewell, Iowa, March 15, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 243

TOWN OF GREENE LEGALIZING ACT

S. F. 72

AN ACT to legalize and validate the proceedings, taken by the town council of the Town of Greene, Butler County, Iowa, for the construction of extensions and improvements to the municipal water works and to authorize the provisions made for the levy of taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable* obligations of said town.

WHEREAS, the Town Council of the Town of Greene in Butler County, Iowa, at an election on the 1st day of August, 1950, submitted to the qualified electors of Greene in the County of Butler and State of Iowa, the following proposition: Shall the following Public Measure be adopted?

"Shall the Town of Greene, Iowa, extend its municipal water works, mains and systems by extending its water mains on the following streets of the Town, to-wit:

1. High Street from Traer Street to a point Six Hundred Twenty feet Northwesterly of the Northwesterly line of Oak Street;

*According to enrolled Act.

2. High Street from Traer Street to South Street;
3. Oak Street from High Street to Bluff Street;
4. Bluff Street from Iowa Street to a point Four Hundred Twenty feet Northwesterly from the Northwesterly line of Oak Street;
5. South Street from Traer Street westerly to the city limits;
6. South Street from the Easterly line of Greene Street to a point 250 feet Westerly from the Southwesterly line of High Street; together with hydrants and gate valves. The improvement when completed to consist of approximately 7,320 feet of 4-inch water mains, 10 fire hydrants, 7 gate valves, and 7 valve boxes. The maximum expenditure for the extension and system not to exceed Twenty-nine Thousand, Five hundred Seventy-three and no/100 Dollars (\$29,573.00), which shall be paid solely out of the Bond Retirement fund of said town pursuant to Chapter 407 of the 1950 Code of Iowa.", and

WHEREAS, said proposition was declared carried at said election by more than sixty per cent of the total votes cast for and against said proposition at said election, there being 305 votes cast "yes" and 25 votes cast "no", and

WHEREAS, doubts have arisen as to the validity and legal sufficiency of said election and the petition for the call thereof and the proceedings had thereon, and as to the authority to issue and sell said bonds on the basis of said election and to levy and collect taxes to pay the principal and interest of said bonds as the same will become due and it is deemed advisable to put said doubts and all others that may arise concerning the same forever at rest; NOW THEREFORE,

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

1 SECTION 1. All proceedings heretofore taken by the Town Council
 2 of the Town of Greene in the County of Butler and State of Iowa re-
 3 lating to the petition and the calling and holding of an election on
 4 August 1, 1950, and all proceedings of said Town Council predicated
 5 upon said election providing for the issuance, sale and delivery of
 6 bonds of said Town of Greene, Iowa, in the amount of \$29,573.00
 7 and for the levy and collection of annual taxes to pay the interest
 8 on and principal of said bonds, are hereby legalized, validated and
 9 confirmed and bonds issued, sold and delivered pursuant to and in
 10 accordance with said proceedings are declared to be legal and to
 11 constitute valid and binding obligations of said Town of Greene, Iowa.

1 SEC. 2. This Act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in The Iowa Re-
 3 corder, a newspaper published in Greene, Iowa, and in The Allison
 4 Tribune, a newspaper published in Allison, Iowa, said publication to
 5 be without expense to the State.

Approved February 22, 1951.

I hereby certify that the foregoing act was published in The Iowa Recorder, Greene, Iowa, March 7, 1951, and in The Allison Tribune, Allison, Iowa, March 7, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 244

CITY OF JEFFERSON LEGALIZING ACT

S. F. 402

AN ACT to legalize and validate the proceedings taken by the city council of the city of Jefferson, Iowa, authorizing and providing for the construction of extensions and improvements to the municipal waterworks of said city by the drilling and casing of a new well.

WHEREAS, during the year 1950, the city council of the city of Jefferson, Iowa, adopted proceedings pursuant to the provisions of sections 397.9 et seq. of chapter 397 of the Code of Iowa, 1950, providing for the construction of extensions and improvements to the municipal waterworks of said city by drilling and casing a new well to meet the expanding and urgent needs of the city for water and entered into an agreement with Thorp Well Company of Des Moines, Iowa, on or about October 24, 1950 for material and labor required in making such extensions and improvements at a fixed cost per lineal foot for drilling and casing, with the expectations that adequate supply of water would be developed at an approximate depth of 300 to 350 feet, the total cost of which would have been under \$5,000; and

WHEREAS, it has been necessary to continue drilling at a depth and at a cost greater than above estimated, and work has been continued under the aforesaid contract to meet the urgent needs of the city for developing this additional water supply; and

WHEREAS, the aforesaid contract, or any part thereof, does not constitute a general obligation of said city, and is not payable in any manner by taxation, but the payment for said extensions and improvements is to be made in cash derived from the net revenues of said municipal waterworks or is to be made in revenue obligations, which revenue obligations will be payable solely and only out of the net earnings of said municipal waterworks; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and said contract, notices given and publications or omissions thereof, and concerning provisions pledging payment from the net revenues of said waterworks, or the delivery of revenue obligations payable therefrom, and it is deemed advisable to put said doubts and all others that might arise forever at rest; NOW THEREFORE

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

1 SECTION 1. That all proceedings heretofore taken by the city coun-
2 cil of the city of Jefferson, Iowa, in connection with the extensions and
3 improvements to the municipal waterworks of said city, and the con-
4 tract hereinbefore referred to in the preamble hereof, and the payment
5 of the amounts due, or to become due under said contract out of the
6 net revenues of said municipal waterworks, or by delivery of revenue
7 obligations payable from said net revenues in such amount as will
8 defray all or any part of the cost of said extensions and improvements,
9 including both principal and interest thereon, are hereby legalized,
10 validated and confirmed.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Jefferson

3 Herald, a newspaper published at Jefferson, Iowa, and in The Sac Sun,
4 a newspaper published at Sac City, Iowa, said publication to be without
5 expense to the state.

Approved March 22, 1951.

I hereby certify that the foregoing act was published in The Jefferson Herald, Jefferson, Iowa, March 29, 1951, and in The Sac Sun, Sac City, Iowa, March 29, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 245

TOWN OF KEOSAUQUA BONDS LEGALIZED

H. F. 465

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of \$22,000.00 of revenue waterworks bonds of the town of Keosauqua, Iowa, and declaring said bonds issued pursuant to said proceedings to be enforceable* obligations against the net revenue of the water plant and system of said town of Keosauqua, Iowa.

WHEREAS, the town of Keosauqua, Iowa, did heretofore, in reliance upon proceedings commenced on April 5, 1949, and concluded by Resolution dated June 13, 1949, authorize and provide for the issuance and delivery of Water Work Bonds in the principal amount of \$22,000.00 for the purpose of improving and extending the town waterworks plant and system, which bonds were revenue bonds payable solely and only from the net earning of said water plant and system, and

WHEREAS, said bonds were delivered to the purchaser thereof, and

WHEREAS, doubts have arisen as to the validity and legal sufficiency of the proceedings, issuance, delivery and provisions for the payment of the same, and it is deemed advisable to put said doubts and all others that might arise concerning the same forever at rest, NOW, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the Town
2 Council of the town of Keosauqua, Iowa, authorizing and providing for
3 the issuance, sale, delivery and payment of said \$22,000.00 of revenue
4 water works bonds of the said town are hereby legalized, validated,
5 and confirmed, and said Revenue Water Works Bonds are hereby
6 declared to be legal and to constitute valid and binding obligations
7 against the net revenues of the water plant and system of the town of
8 Keosauqua, Iowa.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Record-
3 Republican, a newspaper published in Bonaparte, Iowa, and the Van
4 Buren County Register, a newspaper published in Keosauqua, Iowa,
5 all without expense to the state.

Approved March 9, 1951.

I hereby certify that the foregoing act was published in the Record-Republican, Bonaparte, Iowa, March 22, 1951, and in the Van Buren County Register, Keosauqua, Iowa, March 22, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

*According to enrolled Act.

CHAPTER 246

TOWN OF LEGRAND LEGALIZING ACT

S. F. 337

AN ACT to legalize and validate the proceedings of the council of the town of LeGrand, Marshall County, Iowa, for the issuance, sale and delivery of waterworks revenue bonds for the purpose of paying part of the construction cost of a waterworks in said town, and to legalize and validate said bonds and the provisions for payment of the same.

WHEREAS, the town of LeGrand, in Marshall county, Iowa, did heretofore, by resolution of its council, and in reliance upon the results of a municipal election heretofore held on December 12, 1949, for the establishment of a waterworks system at a cost of not to exceed thirty thousand dollars (\$30,000.00), which election carried by more than sixty per cent (60%) of all votes cast thereat, has authorized the sale, issuance and delivery of eighteen thousand dollars (\$18,000.00) in waterworks revenue bonds to pay part of the cost of construction of a waterworks system for said town, to be paid from future net earnings thereof;

WHEREAS, doubts have arisen as to the legal sufficiency of said proceedings and for the issuance, sale and delivery of such waterworks revenue bonds and for the pledge of the property and future net earnings of the waterworks system of said town in payment of such waterworks revenue bonds for the reason that the method of financing adopted by the council for the issuance, sale and delivery of such bonds and the pledge of such property and earnings was not directly referred to in the proposition voted on by the electors though the amount issued is not in excess of the total amount of the cost voted on and authorized, and it is deemed advisable to put such doubts and all others forever at rest and to cure any irregularities that might have arisen or may arise relative thereto;

NOW, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the council
2 of the town of LeGrand, Marshall county, Iowa, in authorizing the
3 sale, issuance and delivery of eighteen thousand dollars (\$18,000.00)
4 waterworks revenue bonds of said town for the purpose of payment of
5 part of the construction cost of a waterworks system therein and the
6 pledge of said system and the future net earnings thereof for payment
7 of said bonds as they severally become due, together with the interest
8 thereon, are hereby legalized, validated and confirmed and the said
9 waterworks revenue bonds, sold, issued and delivered pursuant to and
10 in accordance with such proceedings are hereby declared to be legal
11 and to constitute valid and binding obligations of said town, payable
12 only from the future net earnings of such waterworks system, but said
13 bonds shall not be a corporate indebtedness of said town nor shall said
14 town be authorized to levy and collect ad valorem taxes to pay either
15 principal or interest thereon.

1 SEC. 2. This Act being deemed of immediate importance it shall
2 take effect from and after its publication in the Marshalltown Times-
3 Republican, a newspaper published at Marshalltown, Iowa, and in the

- 4 State Center Enterprise, a newspaper published at State Center, Iowa,
5 all without expense to the state of Iowa.

Approved April 11, 1951.

I hereby certify that the foregoing act was published in the Marshalltown Times-Republican, Marshalltown, Iowa, April 20, 1951, and in the State Center Enterprise, State Center, Iowa, April 26, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 247

CITY OF PELLA LEGALIZING ACT

H. F. 349

AN ACT to legalize and validate proceedings taken by the City Council of the City of Pella, Iowa, authorizing and providing for the construction of extensions and improvements to its municipal electric light and power plant.

WHEREAS, during the year 1950 and subsequent thereto, the City Council of Pella, Iowa, adopted proceedings from time to time pursuant to the provisions of Sections three hundred ninety-seven point nine (397.9) to three hundred ninety-seven point nineteen (397.19), both inclusive, of the Code of Iowa, 1950, as amended, providing for hearings and lettings on proposed extensions and improvements, to the municipal electric light and power plant of said City and for the construction thereof, to meet the increased needs of the community for electric current and entered into contracts for materials and labor and incidental costs thereof, said contracts to be paid solely and only from the cash available from past net earnings of said utility and from the proceeds of the sale of revenue bonds payable solely and only from the future net earnings of said utility, and said extensions and improvements are in process of construction, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and contracts, notices given and publications or omissions thereof, and it is deemed advisable to put said doubts and all others that might arise forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the City
2 Council of the City of Pella, Iowa, in connection with the extensions
3 and improvements of the municipal electric light and power plant and
4 contracts therefor referred to in the preamble hereof are hereby
5 legalized, validated and confirmed.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Pella
3 Chronicle, a newspaper published at Pella, Iowa, and in The Knox-
4 ville Express, a newspaper published at Knoxville, Iowa. The publica-
5 tion herein provided shall be without cost to the State of Iowa.

Approved March 16, 1951.

I hereby certify that the foregoing act was published in The Pella Chronicle, Pella, Iowa, March 29, 1951, and in The Knoxville Express, Knoxville, Iowa, March 22, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 248

CITY OF SPENCER LEGALIZING ACT

S. F. 48

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of hospital bonds by the City of Spencer, Iowa, and the provisions made for the levy of taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said city.

WHEREAS, because of increased construction costs the City of Spencer, in Clay County, Iowa, has found that the proceeds of its Municipal Hospital Bonds heretofore issued under date of March 1, 1946, pursuant to an election held in said City on March 9, 1945, are not sufficient to pay the cost of constructing and equipping an addition to the Municipal Hospital in said City, and the federal government has agreed to pay a part of the increased cost of constructing and equipping said hospital addition when the City has raised the additional sum of \$146,000; and

WHEREAS, notice of the intention of said City to issue its Hospital Bonds in amount of \$146,000 has heretofore been published in a newspaper of general circulation in said City and no petition of protest or objections of any kind have been filed in opposition to the proposal to issue said additional bonds and the City Council of the City of Spencer, did heretofore, by resolutions, authorize and provide for the issuance, sale and delivery of Hospital Bonds of said City in the principal amount of One Hundred Forty-six Thousand Dollars (\$146,000) for the purpose of paying its share of the additional cost of constructing and equipping said hospital addition and by said resolutions provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all the taxable property in said City, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and bonds and the provisions made for the payment of the same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest;

NOW, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the City Council of the City of Spencer, Iowa authorizing and providing for the
2 issuance, sale and delivery of Hospital Bonds by the City of Spencer,
3 Iowa, and providing for the levy and collection of annual taxes to pay
4 the interest on and principal of said Bonds are hereby legalized,
5 validated and confirmed and said Hospital Bonds issued, sold and
6 delivered pursuant to and in accordance with said proceedings are
7 hereby declared to be legal and to constitute valid and binding obligations
8 of said City.
9

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Spencer
3 Times, a newspaper published in Spencer, Iowa, and in the Sheldon
4 Mail, a newspaper published in Sheldon, Iowa, all without expense to
5 the State.

Approved February 15, 1951.

I hereby certify that the foregoing act was published in the Spencer Times, Spencer, Iowa, March 1, 1951, and in the Sheldon Mail, Sheldon Iowa, February 28, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 249

SPIRIT LAKE CITY HALL BONDS

H. F. 619

AN ACT to legalize and validate the proceedings of city councils in cities of less than 5,000 population authorizing and providing for the issuance and delivery of bonds for the construction of city halls and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said cities.

WHEREAS, it appears from the records of the city council of the city of Spirit Lake, Iowa, that at the regular city election held in and for said city on March 27, 1950, the proposition of issuing bonds of said city for the purpose of constructing a city hall to be used for general community and municipal purposes including a fire station and of levying a tax to pay said bonds and the interest thereon was approved by more than the required majority of the votes cast thereon and in reliance upon said election said city council thereafter by resolution authorized and provided for the issuance of city hall bonds of said city to the amount of fifty thousand dollars (\$50,000.00) for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and interest thereon; and

WHEREAS, it was found necessary and advisable to issue additional bonds to pay the cost of completing said city hall building and for that purpose the city council of said city has by resolution authorized and provided for the issuance of city hall bonds of said city in the amount of fifteen thousand dollars (\$15,000.00) and made provision for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds, and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; now, therefore:

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

1 SECTION 1. That all proceedings heretofore taken by any city
2 council of cities of less than 5,000 population preliminary to and in
3 connection with any election held in said city in the year of 1950, and
4 providing for the issuance, sale and delivery of city hall bonds of said
5 city in the aggregate principal amount of not more than sixty-five
6 thousand dollars (\$65,000.00), and for the levy of taxes to pay said
7 bonds and interest thereon, are hereby legalized, validated and con-
8 firmed, and said city hall bonds issued and delivered pursuant to and
9 in accordance with said proceedings are hereby declared to be legal
10 and to constitute valid and binding obligations of said city.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its passage and publication in The

3 Spirit Lake Beacon, a newspaper published in Spirit Lake, Iowa, and
 4 in Milford Mail, a newspaper published in Milford, Iowa, all without
 5 expense to the state.

Approved April 30, 1951.

I hereby certify that the foregoing act was published in The Spirit Lake Beacon, Spirit Lake, Iowa, May 10, 1951, and in the Milford Mail, Milford, Iowa, May 10, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 250

APPANOOSE COUNTY LEGALIZING ACT

S. F. 494

AN ACT to legalize and validate the proceedings taken by the board of supervisors of Appanoose county for authority to erect a building to be used for the storage and repair of county road working machinery and bridge and road building materials.

WHEREAS, at the November 1950 general election a proposition as to whether the board of supervisors of Appanoose county should be authorized to erect a building, the cost not to exceed thirty thousand dollars (\$30,000.00), to be used for the storage and repair of county road working machinery and bridge and road building materials, was submitted to the electors of the said county, and

WHEREAS, upon a canvass of the ballots the foregoing proposition was carried by a majority vote, and

WHEREAS, doubts have arisen concerning the validity of the canvass, and the decision of the canvassing board with respect to the intention of the electors to vote for or against the foregoing proposition, and therefore, it now being advisable to put such doubts as to the finality and validity of the canvass upon the foregoing proposition at rest,

NOW, THEREFORE,

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

1 SECTION 1. That the action of the board of supervisors of Appa-
 2 noose County, as the canvassing board in certifying that a proposition
 3 submitted to the electors of Appanoose county at the November 1950
 4 general election, authorizing the board of supervisors to erect a build-
 5 ing, the cost not to exceed thirty thousand dollars (\$30,000.00), to be
 6 used for the storage and repair of county road working machinery and
 7 bridge and road building materials, is hereby validated, and to consti-
 8 tute due and legal authority in the board of supervisors to erect the
 9 foregoing described building for the cost of not to exceed thirty thou-
 10 sand dollars (\$30,000.00) for the purposes aforesaid.

1 SEC. 2. This Act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in the
 3 Daily Iowegian and Citizen, a newspaper published at Centerville,
 4 Iowa, and in the Moulton Weekly Tribune, a newspaper published at
 5 Moulton, Iowa.

Approved April 30, 1951.

I hereby certify that the foregoing act was published in the Daily Iowegian and Citizen, Centerville, Iowa, May 3, 1951, and in the Moulton Weekly Tribune, Moulton, Iowa, May 3, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 251

HOWARD COUNTY LEGALIZING ACT

H. F. 594

AN ACT to legalize the proceedings of the board of supervisors of Howard County in paying for the purchase and construction of an elevator at the county home, from the county poor fund.

WHEREAS, the board of supervisors of Howard County, Iowa, has heretofore expended the sum of thirteen thousand two hundred eighty-six point forty-nine (\$13,286.49) dollars from the county poor fund in the years 1946 and 1947 for the purchase and construction of an elevator to the county home, and

WHEREAS, said sum of thirteen thousand two hundred eighty-six point forty-nine (\$13,286.49) dollars was not available in the county general fund, and

WHEREAS, doubts have arisen as to the legality of such proceedings and the payment of said sum from the county poor fund and it is deemed advisable to put said doubts to rest; now, therefore:

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

1 SECTION 1. That all proceedings heretofore taken by the board of
2 supervisors of Howard County, Iowa, in paying for the purchase and
3 construction of an elevator at the county home, from the county poor
4 fund, said expenditures being in the sum of thirteen thousand two
5 hundred eighty-six point forty-nine (\$13,286.49) dollars are hereby
6 declared to be legal, valid and binding.

1 SEC. 2. This act, being of immediate importance shall be in full
2 force from and after its publication in the Howard County Times and
3 Cresco Plain Dealer consolidated, a newspaper published at Cresco,
4 Iowa, and the Lime Springs Herald, a newspaper published at Lime
5 Springs, Iowa, without expense to the state.

Approved April 5, 1951.

I hereby certify that the foregoing act was published in the Howard County Times and Cresco Plain Dealer consolidated, Cresco, Iowa, April 11, 1951, and in the Lime Springs Herald, Lime Springs, Iowa, April 12, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 252

MONROE COUNTY LEGALIZING ACT

H. F. 320

AN ACT to make permanent a certain temporary transfer of funds of Monroe County, Iowa, made by authority of the state comptroller.

WHEREAS, on application of the board of supervisors of Monroe County, Iowa, the state comptroller, on the 6th day of August, 1947, authorized and approved a temporary transfer of twenty thousand dollars (\$20,000.00) from the county bond fund of said county to the county general fund of said county; and

WHEREAS, the county bond fund has sufficient funds to meet all demands thereon and will not require the return of funds temporarily transferred to the county general fund; and

WHEREAS, the county general fund is depleted to such an extent that it would be a hardship to transfer the said twenty thousand dollars (\$20,000.00) to the county bond fund; therefore

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

1 SECTION 1. The temporary transfer of twenty thousand dollars
2 (\$20,000.00) from the county bond fund of Monroe County, Iowa,
3 to the county general fund of said county approved by the state
4 comptroller on the sixth (6th) day of August, 1947, and duly made,
5 is hereby made a permanent transfer and the same is hereby legalized
6 and made valid.

1 SEC. 2. This Act being deemed of immediate importance, shall
2 take effect and be in full force from and after its passage and publica-
3 tion in The Monroe County News, a newspaper published at Albia,
4 Iowa, and in The Lovilia Press, a newspaper published at Lovilia,
5 Iowa, without expense to the state.

Approved April 2, 1951.

I hereby certify that the foregoing act was published in The Monroe County News, Albia, Iowa, April 10, 1951, and in The Lovilia Press, Lovilia, Iowa, April 12, 1951.
MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 253

OSCEOLA COUNTY CONSTRUCTION LEGALIZED

H. F. 76

AN ACT to legalize the action of the board of supervisors of Osceola county in contracting and paying for the construction of a concrete floor in the new highway maintenance building of said county.

WHEREAS, The board of supervisors of Osceola county has heretofore contracted and paid for the construction of a concrete floor in the new highway maintenance building of Osceola county at a cost of two thousand seven hundred and seven dollars (\$2,707.00) and

WHEREAS, At the time of the completion of said construction there was sufficient funds available to pay for said construction, and

WHEREAS, During the year 1950 said board of supervisors caused the two thousand seven hundred and seven dollars (\$2,707.00), the cost of the construction, to be paid, and

WHEREAS, Doubts have arisen as to the legality of such proceedings, and it is deemed advisable to put said doubts at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of
2 supervisors of Osceola county in contracting for and paying for the

3 construction of a concrete floor in the new highway maintenance build-
4 ing in Osceola county is hereby declared to be legal, valid and binding.

1 SEC. 2. This act being deemed of immediate importance, shall be
2 in full force from and after its publication in The Sibley Gazette
3 Tribune, a newspaper published at Sibley, Iowa, and The Ocheyedan
4 Press, a newspaper published at Ocheyedan, Iowa, without expense to
5 the state.

Approved March 16, 1951.

I hereby certify that the foregoing act was published in The Sibley Gazette Tribune,
Sibley, Iowa, April 5, 1951, and in The Ocheyedan Press, Ocheyedan, Iowa, April 5, 1951.
MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 254

POLK COUNTY CONSTRUCTION LEGALIZED

H. F. 86

AN ACT to legalize the action of the board of supervisors of Polk County in contract-
ing for and making expenditures for the erection of a maintenance shed and storage
yard for the housing and maintenance of secondary road equipment and materials
for said county.

WHEREAS, the board of supervisors of Polk County have heretofore,
during the years 1945 and 1946, made contracts and expenditures for the
erection of a maintenance shed and for a storage yard in connection there-
with near Johnston, Iowa, for the housing and maintenance of secondary
road equipment and materials for said county, and

WHEREAS, expenditures therefor have approximated \$18,559.03, and
unpaid accounts in connection therewith are outstanding, approximating
\$4,328.13, and

WHEREAS, sufficient moneys are available for the payment of said
outstanding accounts, and

WHEREAS, doubts have arisen as to the legality of such proceedings
and it is deemed advisable to put such doubts at rest; now, therefore:

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

1 SECTION 1. The action of the board of supervisors of Polk County,
2 Iowa, in making the contracts and expenditures for the maintenance
3 shed and storage yard near Johnston, Iowa, for the housing and
4 maintenance of secondary road equipment and materials for said
5 county and the payment of outstanding accounts in connection there-
6 with out of the secondary road maintenance fund from funds presently
7 available is hereby declared to be legal, valid and binding.

Approved March 16, 1951.

CHAPTER 255

POTTAWATTAMIE COUNTY ASSESSOR

S. F. 241

AN ACT to legalize the action of the board of supervisors of Pottawattamie county in authorizing a payment to the city assessor's fund for Council Bluffs, Iowa.

WHEREAS, the board of supervisors of Pottawattamie county, Iowa, transferred seven thousand dollars (\$7,000.00) to the city assessor fund of Council Bluffs, Iowa, and

WHEREAS, said seven thousand dollars (\$7,000.00) was said county's share of the budget of said city assessor for the year 1950, and

WHEREAS, said funds were inadvertently paid from the county general fund and not from a special fund derived from the city assessment as prescribed, and

WHEREAS, the legality of such payment was not questioned until after the possibility* of assessing the city therefor had passed, and

WHEREAS, in view of recent doubts having been raised as to the legality of such payment from the general fund of said county;

NOW THEREFORE,

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

- 1 SECTION 1. The action of the board of supervisors of Pottawat-
- 2 tamie county, in authorizing payment to the city assessor of Council
- 3 Bluffs, Iowa, for the year 1950, in the amount of seven thousand dol-
- 4 lars (\$7,000.00) is hereby declared legal, valid and binding.

Approved March 22, 1951.

*According to enrolled Act.

CHAPTER 256

WRIGHT COUNTY PARK LEGALIZED

H. F. 379

AN ACT to legalize and authorize operation of a public park in Wright County, Iowa in accordance with the terms set forth in the deed conveying said premises to Boone Township, Wright County, Iowa; Vernon Township, Humboldt County, Iowa; and the incorporated town of Renwick, Humboldt County, Iowa.

WHEREAS, a grant was made for park purposes to Boone township, Wright county, Iowa; Vernon township, Humboldt county, Iowa, and the incorporated town of Renwick, Humboldt county, Iowa, on the condition that each of said grantees levy such rate of tax for maintenance of the premises as will produce a fund of one hundred fifty dollars (\$150.00) from each grantee for a period of five (5) years from the date of said grant, and after said five (5) years have elapsed to levy such rate of tax as will produce a yearly tax of one hundred dollars (\$100.00) from each grantee, and

WHEREAS, said taxes have been levied and collected and expended in the past, as provided in said deed, and

WHEREAS, a sum in the amount of eight hundred sixty-seven dollars and twenty-four cents (\$867.24) is now on hand as a result of said levies and collections, and

WHEREAS, doubts have arisen as to the expenditure of the eight hundred sixty-seven dollars and twenty-four cents (\$867.24) for park purposes, and

WHEREAS, doubts have arisen as to the legality of any and all such future levies, collections and expenditures for park purposes as hereinbefore set forth; now, therefore,

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

1 SECTION 1. All tax levies and collections and expenditures of
2 monies derived therefrom, by Boone township, Wright county, Iowa;
3 Vernon township, Humboldt county, Iowa, and the incorporated town
4 of Renwick, Humboldt county, Iowa; for maintenance of the public
5 park in Boone township, Iowa; described as: "Beginning at the north-
6 east corner of the south west quarter of the south east quarter of sec-
7 tion thirty (30) in township number ninety three (93) north of range
8 number twenty-six (26) west of the fifth (5th) principal meridian;
9 thence south eighty (80) rods; thence west along the south side of
10 said described land sixty and 75/100 (60.75) rods; thence north along
11 the west bank of Boone river twenty-four and 65/100 (24 and
12 65/100) rods; thence in a northeasterly direction five and 75/100
13 (5 and 75/100) rods; thence north fifty three (53) rods; thence east
14 along the north side of above described land twenty eight rods;
15 thence south four (4) rods; thence east fourteen (14) rods; thence
16 north four (4) rods; thence east twelve (12) rods along the north side
17 of the above described land to the place of beginning", are hereby
18 legalized and authorized and declared to be valid to the extent and not
19 to exceed one hundred fifty dollars (\$150.00) for five (5) years from
20 1917 A. D. and one hundred dollars (\$100.00) for each year thereafter.

1 SEC. 2. All monies now on hand, collected as set forth in section
2 one (1) hereof, that have not been expended for park maintenance
3 purposes for the premises hereinbefore described, may be legally and
4 validly so expended.

1 SEC. 3. Boone township, Wright county, Iowa; Vernon township,
2 Humboldt county, Iowa; and the incorporated town of Renwick, Hum-
3 boldt county, Iowa; are hereby authorized to levy, collect and expend
4 a tax, for the maintenance and upkeep of the thirty (30) acres, more
5 or less, described in section one (1) hereof, for public park purposes.

1 SEC. 4. This Act being of immediate importance shall be effective
2 from and after its publication in The Humboldt Independent, a news-
3 paper located in Humboldt, Iowa, and in The Renwick Times, a news-
4 paper located in Renwick, Iowa, such publication to be without cost to
5 the state.

Approved March 16, 1951.

I hereby certify that the foregoing act was published in The Humboldt Independent, Humboldt, Iowa, April 10, 1951, and in The Renwick Times, Renwick, Iowa, April 5, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 257

BUCHANAN COUNTY LEGALIZING ACT

H. F. 637

AN ACT to legalize the conveyance of certain property in Buchanan county to the Iowa State College of Ames, Iowa, as a conveyance to the state of Iowa for the benefit of the state board of education and the Iowa State College of Agriculture and Mechanic Arts, and to authorize the issuance of a patent for such property.

WHEREAS, D. W. Bates, receiver of the Commercial State Bank of Independence, Iowa, on June 9, 1937 reported to the District Court in and for Buchanan County that as such receiver he had an offer to sell the East 20 acres of the West 42 acres of the Northeast fractional $\frac{1}{4}$ of Section 3, Township 89 North, Range 8 West of the 5th P.M., in Buchanan County, Iowa, to the Iowa State College at Ames, Iowa, for the sum of six hundred dollars (\$600.00), and

WHEREAS, pursuant to hearing had upon said application, the court found that said offer should be accepted, and the sale of said real estate to the Iowa State College at Ames, Iowa was approved and confirmed, and

WHEREAS, said order of court further authorized and directed the receiver to execute and deliver to the Iowa State College at Ames, Iowa, the receiver's deed conveying all of his right, title and interest in and to the foregoing described premises, and

WHEREAS, pursuant to the directions of the foregoing order D. W. Bates, as Superintendent of Banking of the State of Iowa and Receiver of the Commercial State Bank at Independence, Iowa, executed and delivered on June 18, 1937 a receiver's deed, conveying to Iowa State College at Ames, Iowa the following described real estate, to-wit:

"The East 20 acres of the West 42 acres of the Northeast fractional $\frac{1}{4}$ of Section 3, Township 89 North, Range 8 West of the 5th P.M., in Buchanan County, Iowa."

and

WHEREAS, sale of the foregoing described property is now being negotiated by the state board of education, and the title, as conveyed to the Iowa State College at Ames, Iowa, together with its power to convey the foregoing described real estate, is now being questioned, and

WHEREAS, the Iowa State College of Ames, Iowa is not an entity endowed with the power to hold, own, sell and convey real estate so held in its name, and said real estate is in truth and in fact owned by the state of Iowa.

NOW, THEREFORE,

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

- 1 SECTION 1. That the following described real estate, to-wit:
- 2 "The East 20 acres of the West 42 acres of the Northeast frac-
- 3 tional $\frac{1}{4}$ of Section 3, Township 89 North, Range 8 West of the
- 4 5th P.M., in Buchanan County, Iowa,"
- 5 the title to which now stands in the name of Iowa State College of
- 6 Ames, Iowa, be and is hereby accepted as property of the state of Iowa,
- 7 and the title thereto be and is hereby legalized in the state of Iowa for

8 the benefit of the Iowa state board of education and the Iowa State
9 College of Agriculture and Mechanic Arts.

1 SEC. 2. That patent of the state of Iowa in the usual form may be
2 issued to the purchaser of said premises upon recommendation to the
3 Executive Council by the state board of education, and such patent
4 shall divest the state of Iowa and any of its agencies of any right, title
5 and interest therein.

1 SEC. 3. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 The Dallas County News, a newspaper published at Adel, Iowa, and
4 in The Coggon Monitor, a newspaper published at Coggon, Iowa.

Approved April 30, 1951.

I hereby certify that the foregoing act was published in The Dallas County News,
Adel, Iowa, May 9, 1951, and in The Coggon Monitor, Coggon, Iowa, May 3, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 258

AINSWORTH SCHOOL DISTRICT LEGALIZING ACT

S. F. 69

AN ACT to legalize and validate the proceedings of the board of directors of the Consolidated School District of Ainsworth, in the County of Washington, State of Iowa, (sometimes known and identified as the Ainsworth Consolidated School District of Washington County, Iowa) authorizing and providing for the issuance and delivery of school building bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS it appears from the records of the board of directors of the Consolidated School District of Ainsworth, in the County of Washington, State of Iowa, (sometimes known and identified as the Ainsworth Consolidated School District of Washington County, Iowa) that at a special election held in and for said School District on July 17, 1950, the proposition of issuing bonds of said School District in the sum of sixty-five thousand dollars for the purpose of building a gymnasium and an addition to the school house in said school district was approved by more than the required majority of the votes cast thereon and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance of school building bonds to the amount and for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and interest thereon; and

WHEREAS doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds, and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest;

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

1 SECTION 1. That all proceedings heretofore taken by the board of
2 directors of the Consolidated School District of Ainsworth, in the
3 County of Washington, State of Iowa, (sometimes known and identified
4 as the Ainsworth Consolidated School District of Washington
5 County, Iowa) preliminary to and in connection with the special elec-

6 tion held in said School District on July 17, 1950, and providing for
 7 the issuance, sale and delivery of school building bonds of said school
 8 district to the amount of sixty-five thousand dollars pursuant to said
 9 election, and for the levy of taxes to pay said bonds and interest there-
 10 on, are hereby legalized, validated and confirmed, and said school
 11 building bonds issued and delivered pursuant to and in accordance
 12 with said proceedings are hereby declared to be legal and to constitute
 13 valid and binding obligations of said School District.

1 SEC. 2. This act being deemed of immediate importance shall take
 2 effect and be in force from and after its passage and publication in
 3 Washington Journal,* a newspaper published in Washington, Iowa,
 4 and in Wellman Advance, a newspaper published in Wellman, Iowa, all
 5 without expense to the state.

Approved February 15, 1951.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of Section 3.9, Code of Iowa, 1950, the Washington Journal, Washington, Iowa, being non-existent, The Washington Evening Journal, a newspaper published in Washington, Iowa, is designated to publish the foregoing Act, Senate File 69, without expense to the State.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing act was published in The Washington Evening Journal, Washington, Iowa, February 24, 1951, and in the Wellman Advance, Wellman, Iowa, March 1, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

*According to enrolled Act.

CHAPTER 259

CHEROKEE SCHOOL LEGALIZING ACT

H. F. 236

AN ACT to legalize and validate the proceedings of the board of directors of the Independent School District of Cherokee, Iowa, with reference to the conveyance of real estate acquired by virtue of the provisions of section two hundred ninety-seven point three (297.3), Code 1950, and to authorize and direct the issuance of a patent to such real estate by the governor and the secretary of state.

WHEREAS, the board of directors of the Independent School District of Cherokee, Iowa, acquired title to the following described lands:

The north one hundred thirty (130) feet of lot one (1) in block sixty-four (64) of the eleventh (11th) addition to the town of New Cherokee, Iowa, now Cherokee, Iowa.

That part of lot two (2), block sixty-four (64) of the eleventh (11th) addition to the town of New Cherokee, Iowa, now Cherokee, Iowa, described as follows: Beginning at the southwest corner of lot 2, block 64, of the eleventh addition to the town of New Cherokee, Iowa; thence north 235' along the west side of said lot 2; thence north 36°30' east a distance of 50'; thence northeasterly along a right deflection curve of 42° with a radius of 130' to a point 121.1' west of the northeast corner of said lot 2; thence a distance of 121.1' east to the northeast corner of said lot 2; thence south a distance of 130' along the east line of said lot 2; thence west a distance of 175'; thence south 170' to the south line of said lot 2; thence west on the south line of said lot 2 a distance of 65' to the point of beginning.

That part of lot three (3), block sixty-four (64) of the eleventh (11th) addition to the town of New Cherokee, Iowa, described as follows:

Beginning at a point on the south line of said lot 3 and 157' west of the southeast corner of said lot; thence east on the south line of said lot 3 a distance of 157' to the southeast corner of said lot 3; thence north on the east line of said lot 3 a distance of 235'; thence south 36°30' west to the point of beginning, and other lands by virtue of the provisions of section two hundred ninety-seven point three (297.3), Code 1950, and

WHEREAS, tracts of lands owned by one, Lew McDonald, would fit into the plans of the said board of directors in landscaping and use for school purposes, and

WHEREAS, the said board of directors took title to lands of the said Lew McDonald in exchange for the above described lands, and

WHEREAS, doubts have arisen as to the legal sufficiency of the proceedings and as to the authority of the said board of directors to execute the said conveyance, and it is deemed advisable to put said doubts and all others that may arise, forever at rest; now therefore,

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

1 SECTION 1. That all proceedings taken by the board of directors of
2 the Independent School District of Cherokee, Iowa, authorizing the
3 conveyance of real estate situated in Cherokee County, Iowa, described
4 as follows, to-wit:

5 The north one hundred thirty (130) feet of lot one (1) in block
6 sixty-four (64) of the eleventh (11th) addition to the town of New
7 Cherokee, Iowa, now Cherokee, Iowa.

8 That part of lot two (2), block sixty-four (64) of the eleventh
9 (11th) addition to the town of New Cherokee, Iowa, now Cherokee,
10 Iowa, described as follows: Beginning at the southwest corner of
11 lot 2, block 64, of the eleventh addition to the town of New Cherokee,
12 Iowa; thence north 235' along the west side of said lot 2; thence
13 north 36°30' east a distance of 50'; thence northeasterly along a
14 right deflection curve of 42° with a radius of 130' to a point 121.1'
15 west of the northeast corner of said lot 2; thence a distance of 121.1'
16 east to the northeast corner of said lot 2; thence south a distance of
17 130' along the east line of said lot 2; thence west a distance of 175';
18 thence south 170' to the south line of said lot 2; thence west on the
19 south line of said lot 2 a distance of 65' to the point of beginning.

20 That part of lot three (3), block sixty-four (64) of the eleventh
21 (11th) addition to the town of New Cherokee, Iowa, described as
22 follows: Beginning at a point on the south line of said lot 3 and 157'
23 west of the southeast corner of said lot; thence east on the south
24 line of said lot 3 a distance of 157' to the southeast corner of said
25 lot 3; thence north on the east line of said lot 3 a distance of 235';
26 thence south 36°30' west to the point of beginning,

27 and the conveyance thereof to Lew McDonald are hereby legalized,
28 validated and confirmed as transferring to the said Lew McDonald all
29 right, title and interest of the Independent School District of Cherokee,
30 Iowa, in and to said real estate.

Approved April 2, 1951.

CHAPTER 260

HANSELL SCHOOL BONDS LEGALIZED

H. F. 245

AN ACT to legalize and validate the proceedings of the Board of Directors of the Consolidated School District of Hansell, in the County of Franklin, State of Iowa, authorizing and providing for the issuance and delivery of school building bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, it appears from the records of the Board of Directors of the Consolidated School District of Hansell, in the County of Franklin, State of Iowa, that at a special election held in and for said school district on the 27th day of April, 1950, the proposition of issuing bonds of said school district in the sum of one hundred thirty thousand dollars (\$130,000.00) for the purpose of remodeling the present building so as to create two additional grade school rooms, a hot lunch kitchen, dining room, high school assembly, and a library, and to equip all of said rooms, and to build a new building to accommodate vocational agriculture classes, farm shop, band, and to provide a combination auditorium and gymnasium to accommodate school functions, school plays and programs, and athletic contests, and to equip said new building was approved and said proposition was declared carried by more than sixty per cent (60%) of the votes cast at said election; and

WHEREAS, the board of directors of said school district, in reliance upon said election, has by resolutions authorized and provided for the issuance and sale of said school building bonds to the amount and for the purpose aforesaid and in and by said proceedings has provided for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings, election and the provisions made for the issuance and the sale of said bonds on the basis of said election and for the levy and collection of taxes to pay the principal of and the interest on said bonds as the same become due, and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; now therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of
2 directors of the Consolidated School District of Hansell, in the County
3 of Franklin, State of Iowa, preliminary to and in connection with
4 the special election held in said school district on the 27th day of
5 April, 1950, and providing for the issuance, sale and delivery of school
6 building bonds of said school district to the amount of one hundred
7 thirty thousand dollars (\$130,000.00) pursuant to said election and
8 for the levy of taxes to pay said bonds and interest thereon, are
9 hereby legalized, validated and confirmed, and said school building
10 bonds issued and delivered pursuant to and in accordance with said
11 proceedings are hereby declared to be legal and to constitute valid
12 and binding obligations of said school district.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in force from and after its publication in the Hampton Chronicle, a

- 3 newspaper published at Hampton, Iowa, and in the Hampton Times,
 4 a newspaper published at Hampton, Iowa, without expense to the
 5 state.

Approved March 9, 1951.

I hereby certify that the foregoing act was published in the Hampton Chronicle, Hampton, Iowa, March 15, 1951, and in the Hampton Times, Hampton, Iowa, March 13, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 261

LAKE PARK SCHOOL BONDS LEGALIZED

H. F. 425

AN ACT to legalize and validate the proceedings of the board of directors of the consolidated school district of Lake Park, in the county of Dickinson, state of Iowa, authorizing and providing for the issuance and delivery of school building bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, it appears from the records of the board of directors of the consolidated school district of Lake Park, in the county of Dickinson, state of Iowa, that at a special election held in and for said school district on the twenty-fourth (24th) day of April, 1950, the proposition of issuing bonds of said school district in the sum of one hundred sixty-nine thousand dollars (\$169,000.00) for the purpose of carrying out a school building and expansion program in and for said school district including the construction and erection of an additional school house building, remodeling the present building, and purchasing additional land sites, facilities, furnishings, and equipment therefor, was approved and said proposition was declared carried by more than sixty per cent (60%) of the votes cast at said election, there being three hundred ninety-eight (398) votes cast in favor of said proposition and fifty-one (51) votes cast against the same; and

WHEREAS, the board of directors of said district, in reliance upon said election, has by resolutions authorized and provided for the issuance and sale of said school building bonds to the amount and for the purpose aforesaid and in and by said proceedings has provided for the levy of taxes to pay said bonds and the interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings, election, and the provisions made for the issuance and the sale of said bonds on the basis of said election and for the levy and collection of taxes to pay the principal of and the interest on said bonds as the same become due, and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest, now, therefore,

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

- 1 SECTION 1. That all proceedings heretofore taken by the board of
 2 directors of the consolidated school district of Lake Park, in the county
 3 of Dickinson, state of Iowa, preliminary to and in connection with the

4 special election held in said school district on the twenty-fourth (24th)
 5 day of April, 1950, and providing for the issuance, sale and delivery
 6 of school building bonds of said school district to the amount of one
 7 hundred sixty-nine thousand dollars (\$169,000.00) pursuant to said
 8 election and for the levy of taxes to pay said bonds and interest there-
 9 on, are hereby legalized, validated and confirmed, and said school build-
 10 ing bonds issued and delivered pursuant to and in accordance with
 11 said proceedings are hereby declared to be legal and to constitute valid
 12 and binding obligations of said school district.

1 SEC. 2. This Act being deemed of immediate importance shall take
 2 effect and be in force from and after its passage and publication in
 3 The Lake Park News, a newspaper published in Lake Park, Iowa,
 4 and in The Spirit Lake Beacon, a newspaper published in Spirit Lake,
 5 Iowa, said publications to be without expense to the state.

Approved March 16, 1951.

I hereby certify that the foregoing act was published in The Lake Park News, Lake Park, Iowa, March 29, 1951, and in The Spirit Lake Beacon, Spirit Lake, Iowa, March 29, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 262

LLOYD SCHOOL BONDS LEGALIZED

H. F. 229

AN ACT to legalize and validate the proceedings of the board of directors of consolidated school district of Lloyd township, in the county of Dickinson, state of Iowa, authorizing and providing for the issuance, sale and delivery of school bonds and for the levy of taxes for the payment of said bonds and interest thereon, and declaring bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, the board of directors of the consolidated school district of Lloyd township, in the county of Dickinson, state of Iowa, did heretofore, by resolution and in reliance upon a special election theretofore held in and for said school district on March 13, 1950, authorize and provide for the issuance, sale and delivery of school bonds of said school district in the principal amount of one hundred seventy-five thousand (\$175,000) dollars for the purpose of carrying out a school building and expansion program, including the construction and erection of additional school house building and purchasing furnishings and equipment therefor, and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all taxable property in said school district; and,

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings, election, and provisions made for the issuance and payment of said bonds, and it is deemed advisable to put all such doubts and all others that might arise concerning the same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of
 2 directors of the consolidated school district of Lloyd township, in the

3 county of Dickinson, state of Iowa, preliminary to and in connection
 4 with said special election held March 13, 1950, and providing for the
 5 issuance, sale and delivery of school bonds of said school district in
 6 the amount of one hundred seventy-five thousand (\$175,000) dollars
 7 pursuant to said election, and for the annual levy of taxes to pay said
 8 bonds and interest thereon, are hereby legalized, validated and con-
 9 firmed, and said school bonds issued, sold and delivered pursuant to
 10 and in accordance with said proceedings are hereby declared to be
 11 legal and to constitute valid and binding obligations of said district.

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force from and after its publication in The Terril Record, a
 3 newspaper published at Terril, Iowa, and in the Lake Park News, a
 4 newspaper published at Lake Park, Iowa, without expense to the State.

Approved March 16, 1951.

I hereby certify that the foregoing act was published in The Terril Record, Terril,
 Iowa, April 5, 1951, and in the Lake Park News, Lake Park, Iowa, April 5, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 263

MASON CITY SCHOOL BONDS LEGALIZED

H. F. 163

AN ACT to authorize and legalize proceedings of the Independent School District of
 Mason City, in the county of Cerro Gordo, State of Iowa for the issuance and deliv-
 ery of school bonds and for the levy of taxes for the payment of said bonds, and
 declaring the bonds issued pursuant to said proceedings to be enforceable obliga-
 tions of said school district.

WHEREAS, it appears from the records of the board of directors of
 the Independent School District of Mason City, in the county of Cerro
 Gordo, State of Iowa, that at a special election in and for said school dis-
 trict on December 11, 1950, the proposition of issuing bonds of said
 school district in the sum of not to exceed two hundred thousand dollars
 (\$200,000.00) for the purpose of improving school buildings was approved
 by more than the required majority vote cast thereon and also that in
 reliance upon approval of said proposition at said election said board of
 directors by resolution authorized and provided for the issuance of school
 bonds of said school district to the total amount of not to exceed two hun-
 dred thousand dollars (\$200,000.00) and made provision for the levy of
 taxes to pay said bonds and interest thereon; and,

WHEREAS, doubts have arisen concerning the validity and legal suffi-
 ciency of said proceedings, election and provisions made for the issuance
 and payment of said bonds, and it is deemed advisable to put such doubts
 and all others that might arise concerning same, forever at rest, now
 therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of
 2 directors of the independent school district of Mason City, in the
 3 county of Cerro Gordo, State of Iowa, preliminary to and in connec-
 4 tion with the special election held in said school district on December

5 11, 1950, on the question of issuing said bonds and the proceedings
 6 providing for the issuance, sale and delivery of school improvement
 7 bonds of said school district to the amount of two hundred thousand
 8 dollars (\$200,000.00) pursuant to said election, and for the levy of
 9 taxes to pay said bonds and interest thereon, are hereby legalized,
 10 validated and confirmed, and said school improvement bonds issued
 11 and delivered pursuant to and in accordance with said proceedings
 12 are hereby declared to be legal and to constitute valid and binding
 13 obligations of said school district.

1 SEC. 2. This act being deemed of immediate importance shall take
 2 effect and be in force from and after its passage and publication in
 3 the Mason City Globe-Gazette, a newspaper published in Mason City,
 4 Iowa, and in the Clear Lake Mirror, a newspaper published at Clear
 5 Lake, Iowa, all without expense to the state.

Approved March 9, 1951.

I hereby certify that the foregoing act was published in the Mason City Globe-Gazette, Mason City, Iowa, March 16, 1951, and in the Clear Lake Mirror, Clear Lake, Iowa, March 22, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 264

NEWHALL SCHOOL DISTRICT LEGALIZING ACT

S. F. 71

AN ACT to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the consolidated school district of Newhall, in the county of Benton, state of Iowa, and declaring said bonds issued and sold pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, pursuant to a special school election held on October 2, 1950, the board of directors of the consolidated school district of Newhall, in the county of Benton, state of Iowa, did heretofore by resolution authorize and provide for the issuance, sale and delivery of school building bonds of said school district in the principal amount of thirty thousand dollars (\$30,000) for school building purposes and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all of the taxable property in said school district, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election, proceedings and bonds, and the provisions made for payment of the same and it is deemed advisable to put said doubts and all others that might arise concerning the same forever at rest; now therefore

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

1 SECTION 1. That the special school election held on October 2, 1950,
 2 and all proceedings in connection therewith and heretofore taken,
 3 pursuant to said election by the board of directors of the consolidated
 4 school district of Newhall, in the county of Benton, state of Iowa,
 5 authorizing and providing for the issuance, sale and delivery of school

6 building bonds of said school district to the amount of thirty thousand
 7 dollars (\$30,000) and providing for the levy of annual taxes to pay the
 8 interest on and principal of said bonds, are hereby legalized, validated
 9 and confirmed, and said school building bonds issued, sold and de-
 10 livered pursuant to said election and said proceedings are hereby
 11 declared to be legal and to constitute valid and binding obligations of
 12 said school district.

1 SEC. 2. This Act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in the Cedar Valley
 3 Daily Times, a newspaper published at Vinton, Iowa, and in The Belle
 4 Plaine Union, a newspaper published at Belle Plaine, Iowa, all without
 5 expense to the state.

Approved February 23, 1951.

I hereby certify that the foregoing act was published in the Cedar Valley Daily Times, Vinton, Iowa, March 1, 1951, and in The Belle Plaine Union, Belle Plaine, Iowa, March 7, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 265

UNION TOWNSHIP SCHOOL LEGALIZED

H. F. 378

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance of bonds by the Consolidated School District of Union Township, in the County of Plymouth, State of Iowa for the purpose of building an addition to and making alterations in the existing school building of said school district.

WHEREAS, it appears from the records of the Board of Directors of the Consolidated School District of Union Township, in the County of Plymouth, State of Iowa, that at a special election in and for said School District on December 6, 1950, the proposition of issuing bonds of said School District in the sum of forty-five thousand dollars (\$45,000.00) for the purpose of building an addition to and making alterations in the existing school building of said School District was approved by more than a sixty per cent majority vote cast thereon and that in reliance thereon said Board of Directors thereafter by appropriate proceedings declared that the bonds of said School District so authorized be issued; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and election for the issuance of such bonds for the purpose stated and it is deemed advisable to put such doubts and all other doubts that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the Board of
 2 Directors of the Consolidated School District of Union Township, in
 3 the County of Plymouth, State of Iowa, preliminary to and in con-
 4 nection with the special election in said School District on December
 5 6, 1950, and providing for the issuance of bonds of said School District
 6 to the amount of forty-five thousand dollars (\$45,000.00) pursuant to
 7 said election and for the purpose as recited in said proceedings are

8 hereby legalized, validated and confirmed and said bonds issued and
 9 delivered pursuant to and in reliance upon said proceedings are hereby
 10 declared to be legal and constitute valid and binding obligations of said
 11 School District.

1 SEC. 2. This act being deemed of immediate importance, shall
 2 take effect and be in full force from and after its passage and publica-
 3 tion in the Le Mars Semi-Weekly Sentinel, a newspaper published at
 4 Le Mars, Iowa, and in the Le Mars Globe-Post, a newspaper published
 5 at Le Mars, Iowa, all without expense to the State.

Approved April 5, 1951.

I hereby certify that the foregoing act was published in the LeMars Semi-Weekly Sentinel, LeMars, Iowa, April 10, 1951, and in the LeMars Globe-Post, LeMars, Iowa, April 12, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 266

WAYNE TOWNSHIP SCHOOL LEGALIZING ACT

H. F. 44

AN ACT to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the Wayne Township School District in the County of Mitchell, State of Iowa, being one and the same school corporation as the School Township of Wayne in the County of Mitchell, State of Iowa, and declaring said bonds issued and sold pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, pursuant to a special school election held on July 26, 1950, the Board of Directors of the Wayne Township School District in the County of Mitchell, State of Iowa, being one and the same school corporation as the School Township of Wayne, in the County of Mitchell, State of Iowa, did heretofore by resolution authorize and provide for the issuance, sale and delivery of School Building Bonds of said School District in the principal amount of Twenty Thousand Dollars (\$20,000) for school building purposes and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all of the taxable property in said School District; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election, proceedings and bonds, and the provisions made for payment of the same and it is deemed advisable to put said doubts and all others that might arise concerning the same forever at rest; now therefore,

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

1 SECTION 1. That the special school election held on July 26, 1950,
 2 and all proceedings in connection therewith and heretofore taken,
 3 pursuant to said election by the Board of Directors of the Wayne
 4 Township School District in the County of Mitchell, State of Iowa,
 5 being one and the same school corporation as the School Township
 6 of Wayne in the County of Mitchell, State of Iowa, authorizing and
 7 providing for the issuance, sale and delivery of School Building

8 Bonds of said School District to the amount of Twenty Thousand
 9 Dollars (\$20,000) and providing for the levy of annual taxes to pay
 10 the interest on and principal of said bonds, are hereby legalized,
 11 validated and confirmed, and said School Building Bonds issued, sold
 12 and delivered pursuant to said election and said proceedings are here-
 13 by declared to be legal and to constitute valid and binding obligations
 14 of said School District.

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Mitchell
 3 County Press and Osage News a newspaper published at Osage, Iowa,
 4 and in the St. Ansgar Enterprise, a newspaper published at St. Ansgar,
 5 Iowa.

Approved February 9, 1951.

I hereby certify that the foregoing act was published in the Mitchell County Press and Osage News, Osage, Iowa, March 1, 1951, and in the St. Ansgar Enterprise, St. Ansgar, Iowa, March 1, 1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 267

WINFIELD SCHOOL DISTRICT LEGALIZING ACT

S. F. 111

AN ACT to legalize and validate the proceedings of the board of directors of the Consolidated School District of Winfield, in the Counties of Henry and Louisa, State of Iowa, authorizing and providing for the issuance and delivery of schoolhouse fund bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS it appears from the records of the Board of Directors of the Consolidated School District of Winfield, in the Counties of Henry and Louisa, State of Iowa, that at a special election held in and for said School District on August 30, 1950, the proposition of issuing bonds of said School District for the purpose of carrying out a schoolhouse repair, improvement and equipment program consisting of removing the present existing inadequate, unworkable boilers, stoker and condensation pump in the school building in said School District and installing one new boiler, oil burner tank or bin type stoker and condensation pump, together with the necessary excavation, masonry work, electrical work and engineering services incidental thereto was approved by more than the required majority of the votes cast thereon and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance and sale of schoolhouse fund bonds to the amount of Fifteen Thousand Dollars (\$15,000.00) for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and interest thereon; and

WHEREAS doubts have arisen concerning the validity and legal sufficiency of said election and proceedings and provisions made for the issuance and payment of said bonds, and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest;

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

1 SECTION 1. That all proceedings heretofore taken by the Board
2 of Directors of the Consolidated School District of Winfield, in the
3 Counties of Henry and Louisa, State of Iowa, preliminary to and in
4 connection with the special election held in said School District on
5 August 30, 1950, and providing for the issuance, sale and delivery of
6 schoolhouse fund bonds of said School District to the amount of
7 Fifteen Thousand Dollars (\$15,000.00) pursuant to said election,
8 and for the levy of taxes to pay said bonds and interest thereon, are
9 hereby legalized, validated and confirmed, and said schoolhouse fund
10 bonds issued and delivered pursuant to and in accordance with said
11 proceedings are hereby declared to be legal and to constitute valid
12 and binding obligations of said School District.

1 SEC. 2. This act being deemed of immediate importance shall
2 take effect and be in force from and after its passage and publication
3 in *The Winfield Beacon*, a newspaper published in Winfield, Iowa,
4 and in *Mt. Pleasant News*, a newspaper published in Mt. Pleasant,
5 Iowa, all without expense to the state.

Approved February 9, 1951.

I hereby certify that the foregoing act was published in *The Winfield Beacon*, Winfield, Iowa, February 22, 1951, and in the *Mt. Pleasant News*, Mt. Pleasant, Iowa, February 17, 1951.

MELVIN D. SYNHORST, *Secretary of State*.

**JOINT RESOLUTIONS
AND
RULES OF CIVIL PROCEDURE**

JOINT RESOLUTIONS

CHAPTER 268

GUBERNATORIAL SUCCESSION

H. J. R. 3

A JOINT RESOLUTION proposing amendments to the Constitution of the State of Iowa relating to the succession of officers to the office of Governor in the event of death or disability of the Governor or person elected to that office and to amend section four (4) of Article IV and to repeal section nineteen (19) of Article IV and propose a substitute therefor.

Be It Resolved by the General Assembly of the State of Iowa:

1 SECTION 1. That the following amendments to the Constitution
2 of Iowa are hereby proposed:

3 Amendment 1. Section four (4) of Article IV of the Constitu-
4 tion of Iowa is amended by adding thereto the following: "If, upon
5 the completion of the canvass of votes for Governor and Lieutenant
6 Governor by the General Assembly, it shall appear that the person
7 who received the highest number of votes for Governor has since
8 died, resigned, is unable to qualify, fails to qualify, or for any other
9 reason is unable to assume the duties of the office of Governor for
10 the ensuing term, the powers and duties of the office shall devolve
11 upon the person who received the highest number of votes for Lieu-
12 tenant Governor until the disability is removed and, upon inaugura-
13 tion, he shall assume the powers and duties of Governor."

14 Amendment 2. Section nineteen (19) of Article IV of the Con-
15 stitution of the State of Iowa is repealed and the following adopted
16 in lieu thereof: "Sec. 19. If there be a vacancy in the office of
17 Governor and the Lieutenant Governor shall by reason of death,
18 impeachment, resignation, removal from office, or other disability
19 become incapable of performing the duties pertaining to the office
20 of Governor, the President pro tempore of the Senate shall act as
21 Governor until the vacancy is filled or the disability removed; and if
22 the President pro tempore of the Senate, for any of the above causes,
23 shall be incapable of performing the duties pertaining to the office
24 of Governor the same shall devolve upon the Speaker of the House
25 of Representatives; and if the Speaker of the House of Representa-
26 tives, for any of the above causes, shall be incapable of performing
27 the duties of the office of Governor, the Justices of the Supreme
28 Court shall convene the General Assembly by proclamation and the
29 General Assembly shall organize by the election of a President pro
30 tempore by the Senate and a Speaker by the House of Representa-
31 tives. The General Assembly shall thereupon immediately proceed
32 to the election of a Governor and Lieutenant Governor in joint
33 convention."

1 SEC. 2. The foregoing proposed amendments to the Constitution
2 of the State of Iowa having been adopted and agreed to by the Fifty-
3 third (53rd) General Assembly, thereafter duly published, and now
4 adopted and agreed to by the Fifty-fourth (54th) General Assembly
5 in this Joint Resolution, the same shall be submitted to the people

6 of the State of Iowa at the general election in nineteen hundred fifty-
 7 two (1952) in the manner required by the Constitution of the State
 8 of Iowa and the laws of the State of Iowa.

Filed with Secretary of State, February 13, 1951.

CHAPTER 269

IOWA GOVERNMENT IN ACTION BOOKLET

H. J. R. 6

A JOINT RESOLUTION making an appropriation for the printing of copies of the booklet called Iowa Government in Action.

WHEREAS the Iowa Historical Society prepared and had published some 15,000 copies of a booklet known as IOWA GOVERNMENT IN ACTION, and

WHEREAS there has been a very great demand for these booklets on the part of Iowa school children and others, and

WHEREAS there remains only 3,000 copies of this booklet available for distribution, now therefore,

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

1 SECTION 1. That there is hereby appropriated out of any funds
 2 in the general treasury not otherwise appropriated the sum of four
 3 hundred dollars (\$400) to the State Historical Society of Iowa at
 4 Iowa City for the purpose of printing 5,000 additional copies of the
 5 booklet called IOWA GOVERNMENT IN ACTION for distribution to stu-
 6 dents and others who visit the General Assembly of the State of
 7 Iowa.

Approved February 12, 1951.

CHAPTER 270

OLD AGE AND SURVIVORS INSURANCE

H. J. R. 10

A JOINT RESOLUTION creating a special committee to make a study of the operations of the Iowa old age and survivors' insurance system, to investigate into the proposal of substituting* the Iowa old age and survivors' system for the federal social security system, and providing that such committee shall make a report of its findings to the governor of Iowa and to the Fifty-fifth General Assembly, and appropriating the sum of ten thousand dollars (\$10,000.00) or so much thereof as may be necessary to carry out the provisions of this joint resolution.

WHEREAS, the state of Iowa now maintains an old age and survivors' insurance system for the benefit and protection of all public employees of the state, corresponding in general to the provisions made by the Federal government in the social security system for the protection of private employees, and that there is a great lack of uniformity as between the Iowa system and the Federal social security provisions, and

*According to enrolled Act.

WHEREAS, there is reason to believe that the inclusion of the Iowa public employees under the coverage of the federal plan as embodied in the Federal social security act, may be desirable in the future, now therefore,

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

1 SECTION 1. A special committee of ten (10) members is hereby
2 created, which committee shall consist of three (3) members of the
3 Fifty-fourth General Assembly to be appointed by the president of the
4 Senate; three (3) members of the Fifty-fourth General Assembly to
5 be appointed by the speaker of the House of Representatives; one (1)
6 member who shall be one of the members of the Iowa employment se-
7 curity commission to be designated by such commission, and three (3)
8 citizens of the state of Iowa to be appointed by the governor. Any
9 vacancies which may occur in the membership of the committee shall
10 be filled by appointment in the same manner and by the same officials
11 and from the same group as the original appointment. The committee
12 shall choose a chairman from among its members and shall adopt the
13 rules of conduct of its proceedings.

1 SEC. 2. It shall be the duty of the committee to make a compre-
2 hensive study of the Iowa old age and survivors' insurance system; to
3 make an investigation of the possibility of substituting* or consolidat-
4 ing the Iowa old age and survivors' system for the Federal social secu-
5 rity program; to make an investigation of the actuarial soundness of
6 the Iowa old age and survivors' system and to make such recommenda-
7 tions and findings as it deems desirable to the governor of Iowa and to
8 the members of the Fifty-fifth General Assembly.

1 SEC. 3. The committee shall have the cooperation of the attorney
2 general and his staff in the performance of the duties herein imposed,
3 and is authorized to call upon any department of the state government
4 in obtaining information deemed useful to the committee.

1 SEC. 4. The committee shall confer if necessary with Federal
2 officials as to the possibility of uniting the Iowa old age and survivors'
3 system with the Federal social security system and shall have the
4 power to cooperate with Federal officials or members of congress in
5 bringing about any necessary changes in the present provisions of the
6 Federal social security act which would enable Iowa public employees
7 to come under the provisions of the Federal social security act.

1 SEC. 5. After careful study and research the committee is em-
2 powered to hold sectional meetings in different parts of the state to
3 acquaint public employees with the difference as to payments, bene-
4 fits and other merits and demerits between the federal and the Iowa
5 old age insurance systems.

1 SEC. 6. All meetings of this committee shall be held within the
2 borders of the state of Iowa.

1 SEC. 7. The committee shall enter into its duties as soon as the
2 membership has been appointed. It shall make a report, including
3 drafts of proposed bills, to the governor on or before November 15,
4 1952. Upon the making of its said report to the governor, the com-
5 mittee shall stand discharged of its duties hereunder. The governor

*According to enrolled Act.

6 shall cause to be printed the necessary number of copies of said report
7 and shall mail copies of said printed report to the elected members of
8 the Fifty-fifth General Assembly.

1 SEC. 8. The committee is hereby empowered to employ a secretary
2 and such other employees and assistants as are necessary for the
3 proper conduct of the business of the committee, and to fix the com-
4 pensation of such employees. Members of the committee shall be
5 reimbursed for the actual and necessary expenses incurred by them
6 in the discharge of their duties. Members of the committee appointed
7 by the governor shall receive a compensation of twenty dollars
8 (\$20.00) per day for days actually engaged in work of the committee.
9 Legislative members of the committee shall receive as compensation
10 such amounts as the Fifty-fifth General Assembly may allow.

11 The executive council shall provide the committee with a suitable
12 office and with necessary office supplies and equipment for the conduct
13 of its business.

1 SEC. 9. The compensation and expense of committee members and
2 employees, the cost of office supplies and other expenses of the com-
3 mittee incurred in the performance of the duties herein imposed, and
4 the cost of printing the committee's report, but not exceeding ten
5 thousand dollars (\$10,000.00) in total amount, shall be paid by the
6 state comptroller out of the general fund of the state. The sum of ten
7 thousand dollars (\$10,000.00) or so much thereof as may be necessary,
8 is hereby appropriated out of the general fund of the state for the
9 purposes herein contemplated.

10 The chairman of the committee shall certify the expenses of the
11 committee as herein provided to the state comptroller who shall issue
12 warrants for the same from funds heretofore appropriated.

1 SEC. 10. This Joint Resolution being deemed of immediate im-
2 portance shall be in full force and effect from and after publication in
3 The Hawarden Independent, a newspaper published at Hawarden,
4 Iowa, and the Daily Record, a newspaper published at Cedar Falls,
5 Iowa.

Approved April 11, 1951.

I hereby certify that the foregoing act was published in The Hawarden Independent,
Hawarden, Iowa, April 19, 1951, and in the Daily Record, Cedar Falls, Iowa, April 13,
1951.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 271

RULES OF CIVIL PROCEDURE

In The Matter Of
The
Rules Of Civil Procedure

Report Of
The Supreme Court
Of
The State Of Iowa

To the Fifty-fourth General Assembly of the State of Iowa:

1 In accordance with Sections 684.18 and 684.19 of the 1950 Code
2 of Iowa, the Supreme Court of Iowa has prescribed and herewith
3 reports to the General Assembly the following rules in the nature
4 of amendments, revisions, and additions to the Rules of Civil Pro-
5 cedure, as follows, to wit:

RULE 52

6 Amend Rule 52 by adding a new sentence as follows:

7 "A party, his agent or attorney may take an acknowledgment of
8 service and deliver copy of notice in connection therewith, and may
9 mail copy of original notice when mailing is required or permitted
10 under any rule or statute."

RULE 53

11 Amend Rule 53 by substituting for the first sentence thereof the
12 following:

13 "A defendant served by publication or by publication and mail-
14 ing, as provided in rule 60.1, must appear on or before the date fixed
15 in the notice as published, which date shall not be less than twenty
16 days after the day of last publication."

RULE 60.1

17 Add immediately after Rule 60, the following:

18 "Rule 60.1. Known Defendants.

19 "(a) In every case where service of original notice is made upon
20 a known defendant by publication, copy of the notice shall also be sent
21 by ordinary mail addressed to such defendant at his last known mail-
22 ing address, unless an affidavit of a party or his attorney is filed
23 stating that no mailing address is known and that diligent inquiry
24 has been made to ascertain it.

25 "(b) Such copy of notice shall be mailed by the party, his agent
26 or attorney not less than twenty days before the date set for ap-
27 pearance.

28 "(c) Proof of such mailing shall be by affidavit, and such affidavit
29 or the affidavit referred to in rule 60.1(a) shall be filed before the
30 entry of judgment or decree. The court, in its judgment or decree, or
31 prior thereto, shall make a finding that the address to which such copy
32 was directed is the last known mailing address, or that no such ad-
33 dress is known, after diligent inquiry."

RULE 62

34 Amend Rule 62 by striking the last sentence thereof which reads:

35 "Service is complete on the date of the last publication."

RULE 234

36 Revise Rule 234 to read:

37 "No personal judgment shall be entered against a person served
38 only by publication or by publication and mailing, as provided in rule
39 60.1, unless he has appeared."

RULE 251

40 Revise Rule 251 (a) to read:

41 "Except in actions for divorce and annulment of marriage, if judg-
42 ment is entered against a defendant who did not appear and was
43 served only by publication or by publication and mailing, as provided
44 in rule 60.1, he or any person legally representing him may apply for
45 retrial within six months after entry of judgment, and on giving se-
46 curity for costs is then entitled to his defense and trial as though there
47 were no judgment."

RULE 49

48 Revise Rule 49 to read as follows:

49 "For the purpose of determining whether an action has been com-
50 menced within the time allowed by statutes for limitation of actions,
51 whether the limitation inheres in the statutes creating the remedy or
52 not, the delivery of the original notice to the sheriff of the proper
53 county with the intent that it be served immediately (which intent
54 shall be presumed unless the contrary appears) shall also be deemed a
55 commencement of the action."

RULE 331

56 Add as new sentence to Rule 331 (a) :

57 "For the purpose of this rule any order granting a new trial (not
58 including an order setting aside a judgment by default other than in
59 actions for divorce or annulment) and any order denying a new trial
60 shall be deemed a final decision. Any order setting aside a default
61 decree of divorce or annulment shall also be deemed a final decision."

CERTIFICATE

62 I, Charles F. Wennerstrum, do hereby certify that I am the Chief
63 Justice of the Supreme Court of Iowa; that the foregoing amendments,
64 revisions and additions to the Rules of Civil Procedure were adopted
65 and approved by the Supreme Court of Iowa and are herewith reported
66 to the Fifty-fourth General Assembly of the State of Iowa pursuant to
67 Code Sections 684.18 and 684.19 of the 1950 Code of Iowa by delivering
68 same to the Secretary of the Senate and to the Chief Clerk of the House
69 of Representatives as of the date hereinafter noted.

70 Dated at Des Moines, Iowa this 26 day of January, 1951.

(S) Charles F. Wennerstrum
Chief Justice of the
Supreme Court of Iowa.

ATTEST:

(S) Helen O. Galvin,
Clerk of the Supreme Court of Iowa.

ACKNOWLEDGMENT

71 I, Carroll Lane, Secretary of the Senate of the State of Iowa, here-
 72 with acknowledge delivery to me on January 26, 1951 of the within
 73 report of the Supreme Court of the State of Iowa pertaining to amend-
 74 ments, revisions, and additions to the Rules of Civil Procedure.

(S) Carroll Lane
 Secretary of the Senate,
 Fifty-fourth General Assembly,
 of the State of Iowa.

ACKNOWLEDGMENT

75 I, A. C. Gustafson, Chief Clerk of the House of Representatives of
 76 the State of Iowa, herewith acknowledge delivery to me on January 26,
 77 1951 of the within report of the Supreme Court of the State of Iowa
 78 pertaining to amendments, revisions, and additions to the Rules of
 79 Civil Procedure.

(S) A. C. Gustafson
 Chief Clerk, House of Representatives,
 Fifty-fourth General Assembly,
 of the State of Iowa.

CERTIFICATE

80 I, W. H. Nicholas, do hereby certify that I am the President of the
 81 Senate of the Fifty-fourth General Assembly of the State of Iowa;
 82 and I, Carroll Lane, do hereby certify that I am the Secretary of the
 83 Senate of the Fifty-fourth General Assembly of the State of Iowa, and
 84 we do hereby jointly certify that as such President and Secretary that
 85 on the 26th day of January, 1951 the Supreme Court of the State of
 86 Iowa reported to said Senate, and filed with it, the attached and fore-
 87 going modifications, amendments, revisions and additions to the Rules
 88 of Civil Procedure, heretofore reported by said Supreme Court to the
 89 Fiftieth General Assembly of the State of Iowa;

90 THAT the date of making said report to the Fifty-fourth General
 91 Assembly was within the twenty days subsequent to the convening of
 92 the regular session of the Fifty-fourth General Assembly;

93 THAT no other report pertaining to the Rules of Civil Procedure was
 94 made or filed by said Supreme Court with said Senate;

95 THAT no other or different changes, modifications, amendments, re-
 96 visions or additions to the Rules of Civil Procedure were made or
 97 enacted at such regular session of said Fifty-fourth General Assembly.

98 Signed this 17th day of April, 1951, being the last legislative day of
 99 the Fifty-fourth General Assembly.

(S) W. H. Nicholas, President

(S) Carroll Lane, Secretary

SENATE

Fifty-fourth General Assembly.
 of the State of Iowa

CERTIFICATE

100 I, William S. Lynes, do hereby certify that I am the Speaker of
 101 the House of Representatives of the Fifty-fourth General Assembly
 102 of the State of Iowa; and I, A. C. Gustafson, do hereby certify that I

103 am the Chief Clerk of the House of Representatives of the Fifty-
104 fourth General Assembly of the State of Iowa, and we do hereby joint-
105 ly certify that as such Speaker and Chief Clerk that on the 26th day of
106 January, 1951 the Supreme Court of the State of Iowa reported to
107 said House of Representatives, and filed with it, the attached and
108 foregoing modifications, amendments, revisions and additions to the
109 Rules of Civil Procedure, heretofore reported by said Supreme Court
110 to the Fiftieth General Assembly of the State of Iowa;

111 THAT the date of making said report to the Fifty-fourth General
112 Assembly was within the twenty days subsequent to the convening of
113 the regular session of the Fifty-fourth General Assembly;

114 THAT no other report pertaining to the Rules of Civil Procedure
115 was made or filed by said Supreme Court with said House of Repre-
116 sentatives;

117 THAT no other or different changes, modifications, amendments,
118 revisions or additions to the Rules of Civil Procedure were made or
119 enacted at such regular session of said Fifty-fourth General Assem-
120 bly.

121 Signed this 17th day of April, 1951, being the last legislative day
122 of the Fifty-fourth General Assembly.

(S) William S. Lynes, Speaker

(S) A. C. Gustafson, Chief Clerk

HOUSE OF REPRESENTATIVES

Fifty-fourth General Assembly

of the State of Iowa

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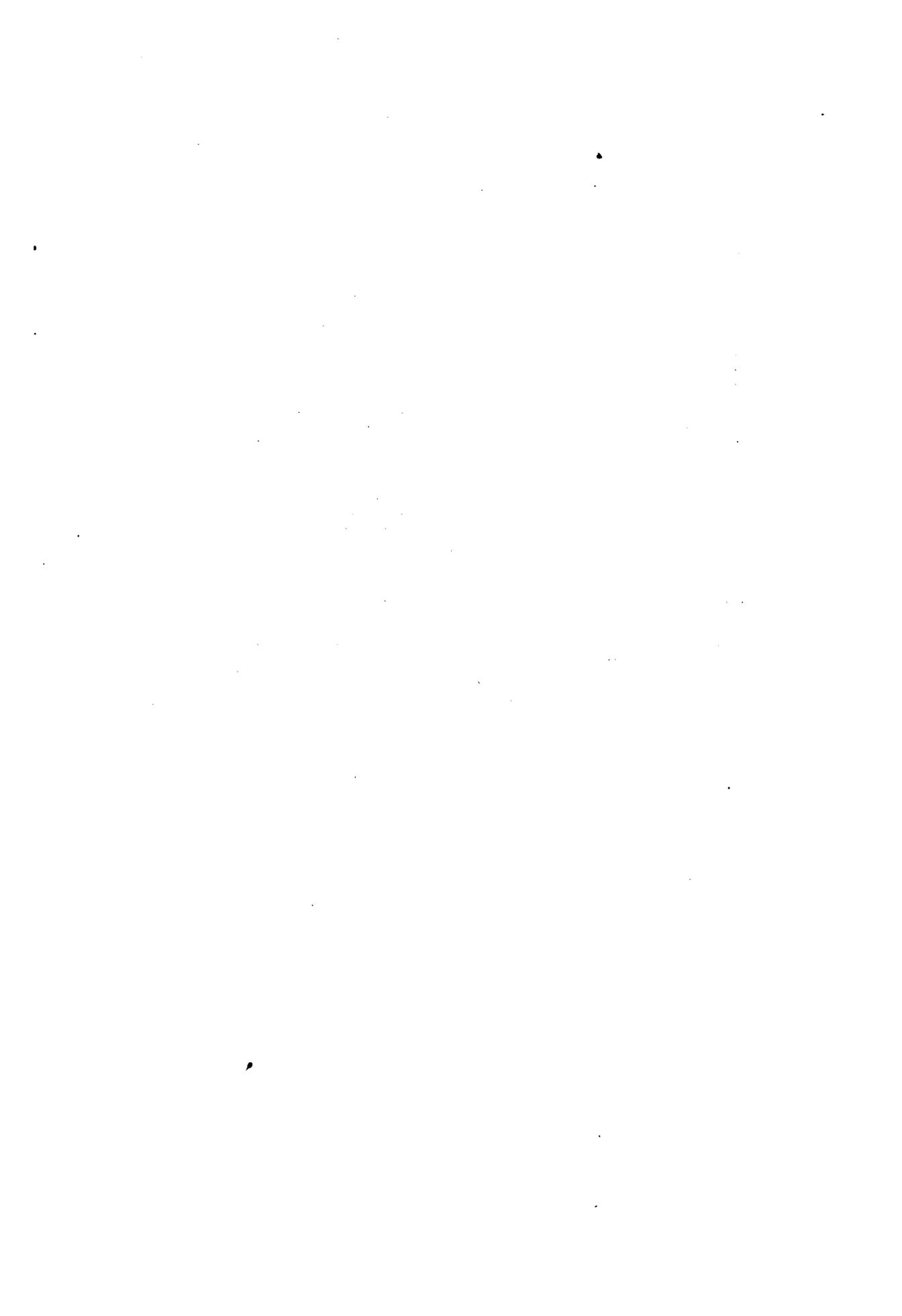
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