

*State of Iowa*  
1957

# ACTS AND JOINT RESOLUTIONS

PASSED AT THE

**REGULAR SESSION**

OF THE

**Fifty-seventh General Assembly**

OF THE

**STATE OF IOWA**

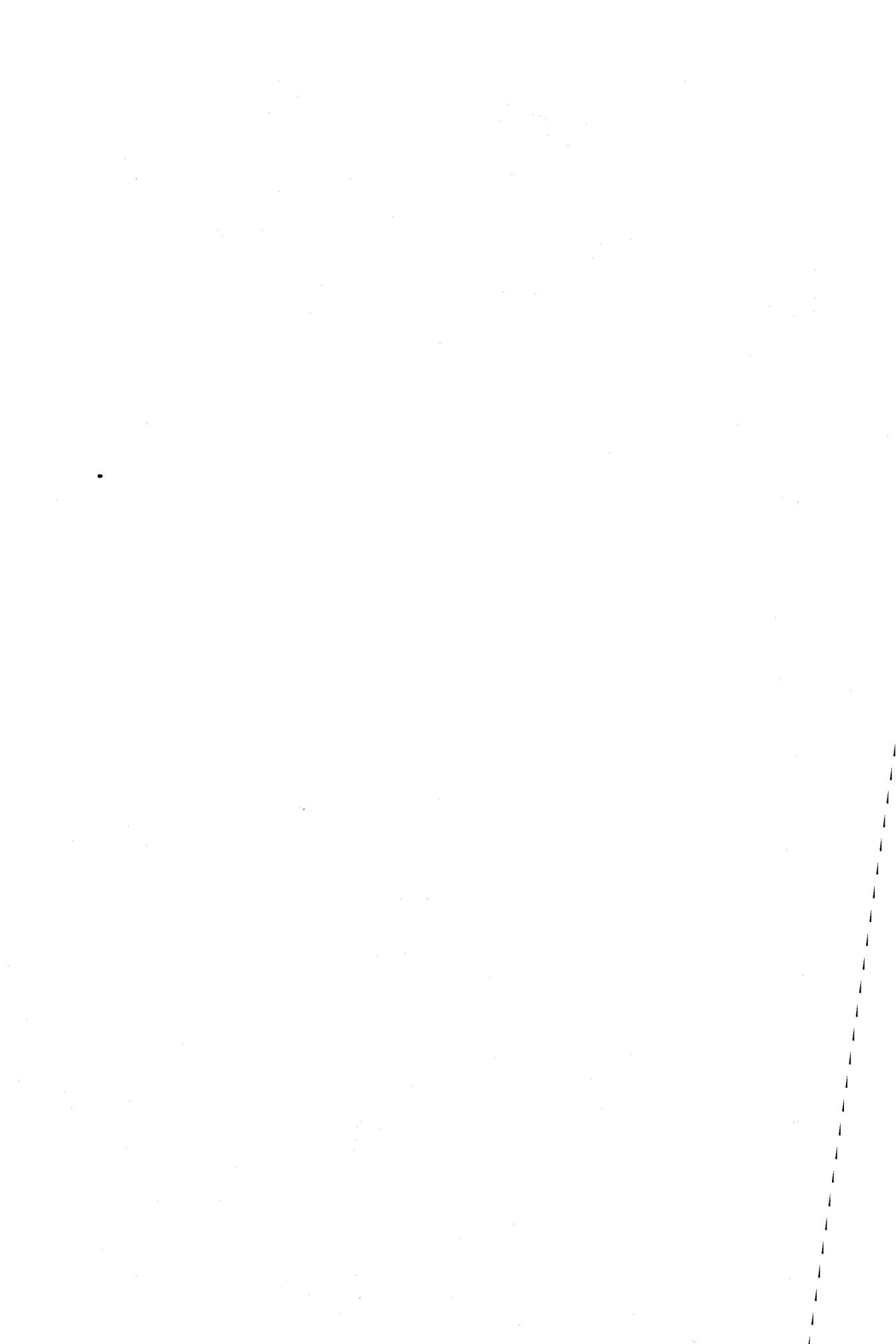


**CHARLES W. BARLOW**  
CODE EDITOR

**WAYNE A. FAUPEL**  
DEPUTY CODE EDITOR

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Published by the  
STATE OF IOWA  
Des Moines



## 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-seventh General Assembly of the State of Iowa.

*Charles W. Barlow*

June, 1957.

Section 622.59 of the 1954 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-seventh 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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v  
STATE OFFICERS

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## 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-seventh General Assembly in accordance with the requirements of Code section 14.10(3), 1954 Code of Iowa.

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

#### ELECTIVE OFFICERS

(Terms ending December 31, 1958)

Name and Office	County from which originally chosen
<b>GOVERNOR</b>	
Herschel C. Loveless.....	Wapello
Robert H. Johnson, Executive Secretary.....	Johnson
<b>LIEUTENANT GOVERNOR</b>	
W. H. Nicholas.....	Cerro Gordo
Marie Booker, Secretary.....	Polk
<b>SECRETARY OF STATE</b>	
Melvin D. Synhorst.....	Sioux
James R. Locke, Deputy.....	Tama
<b>AUDITOR OF STATE</b>	
Chet B. Akers.....	Wapello
Edward Kallemyn, Deputy.....	Polk
<b>TREASURER OF STATE</b>	
M. L. Abrahamson.....	Boone
Charles Dayton, Deputy.....	Washington
<b>SECRETARY OF AGRICULTURE</b>	
Clyde Spry.....	Woodbury
Loyd VanPatten, Deputy.....	Warren
<b>ATTORNEY GENERAL</b>	
Norman A. Erbe.....	Boone
Raphael R. R. Dvorak, First Assistant.....	Tama
Oscar Strauss, Second Assistant.....	Polk
Leonard C. Abels, Assistant.....	Polk
Marvin A. Iverson, Assistant.....	Polk
Harrison E. Cass, Assistant.....	Polk
Frank D. Bianco, Assistant.....	Polk
Freeman H. Forrest, Assistant.....	Polk
C. J. Lyman, Assistant.....	Story
Don C. Swanson, Assistant.....	Polk
James H. Gritton, Assistant.....	Polk
<b>COMMERCE COMMISSION</b>	
John M. Ropes, Chairman.....	Monona
John A. Tallman.....	Wright
Ray H. Thompson.....	Jasper
Leo F. Wolfinger.....	Cass
Conrad A. Amend, Commerce Counsel.....	Polk

## STATE OFFICERS—Continued

## APPOINTIVE OFFICERS

Name and Office	City or Town from which originally chosen	Term Ending
<b>ACCOUNTANCY BOARD</b>		
Lloyd R. Bock.....	Des Moines .....	June 30, 1959
Edgar S. Gage, Jr.....	Mason City .....	June 30, 1958
George H. Hansen.....	Davenport .....	June 30, 1960
<b>ADJUTANT GENERAL</b>		
Major General Fred C. Tandy.....	Des Moines .....	June 30, 1959
Colonel Donald B. Johnson, Assistant.....	Des Moines .....	June 30, 1959
<b>AERONAUTICS COMMISSION</b>		
Jack Snodgrass .....	Waterloo .....	June 30, 1963
Albert H. Detje.....	Traer .....	June 30, 1963
R. K. Belt .....	Red Oak .....	June 30, 1961
George Bryant .....	Emmetsburg .....	June 30, 1961
P. E. Norris .....	Centerville .....	June 30, 1959
Frank Berlin, Director.....	Des Moines .....	
<b>APPEAL BOARD</b> (Education, Control and Fair Board Contracts)		
Glenn D. Sarsfield, Comptroller, Chairman		
No other appointments of record		
<b>APPEAL BOARD</b> (Public Contracts and Bonds)		
C. B. Akers.....	State Auditor	
M. L. Abrahamson.....	Treasurer	
Glenn D. Sarsfield.....	Comptroller	
<b>ARCHITECTURAL EXAMINERS</b>		
John Brooks .....	Des Moines .....	June 30, 1957
Charles Altfillisch .....	Decorah .....	June 30, 1957
Karl M. Waggoner.....	Mason City .....	June 30, 1957
William Parish .....	Davenport .....	June 30, 1960
William L. Perkins.....	Chariton .....	June 30, 1960
<b>ARMORY BOARD</b> (Appointed by Armory Advisory Council)		
Fred C. Tandy, Adjutant General.....	Des Moines .....	June 30, 1960
Colonel O. P. Bennett.....	Mapleton .....	June 30, 1960
Colonel Carlton K. Smith .....	Cedar Rapids .....	June 30, 1960
Vacancy		
Vacancy		
<b>BANKING BOARD</b>		
Lee Chandler, Superintendent of Banking, Chairman .....	Dike .....	June 30, 1961
J. Yvo Floerchinger .....	DeWitt .....	June 30, 1961
E. Walter Nun .....	Ute .....	June 30, 1961
J. H. Pullman.....	Sidney .....	June 30, 1961
W. P. Ronan.....	Decorah .....	June 30, 1961
H. R. Jackson, Deputy.....	Des Moines .....	
<b>BASIC SCIENCE</b> (Board of Examiners)		
David G. Moberley .....	Indianola .....	June 30, 1959
George M. Robertson .....	Grinnell .....	June 30, 1959
John P. Hummel.....	Iowa City .....	June 30, 1963
Chester H. Werkman.....	Ames .....	June 30, 1961
Dr. Leland P. Johnson.....	Des Moines .....	June 30, 1961
Elmer W. Hertel.....	Waverly .....	June 30, 1963

## STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
<b>CAR DISPATCHER</b>		
Walter J. Ruther.....	Clarence	At the pleasure of the Executive Council
<b>CLERK OF SUPREME COURT</b>		
Helen Lyman .....	Des Moines	Dec. 31, 1958
<b>CODE EDITOR</b>		
Charles W. Barlow.....	Mason City	Dec. 31, 1958
Wayne A. Faupel, Deputy.....	Clear Lake	Dec. 31, 1958
<b>COMMISSION FOR THE BLIND</b>		
Donald W. Overbeay.....	Vinton	Ex-officio
Mrs. Dorothy Kirsner.....	Des Moines	June 30, 1959
Ralph M. Kauffman .....	Maquoketa	June 30, 1958
<b>COMPROLLER</b>		
Glenn D. Sarsfield.....	Des Moines	At the pleasure of the Governor
<b>CONSERVATION COMMISSION</b>		
Clyde Frudden .....	Greene	June 30, 1963
Geo. Meyer .....	Elkader	June 30, 1963
Dr. Albert N. Humiston.....	Cedar Rapids	June 30, 1963
George M. Foster .....	Ottumwa	June 30, 1959
J. D. Reynolds.....	Creston	June 30, 1959
Mrs. Helen Crabb .....	Jamaica	June 30, 1961
George Jeck .....	Spirit Lake	June 30, 1961
<b>BOARD OF CONTROL</b>		
George W. Callenius.....	Granville	June 30, 1961
Robert C. Lappen.....	Des Moines	June 30, 1959
John R. Hansen.....	Manning	June 30, 1963
Mrs. Esther Wright, Secretary.....	Des Moines	
<b>EMPLOYMENT AGENCY COMMISSION</b>		
Melvin D. Synhorst.....	Secretary of State	
Earl R. Jones.....	Industrial Commissioner	
Don W. Lowe.....	Labor Commissioner	
<b>EMPLOYMENT SECURITY COMMISSION</b>		
Henry E. Carter .....	Burlington	June 30, 1963
Claude M. Stanley.....	Corning	June 30, 1959
Kenneth A. Madigan .....	Council Bluffs	June 30, 1961
M. L. Abrahamson, Treasurer of State.....		Ex-officio
<b>ENGINEERING EXAMINERS</b>		
W. Grant Cunningham, Secretary		
Clifford P. Lewellen.....	Cedar Rapids	June 30, 1959
L. O. Stewart.....	Ames	June 30, 1959
Chesley J. Posey.....	Iowa City	June 30, 1961
John W. Wiersma.....	Grundy Center	June 30, 1959
Joseph M. Dean.....	Des Moines	June 30, 1961
<b>EXECUTIVE COUNCIL</b>		
Herschel C. Loveless, Governor.....	Ottumwa	January, 1959
Melvin D. Synhorst, Secretary of State.....	Orange City	Dec. 31, 1958
Chet B. Akers, Auditor of State.....	Ottumwa	Dec. 31, 1958
M. L. Abrahamson, Treasurer of State.....	Boone	Dec. 31, 1958
Clyde Spry, Secretary of Agriculture.....	Bronson	Dec. 31, 1958
W. Grant Cunningham, Secretary.....	Des Moines	

## STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
<b>FAIR BOARD</b>		
Members:		
W. J. Campbell, President.....	Jesup	
Lyle R. Higgins, Vice President.....	Harlan	
L. B. Cunningham, Secretary.....	Des Moines	
N. W. McBeath, Treasurer.....	Des Moines	
Ex-Officio Members:		
Herschel C. Loveless, Governor		
Clyde Spry, Secretary of Agriculture		
J. H. Hilton, President, Iowa State College		
<b>GEOLOGICAL BOARD</b>		
Herschel C. Loveless, Governor		
C. B. Akers, Auditor of State		
Virgil M. Hancher, President, University of Iowa		
J. H. Hilton, President, Iowa State College		
P. S. Helmick, President, Iowa Academy of Science, Drake University		
<b>GEOLOGIST</b>		
H. Garland Hershey.....	Iowa City	To serve at the pleasure of the Geological Board
<b>BOARD OF HEALTH</b>		
Ex-Officio Members:		
Herschel C. Loveless.....	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:		
Dr. Donald C. Conzett.....	Dubuque	January, 1959
Dr. Charlotte Fisk.....	Des Moines	January, 1959
Dr. Albert L. Yocum.....	Chariton	January, 1959
Dr. Franklin H. Top.....	Iowa City	January, 1959
Dr. Samuel P. Leinbach.....	Belmond	January, 1959
Commissioner of Health:		
Edmund G. Zimmerer, M.D.....	Des Moines	June 30, 1961
Practice Act Examining Boards:		
<i>Barber Examiners</i>		
Aldin E. Morehouse.....	Cedar Rapids	June 30, 1958
Harry Fahrenkrog.....	Council Bluffs	June 30, 1959
Clyde L. Kenyon.....	Des Moines	June 30, 1957
<i>Chiropody Examiners</i>		
Dr. C. T. Howard.....	Boone	June 30, 1958
Dr. Claude Reinheimer.....	Newton	June 30, 1960
Dr. V. E. Wicks.....	Mason City	June 30, 1959
<i>Chiropractic Examiners</i>		
Dr. James E. Slocum.....	Des Moines	June 30, 1958
Dr. H. T. Opsahl.....	Decorah	June 30, 1960
Dr. Leo R. Boyce.....	Chariton	June 30, 1959
<i>Cosmetology Examiners</i>		
Louise Whaley.....	Webster City	June 30, 1958
Mrs. Catherine Murray.....	Chariton	June 30, 1960
Inga Jepson.....	Clinton	June 30, 1959
<i>Dental Examiners</i>		
Dr. A. E. Meswarb.....	Cedar Falls	June 30, 1962
Dr. G. H. Hospers.....	Waterloo	June 30, 1959
Dr. George W. Glann.....	Des Moines	June 30, 1961
Dr. P. T. Williams.....	Atlantic	June 30, 1960
Dr. Philip A. Hahn.....	Burlington	June 30, 1958

## STATE OFFICERS—Continued

Name and Office	City or Town from which originally chosen	Term Ending
<i>Embalmer Examiners</i>		
August Brandt, Jr., Chairman.....	Dallas Center .....	June 30, 1959
Ralph Lightle .....	Ruthven .....	June 30, 1958
Marvin D. McKee, Secretary.....	Mason City .....	June 30, 1960
<i>Medical Examiners</i>		
Dr. George H. Scanlon.....	Iowa City .....	June 30, 1960
Dr. H. E. Farnsworth.....	Storm Lake .....	June 30, 1958
Dr. J. W. Billingsley.....	Newton .....	June 30, 1959
Dr. Everett M. George.....	Des Moines .....	June 30, 1962
Dr. Frank R. Peterson.....	Cedar Rapids .....	June 30, 1961
<i>Nurse Examiners</i>		
Sister Mary Immaculata (Lamey).....	Dubuque .....	June 30, 1961
Hazel M. Buhrman.....	Knoxville .....	June 30, 1962
Myrtle Kitchell .....	Iowa City .....	June 30, 1960
Etta H. Rasmussen.....	Cedar Rapids .....	June 30, 1958
Sister Mary Clarella.....	Carroll .....	June 30, 1959
<i>Optometry Examiners</i>		
Dr. James C. Manville.....	Cedar Rapids .....	June 30, 1960
Dr. M. L. Knutson.....	Mason City .....	June 30, 1958
John Martin, O.D.....	Carroll .....	June 30, 1959
<i>Osteopathic Examiners</i>		
Dr. Lydia Jordan.....	Davenport .....	June 30, 1958
R. B. Anderson, D.O.....	Manning .....	June 30, 1959
Dr. W. S. Edmund.....	Red Oak .....	June 30, 1957
<i>Iowa Hospital and other Health Facilities Advisory Council</i> (H. F. 392—56th G. A.)		
Howard L. Benschopf.....	Des Moines .....	June 30, 1960
Mrs. Jay Tone, Jr.....	Des Moines .....	June 30, 1960
James Anderson .....	Fort Dodge .....	June 30, 1960
Dr. C. N. Hyatt.....	Humeston .....	June 30, 1960
Lois Emmanuel .....	Marion .....	June 30, 1957
Mrs. Alixe Nuzum.....	Des Moines .....	June 30, 1957
Dr. G. H. Ashline.....	Keokuk .....	June 30, 1957
B. D. Fickess.....	Nevada .....	June 30, 1957
Miss Marjorie Perrine.....	Council Bluffs .....	June 30, 1958
Edward Harvey .....	Missouri Valley .....	June 30, 1958
Gerhard Hartman .....	Iowa City .....	June 30, 1958
Dr. Chas. H. Flynn.....	Clarinda .....	June 30, 1958
Dr. R. N. Larimer.....	Sioux City .....	June 30, 1959
Dr. Floyd Pillars.....	Des Moines .....	June 30, 1959
Louis B. Blair .....	Cedar Rapids .....	June 30, 1959
Mrs. James Henderson.....	Waterloo .....	June 30, 1959
Dr. H. B. Willard.....	Manchester .....	June 30, 1959

## HIGHWAY COMMISSION

Russell F. Lundy.....	Des Moines .....	June 30, 1959
Chris Larsen, Jr.....	Sioux City .....	June 30, 1959
Robert Beck .....	Centerville .....	June 30, 1959
John Butter, Chief Engineer.....	Ames .....	

## HISTORY AND ARCHIVES DEPARTMENT

Claude Cook, Curator.....	Montgomery County
Emory English, Assistant Editor—Annals.....	Polk County

## STATE OFFICERS—Continued

## HISTORICAL SOCIETY

Mrs. Margaret Hinderman .....	Wapello .....	June 30, 1958
Charles Walling .....	Oskaloosa .....	June 30, 1958
Mrs. Martha Brunk .....	Des Moines .....	June 30, 1958
Mrs. Helen Vanderburg .....	Shell Rock .....	June 30, 1958
F. O. Stimpson .....	Atlantic .....	June 30, 1958
John S. Sproatt .....	Decorah .....	June 30, 1958
Mrs. Esther Narey .....	Spirit Lake .....	June 30, 1958
Wm. R. Ferguson .....	Glidden .....	June 30, 1958
Ralph E. Shannon .....	Washington .....	June 30, 1958

## INDUSTRIAL COMMISSIONER

Earl R. Jones .....	Oskaloosa .....	June 30, 1961
Charles H. Greenley, Deputy .....	Grimes .....	
Warren L. Huebner, Deputy .....	Des Moines .....	
Robert L. Ulstad, Deputy .....	Des Moines .....	

## INSURANCE COMMISSIONER

Oliver P. Bennett .....	Mapleton .....	June 30, 1959
Samuel C. Orebaugh, First Deputy .....	Des Moines .....	
Donald Harlow, Second Deputy .....	Des Moines .....	

## IOWA DEVELOPMENT COMMISSION

Clyde Hendrix, Chairman .....	Clinton .....	June 30, 1960
J. Francis Kennedy .....	New Hampton .....	June 30, 1961
L. P. Boudreaux .....	Cedar Rapids .....	June 30, 1958
Hans Morgan .....	Clarinda .....	June 30, 1960
George E. O'Malley .....	Des Moines .....	January, 1959
Robert E. Connor .....	Ottumwa .....	January, 1959
Edward J. McManus .....	Keokuk .....	January, 1959
Raymond Eveland .....	Boone .....	January, 1959
A. Linton Lundy, Jr. ....	Davenport .....	June 30, 1959
Marion L. Shugart .....	Council Bluffs .....	June 30, 1959
E. Howard Hill .....	Minburn .....	June 30, 1958
T. E. Davidson, Director .....	Des Moines .....	

## JUDICIAL STATISTICIAN

Clarence A. Kading .....	Knoxville .....	To serve at pleasure of Supreme Court
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## LABOR COMMISSIONER

Don W. Lowe .....	Des Moines .....	June 30, 1959
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## LAW EXAMINERS

Norman A. Erbe, Attorney General, Chairman .....		
Byron Sifford .....	Sioux City .....	June 30, 1958
A. B. Howland .....	Des Moines .....	June 30, 1958
Ingalls Swisher .....	Iowa City .....	June 30, 1957
E. Marshall Thomas .....	Dubuque .....	June 30, 1957
Homer S. Stephens .....	Clarinda .....	June 30, 1958

## LEGISLATIVE RESEARCH BUREAU

Clayton Ringgenberg, Director .....		June 30, 1960
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## LIBRARY BOARD OF TRUSTEES

Herschel C. Loveless, Governor .....		
T. G. Garfield, Supreme Court Justice .....		
J. C. Wright, Superintendent of Public Instruction .....		
Librarian, Law:		
Geraldine Dunham (Acting) .....		
Librarian, Medical:		
Dr. Jeanette Dean Throckmorton .....	Des Moines .....	
Librarian, Traveling:		
Ernestine Grafton .....		

## LIQUOR COMMISSION

Gerald W. Smith .....	Creston .....	June 30, 1961
William P. Housel .....	Humboldt .....	June 30, 1959
C. J. Burris .....	Maquoketa .....	June 30, 1963
H. E. Atwell, Secretary .....	Chariton .....	

## STATE OFFICERS—Continued

## MERIT SYSTEM COUNCIL

Helen Irwin .....	Des Moines .....	Dec. 31, 1958
Gerard Schultz .....	Indianola .....	Dec. 31, 1957
Ray R. Fisher, Jr. ....	Davenport .....	Dec. 31, 1959

## MINE INSPECTORS

Clarence Chapman .....	Albia .....	June 30, 1959
William Jervis .....	Des Moines .....	June 30, 1959
Tom Wignall .....	Bussey .....	June 30, 1957

## NATURAL RESOURCES COUNCIL

LeRoy Getting .....	Sanborn .....	June 30, 1961
Louis P. Culver .....	Dunlap .....	June 30, 1963
Clyde B. Hightshoe .....	Ottumwa .....	June 30, 1963
George B. Hartman .....	Ames .....	June 30, 1959
Harold McKinley .....	St. Ansgar .....	June 30, 1959
Dr. H. Garland Hershey .....	Iowa City .....	June 30, 1961
Dean F. M. Dawson .....	Iowa City .....	June 30, 1961
Robert L. Smith, Director .....		
Mrs. Martha Rud, Secretary-Treasurer .....	Des Moines	

## PAROLE BOARD

Mrs. Virginia Bedell .....	Spirit Lake .....	June 30, 1961
Arnold Utzig .....	Dubuque .....	June 30, 1963
Harold L. Martin .....	Hamburg .....	June 30, 1959
R. W. Bobzin, Secretary		

## PERMIT BOARD

Martin Lauterbach, Chairman .....	State Tax Commission
Melvin D. Synhorst .....	Secretary of State
C. B. Akers .....	Auditor of State
H. E. Evers, Secretary	

## PHARMACY EXAMINERS

Charles F. Griffin .....	Mapleton .....	June 30, 1958
Oscar E. Johnson .....	Kanawha .....	June 30, 1959
Albert L. Offerman .....	Davenport .....	June 30, 1960
J. F. Rabe, Secretary		

## PRINTING BOARD

C. B. Akers, State Auditor, Ex-officio		
Melvin D. Synhorst, Secretary of State, Ex-officio		
Norman A. Erbe, Attorney General, Ex-officio		
John Dunlevy .....	Avoca .....	June 30, 1959
Fred G. Edwards .....	Davenport .....	June 30, 1958
S. W. Needham, Superintendent .....	Ames	
Carl Ball, Assistant Superintendent .....	Mystic	

## BOARD OF PUBLIC INSTRUCTION

Robert D. Wells (1st District) .....	Davenport	
G. W. Hunt (2nd District) .....	Guttenberg	
Harry Reed (3rd District) .....	Waterloo	
Sterling Martin (4th District) .....	Melrose	
Roy A. Sweet (5th District) .....	Story City	
John A. Hanna (6th District) .....	Webster City	
Mrs. Paul Scott (7th District) .....	Farragut	
Lester C. Airy (8th District) .....	Cherokee	
Mrs. Martin Van Oosterhout .....	Orange City	January, 1960
(Appointed by the Governor)		

## SUPERINTENDENT OF PUBLIC INSTRUCTION

J. C. Wright .....	Keokuk
Paul F. Johnston, Assistant Superintendent for Administration .....	Polk County
Arthur Carpenter, Assistant Superintendent for Instruction .....	Hamilton County

## STATE OFFICERS—Continued

## PUBLIC SAFETY COMMISSIONER

(Not available at time of publication)

## REAL ESTATE COMMISSION

Melvin D. Synhorst, Secretary of State, Chairman

Hal H. Lang.....	Sioux City .....	June 30, 1959
Alfred Dement .....	Anita .....	June 30, 1959
E. V. Christy.....	Ottumwa .....	June 30, 1961
Alton H. Sanders.....	Charles City .....	June 30, 1961
Earl A. Hart, Director.....	Des Moines .....	

## BOARD OF REGENTS

(Formerly Education)

Richard H. Plock.....	Burlington .....	June 30, 1961
Roy E. Stevens.....	Ottumwa .....	June 30, 1959
Mrs. Morris Berkness.....	Armstrong .....	June 30, 1959
Clifford Strawman .....	Anamosa .....	June 30, 1959
Harry H. Hagemann .....	Waverly .....	June 30, 1963
Mrs. Kenneth A. Evans.....	Emerson .....	June 30, 1963
Mrs. Joseph Rosenfeld.....	Des Moines .....	June 30, 1963
Lester Gillette .....	Fostoria .....	June 30, 1961
Arthur Barlow .....	Cedar Rapids .....	June 30, 1961
Finance Committee:		
Carl Gernetzky, Chairman .....	Des Moines .....	June 30, 1957
David A. Dancer, Secretary.....	Des Moines .....	June 30, 1957
A. W. Walsh, Member.....	Des Moines .....	June 30, 1957

## REPORTER OF THE SUPREME COURT

Charles W. Barlow, Reporter.....	Mason City .....	Dec. 31, 1958
Alice L. Foarde, Deputy.....	Des Moines .....	Dec. 31, 1958

## SOCIAL WELFARE BOARD

Luke L. Caffrey.....	Cresco .....	June 30, 1961
Mrs. Mary Huncke.....	Des Moines .....	June 30, 1959
Mrs. Irene Smith.....	Ottumwa .....	January, 1959
R. H. Whitlatch, Secretary		

## SOIL CONSERVATION COMMITTEE

Kenneth M. Wagner.....	West Liberty .....	June 30, 1961
George Eason .....	LeMars .....	June 30, 1959
Bryant Weberg .....	Kiron .....	June 30, 1963
James W. Foster.....	Albia .....	June 30, 1961
Fred Cherry .....	Rowley .....	June 30, 1961
Clyde Spry, Secretary of Agriculture		
Dean Floyd Andre, Iowa State College		
Othie R. McMurry, Executive Secretary		

## SUPERINTENDENT OF BUILDINGS AND GROUNDS

Charles Wagner .....	Des Moines .....	At the pleasure of the Governor
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## TAX COMMISSION

Leon N. Miller.....	Knoxville .....	June 30, 1961
Martin Lauterbach .....	Alden .....	June 30, 1959
Emlin L. Bergeson.....	Sioux City .....	June 30, 1963

## UNIFORM STATE LAWS

Mason Ladd .....	Iowa City .....	June 30, 1960
Wiley Main .....	Sioux City .....	June 30, 1960
Wm. O. Weaver.....	Wapello .....	June 30, 1960

## VOTING MACHINE COMMISSIONERS

Irving G. Wyatt.....	Clinton .....
Dan J. Rhodes.....	Fort Dodge .....
Elizabeth L. Kitterman.....	Ottumwa .....

## STATE OFFICERS—Continued

## WATCHMAKING EXAMINERS

E. L. Scott.....	Pocahontas .....	June 30, 1957
W. O. Herteen.....	Iowa City .....	June 30, 1959
Howard E. Kelly.....	Denison .....	June 30, 1957
Arnold King.....	Ottumwa .....	June 30, 1958
Charles R. Chaffee.....	Council Bluffs .....	June 30, 1959
Ray A. Wiley, Executive Secretary.....	Des Moines .....	

## WORLD WAR I BONUS BOARD

Major General Fred C. Tandy, Adjutant General  
 M. L. Abrahamson, Treasurer of State  
 C. B. Akers, Auditor of State  
 R. J. Laird, Adjutant, Department of Iowa, American Legion

## WORLD WAR II COMPENSATION BOARD\*

\*H. F. 471, signed by Governor Beardsley 4-15-53, effective 7-4-53, transfers functions of this Board to the State Auditor's Office.  
 Ray I. Kaufmann, Secretary..... Des Moines

LEGISLATIVE INTERIM COMMITTEES  
AND SPECIAL COMMITTEES

## ADVISORY INVESTMENT BOARD

(Iowa Public Employees Retirement System)

William F. Poorman.....	Des Moines .....	June 30, 1959
George Foerstner .....	Amana .....	June 30, 1963
Dale K. DeKoster.....	Waterloo .....	June 30, 1961

## BUDGET AND FINANCIAL CONTROL COMMITTEE

*House*

W. J. Johannes, Ashton  
 (2 years to fill vacancy)  
 \*W. C. Hendrix, Letts  
 Casey Loss, Algona  
 Vern Lisle, Clarinda  
 George Paul, Brooklyn  
 \*Holdover

*Senate*

Raymond R. Gillespie, Dexter  
 \*Frank C. Byers, Marion  
 \*Samuel H. Burton, Ottumwa  
 Lawrence Putney, Gladbrook  
 George L. Scott, West Union

COMMITTEE ON INTERSTATE CO-OPERATION  
(S.C.R. 11)*House*

L. A. Falvey, Albia  
 Emil L. Novak, Fairfax  
 M. N. Brown, What Cheer  
 Neil E. Johns, Toledo  
 Elmer H. Vermeer, Pella

*Senate*

John J. O'Connor, Strawberry Point  
 Carroll Price, Knoxville  
 Robert R. Rigler, New Hampton  
 David O. Shaff, Clinton  
 W. H. Tate, Mason City

## LEGISLATIVE RESEARCH COMMITTEE

*House*

Bert K. Fairchild, Ida Grove  
 Robert Naden, Webster City  
 Albert Lund, Brooks

*Senate*

W. C. Stuart, Chariton  
 George E. O'Malley, Des Moines  
 X. T. Prentis, Mount Ayr

## LIBRARY

(Board of Trustees of State Traveling)

Mrs. H. L. Witmer.....	Tipton .....	June 30, 1961
Dwight Erickson .....	Indianola .....	Two Years June 30, 1957
Mrs. Orville Harris.....	Jefferson .....	Three Years June 30, 1958
Russell Schall .....	Belmond .....	Four Years June 30, 1959
Mrs. A. S. Wendel.....	Bronson .....	Five Years June 30, 1960

## LEGISLATIVE INTERIM COMMITTEES

## MISSISSIPPI RIVER PARKWAY PLANNING COMMISSION

(Appointed by Governor Hoegh, June 24, 1955)

Rev. Laurence Nelson, Bellevue  
 Arthur Jacobson, Waukon  
 C. E. Dove, Dubuque  
 Mark Morris, Clinton  
 Mrs. James Schramm, Burlington  
 Mel Foster, Davenport  
 Mrs. Kathryn Hart, Keokuk

C. H. Young, Muscatine  
 John Adam, Guttenberg  
 Mrs. William Weaver, Wapello  
 John R. Fitzsimmons, Ames  
 William J. Peterson, Iowa City  
 Robert Beck, Centerville

## COMMITTEE ON BIPARTISAN ELECTIONS AND ELECTION PRIVILEGES

*House*

Clark H. McNeal, Belmond  
 Jack Milroy, Vinton  
 Scott Swisher, Iowa City

*Senate*

Duane E. Dewel, Algona  
 Thomas J. Dailey, Burlington  
 J. Kendall Lynes, Plainfield

## COMMITTEE TO STUDY THE PROBLEM OF OBTAINING QUALIFIED PROFESSIONAL PERSONNEL FOR BOARD OF CONTROL INSTITUTIONS

*House*

Vern Lisle, Clarinda  
 Robert B. Carson, Independence  
 W. S. Eichenlaub, Fort Madison  
 W. C. Hendrix, Letts  
 Ernest Kosek, Cedar Rapids  
 Paul M. Walter, Union  
 Casey Loss, Algona  
 Charles Weik, Spirit Lake

## COMMITTEE ON IOWA-NEBRASKA BOUNDARY DISPUTE

*House*

Wm. E. Darrington, Persia (4 year term)  
 Henry H. Stevens, Jefferson (4 year term)  
 Fred L. Johnson, Hamburg (2 year term)

*Senate*

Frank Hoxie, Shenandoah  
 Jim O. Henry, Carson  
 D. C. Nolan, Iowa City

## COMMITTEE ON CARE OF THE AGING

*House*

J. Henry Lucken, Akron  
 James W. Howard, Cresco  
 Others:  
 Honorable Robert D. Blue, Eagle Grove  
 Mrs. Gordon DeLay, Cedar Rapids

*Senate*

Earl Elijah, Clarence  
 George E. O'Malley, Des Moines

## JUDICIAL DEPARTMENT

## JUDICIAL DEPARTMENT

## JUDGES OF THE SUPREME COURT

C. F. Wennerstrum.....	Chariton .....	Dec. 31, 1958
T. G. Garfield.....	Ames .....	Dec. 31, 1958
Ralph A. Oliver.....	Sioux City .....	Dec. 31, 1958
Robert L. Larson.....	Iowa City .....	Dec. 31, 1960
Henry K. Peterson.....	Council Bluffs .....	Dec. 31, 1960
W. A. Smith.....	Dubuque .....	Dec. 31, 1960
Wm. L. Bliss.....	Mason City .....	Dec. 31, 1962
Norman R. Hays.....	Knoxville .....	Dec. 31, 1962
G. K. Thompson.....	Cedar Rapids .....	Dec. 31, 1962

## JUDGES OF THE DISTRICT COURT

## First Judicial District

G. L. Norman.....	Keokuk .....	Dec. 31, 1958
J. R. Leary.....	Fort Madison .....	Dec. 31, 1958

## Second Judicial District

Elmer K. Daugherty.....	Ottumwa .....	Dec. 31, 1958
Harold V. Levis.....	Chariton .....	Dec. 31, 1958
Edward L. Simmons.....	Centerville .....	Dec. 31, 1958
Heinrich C. Taylor.....	Bloomfield .....	Dec. 31, 1958

## Third Judicial District

Harvey J. Kittleman.....	Corning .....	Dec. 31, 1958
Charles J. Lewis.....	Mount Ayr .....	Dec. 31, 1958
Tedford W. Miles.....	Corydon .....	Dec. 31, 1958

## Fourth Judicial District

Ralph W. Crary.....	Sioux City .....	Dec. 31, 1958
L. B. Forsling.....	Anthon .....	Dec. 31, 1958
Geo. W. Prichard.....	Onawa .....	Dec. 31, 1958
Ralph C. Prichard.....	Sioux City .....	Dec. 31, 1958

## Fifth Judicial District

S. E. Prall.....	Indianola .....	Dec. 31, 1958
Geo. H. Sackett.....	Perry .....	Dec. 31, 1958
Phil R. Wilkinson.....	Winterset .....	Dec. 31, 1958

## Sixth Judicial District

Frank Bechly.....	Montezuma .....	Dec. 31, 1958
J. G. Patterson.....	Oskaloosa .....	Dec. 31, 1958
R. G. Yoder.....	Sigourney .....	Dec. 31, 1958

## Seventh Judicial District

Arthur F. Janssen.....	Maquoketa .....	Dec. 31, 1958
Glenn D. Kelly.....	Davenport .....	Dec. 31, 1958
Charles G. Rehling.....	Davenport .....	Dec. 31, 1958
Merritt L. Sutton.....	Clinton .....	Dec. 31, 1958
Matthew Westrate.....	Muscatine .....	Dec. 31, 1958
*Clay LeGrand.....	Davenport .....	Nov. , 1958

## Eighth Judicial District

Harold D. Evans.....	Iowa City .....	Dec. 31, 1958
James P. Gaffney.....	Marengo .....	Dec. 31, 1960

## Ninth Judicial District

Ray C. Fountain.....	Des Moines .....	Dec. 31, 1958
Russell Jordan.....	Des Moines .....	Dec. 31, 1958
Joseph E. Meyer.....	Des Moines .....	Dec. 31, 1958
C. Edwin Moore.....	Des Moines .....	Dec. 31, 1958
Tom K. Murrow.....	Des Moines .....	Dec. 31, 1958
Dring D. Needham.....	Des Moines .....	Dec. 31, 1958
*Carroll O. Switzer.....	Des Moines .....	Nov. , 1958

\*Appointed to fill vacancy.

## JUDICIAL DEPARTMENT—Continued

## Tenth Judicial District

Shannon B. Charlton .....	Manchester .....	Dec. 31, 1958
George C. Heath.....	Waterloo .....	Dec. 31, 1958
Blair C. Wood.....	Waterloo .....	Dec. 31, 1958

## Eleventh Judicial District

G. R. Hill.....	Clarion .....	Dec. 31, 1958
H. C. Nichol.....	Ames .....	Dec. 31, 1958
John M. Schaupp.....	Fort Dodge .....	Dec. 31, 1958
Harvey H. Uhlenhopp.....	Hampton .....	Dec. 31, 1958

## Twelfth Judicial District

T. A. Beardmore.....	Charles City .....	Dec. 31, 1958
Tom Boynton .....	Forest City .....	Dec. 31, 1960
William P. Butler.....	Mason City .....	Dec. 31, 1958
Carrol H. Wild.....	Allison .....	Dec. 31, 1960

## Thirteenth Judicial District

W. H. Antes.....	West Union .....	Dec. 31, 1958
T. H. Goheen.....	Calmar .....	Dec. 31, 1960
George B. Richter.....	Waukon .....	Dec. 31, 1958

## Fourteenth Judicial District

Fred M. Hudson.....	Pocahontas .....	Dec. 31, 1958
Harry E. Narey.....	Spirit Lake .....	Dec. 31, 1960
G. W. Stillman.....	Algona .....	Dec. 31, 1958

## Fifteenth Judicial District

Bennett Cullison .....	Harlan .....	Dec. 31, 1958
Harold E. Davidson.....	Clarinda .....	Dec. 31, 1958
Vernon Johnson .....	Sidney .....	Dec. 31, 1960
R. Kent Martin.....	Atlantic .....	Dec. 31, 1958
Folsom Everest .....	Council Bluffs .....	Dec. 31, 1958

## Sixteenth Judicial District

F. H. Cooney.....	Carroll .....	Dec. 31, 1958
William C. Hanson.....	Jefferson .....	Dec. 31, 1958
Bruce M. Snell.....	Ida Grove .....	Dec. 31, 1958

## Seventeenth Judicial District

M. C. Farber .....	Marshalltown .....	Dec. 31, 1958
John W. Tobin.....	Vinton .....	Dec. 31, 1958

## Eighteenth Judicial District

J. E. Heiserman.....	Anamosa .....	Dec. 31, 1958
Buell J. Maxwell.....	Tipton .....	Dec. 31, 1958
Charles Penningroth .....	Cedar Rapids .....	Dec. 31, 1958
Floyd Philbrick .....	Cedar Rapids .....	Dec. 31, 1958

## Nineteenth Judicial District

Milton J. Glenn.....	Dubuque .....	Dec. 31, 1958
Eugene J. Kean.....	Dubuque .....	Dec. 31, 1958

## Twentieth Judicial District

Paul H. McCoid.....	Mount Pleasant .....	Dec. 31, 1958
E. O. Newell.....	Burlington .....	Dec. 31, 1960

## Twenty-first Judicial District

T. E. Klay.....	Orange City .....	Dec. 31, 1960
Leo O. Lampman.....	Primghar .....	Dec. 31, 1958
R. G. Rodman.....	Cherokee .....	Dec. 31, 1958

JUDICIAL DEPARTMENT—Continued

JUDGES OF THE MUNICIPAL AND SUPERIOR COURTS

Municipal Courts

Albert Steinberg .....	Ames
Jesse L. Thomas.....	Burlington
Donald P. Barnes.....	Cedar Rapids
Loren M. Hullinger, Jr.....	Cedar Rapids
W. A. McCullough.....	Clinton
Allan Ardell.....	Council Bluffs
Andrew J. Nielsen.....	Council Bluffs
Howard W. Brooks.....	Des Moines
Ray Harrison.....	Des Moines
Don L. Tidrick.....	Des Moines
Harry B. Grund.....	Des Moines
R. M. O'Bryon.....	Marshalltown
Berry J. Sisk.....	Sioux City
George M. Paradise.....	Sioux City
Geo. J. Sager.....	Waterloo
Ben G. Hovery.....	Waterloo

Superior Courts

Frank W. Oertel.....	Keokuk
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CONGRESSIONAL DIRECTORY

United States Senators

Bourke B. Hickenlooper.....	Cedar Rapids	Dec. 31, 1962
Thomas E. Martin.....	Iowa City	Dec. 31, 1960

Representatives in Congress

1. Fred Schwengel.....	Davenport	Dec. 31, 1958
2. Henry O. Talle.....	Decorah	Dec. 31, 1958
3. H. R. Gross.....	Waterloo	Dec. 31, 1958
4. Karl M. LeCompte.....	Corydon	Dec. 31, 1958
5. Paul Cunningham.....	Des Moines	Dec. 31, 1958
6. Merwin Coad.....	Boone	Dec. 31, 1958
7. Ben F. Jensen.....	Exira	Dec. 31, 1958
8. Charles B. Hoeven.....	Alton	Dec. 31, 1958

**GENERAL ASSEMBLY**  
**SENATORS IN GENERAL ASSEMBLY**

NAME	Address	Age	Occupation	Dis.	Counties Composing District	Former Legislative Service
*Anderson, Carl T. . . . .	Wellman . . . . .	67	Farmer . . . . .	10	Henry, Washington . . . . .	53, 54, 55, 56
Boothby, Laurence M. . . . .	Cleghorn . . . . .	61	Farmer . . . . .	46	Cherokee, Ida, Plymouth . . . . .	52, 52X, 53, 54, 55, 56
Buck, Howard C. . . . .	Melbourne . . . . .	57	Farmer . . . . .	28	Marshall . . . . .	53, 54, 55, 56
*Burton, Samuel H. . . . .	Ottumwa . . . . .	42	Wholesale Beverage Distributor . . . . .	13	Wapello . . . . .	56
*Butler, Guy G. . . . .	Rolfe . . . . .	69	Farmer and Banker . . . . .	50	Buena Vista, Humboldt, Pocahontas . . . . .	52, 52X, 54, 55, 56
Byers, Frank C. . . . .	Marion . . . . .	73	Lawyer . . . . .	26	Linn . . . . .	43, 44, 45, 45X, 46, 46X, 47, 48, 49, 50, 50X, 51, 52, 52X, 53, 54, 55, 56
Coleman, Joe . . . . .	Clare . . . . .	33	Farmer . . . . .	27	Calhoun, Webster . . . . .	
*Dailey, Thomas J. . . . .	Burlington . . . . .	42	Attorney at Law . . . . .	9	Des Moines . . . . .	54, 55, 56
Dewel, Duane E. . . . .	Algona . . . . .	55	Publisher . . . . .	49	Emmet, Kossuth, Palo Alto . . . . .	51, 52, 52X, 55, 56
Dykhouse, J. T. . . . .	Rock Rapids . . . . .	66	Real Estate, Insurance . . . . .	24	Lyon, Osceola, Sioux . . . . .	47, 48, 49, 50, 50X, 51, 52, 52X, 53, 54, 55, 56
Elijah, Earl . . . . .	Clarence . . . . .	69	Farmer-Banker . . . . .	23	Cedar, Jackson, Jones . . . . .	55, 56
*Elwood, Frank D. . . . .	Cresco . . . . .	40	Lawyer . . . . .	42	Howard, Winneshiek . . . . .	56
Evans, Norval . . . . .	Fairfield . . . . .	37	Implement Dealer . . . . .	2	Jefferson, Van Buren . . . . .	
Fisher, J. Louis . . . . .	Osceola . . . . .	47	Businessman . . . . .	11	Clarke, Warren . . . . .	
Gillespie, Raymond R. . . . .	Dexter . . . . .	65	Farmer and Banker . . . . .	16	Adair, Madison . . . . .	53, 54
Grimstead, Jacob . . . . .	Lake Mills . . . . .	51	Farm Operator . . . . .	41	Mitchell, Winnebago, Worth . . . . .	55, 56
Harbor, William H. . . . .	Henderson . . . . .	36	Grain & Feed Dealer . . . . .	8	Mills, Montgomery . . . . .	56
Henry, Jim O. . . . .	Carson . . . . .	60	Farmer . . . . .	19	Pottawattamie . . . . .	55, 56
Hoffman, Gene L. . . . .	West Grove . . . . .	44	Farmer . . . . .	3	Appanoose, Davis . . . . .	
*Hoxie, Frank . . . . .	Shenandoah . . . . .	59	Farmer . . . . .	7	Fremont, Page . . . . .	56
Long, Irving D. . . . .	Manchester . . . . .	61	Lawyer . . . . .	33	Buchanan, Delaware . . . . .	49, 50, 50X, 51, 52, 52X
Lynes, J. Kendall . . . . .	Plainfield . . . . .	53	Farmer . . . . .	39	Bremer, Butler, Franklin . . . . .	49, 50, 50X, 51, 52, 52X, 53, 54, 55, 56
McCurdy, Carroll F. . . . .	Oskaloosa . . . . .	39	Farmer . . . . .	14	Mahaska . . . . .	
*McFarlane, Arch W. . . . .	Waterloo . . . . .	71	Wholesale coal . . . . .	38	Black Hawk . . . . .	36, 37, 38, 38X, 39, 42, 42X, 43, 44, 45, 45X, 46, 46X, 48, 49, 50, 50X, 51, 52, 52X, 54, 55, 56
*McManus, Edward J. . . . .	Keokuk . . . . .	36	Lawyer . . . . .	1	Lee . . . . .	56
Miller, Jack . . . . .	Sioux City . . . . .	40	Tax Lawyer . . . . .	32	Woodbury . . . . .	56
*Molison, Wilbur C. . . . .	Grinnell . . . . .	53	Farmer . . . . .	12	Keokuk, Poweshiek . . . . .	54, 55, 56
Nolan, D. C. . . . .	Iowa City . . . . .	54	Lawyer . . . . .	25	Iowa, Johnson . . . . .	55, 56
O'Connor, John J. . . . .	Strawberry Point . . . . .	42	Hotel Operator, News- paper Publisher & Editor . . . . .	36	Clayton . . . . .	
*O'Malley, George E. . . . .	Des Moines . . . . .	51	Attorney . . . . .	30	Polk . . . . .	53, 54, 55, 56
Prentis, X. T. . . . .	Mount Ayr . . . . .	60	Livestock Farming, Hatcheryman . . . . .	5	Decatur, Ringgold, Union . . . . .	48, 49, 50, 50X, 51, 53, 54, 55, 56
Price, Carroll . . . . .	Knoxville . . . . .	45	Farm Machinery and Automobile Dealer . . . . .	15	Marion, Monroe . . . . .	
Prince, G. W. . . . .	Guthrie Center . . . . .	49	Dairy Farmer . . . . .	17	Audubon, Dallas, Guthrie . . . . .	

SENATORS IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Dis.	Counties Composing District	Former Legislative Service
*Putney, Lawrence.....	Gladbrook.....	56	Farmer.....	45	Benton, Grundy, Tama.....	51, 52, 52X, 53, 54, 55, 56
*Rigler, Robert R.....	New Hampton..	33	Banker.....	44	Floyd, Chickasaw.....	56
Ringgenberg, Carl H.....	Ames.....	61	Farmer.....	31	Boone, Story.....	54, 55, 56
*Schroeder, Jack.....	Davenport.....	31	Lawyer.....	21	Scott.....	54, 55, 56
Scott, George L.....	West Union.....	69	Farm Manager.....	40	Allamakee, Fayette.....	46, 46X, 47, 48, 49, 50, 55, 56
*Shaff, David O.....	Clinton.....	32	Lawyer.....	22	Clinton.....	55, 56
*Shoeman, John D.....	Atlantic.....	54	Veterinarian.....	18	Cass, Shelby.....	56
Stuart, W. C.....	Chariton.....	36	Lawyer.....	4	Lucas, Wayne.....	55, 56
Tate, W. H.....	Mason City.....	56	Realtor.....	43	Cerro Gordo, Hancock.....	54, 55, 56
Turner, Francis A.....	Corning.....	56	Merchant.....	6	Adams, Taylor.....	56
*Utzig, Arnold.....	Dubuque.....	63	Shoe Merchant.....	35	Dubuque.....	50, 50X, 51, 52, 52X, 53, 54, 55, 56
*Vest, Alan.....	Sac City.....	45	Lawyer.....	48	Carroll, Greene, Sac.....	54, 55, 56
*Walker, John A.....	Williams.....	44	Farmer.....	37	Hamilton, Hardin, Wright.....	52, 52X, 53, 54, 55, 56
Watson, Harry E.....	Sanborn.....	50	Farmer.....	47	Clay, Dickinson, O'Brien.....	51, 52, 52X, 53, 54, 55, 56
*Weber, George W.....	Columbus Jct... ..	73	Grain & Feed, Bank President.....	20	Louisa, Muscatine.....	56
*Weiss, Albert.....	Denison.....	71	Business & Farm Operator	29	Crawford, Harrison, Monona.....	52, 52X, 53, 54, 55, 56
*Wormley, Jack M.....	Newton.....	42	Farm Management.....	34	Jasper.....	56

\*Holdover Senators in Fifty-seventh General Assembly.

REPRESENTATIVES IN GENERAL ASSEMBLY

NAME	Address	Age	Occupation	County	Former Legislative Service
Allen, Don G., Jr.....	Adel.....	38	Restaurant Operator and Farmer..	Dallas.....	56
Andrews, John E.....	Des Moines.....	39	Lawyer.....	Polk.....	56
Balch, Bernard R.....	Waterloo.....	34	Lawyer.....	Black Hawk.....	56
Ballhagen, Wayne W.....	New Hartford..	42	Farmer & Businessman.....	Butler.....	55, 56
Barringer, Arley R.....	Ruthven.....	59	Farmer.....	Palo Alto.....	56
Baumhover, John A.....	Carroll.....	61	Farmer, Insurance.....	Carroll.....	56
Breakenridge, Raymond D.....	Winterset.....	59	Farmer.....	Madison.....	56
Brown, M. N.....	What Cheer.....	32	Lawyer.....	Keokuk.....	55, 56
Burris, C. J.....	Maquoketa.....	51	Hotel and Restaurant.....	Jackson.....	53, 54
Burtch, Charles R.....	Osage.....	63	Farmer.....	Mitchell.....	55, 56
Carlsen, John W.....	Clinton.....	47	Attorney.....	Clinton.....	56
Carson, Robert B.....	Independence.....	36	Attorney.....	Buchanan.....	56
Chalupa, LeRoy W.....	Pleasant Plain.....	45	Merchant & Agriculture.....	Jefferson.....	56
Chambers, Earl L.....	Gilmore City.....	57	Retired Farmer.....	Pocahontas.....	56
Christiansen, W. R.....	Northwood.....	61	Retired County Auditor.....	Worth.....	55, 56
Christophel, Clarence.....	Waverly.....	46	Livestock Farmer.....	Bremer.....	56
Coffman, William J.....	North English..	38	Insurance.....	Iowa.....	56
Conner, Robert E.....	Ottumwa.....	33	Machinist.....	Wapello.....	56
Coverdale, C. F.....	Clinton.....	71	Retired Farmer.....	Clinton.....	56
Cunningham, Ray C.....	Ames.....	63	Y. M. C. A. Secretary Retired....	Story.....	56
Currie, J. D.....	Schaller.....	73	Farming, Real Estate, Insurance..	Sac.....	56

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Darrington, William E.	Persia	52	Farmer	Harrison	54, 55, 56
Den Herder, Elmer H.	Sioux Center	48	Farmer	Sioux	
Dietz, Riley	Walcott	51	Estimator	Scott	56
*Dillon, William D.	Columbus Jct.	40	Quarry Operator	Louisa	56
Dodds, Robert R.	Danville	32	Farming & Small Business	Des Moines	
Doyle, Donald V.	Sioux City	32	Lawyer	Woodbury	
Duffy, John L.	Dubuque	57	Lawyer	Dubuque	52, 52X, 53, 56
Edgington, Floyd P.	Sheffield	57	Farmer	Franklin	55, 56
Eichenlaub, W. S.	Ft. Madison	61	Retired Jeweler	Lee	
Eldred, Russell L.	Anamosa	45	Livestock Farmer	Jones	56
Eveland, Raymond	Kelley	36	Farmer	Boone	
Fairchild, Bert K.	Ida Grove	65	Farmer	Ida	53, 54, 55, 56
Falvey, L. A.	Albia	55	Banker	Monroe	55, 56
Freed, Willard M.	Gowrie	39	Lawyer	Webster	56
Frey, T. J.	Neola	55	Publisher	Pottawattamie	54, 55, 56
Frommelt, Andrew G.	Dubuque	35	Labor Business Representative	Dubuque	55, 56
Goode, Dewey E.	Bloomfield	58	Produce & Fur Dealer	Davis	45, 45X, 46, 46X, 47, 48, 49, 50, 50X, 53, 54, 55, 56
Gray, John	Oskaloosa	49	Farmer	Mahaska	56
Greenwood, Roscoe E.	Emerson	51	Lumberman	Mills	
Hagedorn, Merle W.	Royal	45	Farmer	Clay	56
Hall, Fred W.	Humboldt	58	Hardware Merchant	Humboldt	
Halling, Eugene E.	Orient	61	Farmer	Adair	56
Hanson, A. C.	Inwood	65	Livestock-Dairy Farmer	Lyon	45, 45X, 53, 54, 55, 56
Hatch, Floyd H.	Edgewood	72	Wholesale Eggs & Poultry Farmer	Delaware	56
Hendrix, W. C.	Letts	67	Farmer	Muscatine	52, 52X, 53, 54, 55, 56
Hensley, Carl	Exira	59	Farmer	Audubon	
Hirsch, Carl	Indianola	55	Farmer & Purebred Livestock	Warren	
Holdsworth, Leonard	Manilla	60	Farmer	Crawford	56
Hoover, Earl T.	Mount Ayr	73	Retired Farm Owner	Ringgold	55, 56
Hoth, Elmer A.	Postville	56	Hardware Store	Allamakee	55, 56
Howard, James W.	Cresco	72	Retired Businessman	Howard	56
Jarvis, Fred	Alta	59	Farmer	Buena Vista	
Johannes, W. J.	Ashton	66	Bank President	Osceola	46, 46X, 47, 48, 49, 50, 50X, 53, 56
Johns, Neil E.	Toledo	30	Farmer	Tama	56
Johnson, Fred L.	Hamburg	67	Teacher & Farmer	Fremont	
Kaiser, Jacob C.	Rockwell	63	Veterinarian	Cerro Gordo	
Keho, Ralph	Allerton	60	Farmer	Wayne	
Kimball, Donald L.	Fayette	23	Publisher	Fayette	
Kluever, Lester L.	Atlantic	37	Lawyer	Cass	
Kosek, Ernest	Cedar Rapids	49	Investment Banker	Linn	52, 52X, 53, 54, 55, 56
Lisle, Vern	Clarinda	50	Manufacturer	Page	53, 54, 55, 56
Loss, Casey	Algona	52	Farmer	Kossuth	52, 52X, 53, 54, 56
Lucken, J. Henry	Akron	60	Farmer	Plymouth	52, 52X, 53, 54, 55, 56
Lund, Albert	Brooks	59	Farmer	Adams	
Maggert, Robert E.	Afton	58	Retired Federal & County Employee	Union	

GENERAL ASSEMBLY—Continued

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Main, Franklin S.	Lamoni	40	Farmer	Decatur	
Maule, Elroy	Onawa	43	Teacher-Farmer	Monona	
McCoy, Jack	Ottumwa	27	Employee, John Morrell & Co.	Wapello	56
McCracken, Robert A.	New Hampton	28	Farmer	Chickasaw	
McNeal, Clark H.	Belmond	37	Owner-Operator Grain Elevator	Wright	54, 55, 56
Mensing, A. L.	Lowden	60	Retired	Cedar	54, 55, 56
Milroy, Jack	Vinton	33	Lawyer	Benton	56
Mooty, W. L.	Grundy Center	50	Businessman, Farmer, Lawyer	Grundy	54, 55, 56
Mowry, John L.	Marshalltown	50	Attorney	Marshall	
Naden, Robert W.	Webster City	35	Manufacturer	Hamilton	56
Naughton, John M.	Sergeant Bluff	64	Farmer	Woodbury	
Nelson, Henry C.	Forest City	55	Farm Manager	Winnebago	56
Nielsen, Niels J.	Ringsted	60	Farmer	Emmet	
Novak, Emil L.	Cedar Rapids	40	Livestock Farmer	Linn	55, 56
Nutt, T. O.	Douds	52	Farmer	Van Buren	
Ossian, Conrad	Stanton	56	Farmer	Montgomery	
Owen, Kenneth E.	Centerville	38	Farmer	Appanoose	56
Paul, George L.	Brooklyn	53	Farmer	Poweshiek	52X, 53, 54, 55, 56
Perkins, Judson T.	Council Bluffs	71	Retired Methodist Minister	Pottawattamie	
Petrucelli, Don A.	Davenport	43	Lawyer	Scott	56
Pierce, Neal	Russell	42	Farmer	Lucas	
Reppert, Howard C. Jr.	Des Moines	38	Reppert Transfer & Storage, Retail Merchants Delivery	Polk	56
Riehm, Curtis G.	Garner	42	Attorney	Hancock	56
Robinson, S. E.	Guthrie Center	62	Farmer, Justice of the Peace	Guthrie	
Rusk, Gail A.	Newton	59	Farmer	Jasper	
Santee, Leslie	Cedar Falls	54	Real Estate & Insurance	Black Hawk	56
Sar, Martin E.	Charles City	70	Retired	Floyd	54, 55, 56
Sersland, H. H.	Decorah	50	Farmer & Merchant	Winneshiok	55, 56
Smith, Marvin W.	Paullina	55	Farmer	O'Brien	
Steenhusen, Peter	Irwin	52	Businessman, Hardware, Feed & Seed	Shelby	
Stephens, Richard L.	Ainsworth	52	Farmer & Livestock Producer	Washington	
Stevens, Henry H.	Jefferson	63	Farmer	Greene	51, 52, 52X, 53, 54, 55, 56
Swisher, Scott	Iowa City	37	Lawyer	Johnson	56
Vance, Clifford M.	Mt. Pleasant	54	Lawyer	Henry	
Vermeer, Elmer H.	Pella	36	Farmer	Marion	55, 56
Walter, John F.	McGregor	63	Dentist	Clayton	56
Walter, Paul M.	Union	51	Farmer	Hardin	53, 54, 55, 56
Watts, Stanley	Murray	62	Funeral Director, Farmer	Clarke	44 (Van Buren County)
†Weaver, W. O.	Wapello	48	Lawyer	Louisa	
Weik, Charles, Jr.	Spirit Lake	45	Implement Dealer	Dickinson	
Wells, Ivan	Bedford	64	Auctioneer	Taylor	
Whitney, W. E.	Aurelia	47	Farm Manager	Cherokee	55, 56
Wilson, Melvin	Rockwell City	66	Retired	Calhoun	48, 49, 50, 50X, 55, 56

†Elected to fill vacancy, February 19, 1957

\*Resigned, February 1, 1957

## OFFICERS OF THE FIFTY-SEVENTH GENERAL ASSEMBLY

### OFFICERS OF THE HOUSE

<i>Speaker</i> —W. L. Mooty.....	Grundy Center
<i>Speaker Pro Tempore</i> —Elmer H. Vermeer.....	Pella
<i>Majority Floor Leader</i> —Robert B. Carson.....	Independence
<i>Minority Floor Leader</i> —Merle W. Hagedorn.....	Royal
<i>Chief Clerk</i> —A. C. Gustafson*.....	Des Moines
<i>Chief Clerk</i> —William R. Kendrick†.....	Des Moines
<i>Reading Clerk</i> —Burl B. Beam.....	Martensdale
<i>Law Clerk</i> —Lillian Leffert.....	Des Moines
<i>Engrossing Clerk</i> —Lucille Long.....	Whitten
<i>Chief Enrolling Clerk</i> —Della Harper.....	Des Moines
<i>Assistant Enrolling Clerk</i> —Sharon McGraw.....	Des Moines
<i>Assistant Enrolling Clerk</i> —Nancy Morrison.....	Des Moines
<i>Supervisor of Clerks</i> —Anne Van Laningham.....	Des Moines
<i>Payroll Clerk</i> —Jacqueline Day.....	Des Moines
<i>Index Clerk</i> —Sara G. Goodman.....	Des Moines
<i>Journal Clerk</i> —Charlotte E. Prichett.....	Des Moines
<i>Journal Clerk</i> —Charlene Hilton.....	Des Moines
<i>Journal Clip Sheet</i> —Dagmar Cavey.....	Des Moines
<i>Secretary to Speaker</i> —Alta Overton.....	Indianola
<i>Secretary to Chief Clerk</i> —Florence Hoffmann.....	Des Moines
<i>Clerk to Chief Clerk</i> —Ruth Bloomquist.....	Des Moines
<i>Companion Bill Clerk</i> —Marilouise Buhr.....	Des Moines
<i>Secretary to Law Clerk</i> —Betty Putzier.....	Des Moines
<i>Sergeant-at-Arms</i> —Ralph A. Lancaster.....	Des Moines
<i>Assistant Sergeant-at-Arms</i> —C. F. Aldrich.....	Waukee
<i>Bill Clerk</i> —Fred B. McCracken, Jr.....	Des Moines
<i>Assistant Bill Clerk</i> —Edwin Getz.....	Des Moines
<i>File Clerk</i> —Louis O. Linstrum.....	Des Moines
<i>File Clerk</i> —Robert F. Lindquist.....	Chariton
<i>Supply Clerk</i> —Mary Freels.....	Clinton
<i>Supply Clerk</i> —Jessie E. Walker.....	Des Moines
<i>Postmistress</i> —Mabel H. Barker.....	Des Moines
<i>Control Board Operator</i> —Laurence Selvy.....	Des Moines
<i>Chief Electrician</i> —Alex W. Thompson.....	Des Moines
<i>Assistant Electrician</i> —B. M. Vance.....	Des Moines

\*Deceased April 5, 1957

†Appointed April 9, 1957

### OFFICERS OF THE SENATE

<i>President</i> —William H. Nicholas.....	Mason City
<i>President Pro Tempore</i> —Alan Vest.....	Sac City
<i>Majority Floor Leader</i> —D. C. Nolan.....	Iowa City
<i>Minority Floor Leader</i> —George E. O'Malley.....	Des Moines
<i>Secretary</i> —Richard W. Berglund.....	Des Moines
<i>Assistant Secy. and Journal Clerk</i> —Edna Gillespie.....	Des Moines
<i>Law and Reading Clerk</i> —Robert D. Ray.....	Des Moines
<i>Law Clerk</i> —Colleen F. O'Brien.....	Des Moines
<i>Secretary's Stenographer</i> —Ruth E. Fisher.....	Des Moines
<i>Lieutenant Governor's Secretary</i> —Marie L. Booker.....	Des Moines
<i>Assistant Journal Clerk</i> —Sue Reed.....	Des Moines
<i>Secretary's Clerk</i> —Phyllis H. Hall.....	Des Moines
<i>Engrossing Clerk</i> —Maretta H. Blanchard.....	Des Moines
<i>Enrolling Clerk</i> —Mildred Bloom.....	Des Moines
<i>Assistant Enrolling Clerk</i> —Mildred Lee Abernathy.....	Des Moines
<i>Assistant Enrolled Bills Clerk</i> —Ada M. Jolley.....	Adel
<i>Assistant Enrolled Bills Clerk</i> —Katherine Walter.....	Des Moines
<i>Payroll Clerk</i> —Julia Butth.....	Ankeny
<i>Supply Clerk</i> —Marilyn J. Carpenter.....	Des Moines
<i>Sergeant-at-Arms</i> —Frank Buck.....	Ames
<i>Assistant Sergeant-at-Arms</i> —Victor Lindquist.....	Chariton
<i>Assistant Sergeant-at-Arms</i> —M. A. Jensen.....	Cedar Rapids
<i>Chief Doorkeeper</i> —Albert Marshall.....	Northwood
<i>Bill Clerk</i> —Jim Gibson.....	Des Moines
<i>File Clerk</i> —Dennis Montgomery.....	Des Moines
<i>Assistant File Clerk</i> —Daniel Smith.....	Des Moines
<i>Postmistress</i> —Nancy Page.....	Des Moines

# CONDITION OF STATE TREASURY

Receipts, Disbursements and Balances in the Several Funds  
for each year of the Biennial Period Ending June 30, 1956

Fiscal Year Ending June 30, 1955				Total Warrants Redeemed Treasurer's Checks Issued And Transfers	Balance June 30, 1955
	Balance July 1, 1954	Total Receipts and Transfers	Total Available		
General Revenue	\$ 25,467,077.02	\$119,174,841.97	\$144,942,964.64	\$ 77,671,711.43	\$ 20,353,887.84
Transfers		361,045.65		46,917,365.37	
General Revenue Special					
Reserve Fund	23,810,430.24		23,810,430.24	2,307,173.11	21,503,257.13
Trust Funds	30,908,271.24	70,459,079.29	155,072,305.42	116,200,237.44	38,571,013.62
Transfers		53,704,954.89		301,054.36	
Special Funds	49,010,754.52	66,984,497.81	173,820,858.05	108,423,807.72	65,397,050.33
(Comptroller Warrants)					
Transfers		57,825,605.72			
Special Funds	1,258,437.84	105,182,544.60	106,440,982.44	39,617,948.04	2,209,847.87
(Treasurer's Checks)					
Transfers				64,613,186.53	
<b>TOTAL</b>	<b>\$130,454,970.86</b>	<b>\$473,632,569.93</b>	<b>\$604,087,540.79</b>	<b>\$456,052,484.00</b>	<b>\$148,035,056.79</b>

Balance July 1, 1954	\$130,454,970.86
Receipts and Transfers	473,632,569.93
<b>TOTAL</b>	<b>\$604,087,540.79</b>
Disbursements and Transfers	456,052,484.00
Balance June 30, 1955	<b>\$148,035,056.79</b>

Fiscal Year Ending June 30, 1956				Total Warrants Redeemed Treasurer's Checks Issued And Transfers	Balance June 30, 1956
	Balance July 1, 1955	Total Receipts and Transfers	Total Available		
General Revenue	\$ 20,353,887.84	\$140,894,763.10	\$161,303,852.97	\$ 84,114,555.32	\$ 23,584,893.49
Transfers		55,202.03		53,604,403.66	
General Revenue Special					
Reserve Fund	21,503,257.13		21,503,257.13	1,111,952.62	20,391,304.51
Trust Funds	38,571,013.62	76,883,511.53	137,268,506.73	131,921,485.51	55,342,380.33
Transfers		71,813,981.58		4,640.89	
Special Funds	65,397,050.33	66,842,804.55	196,312,418.43	120,457,405.65	75,804,451.64
(Comptroller Warrants)					
Transfers		64,072,563.55		50,561.14	
Special Funds	2,209,847.87	131,335,046.68	134,962,350.63	48,367,407.59	2,895,345.49
(Treasurer's Checks)					
Transfers		1,417,456.08		83,699,597.55	
<b>TOTAL</b>	<b>\$148,035,056.79</b>	<b>\$553,315,329.10</b>	<b>\$701,350,385.89</b>	<b>\$523,332,010.43</b>	<b>\$178,018,375.46</b>

Balance July 1, 1955	\$148,035,056.79
Receipts and Transfers	553,315,329.10
<b>TOTAL</b>	<b>\$701,350,385.89</b>
Disbursements and Transfers	523,332,010.43
Balance June 30, 1956	<b>\$178,018,375.46</b>

## APPROPRIATIONS TO STATE DEPARTMENTS

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

DEPARTMENT	SECTION	DEPARTMENT	SECTION
Aeronautics Commission .....	3	Libraries .....	22
Agriculture Department .....	1, 2	Lieutenant Governor .....	15
Attorney General .....	4	Mine Examining Board .....	23
Auditor of State .....	5	Mine Inspectors .....	24
Blind, Commission for .....	6	National Guard and State Guard.....	48
Code Editor .....	37	Parole Board .....	25
Commerce Commission .....	7	Pharmacy Examiners .....	26
Comptroller .....	8	Pioneer Lawmakers .....	27
Conservation Commission .....	41	Printing Board .....	28
Control, Board of .....	9	Public Instruction, Department of.....	29
Council of State Government .....	42	Public Safety, Department of .....	49
Custodian .....	10, 11	Real Estate Commission .....	30
Development Commission .....	43	Regents, Board of .....	31
District Court Judges .....	44	Secretary of State .....	32
Employment Security Commission ....	12	Soil Conservation .....	33
Executive Council .....	13	Soldiers' Bonus Board .....	50
Fair Board .....	45	Spanish-American War Veterans .....	34
Geological Survey .....	14	Supreme Court .....	35
Governor .....	16	Supreme Court, Clerk of .....	36
Health, Department of .....	17	Supreme Court Reporter .....	37
Historical Society .....	47	Tax Commission .....	38
History and Archives .....	18	Treasurer of State .....	39
Hoover Birthplace Society .....	46	Uniform Laws Commission .....	40
Industrial Commissioner .....	19	Vocational Education .....	29
Insurance Department .....	20	Vocational Rehabilitation .....	29
Labor Bureau .....	21	World War Orphans' Aid.....	50

# LAWS

OF THE

## Fifty-seventh General Assembly

OF THE

### STATE OF IOWA

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE  
CAPITAL OF THE STATE, BEGUN ON THE FOURTEENTH DAY OF  
JANUARY, AND ENDED ON THE THIRD DAY OF MAY, A. D. 1957,  
IN THE ONE HUNDRED ELEVENTH YEAR OF THE STATE

### APPROPRIATIONS

For additional appropriations, see chapters  
164, 361, 363, 364

#### CHAPTER 1

#### DEPARTMENTAL APPROPRIATIONS

S. F. 457

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1957, and ending June 30, 1959, funds for various departments and various divisions thereof, of the state of Iowa, for the purposes provided by law; to provide for the salary of the liquor control commissioners, and relating to the judicial and peace officers' retirement systems.

*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 ap-  
2 propriated from the general fund of the state for each year of the  
3 biennium beginning July 1, 1957, and ending June 30, 1959, the sum  
4 of one hundred forty-four thousand seven hundred dollars (\$144,-  
5 700.00) or so much thereof as may be necessary to be used for various  
6 services and state aids in the following manner:  
7 (1) AGRICULTURAL STATISTICS  
8 For state aid.....\$ 16,000.00  
9 (2) BARBERRY ERADICATION  
10 For state aid..... 4,600.00

11	(3) BEE INSPECTION	
12	For state aid.....	\$ 12,000.00
13	(4) BEEF PRODUCERS' ASSOCIATION	
14	For state aid.....	12,500.00
15	(5) CROP IMPROVEMENT	
16	For state aid.....	3,000.00
17	(6) CROP PEST	
18	For state aid.....	7,000.00
19	(7) DAIRY ASSOCIATION	
20	For state aid.....	12,500.00
21	(8) DAIRY CALF CLUB	
22	For state aid.....	2,000.00
23	(9) HORTICULTURAL SOCIETIES AND VEGETABLE	
24	GROWERS' ASSOCIATION	
25	For state aid (65%—Horticultural Societies; 35%—	
26	Vegetable Growers' Association).....	10,000.00
27	(10) IOWA SHEEP ASSOCIATION	
28	For state aid.....	8,000.00
29	(11) MARKET NEWS (POULTRY)	
30	For state aid.....	4,600.00
31	(12) POULTRY ASSOCIATION, SHORT COURSES AND	
32	ACHIEVEMENT SHOWS	
33	For state aid.....	4,000.00
34	(13) SWINE BREEDERS' ASSOCIATION	
35	For state aid.....	12,500.00
36	(14) WEATHER BUREAU	
37	For state aid.....	6,000.00
38	(15) IOWA FERTILIZER LAW	
39	For equipment, salaries, support, maintenance and	
40	miscellaneous purposes .....	30,000.00
41	Grand total of all appropriations for all purposes	
42	for each year of the biennium for the department of	
43	agriculture or divisions thereof provided by this sec-	
44	tion .....	\$ 144,700.00
1	SEC. 2. For the department of agriculture there is hereby appro-	
2	priated from the general fund of the state for each year of the bien-	
3	niun beginning July 1, 1957, and ending June 30, 1959, the sum of	
4	five hundred twenty-seven thousand seven hundred seventy-two dollars	
5	(\$527,772.00), or so much thereof as may be necessary to be used in	
6	the following manner:	
7	Main office, dairy specialists and bacteriologists,	
8	entomology, hatchery inspection, restaurant and hotel	
9	inspection, disposal of dead animals, and motor fuel	
10	chemists:	
11	For salaries, including salary of secretary of agri-	
12	culture (\$7,500 until January 1, 1959, and \$8,500 there-	
13	after), support, maintenance and miscellaneous pur-	
14	poses .....	\$ 344,732.00
15	Total .....	\$ 344,732.00

16	(1) ANIMAL HEALTH AND VETERINARY	
17	For salary of chief of animal health.....	\$ 6,600.00
18	For control of eradication of contagious and infec-	
19	tious livestock diseases, including Bang's Disease, sal-	
20	aries and traveling expenses; assistant state veteri-	
21	narians (per diem and expenses), indemnities and	
22	miscellaneous purposes .....	176,080.00
23	(2) VETERINARY EXAMINERS	
24	Per diem and expenses.....	360.00
25	Grand total of all appropriations for all purposes for	
26	each year of the biennium for the department of agri-	
27	culture or divisions thereof provided by this section.....	\$ 527,772.00

## AERONAUTICS COMMISSION

1	SEC. 3. For the Aeronautics Commission there is hereby appropri-	
2	ated from the general fund of the state to the state aviation fund for	
3	each year of the biennium beginning July 1, 1957, and ending June 30,	
4	1959, the sum of twenty-five thousand dollars (\$25,000.00) or so much	
5	thereof as may be necessary to be made available in accordance with	
6	the provisions of chapter eight (8), Code 1954.....	\$ 25,000.00
7	Grand total of all appropriations for all purposes	
8	for each year of the biennium for the aeronautics com-	
9	mission .....	\$ 25,000.00

## ATTORNEY GENERAL

1	SEC. 4. 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, 1957, and ending June 30, 1959, the sum of seventy	
4	thousand eight hundred twenty dollars (\$70,820.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salaries, including salary of attorney general	
7	(\$8,500 until January 1, 1959, and \$9,500 thereafter),	
8	support, maintenance and miscellaneous purposes.....	\$ 70,820.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the office of attorney	
11	general .....	\$ 70,820.00

## AUDITOR OF STATE

1	SEC. 5. 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, 1957, and ending June 30, 1959, the sum of two hun-	
4	dred fifty-one thousand six hundred fifty dollars (\$251,650.00)* or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salaries, including salary of state auditor (\$7,500	
7	until January 1, 1959 and \$8,500 thereafter), support,	
8	maintenance and miscellaneous purposes.....	\$ 231,250.00
9	BUILDING AND LOAN DIVISION	
10	For salaries, support, maintenance and miscellane-	
11	ous purposes .....	12,900.00
12	Grand total of all appropriations for all purposes for	
13	each year of the biennium for the office of auditor of	
14	state .....	\$ 251,650.00*

\*According to enrolled Act.

## BLIND, IOWA COMMISSION FOR THE

1 SEC. 6. 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, 1957, and ending June 30, 1959, the  
 4 sum of sixty thousand four hundred forty dollars (\$60,440.00) 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 miscellane-	
8 ous purposes .....	54,940.00
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.....	\$ 60,440.00

## COMMERCE COMMISSION, IOWA STATE

1 SEC. 7. 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, 1957, and ending June 30, 1959, the  
 4 sum of two hundred ten thousand nine hundred eighty dollars (\$210,-  
 5 980.00) or so much thereof as may be necessary to be used in the fol-  
 6 lowing manner:

7 GENERAL ADMINISTRATION	
8 For salary of secretary.....	\$ 5,300.00
9 For salaries, including salaries of commissioners	
10 (three (3) at \$6,300 each until January 1, 1959, and	
11 \$7,300 thereafter), support, maintenance and miscel-	
12 laneous purposes .....	\$ 130,000.00
13 Total for general administration of the commerce	
14 commission .....	\$ 135,300.00
15 CLASS RATE CASES	
16 For salaries, support, maintenance and miscellane-	
17 ous purposes .....	\$ 1,000.00
18 MOTOR TRANSPORTATION DIVISION	
19 For salaries, support, maintenance and miscellane-	
20 ous purposes .....	\$ 31,400.00
21 WAREHOUSE DIVISION	
22 For salaries, support, maintenance and miscellane-	
23 ous purposes .....	\$ 43,280.00
24 Grand total of all appropriations for all purposes	
25 for each year of the biennium for the department of	
26 the commerce commission.....	\$ 210,980.00

## COMPTROLLER, OFFICE OF STATE

1 SEC. 8. For the office of state comptroller there is hereby appropri-  
 2 ated from the general fund of the state for each year of the biennium  
 3 beginning July 1, 1957, and ending June 30, 1959, the sum of one hun-  
 4 dred sixty-five thousand eight hundred five dollars (\$165,805.00) or so  
 5 much thereof as may be necessary to be used in the following manner:

6 For state comptroller salary.....	\$ 9,000.00
-------------------------------------	-------------

7	For salaries, support, maintenance and miscellaneous purposes .....	\$ 156,805.00
9	Grand total of all appropriations for all purposes for each year of the biennium for the office of state comptroller .....	\$ 165,805.00

## CONTROL, BOARD OF

1	SEC. 9. For the board of control there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1957, and ending June 30, 1959, the sum of two hundred forty-five thousand four hundred ten dollars (\$245,410.00) or so much thereof as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous purposes, including salaries for three (3) board members at \$7,000.00 each.....	\$ 235,410.00
9	For institutional state roads.....	\$ 10,000.00
10	Grand total of all appropriations for all purposes for each year of the biennium for the board of control provided by this section.....	\$ 245,410.00

## CUSTODIAN\*

1	SEC. 10. For the office of the custodian there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1957, and ending June 30, 1959, the sum of three hundred sixteen thousand dollars (\$316,000.00) or so much thereof as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous purposes .....	\$ 316,000.00
1	SEC. 11. For the office of the custodian there is hereby appropriated from the general fund of the state for the biennium beginning July 1, 1957, and ending June 30, 1959, the sum of three hundred eight thousand seven hundred ten dollars (\$308,710.00) or so much thereof as may be necessary to be used in the following manner:	
7	For maintenance, repairs, replacements, alterations or equipment of public buildings and grounds of the state of Iowa, subject to approval of the executive council .....	\$
10	AMOS HIATT BUILDING	
11	New windows .....	4,000.00
12	HISTORICAL BUILDING	
13	Replace window, frames, etc.....	3,700.00
14	Windows—replaced by glass blocks.....	7,500.00
15	Painting—windows and frames.....	4,760.00
16	Wiring and electrical work.....	20,000.00
17	New elevator .....	15,000.00
18	Board of trustee traveling library shelving and repairs .....	12,500.00
19	Hough Room, Dodge wall cover.....	1,200.00

\*See ch. 189.

20	INTERNATIONAL BUILDING	
21	Window frames outside, woodwork.....	\$ 1,000.00
22	Electric wiring—fixtures rehung .....	4,500.00
23	CAPITOL BUILDING	
24	Cleaning, painting windows, frames, doors.....	6,000.00
25	Electrical rewiring, refitted for added equipment.....	50,000.00
26	Copper Hoods on roof ventilators.....	500.00
27	Recondition and rebuild Lounges in Senate and House	
28	chambers .....	20,000.00
29	Return condensate pumps, electrically operated.....	5,000.00
30	Electrical supplies and fixtures for all buildings.....	15,000.00
31	Plumbing supplies, heating supplies.....	15,000.00
32	Renew wiring in tunnels, heating plant to Amos Hiatt	
33	Building, labor and materials.....	4,000.00
34	Lumber for shelving and other purposes, sand and	
35	cement, general repairs.....	6,000.00
36	New floors for Capitol elevators.....	1,000.00
37	New motor in both Capitol elevators \$7,000.00 each.....	14,000.00
38	Overhaul and check Minneapolis-Honeywell and John-	
39	son Service Company installation of thermostats.....	9,000.00
40	Maintenance of elevators.....	7,500.00
41	GOVERNOR'S MANSION	
42	Widening of entrances and driveways.....	4,000.00
43	HEATING PLANT	
44	Cleaning and painting windows and frames.....	500.00
45	Install new boiler and remove useless boiler.....	50,000.00
46	STATE OFFICE BUILDING	
47	Yearly inspection of heating and ventilating system....	1,000.00
48	Cleaning and reconditioning transformers in office	
49	building .....	4,000.00
50	Equipment, compressors—State Office Building repairs	2,000.00
51	Elevators—worn out* electronic equipment to be re-	
52	placed .....	11,000.00
53	Railing on north steps of Office Building.....	750.00
54	GROUNDS	
55	Equipment—power mowers, etc.....	1,500.00
56	Trees, new flower beds, planting.....	4,500.00
57	MEDICAL LIBRARY	
58	Painting and repairs.....	2,300.00
59	Grand total of all appropriations for all purposes for	
60	the biennium beginning July 1, 1957 and ending June 30,	
61	1959 for the office of the custodian.....	\$ 308,710.00

## EMPLOYMENT SECURITY COMMISSION

1 SEC. 12. For the Iowa Employment Security Commission for the  
2 administration of Chapters 97 and 97C, Code 1954, there is hereby  
3 appropriated from the general fund of the state of Iowa for each year  
4 of the biennium beginning July 1, 1957, and ending June 30, 1959, the

\*According to enrolled Act.

5 sum of seventy-seven thousand three hundred dollars (\$77,300.00) or  
 6 so much thereof as may be necessary to be used in the following man-  
 7 ner:

8 For salaries, support, maintenance and miscellaneous  
 9 purposes for the administration of Chapters 97 and 97C,  
 10 Code 1954 .....\$ 77,300.00

11 The salary for each member of the Iowa Employment Security  
 12 Commission shall be six thousand five hundred dollars (\$6,500.00) for  
 13 each year of the biennium beginning July 1, 1957, and ending June 30,  
 14 1959, and shall be in full compensation for all services, and provisions  
 15 made in any other Act or statutes for salary of the members of the  
 16 Iowa Employment Security Commission shall be ineffective and void.

#### EXECUTIVE COUNCIL

1 SEC. 13. 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, 1957, and ending June 30, 1959, the sum  
 4 of five hundred eleven thousand dollars (\$511,000.00) or so much  
 5 thereof as may be necessary to be used in the following manner:

6 For secretary of executive council .....\$ 5,500.00  
 7 For salaries, support, maintenance and miscellaneous  
 8 purposes ..... 505,500.00

9 Grand total of all appropriations for all purposes for  
 10 each year of the biennium for the office of the executive  
 11 council .....\$ 511,000.00

#### GEOLOGICAL SURVEY AND NATURAL RESOURCES

1 SEC. 14. For the office of geological survey and natural resources  
 2 there is hereby appropriated from the general fund of the state for  
 3 each year of the biennium beginning July 1, 1957, and ending June  
 4 30, 1959, the sum of two hundred fifty-three thousand five hundred  
 5 thirty dollars (\$253,530.00) or so much thereof as may be necessary  
 6 to be used in the following manner:

7 For salaries, support, maintenance and miscellaneous  
 8 purposes .....\$ 102,530.00  
 9 Stream gauging and siltation, salaries, support and  
 10 miscellaneous purposes ..... 36,000.00

11 Total of appropriations for all purposes for each year  
 12 of the biennium for geological survey ..... 138,530.00

13 For the Iowa natural resources council there is hereby appropriated  
 14 from the general fund of the state for each year of the biennium be-  
 15 ginning July 1, 1957, and ending June 30, 1959, the sum of sixty thou-  
 16 sand dollars (\$60,000.00) or so much thereof as may be necessary to  
 17 be used in the following manner:

18 For salaries, support, maintenance and miscellaneous  
 19 purposes .....\$ 60,000.00

20 For the administration of House File 553,\* Acts of the  
 21 Fifty-seventh General Assembly, for each year of the bi-  
 22 ennium ..... 55,000.00

\*Chapter 229.

23	Total of appropriations for all purposes for each year	
24	of the biennium for natural resources council.....	\$ 115,000.00
25	Total of appropriations for all purposes for each year	
26	of the biennium for geological survey and Iowa natural	
27	resources council .....	\$ 253,530.00

## LIEUTENANT GOVERNOR

1 SEC. 15. For the office of Lieutenant Governor there is hereby ap-  
 2 propriated from the general fund of the state for each year of  
 3 the biennium beginning July 1, 1957, and ending June 30, 1959, a  
 4 sum sufficient to pay such actual and necessary expenses as are in-  
 5 curred when said Lieutenant Governor is required by reason of his  
 6 office to leave the county of his residence but not to exceed the sum  
 7 of fifteen hundred dollars (\$1,500.00) per annum; an itemized ex-  
 8 pense account shall be so certified by said officer entitled thereto to  
 9 the state comptroller, which account shall be rendered quarterly.

## GOVERNOR

1	SEC. 16. For the office of the governor there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1957, and ending June 30, 1959, the sum of forty-eight	
4	thousand six hundred fifty dollars (\$48,650.00) or so much thereof as	
5	may be necessary to be used in the following manner:	
6	For salaries, including salary of governor (\$12,500	
7	until January 1, 1959, and \$13,500 thereafter), support,	
8	maintenance and miscellaneous purposes, including funds	
9	available for the governor's expenses connected with his	
10	office in the amount of four thousand dollars (\$4,000.00) ..	\$ 48,650.00
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the office of governor.....	\$ 48,650.00

## HEALTH, STATE DEPARTMENT OF

1	SEC. 17. For the department of health there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1957, and ending June 30, 1959, the sum of five hun-	
4	dred eighty-two thousand one hundred sixty dollars (\$582,160.00) or	
5	so much thereof as may be necessary to be used in the following man-	
6	ner:	
7	GENERAL OFFICE (Central Administration)	
8	For salary of commissioner.....	\$ 8,400.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes .....	66,640.00
11	Total for general office.....	75,040.00
12	(1) CANCER CONTROL	
13	For salaries, support, maintenance and miscellaneous	
14	purposes .....	9,110.00
15	(2) DENTAL HYGIENE	
16	For salaries, support, maintenance and miscellaneous	
17	purposes .....	3,200.00

18	(3) HOSPITAL SURVEY AND PLANNING	
19	For salaries, support, maintenance and miscellaneous	
20	purposes .....	\$ 56,300.00
21	(4) MATERNAL AND CHILD HEALTH	
22	For salaries, support, maintenance and miscellaneous	
23	purposes .....	11,910.00
24	(5) PREVENTABLE DISEASES, SERUM CENTER AND BLOOD BANK	
25	For salaries, support, maintenance and miscellaneous	
26	purposes .....	24,500.00
27	(6) PUBLIC HEALTH ENGINEERING AND INDUSTRIAL HYGIENE	
28	For salaries, support, maintenance and miscellaneous	
29	purposes .....	123,480.00
30	(7) PUBLIC HEALTH NURSING	
31	For salaries, support, maintenance and miscellaneous	
32	purposes .....	8,400.00
33	(8) TUBERCULOSIS CONTROL	
34	For salaries, support and maintenance in the general	
35	tuberculosis control program involving all methods of	
36	case finding .....	35,000.00
37	(9) VENEREAL DISEASE CONTROL	
38	For salaries, support, maintenance and miscellaneous	
39	purposes .....	30,800.00
40	(10) VITAL STATISTICS	
41	For salaries, support, maintenance and miscellaneous	
42	purposes .....	109,780.00
43	(11) BOARD OF EUGENICS	
44	For salaries, support, maintenance and miscellaneous	
45	purposes .....	5,000.00
46	Sub-total for public health administrative activities....\$	492,520.00
47	(12) BARBERS' EXAMINING BOARD	
48	For compensation, support, maintenance and miscella-	
49	neous purposes .....	26,100.00
50	(13) CHIROPODY EXAMINING BOARD	
51	For compensation, support, maintenance and miscella-	
52	neous purposes .....	500.00
53	(14) CHIROPRACTIC EXAMINING BOARD	
54	For compensation, support, maintenance and miscella-	
55	neous purposes .....	4,000.00
56	(15) COSMETOLOGY EXAMINING BOARD	
57	For compensation, support, maintenance and miscella-	
58	neous purposes .....	27,850.00
59	(16) DENTAL EXAMINING BOARD	
60	For compensation, support, maintenance and miscella-	
61	neous purposes .....	2,500.00
62	(17) EMBALMERS' EXAMINING BOARD	
63	For compensation, support, maintenance and miscella-	
64	neous purposes .....	3,500.00
65	(18) LICENSURE AND REGISTRATION (Central Administration)	
66	For salaries, support, maintenance and miscellaneous	
67	purposes .....	7,800.00
68	(19) MEDICAL EXAMINING BOARD	
69	For compensation, support, maintenance and miscella-	
70	neous purposes .....	13,940.00

71	(20) OPTOMETRY EXAMINING BOARD	
72	For compensation, support, maintenance and miscella-	
73	neous purposes .....	\$ 1,250.00
74	(21) OSTEOPATHY EXAMINING BOARD	
75	For compensation, support, maintenance and miscella-	
76	neous purposes .....	2,200.00
77	Sub-total for division of licensure and registration.....	\$ 89,640.00
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.....	\$ 582,160.00

## HISTORY AND ARCHIVES, IOWA STATE DEPARTMENT OF

1	SEC. 18. For the department of history and archives there is here-	
2	by appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1957, and ending June 30, 1959, the	
4	sum of seventy thousand four hundred sixty dollars (\$70,460.00) or	
5	so much thereof as may be necessary to be used in the following man-	
6	ner:	
7	For salary of curator.....	\$ 4,800.00
8	For salaries, support, maintenance, miscellaneous pur-	
9	poses, and extra book binding.....	65,660.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the department of history	
12	and archives .....	\$ 70,460.00

## INDUSTRIAL COMMISSIONER

1	SEC. 19. 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, 1957, and ending June 30, 1959, the sum of forty-	
4	two thousand five hundred dollars (\$42,500.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salary of commissioner.....	\$ 6,500.00
7	For salaries, support, maintenance, travel expense,	
8	state share of employment retirement fund and miscel-	
9	laneous purposes .....	36,000.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the industrial commis-	
12	sioner .....	\$ 42,500.00

## INSURANCE DEPARTMENT OF IOWA

1	SEC. 20. 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, 1957, and ending June 30, 1959, the sum	
4	of one hundred thirty-seven thousand two hundred fifty dollars (\$137,-	
5	250.00) or so much thereof as may be necessary to be used in the	
6	following manner:	
7	For salary of commissioner.....	\$ 7,500.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	129,750.00

10 Grand total of all appropriations for all purposes for  
 11 each year of the biennium for the office of the insurance  
 12 commission .....\$ 137,250.00  
 13 There is hereby appropriated from the general fund of the state to  
 14 the insurance department the sum of fifty thousand dollars (\$50,-  
 15 000.00), or so much thereof as may be necessary, for the purpose of  
 16 purchasing steel chests as a depository for the securities deposited  
 17 with the department.  
 18 Any unused balance remaining after the purchase herein author-  
 19 ized shall revert to the general fund of the state.

## LABOR, BUREAU OF

1 SEC. 21. 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, 1957, and ending June 30, 1959, the sum of eighty-two thou-  
 4 sand seventy dollars (\$82,070.00) or so much thereof as may be nec-  
 5 essary to be used in the following manner:  
 6 For salary for commissioner of bureau of labor..... 4,600.00  
 7 For salaries, support, maintenance and miscellaneous  
 8 purposes ..... 77,470.00  
 9 Grand total of all appropriations for all purposes for  
 10 each year of the biennium for the bureau of labor.....\$ 82,070.00

## LIBRARIES, IOWA STATE

1 SEC. 22. For the board of trustees there is hereby appropriated  
 2 from the general fund of the state for each year of the biennium be-  
 3 ginning July 1, 1957, and ending June 30, 1959, for state libraries,  
 4 the sum of one hundred twenty-nine thousand five hundred forty-five  
 5 dollars (\$129,545.00) or so much thereof as may be necessary to be  
 6 used in the following manner:  
 7 LAW DIVISION  
 8 For salary of librarian.....\$ 4,500.00  
 9 Book bindings ..... 3,200.00  
 10 For salaries, support, maintenance and miscellaneous  
 11 purposes ..... 29,300.00  
 12 Total for law division.....\$ 37,000.00  
 13 (1) MEDICAL DIVISION  
 14 For salary of librarian..... 4,500.00  
 15 Book bindings ..... 2,000.00  
 16 For salaries, support, maintenance and miscellaneous  
 17 purposes ..... 23,225.00  
 18 Total for medical division.....\$ 29,725.00  
 19 (2) TRAVELING DIVISION  
 20 For salary of director.....\$ 5,700.00  
 21 Book bindings ..... 2,000.00  
 22 For salaries, support, maintenance and miscellaneous  
 23 purposes ..... 55,120.00  
 24 Total for traveling division.....\$ 62,820.00

25 Grand total of all appropriations for all purposes for  
 26 each year of the biennium for the state libraries.....\$ 129,545.00

MINE EXAMINING BOARD

1 SEC. 23. 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, 1957, and ending June 30, 1959, the sum of two  
 4 thousand seven hundred sixty dollars (\$2,760.00) or so much thereof  
 5 as may be necessary to be used in the following manner:

6 For per diem and expenses.....\$ 2,760.00

7 Grand total of all appropriations for all purposes for  
 8 each year of the biennium for the mine examining board..\$ 2,760.00

MINE INSPECTORS

1 SEC. 24. 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, 1957, and ending June 30, 1959, the sum  
 4 of thirteen thousand seven hundred thirty dollars (\$13,730.00) or so  
 5 much thereof as may be necessary to be used in the following manner:

6 For salary to two (2) mine inspectors at \$4,200.00  
 7 each .....\$ 8,400.00

8 For salaries, support, maintenance and miscellaneous  
 9 purposes ..... 5,330.00

10 Grand total of all appropriations for all purposes for  
 11 each year of the biennium for the department of mine  
 12 inspectors .....\$ 13,730.00

PAROLE, BOARD OF

1 SEC. 25. For the office of the 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, 1957, and ending June 30, 1959, the sum  
 4 of ninety-two thousand dollars (\$92,000.00) or so much thereof as  
 5 may be necessary to be used in the following manner:

6 Board of parole salaries (3 members at \$4,800.00  
 7 each) .....\$ 14,400.00

8 For salary of secretary and superintendent of parole  
 9 agents ..... 6,000.00

10 For salary and traveling expenses for one (1) addi-  
 11 tional agent ..... 7,000.00

12 For salaries, support, maintenance and miscellaneous  
 13 purposes ..... 64,600.00

14 Grand total of all appropriations for all purposes for  
 15 each year of the biennium for the board of parole.....\$ 92,000.00

PHARMACY EXAMINERS

1 SEC. 26. 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, 1957, and ending June 30, 1959, the sum	
4	of sixty thousand three hundred eighty dollars (\$60,380.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	GENERAL OFFICE	
7	For salary of secretary and narcotic supervisor.....\$	4,800.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	22,020.00
10	Total for general office.....\$	26,820.00
11	(1) UNIFORM NARCOTIC LAW DIVISION—ILLEGAL ENFORCEMENT	
12	For salaries, support, maintenance and miscellaneous	
13	purposes in making investigations of illegal sales.....\$	12,800.00
14	(2) UNIFORM NARCOTIC LAW DIVISION—LEGAL ENFORCEMENT	
15	For salaries, support, maintenance, and miscellaneous	
16	purposes of legal sales.....\$	2,760.00
17	For salaries, support, maintenance, and miscellaneous	
18	purposes for enforcement of basic standards and require-	
19	ments for the distribution of drugs, medicinal chemicals,	
20	poisons, and proprietary or domestic remedies for human	
21	use only, and to provide for licensing of such distribu-	
22	tors .....	\$ 18,000.00
23	Grand total of all appropriations for all purposes for	
24	each year of the biennium for the pharmacy examining	
25	board .....	\$ 60,380.00

## PIONEER LAWMAKERS

1	SEC. 27. 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, 1957, and ending June 30, 1959, the sum of one hun-	
4	dred fifty dollars (\$150.00) or so much thereof as may be necessary	
5	to be used in the following manner:	
6	For salary of secretary.....\$	50.00
7	For miscellaneous purposes.....	100.00
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the pioneer lawmakers.....\$	150.00

## PRINTING BOARD, THE

1	SEC. 28. 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, 1957, and ending June 30, 1959, the sum of one hun-	
4	dred fifty thousand seven hundred forty dollars (\$150,740.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	GENERAL OFFICE	
7	For salary of superintendent.....\$	5,500.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	59,540.00
10	Total for general office.....\$	65,040.00
11	Provided that funds appropriated for the general office by this	
12	section, in the discretion of the printing board, may be used to pay the	

13 cost of printing of the "Iowa Official Register", proceedings of Iowa  
 14 Academy of Science, "Iowa Welcomes You" booklet, and other mis-  
 15 cellaneous items.  
 16 Printing and binding.....\$ 85,700.00  
 17 Grand total of all appropriations for all purposes for  
 18 each year of the biennium for the state printing board  
 19 provided by this section.....\$ 150,740.00  
 20 Provided that funds appropriated for printing and binding by  
 21 this section, in the discretion of the printing board, may be used in  
 22 supplying paper stock, multigraph or mimeograph work, and original  
 23 payment of printing and binding claims for any of the state depart-  
 24 ments, bureaus, associations and institutions; any sum so used shall  
 25 be reimbursed to the printing board and returned to the credit of the  
 26 appropriation made for printing and binding. These payments shall  
 27 be made to the printing board in the same manner as other claims  
 28 against such departments are paid.  
 29 No department or commission of state located in the city of Des  
 30 Moines shall expend any funds for the publication or distribution of  
 31 books or pamphlets or reports unless the publication thereof be ex-  
 32 pressly required by law or approved by the budget and financial con-  
 33 trol committee and the state printing board. A violation of this sec-  
 34 tion shall constitute misfeasance in office.

## PUBLIC INSTRUCTION, DEPARTMENT OF

1 SEC. 29. 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, 1957, and ending June 30, 1959, the sum  
 4 of nine hundred forty-two thousand one hundred twenty-five dollars  
 5 (\$942,125.00) or so much thereof as may be necessary to be used in  
 6 the following manner:  
 7 GENERAL OFFICE  
 8 For salary of superintendent of public instruction.....\$ 10,000.00  
 9 For salaries .....\$ 290,000.00  
 10 Total general office.....\$ 300,000.00  
 11 SCHOOL LUNCH PROGRAM  
 12 For salaries (should federal appropriations be stopped  
 13 for public school lunches then this money should revert  
 14 to the general fund).....\$ 41,325.00  
 15 Total salaries .....\$ 341,325.00  
 16 OTHER EXPENSES FOR GENERAL OFFICE AND SCHOOL LUNCH PROGRAM  
 17 (consolidated)  
 18 Travel and contingent.....\$ 40,000.00  
 19 General office supplies..... 700.00  
 20 Books and periodicals..... 500.00  
 21 Bond premium ..... 250.00  
 22 Educational television ..... 3,500.00  
 23 Equipment aid for handicapped children..... 5,500.00  
 24 Administration and conference fund..... 4,500.00  
 25 Expense state board of public instruction..... 4,650.00  
 26 Revision and study school courses..... 2,500.00

## CH. 1] LAWS OF THE FIFTY-SEVENTH GENERAL ASSEMBLY

27	Veterans education program .....	\$ 200.00
28	I.B.M. rental, service and supplies.....	11,000.00
29	Microfilming .....	1,500.00
30	Printing and binding.....	21,000.00
		<hr/>
31	Total other expenses.....	\$ 95,800.00
32	Sub-total .....	437,125.00
33	(1) VOCATIONAL EDUCATION	
34	For salaries, support, maintenance and miscellaneous	
35	purposes .....	65,000.00
		<hr/>
36	(2) VOCATIONAL REHABILITATION	
37	For salaries, support, maintenance and miscellaneous	
38	purposes .....	400,000.00
39	For additional building fund.....	40,000.00
		<hr/>
40	Total for vocational rehabilitation.....	\$ 440,000.00
41	Grand total for all appropriations for all purposes for	
42	each year of the biennium for the department of public	
43	instruction and the various divisions thereof provided by	
44	this section .....	\$ 942,125.00

## REAL ESTATE COMMISSION, IOWA

1	SEC. 30. 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, 1957, and ending June 30, 1959, the sum	
4	of twenty-one thousand nine hundred dollars (\$21,900.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of director.....	\$ 4,800.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes .....	17,100.00
		<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 .....	\$ 21,900.00

## REGENTS, STATE BOARD OF

1	SEC. 31. For the office of the board of regents there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1957, and ending June 30, 1959, the sum	
4	of seventy-two thousand eight hundred fifty-five dollars (\$72,855.00)	
5	or so much thereof as may be necessary to be used in the following	
6	manner:	
7	For salary of secretary.....	\$ 7,500.00
8	For salary of chairman of finance committee.....	6,640.00
9	For salary of finance committee member.....	6,400.00
10	For salaries, support, maintenance and miscellaneous	
11	purposes .....	40,315.00
		<hr/>
12		\$ 60,855.00
13	Board members to receive a per diem of \$20.00 per day	
14	and shall not exceed \$7,200.00 per year for all members.	
15	For institutional roads.....	\$ 12,000.00

16 Grand total for all appropriations for all purposes for  
 17 each year of the biennium for the office of board of re-  
 18 gents provided by this section.....\$ 72,855.00

## SECRETARY OF STATE

1 SEC. 32. For the office of secretary of state there is hereby appro-  
 2 priated from the general fund of the state for each year of the bien-  
 3 nium beginning July 1, 1957, and ending June 30, 1959, the sum of  
 4 forty-four thousand six hundred forty dollars (\$44,640.00) or so  
 5 much thereof as may be necessary to be used in the following manner:  
 6 For salaries, including salary of secretary of state  
 7 (\$7,500 until January 1, 1959 and \$8,500 thereafter),  
 8 support, maintenance and miscellaneous purposes.....\$ 44,640.00

9 Grand total of all appropriations for all purposes for  
 10 each year of the biennium for the office of secretary of  
 11 state .....\$ 44,640.00

## SOIL CONSERVATION

1 SEC. 33. For soil conservation there is hereby appropriated from  
 2 the general fund of the state for each year of the biennium beginning  
 3 July 1, 1957, and ending June 30, 1959, the sum of forty-three thou-  
 4 sand eight hundred fifty dollars (\$43,850.00) 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 .....\$ 43,850.00

8 Grand total of all appropriations for all purposes for  
 9 each year of the biennium for soil conservation.....\$ 43,850.00

## SPANISH-AMERICAN WAR VETERANS

1 SEC. 34. 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, 1957, and ending June 30, 1959, the sum  
 4 of three thousand five hundred dollars (\$3,500.00) 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 .....\$ 3,500.00

8 Grand total of all appropriations for all purposes for  
 9 each year of the biennium for the Spanish-American war  
 10 veterans .....\$ 3,500.00

## SUPREME COURT

1 SEC. 35. 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, 1957, and ending June 30, 1959, the sum of one hundred forty-  
 4 seven thousand seven hundred sixty-six dollars (\$147,766.00) or so  
 5 much thereof as may be necessary to be used in the following manner:

6	For salaries of judges of the supreme court of Iowa,	
7	and for the state's contribution, in the amount of three	
8	per cent of such salaries, to the judicial retirement sys-	
9	tem provided for in chapter 605A, Code 1954.....	\$ 101,276.00
10	For salaries, support, maintenance and miscellaneous	
11	purposes .....	46,240.00
12	Rules of procedure.....	250.00
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for the supreme court.....	\$ 147,766.00

## SUPREME COURT, CLERK OF

1	SEC. 36. 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, 1957, and ending June 30, 1959, the sum	
4	of sixteen thousand six hundred dollars (\$16,600.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of chief clerk.....	\$ 5,000.00
7	Book bindings .....	1,000.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes .....	10,600.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the office of the clerk of	
12	supreme court .....	\$ 16,600.00

## SUPREME COURT, REPORTER OF AND CODE EDITOR

1	SEC. 37. For the department of the reporter of the supreme court	
2	and code editor there is hereby appropriated from the general fund	
3	of the state for each year of the biennium beginning July 1, 1957, and	
4	ending June 30, 1959, the sum of twenty-five thousand eight hundred	
5	dollars (\$25,800.00) or so much thereof as may be necessary to be	
6	used in the following manner:	
7	For salary of code editor.....	\$ 6,000.00
8	For salary of deputy code editor.....	5,600.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes .....	14,200.00
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the department of reporter	
13	of supreme court and code editor.....	\$ 25,800.00

## TAX COMMISSION, STATE

1	SEC. 38. 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, 1957, and ending June 30, 1959, the sum of one mil-	
4	lion one hundred twenty-three thousand three hundred twenty-four	
5	dollars (\$1,123,324.00) or so much thereof as may be necessary to be	
6	used in the following manner:	
7	For salary of commissioners (3 persons at \$6,500.00	
8	each) .....	\$ 19,500.00
9	For printing and binding.....	85,000.00

10	For salaries, support, maintenance and miscellaneous	
11	purposes .....	\$1,018,824.00
12	Grand total of all appropriations for all purposes for	
13	each year of the biennium for the state tax commission....	\$1,123,324.00

## TREASURER OF STATE

1	SEC. 39. 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, 1957, and ending June 30, 1959, the sum	
4	of sixty-nine thousand one hundred sixty dollars (\$69,160.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salaries, including salary of treasurer (\$7,500 un-	
7	til January 1, 1959, and \$8,500 thereafter), support,	
8	maintenance and miscellaneous purposes.....	\$ 69,160.00
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.....	\$ 69,160.00

## UNIFORM LAWS, COMMISSION ON

1	SEC. 40. 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, 1957, and ending June 30, 1959, the sum	
4	of one thousand five hundred dollars (\$1,500.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For support of the conference of commissioners on	
7	uniform state laws.....	\$ 700.00
8	For traveling expenses of members of the commission	
9	on uniform laws.....	\$ 800.00
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the commission on uniform	
12	laws .....	\$ 1,500.00

## CONSERVATION COMMISSION, STATE

1	SEC. 41. 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, 1957, and ending June 30, 1959, the	
4	sum 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 director.....	\$ 7,000.00
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 improvement of roads and highways	
11	under its control to include \$75,000.00 for utilization of	
12	prison inmates under the board of control.....	543,000.00
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for the conservation commis-	
15	sion .....	\$ 550,000.00

## COUNCIL OF STATE GOVERNMENT

1 SEC. 42. 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, 1957, and ending June 30, 1959, 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

## DEVELOPMENT COMMISSION, THE IOWA

1 SEC. 43. 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, 1957, and ending June 30, 1959, the sum  
 4 of one hundred seventy-seven thousand two hundred twenty dollars  
 5 (\$177,220.00) 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 .....\$ 150,000.00

9 For civilian defense..... 27,220.00

10 Grand total of all appropriations for all purposes for  
 11 each year of the biennium for the Iowa development com-  
 12 mission .....\$ 177,220.00

## DISTRICT COURT JUDGES

1 SEC. 44. For the district court judges there is hereby appropriated  
 2 from the general fund of the state for each year of the biennium be-  
 3 ginning July 1, 1957, and ending June 30, 1959, the sum of seven hun-  
 4 dred twenty-nine thousand seven hundred sixty-one dollars (\$729,-  
 5 761.00) or so much thereof as may be necessary to be used in the  
 6 following manner:

7 For salaries of the judges of the district courts of Iowa  
 8 (72 judges), and for the state's contribution, in the  
 7 amount of three per cent of such salaries, to the judicial  
 8 retirement system provided for in chapter 605A, Code  
 9 1954 .....\$ 652,615.00

10 For traveling expenses of judges and court reporters  
 11 in and out of districts.....\$ 77,146.00

12 Grand total of all appropriations for all purposes for  
 13 each year of the biennium for district court judges and  
 14 reporters .....\$ 729,761.00

## FAIR BOARD, IOWA STATE

1 SEC. 45. For the state fair board there is hereby appropriated  
 2 from the general fund of the state for each year of the biennium be-  
 3 ginning July 1, 1957, and ending June 30, 1959, the sum of fifty thou-

4	and dollars (\$50,000.00) or so much thereof as may be necessary to	
5	be used in the following manner:	
6	The salary of the secretary of the state fair board shall be seven	
7	thousand dollars (\$7,000.00) 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
		<hr/>
11	Grand total of all appropriations for all purposes for	
12	each year of the biennium for the state fair board.....	\$ 50,000.00

## HERBERT HOOVER BIRTHPLACE SOCIETY

1	SEC. 46. 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, 1957, and ending June 30, 1959, the sum	
4	of six thousand five hundred dollars (\$6,500.00) 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 .....	\$ 6,500.00
		<hr/>
8	Grand total of all appropriations for all purposes for	
9	each year of the biennium for the Herbert Hoover Birth-	
10	place Society .....	\$ 6,500.00

## HISTORICAL SOCIETY, THE STATE

1	SEC. 47. 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, 1957, and ending June 30, 1959, the sum	
4	of sixty-nine thousand seven hundred forty dollars (\$69,740.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For historian .....	\$ 5,340.00
7	For salaries, support, maintenance, moving into new	
8	building, janitorial expense and miscellaneous purposes..	64,400.00
		<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 .....	\$ 69,740.00

## NATIONAL GUARD AND STATE GUARD

1	SEC. 48. For the national guard and the state guard there is here-	
2	by appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1957, and ending June 30, 1959, the	
4	sum of seven hundred two thousand five hundred twenty dollars	
5	(\$702,520.00) or so much thereof as may be necessary to be used in	
6	the following manner:	
7	For salary of adjutant general.....	\$ 7,500.00
8	For salaries .....	264,820.00
9	For support, maintenance and armories.....	430,200.00
		<hr/>
10	Grand total of all appropriations for all purposes for	
11	each year of the biennium for the national guard and	
12	state guard .....	\$ 702,520.00

## PUBLIC SAFETY :

## PUBLIC SAFETY, DEPARTMENT OF

1	SEC. 49. 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, 1957, and ending June 30, 1959, the sum	
4	of three million eight hundred fifty-seven thousand five hundred forty-	
5	one dollars (\$3,857,541.00) or so much thereof as may be necessary	
6	to be used in the following manner :	
7	DIVISION OF ADMINISTRATION	
8	For salary of commissioner.....	\$ 8,500.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes .....	32,400.00
		<hr/>
11		\$ 40,900.00
12	(1) DIVISION OF ACCIDENT STATISTICS	
13	AND PUBLIC LIABILITY	
14	For salaries, support, maintenance and miscellaneous	
15	purposes .....	\$ 183,260.00
16	(2) DIVISION OF CRIMINAL INVESTIGATION	
17	For salaries, support, maintenance, miscellaneous pur-	
18	poses, and for the state's contribution to the peace offi-	
19	cers' retirement, accident and disability system, provided	
20	in chapter 97A, Code of 1954, in the amount of sixteen per	
21	cent of the salaries of personnel included in the	
22	system .....	\$ 162,085.00
		<hr/>
23	(3) DIVISION OF FIRE MARSHAL	
24	For salaries, including salary of fire marshal, support,	
25	maintenance and miscellaneous purposes.....	\$ 45,190.00
26	(4) DIVISION OF HIGHWAY PATROL	
27	For salaries, support, maintenance, miscellaneous pur-	
28	poses, and for the state's contribution to the peace offi-	
29	cers' retirement, accident and disability system, provided	
30	in chapter 97A, Code 1954, in the amount of sixteen per	
31	cent (16%) of the salaries of personnel included in the	
32	system, and including liability insurance.....	\$2,590,316.00
33	(5) DIVISION OF MOTOR REGISTRATION	
34	For salaries, support, maintenance and miscellaneous	
35	purposes .....	\$ 289,700.00
36	(6) DIVISION OF OPERATORS AND	
37	CHAUFFEURS LICENSE	
38	For salaries, support, maintenance and miscellaneous	
39	purposes .....	\$ 288,830.00
40	(7) DIVISION OF RADIO COMMUNICATION	
41	For salaries, support, maintenance and miscellaneous	
42	purposes .....	\$ 206,000.00
43	(8) DIVISION OF SAFETY EDUCATION	
44	For salaries, support, maintenance and miscellaneous	
45	purposes .....	\$ 51,260.00
		<hr/>
46	Grand total of all appropriations for all purposes for	
47	each year of the biennium for the department of public	
48	safety and all divisions thereof.....	\$3,857,541.00

SOLDIERS' BONUS BOARD, WORLD WAR  
ORPHANS' EDUCATION AID

1 SEC. 50. For the Iowa soldiers' bonus board there is hereby appro-  
2 priated from the general fund of the state for each year of the  
3 biennium beginning July 1, 1957, and ending June 30, 1959, the sum  
4 of eight thousand dollars (\$8,000.00) or so much thereof as may be  
5 necessary to be used in the following manner:

6 For the purpose of administration and aiding in the  
7 education of children of honorably discharged soldiers,  
8 sailors, marines, nurses or other component part of the  
9 military forces of this state or nation as specified in Sec-  
10 tion 35.9, Code 1954.....\$ 8,000.00

11 Grand total of all appropriations for all purposes for  
12 each year of the biennium for the soldiers' bonus board...\$ 8,000.00

1 SEC. 51. All salaries provided for in this Act are in lieu of all  
2 existing statutory salaries, for the positions provided herein, and  
3 shall be payable in equal monthly or semi-monthly installments, and  
4 shall be in full compensation for all services except as otherwise  
5 expressly provided.

1 SEC. 52. Where any provisions of the laws of this state are in  
2 conflict with this Act the provisions of this Act shall govern for the  
3 biennium.

1 SEC. 53. The salaries of the three members of the liquor control  
2 commission shall be six thousand dollars (\$6,000.00) for each com-  
3 missioner for each year of the biennium beginning July 1, 1957, and  
4 ending June 30, 1959, to be paid from the Iowa liquor control act fund.

1 SEC. 54. The provisions of Section eight point five (8.5), Code  
2 1954, shall not be applicable to the employees whose salaries are paid  
3 from the appropriation provided in this Act. All departments shall  
4 use the table of organization and salary schedule in effect on April 24,  
5 1957, except that changes in the table of organization or salary  
6 schedule of any department may be made only with the approval of  
7 the executive council.

1 SEC. 55. Section three hundred twenty-one point one hundred  
2 sixty-three (321.163), Code 1954, is amended by adding at the end  
3 thereof the following:

4 "There is hereby appropriated from moneys, credited to the general  
5 fund of the state by section three hundred twenty-one point one hun-  
6 dred forty-five (321.145) of the Code, the sum of three hundred  
7 thousand dollars (\$300,000), annually, or so much thereof as may be  
8 necessary, to the motor vehicle registration division of the department  
9 of public safety to defray the cost of said number plates."

1 SEC. 56. House File 157,\* Acts of the Fifty-seventh General As-  
2 sembly, is hereby repealed.

Approved May 24, 1957.

\*Chapter 146.

## CHAPTER 2

## BOARD OF CONTROL APPROPRIATIONS

## H. F. 573

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1957, and ending June 30, 1959, to the board of control for salaries, support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of control, and to provide that chapter eight (8), except section eight point five (8.5), Code 1954, shall apply to this Act.

*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 for each year of the biennium beginning July 1,  
3 1957, and ending June 30, 1959, for the board of control of state  
4 institutions for salaries, support, maintenance, repairs, replacements,  
5 alterations or equipment and miscellaneous purposes for all institu-  
6 tions under the control of said board the sum of sixteen million dollars  
7 (\$16,000,000.00) or so much thereof as may be necessary to be used  
8 for the following purposes to wit:

## MENTAL HEALTH INSTITUTE

## Cherokee

1 SEC. 2. For the Mental Health Institute at Cherokee, Iowa, there  
2 is hereby appropriated from the general fund of the state for each  
3 year of the biennium beginning July 1, 1957, and ending June 30,  
4 1959, the sum of one million six hundred ninety-three thousand nine  
5 hundred thirty-four dollars (\$1,693,934.00) or so much thereof as  
6 may be necessary to be used in the following manner:  
7 For salaries .....\$1,144,629.00  
8 For support and maintenance..... 474,305.00  
9 For repairs, replacements or alterations..... 45,000.00  
10 For equipment ..... 30,000.00  
11 Total for Mental Health Institute, Cherokee.....\$1,693,934.00

## MENTAL HEALTH INSTITUTE

## Clarinda

1 SEC. 3. For the Mental Health Institute at Clarinda, Iowa, there  
2 is hereby appropriated from the general fund of the state for each  
3 year of the biennium beginning July 1, 1957, and ending June 30,  
4 1959, the sum of one million seven hundred four thousand four hun-  
5 dred forty-five dollars (\$1,704,445.00) or so much thereof as may be  
6 necessary to be used in the following manner:  
7 For salaries .....\$1,132,845.00  
8 For support and maintenance ..... 496,600.00  
9 For repairs, replacements or alterations..... 45,000.00  
10 For equipment ..... 30,000.00  
11 Total for Mental Health Institute, Clarinda .....\$1,704,445.00

## 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, 1957, and ending June 30,  
 4 1959, the sum of one million six hundred fifty-five thousand one hun-  
 5 dred thirty-three dollars (\$1,655,133.00) or so much thereof as may  
 6 be necessary to be used in the following manner:

7	For salaries .....	\$1,068,988.00
8	For support and maintenance .....	511,145.00
9	For repairs, replacements or alterations .....	45,000.00
10	For equipment .....	30,000.00
11	Total for Glenwood State School, Glenwood.....	\$1,655,133.00

## MENTAL HEALTH INSTITUTE

## Independence

1 SEC. 5. For the Mental Health Institute at Independence, Iowa,  
 2 there is hereby appropriated from the general fund of the state for  
 3 each year of the biennium beginning July 1, 1957, and ending June 30,  
 4 1959, the sum of one million nine hundred eight thousand four hun-  
 5 dred twenty-three dollars (\$1,908,423.00) or so much thereof as may  
 6 be necessary to be used in the following manner:

7	For salaries .....	\$1,122,763.00
8	For salaries for new projects .....	277,400.00
9	Total salaries .....	\$1,400,163.00
10	For support and maintenance .....	433,260.00
11	For repairs, replacements or alterations .....	45,000.00
12	For equipment .....	30,000.00
13	Total for Mental Health Institute, Independence .....	\$1,908,423.00

## MENTAL HEALTH INSTITUTE

## Mount Pleasant

1 SEC. 6. For the Mental Health Institute 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, 1957, and ending June 30,  
 4 1959, the sum of one million six hundred forty-seven thousand four  
 5 hundred sixty-nine dollars (\$1,647,469.00) or so much thereof as may  
 6 be necessary to be used in the following manner:

7	For salaries .....	\$1,108,939.00
8	For support and maintenance .....	463,530.00
9	For repairs, replacements or alterations .....	45,000.00
10	For equipment .....	30,000.00
11	Total for Mental Health Institute, Mount Pleasant .....	\$1,647,469.00

## STATE HOSPITAL AND SCHOOL

## Woodward

1	SEC. 7. For the State Hospital and School at Woodward, Iowa,	
2	there is hereby appropriated from the general fund of the state for	
3	each year of the biennium beginning July 1, 1957, and ending June 30,	
4	1959, the sum of one million eight hundred forty-seven thousand six	
5	hundred seventy-three dollars (\$1,847,673.00) or so much thereof as	
6	may be necessary to be used in the following manner:	
7	For salaries .....	\$1,053,063.00
8	For salaries for new projects .....	274,710.00
9	Total salaries .....	\$1,327,773.00
10	For support and maintenance .....	444,900.00
11	For repairs, replacements or alterations .....	45,000.00
12	For equipment .....	30,000.00
13	Total for State Hospital and School, Woodward .....	\$1,847,673.00

## 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, 1957, and ending June	
4	30, 1959, the sum of six hundred thirteen thousand eighty-two* dollars	
5	(\$613,082.00)* or so much thereof as may be necessary to be used in	
6	the following manner:	
7	For salaries .....	\$ 410,972.00
8	For salaries for new projects .....	8,130.00
9	Total salaries .....	\$ 419,102.00
10	For support and maintenance .....	148,900.00
11	For repairs, replacements or alterations .....	25,000.00
12	For equipment .....	20,000.00
13	Total for The Iowa Annie Wittenmyer Home, Daven-	
14	port .....	\$ 613,002.00

## 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, 1957, and ending June 30,	
4	1959, the sum of seven hundred eighteen thousand one hundred eighty-	
5	five dollars (\$718,185.00) or so much thereof as may be necessary to	
6	be used in the following manner:	
7	For salaries .....	\$ 501,705.00
8	For salaries for new projects .....	51,430.00
9	Total salaries .....	\$ 553,135.00

\*According to enrolled Act.

10	For support and maintenance .....	\$ 122,050.00
11	For repairs, replacements or alterations .....	25,000.00
12	For equipment .....	18,000.00
13	Total for Iowa Soldiers Home, Marshalltown .....	\$ 718,185.00

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, 1957, and ending June 30, 1959,  
 4 the sum of four hundred forty-four thousand seven hundred ninety  
 5 dollars (\$444,790.00) or so much thereof as may be necessary to be  
 6 used in the following manner:

7	For salaries .....	\$ 244,597.00
8	For salaries for new projects .....	48,525.00
9	Total salaries .....	\$ 293,122.00
10	For support and maintenance .....	116,668.00
11	For repairs, replacements or alterations .....	25,000.00
12	For equipment .....	10,000.00
13	Total for state Juvenile Home, Toledo .....	\$ 444,790.00

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, 1957, and ending June 30, 1959, the  
 4 sum of one million seventy-eight thousand seven hundred ninety-five  
 5 dollars (\$1,078,795.00) or so much thereof as may be necessary to be  
 6 used in the following manner:

7	For salaries .....	\$ 663,830.00
8	For salaries for new projects .....	8,165.00
9	Total salaries .....	\$ 671,995.00
10	For support and maintenance .....	359,800.00
11	For repairs, replacements or alterations .....	35,000.00
12	For equipment .....	12,000.00
13	Total for Men's Reformatory, Anamosa .....	\$1,078,795.00

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  
 3 year of the biennium beginning July 1, 1957, and ending June 30,  
 4 1959, the sum of six hundred fifty-seven thousand nine hundred forty

5	dollars (\$657,940.00) or so much thereof as may be necessary to be	
6	used in the following manner :	
7	For salaries .....	\$ 380,390.00
8	For salaries for new projects .....	34,340.00
		<hr/>
9	Total salaries .....	\$ 414,730.00
10	For support and maintenance .....	198,210.00
11	For repairs, replacements or alterations .....	25,000.00
12	For equipment .....	20,000.00
		<hr/>
13	Total for Training School for Boys, Eldora .....	\$ 657,940.00

## 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, 1957, and ending June 30,	
4	1959, the sum of one million three hundred eighty-four thousand four	
5	hundred thirty-seven dollars (\$1,384,437.00) or so much thereof as	
6	may be necessary to be used in the following manner :	
7	For salaries .....	\$ 770,482.00
8	For salaries for new projects .....	47,300.00
		<hr/>
9	Total salaries .....	\$ 817,782.00
10	For support and maintenance.....	519,655.00
11	For repairs, replacements or alterations .....	35,000.00
12	For equipment .....	12,000.00
		<hr/>
13	Total for State Penitentiary, Fort Madison .....	\$1,384,437.00

## 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, 1957, and ending June 30,	
4	1959, the sum of two hundred twenty-one thousand five hundred sixty	
5	dollars (\$221,560.00) or so much thereof as may be necessary to be	
6	used in the following manner :	
7	For salaries .....	\$ 132,680.00
8	For support and maintenance .....	63,880.00
9	For repairs, replacements or alterations.....	15,000.00
10	For equipment .....	10,000.00
		<hr/>
11	Total for Training School for Girls, Mitchellville .....	\$ 221,560.00

## 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, 1957, and ending June 30,  
 4 1959, the sum of one hundred seventy-four thousand one hundred  
 5 thirty-four dollars (\$174,134.00) or so much thereof as may be neces-  
 6 sary to be used in the following manner:

7	For salaries .....	\$ 98,674.00
8	For support and maintenance .....	59,460.00
9	For repairs, replacements or alterations .....	10,000.00
10	For equipment .....	6,000.00

11 Total for Women's Reformatory, Rockwell City .....\$ 174,134.00

1 SEC. 16. For the board of control of state institutions for addi-  
 2 tional professional staff for any such institution deemed advisable by  
 3 said board, subject to the approval of the budget and financial control  
 4 committee, there is hereby appropriated from the general fund of the  
 5 state for each year of the biennium beginning July 1, 1957, and end-  
 6 ing June 30, 1959, the sum of two hundred fifty thousand dollars  
 7 (\$250,000.00), or so much thereof as may be necessary to be used in  
 8 the following manner:

9	For additional professional staff.....	\$ 250,000.00
10	Total for additional professional staff.....	\$ 250,000.00

1 SEC. 17. Chapter eight (8), Code 1954, shall apply to this Act, ex-  
 2 cept that employees whose salaries are appropriated herein shall not  
 3 come under the division of personnel under section eight point five  
 4 (8.5), Code 1954.

Approved May 24, 1957.

## CHAPTER 3

### BOARD OF REGENTS APPROPRIATIONS

S. F. 465

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1957, and ending June 30, 1959, to the board of regents for the support, maintenance, equipment, repairs, replacements or alterations of institutions under said board of regents.

*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, 1957, and  
 3 ending June 30, 1959, for the support, maintenance, equipment, re-  
 4 pairs, replacements or alterations of all institutions under the control  
 5 of the state board of regents, the sum of thirty-one million one hun-  
 6 dred twenty-one thousand two hundred six dollars (\$31,121,206.00)  
 7 or so much thereof as may be necessary, and for the following pur-  
 8 poses 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, 1957, and ending June 30, 1959, the sum of nine	
4	million nine hundred forty-six thousand three hundred fifty-six dollars	
5	(\$9,946,356.00) or so much thereof as may be necessary to be used	
6	in the following manner:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes, to include \$421,000.00 for equipment.....	\$ 9,624,856.00
9	For repairs, replacements or alterations.....	317,500.00
10	For Lakeside laboratory, for repairs, replacements,	
11	alterations or equipment.....	4,000.00
12	Total for state university of Iowa.....	\$ 9,946,356.00

## UNIVERSITY HOSPITAL

1	SEC. 3. For the purpose of carrying out the purpose of chapter two	
2	hundred fifty-five (255), Code 1954, there is hereby appropriated	
3	from the general fund of the state for each year of the biennium be-	
4	ginning July 1, 1957, and ending June 30, 1959, the sum of four mil-	
5	lion six hundred seventeen thousand six hundred ninety-seven dollars	
6	(\$4,617,697.00) or so much thereof as may be necessary to be used in	
7	the following manner:	
8	For salaries, support, maintenance and for medical	
9	and surgical treatment of indigent patients at the uni-	
10	versity hospital, to include \$140,000.00 for equipment....	\$ 4,451,697.00
11	For repairs, replacements or alterations.....	166,000.00
12	Total for the university hospital.....	\$ 4,617,697.00

## PSYCHOPATHIC HOSPITAL

1	SEC. 4. For the psychopathic hospital for the purpose of chapter	
2	two hundred twenty-five (225), Code 1954, there is hereby appropri-	
3	ated from the general fund of the state for each year of the biennium	
4	beginning July 1, 1957, and ending June 30, 1959, the sum of six	
5	hundred eighty thousand eight hundred twenty-one dollars (\$680,-	
6	821.00) or so much thereof as may be necessary to be used in the	
7	following manner:	
8	For salaries, support, maintenance and for the care,	
9	treatment and maintenance of committed and voluntary	
10	public patients therein, to include \$8,480.00 for equip-	
11	ment .....	\$ 504,021.00
12	For program of expansion of psychiatry.....	164,800.00
13	For repairs, replacements or alterations.....	12,000.00
14	Total for the psychopathic hospital.....	\$ 680,821.00

## BACTERIOLOGICAL LABORATORY

1	SEC. 5. For the bacteriological laboratory there is hereby appro-	
2	riated from the general fund of the state for each year of the bien-	
3	niennium beginning July 1, 1957, and ending June 30, 1959, the sum of	
4	two hundred twenty thousand two hundred fifty-seven dollars (\$220,-	
5	257.00) or so much thereof as may be necessary to be used in the	

6	manner and under the authority provided in chapter two hundred	
7	sixty-three (263), Code 1954:	
8	For salaries, support, maintenance and miscellaneous	
9	purposes, to include \$18,550.00 for equipment.....	\$ 220,257.00
10	Total for bacteriological laboratory.....	\$ 220,257.00

## 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, 1957, and ending June 30, 1959, the sum of five hundred eight	
4	thousand seven hundred nine dollars (\$508,709.00) or so much there-	
5	of as may be necessary to be used in the manner and under the author-	
6	ity provided in chapter two hundred sixty-three (263), Code 1954:	
7	For salaries, support, maintenance and miscellaneous	
8	purposes, to include \$10,000.00 for equipment.....	\$ 503,709.00
9	For repairs, replacements or alterations.....	5,000.00
10	Total for hospital-school.....	\$ 508,709.00

IOWA STATE COLLEGE OF AGRICULTURE  
AND MECHANIC ARTS

## Ames

1	SEC. 7. For the Iowa state college of agriculture and mechanic arts,	
2	including the Iowa agricultural experiment station and the co-opera-	
3	tive extension service in agriculture and home economics, there is	
4	hereby appropriated from the general fund of the state for each year	
5	of the biennium beginning July 1, 1957, and ending June 30, 1959,	
6	the sum of nine million nine hundred seventy thousand two hundred	
7	fifteen dollars (\$9,970,215.00) or so much thereof as may be necessary	
8	to be used in the following manner:	
9	(1) GENERAL COLLEGE	
10	For salaries, support, maintenance and miscellaneous	
11	purposes, to include \$338,875.00 for equipment.....	\$ 6,730,588.00
12	For repairs, replacements or alterations.....	317,500.00
13	Total for general college.....	\$ 7,048,088.00
14	(2) IOWA AGRICULTURAL EXPERIMENT STATION	
15	For salaries, support, maintenance and miscellaneous	
16	purposes, to include \$50,350.00 for equipment.....	\$ 1,796,791.00
17	Total for Iowa agricultural experiment station.....	\$ 1,796,791.00
18	(3) CO-OPERATIVE EXTENSION SERVICE IN	
19	AGRICULTURE AND HOME ECONOMICS	
20	For salaries, support, maintenance and miscellaneous	
21	purposes, to include \$23,850.00 for equipment.....	\$ 1,125,336.00
22	Total for co-operative extension service in agriculture	
23	and home economics.....	\$ 1,125,336.00

24 Grand total of all appropriations for all purposes of  
 25 the Iowa state college of agriculture and mechanic arts,  
 26 including the Iowa agricultural experiment station and  
 27 the co-operative extension service in agriculture and  
 28 home economics .....\$ 9,970,215.00

## IOWA STATE TEACHERS COLLEGE

## Cedar Falls

1 SEC. 8. For the Iowa state teachers college there is hereby appro-  
 2 priated from the general fund of the state for each year of the bien-  
 3 nium beginning July 1, 1957, and ending June 30, 1959, the sum of  
 4 three million one hundred thirty-two thousand two hundred seventy-  
 5 eight dollars (\$3,132,278.00) or so much thereof as may be necessary  
 6 to be used in the following manner:  
 7 For salaries, support, maintenance and miscellaneous  
 8 purposes, to include \$84,373.00 for equipment.....\$ 2,982,278.00  
 9 For repairs, replacements or alterations.....\$ 150,000.00  
 10 Total for Iowa state teachers college.....\$ 3,132,278.00

## 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, 1957, and ending June 30, 1959, the sum of six  
 4 hundred ninety-three thousand two hundred sixty dollars (\$693,-  
 5 260.00) or so much thereof as may be necessary to be used in the  
 6 following manner:  
 7 For salaries, support, maintenance and miscellaneous  
 8 purposes, to include \$18,500.00 for equipment.....\$ 677,260.00  
 9 For repairs, replacements or alterations..... 16,000.00  
 10 Total for the Iowa school for the deaf.....\$ 693,260.00

## IOWA BRAILLE AND SIGHT-SAVING SCHOOL

## Vinton

1 SEC. 10. For the Iowa braille and sight-saving school there is  
 2 hereby appropriated from the general fund of the state for each year  
 3 of the biennium beginning July 1, 1957, and ending June 30, 1959,  
 4 the sum of three hundred eighty thousand two hundred seventy-three  
 5 dollars (\$380,273.00) 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, to include \$14,475.00 for equipment.....\$ 365,273.00  
 9 For repairs, replacements or alterations..... 15,000.00  
 10 Total for the Iowa braille and sight-saving school.....\$ 380,273.00

## STATE SANATORIUM

## Oakdale

1 SEC. 11. For the state sanatorium at Oakdale, Iowa, there is here-  
 2 by appropriated from the general fund of the state for each year of  
 3 the biennium beginning July 1, 1957, and ending June 30, 1959, the  
 4 sum of nine hundred seventy-one thousand three hundred forty dollars  
 5 (\$971,340.00) 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, to include \$24,000.00 for equipment.....\$ 914,340.00  
 9 For repairs, replacements or alterations..... 57,000.00

10 Total for state sanatorium, Oakdale, Iowa.....\$ 971,340.00

11 Grand Total of all appropriations to the board of re-  
 12 gents for all purposes for all institutions under said  
 13 board of regents.....\$31,121,206.00

1 SEC. 12. In the event that more than the amounts set forth in this  
 2 Act for equipment, for any of the institutions, are proposed to be  
 3 expended for equipment during the biennium, the board of regents  
 4 shall, thirty days prior to such proposed expenditure, report in writ-  
 5 ing to the state comptroller, the kind and amount of such equipment  
 6 to be purchased, the amount of such proposed expenditure, and the  
 7 fund or account from which such expenditures are to be made.

1 SEC. 13. The budget of total expenditures for each institution  
 2 under the control of the state board of regents, including state appro-  
 3 priations and such other receipts as may be available for the same  
 4 purpose as the state appropriations, during the biennium shall not  
 5 exceed the budget for each institution as hereinafter set forth, ex-  
 6 cept the board of regents may, in the event of an emergency or neces-  
 7 sity, which may arise at any particular institution under its control,  
 8 expend more than the amount budgeted for such institution which  
 9 expenditure shall be made out of increase in receipts of such insti-  
 10 tution, such increase in receipts meaning receipts in excess of the  
 11 estimation of receipts of the respective institutions as set forth in the  
 12 appropriations proposals submitted to the general assembly, provided  
 13 that thirty days prior to such proposed increased expenditure the  
 14 board shall report in writing to the state comptroller the specific pur-  
 15 pose of such additional expenditure and the source and amount of  
 16 funds available therefor, and further said board shall set out in its  
 17 biennial report to the governor and the next general assembly such  
 18 increased expenditure, the purpose thereof, and the source and amount  
 19 of funds used therefor.

20 No funds appropriated by this Act or receipts, which may be used  
 21 for the same purpose as said appropriations, may be used for capital  
 22 improvements.

23 State University of Iowa .....\$24,527,712.00  
 24 University hospital ..... 14,057,546.00  
 25 Psychopathic hospital ..... 1,511,942.00  
 26 Bacteriological laboratory ..... 542,590.00  
 27 Hospital school ..... 1,017,418.00  
 28 Iowa state college  
 29 General college .....\$19,267,176.00

30	Agricultural Experiment Station ..\$	4,628,428.00
31	Extension service .....	4,703,744.00
32	.....	\$28,599,348.00
33	Iowa state teachers college .....	7,326,896.00
34	Iowa school for the deaf .....	1,454,520.00
35	Iowa braille and sight-saving school .....	762,546.00
36	State sanatorium .....	2,219,640.00
37	Total budget for all institutions under the state board	
38	of regents for the biennium beginning July 1, 1957, and	
39	ending June 30, 1959.....	\$82,020,158.00
1	SEC. 14. Chapter eight (8), Code 1954, shall apply to this Act.	
	Approved May 1, 1957.	

#### CHAPTER 4

##### SOCIAL WELFARE APPROPRIATIONS

S. F. 464

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1957, and ending June 30, 1959, 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, 1957, and ending June 30, 1959, the sum  
 4 of seventeen million three hundred thirty-five thousand dollars (\$17,-  
 5 335,000.00) to be used in the following manner:

6	For aid to blind fund.....	\$ 500,000.00
7	For aid to dependent children fund.....	2,950,000.00
8	For child welfare fund.....	350,000.00
9	For emergency relief fund.....	35,000.00
10	Old-age assistance fund.....	13,500,000.00

11 Grand total of all appropriations for all purposes for  
 12 each year of the biennium for the social welfare depart-  
 13 ment .....

14 In addition to said grand total of appropriations there is hereby  
 15 appropriated for each year of the ensuing biennium to the social wel-  
 16 fare department the sum of five hundred thousand dollars (\$500,-  
 17 000.00) to supplement the above funds as needed, the expenditure of  
 18 which supplemental appropriations shall be subject to the approval  
 19 of the budget and financial control committee.

1 SEC. 2. No more than the amount herein appropriated to each  
 2 fund plus the unexpended balance in each fund on June 30, 1957, shall  
 3 be expended from state funds for the purposes of each said fund dur-  
 4 ing the biennium beginning July 1, 1957, and ending June 30, 1959.  
 5 Any balance remaining in the funds, to which appropriations are

6 made by this Act, at the end of the ensuing biennium shall revert to  
7 the general fund of the state.

Approved April 30, 1957.

CHAPTER 5

AID TO DEPENDENT CHILDREN APPROPRIATION

H. F. 371

AN ACT to provide for a deficiency appropriation to the department of social welfare for the purpose of aid to dependent children fund for the remainder of the biennium ending June 30, 1957.

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

1 SECTION 1. For the department of social welfare, there is hereby  
2 appropriated from the general fund of the state not otherwise appro-  
3 priated the sum of two hundred thousand dollars (\$200,000.00) for  
4 the aid to dependent children fund to be used for the purpose of pay-  
5 ing aid to dependent children benefits and administration costs incident  
6 thereto .....\$200,000.00.

1 SEC. 2. This Act being deemed of immediate importance shall be  
2 in full force from and after its passage and publication in The Brook-  
3 lyn Chronicle, a newspaper published at Brooklyn, Iowa, and in The  
4 Grundy Register, a newspaper published at Grundy Center, Iowa.

Approved March 27, 1957.

I hereby certify that the foregoing Act, House File 371, was published in The Brooklyn Chronicle, Brooklyn, Iowa, April 4, 1957, and in The Grundy Register, Grundy Center, Iowa, April 4, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 6

SPECIFIED SCHOOL AID

H. F. 593

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 of  
2 the state of Iowa to the department of public instruction for each year  
3 of the biennium beginning July 1, 1957, and ending June 30, 1959, the  
4 sum of one million seventy-one thousand five hundred dollars (\$1,-  
5 071,500.00), or so much thereof as may be necessary, to be used in  
6 the following manner:  
7 Aid to handicapped children (special education as pro-  
8 vided in chapter two hundred eighty-one (281) of  
9 the Code .....\$ 800,000.00  
10 Mining camp school emergency ..... 27,000.00

11	Mining camp schools state aid .....	\$ 45,000.00
12	Normal institute .....	49,500.00
13	Emergency aid for schools .....	50,000.00
14	(None of such aid shall be distributed to any school	
15	which the department estimates could maintain reason-	
16	able educational standards without levying a tax in excess	
17	of one hundred (100) mills)	
18	For vocational education aid.....	100,000.00
19	(In addition to the two hundred thousand dollars	
20	(\$200,000.00) appropriated for this purpose under sec-	
21	tion two hundred fifty-eight point eight (258.8) of the	
22	Code)	
23	Any unencumbered balance shall revert in the manner	
24	provided by chapter eight (8), Code 1954.	
25	Total .....	\$1,071,500.00

Approved May 14, 1957.

## CHAPTER 7

### SCHOOL TRANSPORTATION AID

H. F. 594

AN ACT to appropriate from the general fund of the state of Iowa six million dollars (\$6,000,000.00) to the department of public instruction for state aid for transportation as provided by chapter two hundred eighty-five (285) of the Code.

*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, 1957, and ending June 30,  
4 1959, the sum of three million dollars (\$3,000,000.00), or so much  
5 thereof as may be necessary, for state aid for transportation as pro-  
6 vided by chapter two hundred eighty-five (285) of the Code.

Approved May 24, 1957.

## CHAPTER 8

### SUPPLEMENTAL SCHOOL AID

H. F. 596

AN ACT to appropriate from the general fund of the state of Iowa eight million dollars (\$8,000,000.00) 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) of the Code.

*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, 1957, and ending June 30, 1959, the  
4 sum of four million dollars (\$4,000,000.00), or so much thereof as

5 may be necessary, for supplemental aid to such school districts of the  
 6 state as qualify under provisions of chapter two hundred eighty-six  
 7 (286) of the Code, provided, however, that no school district shall  
 8 receive financial aid under the provisions of said chapter of the Code  
 9 for reimbursement for any year in which a school tax levy for the  
 10 general fund of at least fifteen (15) mills was not made in such  
 11 district.

Approved May 24, 1957.

## CHAPTER 9

### SCHOOL AID APPROPRIATIONS

S. F. 472

AN ACT to appropriate from the general fund of the state of Iowa to the department of public instruction ten thousand dollars (\$10,000.00) for use as a revolving fund for the veterans administration, and five thousand dollars (\$5,000.00) for the school lunch program and forty thousand dollars (\$40,000.00) for mentally retarded children and students who fail to complete their high school education.

*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 the biennium beginning July 1, 1957, and ending June  
 3 30, 1959, to the department of public instruction the sum of ten thou-  
 4 sand dollars (\$10,000.00) or so much thereof as may be necessary for  
 5 the use of the veterans education program to be used as a revolving  
 6 fund to pay salaries and travel of personnel which will be reimbursed  
 7 by the veterans administration.  
 8 Total .....\$10,000.00

1 SEC. 2. There is hereby appropriated from the general fund of  
 2 the state for the biennium beginning July 1, 1957, and ending June  
 3 30, 1959, to the department of public instruction the sum of five  
 4 thousand dollars (\$5,000.00) or so much thereof as may be necessary  
 5 to be used as a revolving fund to cover warehousing, handling, and  
 6 transportation of direct distribution of federal surplus commodities  
 7 which will be reimbursed by charging pro rata costs of these items  
 7 to receiving schools and institutions.  
 9 Total .....\$ 5,000.00

1 SEC. 3. There is hereby appropriated from the general fund of the  
 2 state for the biennium beginning July 1, 1957, and ending June 30,  
 3 1959, to the department of public instruction the sum of forty thou-  
 4 sand dollars (\$40,000.00) or so much thereof as may be necessary to  
 5 be used as a revolving fund to pay salaries, travel and miscellaneous  
 6 expenses of research projects regarding mentally retarded children  
 7 and students who fail to complete their high school education, carried  
 8 on co-operatively with the United States office of education.  
 9 Total .....\$40,000.00

Approved April 25, 1957.

## CHAPTER 10

## GENERAL AID TO SCHOOLS

H. F. 595

AN ACT to appropriate twenty-nine million two hundred twenty thousand dollars (\$29,220,000.00) from the general fund of the state of Iowa to the department of public instruction for general state aid for school districts as provided by chapter two hundred eighty-six A (286A) of the Code and providing for increased aid for junior colleges under said chapter and prescribing standards therefor.

*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, 1957, and ending June 30, 1959, the  
4 sum of fourteen million six hundred ten thousand dollars (\$14,610,-  
5 000.00), or so much thereof as may be necessary, for general state aid  
6 to school districts as provided by chapter two hundred eighty-six A  
7 (286A) of the Code, provided, however, that no school district shall  
8 receive financial aid under the provisions of said chapter of the Code  
9 in the event a school tax levy for the general fund of at least fifteen  
10 (15) mills was not made in such district for the preceding year.

1 SEC. 2. Section two hundred eighty-six A point three (286A.3),  
2 Code 1954, is amended by striking from line six (6) the words,  
3 "twenty-five cents" and inserting in lieu thereof the words "one dol-  
4 lar".

1 SEC. 3. Section two hundred eighty-six A point four (286A.4),  
2 Code 1954, is amended by striking from line one (1) of subsection  
3 three (3) the words, "twenty-five cents" and inserting in lieu thereof  
4 the words "one dollar".

1 SEC. 4. Section two hundred eighty-six A point three (286A.3),  
2 Code 1954, is hereby amended by adding at the end thereof the fol-  
3 lowing:  
4 "Approval standards for public junior colleges shall be established  
5 and approved by the state board of public instruction, and the state  
6 board of regents, acting jointly, with said standards to be issued and  
7 enforced by the state department of public instruction, subject to the  
8 approval of the state board of public instruction. Eligibility for re-  
9 ceipt of state aid for public junior colleges shall be determined by the  
10 above two (2) boards. Junior college aid will not be paid unless such  
11 standards are met. In the development of said standards, the asso-  
12 ciation of public junior colleges shall serve in the advisory capacity  
13 to the afore-mentioned boards."

Approved May 24, 1957.

## CHAPTER 11

## HIGHWAY COMMISSION EXPENDITURES

S. F. 462

AN ACT authorizing expenditures by state highway commission from the primary road fund for the biennium beginning July 1, 1957, and ending June 30, 1959.

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

1 SECTION 1. The state highway commission is hereby authorized to  
2 expend from the primary road fund for each year of the biennium  
3 beginning July 1, 1957, and ending June 30, 1959, not to exceed six-  
4 teen million four hundred twenty thousand dollars (\$16,420,000.00)  
5 or so much thereof as may be necessary to be used in the following  
6 manner:

7 For support of the state highway commission, engi-  
8 neering, testing materials and administration of pri-  
9 mary and secondary road work.....\$ 5,500,000.00  
10 For maintenance of primary road system..... 10,920,000.00

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, 1957, and ending June 30, 1959, not to exceed twenty-five  
5 thousand dollars (\$25,000.00) or so much thereof as may be necessary  
6 for the purpose of paying costs and expenses of litigation arising from  
7 or pertaining to primary roads or farm-to-market roads. Any balance  
8 unused during the first fiscal year of the biennium shall be carried over  
9 and augment the amount authorized for the second year of the bien-  
10 nium, and at the end of the biennium any balance shall revert to the  
11 primary road fund.

Approved April 26, 1957.

## CHAPTER 12

## WORKMEN'S COMPENSATION FOR HIGHWAY EMPLOYEES

S. F. 463

AN ACT to appropriate funds from the primary road fund to the industrial commission 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, 1957, and ending June 30, 1959, the sum of fifty  
4 thousand dollars (\$50,000.00) or so much thereof as may be necessary  
5 for the purpose of paying properly established claims of or on behalf  
6 of employees or dependents of employees of the state highway com-  
7 mission who are injured or killed while on duty as provided by chap-  
8 ter eighty-five (85), Code 1954.

Approved April 19, 1957.

## CHAPTER 13

## PUBLIC EMPLOYEES RETIREMENT SYSTEM

S. F. 473

AN ACT to appropriate from the Iowa public employees retirement system fund two hundred ninety-six thousand two hundred forty dollars (\$296,240.00) to the employment security commission for the costs of the administration of chapter ninety-seven B (97B), Code 1954.

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

1 SECTION 1. There is hereby appropriated from the Iowa public  
2 employees retirement system fund of the state to the employment  
3 security commission for each year of the biennium beginning July 1,  
4 1957, and ending June 30, 1959, the sum of one hundred forty-eight  
5 thousand one hundred twenty dollars (\$148,120.00) or so much thereof  
6 as may be necessary to pay the costs of the administration of chapter  
7 ninety-seven B (97B), Code 1954.

Approved April 23, 1957.

## CHAPTER 14

## COMMISSION FOR BLIND APPROPRIATION

H. F. 376

AN ACT to make a deficiency appropriation from the general fund of the state of Iowa for the biennium ending June 30, 1957, to the office of the commission for the blind.

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

1 SECTION 1. For the office of the commission for the blind there is  
2 hereby appropriated from the general fund of the state as a deficiency  
3 appropriation for the biennium ending June 30, 1957, the sum of eight  
4 thousand one hundred dollars (\$8,100.00) or so much thereof as may  
5 be necessary to be used for salaries, support, maintenance, and miscel-  
6 laneous purposes.

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 Pella  
3 Chronicle, a newspaper published at Pella, Iowa, and in the Patriot-  
4 Chronicle, a newspaper published at What Cheer, Iowa.

Approved April 1, 1957.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1954, the Patriot-Chronicle, What Cheer, Iowa, being nonexistent, The What Cheer Patriot-Chronicle, a newspaper published in What Cheer, Iowa, is designated to publish the foregoing Act, House File 376.  
MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 376, was published in The Pella Chronicle, Pella, Iowa, April 4, 1957, and in The What Cheer Patriot-Chronicle, What Cheer, Iowa, April 4, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 15

## SOIL CONSERVATION APPROPRIATION

S. F. 470

AN ACT to appropriate from the general fund of the state of Iowa to the state soil conservation committee the sum of eight hundred thousand dollars (\$800,000.00) to carry on soil conservation work in soil conservation districts as provided in chapter four hundred sixty-seven A (467A), Code 1954.

*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  
3 of four hundred thousand dollars (\$400,000.00) for each year of the  
4 biennium beginning July 1, 1957, and ending June 30, 1959, 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 shall 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; three hundred fifty thousand dollars  
16 (\$350,000.00).

Approved April 22, 1957.

## CHAPTER 16

## NATIONAL AND STATE GUARD

S. F. 474

AN ACT to appropriate from the general fund of the state of Iowa to the national guard and state guard for the purpose of various capital improvements, and repairs, replacements, alterations, equipment, and rehabilitation.

*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 to the national guard and state guard the sum of two  
3 hundred fifty-two thousand five hundred dollars (\$252,500.00) to be  
4 used in the following manner:

5 For the state's share of the armory construction program made  
6 available to the state by the federal government for the acquisition,  
7 construction, expansion, rehabilitation and converting facilities of the  
8 administration and training units of the national guard and state  
9 guard .....\$145,000.00

10 For repairs, replacements, alterations, equipment, and rehabilita-  
11 tion of armories in connection with which federal funds may be  
12 accepted .....\$40,000.00

13 For repairs, replacements, alterations, equipment, and rehabilita-  
14 tion of grounds, buildings and roads at Camp Dodge, Iowa.. 67,500.00

1 SEC. 2. Before any of the funds herein appropriated shall be ex-  
 2 pended, it shall be determined by the national guard and state guard,  
 3 with the approval of the executive council, that the expenditure shall  
 4 be for the best interests of the state.

Approved April 25, 1957.

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## CHAPTER 17

### MOTOR VEHICLE FUEL TAX REFUNDS

S. F. 461

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 the motor vehicle fuel tax fund for each year of the biennium  
 3 beginning July 1, 1957, and ending June 30, 1959, the sum of twelve  
 4 thousand four hundred seventy-five dollars (\$12,475.00) or so much  
 5 thereof as may be necessary for use in employing help and defraying  
 6 other expenses in writing motor vehicle fuel tax refund warrants and  
 7 keeping necessary records.

Approved April 19, 1957.

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## CHAPTER 18

### DEPARTMENT OF AGRICULTURE VEHICLES

S. F. 475

AN ACT to appropriate from the general fund of the state of Iowa to the department of agriculture for vehicles with equipment.

*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 to the department of agriculture the sum of forty thousand  
 3 dollars (\$40,000.00) to be used for labor and material, and purchase  
 4 of five (5) new hoist assemblies, and five (5) new trucks.

1 SEC. 2. Before any of the funds herein appropriated shall be ex-  
 2 pended it shall be determined by the secretary of agriculture, with the  
 3 approval of the executive council, that the expenditure shall be for the  
 4 best interests of the state.

Approved April 26, 1957.

## CHAPTER 19

## CLAIM APPROPRIATION

S. F. 489

AN ACT to make appropriations to Clutier Independent School District, Clutier, Iowa, for the refund of money lost due to a bank closing.

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

1 SECTION 1. There is hereby appropriated out of the state sinking  
2 fund for public deposits of the state of Iowa the following:

3	Claim		
4	Number	Amount	
5	30	\$2,942.06	

6 Claimant  
7 Clutier Independent School Dist.  
8 Clutier, Iowa  
9 in full settlement of all claims said claimant may have against the  
10 state of Iowa for refund for deposits in closed banks.

1 SEC. 2. The state comptroller is hereby authorized to issue his  
2 warrants to the above named party in the amount stated, and the  
3 state 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 sum by the above named party  
2 shall be in full settlement of all claims against the state of Iowa  
3 growing out of the above described claim.

Approved April 30, 1957.

## CHAPTER 20

## CLAIMS APPROPRIATIONS

S. F. 482

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 amount 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 of Claim	Amount
6	No.		
7	19	Sales and use tax	\$ 447.23
8		Osceola County Treasurer Sibley, Iowa	
9	28	Sales and use tax	117.90
10		City of Davenport Davenport, Iowa	
11	29	Sales and use tax	1,141.57
12		State Board of Regents Des Moines, Iowa	
13	43	Sales and use tax	18.24
14		Consol. School Dist. Camanche, Iowa	
15	44	Sales and use tax	278.91
16		Consol. School Dist. Camanche, Iowa	
17	71	Sales and use tax	3,213.96
18		City of Chariton Chariton, Iowa	

	Claimant	Claim No.	Nature of Claim	Amount
19	City of Sioux City	76	Sales and use tax	\$ 530.47
20	Sioux City, Iowa			
21	Fertile Cons. School	78	Sales and use tax	679.54
22	Fertile, Iowa			
23	Decorah Ind. School Dist.	101	Sales and use tax	902.20
24	Decorah, Iowa			
25	Town of Altoona	102	Sales and use tax	886.53
26	Altoona, Iowa			
27	Ind. School Dist. of Hospers	103	Sales and use tax	859.85
28	Hospers, Iowa			
29	Sac County Treasurer	109	Sales and use tax	53.49
30	Sac City, Iowa			
31	City of Estherville	128	Sales and use tax	1,434.03
32	Estherville, Iowa			
33	Adams County Treasurer	160	Sales and use tax	275.93
34	Corning, Iowa			
35	O'Brien County Treasurer	164	Sales and use tax	1,450.03
36	Primghar, Iowa			
37	City of Eagle Grove	172	Sales and use tax	3,634.05
38	Eagle Grove, Iowa			
39	Onawa Ind. School Dist.	175	Sales and use tax	2,680.95
40	Onawa, Iowa			
41	Town of Newell	182	Sales and use tax	110.40
42	Newell, Iowa			
43	Albert City Con. School	183	Sales and use tax	759.81
44	Albert City, Iowa			
45	Lake City Con. School	184	Sales and use tax	207.14
46	Lake City, Iowa			
47	Howard County Treasurer	1	Agr. Land tax credit	37.57
48	Cresco, Iowa			
49	Scott County Treasurer	4	Agr. Land tax credit	461.27
50	Davenport, Iowa			
51	Carroll County Treasurer	22	Agr. Land tax credit	71.18
52	Carroll, Iowa			
53	Washington County Treasurer	23	Agr. Land tax credit	66.99
54	Washington, Iowa			
55	Henry County Treasurer	32	Agr. Land tax credit	121.24
56	Mount Pleasant, Iowa			
57	Crawford County Treasurer	37	Agr. Land tax credit	86.66
58	Denison, Iowa			
59	Washington County Treasurer	51	Agr. Land tax credit	132.00
60	Washington, Iowa			
61	Audubon County Treasurer	57	Agr. Land tax credit	55.92
62	Audubon, Iowa			
63	Howard County Treasurer	58	Agr. Land tax credit	114.45
64	Cresco, Iowa			
65	Greene County Treasurer	68	Agr. Land tax credit	2,040.36
66	Jefferson, Iowa			
67	Audubon County Treasurer	77	Agr. Land tax credit	35.06
68	Audubon, Iowa			
69	Jackson County Treasurer	79	Agr. Land tax credit	56.98
70	Maquoketa, Iowa			

	Claimant	Claim No.	Nature of Claim	Amount
71	Clinton County Treasurer	91	Agr. Land tax credit	\$ 26.77
72	Clinton, Iowa			
73	Jasper County Treasurer	92	Agr. Land tax credit	6,270.62
74	Newton, Iowa			
75	Osceola County Treasurer	96	Agr. Land tax credit	454.88
76	Sibley, Iowa			
77	Tama County Treasurer	98	Agr. Land tax credit	46.24
78	Toledo, Iowa			
79	Delaware County Treasurer	100	Agr. Land tax credit	106.11
80	Manchester, Iowa			
81	Kossuth County Treasurer	107	Agr. Land tax credit	271.31
82	Algona, Iowa			
83	Jackson County Treasurer	108	Agr. Land tax credit	27.70
84	Maquoketa, Iowa			
85	Wright County Treasurer	110	Agr. Land tax credit	1,434.32
86	Clarion, Iowa			
87	Marion County Treasurer	112	Agr. Land tax credit	3,852.16
88	Knoxville, Iowa			
89	Jones County Treasurer	121	Agr. Land tax credit	166.05
90	Anamosa, Iowa			
91	Van Buren County Treasurer	135	Agr. Land tax credit	548.98
92	Keosauqua, Iowa			
93	Story County Treasurer	153	Agr. Land tax credit	257.40
94	Nevada, Iowa			
95	Mahaska County Treasurer	162	Agr. Land tax credit	139.58
96	Oskaloosa, Iowa			
97	Union County Treasurer	185	Agr. Land tax credit	24.95
98	Creston, Iowa			

1 SEC. 2. The state comptroller is hereby authorized and directed to  
2 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 be  
2 in full settlement of all claims they may hold against the state of Iowa  
3 on account of damages as above indicated, claims for which were pre-  
4 sented to the joint claims committee of the Fifty-seventh General  
5 Assembly.

Approved April 29, 1957.

## CHAPTER 21

### CLAIMS APPROPRIATIONS

S. F. 485

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

3	the amount set opposite their respective names in full settlement of			
4	all claims which they may have against the state of Iowa, to-wit:			
5		<b>Claim</b>	<b>Nature</b>	
6	<b>Claimant</b>	<b>Number</b>	<b>of Claim</b>	<b>Amount</b>
7	City of Des Moines		Capitol	\$
8	Des Moines, Iowa	21	Repairs	2,556.00
9	Iowa Power & Light Co.		Capitol	
10	Des Moines, Iowa	74	Repairs	1,237.00
11	White Refrigeration Supply		Capitol	
12	Des Moines, Iowa	93	Repairs	7.25
13	Republic Flow Meters Co.		Capitol	
14	Chicago 47, Illinois	126	Repairs	26.20
15	C. H. McGuiness Co.		Capitol	
16	Des Moines, Iowa	127	Repairs	6.75
17	Eagle Iron Works		Capitol	
18	Des Moines, Iowa	149	Repairs	34.70
19	Central Asbestos & Supply Co.		Capitol	
20	Des Moines, Iowa	163	Repairs	11.17
21	Bailey Typewriter Exchange		Typewriter	
22	Ottumwa, Iowa	167	Repair	90.00
23	Luther H. Hines		State	
24	Des Moines, Iowa	120	Purchase	19.60
25	Franklin County Treasurer		Refund of	
26	Hampton, Iowa	34	Sales Tax	167.05
27	Marengo Ind. School Dist.		Refund of	
28	Marengo, Iowa	39	Sales Tax	16.77
29	Marengo Ind. School Dist.		Refund of	
30	Marengo, Iowa	41	Sales Tax	16.27
31	Lake City Community School		Refund of	
32	Lake City, Iowa	113	Sales Tax	162.45
33	Lyon County Treasurer		Refund of	
34	Rock Rapids, Iowa	125	Sales Tax	410.72
35	Glenwood Ind. School		Tax Free	
36	Glenwood, Iowa	10	Lands	583.39
37	Center Twp. School Dist.		Tax Free	
38	Glenwood, Iowa	11	Lands	256.84
39	Glenwood Twp. School Dist.		Tax Free	
40	Glenwood, Iowa	12	Lands	417.07
41	State Tax Commission		Military	
42	Des Moines, Iowa	119	Service	
43	1949			<b>Amount</b>
44	Des Moines County Treasurer .....		\$	.25
45	Fremont County Treasurer .....			12.50
46	Polk County Treasurer .....			12.00
47	1950			
48	Fremont County Treasurer .....			12.50
49	Monona County Treasurer .....			12.50
50	Polk County Treasurer .....			25.00
51	1951			
52	Benton County Treasurer .....			6.25
53	Des Moines County Treasurer .....			18.75
54	Fremont County Treasurer .....			12.50

	Amount
1951 Cont'd	
55 Tama County Treasurer .....	\$ 12.50
56 1952	
57 Benton County Treasurer .....	6.25
58 Boone County Treasurer .....	6.07
59 Butler County Treasurer .....	12.50
60 Des Moines County Treasurer .....	21.72
61 Dubuque County Treasurer .....	6.25
62 Fremont County Treasurer .....	12.50
63 Hamilton County Treasurer .....	32.20
64 Jackson County Treasurer .....	18.75
65 Marshall County Treasurer .....	12.50
66 Montgomery County Treasurer .....	12.50
67 Tama County Treasurer .....	12.50
68 1953	
69 Benton County Treasurer .....	7.30
70 Black Hawk County Treasurer .....	12.50
71 Boone County Treasurer .....	42.15
72 Butler County Treasurer .....	12.50
73 Des Moines County Treasurer .....	40.25
74 Dubuque County Treasurer .....	16.25
75 Fremont County Treasurer .....	12.50
76 Hamilton County Treasurer .....	43.29
77 Harrison County Treasurer .....	12.30
78 Jackson County Treasurer .....	51.25
79 Marion County Treasurer .....	18.76
80 Marshall County Treasurer .....	26.80
81 Mitchell County Treasurer .....	8.25
82 Monroe County Treasurer .....	2.92
83 Montgomery County Treasurer .....	12.50
84 Palo Alto County Treasurer .....	115.97
85 Polk County Treasurer .....	128.20
86 Scott County Treasurer .....	7.13
87 Wapello County Treasurer .....	29.38
88 1954	
89 Appanoose County Treasurer .....	20.88
90 Black Hawk County Treasurer .....	10.34
91 Boone County Treasurer .....	98.18
92 Butler County Treasurer .....	10.34
93 Calhoun County Treasurer .....	10.34
94 Cerro Gordo County Treasurer .....	43.33
95 Cherokee County Treasurer .....	58.26
96 Chickasaw County Treasurer .....	25.84
97 Clay County Treasurer .....	18.98
98 Decatur County Treasurer .....	10.34
99 Des Moines County Treasurer .....	15.51
100 1954	
101 Fremont County Treasurer .....	10.34
102 Grundy County Treasurer .....	1.39
103 Hamilton County Treasurer .....	76.70
104 Hardin County Treasurer .....	13.30
105 Henry County Treasurer .....	10.34
106 Howard County Treasurer .....	10.71
107 Jackson County Treasurer .....	57.89

		Amount
108	1954 Cont'd	
	Kossuth County Treasurer .....	\$ 27.95
109	Lee County Treasurer.....	.62
110	Linn County Treasurer.....	136.56
111	Louisa County Treasurer.....	10.34
112	Madison County Treasurer.....	10.34
113	Mahaska County Treasurer.....	40.32
114	Marion County Treasurer.....	15.51
115	Marshall County Treasurer.....	37.36
116	Mills County Treasurer.....	13.58
117	Monona County Treasurer.....	12.26
118	Monroe County Treasurer.....	5.09
119	O'Brien County Treasurer.....	10.09
120	Page County Treasurer.....	1.86
121	Polk County Treasurer.....	189.20
122	Scott County Treasurer.....	43.63
123	Story County Treasurer.....	10.34
124	Tama County Treasurer.....	24.45
125	Union County Treasurer.....	20.67
126	Wapello County Treasurer.....	41.24
127	Washington County Treasurer.....	19.60
128	1955	
129	Adair County Treasurer .....	9.51
130	Appanoose County Treasurer.....	11.38
131	Buena Vista County Treasurer.....	31.24
132	Calhoun County Treasurer.....	13.80
133	Cass County Treasurer.....	12.65
134	Clarke County Treasurer.....	10.98
135	Dallas County Treasurer.....	8.69
136	Delaware County Treasurer.....	5.96
137	Hamilton County Treasurer.....	20.91
138	Harrison County Treasurer.....	2.87
139	Henry County Treasurer.....	1.56
140	Louisa County Treasurer.....	.83
141	Marion County Treasurer.....	.13
142	Mills County Treasurer.....	8.69
143	Monona County Treasurer.....	17.38
144	Muscatine County Treasurer .....	13.03
145	Ringgold County Treasurer.....	5.53
146	Tama County Treasurer.....	6.60
147	Union County Treasurer.....	8.69
148	Van Buren County Treasurer.....	4.20
149	TOTAL .....	\$2,247.54
150	State Tax Commission	152
151	Des Moines, Iowa	Military
152		Service
153	1954	Credit
		Amount
154	Cass County Treasurer .....	10.34
155	1955	
156	Boone County Treasurer .....	.49
157	Dubuque County Treasurer .....	29.37
158	Johnson County Treasurer .....	52.85

	1955 Cont'd		Amount	
159	Plymouth County Treasurer .....		\$ 2.54	
160	Wapello County Treasurer .....		26.98	
161	TOTAL .....			\$ 122.57
162	Iowa State Tax Commission			
163	(various counties)	14	Military	
164			Service	
			Credits	
165	1950		Amount	
166	Jefferson County Treasurer .....		12.50	
167	1951			
168	Monroe County Treasurer .....		12.50	
169	Scott County Treasurer .....		12.50	
170	1952			
171	Adams County Treasurer .....		12.50	
172	Appanoose County Treasurer .....		12.78	
173	Boone County Treasurer .....		12.50	
174	Des Moines County Treasurer .....		13.50	
175	Hamilton County Treasurer .....		35.89	
176	Marshall County Treasurer .....		3.55	
177	Monona County Treasurer .....		12.50	
178	Polk County Treasurer .....		7.37	
179	Scott County Treasurer .....		12.50	
180	Story County Treasurer .....		6.45	
181	1953			
182	Adams County Treasurer .....		11.67	
183	Allamakee County Treasurer .....		12.50	
184	Appanoose County Treasurer .....		8.33	
185	Boone County Treasurer .....		31.25	
186	Cass County Treasurer .....		12.50	
187	Cerro Gordo County Treasurer .....		12.50	
188	Cherokee County Treasurer .....		13.76	
189	Clay County Treasurer .....		12.50	
190	Des Moines County Treasurer .....		31.60	
191	Dubuque County Treasurer .....		28.63	
192	Hamilton County Treasurer .....		11.78	
193	Howard County Treasurer .....		12.50	
194	Iowa County Treasurer .....		3.85	
195	Jackson County Treasurer .....		16.75	
196	Keokuk County Treasurer .....		25.00	
197	Kossuth County Treasurer .....		18.75	
198	Linn County Treasurer .....		17.62	
199	Louisa County Treasurer .....		13.31	
200	Madison County Treasurer .....		4.20	
201	Marion County Treasurer .....		22.26	
202	Marshall County Treasurer .....		188.65	
203	Mitchell County Treasurer .....		31.55	
204	Monona County Treasurer .....		31.25	
205	Monroe County Treasurer .....		5.30	
206	Page County Treasurer .....		12.50	
207	Polk County Treasurer .....		48.47	
208	Scott County Treasurer .....		12.50	
209	Shelby County Treasurer .....		4.72	
210	Story County Treasurer .....		34.37	

	1953 Cont'd	Amount
211	Tama County Treasurer .....	\$ 18.75
212	Union County Treasurer.....	9.60
213	Wapello County Treasurer.....	46.63
214	Wayne County Treasurer.....	18.75
215	Woodbury County Treasurer.....	41.25
216	TOTAL .....	\$ 992.59

1 SEC. 2. The state comptroller is hereby authorized and directed to  
 2 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 be  
 2 in full settlement of all claims they may hold against the state of Iowa  
 3 on account of damages as above indicated, claims for which were  
 4 presented to the joint claims committee of the Fifty-seventh General  
 5 Assembly.

Approved April 29, 1957.

## CHAPTER 22

### CLAIMS APPROPRIATIONS

S. F. 486

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 of  
 2 the state of Iowa to the following named persons the amounts set op-  
 3 posite their respective names, to-wit:

4	Claimant	Claim	Nature	Amount
5		Number	of Claim	
6	Chicago & Northwestern R.R.			
7	Chicago 6, Illinois	H- 4	Repairs	\$ 145.89
8	Ove Melaas			
9	Ridgeway, Iowa	H- 7	Collision	10.00
10	Ia. Farm Mutual Ins. Co.		Subrogation	
11	Des Moines, Iowa	H-7A	Collision	11.97
12	Iowa National Mutual Ins. Co.			
13	Cedar Rapids, Iowa	H- 8	Collision	63.56
14	Kenneth L. Herman			
15	West Branch, Iowa	H- 9	Collision	50.00
16	Trey Studios			
17	Eldora, Iowa	H-15	Auto Damage	11.83
18	Oscar W. Bailey		Weed Spray	
19	Altoona, Iowa	H-16	Damage	187.50
20	W. F. Jensen		Weed Spray	
21	West Liberty, Iowa	H-20	Damage	65.70

	Claimant	Claim Number	Nature of Claim	Amount
22	Harold Young		Auto	
23	Washington, Iowa	H-28	Damage	\$ 27.39
24	George Bruckner		Blacktop	
25	Calmar, Iowa	H-29	in sewer	96.30
26	Truck Ins. Exchange		Tractor	
27	Des Moines, Iowa	H-35	Damage	3,695.18
28	C. E. Danielson		Bridge	
29	Omaha, Nebraska	H-36	Collapse	1,000.00
30	State Farm Mutual Auto Ins. Co.		Auto	
31	Bloomington, Illinois	H-37	Damage	35.00
32	Otis Anfinson		Tree	
33	Britt, Iowa	H-38	Damage	30.00
34	F. L. Day		Weed Spray	
35	Mondamin, Iowa	H-42	Damage	200.00
36	Hamilton & Chicken		Weed Spray	
37	Greenfield, Iowa	H-43	Damage	277.92
38	Iowa Farm Mutual Ins. Co.		Auto	
39	Des Moines, Iowa	H-47	Damage	18.00
40	Lester O. Pratt		Fence	
41	Lawton, Iowa	H-49	Damage	241.37
42	Helen Kingery		Personal	
43	Creston, Iowa	H-50	Injury	465.10
44	Harold L. Farley		Tar Damage	
45	Perry, Iowa	H-51	to Clothing	26.25
46	Keith Haddock		Mower	
47	Moville, Iowa	H-52	Damage	31.27
48	Trusty Garden Supply		Weed Spray	
49	Fort Dodge, Iowa	H-58	Damage	1,172.63
50	Homer & Florence Blauer		Auto	
51	Earlham, Iowa	H-59	Damage	379.25
52	Lawrence Slattery		Auto Damage	
53	Waterville, Iowa	H-62	& Funeral	1,293.97
54	Mary Jensen		Property	
55	Sioux City, Iowa	H-67	Damage	50.00
56	St. Ann Hospital		Personal	
57	Algona, Iowa	H-70	Injury	141.15
58	Dr. C. H. Cretzmeyer		Personal	
59	Algona, Iowa	H-73	Injury	50.00
60	Dr. Robert H. Horton		Personal	
61	Algona, Iowa	H-74	Injury	192.15
62	Rusk Drugs and Jewelry		Personal	
63	Algona, Iowa	H-75	Injury	56.47
64	Park Hospital Clinic		Personal	
65	Mason City, Iowa	H-76	Injury	40.00
66	Eldon Walther		Property	
67	Sigourney, Iowa	H-78	Damage	44.00

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 be  
 2 in full settlement of all claims they may hold against the state of Iowa  
 3 and the Iowa state highway commission on account of damages as  
 4 above indicated, the claims for which were presented to the joint  
 5 claims committee of the Fifty-seventh General Assembly.

Approved April 29, 1957.

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## CHAPTER 23

### DRAINAGE ASSESSMENT CLAIMS

S. F. 481

AN ACT to make appropriations to certain counties in settlement of drainage assessment claims against the state of Iowa, and to authorize and direct payment for same.

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

1 SECTION 1. The state conservation commission is hereby directed  
 2 to pay from funds accruing to the conservation commission to the  
 3 following named counties the amount set opposite their respective  
 4 names in full settlement of all claims which they may have against  
 5 the state of Iowa for drainage assessments on state-owned lands.

6	Claim	
7	Number	Amount
8	Clay County Treasurer	
9	Spencer, Iowa	84 \$ 36.47
10	Muscatine County Treasurer	
11	Muscatine, Iowa	138 4,612.66
12	Emmet County Treasurer	
13	Estherville, Iowa	147 1,275.18
14	Des Moines County Treasurer	
15	Burlington, Iowa	161 224.20
16	Fremont County Treasurer	
17	Sidney, Iowa	187 193.46

This bill, having remained with the governor three days (Sunday excepted), the General Assembly being in session, has become a law this 29th day of April, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

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## CHAPTER 24

### CLAIMS APPROPRIATIONS

S. F. 487

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 motor vehicle  
 2 reimbursement fund of the state of Iowa the following:

	Claimant	Claim Number	Amount
3	Rose A. Dow		
4	Sheffield, Iowa	85	\$ 6.00
5	Bert R. Alexander		
6	Liscomb, Iowa	20	56.25
7	Ray Everett Olson		
8	Mason City, Iowa	42	56.25
9	Thomas F. Geselschap		
10	Omaha 2, Nebraska	56	15.00
11	Frank C. Becker		
12	Pine River, Minnesota	81	16.50
13	Rosetta Conrad		
14	Harlan, Iowa	166	20.00
15	Albert H. Ward		
16	Englewood, Colorado	168	13.00
17	Joe P. Manjoine		
18	Muscatine, Iowa	190	36.00
19	in full settlement of all claims they may have against the state of Iowa		
20	on account of overcharges and errors in registering automobiles.		

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 state 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 29, 1957.

## CHAPTER 25

### CLAIMS APPROPRIATIONS

S. F. 488

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:

Claimant	Claim No.	Nature of Claim-	Amount
6 Gill Funeral Service	3	Burial Expenses	
7 Strawberry Point, Iowa		Mary Ann Hines	\$150.00
8 Woodring Funeral Home	15	James F. Konnoyer	80.70
9 Council Bluffs, Iowa			
10 Prugh & Son Fun. Direc.	17	Mr. Savage	150.00
11 Burlington, Iowa			

	Claimant	Claim Number	Nature of Claim	Amount
14	Boughton's Funeral Home	50	Mrs. John (Olive)	\$150.00
15	Britt, Iowa		Caralano	
16	Dye Funeral Home	59	Herbert Bernard	150.00
17	Bellevue, Iowa		Koester	
18	Erwin & Blue	63	Mrs. Anna M.	150.00
19	Bolivar, Missouri		Montgomery	
20	Engelkes Funeral Home	89	Charles E. Church	150.00
21	Parkersburg, Iowa			
22	Bickford Funeral Home	99	Mrs. Ida J.	150.00
23	Greenfield, Iowa		Meisenheimer	
24	Emlin A. McNamara	111	Isadore Mere	150.00
25	Anamosa, Iowa			
26	Miller Funeral Home	117	Scott Jack	150.00
27	Vinton, Iowa			
28	Snell Funeral Home	122	Mae L. Page	150.00
29	Clinton, Iowa			
30	Wagler Funeral Home	129	Frances Julia Scott	150.00
31	Bloomfield, Iowa			
32	Carl W. Bonn Funeral Home	130	Pearl Chilcote	150.00
33	Garner, Iowa			
34	Bolton & Crouston Fun. Home	148	Mrs. Alva Palmer	150.00
35	Logan, Iowa			
36	Schroeder Funeral Home	169	William Henry	150.00
37	Boone, Iowa		Booyer	
38	C. E. States	174	Arabella Stoakes	150.00
39	Traer, Iowa			
40	Bybee & Davis Funeral Home	179	Corwin Worth Amos	100.00
41	Knoxville, Iowa			
42	Estes & Son Funeral Home	188	Mary Wellington	185.00
43	Des Moines, 14, Iowa			

Approved April 29, 1957.

## CHAPTER 26

### CLAIMS APPROPRIATIONS

S. F. 483

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 amount set opposite their respective names in full settlement of all  
4 claims which they may have against the state of Iowa, to-wit:

	Claimant	Claim No.	Nature of Claim	Amount
5	McFarland Clinic	67	Professional	\$100.00
6	Ames, Iowa		Services	
7	Linnan & Lynch	142	Professional	65.25
8	Algona, Iowa		Services	

	Claimant	Claim No.	Nature of Claim	Amount
10	Louis E. Lemke	143	Professional	\$125.00
11	DeSoto, Iowa		Services	
12	Dr. M. J. McVay	156	Professional	7.50
13	Lake City, Iowa		Services	
14	Ralph D. Cornick	H-64	Professional	125.00
15	Creston, Iowa		Services	

1 SEC. 2. The state comptroller is hereby authorized and directed to  
 2 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 be  
 2 in full settlement of all claims they may hold against the state of Iowa  
 3 on account of damages as above indicated, claims for which were pre-  
 4 sented to the joint claims committee of the Fifty-seventh General  
 5 Assembly.

Approved April 26, 1957.

## CHAPTER 27

### CLAIMS APPROPRIATIONS

S. F. 484

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 gas tax refund  
 2 fund of the state of Iowa to the following named firm the amount set  
 3 opposite their name in full settlement of the claim which they have  
 4 against the state of Iowa, to-wit:

	Claimant	Claim No.	Nature of Claim	Amount
6	Chicago, Milw., St. Paul & Pac. R.R.	7	Fuel Tax	\$798.15
8	Chicago 14, Illinois		Refund	

1 SEC. 2. The state comptroller is hereby authorized and directed to  
 2 issue his warrant to the above named firm in the amount set opposite  
 3 their name, and the treasurer of the state is hereby authorized and  
 4 directed to pay the same from the gas tax refund account of the state  
 5 of Iowa.

1 SEC. 3. Receipt of said sums by said persons respectively shall be  
 2 in full settlement of all claims they may hold against the state of Iowa  
 3 on account of damages as above indicated, claims for which were pre-  
 4 sented to the joint claims committee of the Fifty-seventh General  
 5 Assembly.

Approved April 26, 1957.

## CHAPTER 28

## CLAIMS APPROPRIATIONS

S. F. 480

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	amount 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
7	Gerald Erskine		Personal
8	Creston, Iowa	115	Injury
9	Robert E. McGuire		Personal
10	Anamosa, Iowa	116	Injury
11	Mrs. Thomas Tracey		Travel
12	Manchester, Iowa	170	Expenses
13	Frank R. Peterson, M.D.		Travel
14	Cedar Rapids, Iowa	180	Expenses
15	Mrs. Margaret Peterson		Auto
16	Rock Island, Illinois	159	Damage
17	City of Iowa City		Street
18	Iowa City, Iowa	191	Widening
19	Tyler Studio & Camera Shop		Dept. of
20	Newton, Iowa	137	Public Instruction
21	Mrs. E. T. Hubbard		Property
22	Iowa City, Iowa	134	Damage
23	Savannah No. 10 School Dist.		Refund of
24	Bloomfield, Iowa	123	Warrant
25	Iowa Farm Mutual Ins. Co.		Driver for
26	Des Moines, Iowa	C.D.78	Governor
27	Hyle S. Lowman & Melva		Driver for
28	Lowman, Clear Lake, Iowa	C.D.79	Governor
29	Mrs. Anna Davis		Official
30	Des Moines, Iowa	C.D.89	Driver
31	Mrs. Faye Curl		Personal
32	Des Moines, Iowa	178	Injuries
33	Cons. School Dist. of Vinton		School
34	Vinton, Iowa	54	Tuition
35	Ind. School Dist. of Iowa City		School
36	Iowa City, Iowa	61	Tuition
37	Cons. School Dist. of Vinton		School
38	Vinton, Iowa	145	Tuition
39	Coralville Ind. School Dist.		School
40	Coralville, Iowa	146	Tuition
41	U. S. Dept. of Agriculture		Funds due
42	Washington, D. C.	16	Schools
43	Brown Engineering Co.		Engineering
44	Des Moines, Iowa	55	Services
			Amount
			\$
			900.00
			1,387.50
			552.50
			196.45
			15.00
			16,193.96
			4.31
			251.88
			51.00
			99.95
			10.00
			22.00
			5.90
			868.15
			283.10
			560.91
			494.44
			51.74
			50.00

	Claimant	Claim Number	Nature of Claim	Amount
45	Union Cons. School Dist.		Transportation	
46	Remsen, Iowa	49	Aid	\$5,306.50
47	Decorah News Company		Official Notice	
48	Decorah, Iowa	46	Published	9.32

1 SEC. 2. The state comptroller is hereby authorized and directed to  
 2 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 be  
 2 in full settlement of all claims they may hold against the state of Iowa  
 3 on account of damages as above indicated, claims for which were  
 4 presented to the joint claims committee of the Fifty-seventh General  
 5 Assembly.

Approved April 25, 1957.

## CHAPTER 29

### TAXATION STUDY COMMITTEE

S. F. 306

AN ACT to make appropriations to members of the Iowa Taxation Study Committee, namely: Frank D. Elwood, Henry E. Heideman, Herman M. Knudson, Wilbur C. Molison, X. T. Prentis, Jay C. Colburn, Blythe C. Conn, Jim O. Henry, W. J. Johannes, Edward Oppedahl.

*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 Iowa Taxation Study Committee, to wit:

6	Frank D. Elwood .....	\$1,200.00
7	Henry E. Heideman .....	1,900.00
8	Herman M. Knudson .....	2,580.00
9	Wilbur C. Molison .....	2,080.00
10	X. T. Prentis .....	2,450.00
11	Jay C. Colburn .....	1,960.00
12	Blythe C. Conn .....	2,310.00
13	Jim O. Henry .....	1,380.00
14	W. J. Johannes .....	1,600.00
15	Edward Oppedahl .....	2,040.00

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

1 SEC. 4. This Act being deemed of immediate importance shall take  
 2 effect and be in force from and after its publication in the Leon  
 3 Journal-Reporter, a newspaper published in Leon, Iowa, and in The  
 4 Daily Times, a newspaper published in Davenport, Iowa.

Approved March 20, 1957.

I hereby certify that the foregoing Act, Senate File 306, was published in the Leon Journal-Reporter, Leon, Iowa, March 28, 1957, and in The Daily Times, Davenport, Iowa, March 23, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 30

### GOVERNMENTAL REORGANIZATION COMMITTEE

S. F. 92

AN ACT to make appropriations to members of the legislative Governmental Reorganization Study Committee, namely: Harry E. Watson, Arch W. McFarlane, Laurence M. Boothby, Dewey E. Goode, Clark H. McNeal and Mahlon N. Brown.

*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 rendered as a member of the legislative governmental reorganization  
 5 study committee, to-wit:

7	Harry E. Watson .....	\$700.00
8	Arch W. McFarlane .....	580.00
9	Laurence M. Boothby .....	600.00
10	Dewey E. Goode .....	360.00
11	Clark H. McNeal .....	560.00
12	Mahlon N. Brown .....	480.00

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 growing  
 3 out of the above described claims.

1 SEC. 4. This Act being deemed of immediate importance shall take  
 2 effect and be in full force from and after its publication in the Spencer  
 3 Daily Reporter, Spencer, Iowa and The Sheldon Mail, Sheldon, Iowa.

Approved March 20, 1957.

I hereby certify that the foregoing Act, Senate File 92, was published in the Spencer Daily Reporter, Spencer, Iowa, March 22, 1957, and in The Sheldon Mail, Sheldon, Iowa, March 27, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 31

## LEGISLATIVE RESEARCH COMMITTEE

S. F. 305

AN ACT to make appropriations to members of the Iowa Legislative Research Committee, namely: W. C. Stuart, George O'Malley, Lawrence Putney, Jay C. Colburn, Scott Swisher and Bert K. Fairchild.

*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 Iowa Legislative Research Committee, to	
6	wit:	
7	W. C. Stuart .....	\$280.00
8	George O'Malley .....	240.00
9	Lawrence Putney .....	240.00
10	Jay C. Colburn .....	280.00
11	Scott Swisher .....	200.00
12	Bert K. Fairchild .....	260.00

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.

1 Sec. 4. This Act being deemed of immediate importance shall take  
2 effect and be in full force from and after its publication in the Chariton  
3 Herald-Patriot, a newspaper published at Chariton, Iowa and the  
4 Traer Star Clipper, a newspaper published at Traer, Iowa.

Approved March 20, 1957.

I hereby certify that the foregoing Act, Senate File 305, was published in the Chariton Herald-Patriot, Chariton, Iowa, March 21, 1957, and in the Traer Star-Clipper, Traer, Iowa, March 29, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 32

## WATER STUDY COMMITTEE APPROPRIATIONS

S. F. 443

AN ACT to make appropriations to members of the Iowa study committee of water rights and drainage laws, namely: Conway E. Morris, Wendell Pendleton, Carl T. Anderson, A. J. Johnson, James Hudson, James Foster and George Ahrens.

*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 rendered as a member of the Iowa study committee of water rights and drainage laws, to-wit:	
7	Conway E. Morris .....	\$240.00
8	Wendell Pendleton .....	280.00
9	Carl T. Anderson .....	180.00
10	A. J. Johnson .....	180.00
11	James Hudson .....	300.00
12	James Foster .....	240.00
13	George Ahrens .....	260.00

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 growing  
3 out of the above described claims.

1 SEC. 4. This Act being deemed of immediate importance shall take  
2 effect and be in full force from and after its publication in The Well-  
3 man Advance, a newspaper published at Wellman, Iowa and the  
4 Storm Lake Pilot-Tribune, a newspaper published at Storm Lake,  
5 Iowa.

Approved April 17, 1957.

I hereby certify that the foregoing Act, Senate File 443, was published in the Storm Lake Pilot-Tribune, Storm Lake, Iowa, April 25, 1957, and in The Wellman Advance, Wellman, Iowa, May 9, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 33

### INTERSTATE CO-OPERATION COMMITTEE APPROPRIATIONS

#### S. F. 424

AN ACT to make appropriations to members of the committee on interstate cooperation, namely: L. A. Falvey, Earl A. Miller, Gladys S. Nelson, Emil L. Novak, Carl H. Ringgenberg, W. H. Tate, Frank R. Thompson, Jacob Van Zwol, Ted D. Clark, Duane E. Dewel, J. T. Dykhouse, Edward J. McManus, Charles W. Nelson, the Estate of W. Eldon Walter, and De Vere Watson.

*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 rendered as a member of the committee on interstate cooperation, to wit:	
6	L. A. Falvey .....	\$687.87
7	Earl A. Miller .....	393.15
8	Gladys S. Nelson .....	594.43
9	Emil L. Novak .....	699.83
10	Carl H. Ringgenberg .....	505.56
11	W. H. Tate .....	732.51

12	Frank R. Thompson .....	\$705.88
13	Jacob Van Zwol .....	585.32
14	Ted D. Clark .....	658.78
15	Duane E. Dewel .....	652.91
16	J. T. Dykhouse .....	696.80
17	Edward J. McManus .....	659.92
18	Charles W. Nelson .....	403.00
19	W. Eldon Walter (Deceased) .....	241.00
20	DeVere Watson .....	646.45

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 funds  
4 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.

1 SEC. 4. This Act being deemed of immediate importance shall take  
2 effect and be in full force from and after its publication in the Garner  
3 Leader and Signal, a newspaper published at Garner, Iowa, and the  
4 West Des Moines Express, a newspaper published at West Des Moines,  
5 Iowa.

Approved April 10, 1957.

I hereby certify that the foregoing Act, Senate File 424, was published in the Garner Leader and Signal, Garner, Iowa, April 17, 1957, and in the West Des Moines Express, West Des Moines, Iowa, April 18, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 34

### INAUGURAL APPROPRIATION

H. F. 377

AN ACT to appropriate funds to defray expenses 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 five  
3 hundred three dollars and seventy-seven cents (\$1,503.77), or so much  
4 thereof as may be necessary, to pay the expenses incurred on account  
5 of the inaugural ceremonies and reception. Warrants shall be drawn  
6 upon the treasury for the sum herein appropriated in favor of the  
7 adjutant general upon the filing of vouchers therefor with the state  
8 comptroller.

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 Montezuma Republican, a newspaper published at Montezuma,

4 Iowa, and The Bloomfield Democrat, a newspaper published at Bloom-  
5 field, Iowa.

Approved March 27, 1957.

I hereby certify that the foregoing Act, House File 377, was published in The Montezuma Republican, Montezuma, Iowa, April 4, 1957, and in The Bloomfield Democrat, Bloomfield, Iowa, April 4, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 35

### LEGISLATIVE PRINTING APPROPRIATION

H. F. 571

AN ACT to provide for an appropriation to the state printing board to pay necessary printing expenses for the Fifty-seventh General Assembly.

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

1 SECTION 1. There is hereby appropriated to the state printing  
2 board from the general fund of the state not otherwise appropriated  
3 the sum of seventy-five thousand dollars (\$75,000.00) or so much  
4 thereof as may be necessary for the payment of the cost of printing  
5 for the Fifty-seventh General Assembly, and the state comptroller is  
6 hereby authorized to issue warrants against said appropriation upon  
7 requisition by the superintendent of printing.

1 SEC. 2. Any unused balance of the appropriation herein authorized  
2 shall revert to the general fund of the state.

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 Brooklyn Chronicle, a newspaper published at Brooklyn, Iowa,  
4 and in the Oskaloosa Daily Herald, a newspaper published at Oska-  
5 loosa, Iowa.

Approved May 15, 1957.

I hereby certify that the foregoing Act, House File 571, was published in the Oskaloosa Daily Herald, Oskaloosa, Iowa, May 18, 1957, and in The Brooklyn Chronicle, Brooklyn, Iowa, May 23, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 36

### OMNIBUS APPROPRIATIONS

H. F. 603

AN ACT making appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-seventh 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-seventh General Assembly:	
5	Des Moines Rubber Stamp Company, for two brass plates	
6	for presiding officers' chairs .....	\$ 10.60
7	Toney's, for 3 frames for lieutenant governor's office.....	7.50
8	Executive council for legislative photographs, telephone,	
9	telegraph, supplies, postage and miscellaneous expense in-	
10	curring during the Fifty-seventh General Assembly and sub-	
11	sequent to its adjournment and during the session of the	
12	Fifty-eighth General Assembly, including the compensation	
13	of a legislative supply clerk if necessary. The amount herein	
14	appropriated shall be used only for the payment of bills ac-	
15	tually authorized by the General Assembly and for supplies	
16	requisitioned by the proper officers of the General Assembly..	\$8,500.00
17	Berard's Flowers for flowers for memorial session.....	35.00
18	Heck Ross, for 12 sport coats for House pages.....	294.00
19	Scott Swisher, for 3 page girls' jackets.....	48.03
20	Mastertone Recording Company, for recording equipment	
21	for memorial session April 17, 1957.....	10.00

1 SEC. 2. There is hereby appropriated out of the general fund to  
 2 DeVere Watson the sum of two hundred thirty-eight dollars twenty-  
 3 nine cents (\$238.29) to cover the cost of his expenses as a Senate  
 4 delegate to the atom bomb test at Yucca Flats, Nevada, April 21 to  
 5 April 30, 1955.

1 SEC. 3. There is hereby appropriated out of the general fund to  
 2 Wayne A. Faupel the sum of twelve hundred dollars (\$1,200.00) for  
 3 extra services to the legislative research bureau committee, in accord-  
 4 ance with agreement with said committee.

1 SEC. 4. There is hereby appropriated out of the general fund to  
 2 Joseph P. Hand, attorney, Emmetsburg, Iowa, the sum of one hundred  
 3 seventy dollars (\$170.00) for 34 hours consultation in the Barringer  
 4 election contest.

1 SEC. 5. There is hereby appropriated out of the general fund a  
 2 sum sufficient to pay the compensation made necessary by Senate Con-  
 3 current Resolution 30 for services required of officers and employees  
 4 of the Fifty-seventh General Assembly after final adjournment, and  
 5 prior to the convening of the Fifty-eighth General Assembly, includ-  
 6 ing any special session called during such period.

1 SEC. 6. There is hereby appropriated out of the general fund to  
 2 the budget and financial control committee an amount sufficient to  
 3 cover the costs of the installation of electrical outlets at the front of  
 4 each desk in both legislative chambers, and the installation in the  
 5 Senate chamber of a modern public address system, all in accordance  
 6 with Senate Concurrent Resolution 26.

1 SEC. 7. There is hereby appropriated out of the general fund to  
 2 the executive council an amount sufficient to cover the cost of making  
 3 the necessary repairs to chairs used by members of the General As-

4 sembly, to seats in the galleries of both houses, and to desks and type-  
5 writer tables in both houses.

1 SEC. 8. The state comptroller is hereby authorized to make avail-  
2 able any unexpended balance of the appropriation of seven thousand  
3 five hundred dollars (\$7,500.00) made to the executive council in  
4 chapter twenty (20), Acts of the Fifty-sixth General Assembly, for  
5 legislative expenses in order that such balance may be applied to the  
6 payment of legislative expenses of the Fifty-seventh General As-  
7 sembly.

1 SEC. 9. There is hereby appropriated out of the general fund a  
2 sum sufficient to pay the fees and expenses incurred in the election  
3 contest of Bert L. Wooldridge, contestant, and S. E. Robinson, incum-  
4 bent, as follows:

5	R. Y. Taylor, attorney fees and mileage.....	\$165.96
6	John Donahey, attorney fees and mileage.....	164.00
7	Howard E. Smith, witness fee and mileage.....	10.00
8	Eddie Stark, witness fee and mileage.....	10.00
9	Carroll Schwaderer, witness fee and mileage.....	7.50
10	Walter A. Rains, witness fee and mileage.....	10.00

1 SEC. 10. In accordance with the provisions of section six hundred  
2 forty-four point thirteen (644.13) of the Code, there is hereby appro-  
3 priated out of the general fund to the executive council the sum of  
4 thirty-two dollars seventy cents (\$32.70) as a reward to be divided  
5 equally among the following-named boys of Garden Grove, Iowa, for  
6 finding \$328.00 in postage stamps, the property of the state, and  
7 restoring same to the state: Marion McClure, Gary Richards, Bill  
8 Morris, Tom Massey, Norman Bebout and Avery Bennett.

1 SEC. 11. There is hereby appropriated out of the general fund the  
2 sum of seven hundred fifty dollars (\$750.00) to Mrs. A. C. Gustafson,  
3 widow of the late A. C. Gustafson, chief clerk of the House of Repre-  
4 sentatives, for services performed by Mr. Gustafson during the in-  
5 terim between the Fifty-sixth and the Fifty-seventh General Assem-  
6 bly, and for services performed in connection with the opening of the  
7 Fifty-seventh General Assembly.

1 SEC. 12. There is hereby appropriated out of the general fund the  
2 sum of one hundred ten dollars (\$110.00) to Anne Van Laningham  
3 for services performed in connection with and preceding the opening  
4 of the Fifty-seventh General Assembly.

1 SEC. 13. There is hereby appropriated out of the general fund a  
2 sufficient amount to pay additional compensation to the following-  
3 named officers of the Fifty-seventh General Assembly in connection  
4 with the Fifty-seventh General Assembly:

5	Richard W. Berglund, Secretary of the Senate.....	\$250.00
6	A. C. Gustafson, Chief Clerk of the House to April 5, 1957,	
7	said amount to be payable to Mrs. A. C. Gustafson.....	125.00
8	William R. Kendrick, Chief Clerk of the House on and after	
9	April 5, 1957.....	125.00

1 SEC. 14. There is hereby appropriated out of the general fund a  
2 sufficient amount to pay additional compensation to the following  
3 officer and employee of the Fifty-seventh General Assembly:

4	William R. Kendrick, acting chief clerk of the House from	
5	February 28 to April 5, 1957, both dates inclusive.....	\$ 92.50
6	Charles A. Gardner, doorkeeper in the House, acting in the	
7	capacity of chief doorkeeper in the House.....	50.00

Approved May 15, 1957.

## CHAPTER 37

### ADVISORY INVESTMENT BOARD—I.P.E.R.S.

#### S. F. 307

AN ACT to make appropriations to ex-officio members of the advisory investment board of the Iowa public employees' retirement system, namely: Arch W. McFarlane and A. L. Mensing.

*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 advisory investment board of the Iowa  
 6 public employees' retirement system, to-wit:  
 7 Arch W. McFarlane .....\$120.00  
 8 A. L. Mensing ..... 120.00

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.

1 SEC. 4. This Act being deemed of immediate importance shall take  
 2 effect and be in full force from and after its publication in the Cedar  
 3 Falls Daily Record, a newspaper published in Cedar Falls, Iowa, and  
 4 in The Tipton Advertiser, a newspaper published in Tipton, Iowa.

Approved March 20, 1957.

I hereby certify that the foregoing Act, Senate File 307, was published in the Cedar Falls Daily Record, Cedar Falls, Iowa, March 22, 1957, and in The Tipton Advertiser, Tipton, Iowa, March 28, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 38

## STATE AID TO FAIRS

S. F. 469

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1957, and ending June 30, 1959, 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, 1957,  
4 and ending June 30, 1959, the sum of two hundred thousand dollars  
5 (\$200,000.00) or so much thereof as may be necessary to be used in  
6 the following manner:

7 For state aid to agricultural societies, two hundred thousand dollars  
8 (\$200,000.00).

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 one hundred dollars (\$2,100.00) except that in a county where there  
14 are two definitely separate county extension offices, each such society  
15 shall receive state aid in such amount as it would be entitled to if it  
16 were the only society in the county. In counties having more than one  
17 fair entitled to state aid, the state aid available for the county shall be  
18 prorated to said fairs on the basis of cash premiums paid by said fairs.

Approved April 23, 1957.

## CHAPTER 39

## GENERAL CONTINGENT FUND

S. F. 471

AN ACT creating the general contingent fund of the state for the biennium beginning July 1, 1957, 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 provided 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, 1957, and ending June 30, 1959, is hereby cre-  
3 ated and said fund shall consist of the sum of two million dollars (\$2,-  
4 000,000.00) hereby appropriated thereto from the general fund of the  
5 state. Said contingent fund shall be administered by the budget and  
6 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 two point forty-five (2.45),  
11 Code 1954, and subject to its use for the payment of obligations in-  
12 curred under the provisions of subsection six (6) of section two point

13 forty-four (2.44), Code 1954, and subject to the support of the legis-  
14 lative research bureau, no allocation from said fund shall be made for  
15 the administration of, or carrying out, the provisions of an act passed  
16 by the Fifty-seventh General Assembly which does not contain an ap-  
17 propriation. Nor shall the budget and financial control committee al-  
18 locate any funds for any purpose or project which was, or should have  
19 been, presented to the general assembly by way of a bill and which  
20 failed to become enacted into law. A report of the dispositions made  
21 of the fund during the first eighteen months of the biennium shall be  
22 made by the budget and financial control committee to the state comp-  
23 troller prior to the convening of the Fifty-eighth General Assembly  
24 and by him included in the printed budget. Any balance in said con-  
25 tingent fund as of June 30, 1959, shall revert to the general fund of  
26 the state.

27 Upon the request of the board of control, the budget and financial  
28 control committee is authorized to provide from the general contingent  
29 fund two hundred fifty thousand dollars (\$250,000.00), or so much as  
30 may be necessary for the purchase of supplies which may not be avail-  
31 able through the Commodity Credit Corporation of the United States  
32 department of agriculture as provided during the past biennium.

Approved April 23, 1957.

## **GENERAL LAWS**

# GENERAL LAWS

## (TEMPORARY)

### CHAPTER 40

#### PRIMARY ROAD BONDS

##### H. F. 417

AN ACT relating to the disposition of unexpended balances in the primary road bond redemption and interest funds in the various counties, and to provide for the payment of all outstanding primary road bonds and interest coupons from the primary road fund.

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

1 SECTION 1. If any county, under the provisions of chapter two  
2 hundred thirty-seven (237), Acts of the Thirty-eighth General As-  
3 ssembly, or as said chapter may from time to time have been amended,  
4 for the purpose of providing the funds for hard-surfacing the primary  
5 roads of the county, issued bonds and any balance remains in the funds  
6 provided under the provisions of section 4753-g1, Code 1935, or under  
7 section 312.10, Code 1946, for the redemption of such bonds and inter-  
8 est thereon, such balance or balances shall be transferred to the pri-  
9 mary road fund.

10 The state highway commission shall cooperate with the auditor of  
11 state in checking the said primary road bond redemption and interest  
12 fund of each of said counties and determine the amount of such re-  
13 maining balance or balances, if any. As soon as said balance or bal-  
14 ances have been determined in any county, the county treasurer of  
15 such county shall remit such balance to the state highway commission,  
16 and the commission shall cause such amount to be credited to the pri-  
17 mary road fund, and establish a record of all bonds and coupons rep-  
18 resented by such balance.

1 SEC. 2. If in any county there are outstanding primary road bonds  
2 or interest accrued thereon as more specifically referred to in section  
3 one (1) of this Act, all such outstanding bonds and accrued interest  
4 shall, when presented for payment, be paid out of the primary road  
5 fund.

Approved May 17, 1957.

## CHAPTER 41

## REORGANIZED SCHOOL DISTRICTS

## H. F. 2

AN ACT to amend section two hundred seventy-five point eleven (275.11), Code 1954, relating to territory included in reorganized school districts.

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

1 SECTION 1. Section two hundred seventy-five point eleven (275.11),  
 2 Code 1954, is hereby amended by adding thereto the following:  
 3 "If certain school districts vote unfavorably on the proposition as  
 4 provided in section two hundred seventy-five point twenty (275.20),  
 5 Code 1954, and are not included in the newly formed district but the  
 6 proposition carries by the required seventy-five per cent of the dis-  
 7 tricts involved, it shall not be required that a newly formed school  
 8 district shall consist of contiguous territory, provided, however, that  
 9 the foregoing shall not be construed to apply to or affect any court  
 10 decision holding invalid any proceedings purporting to provide for the  
 11 organization, reorganization, or change in boundaries of any school  
 12 corporation in this state and shall not be construed to apply to or  
 13 affect any litigation that may be pending at the time this Act becomes  
 14 effective."

15 This Act shall be retroactive and shall cover only the period from  
 16 April 30, 1953 to August 1, 1956.

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 Sigourney Review, a newspaper published in Sigourney,  
 4 Iowa, and in The Hedrick Journal, a newspaper published in Hedrick,  
 5 Iowa.

Approved May 17, 1957.

I hereby certify that the foregoing Act, House File 2, was published in the Sigourney Review, Sigourney, Iowa, May 22, 1957, and in The Hedrick Journal, Hedrick, Iowa, May 22, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 42

## INTEREST ON PUBLIC FUNDS IN CERTAIN COUNTIES

## H. F. 353

AN ACT relating to the use of interest and earnings in a county of less than 15,000 population from deposits and investments of certain public funds and providing that the use of such interest and earnings for the same purpose as the principal sum was raised shall not be subject to any limit regarding the maximum sum that may be expended for such purpose.

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

1 SECTION 1. When public funds have been raised for a definite pur-  
 2 pose in a county of less than 15,000 population by the issuance of bonds  
 3 or otherwise and such funds are not currently used and are deposited  
 4 or invested in accordance with statute, the interest and earnings of

5 such investment or deposit shall be added to the principal fund to be  
6 used for the same purpose and be disposed of in like manner as the  
7 principal fund.

1 SEC. 2. When any political subdivision in a county of less than  
2 15,000 population of the state has heretofore authorized at any gen-  
3 eral or special election the issuance of bonds or the levy of taxes for  
4 the erection or enlargement of a building or the establishment or ex-  
5 tension of any public improvement and at such election there was  
6 fixed a maximum amount of money to be expended for such purpose  
7 and the revenue from such tax or from the sale of such bonds is or  
8 was not currently used but is or was deposited or invested, the maxi-  
9 mum amount of money as fixed by such election which may be exp-  
10 ended for the purpose for which such bonds were issued or such tax  
11 was levied shall be increased by the amount of such interest or earn-  
12 ings. The authorization of the expenditure of such interest and earn-  
13 ings for such purpose shall, notwithstanding any limitation on expend-  
14 iture for such purpose contained in the proposal submitted at such  
15 election, be within the authority of the governing body of such political  
16 subdivision.

1 SEC. 3. The provisions of this Act shall terminate July 1, 1957.

1 SEC. 4. 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 Estherville Daily News, a newspaper published at Esther-  
4 ville, Iowa, and in the Ringsted Dispatch, a newspaper published at  
5 Ringsted, Iowa.

Approved May 15, 1957.

I hereby certify that the foregoing Act, House File 353, was published in the Estherville Daily News, Estherville, Iowa, May 20, 1957, and in the Ringsted Dispatch, Ringsted, Iowa, May 23, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 43

### URBAN TRANSIT SYSTEMS

#### H. F. 372

AN ACT relating to urban transit companies and systems, providing for temporary license fees for transit system vehicles, and making certain tax provisions of law temporarily inapplicable.

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

1 SECTION 1. "An urban transit company" is one which operates  
2 buses or trolley cars or both, primarily upon the streets of cities and  
3 towns over well-defined routes between certain termini, for the trans-  
4 portation of passengers for a uniform fare, and which accepts for pas-  
5 sengers all who present themselves for transportation without discrim-  
6 ination up to the limit of the capacity of each vehicle. Included are  
7 street railways, plants, equipment, property and rights, used and use-  
8 ful in the transportation of passengers. Motor carriers and inter-  
9 urbans subject to the jurisdiction of the state commerce commission,

10 and taxicabs, are not included. The physical property and operation  
11 herein described shall be known as "an urban transit system".

1 SEC. 2. Any person, firm, corporation or company operating an  
2 urban transit system shall pay to the county treasurer annually as a  
3 registration fee for each bus, car or vehicle used in the transportation  
4 of passengers, twenty-five dollars (\$25.00), which shall be paid into  
5 the municipal street fund. No other provision of law providing for  
6 the payment of taxes, registration, or license fees for vehicles shall  
7 be applicable to any bus, car, or vehicle for the transportation of pas-  
8 sengers owned and operated by any urban transit company.

1 SEC. 3. Sections three hundred twenty-one point one hundred nine-  
2 teen (321.119) and three hundred twenty-four point two (324.2),  
3 Code 1954, as amended by chapters forty-four (44) and one hundred  
4 seventy-one (171), Acts of the Fifty-sixth General Assembly, and  
5 section three hundred twenty-six point two (326.2), Code 1954, shall  
6 not be applicable to urban transit companies or systems.

1 SEC. 4. Section four hundred seventeen point fifty-four (417.54),  
2 Code 1954, as amended by chapter two hundred six (206), Acts of the  
3 Fifty-sixth General Assembly, is inapplicable to urban transit com-  
4 panies or systems.

1 SEC. 5. Section four hundred thirty-four point fifteen (434.15),  
2 Code 1954, is amended by adding thereto the following:  
3 "Trackless trolleys, buses, cars and vehicles used for the transpor-  
4 tation of passengers owned and operated by any urban transit com-  
5 pany as a part of an urban transit system shall not be included in the  
6 determination of the value of an urban transit system for taxation  
7 purposes."

1 SEC. 6. The provisions of this Act shall be in force and effect for  
2 the biennium beginning July 4, 1957, and ending June 30, 1959.

This bill, having been returned by the Governor, with his objections, to the house in which it originated, and, after reconsideration, having again passed both houses by yeas and nays by a vote of two-thirds of the members of each house, has become a law this second day of May, 1957.

WILLIAM H. NICHOLAS  
*President of the Senate*

W. L. MOOTY  
*Speaker of the House*

## CHAPTER 44

### MOTOR FUEL LICENSE FEES\*

S. F. 229

AN ACT relating to the license fees imposed on motor fuel.

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

1 SECTION 1. Section one (1), chapter forty-four (44), Acts of the  
2 Fifty-sixth General Assembly, is hereby amended as follows:  
3 1. By striking in line five (5) the word, "biennium" and inserting

\*See chapter 164.

4 in lieu thereof the word, "period".

5 2. By striking from line six (6) the numerals, "1957" and insert-  
6 ing in lieu thereof the numerals, "1961".

1 SEC. 2. Section two (2), chapter forty-four (44), Acts of the  
2 Fifty-sixth General Assembly is amended as follows:

3 1. By striking in lines five (5) and six (6) thereof, the word,  
4 "biennium" and inserting in lieu thereof the word, "period".

5 2. By striking from line six (6) the numeral, "1957" and inserting  
6 in lieu thereof the numeral, "1961".

7 3. By striking from lines twelve (12) and thirteen (13) the word,  
8 "biennium" and inserting in lieu thereof the word, "period".

9 4. By striking from line thirteen (13) the numeral, "1957" and in-  
10 sserting in lieu thereof the numeral, "1961".

1 SEC. 3. This Act, being deemed of immediate importance shall be  
2 in full force and effect July 1, 1957, after its publication in the Stanton  
3 Viking, a newspaper published at Stanton, Iowa, and in the Mount Ayr  
4 Record-News, a newspaper published at Mount Ayr, Iowa.

Approved April 10, 1957.

I hereby certify that the foregoing Act, Senate File 229, was published in the Stanton Viking, Stanton, Iowa, April 18, 1957, and in the Mount Ayr Record-News, Mount Ayr, Iowa, April 18, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 45

### COUNTY REVENUES AND EXPENDITURES

H. F. 578

AN ACT relating to expenditures from the general fund of counties in excess of the revenues thereto and unexpended balance thereof.

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

1 SECTION 1. Section three hundred forty-three point eleven  
2 (343.11), Code 1954, is hereby amended by adding the following new  
3 subsection: "The expenditures of any county legally payable from  
4 the general fund in the year 1957 from the revenue derived from the  
5 levy made in the year 1956 for such fund."

1 SEC. 2. This Act will apply only to counties having an assessed  
2 valuation between nineteen million dollars (\$19,000,000) and nineteen  
3 million five hundred thousand dollars (\$19,500,000).

Approved May 15, 1957.

## CHAPTER 46

## ADDITIONS TO COUNTY BUILDINGS

H. F. 579

AN ACT relating to the authority of county boards of supervisors to make necessary additions to courthouses, jails or county homes or other county buildings.

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

1 SECTION 1. Section three hundred forty-five point three (345.3),  
2 Code 1954, is hereby amended as follows:

3 1. By inserting after the word "home" in line six (6) the words  
4 "or other county building".

5 2. By striking the word "twenty-five" in line twelve (12) and in-  
6 serting in lieu thereof the word "thirty-five".

1 SEC. 2. The provisions of this Act shall terminate July 1, 1958.

Approved May 15, 1957.

## CHAPTER 47

## RENEWAL OF CORPORATION PERMITS

H. F. 240

AN ACT relating to the renewal of domestic corporations, and the renewal of permits of foreign corporations.

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

1 SECTION 1. Chapter two hundred thirty (230), Acts of the Fifty-  
2 sixth General Assembly, is amended by striking from lines six (6),  
3 seven (7), and eight (8) thereof the following: "the fees prescribed  
4 by section four hundred ninety-one point eleven (491.11), Code of  
5 Iowa, for newly organized corporations," and inserting in lieu thereof  
6 the following: "the necessary fees".

1 SEC. 2. Section four hundred ninety-one point twenty-eight  
2 (491.28), Code 1954, is amended by inserting after the first sentence  
3 thereof a new sentence as follows: "The fees for renewal of corpora-  
4 tions for a period of years shall be that proportionate part of the fees  
5 prescribed by section four hundred ninety-one point eleven (491.11)  
6 of the Code for newly organized corporations as the number of years  
7 of such renewal bears to the maximum number of years for which  
8 such corporation might be renewed pursuant to the provisions of this  
9 chapter plus ten percent (10%) of such fee paid".

1 SEC. 3. Section four hundred ninety-four point eight (494.8),  
2 Code 1954, is amended by inserting after the word "hereunder" in  
3 line three (3) thereof the following: "for the same periods permitted  
4 by the provisions of section four hundred ninety-four point seven  
5 (494.7) of the Code, or for shorter periods"; and by striking from  
6 lines twelve (12) and thirteen (13) thereof the following: "fees as  
7 set forth in section 494.4" and inserting in lieu thereof the following:  
8 "the necessary fees"; and by inserting after the first sentence thereof

9 a new sentence as follows: "The fees hereunder shall be that propor-  
 10 tionate part of the fees prescribed by section four hundred ninety-four  
 11 point four (494.4) of the Code for the original issuance of a permit  
 12 as the number of years of such renewal bears to the maximum number  
 13 of years for which such permit might be renewed pursuant to the pro-  
 14 visions of this section plus ten percent (10%) of such fee paid".

1 SEC. 4. The provisions of this act shall be effective for the period  
 2 from July 4, 1957, to July 4, 1959.

Approved April 25, 1957.

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## CHAPTER 48

### LEGALIZING CORPORATION STOCK ISSUES

#### H. F. 241

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 state  
 2 which, prior to January 1, 1957, issued capital stock for property with-  
 3 out complying with section four hundred ninety-two point six (492.6),  
 4 Code 1954, and obtaining approval pursuant to section four hundred  
 5 ninety-two point seven (492.7), Code 1954, may within ninety (90)  
 6 days after the effective date of this Act, make application for the  
 7 approval of the issuance of such stock.

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

1 SEC. 3. 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 Hedrick Journal, a newspaper published at Hedrick, Iowa, and  
 4 The Cedar Rapids Gazette, a newspaper published at Cedar Rapids,  
 5 Iowa.

Approved March 19, 1957.

I hereby certify that the foregoing Act, House File 241, was published in The Cedar Rapids Gazette, Cedar Rapids, Iowa, March 21, 1957, and in The Hedrick Journal, Hedrick, Iowa, March 27, 1957.

MELVIN D. SYNHORST, *Secretary of State.*



## GENERAL LAWS (PERMANENT)

### CHAPTER 49

#### LEGISLATIVE COMPENSATION

S. F. 372

AN ACT relating to compensation of members of the General Assembly, the Lieutenant Governor, and the Speaker of the House of Representatives.

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

1 SECTION 1. Section two point eleven (2.11), Code 1954, is hereby  
2 amended by striking all after line two (2) and inserting in lieu  
3 thereof the following: "To every member the sum of thirty (30)  
4 dollars per day for each regular and each extra session while in ses-  
5 sion; and in going to and returning from the place where the general  
6 assembly is held, seven (7) cents per mile, by the nearest traveled  
7 route, for each regular and each extra session."

1 SEC. 2. Section two point fifteen (2.15), Code 1954, is hereby  
2 amended by striking all after line four (4) and inserting in lieu  
3 thereof the following: "be paid the sum of thirty (30) dollars per  
4 day during the remainder of such session."

1 SEC. 3. This Act shall be effective beginning with the fifty-eighth  
2 general assembly.

1 SEC. 4. Section two point sixteen (2.16), Code 1954, is hereby  
2 amended by striking all after the word "certified" in lines nine (9)  
3 and ten (10) and inserting in lieu thereof a period.

1 SEC. 5. Section two point seventeen (2.17), Code 1954, is hereby  
2 amended by striking from line one (1) the words "extra or ad-  
3 journed".

This bill, having remained with the governor three days (Sunday excepted), the General Assembly being in session, has become a law this 3rd day of May, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

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### CHAPTER 50

#### LEGISLATIVE RESEARCH COMMITTEE

S. F. 448

AN ACT to provide for a legislative research committee and legislative research bureau and to define their duties.

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

1 SECTION 1. Chapter forty-eight (48), Acts of the Fifty-sixth  
2 General Assembly is hereby repealed and the following enacted in  
3 lieu thereof:

1 SEC. 2. There is hereby created a continuing legislative committee  
2 of six (6) members which shall be entitled the legislative research  
3 committee. Three (3) members shall be appointed by the president  
4 of the senate from the members of the senate, two (2) from the  
5 majority party and one (1) from the minority party. Three (3)  
6 members shall be appointed by the speaker of the house of represent-  
7 atives from the members of the house, two (2) from the majority  
8 party and one (1) from the minority party. Members shall be ap-  
9 pointed prior to the adjournment of each regular biennial session and  
10 shall serve for two (2) year terms beginning at the adjournment of  
11 such session and ending at the adjournment of the next regular ses-  
12 sion or until their successors are appointed. In so far as possible,  
13 upon appointment of members of the committee during each regular  
14 session of the general assembly, at least one (1) member of the com-  
15 mittee from each house shall be reappointed. Provided however, that  
16 upon the effective date of this Act, the president of the senate and the  
17 speaker of the house of representatives shall make the appointments  
18 provided for under this section, such appointments to continue until  
19 the adjournment of the next regular session.

1 SEC. 3. The legislative research committee shall select its officers  
2 and prescribe its rules of procedure. In addition to any other powers  
3 and duties provided herein, it shall have the following powers and  
4 duties:

5 1. To establish policies for the operation of the legislative research  
6 bureau created by section five (5) of this Act, including the priority  
7 to be given to research requests and the distribution of research re-  
8 ports.

9 2. To appoint a director of the legislative research bureau for such  
10 term of office as may be set by the committee and to appoint successors  
11 and fill vacancies in this office.

12 3. To prepare a report to be submitted each biennium to the general  
13 assembly at its regular session.

14 The committee may co-operate with other states to discuss mutual  
15 legislative and governmental problems.

1 SEC. 4. Members of the legislative research committee shall be re-  
2 imburged as provided in section ten (10) for necessary expenses in-  
3 curred in the performance of their duties.

1 SEC. 5. There is hereby created a legislative research bureau  
2 which shall operate under the direction and control of the legislative  
3 research committee. The administrative head of the legislative re-  
4 search bureau shall be the director of the bureau. It shall be the duty  
5 of the bureau to co-operate with and serve all members and commit-  
6 tees of the general assembly. It shall upon proper request of members  
7 and committees of the general assembly prepare research reports upon  
8 any governmental matter. Such research reports and the findings  
9 therein shall not contain any recommendations from the research com-  
10 mittee or the research bureau. The bureau shall assist and serve any  
11 interim committee of the general assembly and upon written request,  
12 approved by the legislative research committee, serve as the staff  
13 agency for any such interim committee. The bureau shall draft and

14 prepare bills for committees and individual members of the general  
15 assembly.

1 SEC. 6. The director of the research bureau shall serve on a full-  
2 time basis and shall have the following powers and duties:

3 1. He shall be in charge of the research and bill drafting functions  
4 of the bureau.

5 2. He shall employ and supervise all employees of the legislative  
6 research bureau in such positions and at such salaries as shall be  
7 authorized by the legislative research committee.

8 3. He shall employ, with the approval of the research committee,  
9 such temporary employees as may be required to provide a bill draft-  
10 ing service during sessions of the general assembly. Such employees  
11 shall be under the supervision of the director and shall be paid from  
12 the appropriation made for the general assembly.

1 SEC. 7. The salary of the director of the legislative research  
2 bureau shall be seventy-five hundred (7,500) dollars per year.

1 SEC. 8. Requests for research on governmental matters may be  
2 made to the legislative research bureau by either house of the general  
3 assembly, committees of either house of the general assembly, interim  
4 committees of the general assembly or either house thereof, the legis-  
5 lative research committee or upon petition by five (5) or more mem-  
6 bers of the general assembly. Any legislative committee appointed  
7 for the session may request the research bureau to do research be-  
8 tween sessions on any matter under consideration by such committee.  
9 Bills shall be drafted and prepared by the legislative research bureau  
10 upon request of any member of the general assembly. Research or bill  
11 drafting requests made between sessions shall be in writing.

1 SEC. 9. The legislative research bureau may call upon any depart-  
2 ment, agency or office in the state, or any political subdivision of the  
3 state, for such information and assistance as may be needed in the  
4 performance of the duties of the research bureau and such informa-  
5 tion and assistance shall be furnished in so far as the same shall be  
6 within the resources and authority of such departments, agencies,  
7 offices and political subdivisions. Nothing herein shall be construed  
8 to require the production or opening of any public records which are  
9 required by law to be kept private or confidential.

10 The research bureau may co-operate with other states and the  
11 federal government in the exchange of research reports and materials.

1 SEC. 10. The office of the research bureau shall be located in the  
2 statehouse. Office space, supplies, postage and equipment shall be fur-  
3 nished by the executive council. All other expenses and salaries shall  
4 be paid by the budget and financial control committee from the con-  
5 tingent fund provided for the budget and financial control committee.  
6 Expenses of the research committee and research bureau shall be paid  
7 upon the approval of the director of the bureau and, if an extraordi-  
8 nary expense, upon the approval of the research committee.

1 SEC. 11. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after its publication in the *Ida County*

- 3 Pioneer Record, a newspaper published at Ida Grove, Iowa, and the  
4 Davis County Republican, a newspaper published at Bloomfield, Iowa.

Approved May 15, 1957.

I hereby certify that the foregoing Act, Senate File 448, was published in the Davis County Republican, Bloomfield, Iowa, May 21, 1957, and in the Ida County Pioneer Record, Ida Grove, Iowa, May 23, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 51

### PREAUDIT OF EXPENDITURES

#### H. F. 81

AN ACT to eliminate the preaudit of expenditures of institutions under the control of the state board of regents and of expenditures of the state fair board.

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

1 SECTION 1. Section eight point six (8.6), subsection six (6), Code  
2 1954, is hereby amended by adding after the word "state" in line nine  
3 (9) thereof, the following:

4 " , but the preaudit system shall not be applicable to the institutions  
5 under the control of the state board of regents or to the state fair  
6 board."

1 SEC. 2. Section eight point six (8.6), subsection seven (7), Code  
2 1954, is hereby amended by striking therefrom paragraph "e" as  
3 amended by section three (3), chapter one hundred thirty-one (131),  
4 Acts of the Fifty-sixth General Assembly.

1 SEC. 3. Section two hundred sixty-two point twenty-three  
2 (262.23), Code 1954, subsection two (2), is hereby amended by strik-  
3 ing therefrom in lines one (1) and two (2) thereof the words "only  
4 after preaudit by the state comptroller and".

1 SEC. 4. Section one hundred seventy-three point eleven (173.11),  
2 Code 1954, subsection two (2), is hereby amended by striking there-  
3 from in lines three (3) to eight (8) thereof the following comma and  
4 words " , provided that all claims against the state fair board shall  
5 be checked and preaudited by the state comptroller before such claims  
6 are approved and before warrants for the same are signed by the pres-  
7 ident and secretary".

Approved February 27, 1957.

## CHAPTER 52

## SECRETARY OF STATE FEES

H. F. 239

AN ACT to amend section nine point four (9.4), Code 1954, relating to fees to be charged by the secretary of state.

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

- 1 SECTION 1. Section nine point four (9.4), Code 1954, is amended
- 2 by striking from line three (3) of subsection two (2) thereof the word
- 3 "twenty-five" and by inserting in lieu thereof the word "fifty".

Approved March 19, 1957.

## CHAPTER 53

## AUDITORS' COMPENSATION

H. F. 164

AN ACT relating to the per diem compensation of county, municipal, and school examiners of accounts and their assistants.

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

- 1 SECTION 1. Section eleven point nine (11.9), Code 1954, is amend-
- 2 ed by striking from line three (3) the word, "fifteen" and inserting in
- 3 lieu thereof the word, "eighteen".

Approved March 14, 1957.

## CHAPTER 54

## INVESTMENT OF PUBLIC FUNDS

H. F. 28

AN ACT relating to the collection, investment and deposit of public funds not currently needed for operating expenses.

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

- 1 SECTION 1. Sections twelve point eight (12.8) and twelve point
- 2 nine (12.9), Code 1954, are hereby repealed and the following enacted
- 3 in lieu thereof:

- 4 "The treasurer of state shall invest or deposit, as provided by law,
- 5 any of the public funds not currently needed for operating expenses".

- 1 SEC. 2. Section three hundred thirty-four point nine (334.9),
- 2 Code 1954, is hereby repealed and the following enacted in lieu there-
- 3 of:

- 4 "The treasurer of each county shall on or before the fifteenth day
- 5 of each month prepare sworn statements of the amount of money in
- 6 his hands on the last day of the preceding month belonging to the
- 7 state treasury, and forward by mail one such statement, accompanied

8 by his remittance therefor, to the treasurer of state, and one such  
 9 statement to the state comptroller. Provided in lieu of such remit-  
 10 tance the treasurer of the county may deposit to the credit of the  
 11 treasurer of the state said amount in interest-bearing accounts in a  
 12 bank, or banks, of said county designated by the treasurer of the  
 13 state."

1 SEC. 3. Section three hundred thirty-four point ten (334.10), Code  
 2 1954, is hereby amended by striking therefrom all of the first sentence.

1 SEC. 4. Section four hundred fifty-two point ten (452.10), Code  
 2 1954, is hereby amended by striking all of the last sentence and in-  
 3 serting in lieu thereof the following:

4 "However, the treasurer of state shall invest, unless otherwise pro-  
 5 vided, any of the public funds not currently needed for operating ex-  
 6 penses in United States government bonds and certificates, providing  
 7 suitable issues are available; or make time deposits of such funds in  
 8 banks as provided in chapter four hundred fifty-three (453) and re-  
 9 ceive time certificates of deposit therefor. With respect to any time  
 10 deposits that the state treasurer may place with any depository, it  
 11 shall be his policy to place with such depository an amount of demand  
 12 deposits equal to at least ten percent (10%) of such time certificate  
 13 of deposit money, insofar as he may be able so to do."

1 SEC. 5. Section four hundred fifty-three point one (453.1), Code  
 2 1954, is hereby amended by striking from lines eleven (11) to six-  
 3 teen (16), inclusive, all beginning with the words "However, the  
 4 treasurer of state" and ending with the words "and/or certificates"  
 5 and inserting in lieu thereof the following:

6 "However, the treasurer of state shall invest or deposit as provided  
 7 in section four hundred fifty-two point ten (452.10) any of the public  
 8 funds not currently needed for operating expenses".

1 SEC. 6. Section four hundred fifty-three point six (453.6), Code  
 2 1954, is hereby amended as follows:

3 1. Add in line three (3) after the word "shall" the words, "except  
 4 for time certificates of deposit".

5 2. Add at the end of said section the following:

6 "Time certificates of deposit for public funds shall draw interest at  
 7 rates to be determined January 1 and quarterly thereafter by joint  
 8 action of the superintendent of banking, insurance commissioner and  
 9 treasurer of state, of which a majority shall control their actions in  
 10 setting such rates. Said rates shall not be less than one percent, nor  
 11 more than two and one-half percent".

1 SEC. 7. Section four hundred fifty-three point seven (453.7), Code  
 2 1954, is hereby amended as follows:

3 1. Add in line three (3) after the words "on any" the word "de-  
 4 mand".

5 2. Strike from lines five (5) and six (6) the words "public funds"  
 6 and insert in lieu thereof the words, "demand deposits of public  
 7 funds".

8 3. Further amend said section by adding at the end thereof the fol-  
 9 lowing:

10 "This provision shall not apply to interest on time certificates of  
11 deposit for public funds".

12 4. Further amend said section by adding the following:

13 "Interest or earnings on investments and time deposits made in  
14 accordance with the provisions of sections twelve point eight (12.8)  
15 as re-enacted in section one (1) of this Act, four hundred fifty-two  
16 point ten (452.10), four hundred fifty-three point one (453.1), and  
17 four hundred fifty-three point six (453.6), shall be credited to the  
18 general fund of the governmental body making the investment or  
19 deposit, with the exception of specific funds for which investments are  
20 otherwise provided by law, constitutional funds, or when legally di-  
21 verted to the state sinking fund for public deposits. Funds so excepted  
22 shall receive credit for interest or earnings derived from such invest-  
23 ments or time deposits made from such funds. Such interest or earn-  
24 ings on any fund created by direct vote of the people shall be credited  
25 to the fund to retire any such indebtedness after which the fund itself  
26 shall be credited".

1 SEC. 8. Section four hundred fifty-four point thirty-five (454.35),  
2 Code 1954, is hereby repealed and the following added to chapter four  
3 hundred fifty-three (453):

4 "The governing council or board who by law are authorized to di-  
5 rect the depositing of funds shall be authorized to direct the treasurer  
6 to invest any fund not an active fund needed for current use and which  
7 is being accumulated as a sinking fund for a definite purpose,  
8 the interest of which is used for the same purpose, in the certificates  
9 provided by section four hundred fifty-four point nineteen (454.19),  
10 or in United States government bonds, or in local certificates or war-  
11 rants issued by any municipality or school district within the county,  
12 or in municipal bonds which constitute a general liability, and the  
13 treasurer when so directed shall so invest such fund".

1 SEC. 9. Chapter four hundred fifty-three (453), Code 1954, is  
2 hereby amended by adding the following:

3 "The governing council or board, who by the law have control of  
4 any fund created by direct vote of the people, may invest any portion  
5 thereof not currently needed, in United States government bonds or  
6 make time deposits of such funds as provided in this chapter and  
7 receive time certificates of deposit therefor. Interest or earnings on  
8 such funds shall be credited as provided in subsection four (4) of sec-  
9 tion seven (7) of this Act".

1 SEC. 10. 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 Tipton Conservative*, a newspaper published at Tipton,  
4 Iowa, and in the *Sibley Gazette Tribune*, a newspaper published at  
5 Sibley, Iowa.

Approved February 27, 1957.

I hereby certify that the foregoing Act, House File 28, was published in the *Tipton Conservative*, Tipton, Iowa, March 7, 1957, and in the *Sibley Gazette Tribune*, Sibley, Iowa, March 7, 1957.

MELVIN D. SYNHORST, *Secretary of State*.

## CHAPTER 55

## SALE OF CODES AND DEPARTMENTAL RULES

H. F. 146

AN ACT relating to the publication, sale and distribution of statutes and departmental rules.

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

1 SECTION 1. Section fourteen point three (14.3), Code 1954, is  
2 hereby amended by inserting in line three (3) of subsection seven  
3 (7) after the word, "printing," the following:

4 "In each year in which a Code is published,"

5 Further amend said subsection by striking from lines three (3) and  
6 four (4) the words, "in each even-numbered year".

1 SEC. 2. Section one (1) of chapter fifty-two (52), Acts of the  
2 Fifty-sixth General Assembly is hereby amended by striking from line  
3 three (3) the words, "In lieu of biennial publication of said volume".

4 Further amend said section by inserting in line five (5) after the  
5 word, "volume" the words, "and a place shall be provided in the bind-  
6 ing of said volume for insertion of such supplements".

1 SEC. 3. Section seventeen point twenty-one (17.21), Code 1954, is  
2 hereby amended by inserting in line one (1) after the word, "code,"  
3 the following:

4 "Iowa departmental rules,".

1 SEC. 4. Section seventeen point twenty-two (17.22), Code 1954, is  
2 hereby amended by striking from lines two (2) and three (3) the  
3 words, . "and fixed by the state printing board." and inserting in lieu  
4 thereof the words, "by dividing the total cost only, of printing, bind-  
5 ing and paper stock by the total number printed of each edition."

6 Further amend said section by inserting in line four (4) after the  
7 word, "Code" the words, "and Iowa departmental rules".

8 Further amend said section by adding at the end thereof the fol-  
9 lowing:

10 "The Iowa departmental rules shall be distributed with each order  
11 for purchase of the Code and the price set for the Code and depart-  
12 mental rules as provided above shall include the cost of both the Code  
13 and departmental rules. The departmental rules may also be dis-  
14 tributed separately."

Approved April 26, 1957.

## CHAPTER 56

## DISTRIBUTION OF STATE PUBLICATIONS

H. F. 139

AN ACT relating to the sale and distribution of the state publications.

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

1 SECTION 1. Section sixteen point two (16.2), Code 1954, is hereby  
2 amended by inserting in line three (3) of subsection seven (7) after

3 the word, "sections," the following:

4 "publications, except premium lists published by the Iowa state fair  
5 board, containing reprints of statutes or departmental rules, or both,  
6 reports of state departments,".

1 SEC. 2. Section seventeen point twenty-seven (17.27), Code 1954,  
2 is hereby amended by adding the following:

3 "When such publications paid for by public funds furnished by the  
4 state, contain reprints of statutes or departmental rules, or both, they  
5 shall be sold and distributed at cost by the department ordering same.  
6 Such publications shall be obtained from the superintendent of print-  
7 ing on requisition by the department and the selling price shall be  
8 determined by the printing board by dividing the total cost of print-  
9 ing, paper and binding by the number printed. Said price shall be set  
10 at the nearest multiple of ten (10) to the quotient thus obtained. Dis-  
11 tribution of such publications shall be made by the superintendent of  
12 printing gratis to public officers, purchasers of licenses from state  
13 departments required by statute, and departments. Funds from the  
14 sale of such publications shall be deposited monthly in the general  
15 fund of the state."

1 SEC. 3. Section seventeen point twenty-three (17.23), Code 1954,  
2 is hereby amended by striking from line two (2) the words, "is hereby  
3 authorized to" and inserting in lieu thereof the word, "shall".

Approved April 24, 1957.

## CHAPTER 57

### CODES FOR ATTORNEY GENERAL

H. F. 388

AN ACT to amend chapter sixteen (16), Code 1954, relating to the superintendent of printing.

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

1 SECTION 1. Section sixteen point twenty-four (16.24), Code 1954,  
2 is hereby amended by striking all of subsection fifteen (15) and in-  
3 serting in lieu thereof the following:

4 "15. To the office of attorney general and to the reporter of the  
5 supreme court and code editor such number of copies as will enable  
6 them to perform the duties of their respective offices."

1 SEC. 2. Section sixteen point twenty-five (16.25), Code 1954, is  
2 hereby amended by striking from line two (2) of subsection eight (8)  
3 the figure "5" and inserting in lieu thereof the figure "10".

1 SEC. 3. Section sixteen point twenty-eight (16.28), Code 1954, is  
2 hereby amended by striking from subsection six (6) the figure "2"  
3 and inserting in lieu thereof the figure "3".

Approved May 14, 1957.

## CHAPTER 58

## SUPERINTENDENT OF BUILDINGS AND GROUNDS

## S. F. 131

AN ACT substituting the word "superintendent" for "custodian" as it now appears in chapters eighteen (18), seventeen (17), nineteen (19) and sixty-four (64), Code 1954, and amending the above numbered chapters.

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

1 SECTION 1. Section eighteen point one (18.1), Code 1954, is here-  
2 by amended by striking the word "custodian" in line two (2) thereof  
3 and inserting in lieu thereof the word "superintendent".

1 SEC. 2. Section eighteen point two (18.2), Code 1954, is hereby  
2 amended by striking the word "custodian" in line two (2) thereof and  
3 inserting in lieu thereof the word "superintendent".

1 SEC. 3. Section eighteen point three (18.3), Code 1954, is hereby  
2 amended by striking the word "custodian" in line one (1) thereof and  
3 inserting in lieu thereof the word "superintendent".

1 SEC. 4. Section eighteen point four (18.4), Code 1954, is hereby  
2 amended by striking the word "custodian" in line one (1) thereof and  
3 inserting in lieu thereof the word "superintendent".

1 SEC. 5. Section eighteen point six (18.6), Code 1954, is hereby  
2 amended by striking the word "custodian" in line two (2) thereof and  
3 inserting in lieu thereof the word "superintendent".

1 SEC. 6. Section seventeen point three (17.3), Code 1954, is hereby  
2 amended by striking the word "custodian" in line twenty-five (25)  
3 thereof and inserting in lieu thereof the word "superintendent".

1 SEC. 7. Section nineteen point twenty-five (19.25), Code 1954, is  
2 hereby amended by striking the word "custodian" in line forty-three  
3 (43) thereof and inserting in lieu thereof the word "superintendent".

1 SEC. 8. Section sixty-four point six (64.6), Code 1954, is hereby  
2 amended by striking the word "custodian" in line twenty-four (24)  
3 thereof and inserting in lieu thereof the word "superintendent".

Approved May 2, 1957.

## CHAPTER 59

## CAPITOL POLICE

## S. F. 130

AN ACT to bestow the status of peace officer upon police serving under the custodian of public buildings.

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

1 SECTION 1. Section eighteen point two (18.2), subsection four (4),  
2 Code 1954, is amended by adding thereto after the period in line five

3 (5) the following: "The police when serving in and about the capitol  
4 and other state buildings at the seat of government are hereby desig-  
5 nated as peace officers."

Approved May 2, 1957.

## CHAPTER 60

### WORLD WAR II DATES

H. F. 567

AN ACT to establish the inclusive dates of World War II for the purposes of certain statutes making reference thereto.

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

1 SECTION 1. Section nineteen point sixteen (19.16), Code 1954, is  
2 hereby amended by inserting in line eight (8) after the word, "War  
3 II," the words, "from December 7, 1941, to September 2, 1945, both  
4 dates inclusive,".

1 SEC. 2. Section seventy point one (70.1), Code 1954, as amended  
2 by section one (1), chapter seventy-three (73), Acts of the Fifty-sixth  
3 General Assembly, is hereby amended by adding to the end thereof the  
4 following:

5 "For the purposes of this section World War II shall mean service  
6 in the armed forces of the United States between December 7, 1941,  
7 and September 2, 1945, both dates inclusive."

1 SEC. 3. Section two hundred nineteen point one (219.1), Code  
2 1954, is hereby amended by adding to the end thereof the following:

3 "For the purposes of this section World War II shall be from Decem-  
4 ber 7, 1941, to September 2, 1945, both dates inclusive."

1 SEC. 4. Chapter two hundred fifty (250), Code 1954, is hereby  
2 amended by adding the following new section:

3 "For the purposes of this chapter, World War II shall be from De-  
4 cember 7, 1941, to September 2, 1945, both dates inclusive."

1 SEC. 5. Section three hundred thirty-two point five (332.5), Code  
2 1954, is hereby amended by inserting in line eight (8) after the word,  
3 "War II," the words, "from December 7, 1941, to September 2, 1945,  
4 both dates inclusive,".

1 SEC. 6. Section three hundred sixty-five point ten (365.10), Code  
2 1954, is hereby amended by adding at the end thereof the following:

3 "For the purposes of this section World War II shall be from Decem-  
4 ber 7, 1941, to September 2, 1945, both dates inclusive."

1 SEC. 7. Section four hundred twenty-seven point three (427.3),  
2 Code 1954, is hereby amended by adding at the end of subsection four  
3 (4) of such section the following:

4 "For the purposes of this section, the second world war shall be  
5 from December 7, 1941, to September 2, 1945, both dates inclusive."

1 SEC. 8. Section four hundred ten point seven (410.7), Code 1954,  
 2 is hereby amended by striking from lines eight (8) and nine (9) the  
 3 words, "the war which began in December, 1941," and inserting in  
 4 lieu thereof the following:  
 5 "World War II from December 7, 1941, to September 2, 1945, both  
 6 dates inclusive,".

1 SEC. 9. Section thirty-five point nine (35.9), Code 1954, is hereby  
 2 amended by striking from lines ten (10) through thirteen (13) the  
 3 words:  
 4 "the date which shall be officially designated by the government of  
 5 the United States as the termination of World War II," and inserting  
 6 in lieu thereof the words, "September 2, 1945, both dates inclusive,".

Approved May 14, 1957.

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## CHAPTER 61

### COUNTY BUDGET ESTIMATES

#### H. F. 38

AN ACT relating to the preparation of the county budget required by chapter twenty-four (24) of the Code.

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

1 SECTION 1. 1. On or before the first day of July of each year,  
 2 each elective or appointive officer or board, except tax certifying  
 3 boards as defined in subsection three (3) of section twenty-four point  
 4 two (24.2) of the Code, having charge of any county office or depart-  
 5 ment shall prepare and submit to the county auditor the following:  
 6 a. An estimate of the actual expenditures of such office or depart-  
 7 ment during the current year;  
 8 b. A statement of the requested expenditures to be budgeted for  
 9 such office for the next calendar year;  
 10 c. An estimate of the revenues, except property tax, to be collected  
 11 for the county by such office during the current year;  
 12 d. An estimate of the revenues, except property tax, to be collected  
 13 for the county by such office during the next calendar year.  
 14 Such estimates and statements shall be itemized in the same manner  
 15 as the various expenditures and revenues are itemized in the records  
 16 of the auditor.  
 17 2. On or before the tenth of July of each year, the auditor shall  
 18 submit to the board of supervisors, a compilation of the various office  
 19 and department estimates in as much detail as they were submitted to  
 20 him. With this compilation, the auditor shall show the itemized ex-  
 21 penditures and revenues for the two years preceding the current year  
 22 and an estimate of the cash balances of each county fund at the end  
 23 of the current year.  
 24 3. The board of supervisors, in the preparation of the county budget  
 25 as required by chapter twenty-four (24) of the Code, shall have au-  
 26 thority to consult with any such county officer or board concerning his

27 budget estimates and requests and to adjust the budget requests for  
28 any such county office or department.

Approved March 22, 1957.

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## CHAPTER 62

### OBJECTIONS TO PROPOSED BUDGETS

S. F. 22

AN ACT relating to written objections to proposed local budgets.

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

1 SECTION 1. Amend section twenty-four point twenty-six (24.26),  
2 Code 1954, by inserting after the word "have" in line seventeen (17)  
3 the following:  
4 "filed a joint written objection, at or before the time of the meeting  
5 contemplated in section twenty-four point eleven (24.11), Code 1954,  
6 which shall include a detailed statement of the objections to said  
7 budget, expenditures or tax levy for each and every fund, or the items  
8 therein to which objection is taken and an analysis of the fund or  
9 funds, or items therein showing grounds for such objections or shall  
10 have".

Approved March 27, 1957.

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## CHAPTER 63

### KOREAN CONFLICT DATES

H. F. 566

AN ACT to provide veterans of the Korean conflict with the same rights and privileges as other veterans.

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

1 SECTION 1. Section thirty-five point nine (35.9), Code 1954, is  
2 hereby amended by inserting in line thirteen (13) after the words,  
3 "War II," the words, "or the Korean conflict at any time between  
4 June 27, 1950, and July 27, 1953, both dates inclusive,".

1 SEC. 2. Section nineteen point sixteen (19.16), Code 1954, is here-  
2 by amended as follows:

3 1. By striking from line eight (8) the word, "or" and inserting in  
4 lieu thereof a comma (,).

5 2. By inserting in line eight (8) after the word, "War II," the  
6 words, "or the Korean conflict at any time between June 27, 1950, and  
7 July 27, 1953, both dates inclusive,".

1 SEC. 3. Section two hundred nineteen point one (219.1), Code  
2 1954, is hereby amended by inserting after the word, "wars" in line  
3 five (5) the words, "including the Korean conflict at any time be-  
4 tween June 27, 1950, and July 27, 1953, both dates inclusive,".

1 SEC. 4. Section two hundred nineteen point eight (219.8), Code  
2 1954, is hereby amended by striking the period (.) in line six (6) and  
3 inserting in lieu thereof the words, “, including the Korean conflict at  
4 any time between June 27, 1950, and July 27, 1953, both dates in-  
5 clusive.”

1 SEC. 5. Section two hundred fifty point one (250.1), Code 1954, is  
2 hereby amended by inserting in line ten (10) after the word, “war,”  
3 the words, “including the Korean conflict at any time between June  
4 27, 1950, and July 27, 1953, both dates inclusive,”.

1 SEC. 6. Section two hundred fifty point three (250.3), Code 1954,  
2 as amended by chapter one hundred twenty-eight (128), section one  
3 (1), Acts of the Fifty-sixth General Assembly is hereby amended  
4 by striking from line seven (7) the period (.) after the word, “war”  
5 and inserting in lieu thereof the words, “, including the Korean con-  
6 flict at any time between June 27, 1950, and July 27, 1953, both dates  
7 inclusive.”

1 SEC. 7. Section two hundred fifty point thirteen (250.13), Code  
2 1954, as amended by chapter one hundred twenty-eight (128), section  
3 seven (7), Acts of the Fifty-sixth General Assembly is hereby amend-  
4 ed by inserting in line nine (9) after the word, “war,” the words,  
5 “including the Korean conflict at any time between June 27, 1950, and  
6 July 27, 1953, both dates inclusive,”.

1 SEC. 8. Section two hundred fifty point sixteen (250.16), Code  
2 1954, is hereby amended by inserting in line eleven (11) after the  
3 word, “war,” the words, “including the Korean conflict at any time  
4 between June 27, 1950, and July 27, 1953, both dates inclusive,”.

1 SEC. 9. Section three hundred thirty-two point five (332.5), Code  
2 1954, is hereby amended as follows:

3 1. By striking from line seven (7) the word, “or” and inserting in  
4 lieu thereof a comma (,).

5 2. By inserting in line eight (8) after the words, “War II,” the  
6 words, “including the Korean conflict at any time between June 27,  
7 1950, and July 27, 1953, both dates inclusive,”.

1 SEC. 10. Section three hundred thirty-five point four (335.4),  
2 Code 1954, is hereby amended by inserting in line seventeen (17)  
3 after the word, “war,” the words “and including the Korean conflict  
4 at any time between June 27, 1950, and July 27, 1953, both dates in-  
5 clusive,”.

Approved May 15, 1957.

## CHAPTER 64

## WORLD WAR II BONUS APPLICATIONS

H. F. 539

AN ACT to authorize the World War II service compensation board to pay World War II service compensation to applicants who file applications therefor between July 1, 1953 and June 30, 1957, inclusive, and to make an appropriation therefor.

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

1 SECTION 1. There is hereby reappropriated from the funds appro-  
2 priated by chapter fifty-four (54), Laws of the Fifty-fourth General  
3 Assembly, which remain to the credit of the World War II service  
4 compensation fund and are not needed for the purpose of carrying out  
5 the provisions of section two (2) of that Act, an amount sufficient to  
6 carry out the provisions of section two (2) of this Act.

1 SEC. 2. The auditor of state as provided in chapter 35A is hereby  
2 authorized to pay World War II service compensation as provided for  
3 by the provisions of chapter thirty-five A (35A) of the Code to appli-  
4 cants who file claims for such compensation between the dates of July  
5 1, 1953 and June 30, 1957, inclusive, provided such applicants are  
6 otherwise found eligible for such compensation according to the con-  
7 ditions and provisions of chapter thirty-five A (35A), Code 1954.

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 Garner  
3 Leader and Signal, a newspaper published at Garner, Iowa, and the  
4 LeMars Sentinel, a newspaper published at LeMars, Iowa.

Approved April 2, 1957.

I hereby certify that the foregoing Act, House File 539, was published in the Garner Leader and Signal, Garner, Iowa, April 10, 1957, and in the LeMars Sentinel, LeMars, Iowa, April 10, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 65

## ELECTION REGISTER

S. F. 227

AN ACT relating to the election register under permanent registration.

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

1 SECTION 1. Section forty-eight point eight (48.8), Code 1954 is  
2 hereby amended by inserting after the comma in line eleven (11) the  
3 following:  
4 "the date, and if a primary, the party,".

Approved May 9, 1957.

## CHAPTER 66

## TOWNSHIP POLLING PLACES

S. F. 233

AN ACT to provide a method for designating township polling places outside the territorial limits of townships when a suitable polling place does not exist within the township.

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

- 1 SECTION 1. Chapter forty-nine (49), Code 1954, is amended by  
 2 adding the following new section:  
 3 "If a petition be filed with the county supervisors ninety (90) days  
 4 before any primary, general or special election stating that there is no  
 5 suitable or adequate polling place within a township constituting a  
 6 voting precinct and that it is desirable and to the interest of the vot-  
 7 ers of such township voting precinct that a voting place therefore be  
 8 designated outside the territorial limits of such township precinct, the  
 9 board of supervisors shall fix as a polling place for such township  
 10 precinct, such polling place outside the township precinct as the board  
 11 deems most convenient to the electors of the township precinct. Such  
 12 petition must be signed by voters of the precinct exceeding in number  
 13 one-half ( $\frac{1}{2}$ ) the total number of votes cast in the township precinct  
 14 for the office of governor at the last preceding general election."

Approved April 17, 1957.

## CHAPTER 67

## OFFICIAL BONDS

S. F. 438

AN ACT relating to official bonds.

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

- 1 SECTION 1. Chapter seventy-two (72), Acts of the Fifty-sixth  
 2 General Assembly, is hereby amended by inserting in section one (1),  
 3 line four (4), after the word "sheriff," the words "coroner, members  
 4 of solders relief commission,".

Approved April 24, 1957.

## CHAPTER 68

## AUTHORIZATION OF PUBLIC BONDS

H. F. 155

AN ACT to amend section seventy-five point one (75.1), Code 1954, relating to authorization and sale of public bonds.

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

- 1 SECTION 1. Section seventy-five point one (75.1), Code 1954, is  
 2 hereby amended by adding thereto the following: "All ballots cast and

3 not counted as a vote for or against the proposition shall not be used  
4 in computing the total vote cast for and against said proposition."

Approved May 14, 1957.

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## CHAPTER 69

### BOND LEVY IN POLITICAL SUBDIVISIONS

H. F. 306

AN ACT to amend section seventy-six point two (76.2), Code 1954, to make certain the time to commence the mandatory levy for the interest and retirement fund of bonds of political subdivisions.

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

1 SECTION 1. Section seventy-six point two (76.2), Code 1954, is  
2 hereby amended by adding thereto the following:  
3 "If the resolution is so filed prior to the first day of October, said  
4 annual levy shall begin with the tax levy of the year of filing. If the  
5 resolution is filed after the first day of October in any year, such levy  
6 shall begin with the levy of the calendar year succeeding the year of  
7 the filing of such resolution."

Approved April 26, 1957.

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## CHAPTER 70

### HIGHWAY PATROL

S. F. 32

AN ACT relating to the number of members of the Iowa highway safety patrol, to the compensation of the members thereof, and extending the duties of the supervisory officers of the said patrol, and to amend sections eighty point four (80.4), eighty point eight (80.8) and eighty point twenty (80.20), Code 1954.

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

1 SECTION 1. Section eighty point four (80.4), Code 1954, is hereby  
2 amended by striking from lines seven (7) and eight (8) thereof the  
4 words "two hundred twenty-five" and by inserting in lieu thereof the  
5 words "two hundred seventy-five, inclusive of operators' and chauffeurs'  
6 license examiners".

1 SEC. 2. Section eighty point eight (80.8), Code 1954, is hereby  
2 amended by inserting after the period following the word "governor"  
3 in the eighth line of the third paragraph thereof the following: "The  
4 compensation of each member of the highway patrol shall at the  
5 effective date of this Act be increased in the sum of fifty dollars  
6 (\$50.00) per month beginning with such effective date. In addition,  
7 the members of the highway patrol shall be paid additional compensation  
8 in accordance with the following formula: When members of  
9 the highway patrol have served for a period of five (5) years their  
10 compensation then being paid shall be increased by the sum of fifteen

11 dollars (\$15.00) per month beginning with the month succeeding the  
 12 foregoing described five (5) year period; when members thereof have  
 13 served for a period of ten (10) years their compensation then being  
 14 paid shall be increased by the sum of fifteen dollars (\$15.00) per  
 15 month beginning with the month succeeding the foregoing described  
 16 ten (10) year period, such sums being in addition to the increase pro-  
 17 vided herein to be paid after five (5) years of service; when members  
 18 thereof have served for a period of fifteen (15) years their compen-  
 19 sation then being paid shall be increased by the sum of fifteen dollars  
 20 (\$15.00) per month beginning with the month succeeding the fore-  
 21 going described fifteen (15) year period, such sums being in addition  
 22 to the increases previously provided for herein; when members there-  
 23 of have served for a period of twenty (20) years their compensation  
 24 then being paid shall be increased by the sum of fifteen dollars  
 25 (\$15.00) per month beginning with the month succeeding the fore-  
 26 going described twenty (20) year period, such sums being in addition  
 27 to the increases previously provided for herein. Members of the high-  
 28 way patrol at the effective date of this Act, who have the foregoing  
 29 service records, shall be entitled to the foregoing increases from and  
 30 after such effective date."

1 SEC. 3. Section eighty point twenty (80.20), Code 1954, is hereby  
 2 amended by adding thereto the following: "Supervisory officers shall  
 3 be at all times on duty in each district headquarters."

Approved April 17, 1957.

## CHAPTER 71

### EMPLOYMENT AGENCIES

S. F. 119

AN ACT relating to 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 1954, is  
 2 hereby repealed and the following enacted in lieu thereof: "No such  
 3 person, firm, or corporation shall charge a fee for the furnishing or  
 4 procurement of any situation or employment paying less than two  
 5 hundred fifty dollars (\$250.00) per month which shall exceed twenty-  
 6 five percent (25%) of the wages paid for the first month of any such  
 7 employment or situation furnished or procured, but in no event shall  
 8 the charge for the furnishing or procurement of any situation or em-  
 9 ployment be in excess of five percent (5%) of the annual gross earn-  
 10 ings. The provisions of this section shall not apply to the furnishing  
 11 or procurement of vaudeville acts, circus acts, theatrical, stage or  
 12 platform attractions or amusement enterprises."

Approved April 19, 1957.

## CHAPTER 72

## EMPLOYMENT SECURITY

## H. F. 261

AN ACT to amend chapter ninety-six (96), Code 1954, as amended by the Fifty-sixth General Assembly, relating to the manner of computing employers' tax rates and charging benefits paid to employers' reserve accounts, and defining the term "computation date" and redefining the terms "annual payroll" and "average annual payroll."

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

1 SECTION 1. Section ninety-six point three (96.3), Code 1954, as  
2 amended by the Fifty-sixth General Assembly, is hereby amended by  
3 striking therefrom subsection five (5) and inserting in lieu thereof  
4 the following:

5 "The maximum total amount of benefits payable to any eligible in-  
6 dividual during any benefit year shall not exceed the total of the wage  
7 credits accrued to his account during his base period, or twenty-four  
8 times his weekly benefit amount, whichever is the lesser. The commis-  
9 sion shall maintain a separate account for each individual who earns  
10 wages in insured work. After the expiration of each calendar quar-  
11 ter, the commission shall compute wage credits for each individual by  
12 crediting his account with one-third of the wages for insured work  
13 paid him during such quarter, or two hundred dollars (\$200.00),  
14 whichever is the lesser. Benefits paid to an eligible individual shall  
15 be charged against the base period wage credits in his account which  
16 have not previously been charged hereunder, in the same chronological  
17 order as the wages on which such wage credits are based were paid."

1 SEC. 2. Section ninety-six point seven (96.7), Code 1954, as  
2 amended by the Fifty-sixth General Assembly, is hereby amended by  
3 striking therefrom subparagraph three (3) of paragraph "a" of sub-  
4 section three (3) and inserting in lieu thereof the following:

5 "The amount of benefits so charged in any calendar quarter against  
6 the account of any employer shall not exceed the amount of such in-  
7 dividual's wage credits based on employment with such employer  
8 during such quarter."

1 SEC. 3. Section ninety-six point seven (96.7), Code 1954, as  
2 amended by the Fifty-sixth General Assembly, is hereby amended by  
3 striking therefrom subparagraph seven (7), of paragraph "a" of sub-  
4 section three (3) and inserting in lieu thereof the following:

5 "Any employer may at any time make voluntary payments to his  
6 account in excess of the other requirements of this chapter, and all  
7 such payments shall be considered on any computation date as contri-  
8 butions required under the provisions of this chapter if they are paid  
9 by the employer not later than thirty days after such computation  
10 date."

1 SEC. 4. Section ninety-six point seven (96.7), Code 1954, as  
2 amended by the Fifty-sixth General Assembly, is hereby amended by  
3 striking therefrom paragraph "c" of subsection three (3) and insert-  
4 ing in lieu thereof the following:

5 "Each employer's rate of contribution shall be two and seven-tenths

6 percent except as otherwise provided in this chapter. No reduced rate  
7 of contribution shall be granted to such employer until there shall  
8 have been twelve consecutive calendar quarters immediately preced-  
9 ing the computation date throughout which his account has been  
10 chargeable with benefit payments."

1 SEC. 5. Section ninety-six point seven (96.7), Code 1954, as  
2 amended by the Fifty-sixth General Assembly, is hereby amended by  
3 striking therefrom the first unnumbered subparagraph of paragraph  
4 "d" of subsection three (3) and inserting in lieu thereof the follow-  
5 ing:

6 "Each employer's rate for each calendar year after December 31,  
7 1956, shall be determined on the basis of his record and the record of  
8 the predecessor owner of such enterprise, if any, up to the computation  
9 date for such year. If, on the computation date, the total of all con-  
10 tributions paid to an employer's account for all past periods to and  
11 including those for the quarter ending September 30 immediately  
12 preceding the computation date exceeds the total benefits charged to  
13 such account for all past periods to and including those for the quar-  
14 ter ending September 30 immediately preceding the computation date,  
15 such employer's contribution rate shall be:".

1 SEC. 6. Section ninety-six point nineteen (96.19), Code 1954, as  
2 amended by the Fifty-sixth General Assembly, is hereby amended by  
3 striking therefrom paragraph\* one (1), including subparagraphs "a"  
4 and "b," and inserting in lieu thereof the following:

5 "The term 'annual payroll,' as used in subsection 3-d of section  
6 ninety-six point seven (96.7) means the total amount of taxable  
7 wages paid by an employer for insured work during the period of four  
8 consecutive calendar quarters ending on September 30 of each year,  
9 and the term 'average annual payroll' as used in said subsection means  
10 the average of the 'annual payrolls' of an employer for the last three  
11 periods of four consecutive calendar quarters immediately preceding  
12 the computation date."

1 SEC. 7. Section ninety-six point nineteen (96.19), Code 1954, as  
2 amended by the Fifty-sixth General Assembly, is hereby amended by  
3 adding a new paragraph\* to read as follows:

4 "'Computation date.' The computation date for contribution rates  
5 shall be October 1 of that calendar year preceding the calendar year  
6 with respect to which such rates are to be effective."

1 SEC. 8. This Act, deemed of immediate importance, shall take  
2 effect and be in full force from and after its passage and publication  
3 in the West Liberty Index, a newspaper published at West Liberty,  
4 Iowa, and in The Tipton Advertiser, a newspaper published at Tipton,  
5 Iowa.

Approved March 14, 1957.

\*"Subsection" probably intended.

I hereby certify that the foregoing Act, House File 261, was published in the West Liberty Index, West Liberty, Iowa, March 21, 1957, and in The Tipton Advertiser, Tipton, Iowa, March 21, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 73

## EMPLOYMENT SECURITY

H. F. 513

AN ACT relating to the definition of an employer under the employment security law.

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

1 SECTION 1. Section ninety-six point nineteen (96.19), Code 1954,  
2 subsection six (6), is amended by striking from line two (2) of para-  
3 graph a the word "fifteen" and inserting in lieu thereof the word  
4 "twenty".

1 SEC. 2. Section ninety-six point eight (96.8), Code 1954, is amend-  
2 ed by striking from subsection two (2), line nine (9), the word "fif-  
3 teen" and inserting in lieu thereof the word "twenty".

This bill, having remained with the governor three days (Sunday excepted), the General Assembly being in session, has become a law this 26th day of April, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 74

## SOCIAL SECURITY TAXES

H. F. 587

AN ACT relating to federal social security taxes on public employees.

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

1 SECTION 1. Section ninety-seven C point five (97C.5), Code 1954,  
2 is amended by striking all of lines eleven (11) to twenty (20), inclu-  
3 sive, and the words, "centum of such wages" in line twenty-one (21)  
4 and inserting in lieu thereof the following:

5 "1957 to 1959, both inclusive, not to exceed two and one-fourth per  
6 centum of such wages; with respect to wages received during the  
7 calendar years 1960 to 1964, both inclusive, not to exceed two and  
8 three-fourths per centum of such wages; with respect to wages re-  
9 ceived during the calendar years 1965 to 1969, both inclusive, not to  
10 exceed three and one-fourth per centum of such wages; with respect  
11 to wages received during the calendar years 1970 to 1974, both inclu-  
12 sive, not to exceed three and three-fourths per centum of such wages;  
13 and with respect to wages received after December 31, 1974, not to  
14 exceed four and one-half per centum of such wages."

1 SEC. 2. Section ninety-seven C point ten (97C.10), Code 1954, is  
2 amended by striking all of lines ten (10) to twenty (20), inclusive,  
3 and the word, "wages" in line twenty-one and inserting in lieu there-  
4 of the following:

5 "the calendar years 1957 to 1959, both inclusive, not to exceed two  
6 and one-fourth per centum of such wages; with respect to wages re-  
7 ceived during the calendar years 1960 to 1964, both inclusive, not to  
8 exceed two and three-fourths per centum of such wages; with respect  
9 to wages received during the calendar years 1965 to 1969, both inclu-  
10 sive, not to exceed three and one-fourth per centum of such wages:

11 with respect to wages received during the calendar years 1970 to 1974,  
 12 both inclusive, not to exceed three and three-fourths per centum of  
 13 such wages; and with respect to wages received after December 31,  
 14 1974, not to exceed four and one-half per centum of such wages."

Approved May 2, 1957.

## CHAPTER 75

### FIRE MARSHAL

S. F. 81

AN ACT relating to fire protection, fire safety and powers and duties of the state fire marshal, and to amend certain sections of chapters one hundred (100), one hundred three (103), one hundred thirty-five C (135C) and one hundred seventy (170), Code 1954, relating thereto.

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

1 SECTION 1. Section one hundred point one (100.1), Code 1954, is  
 2 amended by adding thereto the following:  
 3 "His duties shall be as follows:  
 4 1. To enforce all laws of the state relating to the suppression of  
 5 arson, and to apprehend those persons suspected of arson;  
 6 2. To investigate into the cause, origin and circumstances of fires;  
 7 3. To promote fire safety and reduction of loss by fire through edu-  
 8 cational methods;  
 9 4. To enforce all laws, and the rules and regulations of the Iowa  
 10 department of public safety, concerned with:  
 11 a. The prevention of fires;  
 12 b. The storage, transportation, handling and use of inflammable  
 13 liquids, combustibles, and explosives;  
 14 c. The storage, transportation, handling and use of liquid petroleum  
 15 gas;  
 16 d. The electric wiring and heating, and adequate means of exit in  
 17 case of fire, from churches, schools, hotels, theatres, amphitheatres,  
 18 asylums, hospitals, nursing homes, college buildings, lodge halls, public  
 19 meeting places, and all other structures in which persons congregate  
 20 from time to time, whether publicly or privately owned;  
 21 5. To promulgate fire safety regulations. The state fire marshal  
 22 shall have exclusive right to promulgate fire safety regulations as they  
 23 apply to enforcement or inspection requirements by the state fire  
 24 marshal, but such regulations shall be promulgated only after public  
 25 hearing and approval thereof by the attorney general. Wherever by  
 26 any statute the fire marshal or the department of public safety is  
 27 authorized or required to promulgate, proclaim, or amend rules, reg-  
 28 ulations and minimum standards regarding fire hazards or fire safety  
 29 or protection in any establishment, building or structure, such rules,  
 30 regulations and standards shall promote and enforce fire safety, fire  
 31 protection and the elimination of fire hazards as the same may relate  
 32 to the use, occupancy and construction of such buildings, establish-  
 33 ments or structures. The word "construction" shall include, but is not  
 34 limited to, electrical wiring, plumbing, heating, lighting, ventilation,

35 construction materials, entrances and exits, and all other physical  
36 conditions of the building which may affect fire hazards, safety or  
37 protection. Such rules, regulations and minimum standards shall be  
38 in substantial compliance with the standards of the National Fire  
39 Protection Association relating to fire safety as published in the na-  
40 tional fire codes."

1 SEC. 2. Section one hundred point two (100.2), Code 1954, is  
2 hereby repealed and the following substituted in lieu thereof:

3 "The chief of the fire department of every city or town in which a  
4 fire department is established, the mayor or chief executive officer of  
5 every city or town in which no fire department exists, the chief of the  
6 fire department responding to every township fire where there is a  
7 contract for fire protection in effect, or the township clerk of every  
8 township outside the limits of any city or town not having a contract  
9 for fire protection shall investigate into the cause, origin and circum-  
10 stances of every fire occurring in such city, town, village, or township  
11 by which property has been destroyed or damaged or which results in  
12 bodily injury to any person, and determine whether such fire was the  
13 result of natural causes, negligence or design. The state fire marshal  
14 may assist in such investigation or may superintend and direct the  
15 investigation if he deems it necessary."

1 SEC. 3. Section one hundred point three (100.3), Code 1954, is  
2 hereby repealed and the following substituted therefor:

3 "Whenever the investigation of a fire indicates that bodily injury,  
4 or property damage to the extent of fifty (50) dollars or more, was  
5 caused by such fire, or where arson is suspected, the official required  
6 by section one hundred point two (100.2) to make such investigation  
7 shall, within one (1) week of the occurrence of the fire, report in  
8 writing to the state fire marshal stating all facts relating to the cause  
9 and origin of the fire and such other information as may be called for  
10 by the report forms provided by the state fire marshal. Furthermore,  
11 when the investigating officer believes the fire was by design, or when-  
12 ever death occurs as the result of a fire such officer shall immediately  
13 notify the state fire marshal."

1 SEC. 4. Section one hundred point thirteen (100.13), Code 1954,  
2 is hereby amended by striking the word "and" from line thirteen (13),  
3 and inserting in lieu thereof the following:

4 " , or he may order the owner or occupant to follow safe-storage  
5 procedures for explosives as set forth by the fire prevention code of  
6 the National Fire Protection Association. Any".

1 SEC. 5. Section one hundred point thirty-one (100.31), Code 1954,  
2 is hereby repealed and the following substituted in lieu thereof:

3 "It shall be the duty of the state fire marshal and his designated  
4 subordinates to require all private and public school officials and  
5 teachers to conduct fire drills in all school buildings at least once each  
6 month when school is in session; and to require the officials and teach-  
7 ers of all schools to keep all doors and exits of their respective rooms  
8 and buildings unlocked during school hours or when such areas are  
9 being used by the public at other times.

10 Every school building with two (2) or more classrooms shall have  
11 a warning system of a type approved by the Underwriters' Labora-

12 tories and by the state fire marshal. Said warning system shall be  
 13 used only for fire drills or as a warning for emergency. Every school  
 14 building shall also be equipped with first-aid fire extinguishers, with  
 15 the type, size and number in accordance with National Fire Protec-  
 16 tion Association standards and approved by the state fire marshal.

17 The state fire marshal or his deputies shall cause each public or  
 18 private elementary or high school, college or university to be inspected  
 19 at least once every two (2) years to determine whether each school  
 20 meets the fire safety standards of this code and is free from other fire  
 21 hazards. Provided, however, that cities which employ fire department  
 22 inspectors shall cause such inspections to be made."

1 SEC. 6. Section one hundred point thirty-two (100.32), Code 1954,  
 2 is hereby repealed and the following substituted therefor:

3 "The state fire marshal may cooperate with any recognized agency  
 4 in the education of the public in fire safety, but no money shall be  
 5 expended for such purpose except it be specifically appropriated by  
 6 the legislature for that purpose. Any such agency receiving appro-  
 7 priations of state money for fire safety purposes shall annually file  
 8 with the auditor of the state an itemized statement of all its receipts  
 9 and expenditures.

10 The state fire marshal may cause fire-safety information and edu-  
 11 cational material to be printed and distributed to schools, fire depart-  
 12 ments, or other interested persons or organizations."

1 SEC. 7. Section one hundred point thirty-four (100.34), Code 1954,  
 2 is hereby amended by striking all of the first five (5) lines and the  
 3 words, "state fire marshal," from line six (6) and inserting in lieu  
 4 thereof the following:

5 "Every official reporting a fire to the state fire marshal as required  
 6 by section one hundred point three (100.3) shall be paid".

1 SEC. 8. Section one hundred three point one (103.1), Code 1954,  
 2 is hereby repealed and the following is substituted in lieu thereof:

3 "Every church, school, hotel, theater, amphitheater, asylum, hos-  
 4 pital, nursing home, college or university building, lodge hall, club  
 5 room, public meeting place, and all other structures in which persons  
 6 congregate from time to time, whether publicly or privately owned,  
 7 shall have at least two (2) means of exit from each story. All such  
 8 buildings shall be equipped with such protection from fire, and means  
 9 of escape therefrom, as in this chapter provided.

10 After the thirty-first day of December, 1957, every such new or  
 11 remodeled building, except private one- or two-family dwellings and  
 12 farm buildings, shall have at least two (2) means of exit from each  
 13 story and shall be equipped with such protection from fire, and means  
 14 of escape therefrom, as in this chapter provided."

1 SEC. 9. Section one hundred three point two (103.2), Code 1954,  
 2 is hereby amended by adding the following new sentences:

3 "The word 'exit' shall mean a doorway or doorways or windows, or  
 4 such doorways together with connecting hallways or stairways, either  
 5 interior or exterior, or fire escapes, by means of which occupants may  
 6 proceed safely from a room or space to a street or to a space which  
 7 provides safe access to a street. Two (2) or more separate exit ways  
 8 may use the same corridor or hallway."

1 SEC. 10. Section one hundred three point three (103.3), Code 1954,  
2 is hereby amended as follows:

3 1. By striking all of the first twelve (12) lines thereof and by in-  
4 serting the following in lieu thereof:

5 "In addition to the requirements of section one hundred three point  
6 one (103.1), every building coming under the provisions of this chap-  
7 ter shall have at least the number of exits of the kind prescribed by  
8 law and as determined by the following formula:

9 Number of exits shall equal C times P."

10 2. By striking all of lines forty (40) to forty-six (46), inclusive,  
11 and substituting the following in lieu thereof:

12 "Nothing in this chapter shall be construed to permit less than two  
13 (2) exits from each story of every building except private one- or  
14 two-family dwellings and farm buildings. When the result of said  
15 formula is two (2) or less than two (2), the number of exits shall be  
16 two (2). The number of additional exits required shall include any  
17 fraction as a unit, except when such fraction shall be thirty-three  
18 hundredths (.33) or less, in which case the fraction may be dropped  
19 if permitted by the inspector."

1 SEC. 11. Section one hundred three point four (103.4), Code 1954,  
2 is hereby amended by striking from line four (4) the words, "first  
3 fire escape" and substituting in lieu thereof the words, "second exit".

1 SEC. 12. The fire marshal shall adopt, amend, promulgate and  
2 enforce rules, regulations and standards relating to fire protection,  
3 fire safety and the elimination of fire hazards in churches, schools,  
4 hotels, theaters, amphitheaters, hospitals, nursing homes, custodial  
5 homes, boarding homes or housing, rest homes, dormitories, college  
6 buildings, lodge halls, club rooms, public meeting places, places of  
7 amusement, and all other buildings or structures in which persons  
8 congregate from time to time, whether publicly or privately owned.  
9 Any person, firm or corporation violating any of such rules and regu-  
10 lations of the fire marshal shall be deemed guilty of a misdemeanor  
11 and upon conviction shall be punished by a fine of not less than twenty-  
12 five (25) dollars nor more than one hundred (100) dollars. Each day  
13 of the continuing violation of such rules and regulations after con-  
14 viction shall be considered a separate offense. Appeals may be taken  
15 from such convictions as in other criminal cases."

1 SEC. 13. Sections one hundred seventy point thirty-eight (170.38),  
2 one hundred seventy point thirty-nine (170.39), one hundred seventy  
3 point forty (170.40), one hundred seventy point forty-one (170.41),  
4 one hundred seventy point forty-two (170.42), one hundred seventy  
5 point forty-three (170.43), one hundred seventy point forty-four  
6 (170.44), one hundred seventy point forty-five (170.45), and one hun-  
7 dred seventy point forty-eight (170.48), Code 1954, are hereby re-  
8 pealed.

1 SEC. 14. Section one hundred seventy point forty-seven (170.47),  
2 Code 1954, is hereby amended by striking the words, "or that the fire  
3 escapes and appliances are not kept in accordance with law," from  
4 lines five (5), six (6), and seven (7).

1 SEC. 15. Chapter one hundred seventy (170), Code 1954, is hereby  
2 amended by adding the following new section thereto:

3 "The state fire marshal shall adopt, amend, promulgate, and enforce  
 4 such rules, regulations and standards relating to fire protection and  
 5 fire safety in hotels, restaurants and food establishments, but such  
 6 regulations shall be promulgated only after public hearing and ap-  
 7 proval thereof by the attorney general. Any person, firm or corpora-  
 8 tion violating any of said rules and regulations of said fire marshal  
 9 shall be deemed guilty of a misdemeanor, and upon conviction thereof  
 10 shall be punished by a fine of not less than twenty-five (25) dollars  
 11 nor more than one hundred (100) dollars, and each day of a continuing  
 12 violation after conviction shall be considered a separate offense.

13 "All rules, regulations and standards adopted for nursing homes  
 14 and custodial homes shall be subject to regulations of chapter one  
 15 hundred thirty-five C (135 C) of the Code."

Approved May 9, 1957.

## CHAPTER 76

### FLAMMABLE LIQUIDS AND GASES

H. F. 563

AN ACT relating to promulgation and enforcement of uniform regulations of state-  
 wide effect for the safe transportation, storage, handling and use of flammable  
 liquids and liquefied petroleum gases.

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

1 SECTION 1. The state fire marshal is hereby empowered and di-  
 2 rected to formulate and adopt and from time to time amend or revise  
 3 and to promulgate, in conformity with and subject to the conditions  
 4 set forth in this Act, reasonable regulations for the safe transporta-  
 5 tion, storage, handling and use of flammable liquids and liquefied  
 6 petroleum gases. For purpose of this Act: "Flammable liquid"  
 7 means a liquid having a flash point below 200 degrees fahrenheit and  
 8 a Reid vapor pressure not exceeding 40 psi absolute. "Liquefied  
 9 petroleum gas" means material composed predominantly of any of the  
 10 following hydrocarbons, or mixtures of the same: propane, propylene,  
 11 butanes (normal butane or isobutane) and butylenes.

12 1. The regulations shall be in keeping with the latest generally rec-  
 13 ognized safety criteria for the materials covered of which the appli-  
 14 cable criteria recommended and published from time to time by the  
 15 National Fire Protection Association shall be prima facie evidence.

16 2. The regulations covering flammable liquids and those covering  
 17 liquefied petroleum gas shall be separately formulated and separately  
 18 promulgated. To assist in the formulation of these regulations the  
 19 state fire marshal shall appoint and confer respectively with an ad-  
 20 visory committee on flammable liquids and an advisory committee on  
 21 liquefied petroleum gas. Each advisory committee shall consist of  
 22 persons designated by the state first marshal and who are representa-  
 23 tive of interests in this state and are experienced in matters of fire  
 24 prevention and safety with respect to the materials to be covered.

25 3. The regulations shall make reasonable provision under which  
 26 facilities in service prior to the effective date of the regulations and  
 27 not in strict conformity therewith may be continued in service unless

28 the nonconformity is such as to constitute a distinct hazard to life or  
29 adjoining property; and for guidance in enforcement may delineate  
30 these types of nonconformity that should be considered distinctly haz-  
31 ardous, those that should not be considered distinctly hazardous and  
32 those the need for elimination of which should be evaluated in the  
33 light of local factors. As to any regulation the need for compliance  
34 with which is conditioned on local factors, the regulations shall pro-  
35 vide, as a condition precedent to evaluation or issuance of a compli-  
36 ance order, for reasonable notice to the proprietor of the facility af-  
37 fected of intention to evaluate the need and of the time and place at  
38 which he may appear and offer evidence thereon.

39 4. The regulations shall be promulgated pursuant to chapter seven-  
40 teen A (17A), of the Code, only after a public hearing at least twenty  
41 (20) days notice of the time and place of which is given by publication  
42 in a newspaper of general circulation throughout the state and by mail  
43 to any person who has filed his name and address with the state fire  
44 marshal for the purpose of receiving the notice.

45 5. Regulations promulgated pursuant to this Act shall have uniform  
46 force and effect throughout the state and no municipality or political  
47 subdivision shall enact or enforce any ordinance or regulation incon-  
48 sistent or not in keeping with the state-wide regulations. Provided  
49 that nothing in this Act shall in any way impair the power of any  
50 municipality when authorized by other law to regulate the use of land  
51 by comprehensive zoning or to control the construction of buildings  
52 and structures under building codes or restricted fire district regula-  
53 tions. Provided, further, that the size, weight and cargo carried by  
54 vehicles used in the transportation or delivery of flammable liquids or  
55 liquefied petroleum gas shall be governed by the uniform provisions of  
56 the motor vehicle and highway traffic laws of this state and local ordi-  
57 nances therein authorized.

58 6. Compliance with the regulations may be enforced by orders of  
59 the state fire marshal subject to review, appeal and enforcement as  
60 provided in chapter one hundred (100) of the Code for orders for  
61 elimination of fire-hazard conditions, except that the regulations may  
62 provide for compliance time, other than as specified in section one  
63 hundred point twenty-six (100.26) of the Code, based upon the amount  
64 and character of work, availability of suitable equipment or materials  
65 and appropriate continued operation of any facility.

66 7. The chief fire prevention officer of every city, town or village  
67 having an established fire prevention department, the chief of the fire  
68 department of every other city, town or village in which a fire de-  
69 partment is established, the mayor of every town or city in which no  
70 fire department exists, the township clerk of every township outside  
71 the limits of any city, town or village and all other local officials upon  
72 whom fire prevention duties are imposed by law shall assist the state  
73 fire marshal in the enforcement of the regulations.

1 SEC. 2. Sections one hundred one point one (101.1), one hundred  
2 one point two (101.2), one hundred one point three (101.3), and one  
3 hundred one point four (101.4), Code 1954 are hereby repealed.

Approved May 1, 1957.

## CHAPTER 77

## OPERATION OF BOATS

H. F. 556

AN ACT to amend section one hundred six point thirteen (106.13), Code 1954, relating to operation of boats.

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

- 1 SECTION 1. Section one hundred six point thirteen (106.13), Code
- 2 1954, is amended by inserting after the word "commission" in line
- 3 three (3) the words "in a careless or reckless manner or".

Approved April 30, 1957.

## CHAPTER 78

## OUTBOARD MOTORS ON ARTIFICIAL LAKES

H. F. 423

AN ACT to amend section one hundred six point sixteen (106.16), Code 1954, relating to the size of outboard motors used on artificial lakes.

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

- 1 SECTION 1. Section one hundred six point sixteen (106.16), Code
- 2 1954, is hereby amended by striking from line six (6) the word "five"
- 3 and inserting in lieu thereof the word "six".

Approved May 14, 1957.

## CHAPTER 79

## CONSERVATION OFFICERS

H. F. 288

AN ACT to amend section one hundred seven point thirteen (107.13), Code 1954, relating to salaries of state conservation officers.

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

- 1 SECTION 1. Section one hundred seven point thirteen (107.13),
- 2 Code 1954, is hereby amended by striking all of lines fifteen (15) and
- 3 sixteen (16) thereof and inserting in lieu thereof the following: "be
- 4 thirty-four hundred fifty dollars (\$3450) per year for the first year
- 5 of service; thirty-eight hundred dollars (\$3800) for the second year
- 6 of service; and thereafter such salaries shall be increased each year
- 7 in the sum of one hundred dollars (\$100) until a maximum salary of
- 8 forty-two hundred dollars (\$4200) per year is reached. Provided,
- 9 however, that all state conservation officers employed at the time of
- 10 the effective date of this Act shall be paid a salary based on prior
- 11 service and fixed in accordance with the salary schedule herein set
- 12 forth."

Approved April 19, 1957.

## CHAPTER 80

## FORESTS AND CONSERVATION AREAS

S. F. 158

AN ACT to repeal sections one hundred eight point one (108.1), one hundred eight point two (108.2), one hundred eight point three (108.3), one hundred eight point four (108.4), one hundred eight point five (108.5), and one hundred eight point six (108.6), Code 1954, relating to the authority of the state conservation commission to acquire or lease property for development as state forests and conservation areas subject to regular tax levies for each and every year in the respective taxing districts, and providing for the disposition of income from such lands.

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

1 SECTION 1. Sections one hundred eight point one (108.1) to one  
2 hundred eight point six (108.6), inclusive, Code 1954, are hereby  
3 repealed.

Approved April 17, 1957.

## CHAPTER 81

## HUNTING AND FISHING LICENSE FEES

H. F. 294

AN ACT to amend sections one hundred ten point one (110.1), and one hundred ten point seventeen (110.17), Code 1954, pertaining to hunting and fishing license fees and exemptions.

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

1 SECTION 1. Section one hundred ten point one (110.1), Code 1954,  
2 is hereby amended by striking from line thirteen (13) the following:  
3 "\$1.50" and inserting in lieu thereof "\$2.00"; and by striking from  
4 line sixteen (16) the following: "\$1.50" and inserting in lieu thereof  
5 "\$2.00"; and by striking from line nineteen (19) the following:  
6 "\$2.50" and inserting in lieu thereof "\$3.50"; and by striking from  
7 line thirty-seven (37) the figures "\$1.50" at the end of that line, and  
8 inserting in lieu thereof the figures "\$3.00".

1 SEC. 2. Section one hundred ten point seventeen (110.17), Code  
2 1954, is hereby amended by striking from lines seven (7), eight (8),  
3 and nine (9) the following: "female resident of the state, except  
4 when fishing in state-owned lakes, shall be required to have a fishing  
5 license, nor shall a" and by inserting in line ten (10) the word "shall"  
6 following the word "age", and preceding the word "be".

1 SEC. 3. Amend section one hundred ten point seventeen (110.17),  
2 Code 1954, by inserting after the word "age" in line ten (10) the fol-  
3 lowing: "or a nonresident of the state under fourteen (14) years of  
4 age".

Approved April 17, 1957.

## CHAPTER 82

## GAME BREEDING AND SHOOTING PRESERVES

S. F. 103

AN ACT to provide for the establishment and licensing of game breeding and shooting preserve areas, to prescribe the requirements therefor and the regulation thereof, and to fix license and other fees in connection therewith.

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

1 SECTION 1. Any person owning, holding or controlling by lease or  
2 otherwise, which possession must be for a term of five (5) or more  
3 years, any contiguous tract of land having an area of not less than  
4 three hundred twenty (320) acres, and not more than twelve hundred  
5 and eighty (1280) acres, and providing that there shall be no more  
6 than one (1) such area in any township and that not more than three  
7 percent (3%) of the land area of any county shall be so licensed, who  
8 desires to establish a game breeding and shooting preserve area, to  
9 propagate, preserve and shoot game birds thereon under the regula-  
10 tions as hereinafter provided, shall make application to the state con-  
11 servation commission for a license as herein provided. Such applica-  
12 tion shall be made under oath of the applicant or under oath of one  
13 of its principal officers if the applicant is an association, club or cor-  
14 poration. The application shall be accompanied by a license fee of  
15 fifty dollars (\$50.00). Upon receipt of such application, the state  
16 conservation commission shall inspect the proposed licensed area de-  
17 scribed in such application and the premises and facilities where game  
18 birds are to be propagated, raised or liberated and the cover for game  
19 birds in such area and the ability of the applicant to operate a prop-  
20 erty of this character. If the commission finds that the area contains  
21 not less than three hundred twenty (320) acres and not more than  
22 twelve hundred and eighty (1280) acres, is contiguous, there is no  
23 other licensed area in the township and that the licensing of the pro-  
24 posed area will not exceed the three percent (3%) county limitation,  
25 and has the proper requirements for the operation of such a prop-  
26 erty; that the game birds propagated or released thereon are not  
27 likely to be a menace to other game; that the proposed area will not  
28 interfere with the normal activities of migratory birds; that the oper-  
29 ation of such property will not work a fraud upon persons who may  
30 be permitted to hunt thereon; and that the issuing of the license will  
31 otherwise be in the public interest; the commission shall approve such  
32 application and issue a game breeding and shooting preserve area  
33 license for the operation of such property on the tract described in  
34 such application with the rights and subject to the limitations in this  
35 Act prescribed. All game breeding and shooting preserve area li-  
36 censes expire on March 31st of each year.

1 SEC. 2. Upon receipt of such license, the licensee shall promptly  
2 post such licensed areas at intervals of not more than five hundred  
3 (500) feet with signs to be prescribed by the commission. The boun-  
4 daries of such licensed game breeding and shooting preserve areas  
5 shall also be clearly defined by natural or artificial boundaries or by  
6 signs.

1 SEC. 3. The licensee of any licensed game breeding and shooting  
2 preserve area may take, or authorize to be taken within the season  
3 hereinafter fixed and designated, and in such numbers as herein pro-  
4 vided:

5 (a) Pen-reared game birds, as defined in section one hundred nine  
6 point forty-one (109.41), Code 1954, released on licensed area may be  
7 taken during the shooting season provided in this Act but not to  
8 exceed eighty percent (80%) of the total number of the species of  
9 said game birds released. Pen-reared waterfowl, two generations  
10 removed from the wild and chukar partridge may be released at any  
11 time of year for shooting purposes and one hundred percent (100%)  
12 may be harvested by shooting. The word waterfowl shall be defined  
13 as those birds constituting the Anatidae as listed in section one hun-  
14 dred nine point forty-one (109.41), Code 1954. All birds so released  
15 shall be at least twelve (12) weeks of age before liberation date. A  
16 minimum of one hundred (100) pen-reared birds of each species to  
17 be shot shall be released during the open season. Experimental re-  
18 leases of less than one hundred (100) birds of each species shall re-  
19 quire a special permit from the conservation commission.

1 SEC. 4. For the purpose of this Act, game birds shall be released  
2 upon licensed game breeding and shooting preserve areas in a manner  
3 satisfactory to the commission. The licensee shall keep a register  
4 which shall clearly show the number and kind of game birds released  
5 and propagated each year, the date of release, and also the number  
6 and kind of game birds taken, the date when taken and the disposi-  
7 tion made of such game birds, and shall make such reports under oath  
8 as to game birds released, propagated and taken, at such times and  
9 in such manner as may be required by the commission. The commis-  
10 sion shall keep an adequate record of the number of birds released  
11 and propagated on each licensed game breeding and shooting preserve  
12 area in each year and of the birds taken.

1 SEC. 5. The commission shall prepare special tags suitable for use  
2 upon legs of game birds, which tags shall be of a type not removable  
3 without breaking and mutilating the tag, such tags, to be used to  
4 designate birds taken upon a licensed game breeding and shooting  
5 preserve area. Upon application and payment of a fee of five (5)  
6 cents for each such tag, the commission shall furnish licensees with  
7 such tags; provided that the commission shall not in any year furnish  
8 any licensee a number of tags in excess of the number of game birds  
9 which may lawfully be taken from such licensed area as hereinbefore  
10 provided. One of such tags shall be securely affixed to one of the legs  
11 of each game bird taken before removing same from such licensed area,  
12 and such tag shall remain upon the leg of such game bird until such  
13 bird is finally prepared for consumption.

14 All waterfowl released for shooting purposes shall be punched  
15 through the outer web of the bird's right foot at not more than four  
16 (4) weeks of age, so as to provide for permanent identification.

1 SEC. 6. No person shall take any game bird upon a game breeding  
2 and shooting preserve area, by shooting in any manner, except be-  
3 tween September 1st, and March 1st, of each year, both dates inclusive.

4 Waterfowl may not be shot over any water area wherein pen-reared  
5 birds might serve as live decoys for wild waterfowl.

6 Every person taking game birds upon such licensed game breeding  
7 and shooting preserve area shall secure a hunting license so to do in  
8 accordance with the provisions of the game laws of Iowa, with the  
9 exception that a non-resident may secure a hunting license restricted  
10 to shooting preserve areas for a license fee of five dollars (\$5.00) per  
11 year.

1 SEC. 7. The commission may designate any operator of a licensed  
2 game breeding and shooting preserve area or any of his or its agents  
3 or employees as a special representative of the commission with power  
4 to enforce the game laws and to prevent trespassing upon such prop-  
5 erty and to hunt and trap rodents and other mammals or birds which  
6 are destroying or likely to destroy the game birds raised or liberated  
7 on such area. Such special representative shall be subject to rules and  
8 regulations to be prescribed by the commission and shall serve with-  
9 out compensation from the commission.

1 SEC. 8. The commission may either refuse to issue or refuse to  
2 renew or may suspend or may revoke any game breeding and shoot-  
3 ing preserve area license if the commission finds that such licensed  
4 area or the operator thereof is not complying or does not comply with  
5 the provisions of this Act, or that such property, or area is operated  
6 in violation of other provisions of this Act, or in an unlawful or  
7 illegal manner.

1 SEC. 9. Any licensee or any other person, who willfully and in-  
2 tentiously transfers or permits the transfer of the tags issued to the  
3 operator of one licensed game breeding and shooting preserve area to  
4 the operator of another licensed game breeding and shooting preserve  
5 area, or to any other person, or who affixes such tags to game birds  
6 not taken from a licensed game breeding and shooting preserve area  
7 or to game birds taken from any area other than the area for which  
8 such tags were issued, is guilty of a misdemeanor.

Approved March 28, 1957.

## CHAPTER 83

### CONSERVATION CONSTRUCTION PERMITS

#### H. F. 342

AN ACT relating to conservation commission construction permits and amending sec-  
tion one hundred eleven point four (111.4), Code 1954.

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

1 SECTION 1. Section one hundred eleven point four (111.4), Code  
2 1954, is amended by striking the period (.) after the first word,  
3 "permit" in line eight (8) and by inserting in lieu thereof the follow-  
4 ing: " , provided, however, that this provision shall not apply to dams  
5 constructed and operated under the authority of chapter four hundred  
6 sixty-nine (469).

1 SEC. 2. Section one hundred eleven point four (111.4), Code 1954,  
2 is further amended by adding after the second word, "permit" in line

3 eight (8) the following: “, in matters relating to or in any manner  
4 affecting flood control.”

Approved April 26, 1957.

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## CHAPTER 84

### CONSERVATION OF PUBLIC PARKS AND WATERS

S. F. 107

AN ACT relating to the use of public lands and waters and the regulation thereof by the conservation commission.

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

1 SECTION 1. Section one hundred eleven point four (111.4), Code  
2 1954, is hereby amended as follows:

3 1. Strike from the first paragraph the last sentence thereof and  
4 insert the following: “No person shall maintain or erect any struc-  
5 ture beyond the line of private ownership along or upon the shores of  
6 state-owned waters in such a manner as to obstruct the passage of  
7 pedestrians along the shore between the ordinary high-water mark  
8 and the water’s edge, except by permission of the commission.”

9 2. Strike from the last paragraph the last sentence, and insert in  
10 lieu thereof “The commission may issue and revoke such permits for  
11 the protection of the public health, safety, morals or welfare.”

1 SEC. 2. Section one hundred six point nineteen (106.19), Code  
2 1954, is hereby repealed.

Approved March 28, 1957.

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## CHAPTER 85

### SPEED LIMIT IN PARKS

H. F. 252

AN ACT to amend section one hundred eleven point thirty-six (111.36), Code 1954, relating to the speed limit of vehicles in state parks.

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

1 SECTION 1. Section one hundred eleven point thirty-six (111.36),  
2 Code 1954, is amended as follows:

3 1. By striking from line three (3) the word, “fifteen” and inserting  
4 in lieu thereof the word, “thirty-five (35)”.

5 2. By inserting after the period (.) in line four (4) the following:  
6 “Whenever the state conservation commission shall determine that  
7 the speed limit hereinbefore set forth is greater than is reasonable or  
8 safe under the conditions found to exist at any place of congestion or  
9 upon any part of the park roads, drives or highways, said commission  
10 shall determine and declare a reasonable and safe speed limit thereat  
11 which shall be effective when appropriate signs giving notice thereof

12 are erected at such places of congestion or other parts of the park  
13 roads, drives or highways.”

Approved April 26, 1957.

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## CHAPTER 86

### COUNTY CONSERVATION BOARDS

H. F. 550

AN ACT to provide when the proposition of county conservation boards can be submitted to the voters.

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

1 SECTION 1. Section five (5), chapter twelve (12), Acts of the  
2 Fifty-sixth General Assembly, is hereby amended by striking the  
3 word, “regular” in line three (3) and inserting in lieu thereof the  
4 words, “primary or general”.

Approved May 1, 1957.

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## CHAPTER 87

### PROFESSIONAL ENGINEERS

S. F. 108

AN ACT providing for qualifications for registration of professional engineers.

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

1 SECTION 1. Section one hundred fourteen point fourteen (114.14),  
2 Code 1954, is amended as follows:  
3 1. Strike the word “two” in line four (4) of paragraph “a” of sub-  
4 section one (1) and insert in lieu thereof the word “four” (4).  
5 2. Strike the word “six” in line six (6) of paragraph “b” of sub-  
6 section one (1) and insert in lieu thereof the word “eight” (8).  
7 3. Strike the word “two” in line three (3) of paragraph “a” of sub-  
8 section two (2) and insert in lieu thereof the word “four” (4).  
9 4. Strike the word “six” in line three (3) of paragraph “b” of sub-  
10 section two (2) and insert in lieu thereof the word “eight” (8).

1 SEC. 2. The provisions of this Act shall not apply to any person to  
2 whom a certificate as an engineer in training shall have been issued  
3 prior to the effective date of this Act.

1 SEC. 3. The provisions of this Act shall become effective on Janu-  
2 ary 1, 1959.

Approved March 21, 1957.

## CHAPTER 88

## PUBLIC ACCOUNTANTS

S. F. 349

AN ACT amending section one hundred sixteen point nine (116.9), Code 1954, relating to the qualifications for examination for certification as a public accountant.

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

- 1 SECTION 1. Subsection two (2) of section one hundred sixteen
- 2 point nine (116.9) of the Code is hereby amended by inserting before
- 3 the word "or" in line six (6) of subsection two (2) the words "in-
- 4 come tax".

Approved May 2, 1957.

## CHAPTER 89

## CERTIFIED PUBLIC ACCOUNTANTS

S. F. 88

AN ACT in regard to bonds and liability insurance of certified public accountants.

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

- 1 SECTION 1. Section one hundred sixteen point eleven (116.11),
- 2 Code 1954, is hereby amended by striking from line sixteen (16) the
- 3 words, "to the auditor of state" and inserting in lieu thereof the words,
- 4 "to the accountancy board and approved by it". Further amend said
- 5 section by striking from lines twenty-four (24) to twenty-seven (27)
- 6 the words ", and providing at least equal security to the general public
- 7 as contained in bonds heretofore provided in this chapter".

Approved April 24, 1957.

## CHAPTER 90

## REAL ESTATE BROKERS AND SALESMEN

H. F. 124

AN ACT relating to real estate brokers and salesmen, their qualifications and licensing, and to amend various sections of chapter one hundred seventeen (117), Code 1954, relating thereto.

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

- 1 SECTION 1. Section one hundred seventeen point fifteen (117.15),
- 2 Code 1954, is hereby amended by inserting after the word "broker"
- 3 in line fourteen (14) the words "or salesman".

- 1 SEC. 2. Section one hundred seventeen point twenty-one (117.21),
- 2 Code 1954, is hereby amended by striking from lines eight (8) and
- 3 nine (9) the following: "certified copy of a real estate license issued
- 4 by the state of domicile" and inserting in lieu thereof the following:

5 "certification from the state of original licensure signed by the duly  
6 qualified and authorized official or officials of such state that the appli-  
7 cant is there currently licensed, that no charges against the applicant  
8 are there pending, and that applicant's record in such state justifies  
9 the issuance of a license to such applicant in Iowa."

1 SEC. 3. Section one hundred seventeen point twenty-two (117.22),  
2 Code 1954, is hereby amended by striking from lines ten (10), eleven  
3 (11) and twelve (12), inclusive, the words "the license or a copy  
4 thereof certified by the state of his domicile" and insert in lieu thereof  
5 the words "a certification of licensure certified to by the qualified and  
6 authorized official or officials of the state of original licensure".

1 SEC. 4. Section one hundred seventeen point thirty-four (117.34),  
2 subsection eleven (11), Code 1954, is hereby amended by striking all  
3 after the word "specified" in line three (3), and inserting in lieu there-  
4 of the following: "or demonstrates such bad faith, improper, fraudu-  
5 lent, or dishonest dealings as would have disqualified him from secur-  
6 ing a license under this chapter."

Approved May 14, 1957.

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## CHAPTER 91

### HOURS FOR KEY CLUBS

S. F. 324

AN ACT relating to the authority of cities and towns and boards of supervisors to regulate the hours during which intoxicating liquors may be consumed on the premises of private clubs or associations.

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

1 SECTION 1. Cities and towns shall have the power and authority  
2 to adopt ordinances and county boards of supervisors shall have the  
3 power and authority to adopt resolutions fixing the hours during  
4 which intoxicating liquors may be consumed by any person on the  
5 premises of private clubs or associations, except fraternal organiza-  
6 tions, service clubs and bona fide golf and country clubs.

1 SEC. 2. If any part of this Act shall be held unconstitutional, such  
2 holding shall not affect the validity of the remainder of this Act.

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 West Des  
3 Moines Express, a newspaper published in West Des Moines, Iowa,  
4 and the Dallas Center Times, a newspaper published in Dallas Center,  
5 Iowa.

Approved May 24, 1957.

I hereby certify that the foregoing Act, Senate File 324, was published in the West Des Moines Express, West Des Moines, Iowa, May 30, 1957, and in the Dallas Center Times, Dallas Center, Iowa, June 6, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 92

## PATHOLOGY AND RADIOLOGY SERVICES IN HOSPITALS

## H. F. 21

AN ACT relating to pathology and radiology services in hospitals.

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

1 SECTION 1. This Act may be cited as the "Pathology and Radi-  
2 ology Services in Hospitals Act".

1 SEC. 2. Definitions as used in this Act:

2 (a) "Hospital" shall mean all hospitals licensed under chapter one  
3 hundred thirty-five B (135B) of the Code.

4 (b) "Doctor" shall mean any person licensed to practice medicine  
5 and surgery or osteopathy or osteopathy and surgery in this state.

6 (c) "Technician" shall mean technologist as well.

7 (d) "Joint conference committee" shall mean the joint conference  
8 committee as required by the joint commission on accreditation of  
9 hospitals or, in a hospital having no such committee, a similar com-  
10 mittee, an equal number of which shall be members of the medical  
11 staff selected by the staff and an equal number of which shall be  
12 selected by the governing board of the hospital.

13 (e) "Employees" as used in section six (6) hereof, and "employ-  
14 ment" as used in section seven (7) hereof, shall include and pertain  
15 to members of the religious order operating the hospital even though  
16 the relationship of employer and employee does not exist between such  
17 members and the hospital.

1 SEC. 3. The ownership and maintenance of the laboratory and  
2 X-ray facilities and the operation of same under this Act are proper  
3 functions of a hospital.

1 SEC. 4. Pathology and radiology services performed in hospitals  
2 are the product of the joint contribution of hospitals, doctors and tech-  
3 nicians but these services constitute medical services which must be  
4 performed by or under the direction and supervision of a doctor, and  
5 no hospital shall have the right, directly or indirectly, to direct, con-  
6 trol or interfere with the professional medical acts and duties of the  
7 doctor in charge of the pathology or radiology facilities or of the  
8 technicians under his supervision. Nothing herein contained shall  
9 affect the rights of third parties as a result of negligence in the oper-  
10 ation or maintenance of the aforesaid pathology and radiology facil-  
11 ities.

1 SEC. 5. Each hospital shall arrange for such services and for the  
2 direction and supervision of its pathology or radiology department by  
3 entering into either an oral or written agreement with a doctor who is  
4 a member of or acceptable to the hospital medical staff. Such doctor  
5 may or may not be a specialist. The department may be supervised  
6 and directed by a qualified member of the staff and specific services  
7 may be referred to a specialist, or the specialist may also direct and  
8 supervise the department as may be desired. Any contract so entered  
9 into shall be in accordance with the provisions of this Act.

1 SEC. 6. Unless the department is leased or unless the hospital and  
2 doctor mutually agree otherwise, technicians and other personnel, not  
3 including doctors, shall be employees of the hospital, subject to the  
4 rules and regulations of the hospital applicable to employees generally,  
5 but under the direction and supervision of the doctor in charge of the  
6 department as set forth elsewhere in this Act.

1 SEC. 7. The doctor and hospital shall mutually agree upon the  
2 employment of any technicians necessary for the proper operation of  
3 said department and no technicians shall be dismissed from said em-  
4 ployment without the mutual consent of the parties, provided, how-  
5 ever, that in the event the hospital and doctor are unable mutually to  
6 agree upon the hiring or discharge or disciplining of any employee of  
7 said department, the matter shall be promptly submitted to the joint  
8 conference committee for final determination.

1 SEC. 8. The contract between the hospital and doctor in charge of  
2 the laboratory or X-ray facilities may contain any provision for com-  
3 pensation of each upon which they mutually agree, provided, however,  
4 that no contract shall be entered into which in any way creates the  
5 relationship of employer and employee between the hospital and the  
6 doctor, and a percentage arrangement is not and shall not be con-  
7 strued to be unprofessional conduct on the part of the doctor or in  
8 violation of the statutes of this state upon the part of the hospital.

1 SEC. 9. The hospital admission agreement signed by the patient or  
2 his legal representative shall contain the following statement:  
3 "Pathology and radiology services are medical services performed  
4 or supervised by doctors, and the personnel and facilities are or may  
5 be furnished by the hospital for said services. Charges for such serv-  
6 ices are or may be collected, however, by the hospital on behalf of said  
7 doctors pursuant to an agreement between said doctors and the hos-  
8 pital, and from said charges I consent that an agreed sum will be  
9 retained by the hospital in accordance with an existing agreement be-  
10 tween the doctor and the hospital."

1 SEC. 10. The hospital bill shall properly include the charges for  
2 pathology and radiology services as long as the name of the doctor is  
3 stated and it fairly appears that the charge is for medical services.  
4 The said hospital bill shall also contain a statement substantially in  
5 the following form:

6 "The pathology and radiology charges are for medical services ren-  
7 dered by or under the direction of the doctor listed above and are col-  
8 lected by the hospital on behalf of the doctor, from which charges an  
9 agreed sum will be retained by the hospital in accordance with an  
10 existing agreement to which retention you consented at the time of  
11 your admission to the hospital."

1 SEC. 11. All fees to be charged by the doctors for pathology and  
2 radiology services shall be mutually agreed upon by the hospital and  
3 the doctor. In the event dispute shall arise between the parties the  
4 matter shall be submitted to the joint conference committee for final  
5 determination.

1 SEC. 12. Fees for radiology and pathology services must be paid  
2 for as medical and not hospital services. In all cases where payment is

3 to be made by a corporation organized pursuant to chapter five hundred  
4 fourteen (514) of the Code, payment for radiology and pathology  
5 services shall be made by a medical service corporation and not by a  
6 hospital service corporation.

1 SEC. 13. Nothing in this Act is intended or should affect in any  
2 way that obligation of public hospitals under chapter three hundred  
3 forty-seven (347) or chapter three hundred eighty (380) of the Code,  
4 as well as the state hospital at Iowa City, to provide medical treat-  
5 ment for indigent persons or tuberculous patients as provided in chap-  
6 ters two hundred fifty-four (254) and two hundred fifty-five (255) of  
7 the Code wherein medical treatment is provided by hospitals of that  
8 category to patients of certain entitlement, nor to the operation by the  
9 state of mental or other hospitals authorized by law. Nothing herein  
10 shall in any way affect or limit the practice of denistry\* or the prac-  
11 tice of oral surgery by a dentist.

1 SEC. 14. Nothing herein shall deprive any hospital of its tax ex-  
2 empt or non-profit status.

1 SEC. 15. This Act, being deemed of immediate importance, shall  
2 take effect and be in full force from and after its passage and publi-  
3 cation in *The Red Oak Express*, a newspaper published at Red Oak,  
4 Iowa, and in the *Winthrop News*, a newspaper published at Winthrop,  
5 Iowa.

Approved April 5, 1957.

I hereby certify that the foregoing Act, House File 21, was published in *The Red Oak Express*, Red Oak, Iowa, April 11, 1957, and in the *Winthrop News*, Winthrop, Iowa, April 11, 1957.

MELVIN D. SYNHORST, *Secretary of State*.

\*According to enrolled Act.

## CHAPTER 93

### NURSING HOMES REGULATION

H. F. 572

AN ACT relating to the licensing, inspection and regulation of nursing homes and custodial homes and providing for regulations, enforcement procedures and penalties.

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

1 Chapter one hundred thirty-five C (135C), Code 1954, is hereby re-  
2 pealed and the following enacted in lieu thereof:

1 SECTION 1. As used in this Act:

2 1. "Nursing home" means any institution, place, building or agency  
3 which is devoted primarily to the maintenance and operation of facili-  
4 ties for the housing, for a period exceeding twenty-four (24) hours,  
5 and for providing skilled nursing care and related medical services  
6 for, two (2) or more nonrelated individuals who are not acutely ill  
7 and not in need of hospital care, but who, by reason of age, illness,  
8 disease, injury, convalescence or physical or mental infirmity need  
9 such care. Nursing home does not include hospitals or custodial  
10 homes.

11 2. "Custodial home" means any institution, place, building or  
12 agency which is devoted primarily to the maintenance and operation  
13 of facilities for the housing, for a period exceeding twenty-four (24)  
14 hours, and for care in excess of food, shelter, laundry or services inci-  
15 dent thereto for, two (2) or more nonrelated individuals who are not  
16 in need of nursing care or related medical services but who, by reason  
17 of age, illness, disease, injury, convalescence or physical or mental  
18 infirmity are unable to care for themselves. Custodial home does  
19 not mean hospitals or nursing homes.

20 3. "Person" means any individual, firm, partnership, corporation,  
21 company, association or joint stock association; and includes trustee,  
22 receiver, assignee or other similar representative thereof.

23 4. "Governmental unit" means the state, or any county, municipi-  
24 lity, or other political subdivision or any department, division,  
25 board or other agency of any of the foregoing.

1 SEC. 2. 1. The purpose of this Act is to promote and encourage  
2 adequate and safe care and housing for aged, infirm and convalescent  
3 persons by both public and private agencies by providing for the  
4 adoption and enforcement of rules, regulations and standards:

5 a. For the care and treatment of individuals in nursing homes and  
6 custodial homes, and

7 b. For the location, construction, maintenance and sanitary opera-  
8 tion of such nursing homes and custodial homes which will promote  
9 safe and adequate care of individuals in such homes so as to further  
10 the health, welfare and safety of such individuals.

11 2. Rules, regulations and standards prescribed, promulgated and  
12 enforced under this Act shall not be arbitrary, unreasonable or con-  
13 fiscatory and the department or agency prescribing, promulgating or  
14 enforcing such rules, regulations or standards shall have the burden  
15 of proof to establish that such rules, regulations or standards meet  
16 such requirements and are consistent with the economic problems and  
17 conditions involved in the care and housing of persons in nursing  
18 homes and custodial homes.

1 SEC. 3. An institution licensed as a nursing home shall provide  
2 an organized continuing twenty-four (24) hour program of nursing  
3 care commensurate with the needs of the patients and under the im-  
4 mediate direction of a licensed physician, licensed registered nurse or  
5 licensed practical nurse licensed by the state of Iowa, whose combined  
6 training and supervised experience is such as to assure adequate and  
7 competent nursing direction. Medical and nursing care shall be under  
8 the direction of either a "house physician" or individually selected  
9 physicians, but surgery or obstetrical care shall not be provided  
10 within the home. Persons in active or acute stages of alcoholism,  
11 drug addiction, mental illness or communicable disease may not be  
12 admitted to any licensed nursing home.

1 SEC. 4. An institution licensed as a custodial home shall provide  
2 an organized continuous twenty-four (24) hour program of care  
3 commensurate with the needs of the residents of the home and under  
4 the immediate direction of a person whose combined training and  
5 supervised experience is such as to ensure adequate and competent  
6 care. Persons who may not be admitted to nursing homes and per-

7 sons in need of nursing care shall not be admitted to any licensed cus-  
8 todial home.

1 SEC. 5. Infirmaries operated in connection with custodial homes or  
2 with rest homes, homes for the aged, or boarding homes, may be  
3 licensed as nursing homes. No nursing home or custodial home shall  
4 be established or operated in any building in which other businesses  
5 are housed or other activities are carried on, the existence of which  
6 is determined by the department or the fire marshal to be detrimental  
7 to the proper care of the residents of the home.

1 SEC. 6. After July 4, 1957, no person or governmental unit acting  
2 severally or jointly with any other person or governmental unit shall  
3 establish or operate a nursing home or custodial home in this state  
4 without a license for such home.

1 SEC. 7. Licenses shall be obtained from the state department of  
2 health. Applications shall be upon such forms and shall require such  
3 information as the said department may reasonably require, which  
4 may include affirmative evidence of compliance with such other stat-  
5 utes and local ordinances as may be applicable. Each application for  
6 license shall be accompanied by the license fee, which shall be re-  
7 funded to the applicant if the license is denied, which fee shall be  
8 paid over into the state treasury and credited to the general fund if  
9 the license is issued. There shall be an annual license fee based upon  
10 the bed capacity of the home. Nursing homes having ten (10) beds  
11 or less shall pay an annual fee of ten (10) dollars, nursing homes  
12 having more than ten (10) beds and not more than twenty-five (25)  
13 beds shall pay an annual fee of twenty (20) dollars, nursing homes  
14 having more than twenty-five (25) beds and not more than seventy-  
15 five (75) beds shall pay an annual fee of thirty (30) dollars, nursing  
16 homes having more than seventy-five (75) beds and not more than  
17 one hundred fifty (150) beds shall pay an annual fee of forty (40)  
18 dollars, and all other nursing homes shall pay an annual license fee of  
19 fifty (50) dollars. Custodial homes having ten (10) beds or less  
20 shall pay an annual fee of five (5) dollars, custodial homes having  
21 more than ten (10) beds and not more than twenty-five (25) beds  
22 shall pay an annual fee of ten (10) dollars, custodial homes having  
23 more than twenty-five (25) beds and not more than seventy-five (75)  
24 beds shall pay an annual fee of fifteen (15) dollars, custodial homes  
25 having more than seventy-five (75) beds and not more than one hun-  
26 dred fifty (150) beds shall pay an annual fee of twenty (20) dollars,  
27 and all other custodial homes shall pay an annual license fee of  
28 twenty-five (25) dollars.

1 SEC. 8. Licenses for nursing homes or custodial homes shall be  
2 issued only for the premises and persons or governmental units named  
3 in the application and shall not be transferable or assignable except  
4 with the written approval of the state department of health. Licenses  
5 shall be posted in a conspicuous place on the licensed premises as pre-  
6 scribed by regulation of the department. Such licenses, unless sooner  
7 suspended or revoked, shall expire one year after the date of issuance  
8 and shall be renewed annually upon an application by the licensee.  
9 Applications for such renewal shall be made in writing to the depart-  
10 ment, accompanied by the required fee, at least thirty (30) days prior  
11 to the expiration of such license.

1 SEC. 9. Upon receipt of the license fee and the application for  
2 license as a nursing home or custodial home the department shall:

3 1. If the application is for a nursing home, cause an inspection to  
4 be made of the premises by the personnel of the department of health.

5 2. If the application is for a custodial home, forward the applica-  
6 tion to the county board of social welfare of the county in which the  
7 premises are located. The county board shall make, or cause to be  
8 made, an inspection of the premises. After making such inspection  
9 the county board shall return the application to the board of health  
10 together with its findings from said inspection as to whether the pro-  
11 posed custodial home meets the standards for such homes as pre-  
12 scribed in the published regulations of the state department of health.

13 3. With regard to both nursing homes and custodial homes the  
14 department shall not issue a license until the premises have been in-  
15 spected by the state fire marshal or his deputy for such purpose, the  
16 appointment of whom, including members of municipal fire depart-  
17 ments, is hereby authorized, and the department has received a cer-  
18 tificate signed by such marshal or his deputy that the premises comply  
19 with the fire hazard and fire-safety rules, regulations and standards  
20 of the department as promulgated by the fire marshal.

1 SEC. 10. The state department of health shall have the authority  
2 to deny, suspend, or revoke a license in any case where the department  
3 finds that there has been a failure to comply with the provisions of  
4 this Act or the rules, regulations or minimum standards promulgated  
5 hereunder, or for any of the following reasons:

6 1. Cruelty or indifference to the welfare of nursing home or cus-  
7 todial home patients.

8 2. Appropriation or conversion of the property of a nursing home  
9 or custodial home patient without his written consent or the written  
10 consent of his legal guardian.

11 3. Evidence that the moral character of the applicant, manager or  
12 supervisor of the home is not reputable.

13 4. Permitting, aiding, or abetting the commission of any illegal  
14 act in the nursing home or custodial home.

15 5. Inability or failure to operate and conduct the nursing home or  
16 custodial home in accordance with the requirements of this Act and  
17 the minimum standards, rules and regulations issued pursuant  
18 thereto.

19 6. Obtaining or attempting to obtain a license by fraudulent means  
20 or misrepresentation.

21 7. Habitual intoxication or addiction to the use of drugs by the  
22 applicant, manager or supervisor of the nursing home or custodial  
23 home.

24 8. Securing the devise or bequest of the property of a patient in a  
nursing home or custodial home by undue influence.

1 SEC. 11. Such denial, suspension, or revocation shall be effected  
2 by mailing to the applicant or licensee by certified mail or by personal  
3 service of a notice setting forth the particular reasons for such action.  
4 Such denial, suspension, or revocation shall become effective thirty  
5 (30) days after the mailing or service of the notice, unless the appli-  
6 cant or licensee, within such thirty (30) day period, shall give written  
7 notice to the department requesting a hearing, in which case the

8 notice shall be deemed to be suspended. If a hearing has been re-  
9 quested, the applicant or licensee shall be given an opportunity for a  
10 prompt and fair hearing before the department. At any time at or  
11 prior to the hearing the department may rescind the notice of the  
12 denial, suspension or revocation upon being satisfied that the reasons  
13 for the denial, suspension or revocation have been or will be removed.  
14 On the basis of any such hearing, or upon default of the applicant or  
15 licensee, the determination involved in the notice may be affirmed,  
16 modified, or set aside by the department. A copy of such decision  
17 shall be sent by certified mail, or served personally upon the applicant  
18 or licensee. The decision shall become final thirty (30) days after it  
19 is so mailed or served, unless the applicant or licensee, within such  
20 thirty (30) day period, appeals the decision to the court, pursuant  
21 to section thirteen (13) hereof.

22 The procedure governing hearings authorized by this section shall  
23 be in accordance with the rules promulgated by said department. A  
24 full and complete record shall be kept of all proceedings, and all tes-  
25 timony shall be reported but need not be transcribed unless the deci-  
26 sion is appealed pursuant to section thirteen (13) hereof. A copy  
27 or copies of the transcript may be obtained by an interested party  
28 upon payment of the cost of preparing such copy or copies. Witnesses  
29 may be subpoenaed by either party and shall be allowed fees at a  
30 rate prescribed by the aforesaid rules.

1 SEC. 12. In any case where the department of health shall have  
2 the authority to deny, suspend or revoke a license, the department  
3 shall have the authority to conditionally issue or continue a license  
4 dependent upon the performance by the licensee of such reasonable  
5 conditions within such reasonable period of time as may be set by  
6 the department so as to permit the licensee to commence or continue  
7 the operation of the nursing home or custodial home pending his full  
8 complaine\* with this Act or any regulations issued hereunder. In  
9 such case, if the licensee does not make diligent efforts to comply with  
10 such conditions as prescribed, the department may, under the pro-  
11 ceedings hereinbefore prescribed, suspend or revoke the license.

1 SEC. 13. Any applicant or licensee who is dissatisfied with the  
2 decision of the commissioner of public health as a result of the hear-  
3 ing procedure provided herein may appeal the decision within thirty  
4 (30) days after the mailing or serving of notice of the decision by  
5 filing a notice of appeal in the district court of the county where the  
6 home or proposed home is located, and by serving a copy of said notice  
7 of appeal upon the department. Thereupon the department shall  
8 within thirty (30) days certify and file with the court a copy of the  
9 record and decision, including the transcript of the hearings on which  
10 the decision is based. The trial before the court shall be de novo and  
11 all legal evidence pertaining to the matter of whether or not such  
12 license shall be denied, suspended, or revoked, as the case may be,  
13 may be submitted including new or additional evidence not submitted  
14 to the commissioner, and the court shall have power to affirm, modify,  
15 or reverse the decision of the commissioner. Pending final disposition  
16 of the matter the status quo of the applicant or licensee shall be pre-  
17 served.

\*According to enrolled Act.

1 SEC. 14. The department of health shall adopt, amend, promulgate  
2 and enforce rules and regulations setting minimum standards for  
3 nursing homes and custodial homes. Such rules, regulations and  
4 standards shall be designed to further the accomplishment of the  
5 purposes of this Act and shall relate to:

6 1. Location and construction of the home, including plumbing,  
7 heating, lighting, ventilation, and other housing conditions, which  
8 shall ensure the health, safety and comfort of residents and protection  
9 from fire hazards. Such rules, regulations and standards regarding  
10 location and construction of the home may impose requirements in  
11 excess of those provided in chapter four hundred thirteen (413) of  
12 the Code but shall not impose requirements less than those provided  
13 by such chapter. The rules of the department relating to protection  
14 from fire hazards and fire safety shall be promulgated by the state  
15 fire marshal;

16 2. Number and qualifications of all personnel, including manage-  
17 ment and nursing personnel, having responsibility for any part of  
18 the care given to residents;

19 3. All sanitary conditions within the home and its surroundings  
20 including water supply, sewage disposal, food handling, and general  
21 hygiene, which shall ensure the health and comfort of residents;

22 4. Diet related to the needs of each resident and based on good  
23 nutritional practice and on recommendations which may be made by  
24 the physician attending the resident; and

25 5. Equipment essential to the health and welfare of the resident.

1 SEC. 15. Any nursing home or custodial home which is in opera-  
2 tion at the time of promulgation of any applicable rules and regula-  
3 tions or minimum standards under this Act shall be given reasonable  
4 time from the date of such promulgation to comply with such rules,  
5 regulations and minimum standards.

1 SEC. 16. The state department of health shall make or cause to be  
2 made such further inspections as it may deem necessary. The state  
3 department of health shall prescribe by regulation that any licensee  
4 or applicant for license desiring to make specific types of alterations  
5 or additions to its facility or to construct new facilities shall, before  
6 commencing such alteration or additions or new construction, submit  
7 plans and specifications therefor to the state department of health  
8 for preliminary inspection and approval or recommendations with  
9 respect to the compliance with the regulations and standards herein  
10 authorized. An inspector of the department of health, county board  
11 of social welfare, or fire marshal, may enter any licensed nursing  
12 home or custodial home or purported nursing home or custodial home  
13 without a warrant.

1 SEC. 17. It shall be the duty of the state department of social wel-  
2 fare, state fire marshal, and the officers and agents of other govern-  
3 mental units to assist the state department of health in carrying out  
4 the provisions of this Act, in so far as the functions of these respec-  
5 tive offices and departments are concerned with the health, welfare,  
6 and safety of any person or persons cared for in nursing homes or  
7 custodial homes.

1 SEC. 18. The state department of health may employ such assist-  
2 ants and inspectors as may be necessary to administer and enforce  
3 the provisions of this Act.

1 SEC. 19. Information received by the state department of health  
2 through reports, inspection, or as otherwise authorized in this Act  
3 shall not be disclosed publicly in such manner as to identify individ-  
4 uals or nursing homes or custodial homes, except in a proceeding  
5 involving the question of licensure or the denial, suspension, or revo-  
6 cation of a license.

1 SEC. 20. The state department of health shall prepare, publish and  
2 send to licensed nursing and custodial homes an annual report of its  
3 activities and operations under this Act and such other bulletins con-  
4 taining fundamental health principles and data as may be deemed  
5 essential to assure proper operation of nursing homes and custodial  
6 homes.

1 SEC. 21. Any person establishing, conducting, managing, or oper-  
2 ating any nursing home or custodial home without a license shall be  
3 guilty of a misdemeanor and, upon conviction thereof, shall be fined  
4 not less than one hundred (100) dollars nor more than one thousand  
5 (1000) dollars or be imprisoned in the county jail for not more than  
6 six (6) months, or both. Each day of continuing violation after con-  
7 viction or notice from the department by certified mail of a violation  
8 shall be considered a separate offense. Any such person establishing,  
9 conducting, managing or operating any nursing home or custodial  
10 home without a license may be by any court of competent jurisdiction  
11 temporarily or permanently restrained therefrom in any action  
12 brought by the state.

1 SEC. 22. If any provision of this Act or the application thereof to  
2 any person or circumstance shall be held invalid, such invalidity  
3 shall not affect the provisions or applications of this Act which can  
4 be given effect without the invalid provision or application, and to  
5 this end the provisions of the Act are declared to be severable.

1 SEC. 23. All nursing home licenses issued under the provisions of  
2 chapter one hundred thirty-five C (135C), Code 1954, as repealed by  
3 this Act shall be valid as nursing-home licenses under this Act until  
4 their expiration date.

1 SEC. 24. The provisions of this Act shall not be applicable to in-  
2 stitutions operated by or under the Board of Control or the Board  
3 of Regents of state institutions.

Approved May 2, 1957.

## CHAPTER 94

## BARBERS' AND SHOP FEES

H. F. 60

AN ACT to amend section one hundred forty-seven point eighty, (147.80), Code 1954, relating to fees to be collected by the state department of health in relation to the practice of barbering.

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

1 SECTION 1. Section one hundred forty-seven point eighty (147.80),  
2 Code 1954, is hereby amended as follows:

3 1. By striking from line five (5) of subsection seven (7) the word  
4 "barbering".

5 2. By adding a new subsection as follows:

6 "For the renewal of a license to practice barbering an annual fee  
7 of five dollars (\$5.00); for the renewal of a license to operate a barber  
8 shop an annual fee of three dollars (\$3.00)."

Approved March 14, 1957.

## CHAPTER 95

## MEDICAL AND SURGERY LICENSES

H. F. 582

AN ACT relating to licenses to practice medicine and surgery.

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

1 SECTION 1. Subsection one (1) of section one hundred forty-eight  
2 point three (148.3), Code 1954, is hereby amended by adding to said  
3 subsection the following:

4 "The medical examiners may accept, in lieu of a diploma from a  
5 medical college approved by them, all of the following:

6 a. A diploma issued by a medical college which has been neither  
7 approved nor disapproved by the medical examiners; and

8 b. The completion of three years of training as a resident physician,  
9 which training has been approved by or is acceptable to the medical  
10 examiners; and

11 c. The recommendation of the educational council for foreign med-  
12 ical graduates, incorporated or similar accrediting agency."

1 SEC. 2. Subsection five (5) of section one hundred forty-eight  
2 point three (148.3), Code 1954, is hereby repealed.

1 SEC. 3. Section one hundred forty-eight point five (148.5), Code  
2 1954, is amended by striking all of said section and inserting in lieu  
3 thereof the following:

4 "Any physician, who is a graduate of a medical school and is serv-  
5 ing only as a resident physician and who is not licensed to practice  
6 medicine and surgery in this state, shall be required to obtain from  
7 the medical examiners a temporary or special license to practice as a  
8 resident physician. The license shall be designated 'Resident Physi-  
9 cian License' and shall authorize the licensee to serve as a resident

10 only, under the supervision of a licensed practitioner of medicine and  
11 surgery, in an institution approved for this purpose by the medical  
12 examiners. Such license shall be valid for one year and may be an-  
13 nually renewed at the discretion of the medical examiners for a period  
14 not to exceed six additional years. The fee for this license shall be  
15 fifteen dollars, and if extended beyond one year, an annual renewal  
16 fee of three dollars per year shall be required. The medical examin-  
17 ers shall determine in each instance those eligible for this license,  
18 whether or not examinations shall be given, and the type of examina-  
19 tions. No requirements of the law pertaining to regular permanent  
20 licensure shall be mandatory for this resident licensure except as a  
21 specifically designated by the medical examiners. The granting of a  
22 resident physician's license does not in any way indicate that the per-  
23 son so licensed is necessarily eligible for regular licensure, nor are  
24 the medical examiners in any way obligated to so license such individ-  
25 ual. The medical examiners shall revoke said license at any time they  
26 shall determine either that the caliber of work done by a licensee or  
27 the type of supervision being given such licensee does not conform to  
28 reasonable standards established by the medical examiners."

1 SEC. 4. In lieu of and as an alternative to the provisions of sec-  
2 tions one hundred forty-seven point fifty-eight (147.58) through one  
3 hundred forty-seven point seventy-one (147.71), inclusive, of the  
4 Code, the medical examiners after due notice and hearing may direct  
5 the commissioner of public health to issue an order to revoke, sus-  
6 pend or place on probation the license of any person licensed to prac-  
7 tice medicine and surgery for any of the grounds set forth in sections  
8 one hundred forty-seven point fifty-five (147.55) and one hundred  
9 forty-seven point fifty-six (147.56) of the Code.

1 SEC. 5. Any proceeding for revocation, suspension or probation  
2 of a license to practice medicine and surgery shall be substantially in  
3 accord with the following procedure:

4 1. The medical examiners may, upon their own motion or upon veri-  
5 fied complaint in writing, and shall, if such complaint is filed by the  
6 commissioner of public health, issue an order fixing the time and place  
7 for hearing thereon. A written notice of the time and place of the  
8 hearing together with a statement of the charges shall be served upon  
9 the licensee at least ten days before said hearing in the manner re-  
10 quired for the service of notice of the commencement of an ordinary  
11 action.

12 2. If the licensee has absented or removed himself from the state,  
13 the notice and statement of the charges shall be so served at least  
14 twenty days before the date of the hearing, wherever he may be found.  
15 If the whereabouts of the licensee is unknown, service may be had by  
16 publication as provided in the rules of civil procedure upon filing the  
17 affidavit required by said rules. In case the licensee fails to appear,  
18 either in person or by counsel at the time and place designated in said  
19 notice, the medical examiners shall proceed with the hearing as here-  
20 inafter provided.

21 3. The hearing shall be before a member or members designated by  
22 the board. The board shall designate one member to serve as presid-  
23 ing member. Such presiding member is hereby empowered to issue  
24 subpoenas, administer oaths and take or cause depositions to be taken

25 in connection with the hearing. He shall issue subpoenas at the re-  
26 quest and on behalf of the licensee.

27 4. A stenographic record of the proceedings shall be kept. The  
28 licensee shall have the opportunity to appear personally and by his  
29 attorney, with the right to produce evidence in his own behalf, to  
30 examine and cross-examine witnesses and to examine documentary  
31 evidence produced against him.

32 5. In case any person refuses to obey a subpoena issued by the  
33 presiding member or to answer any proper question put to him during  
34 the hearing, the presiding member may invoke the aid of any court of  
35 competent jurisdiction or judge thereof in requiring the attendance  
36 and testimony of such person and the production of papers. Any fail-  
37 ure to obey such order of the court may be punished by the court as a  
38 civil contempt may be punished.

39 6. Unless the hearing is before the entire board, a transcript of the  
40 proceeding, together with exhibits presented, shall be considered by  
41 the entire board at the earliest practicable time. The licensee and his  
42 attorney shall have the opportunity to appear personally to present  
43 the licensee's position and arguments to the board. The board shall  
44 determine the charge or charges upon the merits on the basis of the  
45 evidence in the record before it.

46 7. If a majority of the members of the board vote in favor of find-  
47 ing the licensee guilty of any act or offense specified in sections one  
48 hundred forty-seven point fifty-five (147.55) or one hundred forty-  
49 seven point fifty-six (147.56) of the Code, the board shall prepare  
50 written findings of fact and its decision based thereon. Such findings  
51 of fact and decision shall be filed with the commissioner of public  
52 health who shall within ten days from such filing enter an order re-  
53 voking, suspending or placing on probation the license as directed by  
54 the board in its decision. A copy of the commissioner's order shall  
55 immediately be sent by registered mail to the licensee's last known  
56 post office address accompanied by a copy of the board's findings of  
57 fact and decision.

58 8. The licensee shall have the right to a judicial review of the  
69 board's decision and the order of the commissioner. Such review shall  
70 be initiated by application to the district court in and for Polk county,  
71 or to the district court of the county in which the licensee resides, by  
72 any method permissible under the laws of this state. Such application  
73 must be made within thirty days after the date of the commissioner's  
74 order. On any such review, the hearing shall be tried as a suit in  
75 equity and shall be de novo.

1 SEC. 6. The commissioner of public health is hereby authorized to  
2 accept the voluntary surrender of a license if accompanied by a writ-  
3 ten statement of intention. Such voluntary surrender, when so ac-  
4 cepted, shall have the same force and effect as an order of revocation.

1 SEC. 7. Any person whose license has been suspended, revoked or  
2 placed on probation may apply to the board of medical examiners for  
3 reinstatement at any time and the board may hold hearings on any  
4 such petition and may order reinstatement and impose terms and con-  
5 ditions thereof and issue a certificate of reinstatement to the commis-  
6 sioner of public health who shall thereupon issue a license as directed  
7 by the board."

Approved May 2, 1957.

## CHAPTER 96

## DRUGS, MEDICINES AND POISONS

S. F. 68

AN ACT to amend chapter one hundred fifty-five (155), Code 1954, relating to pharmacy and to provide for the development, establishment and enforcement of basic standards and requirements for the distribution of drugs, medicinal chemicals and poisons for human use only, and to provide for licensing of such distributors, and to provide penalties for violations.

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

1 SECTION 1. Amend section one hundred fifty-five point three  
2 (155.3), Code 1954, by adding the following subsections:

3 3. The term "board" shall mean the board of pharmacy examiners  
4 established by chapter one hundred forty-seven (147), Code 1954.

5 4. The term "person" means any individual, firm, partnership, cor-  
6 poration or association.

7 5. The term "wholesaler" shall mean any person operating or  
8 maintaining a manufacturing plant, wholesale distribution center,  
9 wholesale business or any other business in which drugs, medicinal  
10 chemicals, medicines or poisons, are sold, manufactured, compounded,  
11 dispensed, stocked, exposed or offered for sale at wholesale to a re-  
12 tailer for resale in this state. The term "wholesaler" shall not in-  
13 clude those wholesalers who sell only the products defined in sub-  
14 section seven (7) of section one (1) of this Act.

15 6. The term "wholesale salesman" means any individual who takes  
16 an order from a retailer in this state for, or makes delivery of, any  
17 drug, medicinal chemical, medicines or poisons, to a retailer in this  
18 state for resale. The term "wholesale salesman" shall not apply to  
19 those salesmen who sell only the products defined in subsection seven  
20 (7) of section one (1) of this Act.

21 7. For the purpose of this Act the term "proprietary medicines"  
22 or "domestic remedies" means and includes completely compounded  
23 packaged drugs, medicines and nonbulk chemicals which are not in  
24 themselves poisonous or in violation of the law relative to intoxi-  
25 cating liquors which are sold, offered, promoted and advertised by  
26 the manufacturer or primary distributor directly to the general  
27 public under a trademark, trade name, or other trade symbol pri-  
28 vately owned, whether or not registered in the United States Patent  
29 Office, and the labeling of which bears (1) a statement specifying  
30 affections, symptoms or purposes for which the product is recom-  
31 mended, (2) adequate directions for use and such cautions as may be  
32 necessary for the protection of users, (3) an accurate statement of  
33 the quantity of the contents in terms of weight, measure or numer-  
34 ical count, (4) a statement of the active ingredients, and (5) the  
35 name and address of the manufacturer or primary distributor:  
36 Provided, however, this definition shall not apply to the sale, or  
37 offering for sale, of any drug for use by man which is only adver-  
38 tised or promoted professionally to licensed physicians, dentists or  
39 veterinarians by the manufacturer or primary distributor, or the  
40 label of which bears the statement "Caution: Federal law prohibits  
41 dispensing without prescription", or which sale is by law limited to  
42 dispensing by prescription.

43 8. The provisions of this Act shall not apply to persons selling,

44 offering or exposing for sale, the preparations referred to in sub-  
45 sections two (2), three (3) and four (4) of section one hundred  
46 fifty-five point two (155.2), Code 1954, or persons licensed to prac-  
47 tice veterinary medicine under the provisions of chapter one hundred  
48 sixty-nine (169), Code 1954, who dispense or sell veterinary drugs,  
49 or medicines for animal use only, or the holder of an itinerant ven-  
50 dor's license as defined in chapter two hundred three (203), Code  
51 1954, which persons shall not be required to have a license under  
52 this chapter while operating under the provisions of subsections two  
53 (2) three (3) or four (4) of section one hundred fifty-five point  
54 two (155.2), Code 1954, or licensed under the provisions of chapter  
55 one hundred sixty-nine (169), Code 1954, or chapter two hundred  
56 three (203), Code 1954, or to hospitals licensed under chapter one  
57 hundred thirty-five B (135B), Code 1954, or to persons licensed  
58 under chapters one hundred forty-eight (148) or one hundred fifty  
59 (150) or one hundred fifty-three (153), Code 1954.

1 SEC. 2. Amend chapter one hundred fifty-five (155), Code 1954,  
2 by adding the following sections:

3 1. No person shall establish, conduct or maintain a pharmacy in  
4 this state without a license. This license shall be identified as a retail  
5 pharmacy license.

6 2. No person shall establish, conduct or maintain a wholesale busi-  
7 ness as defined in this chapter without a license. This license shall be  
8 identified as a wholesale drug license.

9 3. Licenses shall be obtained from the board for each and every place  
10 of business. Applications shall be upon such forms and shall contain  
11 such information as the board may reasonably require. Each applica-  
12 tion for license shall be made by owner to the secretary of the board,  
13 accompanied by the license fee, which shall be paid over into the state  
14 treasury and credited to the general fund if the license is issued. The  
15 license fee for an original application for a retail pharmacy license or a  
16 wholesale drug license, shall be twenty-five dollars and the annual re-  
17 newal license fee shall be fifteen dollars. These licenses shall be due  
18 January 1, 1958, and annually on the first day of each following Jan-  
19 uary. The board shall issue a license upon receipt of an application  
20 accompanied by the license fee and after approval thereof by the board.

21 The application for a retail pharmacy license shall show the own-  
22 er's name and the name or names of the registered pharmacists in  
23 the pharmacy and signed by the owner and each pharmacist. Every  
24 registered pharmacist shall immediately notify the board of any  
25 change of his address or employment.

26 Each license issued under this chapter unless sooner suspended or  
27 revoked, shall be renewable annually, on January 1, of each year  
28 upon payment of the annual license fee. Each license shall be issued  
29 only for the premises and persons named in the application and shall  
30 not be transferable or assignable. The board shall have the author-  
31 ity to deny, suspend or revoke a license in any case where it finds  
32 that there has been a substantial failure to comply with the provi-  
33 sions of this chapter or the regulations promulgated hereunder, or  
34 the violation thereof, and in addition the board shall have the power  
35 to deny, suspend or revoke a license, when the applicant or licensee,  
36 or any employee, providing the offense is committed on licensed

37 premises or is in the conduct of the business licensed, is guilty of  
38 any of the following facts or offenses:

39 *a.* Fraud in procuring a license.

40 *b.* Conviction of an offense, or where a penalty or fine has been  
41 invoked, for violation of chapter two hundred three (203), chapter  
42 two hundred three A (203A), chapter one hundred forty-seven  
43 (147), chapter two hundred four (204), Code 1954, or the Federal  
44 Food, Drug and Cosmetic Act. A plea or verdict of guilty, or a con-  
45 viction following a plea of *nolo contendere*, is deemed to be a convic-  
46 tion within the meaning of this section.

47 *c.* Distributing on the premises of intoxicating liquors or drugs  
48 for any other than lawful purposes.

49 *d.* Willful or repeated violations of the title on "Public Health"  
50 Code 1954 or the rules of the department of health.

51 *e.* Use of untrue or misleading statements, or untrue or mislead-  
52 ing advertising, pertaining to the products which they are licensed  
53 to sell, or pertaining to the type of license they hold.

54 *f.* Substitution of a drug, substance, or brand other than the drug,  
55 substance or brand ordered in the prescription of a physician, dentist  
56 or veterinarian licensed by law.

57 *g.* Conviction of a crime involving turpitude. A plea or verdict of  
58 guilty, or a conviction following a plea of *nolo contendere*, is deemed  
59 to be a conviction within the meaning of this section.

60 *h.* Violations of the provisions of this act and chapter one hundred  
61 fifty-five (155), Code 1954.

62 Such denial, suspension or revocation shall be effected by mailing  
63 to the applicant or licensee by registered mail, or by personal serv-  
64 ice of, a notice setting forth the particular reasons for such action.  
65 Such denial, suspension or revocation shall become effective thirty  
66 days after the mailing or service thereof, unless the applicant or  
67 licensee, within such thirty-day period shall give written notice to  
68 the board requesting a hearing in which case the notice shall be  
69 deemed to be suspended. If a hearing has been requested, the appli-  
70 cant or licensee shall be given an opportunity for a prompt and fair  
71 hearing before the board. At any time at or prior to the hearing the  
72 board may rescind the notice of denial, suspension or revocation  
73 upon being satisfied that the reasons for denial, suspension or revo-  
74 cation have been or will be removed. On the basis of any such hear-  
75 ing, or upon default of the applicant or licensee, the determination  
76 involved in the notice may be affirmed, modified or set aside by the  
77 board. A copy of such decisions, setting forth the findings of facts  
78 and the particular reasons for the decision shall be sent by registered  
79 mail, or served, unless the applicant or licensee, within such thirty  
80 days, appeals the decision to the district court.

81 The procedure governing hearings authorized by this section shall  
82 be in accordance with rules promulgated by said board. A full and  
83 complete record shall be kept of all proceedings, and all testimony  
84 shall be reported but need not be transcribed unless the decision is  
85 appealed to the court. A copy or copies of the transcript may be  
86 obtained by the party or parties involved in the controversy on pay-  
87 ment of the cost of preparing such copy or copies. Witnesses may  
88 be subpoenaed by either party and shall be allowed fees as prescribed  
89 by law in courts of record in criminal cases.

90 4. Any applicant or licensee who is dissatisfied with the decision  
91 of the board as a result of the hearing provided herein may, within  
92 thirty days after the mailing or service of notice of the decision as  
93 provided in said section, file a notice of appeal in the district court  
94 of the county in which the licensee is located and serve a copy of said  
95 notice of appeal upon said board. Thereupon the board shall within  
96 thirty days certify and file with the court a copy of the record and  
97 decision, including the transcript of the hearings upon which the  
98 decision was based. The trial before the court shall be an equity  
99 action and legal evidence pertaining to the matter of whether or not  
100 such permit shall be denied, suspended or revoked as the case may  
101 be, may be submitted including new or additional evidence not sub-  
102 mitted to the board, and the court shall have the power to affirm,  
103 modify or reverse the decision of the board. Pending final disposi-  
104 tion of the matter the status quo of the applicant or licensee shall  
105 be preserved.

106 5. The following sanitary regulations shall be complied with in  
107 every retail pharmacy licensed under this chapter:

108 *a.* The floors, walls, ceilings, woodwork, windows, utensils, ma-  
109 chinery and other equipment shall be kept in a thoroughly clean con-  
110 dition.

111 *b.* All parts of the interior of the premises shall be at all times  
112 adequately protected from dirt and contamination from any source.

113 *c.* Dirt, refuse and waste products subject to decomposition or  
114 fermentation shall be removed daily.

115 *d.* Clothing of all persons shall be kept clean. No person infected  
116 with any communicable disease as defined in chapter one hundred  
117 thirty-nine (139), Code 1954, shall work in any establishment.

118 *e.* All apparatus and equipment shall be kept in a thoroughly clean  
119 condition.

120 6. The prescription department of a retail pharmacy shall contain  
121 the following:

122 *a.* The latest or current edition of the United States Pharmaco-  
123 poeia and National Formulary and any supplement thereto.

124 *b.* A prescription balance sensitive to one-fourth ( $\frac{1}{4}$ ) grain.

125 *c.* The necessary instruments and apparatus to properly compound  
126 and dispense drugs and medicines.

127 7. The board shall adopt, amend, promulgate and enforce such  
128 reasonable rules, regulations and standards as may be designed to  
129 accomplish the purposes of this chapter, and as may be necessary  
130 for the provisions set forth herein.

131 8. No prescription-legend drug or medicine, which contains the  
132 legend: "Caution: Federal law prohibits dispensing without pre-  
133 scription", or which drug or medicine can only be dispensed upon a  
134 prescription according to law, may be sold at wholesale or brokerage  
135 for resale to other than licensed pharmacies.

136 9. No wholesaler shall sell or distribute, nor shall any wholesale  
137 salesman take orders for or deliver any drug, or medicine, which con-  
138 tains the legend caution: "Caution: Federal law prohibits dispensing  
139 without prescription", or where the dispensing of said drug or medi-  
140 cine is limited to prescriptions by law, to any retailer in this state  
141 for the purpose of resale unless such retailer is licensed as a phar-  
142 macy as provided in this chapter to keep for sale and to sell such

143 drugs or medicine at retail.

144 10. Sections eight (8) and nine (9) of this act do not apply to  
145 sales by wholesalers of drugs and medicines to licensed physicians,  
146 dentists or veterinarians.

147 11. Nothing contained in this act shall be construed to prevent the  
148 sale of drugs, medicines, medicinal chemicals, poisons, proprietary  
149 medicines or domestic remedies at wholesale to a licensed wholesaler,  
150 or to the state department of health, or to the board of pharmacy  
151 examiners.

152 12. The board shall make or cause to be made such inspections of  
153 pharmacies and wholesalers as may be reasonably necessary to ac-  
154 complish the purposes of this act.

155 13. Anything in this act to the contrary notwithstanding, persons  
156 or places of business, including but not limited to manufacturers,  
157 wholesalers and retailers who sell, offer or expose for sale, drugs,  
158 medicines, medicinal chemicals, nonbulk chemicals, paints and/or  
159 lacquer products, mixtures of substances, biologics, commercial  
160 feeds, stock tonics or any other substance or substances or propri-  
161 etary medicines of any kind to be used for the cure, mitigation or  
162 prevention of disease of animals or fowl and so labeled or who sell,  
163 offer or expose for sale any preparation of any nature for any agri-  
164 cultural use and so labeled, including but not limited to, insecticides,  
165 fungicides, herbicides, rodenticides, pesticides, chemicals and poisons,  
166 shall be exempt from both the provisions of this act and chapter one  
167 hundred fifty-five (155), Code 1954.

168 14. Any person found in possession of a drug or medicine limited  
169 by law to dispensation by a prescription, unless such drug or medicine  
170 was so lawfully dispensed, shall be deemed guilty of violating the  
171 provisions of this section, and upon conviction thereof, shall be fined  
172 not more than one thousand (\$1,000) dollars or be imprisoned in  
173 the county jail for not more than one (1) year, or both. This section  
174 shall not apply to a licensed pharmacy, licensed wholesaler, physi-  
175 cian, veterinarian, dentist, or nurse acting under the direction of a  
176 physician, nor to a common carrier or messenger when transporting  
177 such drug or medicine in the same unbroken package in which the  
178 drug or medicine was delivered to him for transportation.

179 15. Any person violating any of the provisions of this act or of  
180 chapter one hundred fifty-five (155), Code 1954, or any chapter per-  
181 taining to or affecting the practice of pharmacy for which a specific  
182 penalty is not otherwise provided, shall be deemed guilty of a mis-  
183 demeanor, and upon conviction thereof, shall be fined not more than  
184 five hundred (\$500) dollars or shall be imprisoned in the county jail  
185 for not less than thirty (30) days, or both.

186 16. Notwithstanding the existence or pursuit of any other remedy,  
187 the board may, in the manner provided by law maintain an action in  
188 the name of the state for injunction or other process against any  
189 person to restrain or prevent the establishment, conduct, manage-  
190 ment or operation of a retail pharmacy or wholesaler, without license,  
191 or to prevent the violation of the provisions of chapter one hundred  
192 fifty-five (155), Code 1954, and as amended by this act. Upon request  
193 of the board, the attorney general shall institute the proper proceed-  
194 ings and the county attorney, at the request of the attorney general,  
195 shall appear and prosecute such action when brought in his county.

196 17. If any provision of this act or the application thereof to any  
 197 person or circumstance shall be invalid, such invalidity shall not  
 198 affect the provisions or application of this act which can be given  
 199 effect without the invalid provisions or application and to this end  
 200 the provisions of the act are declared severable.

1 SEC. 3. Section one hundred forty-seven point ninety-seven  
 2 (147.97), Code 1954, is hereby repealed.

1 SEC. 4. This act shall become effective January 1, 1958.

Approved February 27, 1957.

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## CHAPTER 97

### ANIMAL VACCINATION CERTIFICATES

#### H. F. 12

AN ACT to prohibit the alteration of any certificate of vaccination of animals.

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

1 SECTION 1. Section one hundred sixty-three point twenty-five  
 2 (163.25), Code 1954, is hereby amended by inserting after the word  
 3 "veterinarian" in line six (6) thereof the following: "or altering any  
 4 certificate of vaccination by one authorized to vaccinate animals".

Approved April 5, 1957.

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## CHAPTER 98

### BANG'S DISEASE

#### S. F. 65

AN ACT to amend chapter one hundred sixty-four (164), Code 1954, relating to Bang's disease.

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

1 SECTION 1. Section one hundred sixty-four point seventeen  
 2 (164.17), Code 1954, is hereby amended by adding thereto the follow-  
 3 ing:  
 4 "Whenever petitions signed by seventy-five percent of the resident  
 5 owners of breeding cattle residing in a county representing seventy-  
 6 five percent or more of the breeding cattle therein owned by residents  
 7 of that area, as disclosed by the last assessment rolls of such area,  
 8 shall be presented to the department asking that all breeding cattle  
 9 herds in said county be tested for brucellosis, the department is hereby  
 10 authorized to make such tests without expense to the owners, to the  
 11 extent of the funds available therefor. Each of the petitions shall be  
 12 upon forms prepared by the department which forms shall include a  
 13 space for a statement of the number of breeding cattle owned by each  
 14 signer. The circulator thereof shall make a statement under oath on  
 15 each petition that he is the person who circulated the petition, that

16 each of the petitioners signed his name thereto in his presence and  
 17 that to the best of his knowledge each petitioner is a resident of the  
 18 county wherein the petitions were circulated. When such petition has  
 19 been duly presented the state department of agriculture shall promul-  
 20 gate regulations for the carrying out of this work which will be known  
 21 as area testing. The provisions of this subsection do not apply to herds  
 22 composed entirely of official vaccinates.”.

1 SEC. 2. Section one hundred sixty-four point seven (164.7), Code  
 2 1954, is hereby amended by adding the following new sentence: “In  
 3 the case of reactors, a retest shall be granted the owner of the cattle  
 4 by the department upon the request of the owner or owner’s veteri-  
 5 narian. Such retest shall be at the owner’s expense.”.

1 SEC. 3. Section one hundred sixty-four point four (164.4), Code  
 2 1954, is hereby amended by striking from line seven thereof the word  
 3 “both” and inserting in lieu thereof the words “County Bang’s Dis-  
 4 ease Eradication Fund or any combination thereof.”

1 SEC. 4. Section one hundred sixty-four point nineteen (164.19) is  
 2 hereby amended by adding thereto the following subsection: “5. On  
 3 animals owned by the state of Iowa.”

1 SEC. 5. Section one hundred sixty-four point twenty-one (164.21)  
 2 is hereby amended by adding the following words after the word  
 3 “indemnity” in line five thereof: “as set out in section one hundred  
 4 sixty-four point nineteen (164.19) above,”; and by deleting after the  
 5 word “chapter” in line six thereof the words “except as provided  
 6 herein.”

1 SEC. 6. This Act, being deemed of immediate importance shall  
 2 take effect and be in force from and after its publication in the Atlan-  
 3 tic News-Telegraph, a newspaper published in Atlantic, Iowa, and in  
 4 the Mason City Globe-Gazette, a newspaper published in Mason City,  
 5 Iowa.

Approved April 10, 1957.

I hereby certify that the foregoing Act, Senate File 65, was published in the Atlantic News-Telegraph, Atlantic, Iowa, April 13, 1957, and in the Mason City Globe-Gazette, Mason City, Iowa, April 13, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 99

### BANG’S DISEASE CONTROL

#### S. F. 64

AN ACT to amend section one hundred sixty-four point eleven (164.11), Code 1954, relating to Bang’s disease.

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

1 SECTION 1. Section one hundred sixty-four point eleven (164.11),  
 2 Code 1954, is hereby amended by striking all of said section after the

3 word "any" in line two (2) thereof and inserting in lieu thereof the  
4 following:

5 "bovine animal unless it is accompanied by a negative brucellosis  
6 test report issued by an accredited veterinarian, conducted within  
7 thirty days. The provisions of this section do not apply to the follow-  
8 ing:

9 1. Calves under eight months of age, spayed heifers, and steers.

10 2. Official vaccinates under thirty months of age if accompanied by  
11 official calfhood vaccination certificates.

12 3. Animals consigned directly to slaughter.

13 4. Animals under thirty months of age which are moved for exhibi-  
14 tion purposes when accompanied by an official calfhood vaccination  
15 certificate or by a report of a negative brucellosis test conducted with-  
16 in seventy-five days.

17 5. Animals from a herd certified to be free of brucellosis.

18 6. Animals from a herd composed entirely of official vaccinates.

19 7. *a.* Female cattle under eighteen months of age, which cattle may  
20 enter the state for feeding or grazing purposes under quarantine for  
21 a period not to exceed twelve months. An owner may upon written  
22 request receive an extension of quarantine not to exceed one hundred  
23 twenty days.

24 Calves under eight months of age officially vaccinated within thirty  
25 days after date of importation may be released from such quarantine  
26 for brucellosis.

27 *b.* Cattle of recognized beef type over eighteen months of age if  
28 shipped into the state for feeding purposes under feeder quarantine  
29 for a period not to exceed one hundred twenty days, provided, how-  
30 ever, that this provision shall not apply to springer heifers and  
31 springer cows, or heifers and cows with calves, said animals being  
32 classified as breeding cattle.

33 *c.* Native Iowa cattle of recognized beef type if transferred between  
34 owners for feeding purposes only, but they shall be subject to the same  
35 quarantine provisions, including age and right to release as calves  
36 vaccinated within thirty days following date of purchase, as cattle  
37 imported into the state. It shall be the responsibility of the seller and  
38 any selling agency or agent handling such transaction to furnish evi-  
39 dence of the sale and acceptance of the quarantine by the buyer by the  
40 immediate completion of the feeders agreement declaration and de-  
41 livery of it to the Iowa division of animal industry, Iowa department  
42 of agriculture."

1 SEC. 2. Amend section one hundred sixty-four point one (164.1),  
2 Code 1954, by inserting after the word, "mark" in each instance in  
3 line twenty-six (26) the words, "or brand".

1 SEC. 3. Amend section one hundred sixty-four point three (164.3),  
2 Code 1954, by inserting after the letter "a" in line six (6) the words,  
3 "plate or tube agglutination".

1 SEC. 4. Amend section one hundred sixty-four point five (164.5),  
2 Code 1954, by inserting after the word, "by" in line five (5) the words,  
3 "said veterinarian or".

1 SEC. 5. Amend section one hundred sixty-four point nine (164.9),  
2 Code 1954, by adding the following: "All native grade cattle carrying

3 the calfhood vaccination and all calves vaccinated after importation  
4 from other states shall be branded with the letter 'V' on the right  
5 jaw. All purebred registered cattle must be tattooed in the ear and  
6 the same shall be evidenced on the official certificate of vaccination."

1 SEC. 6. Amend section one hundred sixty-four point thirteen  
2 (164.13), Code 1954, by striking the period at the end of the section  
3 and adding the following: "or by a licensed veterinarian authorized  
4 by the department."

1 SEC. 7. Chapter one hundred sixty-four (164), Code 1954, is  
2 amended by adding the following section:

3 "After July 1, 1960, it shall be unlawful to sell or transfer any bovine  
4 female animal within the state of Iowa unless it is accompanied by a  
5 certificate of official vaccination, is properly branded or tattooed, or  
6 shows a negative brucellosis test. Further, it shall be unlawful to  
7 ship any bovine female animal into the state of Iowa unless it has  
8 been calfhood vaccinated, approved by the state animal health authori-  
9 ties of the state of origin, or shows a negative brucellosis test accord-  
10 ing to the rules and regulations of the United States department of  
11 agriculture governing interstate shipments of cattle.

12 "Any cattle covered by a feeder quarantine are exempted from the  
13 provisions of this section."

Approved February 28, 1957.

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## CHAPTER 100

### VETERINARY MEDICINE

S. F. 436

AN ACT to amend section seven (7), chapter one hundred five (105), Acts of the  
Fifty-sixth General Assembly, relating to veterinary medicine.

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

1 SECTION 1. Section seven (7), chapter one hundred five (105),  
2 Acts of the Fifty-sixth General Assembly, is hereby amended by strik-  
3 ing therefrom lines twenty-three (23), twenty-four (24), twenty-five  
4 (25), twenty-six (26) and twenty-seven (27).

Approved April 24, 1957.

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## CHAPTER 101

### FOOD ESTABLISHMENTS

H. F. 418

AN ACT relating to the licensing of food establishments.

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

1 SECTION 1. Section one hundred seventy point two (170.2), Code  
2 1954, is hereby repealed and the following enacted in lieu thereof: "No

3 person shall maintain a food establishment until he has obtained a  
 4 license from the department of agriculture. However, cigar stores,  
 5 drug stores, egg, cream or poultry buying stations, or any other estab-  
 6 lishment selling or offering for sale only candy, gum or similar prod-  
 7 ucts, schools selling or offering for sale refreshments at athletic con-  
 8 tests, band festivals, or similar events, and children selling or offering  
 9 for sale kool-ade, lemonade or other soft drinks, and candy, gum or  
 10 similar products on lawns, curbsings, sidewalks, or any other property  
 11 shall not be required to obtain a license."

1 SEC. 2. Section one hundred seventy point five (170.5), Code 1954,  
 2 is hereby amended by striking therefrom all of subsection six (6) and  
 3 inserting in lieu thereof the following: "For a food establishment,  
 4 three dollars (\$3.00)."

1 SEC. 3. This Act shall not be construed to require the licensing  
 2 of establishments or persons involved in a hot-lunch program in the  
 3 public or parochial schools of the state of Iowa.

Approved May 14, 1957.

## CHAPTER 102

### DAIRY INDUSTRY COMMISSION

S. F. 393

AN ACT to amend chapter one hundred seventy-nine (179), Code 1954, relating to the Iowa dairy industry commission.

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

1 SECTION 1. Section one hundred seventy-nine point three (179.3),  
 2 Code 1954, is hereby amended by adding thereto the following new  
 3 subsection:

4 "To receive, administer, disburse and account for, in addition to the  
 5 funds received from the excise tax hereinafter imposed by section one  
 6 hundred seventy-nine point five (179.5), Code 1954, all such other  
 7 funds as may be voluntarily contributed to said commission for the  
 8 purpose of promoting dairy products."

1 SEC. 2. Section one hundred seventy-nine point five (179.5), Code  
 2 1954, is amended by striking all of lines thirty-five (35) through lines  
 3 forty-eight (48) and inserting in lieu thereof the following:

4 "All taxes levied and imposed under this chapter and any voluntary  
 5 contributions made to the dairy industry commission, shall be paid to  
 6 and collected by the secretary of the commission who shall remit to the  
 7 treasurer of the state, quarterly, and at the same time render to the  
 8 state comptroller an itemized and verified report showing the source  
 9 from which said taxes and voluntary contributions were obtained.  
 10 All such taxes and voluntary contributions received collected and  
 11 remitted shall be placed in a special fund by the treasurer of state,  
 12 and the state comptroller, to be known as the "Dairy Industry Fund"  
 13 to be used by the Iowa dairy industry commission for the purposes

14 set out in this chapter and to administer and enforce the laws relative  
15 thereto."

Approved May 9, 1957.

## CHAPTER 103

### FERTILIZERS

H. F. 163

AN ACT to regulate the manufacture, distribution and sale of mixed fertilizers, fertilizer materials, commercial fertilizers and soil amendments and to repeal chapter two hundred (200), Code 1954, as amended by chapter one hundred seventeen (117), Acts of the Fifty-sixth General Assembly.

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

1 SECTION 1. **Title.** This Act shall be known and may be cited by  
2 the short title of the "Iowa Fertilizer Law".

1 SEC. 2. **Enforcing Official.** This Act shall be administered by the  
2 secretary of agriculture of the state of Iowa, hereinafter referred to  
3 as the secretary.

1 SEC. 3. **Definitions of Words and Terms.** When used in this Act:

2 1. The term "fertilizer material" means any substance containing  
3 nitrogen, phosphorous,\* potassium, or any recognized plant nutrient  
4 element or compound which is used for its plant nutrient content or  
5 for compounding mixed fertilizers except unmanipulated animal and  
6 vegetable manures, lime, limestone, marl, and unground bones.

7 2. The term "unmanipulated manures" means any substances com-  
8 posed primarily of excreta, plant remains, or mixtures of such sub-  
9 stances which have not been processed in any manner.

10 3. The term "mixed fertilizer" means any combination or mixture  
11 of fertilizer material designed for use or claimed to have value in pro-  
12 moting plant growth.

13 4. The term "commercial fertilizer" includes mixed fertilizer and  
14 fertilizer materials and fertilizer-pesticide mixtures.

15 5. The term "specialty fertilizer" means commercial fertilizer dis-  
16 tributed primarily for use on crops grown for non-commercial pur-  
17 poses such as home gardens and lawns.

18 6. The term "bulk fertilizer" shall mean commercial fertilizer de-  
19 livered to the purchaser in the solid, liquid, or gaseous state, in a non-  
20 packaged form to which a label cannot be attached.

21 7. The term "pesticide" as used in this Act means insecticides,  
22 miticides, and nemacides.

23 8. A "soil amendment" is any material not included under commer-  
24 cial fertilizer, or unmanipulated animal and vegetable manures, limes,  
25 limestones, marl, unground bone, or recognized pesticides which is  
26 added to soil or to plants for purposes of influencing the growth, yield  
27 or quality of the crop or soil flora or fauna or other soil character-  
28 istics.

29 9. The term "brand" means a term design or trademark used in  
30 connection with one or several grades of commercial fertilizer.

\*According to enrolled Act.

31 10. The term "grade" means the percentages of total nitrogen,  
32 available phosphorous\* or phosphoric acid, and soluble potassium or  
33 soluble potash stated in whole numbers in the same terms, order and  
34 percentages as in the "guaranteed analysis".

35 11. *Guaranteed Analysis*: a. The term "guaranteed analysis" shall  
36 mean the minimum percentage of plant nutrients claimed in the fol-  
37 lowing order and form:

38 Total Nitrogen (N) ..... per cent  
39 Available Phosphoric Acid ( $P_2O_5$ ) ..... per cent  
40 Soluble Potash ( $K_2O$ ) ..... per cent

41 b. The term "guaranteed analysis", in the form specified in para-  
42 graph a includes:

43 (1) For unacidulated mineral phosphatic materials and basic slag,  
44 both total and available phosphorous\* or phosphoric acid and the de-  
45 gree of fineness. For bone tankage and other organic phosphatic mate-  
46 rials, total phosphorous\* or phosphoric acid.

47 (2). When any such additional plant nutrient elements are claimed  
48 they shall be included in the guarantee, expressed as the element, and  
49 shall be subject to inspection and analysis in accordance with the  
50 methods and regulations that may be prescribed by the association of  
51 official agricultural chemists.

52 12. The term "official sample" means any sample of commercial fer-  
53 tilizer taken by the secretary or his agent.

54 13. The term "ton" means a net weight of two thousand pounds  
55 avoirdupois.

56 14. The term "percent" or "percentage" means the percentage by  
57 weight.

58 15. The term "person" includes individual, partnership, associa-  
59 tion, firm, and corporation.

60 16. The term "distribute" means to offer for sale, sell, barter, or  
61 otherwise supply commercial fertilizers. The term "distributor"  
62 means any person who distributes.

63 17. The term "sell" or "sale" includes exchange.

64 18. Words importing the singular number may extend and be ap-  
65 plied to several persons or things, and words importing the plural  
66 number may include the singular.

1 SEC. 4. **Registration.** 1. Each brand and grade of commercial fer-  
2 tilizer and each soil amendment shall be registered by the manufac-  
3 turer before being offered for sale, sold, or distributed in this state.  
4 The application for registration shall be submitted to the secretary on  
5 forms furnished by the secretary and shall be accompanied by a fee of  
6 one dollar (\$1.00) for each grade per brand of commercial fertilizer  
7 and for each soil amendment. Upon approval by the secretary, a copy  
8 of the registration shall be furnished to the applicant. All registra-  
9 tions expire on June 30 each year. The application shall include the  
10 following information in the following order:

- 11 a. The net weight.
- 12 b. The name and address of the registrant.
- 13 c. The brand.
- 14 d. The grade.
- 15 e. The guaranteed analysis.

\*According to enrolled Act.

16 2. In addition to the information required in paragraphs *a.*, *b.*, *c.*,  
 17 *d.*, and *e.* in subsection one (1) of this section, applications for regis-  
 18 tration of soil amendments must include the name or chemical desig-  
 19 nation and content of the active ingredients.

20 3. A distributor shall not be required to register any brand and  
 21 grade of commercial fertilizer which is already registered under this  
 22 Act by another person.

1 SEC. 5. **Labeling.** 1. Any commercial fertilizer offered for sale or  
 2 sold or distributed in this state in bags, or other containers, shall have  
 3 placed on or affixed to the container in legibly written or printed form  
 4 the information required by paragraphs *a.*, *b.*, *c.*, and *d.*; or *a.*, *b.*, *c.*,  
 5 and *e.* of subsection one (1) of section four (4); either on tags affixed  
 6 to the end of the package between the ears or on the sewed end or  
 7 directly on the package.

8 2. If distributed in bulk, a written or printed statement of the  
 9 weight and the information required by paragraphs *a.*, *b.*, *c.*, and *d.*;  
 10 or *a.*, *b.*, *c.*, and *e.* of subsection one (1) of section (4) shall accompany  
 11 delivery and be supplied to the purchaser.

12 3. Soil amendments shall be labeled in accordance with subsections  
 13 one (1) and two (2) of this section and in addition shall show the  
 14 name or chemical designation and content of the active ingredients.

1 SEC. 6. **Licenses.** 1. Any person who manufactures, mixes, or  
 2 mixes to customer's order any fertilizer material or soil amendment  
 3 offered for sale, sold, or distributed in Iowa must first obtain a license  
 4 from the secretary of agriculture.

5 2. Said licensee shall at all times produce an intimate and uniform  
 6 mixture of fertilizer materials or soil amendments. When two or more  
 7 fertilizer materials are delivered in the same load, they shall be inti-  
 8 mately and uniformly mixed unless they are in separate compart-  
 9 ments.

10 3. In lieu of the guaranteed analysis, the person who mixes to the  
 11 customer's order must furnish to the purchaser and consumer an  
 12 invoice or delivery ticket showing the weight and guaranteed analysis  
 13 of each of the fertilizer materials or soil amendments used in the  
 14 intimate mixture or delivered in each of the separate compartments  
 15 in the load.

16 4. Any licensee required to be licensed under subsection one (1)  
 17 hereof who sells only registered grades shall pay a ten dollar (\$10.00)  
 18 license fee as well as a registration fee, and all other licensees shall  
 19 pay a twenty dollar (\$20.00) license fee. Said license fee shall be  
 20 paid annually on July 1.

1 SEC. 7. **Fertilizer-Pesticide Mixtures.** Only those persons licensed  
 2 under section six (6) of this Act shall be permitted to add insecticides  
 3 or pesticides to commercial fertilizers. These persons shall at all times  
 4 produce a uniform mixture of fertilizer and pesticide.

5 Each grade of fertilizer-pesticide mixture shall be registered sepa-  
 6 rately and all registrations shall expire on June 30. The secretary or  
 7 his agent, upon advice or recommendation of the director of the Iowa  
 8 agricultural experiment station, shall prior to June 30 of each year, or  
 9 as early thereafter as practicable, promulgate a list of fertilizer-  
 10 pesticide mixtures adequate to meet the agricultural needs of the state.  
 11 Such list is only for the guidance of manufacturers, distributors and

12 users, and additional fertilizer-pesticide mixtures may be submitted  
13 to the secretary for approval, and upon approval, shall be included in  
14 the list.

15 In addition to the information required for registration as a com-  
16 mercial fertilizer, such mixtures shall comply with the provisions of  
17 section four (4) of this Act, as well as the insecticide and fungicide  
18 act, chapter two hundred six (206), Code 1954, and the label or in-  
19 voice if sold in bulk further shall state the common name and the  
20 pounds of active ingredients of pesticides per ton of fertilizer mixture  
21 and adequate directions for its use.

22 All items required in section five (5) shall appear on the label.

1 **SEC. 8. Inspection Fees.** 1. There shall be paid by the licensee to  
2 the secretary for all commercial fertilizers and soil amendments sold,  
3 or distributed in this state, an inspection fee at the rate of ten cents  
4 (10¢) per ton: Provided, that sales for manufacturing purposes only  
5 are hereby exempted from fees but must still be reported showing  
6 manufacturer who purchased same. Payment of said inspection fee  
7 by any licensee shall exempt all other persons, firms, or corporations  
8 from the payment thereof.

9 2. Every licensee under this Act in this state shall:

10 a. File not later than the last day of January and July of each year,  
11 on forms furnished by secretary, a semiannual statement setting forth  
12 the number of net tons of commercial fertilizer or soil amendments  
13 distributed in this state by grade for each county during the preced-  
14 ing six months period; and upon filing such statement shall pay the  
15 inspection fee at the rate stated in subsection one (1) of this section.

16 If the tonnage report is not filed and the payment of inspection fees  
17 is not made within ten days after the date due, a penalty amounting  
18 to ten per cent (10%), minimum fifty dollars (\$50.00), of the amount  
19 due shall be assessed against the licensee and the amount of fees due  
20 plus penalty shall constitute a debt and become the basis of a judgment  
21 against the licensee.

1 **SEC. 9. Inspection Fund.** Fees collected for registration, licenses,  
2 inspection and analysis under sections four (4), six (6), eight (8)  
3 and twenty-one (21) of this chapter received by the secretary, shall  
4 be remitted to the treasurer of state upon receipt, and all such fees  
5 collected and remitted shall be placed in the general fund by the  
6 treasurer of state.

1 **SEC. 10. Grade List.** The secretary, upon advice or recommenda-  
2 tion by the director of the Iowa agricultural experiment station, shall,  
3 prior to June 30 of each year, or as early thereafter as practicable,  
4 promulgate a list of grades of mixed fertilizers adequate to meet the  
5 agricultural needs of the state. Such list is only for the guidance of  
6 manufacturers, distributors and users and additional fertilizer mix-  
7 tures may be submitted to the secretary for approval and upon ap-  
8 proval shall be included in the list.

1 **SEC. 11. Inspection, Sampling, Analysis.** 1. It shall be the duty of  
2 the secretary, who may act through his authorized agent, to sample,  
3 inspect, make analysis of, and test commercial fertilizers or soil  
4 amendments distributed within this state at time and place and to  
5 such an extent as he may deem necessary, to determine whether such

6 commercial fertilizers and soil amendments are in compliance with  
7 the provisions of this Act. In the performance of the foregoing duty,  
8 the secretary shall counsel with the director of the Iowa agricultural  
9 experimental station in respect to the time, place and extent of sam-  
10 pling. The secretary, individually or through his agent, is authorized  
11 to enter upon any public or private premises or conveyances during  
12 regular business hours in order to have access to commercial fertiliz-  
13 ers or soil amendments subject to the provisions of this Act and the  
14 rules and regulations pertaining thereto. It shall be the duty of the  
15 secretary to maintain a laboratory with the necessary equipment and  
16 to employ such employees as may be necessary to aid in the adminis-  
17 tration and enforcement of this Act.

18 2. The official methods of sampling and analysis prescribed by the  
19 association of official agricultural chemists shall be followed in mak-  
20 ing the chemical analysis provided for in this section and the secre-  
21 tary shall from time to time publish as a part of the regulations under  
22 this chapter, any changes that may hereafter be made in such official  
23 methods and thereafter such methods shall be followed in connection  
24 with the administration of this chapter in lieu of those previously  
25 enforced.

26 The findings of the state chemist or his deputy, as shown by the  
27 sworn statement of the results of analysis of official samples of any  
28 brand of commercial fertilizer, fertilizer material or soil amendment,  
29 shall constitute prima facie evidence of their correctness in the courts  
30 of this state, as to the particular lots sampled and analyzed.

31 3. The secretary, in determining for administrative purposes wheth-  
32 er any commercial fertilizer is deficient in plant food, or soil amend-  
33 ment deficient in guaranteed active ingredients, shall be guided solely  
34 by the official sample as defined in subsection twelve (12) of section  
35 three (3), and obtained and analyzed as provided for in subsection  
36 two (2) of section eleven (11).

37 4. The results of official analysis of any commercial fertilizer or  
38 soil amendment which has been found to be in violation of any provi-  
39 sion of this Act, shall be forwarded by the secretary to the registrant.  
40 Upon request, the secretary shall furnish to the registrant a portion  
41 of any such sample.

1 **SEC. 12. Filler Material.** It shall be unlawful for any person to  
2 manufacture, offer for sale or sell in this state, any commercial fer-  
3 tilizer, fertilizer material or soil amendment containing any substance  
4 used as a filler that is injurious to crop growth or deleterious to the  
5 soil, or to use in such commercial fertilizer, fertilizer material or soil  
6 amendment as a filler any substance that contains inert plant food  
7 material for the purpose or with the effect of deceiving or defrauding  
8 the purchaser.

1 **SEC. 13. False or Misleading Statements.** A commercial fertilizer  
2 or soil amendment is misbranded if it carries any false or misleading  
3 statement upon or attached to the container or stated on the invoice  
4 or delivery ticket, or if false or misleading statements concerning its  
5 agricultural value are made on the container or on the invoice or  
6 delivery ticket, or in any advertising matter whatsoever connected  
7 with accompanying or associated with the commercial fertilizer or  
8 soil amendment. It shall be unlawful to distribute a misbranded com-  
9 mercial fertilizer or soil amendment.

1     **SEC. 14. Reports and Publications.** The secretary shall publish at  
2 least annually, in such forms as he may deem proper, information  
3 concerning the sales of commercial fertilizers, together with such data  
4 on their production and use as he may consider advisable. The secre-  
5 tary shall report semiannually by counties the results of the analysis  
6 based on official samples taken of commercial fertilizers sold within  
7 the state as compared with the analyses guaranteed under section four  
8 (4) and section five (5) together with name and address of the manu-  
9 facturer, and name and address of the owner or custodian of such  
10 commercial fertilizer at the time the official sample was taken. A copy  
11 of this semiannual report by individual counties will be mailed by the  
12 secretary to each corresponding county extension director in the state.

1     **SEC. 15. Rules and Regulations.** For the enforcement of this Act,  
2 the secretary is authorized to prepare and issue such rules and regu-  
3 lations relating to the manufacture and the distribution of commercial  
4 fertilizers and soil amendments as he may find necessary to carry into  
5 effect the full intent and meaning of this Act.

1     **SEC. 16. Cancellation of Registrations and Licenses.** The secre-  
2 tary is authorized and empowered to cancel the registration of any  
3 brand of commercial fertilizer or soil amendment or license or to re-  
4 fuse to register any brand of commercial fertilizer or soil amendment  
5 or refuse to license any applicant as herein provided, upon satisfac-  
6 tory evidence that the registrant or licensee has used fraudulent or  
7 deceptive practices in the evasion or attempted evasion of the provi-  
8 sions of this Act or any rules and regulations promulgated thereunder:  
9 Provided, that no registration or license shall be revoked or refused  
10 until the registrant or licensee shall have been given the opportunity  
11 to appear for a hearing by the secretary.

1     **SEC. 17. "Stop Sale" Orders.** The secretary may issue and enforce  
2 a written or printed "stop sale, use or removal" order to the owner  
3 or custodian of any lot of commercial fertilizer or soil amendment,  
4 and to hold at a designated place when the secretary finds said com-  
5 mercial fertilizer or soil amendment is being offered or exposed for  
6 sale in violation of any of the provisions of this Act until the law has  
7 been complied with and said commercial fertilizer or soil amendment  
8 is released in writing by the secretary or said violation has been other-  
9 wise legally disposed of by written authority, and all costs and ex-  
10 penses incurred in connection with the withdrawal have been paid.

1     **SEC. 18. Seizure, Condemnation, and Sale.** Any lot of commercial  
2 fertilizer or soil amendment not in compliance with the provisions of  
3 this Act shall be subject to seizure on complaint of the secretary to a  
4 court of competent jurisdiction in the county or adjoining county in  
5 which said commercial fertilizer or soil amendment is located. In the  
6 event the court finds the said commercial fertilizer or soil amendment  
7 to be in violation of this Act and orders the condemnation of said  
8 commercial fertilizer or soil amendment, it shall be disposed of in any  
9 manner consistent with the quality of the commercial fertilizer or soil  
10 amendment and the laws of the state: Provided, that in no instance  
11 shall the disposition of said commercial fertilizer or soil amendment  
12 be ordered by the court without first giving the claimant an oppor-  
13 tunity to apply to the court for release of said commercial fertilizer

14 or soil amendment or for permission to reprocess or relabel said com-  
15 mercial fertilizer or soil amendment to bring it into compliance with  
16 this Act.

1 SEC. 19. **Violations.** 1. If it shall appear from the examination of  
2 any commercial fertilizer or soil amendment that any of the provisions  
3 of this Act or the rules and regulations issued thereunder have been  
4 violated, the secretary shall cause notice of the violations to be given  
5 to the registrant, distributor, or possessor from whom said sample  
6 was taken; any person so notified shall be given opportunity to be  
7 heard under such rules and regulations as may be prescribed by the  
8 secretary. If it appears after such hearing, either in the presence or  
9 absence of the person so notified, that any of the provisions of this  
10 Act or rules and regulations issued thereunder have been violated, the  
11 secretary may certify the facts to the proper prosecuting attorney.

12 2. Any person convicted of violating any provision of this Act or  
13 the rules and regulations issued thereunder shall be punished by a fine  
14 of not less than one hundred dollars (\$100.00) nor more than two  
15 hundred and fifty dollars (\$250.00).

16 3. Nothing in this Act shall be construed as requiring the secretary  
17 or his representative to report for prosecution or for the institution  
18 of seizure proceedings minor violations of the Act when he believes  
19 that the public interest will be best served by a suitable notice of  
20 warning in writing.

21 4. It shall be the duty of each county attorney to whom any violation  
22 is reported, to cause appropriate proceedings to be instituted and  
23 prosecuted in a court of competent jurisdiction without delay.

24 5. The secretary is hereby authorized to apply for and the court to  
25 grant a temporary or permanent injunction restraining any person  
26 from violating or continuing to violate any of the provisions of this  
27 Act or any rule or regulation promulgated under the Act notwith-  
28 standing the existence of other remedies at law, said injunction to be  
29 issued without bond.

1 SEC. 20. **Exchanges Between Manufacturers.** Nothing in this Act  
2 shall be construed to restrict or avoid sales or exchanges of commer-  
3 cial fertilizers or soil amendments to each other by importers, manu-  
4 facturers, or manipulators who mix fertilizer materials for sale or as  
5 preventing the free and unrestricted shipments of commercial fer-  
6 tilizer or soil amendment to manufacturers or manipulators who have  
7 registered their brands as required by the provisions of this Act.

1 SEC. 21. **Analysis of Commercial Fertilizers — Fee.** Any person  
2 purchasing any commercial fertilizers in this state for his own use  
3 may submit without charge, two (2) fair samples of said commercial  
4 fertilizers stating the guaranteed analysis as set forth in section three  
5 (3), subsection eleven (11), paragraph *a*, of this Act within any six-  
6 (6) month period to the secretary with any additional samples ac-  
7 companied by an analysis fee for each sample of:

- 8 1. One dollar (\$1.00) for total nitrogen.
- 9 2. Two dollars (\$2.00) for available phosphoric acid or phosphor-  
10 ous.\*
- 11 3. Two dollars (\$2.00) for soluble potash or potassium. A proper  
12 analysis of the same shall be made and furnished in writing as to said

\*According to enrolled Act.

13 guaranteed analysis as set forth in section three (3), subsection eleven  
14 (11), paragraph *a*, of this Act.

1 SEC. 22. **Constitutionality.** If any clause, sentence, paragraph, or  
2 part of this Act shall for any reason be judged invalid by any court of  
3 competent jurisdiction, such judgment shall not affect, impair, or  
4 invalidate the remainder thereof, but shall be confined in its operation  
5 to the clause, sentence, paragraph, or part thereof directly involved in  
6 the controversy in which such judgment shall have been rendered.

1 SEC. 23. **Repeal.** Chapter two hundred (200), Code 1954, as  
2 amended by chapter one hundred seventeen (117), Acts of the Fifty-  
3 sixth General Assembly, is hereby repealed.

1 SEC. 24. **Repeal.** All laws and parts of laws in conflict with or  
2 inconsistent with the provisions of this Act are hereby repealed.

Approved April 15, 1957.

## CHAPTER 104

### NARCOTIC DRUGS

H. F. 390

AN ACT relating to the regulation of narcotic drugs.

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

1 SECTION 1. Section two hundred four point one (204.1), Code  
2 1954, is amended as follows:

3 1. By inserting in subsection fifteen (15), line three (3) thereof,  
4 after the word, "keto-bemidone" the words, "alphaprodine hydro-  
5 chloride,".

6 2. By adding a new subsection as follows:

7 "Alphaprodine hydrochloride" means any substance identified  
8 chemically as dl-alpha-1, 3-dimethyl-4-phenyl-4-propionoxy-piperidine  
9 hydrochloride, or any derivative thereof, by whatever trade name  
10 designated."

1 SEC. 2. Chapter two hundred four (204), Code 1954, is amended  
2 by adding the following new section:

3 "The Iowa pharmacy examiners shall have power to adopt, amend,  
4 promulgate and enforce such reasonable rules, regulations and stand-  
5 ards as may be required to accomplish the purposes of this chapter.  
6 Such rules, regulations and standards shall not be inconsistent with  
7 the rules and regulations of the federal commissioner of narcotics."

1 SEC. 3. Section two hundred four point twenty (204.20), Code  
2 1954, is amended by adding thereto the following:

3 "Officers, agents, inspectors and representatives of the Iowa phar-  
4 macy examiners shall have the powers of and status as peace officers  
5 when enforcing the provisions of this chapter."

Approved April 10, 1957.

## CHAPTER 105

## POISONS

S. F. 57

AN ACT relating to sale and distribution of poisons and to amend chapter 205, Code 1954, pertaining thereto.

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

- 1 SECTION 1. Section two hundred five point seven (205.7), Code
- 2 1954, is amended by inserting after the comma (,) following the word
- 3 "formaldehyde" in line fourteen (14) the words "benzol, carbon
- 4 tetrachloride,".

Approved April 5, 1957.

## CHAPTER 106

## BUSINESS MANAGERS FOR INSTITUTIONS

S. F. 249

AN ACT relating to business managers at institutions under the board of control.

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

- 1 SECTION 1. Section two hundred eighteen point six (218.6), Code
- 2 1954, is amended by striking from lines one to four (1 to 4), inclusive,
- 3 the words, "The board of control may appoint a business manager for
- 4 each of the institutions operating under the board of control" and
- 5 inserting in lieu thereof the following:
- 6 "The superintendent or executive officer of each of the institutions
- 7 under the board of control shall appoint a business manager with the
- 8 approval of the board".

Approved May 2, 1957.

## CHAPTER 107

## TRANSFER OF PRISONERS

H. F. 136

AN ACT relating to the transfer by the board of control of prisoners from institutions under the board of control.

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

- 1 SECTION 1. Chapter two hundred eighteen (218), Code 1954, is
- 2 hereby amended by adding thereto the following:
- 3 "The board of control may transfer any prisoner under its jurisdic-
- 4 tion from any institution supervised by the board of control to any
- 5 other institution under said board of control and may transfer any
- 6 prisoner to any other institution for mental or physical examination

7 and treatment, retaining jurisdiction over said prisoner when so  
8 transferred.”

Approved April 29, 1957.

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## CHAPTER 108

### ADMISSION TO SOLDIERS HOME

H. F. 547

AN ACT relating to admission to the Iowa Soldiers Home.

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

1 SECTION 1. Section two hundred nineteen point five (219.5), Code  
2 1954, is hereby amended by inserting in line nine (9) after the word  
3 “has” the words “been the wife of said veteran for at least ten (10)  
4 years immediately prior to his death, and has”.

1 SEC. 2. Section two hundred nineteen point six (219.6), Code 1954,  
2 is hereby amended as follows:

3 1. By striking from line ten (10) the words “six hundred” and  
4 inserting in lieu thereof the following: “twelve hundred (1200)”.

5 2. By striking from line eleven (11) the words “and/or”.

6 3. By striking from line twelve (12) the period and inserting in  
7 lieu thereof the following: “, or pensions or annuities under the social  
8 security act and the railroad retirement acts.”

Approved May 1, 1957.

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## CHAPTER 109

### ESCAPEES FROM MENTAL INSTITUTIONS

H. F. 564

AN ACT relating to the detention of escapees from mental institutions in other states and to amend certain chapters of the Code with respect thereto.

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

1 SECTION 1. Chapter two hundred twenty-two (222), Code 1954,  
2 is amended by adding thereto the following new section:

3 “When any feeble-minded person escapes from an institution in  
4 another state and is found in this state, any peace officer in any county  
5 in which such escapee is found may take and detain him without war-  
6 rant and shall report such detention to the board of control which shall  
7 provide for the return of such escapee to the authorities in the state  
8 where the escape was made. Pending such return such escapee may  
9 be detained temporarily at one of the institutions of this state governed  
10 by the board of control. Expenses incurred under this section shall be  
11 paid as provided in section two hundred twenty-two point fifty-one  
12 (222.51) of the Code.

13 The provisions of this section relating to the board of control shall

14 also apply to the return of other nonresident feeble-minded persons  
15 having legal settlement outside of the state of Iowa."

1 SEC. 2. Chapter two hundred thirty (230), Code 1954, is amended  
2 by adding thereto the following new section:

3 "When any insane person escapes from an institution in another  
4 state and is found in this state, any peace officer in any county in which  
5 such escapee is found may take and detain him without warrant and  
6 shall report such detention to the board of control which shall provide  
7 for the return of such escapee to the authorities of the state where the  
8 escape was made. Pending such return such escapee may be detained  
9 temporarily at one of the institutions of this state governed by the  
10 board of control. Expenses incurred under this section shall be paid  
11 in the same manner as is provided for transfers in section two hun-  
12 dred thirty point eight (230.8) of the Code."

Approved May 14, 1957.

## CHAPTER 110

### WOODWARD AND GLENWOOD STATE SCHOOLS

H. F. 138

AN ACT relating to the superintendents of the Woodward state hospital and school and the Glenwood state school.

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

1 SECTION 1. Section two hundred twenty-three point two (223.2),  
2 Code 1954, is hereby repealed and the following enacted in lieu there-  
3 of:

4 "The board of control shall appoint superintendents for the hospitals  
5 who shall receive such salaries as the board shall determine."

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 Opinion-Tribune, a newspaper published at Glenwood,  
4 Iowa, and in the Eldora Herald-Ledger, a newspaper published at  
5 Eldora, Iowa.

Approved April 11, 1957.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1954, the Opinion-Tribune, Glenwood, Iowa, being nonexistent, The Glenwood Opinion-Tribune, a newspaper published in Glenwood, Iowa, is designated to publish the foregoing Act, House File 138.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 138, was published in the Eldora Herald-Ledger, Eldora, Iowa, April 16, 1957, and in The Glenwood Opinion-Tribune, Glenwood, Iowa, April 18, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 111

## MENTAL HEALTH RESEARCH FUND

H. F. 183

AN ACT to amend chapter two hundred twenty-five (225), Code 1954, relating to the establishment of a permanent mental health research fund to provide for improvement in the care, diagnosis and treatment of mental and emotional illness and mental retardation, and for the prevention of such conditions, through research, and to provide an appropriation therefor.

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

1 Chapter two hundred twenty-five (225), Code 1954, is hereby  
2 amended by adding thereto the following sections:

1 SECTION 1. There is hereby created as a permanent fund in the  
2 office of the treasurer of state to be known as the mental health research  
3 fund, and for the purpose of establishing and maintaining said fund  
4 for each fiscal year beginning July 1, 1957, there is appropriated there-  
5 to from funds in the general fund, not otherwise appropriated, the sum  
6 of seventy-five thousand dollars (\$75,000). Any balance in said fund  
7 on June 30 of the second fiscal year shall revert to the general fund.

1 SEC. 2. The purpose of the said mental health research fund is to  
2 provide for improvement in the care, diagnosis and treatment of  
3 adults and children afflicted with mental or emotional illness or mental  
4 retardation, and for the prevention thereof, through research and  
5 study at the state psychopathic hospital, the mental health institutes,  
6 hospital for epileptics and schools for feebleminded.

1 SEC. 3. Money from the mental health research fund shall be requi-  
2 sitioned for research projects by the medical director of the state  
3 psychopathic hospital after consultation with the professional co-  
4 ordination board and any special research study committee that the  
5 said director appoints or employs to evaluate any given research proj-  
6 ect or activity. Such requisitions shall be filed by the director with the  
7 state board of regents. Approval of such requisitions by the state  
8 board of regents shall be authority for the state comptroller to issue a  
9 warrant upon the mental health research fund payable to the agency or  
10 agencies conducting the research.

Approved May 14, 1957.

## CHAPTER 112

## PSYCHIATRIC EXAMINATION TAX

H. F. 25

AN ACT relating to the county fund for the insane.

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

1 SECTION 1. Section two hundred thirty point twenty-four  
2 (230.24), Code 1954, is hereby amended by adding thereto the follow-  
3 ing:  
4 "Any county now or hereafter expending funds from the county in-

5 sane fund for the psychiatric examination and treatment of persons  
6 in a community mental health center may levy an additional tax of  
7 not to exceed three-eighths ( $\frac{3}{8}$ ) mill."

Approved April 23, 1957.

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## CHAPTER 113

### JUVENILE COURT JURISDICTION

H. F. 64

AN ACT relating to the class of children under the jurisdiction of the juvenile court and to the definition of a delinquent child.

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

1 SECTION 1. Section two hundred thirty-two point one (232.1),  
2 Code 1954, is hereby amended by striking all of such section after the  
3 word, "institution" in line seven (7) and inserting in lieu thereof a  
4 period.

1 SEC. 2. Section two hundred thirty-two point three (232.3), Code  
2 1954, is hereby amended by striking the word, "habitually" from line  
3 three (3).

1 SEC. 3. Section two hundred thirty-two point three (232.3), Code  
2 1954, is hereby amended by inserting after the word "state" in line  
3 four (4) the words "punishable as a felony or indictable misdemea-  
4 or", and by inserting after the first word "or" in line four (4) the  
5 words "habitually violates any other state law or".

1 SEC. 4. Section three hundred twenty-one point four hundred  
2 eighty-two (321.482), Code 1954, is hereby amended by striking the  
3 period (.) after the word "chapter" in line nine (9) and adding there-  
4 to the words "which are punishable by a fine of not more than one  
5 hundred dollars (\$100.00), or by imprisonment for not more than  
6 thirty (30) days".

Approved May 24, 1957.

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## CHAPTER 114

### JUVENILE COURT

H. F. 352

AN ACT relating to the control by the juvenile court of neglected, dependent or delinquent children.

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

1 SECTION 1. Section two hundred thirty-two point twenty-one  
2 (232.21), Code 1954, is hereby amended by adding thereto a new sub-  
3 section as follows:

4 "At any time, terminate the proceedings and order the child re-  
5 leased from the control of the court."

1 SEC. 2. Section two hundred thirty-two point twenty-three  
 2 (232.23), Code 1954, is hereby amended by striking the period (.)  
 3 from the end of said section and inserting in lieu thereof the follow-  
 4 ing: “, or until the court shall order the proceedings terminated and  
 5 the child released from its control.”

Approved April 26, 1957.

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## CHAPTER 115

### CHILDREN'S HOMES

H. F. 464

AN ACT to amend section two hundred thirty-seven point sixteen (237.16), Code 1954, relating to penalty for operating or maintaining a children's home without compliance with chapter relating thereto.

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

1 SECTION 1. Section two hundred thirty-seven point sixteen  
 2 (237.16), Code 1954, is amended by adding thereto the following:  
 3 “Any person who fails to comply with the provisions of this chapter  
 4 may be restrained by temporary injunction from operating or main-  
 5 taining a children's boarding home until they have complied with the  
 6 provisions of this chapter.”

Approved April 10, 1957.

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## CHAPTER 116

### PUBLIC ASSISTANCE TO NEEDY PERSONS

H. F. 392

AN ACT to amend chapter two hundred thirty-nine (239), Code 1954, relating to aid to dependent children; chapter two hundred forty-one (241), Code 1954, relating to aid for the blind; and chapter two hundred forty-nine (249), Code 1954, relating to old-age assistance, so as to cooperate with the provisions of Public Law eight hundred eighty (880), social security amendment of 1956, enacted by the Eighty-fourth Congress of the United States, to promote the health of needy persons of this state by providing for separate matching of assistance expenditures for medical care for persons eligible for public assistance, which shall include vendor payments.

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

1 SECTION 1. Section two hundred thirty-nine point one (239.1),  
 2 subsection five (5), Code 1954, is amended by striking all of said sub-  
 3 section and inserting in lieu thereof the following: “Assistance”  
 4 means money payments to, or in behalf of, a needy, dependent child  
 5 or children.

1 SEC. 2. Section two hundred thirty-nine point one (239.1), sub-  
 2 section six (6), Code 1954, is amended by striking all of said subsec-  
 3 tion and inserting in lieu thereof the following: “Recipient” is the  
 4 person to whom the assistance grant is made.

1 SEC. 3. Section two hundred forty-one point one (241.1), Code  
 2 1954, is amended as follows: by striking lines nine (9) and ten (10)  
 3 and inserting in lieu thereof the words "Assistance" means money  
 4 payments to, or in behalf of, a needy blind person.

1 SEC. 4. Section two hundred forty-nine point one (249.1), Code  
 2 1954, is amended as follows:

3 1. By renumbering subsection nine (9) as subsection eleven (11).

4 2. By adding a new subsection nine (9) to read as follows:

5 The term "assistance" shall mean money payments to, or in behalf  
 6 of, a needy, aged person.

7 3. By adding a new subsection ten (10) to read as follows:

8 The term "recipient" shall mean a needy, aged person who has been  
 9 approved for assistance.

Approved May 1, 1957.

## CHAPTER 117

### PAROLE OF PRISONERS

H. F. 457

AN ACT to amend section two hundred forty-seven point five (247.5), Code 1954, relating to power to parole after commitment.

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

1 SECTION 1. Amend section two hundred forty-seven point five  
 2 (247.5), Code 1954, by adding thereto the following:

3 "Any detainer filed against a prisoner must within six (6) months  
 4 be supported by a grand jury indictment or county attorney's infor-  
 5 mation. In the event such indictment is returned or information is  
 6 filed, the prisoner shall have the right to demand immediate trial at  
 7 the next term of court where the charge is filed. The prosecuting  
 8 agency shall pay all costs of transportation, necessary expenses in-  
 9 curred by the prisoner and such guards and other safety measures as  
 10 the warden shall deem necessary for the prisoner to appear at his trial.

11 In the event a detainer is not supported within six (6) months by a  
 12 county attorney's information or grand jury indictment, or in the  
 13 event the prosecuting agency refuses or fails to give the prisoner im-  
 14 mediate trial, or refuses or fails to furnish transportation and pay all  
 15 other necessary and related costs incident to the prisoner appearing  
 16 at his trial, the detainer shall be held to be invalid and the parole  
 17 board shall disregard such detainer in considering a prisoner for  
 18 parole."

Approved May 14, 1957.

## CHAPTER 118

## EMPLOYMENT OF PAROLEES

H. F. 137

AN ACT relating to employment of prisoners paroled from penal institutions.

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

- 1 SECTION 1. Section two hundred forty-seven point eight (247.8),
- 2 Code 1954, is hereby amended by striking from lines four (4) and five
- 3 (5) the words, "for at least six months".

Approved April 26, 1957.

## CHAPTER 119

## SUSPENSION OF SENTENCE AND PAROLE

H. F. 345

AN ACT relating to suspension of sentence and parole by the trial court of persons convicted of certain crimes.

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

- 1 SECTION 1. Section two hundred forty-seven point twenty
- 2 (247.20), Code 1954, is hereby amended by striking the colon (:) in
- 3 line eight (8) and inserting in lieu thereof the words, "for such
- 4 period as the court may set. Upon expiration of such period the
- 5 court may grant such paroled person a final discharge from the sen-
- 6 tence:".

- 1 SEC. 2. Section two hundred forty-seven point twenty (247.20),
- 2 Code 1954, is further amended by striking from lines one (1) and two
- 3 (2) of subsection one (1) the words "been convicted of a felony" and
- 4 inserting in lieu thereof the following: "served time in a state peni-
- 5 tentiary or a reformatory".

Approved April 26, 1957.

## CHAPTER 120

## OLD-AGE ASSISTANCE

H. F. 344

AN ACT to amend chapter two hundred forty-nine (249), Code 1954, relating to old age assistance.

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

- 1 SECTION 1. Amend section two hundred forty-nine point nine
- 2 (249.9), Code 1954, by adding to paragraph four (4) thereof the fol-
- 3 lowing: "Provided, however, that no person shall be denied assistance

4 because of the fact that the claimant has made prior arrangements for  
5 funeral expenses in an amount not to exceed five hundred dollars."

This bill, having remained with the governor three days (Sunday excepted), the General Assembly being in session, has become a law this 3rd day of May, 1957.

MELVIN D. SYNHORST, *Secretary of State*.

## CHAPTER 121

### OLD-AGE ASSISTANCE EXPENSES

#### S. F. 41

AN ACT to amend section two hundred forty-nine point eighteen (249.18), Code 1954, and chapter one hundred twenty-six (126), Acts of the Fifty-sixth General Assembly, relating to old-age assistance funeral expenses.

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

1 SECTION 1. Section two hundred forty-nine point eighteen  
2 (249.18), Code 1954, is hereby amended as follows:

3 1. Strike from line seven (7) thereof the word "fifty" and insert in  
4 lieu thereof the words "seventy-five".

5 2. Insert in line two (2) of subsection one (1) after the word "hun-  
6 dred" the word "fifty".

7 3. Insert in line five (5) of subsection two (2) after the word "hun-  
8 dred" the word "fifty".

9 4. Strike from line nine (9) of subsection three (3) thereof the  
10 word "fifty" and insert in lieu thereof the words "seventy-five".

11 5. Strike from line three (3) of subsection four (4) thereof the  
12 word "fifty" and insert in lieu thereof the words "seventy-five".

13 6. Insert in line twenty-six (26) of subsection four (4) after the  
14 word "hundred" the word "fifty".

1 SEC. 2. Amend section one (1) of chapter one hundred twenty-six  
2 (126), Acts of the Fifty-sixth General Assembly as follows:

3 1. Strike from line eight (8) thereof the word "fifty" and insert in  
4 lieu thereof the words "seventy-five".

5 2. Strike the period (.) at the end thereof and add the following:  
6 " , provided further, however, that in such cases no extraordinary ex-  
7 pense shall be permitted nor will the family or next best friend of the  
8 decedent be permitted to specify the use of a steel or concrete outside  
9 burial vault."

Approved April 19, 1957.

## CHAPTER 122

### LEGAL SETTLEMENT OF BLIND PERSONS

#### H. F. 212

AN ACT relating to the legal settlement for support of the blind.

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

1 SECTION 1. Section two hundred fifty-two point sixteen (252.16),  
2 Code 1954, is hereby amended by adding thereto the following sub-  
3 section:

4 "The provisions of subsections one (1), two (2) and three (3) of  
 5 this section shall not apply to any blind person who is receiving as-  
 6 sistance under the laws of this state. Any such person who has re-  
 7 sided in any one county of this state for a period of six months shall  
 8 have acquired legal settlement for support as provided in this chap-  
 9 ter."

Approved April 26, 1957.

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## CHAPTER 123

### RELIEF FOR THE POOR

H. F. 77

AN ACT to amend section two hundred fifty-two point twenty-seven (252.27) relating to relief for the poor.

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

1 SECTION 1. Section two hundred fifty-two point twenty-seven  
 2 (252.27), Code 1954, is hereby amended by inserting a period after  
 3 the word "money" in line four (4) and striking the following from  
 4 lines four (4) to seven (7), inclusive, ", and shall not exceed two  
 5 dollars per week for each person for whom relief is furnished, ex-  
 6 clusive of medical attendance" and inserting in lieu thereof the fol-  
 7 lowing: "The amount of assistance issued to meet the needs of the  
 8 person shall be determined by standards of assistance established by  
 9 the county boards of supervisors."

Approved May 14, 1957.

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## CHAPTER 124

### VOCATIONAL EDUCATION

S. F. 39

AN ACT to amend chapter two hundred fifty-eight (258), Code 1954, relating to vocational education.

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

1 SECTION 1. Amend section two hundred fifty-eight point one  
 2 (258.1), Code 1954, as follows:  
 3 1. By inserting after the second comma (,) in line ten (10) the  
 4 words "and all amendments thereto".  
 5 2. By inserting after the word "Act" in line eleven (11) the words  
 6 "and all other Acts pertaining to vocational education".

Approved March 27, 1957.

## CHAPTER 125

## VOCATIONAL REHABILITATION

H. F. 242

AN ACT to amend chapter two hundred fifty-nine (259), Code 1954, relating to vocational rehabilitation.

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

1 SECTION 1. Amend section two hundred fifty-nine point one  
2 (259.1), Code 1954, by striking the words after the word "entitled"  
3 in line four (4) through lines five (5), six (6), seven (7), eight (8)  
4 and line nine (9) to the word "and" and insert in lieu thereof the fol-  
5 lowing: "The Federal Vocational Rehabilitation Act (29 U.S.C. ch.  
6 4) approved August 3, 1954, (P. L. 565, 83d Congress) as amended."

1 SEC. 2. Section two hundred fifty-nine point three (259.3), Code  
2 1954, is amended as follows:

3 1. Strike from lines one (1) and two (2) the words "The board  
4 heretofore designated or created as" and substitute in lieu thereof the  
5 words "The state board of public instruction constituting".

6 2. By striking all after the word "education" in line three (3)  
7 through lines four (4), five (5), six (6), to the word "is" in line seven  
8 (7).

9 3. By striking from lines eight (8) and nine (9) after the word  
10 "the" the following, "said federal board" and insert in lieu thereof the  
11 words "secretary of Health, Education, and Welfare".

12 4. By striking the period (.) at the end of the section and adding  
13 the following, "and is hereby designated to discharge the duties and  
14 exercise the powers hereinafter set forth."

1 SEC. 3. Section two hundred fifty-nine point four (259.4), Code  
2 1954, is amended as follows:

3 1. By striking from lines four (4) and five (5) after the word "the"  
4 the words "federal board for vocational education" and insert in lieu  
5 thereof the following, "secretary of Health, Education, and Welfare".

6 2. By inserting after the word "educational" in line thirty-four  
7 (34), subsection seven (7) the words "and other".

8 3. By striking from line thirty-four (34) after the word "facilities"  
9 the words "of the state".

10 4. By inserting after the word "instruction" in line thirty-nine  
11 (39), subsection seven (7) the words "and vocational rehabilitation".

12 5. By striking from line thirty-nine (39), subsection seven (7) the  
13 word "physically".

14 6. Immediately following subsection fifteen (15) add a new subsec-  
15 tion to read as follows: "Provide services as may be desirable and  
16 practicable for the vocational rehabilitation of severely handicapped  
17 persons and others entitled to the benefits of this chapter, including the  
18 establishment and operation of rehabilitation facilities and work-  
19 shops."

20 7. Also following subsection fifteen (15) add a new subsection to  
21 read as follows: "Provide rehabilitation services to homebound and  
22 other handicapped individuals who as a result thereof can wholly or  
23 substantially achieve such ability of self help as to dispense or largely  
24 dispense with the need of an attendant."

Approved March 21, 1957.

## CHAPTER 126

## COUNTY BOARD OF EDUCATION

H. F. 119

AN ACT to amend section two hundred seventy-three point thirteen (273.13), Code 1954, relating to the proceedings of the county board of education.

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

- 1 SECTION 1. Section two hundred seventy-three point thirteen  
2 (273.13), Code 1954, is hereby amended by adding the following sub-  
3 section:  
4 "Cause to be published annually in the official newspapers of the  
5 county a list of the bills and claims allowed, with the name of each  
6 individual receiving such payment, the amount thereof, and the reason  
7 therefor."

Approved May 14, 1957.

## CHAPTER 127

## COUNTY SUPERINTENDENT OF SCHOOLS

H. F. 400

AN ACT to permit two (2) or more county boards of education to enter into an agreement for joint action in employing one (1) county superintendent and for performing other duties of such boards.

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

- 1 SECTION 1. Section two hundred seventy-three point fourteen  
2 (273.14), Code 1954, is hereby amended by adding at the end of such  
3 section the following:  
4 "; provided, however, that county boards of education may, in any  
5 two or more adjacent counties, by mutual agreement act as a joint  
6 board to appoint one (1) county superintendent for all such counties,  
7 to employ professional and clerical assistants, and to provide such  
8 services as can be carried on jointly and will operate to their mutual  
9 benefit. Such agreement shall be written and entered in their respec-  
10 tive minutes. Prior to the adoption of any such agreement it shall be  
11 approved by the state department of public instruction. The superin-  
12 tendent appointed under such an agreement shall be the official county  
13 superintendent for each of the respective boards and shall be ap-  
14 pointed for a term of years, one (1) to three (3), but in no event  
15 longer than the period of time that the mutual agreement between the  
16 boards is to be in effect. The written agreement providing for joint  
17 action by the boards shall provide for the determination of the cost of  
18 such joint program and the manner of allocation of such cost to each  
19 board for inclusion in the respective budgets. For payment of salaries  
20 and other costs of such joint program, the boards by mutual agree-  
21 ment shall designate one board to make such payments and be reim-  
22 bursed by the other board or boards pursuant to their joint agreement.  
23 Such boards are hereby authorized to meet together for the transac-  
24 tion of joint business and at such joint meetings the individual boards  
25 may also separately transact their own business."

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 Sibley  
 3 Gazette-Tribune, a newspaper published in Sibley, Iowa, and The  
 4 Holstein Advance, a newspaper published in Holstein, Iowa.

Approved April 30, 1957.

I hereby certify that the foregoing Act, House File 400, was published in the Sibley Gazette-Tribune, Sibley, Iowa, May 9, 1957, and in The Holstein Advance, Holstein, Iowa, May 9, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 128

### SCHOOL DISTRICT REORGANIZATION

#### S. F. 1

AN ACT relating to school districts, reorganization of school districts, providing for the classification of property for the purposes of taxation for the cost of operation of school districts, and for the payment of tuition and transportation for pupils designated for attendance outside their school district of residence.

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

1 SECTION 1. Section two hundred seventy-five point one (275.1),  
 2 Code 1954, is hereby amended by adding the following:

3 "It is further declared to be the policy of the state that all counties  
 4 in the state of Iowa shall have completed the survey and plans pro-  
 5 vided for in sections two hundred seventy-five point one\* (275.1) to  
 6 two hundred seventy-five point four\* (275.4) by July 1, 1958. If any  
 7 county of the state has not completed said survey and plan by July 1,  
 8 1958, it shall be the duty of the state board of public instruction to  
 9 complete said survey and plan on or before January 1, 1959. All in-  
 10 formation regarding such proposed reorganization plan shall be avail-  
 11 able in the office of county superintendent to all residents of all area  
 12 involved.

13 "It is further declared to be the policy of the state that all the area  
 14 of the state shall be in a district maintaining twelve grades by July 1,  
 15 1962. If any area of the state is not in such a district by July 1, 1962,  
 16 it shall be attached by the county board of education to some such  
 17 district, provided, however, that such attachment has the approval of  
 18 the state board of public instruction before becoming effective and the  
 19 full payment of the agriculture land tax credit as provided for in  
 20 chapter four hundred twenty-six (426), Code of Iowa, has been made  
 21 for at least one (1) year prior to July 1, 1962. Any such district or  
 22 part thereof attached by the county board of education, with the ap-  
 23 proval of the state board of public instruction, shall have the right to  
 24 appeal this attachment to a court of record in the county in which said  
 25 district or part thereof is located within twenty (20) days after the  
 26 date of the approval by the state board of public instruction.

1 SEC. 2. Section two hundred eighty-two point eight (282.8), Code  
 2 1954, is hereby amended by inserting in line eight (8) after the word  
 3 "school" the following: "in his district of residence or".

\*Words supplied by editor, §3.1.

1 SEC. 3. Section two hundred eighty-five point one (285.1), Code  
2 1954, is hereby amended by striking the period at the end of subsec-  
3 tion eight (8) and adding thereto the following: "and when the  
4 school or schools are closed to all children."

1 SEC. 4. It is further declared to be the policy of the state that no  
2 existing district or part thereof shall be included in such twelve grade  
3 district prior to July 1, 1962 without the electors of such existing dis-  
4 trict or part thereof having an opportunity to vote the proposition to  
5 include such existing district or part thereof in said twelve grade dis-  
6 trict.

1 SEC. 5. Code section two hundred seventy-five point twenty  
2 (275.20), Code 1954, and any amendments thereto including amend-  
3 ments of the Fifty-seventh General Assembly is hereby repealed and  
4 the following substituted in lieu thereof:\*

5 "The voters shall vote separately in each existing school district  
6 affected or portion thereof upon the proposition to create such new  
7 school corporation. School districts affected or portion thereof shall  
8 be defined to mean that area included within the boundaries of the  
9 proposed new school corporation, except that where a portion of an  
10 existing school district operating a high school, or a rural independent  
11 school district of eight (8) sections or more operating a school formed  
12 prior to the effective date of this Act, is included within the boun-  
13 daries of the proposed new school corporation, that affected school dis-  
14 trict shall be defined as that existing district within and without the  
15 proposed new school corporation, and in such districts the entire dis-  
16 trict shall vote. If the proposition receives a majority of the votes  
17 cast in each of at least seventy-five (75) percent of the said districts,  
18 and also a majority of the total number of votes cast in all of said  
19 districts, the proposition shall be deemed carried. Provided, however,  
20 that if two or more of the school districts affected have a resident  
21 average daily attendance in public schools of three hundred (300) or  
22 more pupils who were enrolled in public schools in the preceding school  
23 year, the proposition must also receive a majority of the votes cast in  
24 each of said districts in order to be deemed carried, and in such dis-  
25 tricts the entire existing district shall vote."

1 SEC. 6. 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 Gowrie News, a newspaper published at Gowrie, Iowa, and The  
4 Marcus News, a newspaper published at Marcus, Iowa.

Approved May 1, 1957.

I hereby certify that the foregoing Act, Senate File 1, was published in The Gowrie  
News, Gowrie, Iowa, May 9, 1957, and in The Marcus News, Marcus, Iowa, May 9, 1957.  
MELVIN D. SYNHORST, *Secretary of State.*

\*See chapter 129, §5.

## CHAPTER 129

## REORGANIZATION OF SCHOOL DISTRICTS

H. F. 158

AN ACT relating to the reorganization of school districts.

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

1 SECTION 1. Section two hundred seventy-five point nine (275.9),  
 2 Code 1954, is hereby amended by striking from lines five (5) and six  
 3 (6) the words "one of the methods" and inserting in lieu thereof the  
 4 words "the method".

5 Said section is further amended by adding at the end thereof the  
 6 following: "The provisions of sections two hundred seventy-five point  
 7 one (275.1) to two hundred seventy-five point five (275.5), inclusive,  
 8 of the Code, relating to studies, surveys, hearings, and adoption of  
 9 county plans shall constitute a mandatory prerequisite to the effectua-  
 10 tion of any proposal for district boundary change. It shall be the man-  
 11 datory duty of the county board or joint county boards to dismiss the  
 12 petition if the above provisions are not complied with fully."

1 SEC. 2. Section two hundred seventy-five point ten (275.10), Code  
 2 1954, is hereby repealed.

1 SEC. 3. Section two hundred seventy-five point eleven (275.11),  
 2 Code 1954, is hereby amended by striking in line three (3) thereof the  
 3 word "three" and inserting in lieu thereof the word "two".

1 SEC. 4. Section two hundred seventy-five point seventeen (275.17),  
 2 Code 1954, is hereby repealed.

1 SEC. 5. Section two hundred seventy-five point twenty (275.20),  
 2 Code 1954, is hereby repealed and the following enacted in lieu there-  
 3 of:\*

4 "The voters residing within the proposed boundaries shall vote  
 5 separately in each existing school district affected upon the proposi-  
 6 tion to create such new corporation. School districts affected shall be  
 7 defined as those districts, all or any portion of which are within the  
 8 area included in the proposed new school district. If the proposition  
 9 receives a majority of the votes cast in each of at least seventy-five  
 10 percent (75%) of the said districts, and also a majority of the total  
 11 number of votes cast in all of said districts, the proposition shall be  
 12 deemed carried. Provided, however, that if two or more of the school  
 13 districts affected have a resident average daily attendance in public  
 14 schools of three hundred (300) or more pupils who were enrolled in  
 15 public schools in the preceding school year, the proposition must also  
 16 receive a majority of the votes cast in each of said districts in order to  
 17 be deemed carried."

1 SEC. 6. Section two hundred seventy-five point twenty-one  
 2 (275.21), Code 1954, is hereby repealed.

1 SEC. 7. Section two hundred seventy-five point twenty-three  
 2 (275.23), Code 1954, is amended as follows:

3 1. By inserting in line seven (7) after the word "proposition" the

\*See chapter 128, §5.

4 words "as provided in section two hundred seventy-five point twenty  
5 (275.20)".

6 2. By striking all after the word "organized" in line eight (8) and  
7 and substituting in lieu thereof a period.

8 3. By adding the following sentence: "The county superintendent  
9 shall file a written description of the boundaries as provided in chapter  
10 one hundred thirty-five (135), Acts of the Fifty-sixth General Assem-  
11 bly."

1 SEC. 8. Section two hundred seventy-five point twenty-four  
2 (275.24), Code 1954, is hereby amended by striking in lines three (3),  
3 four (4) and five (5) thereof the following:

4 "provided in section 275.10 or the method provided in sections  
5 275.11 to 275.23 hereof" and substitute in lieu thereof the words  
6 "hereinabove provided".

1 SEC. 9. Section two hundred seventy-five point twenty-five  
2 (275.25), Code 1954, is amended by striking from lines three (3) and  
3 four (4) the words "provided in sections 275.11 to 275.23 hereof"  
4 and substitute in lieu thereof the words "hereinabove provided". By  
5 striking in the second paragraph thereof the lines one (1) to nine  
6 (9), inclusive, and inserting in lieu thereof the following: "Provided,  
7 however, in cases involving two (2) districts only, where the popula-  
8 tion of the new district does not exceed the population of the more  
9 populous of said districts by more than twenty-five percent (25%),  
10 the incumbent board members of said more populous district shall  
11 continue to hold office as director of the new district for the remainder  
12 of their elective terms."

1 SEC. 10. Section two hundred seventy-five point twenty-six  
2 (275.26), Code 1954, is amended as follows:

3 1. By striking from lines two (2) and three (3) the words "by  
4 either of the said methods".

5 2. By inserting after the word "is" in line seven (7) the following:  
6 "dismissed or".

1 SEC. 11. Section two hundred seventy-five point eight (275.8),  
2 Code 1954, is amended by adding at the end of said section the follow-  
3 ing: "An aggrieved party is hereby defined as the board of directors  
4 of a school district whose directors are elected at large, or, if said  
5 board is elected from director districts, then that membership of the  
6 board of directors whose districts are included in the proposed re-  
7 organized area, or a county board of education.

8 "For purposes of this chapter the planning of joint districts is de-  
9 fined to include all of the following acts:

10 1. Preparation of a written joint plan in which contiguous territory  
11 in two or more counties is considered as a part of a potential school  
12 district in the county on behalf of which such county plan is filed with  
13 the state department of public instruction by the county board of edu-  
14 cation in and for such county.

15 2. Adoption of such plan at a joint session of the several county  
16 boards of education in whose counties such territory is situated.

17 3. Filing said plan with the state department of public instruction.

18 "For purposes of subsection one (1) hereof, joint planning shall be

19 evidenced by filing the following items with the state department of  
20 public instruction:

21 a. A plat of the entire area of such potential district.

22 b. A statement of the number of pupils residing within the area of  
23 said potential district enrolled in public schools in the preceding school  
24 year.

25 c. A statement of the assessed valuation of taxable property located  
26 within such potential district.

27 d. An affidavit signed on behalf of each of said county boards of  
28 education by a member of such board stating the boundaries as shown  
29 on such plat have been agreed upon by the respective boards as a part  
30 of the overall county plan of school district reorganization of each  
31 such school."

1 SEC. 12. Section two hundred seventy-five point twelve (275.12),  
2 Code 1954, is hereby repealed and the following substituted in lieu  
3 thereof:\*

4 "A petition describing the boundaries, or accurately describing the  
5 area included therein by legal descriptions, of the proposed district,  
6 which boundaries or area described shall conform to county plan or  
7 the petition shall request change of the county plan, shall be filed with  
8 the superintendent of schools of the county in which the greatest number  
9 of electors reside. Such petition shall be signed by voters in each  
10 existing school district affected or portion thereof equal in number to  
11 at least twenty percent (20%) of the number of eligible voters or  
12 four hundred (400) voters, whichever is the smaller number. School  
13 districts affected or portion thereof shall be defined to mean that area  
14 to be included in the plan of the proposed new school district."

1 SEC. 13. Section two hundred seventy-five point thirteen (275.13),  
2 Code 1954, is amended by striking from line four (4) the words "the  
3 territory" and substituting in lieu thereof the following words: "each  
4 affected district or portion thereof."

1 SEC. 14. Section two hundred seventy-five point fifteen (275.15),  
2 Code 1954, is amended by inserting a period after the word "petition"  
3 in line eleven (11), and by striking lines twelve (12) through eighteen  
4 (18), inclusive, and the words "which shall be final." on line nineteen  
5 (19).

6 Said section is further amended by adding at the end thereof the  
7 following:

8 "Within twenty (20) days after the publication thereof the decision  
9 rendered by the county board of education may be appealed to a court  
10 of record in the county involved by any school district affected."

1 SEC. 15. Section two hundred seventy-five point sixteen (275.16),  
2 Code 1954, is amended by striking in lines ten (10) and eleven (11)  
3 the words "not disqualified under 275.17 hereof" and by inserting a  
4 period (.) after the word "quorum" in line fourteen (14) and striking  
5 the balance of the section.

6 Said section is further amended by adding at the end thereof the  
7 following:

8 "The joint boards acting as a single board shall determine whether

\*See chapter 130, §1.

9 the petition conforms to county plans or, if the petition requests a  
10 change in county plans, whether such change should be made, and  
11 shall have the authority to change the plans of any or all the county  
12 boards affected by the petition, and it shall determine and fix bound-  
13 aries for the proposed corporation as provided in section two hun-  
14 dred seventy-five point fifteen (275.15)\* of the Code or dismiss the  
15 petition. The county superintendent shall at once publish this decision  
16 in the same newspaper in which the original notice was published.

17 "In case a controversy arises from such meeting, the county board  
18 or boards or any school district aggrieved may bring the controversy  
19 to the state department of public instruction, as provided in section  
20 two hundred seventy-five point eight (275.8) of the Code, within  
21 twenty (20) days from the publication of this order, and if said con-  
22 troversy is taken to the state department of public instruction, a ten-  
23 day notice in writing shall be given to all county boards and school  
24 districts affected or portions thereof. The state department shall have  
25 the authority to affirm the action of the joint boards, to vacate, to dis-  
26 miss all proceedings or to make such modification of the action of the  
27 joint boards as in their judgment would serve the best interest of all  
28 the counties. This decision may be appealed to a court of record in  
29 one of the counties by any aggrieved party to the controversy as  
30 defined in section two hundred seventy-five point eight (275.8), within  
31 thirty days after the decision of the state department of public instruc-  
32 tion.

33 "The court on appeal shall have the same authority as is granted  
34 in this section to the state department of public instruction."

1 SEC. 16. Chapter two hundred seventy-five (275), Code 1954, is  
2 hereby amended by adding thereto the following section:

3 "The aggrieved party, as defined in section two hundred seventy-five  
4 point eight (275.8) of the Code, shall initiate the appeal or appeals to  
5 a court of record, as provided for in this chapter. Nothing herein shall  
6 be construed as affecting the rights of any school district, person or  
7 persons from bringing or engaging in any action in law or equity now  
8 granted or preserved to such school district, person or persons."

1 SEC. 17. Amend section two hundred seventy-five point five  
2 (275.5), Code 1954 as follows:

3 1. By striking the words "one of the methods" in line twenty-five  
4 (25) and inserting in lieu thereof the words "the method".

5 2. Further amend said section by inserting after the word "district"  
6 in line twenty-eight (28) the words "or districts".

1 SEC. 18. 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 Gowrie News, a newspaper published at Gowrie, Iowa, and The  
4 Marcus News, a newspaper published at Marcus, Iowa; provided, how-  
5 ever, that this Act shall not affect any reorganization proposal for  
6 which a petition has been filed prior to the effective date of this Act  
7 with the superintendent of schools.

Approved April 25, 1957.

\*Words supplied by editor, §3.1.

I hereby certify that the foregoing Act, House File 158, was published in The Gowrie News, Gowrie, Iowa, May 2, 1957, and in The Marcus News, Marcus, Iowa, May 2, 1957.  
MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 130

## ELECTION OF SCHOOL DIRECTORS

H. F. 14

AN ACT relating to the method of election of school directors.

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

1 SECTION 1. Section two hundred seventy-five point twelve  
2 (275.12), Code 1954, is hereby amended as follows:

3 1. By inserting at the beginning of such section the numeral "1."\*

4 2. By inserting at the end of such section the following:

5 "2. Such petition shall also state the method of election of the school  
6 directors of the proposed district. The method of election of the direc-  
7 tors shall be one of the following optional plans:

8 a. Election at large from the entire district by the electors of the  
9 entire district.

10 b. Division of the entire school district into designated geographical  
11 subdistricts, to be known as director districts, each of which director  
12 districts shall be represented on the school board by one director who  
13 shall be a resident of such director district but who shall be elected by  
14 the vote of the electors of the entire school district. The school district  
15 shall be divided into the same number of director districts as the num-  
16 ber of school directors the district is authorized by law. The bound-  
17 aries of such director districts and the area and population included  
18 within each district shall be such as justice, equity, and the interests  
19 of the people may require. In so far as may be practicable, the bound-  
20 aries of such districts shall follow established political or natural geo-  
21 graphic divisions.

22 c. Election of not more than one-half of the total number of school  
23 directors at large from the entire district and the remaining directors  
24 from and as residents of designated director districts into which the  
25 entire school district shall be divided. In such case, all directors shall  
26 be elected by the electors of the entire school district.

27 d. Division of the entire school district into designated geographical  
28 subdistricts, to be known as director districts, each of which director  
29 districts shall be represented on the school board by one director who  
30 shall be a resident of such director district and who shall be elected by  
31 the voters of said director district. Place of voting in such director  
32 districts shall be designated by the county board.

33 3. If the petition proposes the division of the school district into  
34 director districts, the boundaries of such proposed director districts  
35 shall be described in the petition.

36 4. The county board or boards of education in reviewing such peti-  
37 tion as provided in sections two hundred seventy-five point fifteen  
38 (275.15), two hundred seventy-five point sixteen (275.16), and two  
39 hundred seventy-five point seventeen (275.17) shall review the pro-  
40 posed method of election of school directors and shall have the duty  
41 and authority to change or amend such plan in any manner, including  
42 the changing of boundaries of director districts if proposed, or to spec-  
43 ify a different method of electing school directors on the basis of area,  
44 school population, or assessed valuation as may be required by law,

\*See chapter 129, §12.

45 justice, equity, and the interest of the people. In such action the  
 46 county board or boards shall follow the same procedure as is required  
 47 by sections two hundred seventy-five point fifteen (275.15), two hun-  
 48 dred seventy-five point sixteen (275.16), and two hundred seventy-five  
 49 point seventeen (275.17) for other action on the petition by the county  
 50 board or boards."

1 SEC. 2. Section two hundred seventy-five point eighteen (275.18),  
 2 Code 1954, is hereby amended by inserting after the word, "corpora-  
 3 tion" in line three (3) of such section the words, "and the method of  
 4 the election of the school directors of such proposed school corpora-  
 5 tion".

1 SEC. 3. Any existing or hereafter created or enlarged school dis-  
 2 trict may change its method of election of school directors to any  
 3 method authorized by section two hundred seventy-five point twelve  
 4 (275.12) by submission of a proposal, stating the proposed new  
 5 method of election and describing the boundaries of the proposed direc-  
 6 tor districts if any, by the school board of such district to the electors  
 7 at any regular school election. The school board shall give notice of  
 8 the submission of such proposal to the voters by one publication at  
 9 least ten (10) days prior to such election of such proposal in a news-  
 10 paper published within the school district, or if none is published  
 11 therein, in a newspaper published in the county where the school dis-  
 12 trict is located, and of general circulation in the territory described.  
 13 Such proposal shall be adopted:

14 1. If, in a district where the existing method of election of school  
 15 directors is by election at large, it is approved by a majority of the  
 16 votes cast on the proposition;

17 2. If, in a district which is subdivided into director districts for the  
 18 election of all or part of the school directors, it is approved by a  
 19 majority of the votes cast in each director district on the proposition.

1 SEC. 4. If a petition for a change in the method of election of  
 2 school directors, describing the boundaries of the proposed director  
 3 districts, if any, signed by at least one-third ( $\frac{1}{3}$ ) of the voters resid-  
 4 ing within the school district and accompanied by affidavit as required  
 5 by section two hundred seventy-five point thirteen (275.13) be filed  
 6 with the school board of a school district, not earlier than six (6)  
 7 months and not later than two (2) months before a regular school  
 8 election, the school board shall submit such proposition to the voters  
 9 at such election.

1 SEC. 5. If change in the method of the election of school directors  
 2 is approved at a regular school election by the voters of a school dis-  
 3 trict, the school board shall, by notice in one publication in the same  
 4 newspaper which the notice of election required by section three (3)  
 5 of this Act was published, call a special election to be held on or before  
 6 the tenth (10th) day of June next following, for the election of new  
 7 school directors under the newly adopted method of election. The  
 8 school directors elected at such election shall meet and organize on the  
 9 first Monday in July following their election.

1 SEC. 6. In a school district, either newly organized or previously  
 2 established, at the first election under a method of electing school direc-

3 tors whereby the district is divided into director districts, the two  
 4 directors elected with the fewest number of votes in their favor shall  
 5 serve the terms until the next regular election; the two directors  
 6 elected with the next fewest number of votes shall serve the terms  
 7 until the second next regular election, and the remaining director or  
 8 directors elected shall serve until the third next regular election.

1 SEC. 7. The last sentence of section two hundred seventy-five point  
 2 twenty (275.20), Code 1954, beginning on line nineteen (19) and end-  
 3 ing on line twenty-four (24) of such section is hereby repealed.

1 SEC. 8. Section two hundred seventy-seven point twenty-five  
 2 (277.25), Code 1954, is hereby amended as follows:

3 1. By striking the word "one" in line one (1) of subsection two (2)  
 4 and inserting in lieu thereof the word, "two (2)" and by striking the  
 5 word, "two" in line three (3) of such subsection and inserting in lieu  
 6 thereof the word, "one (1)".

7 2. By striking the word, "three" in line one (1) of subsection three  
 8 (3) and inserting in lieu thereof the word, "two (2)" and by striking  
 9 the word, "two" in line three (3) of such subsection and inserting in  
 10 lieu thereof the word "three (3)".

Approved April 10, 1957.

## CHAPTER 131

### COMMUNITY SCHOOL DISTRICTS

#### H. F. 226

AN ACT relating to the number of directors to be elected in certain community school districts.

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

1 SECTION 1. Section two hundred seventy-five point twenty-five  
 2 (275.25), Code 1954, is hereby amended by inserting in line fifteen  
 3 (15) after the period following the word "qualified" the following:

4 "Provided, however, that in all community school districts which  
 5 include a city of fifteen thousand (15,000) or more population and  
 6 which became effective prior to July 4, 1955, and in all community  
 7 school districts containing a city which has attained a population of  
 8 fifteen thousand (15,000) or more as shown by the most recent de-  
 9 cennial federal census, the board of directors shall consist of seven  
 10 (7) members. Where it becomes necessary to increase the member-  
 11 ship of any such board under the provisions hereof, new directors  
 12 shall be elected at the next regular school election for such initial  
 13 terms as will conform to the staggered terms hereinabove provided  
 14 for directors in newly formed districts."

1 SEC. 2. This act being deemed of immediate importance shall be  
 2 in full force and effect from and after publication in the Marshall-  
 3 town Times-Republican, a newspaper published at Marshalltown,

4 Iowa, and The Cedar Rapids Gazette, a newspaper published at Cedar  
5 Rapids, Iowa.

Approved February 21, 1957

I hereby certify that the foregoing Act, House File 226, was published in the Marshalltown Times-Republican, Marshalltown, Iowa, February 23, 1957, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa, February 25, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

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## CHAPTER 132

### MINIMUM ENROLLMENT IN SCHOOLS

H. F. 426

AN ACT to amend section two hundred seventy-nine point fifteen (279.15), Code 1954, relating to minimum enrollment in public schools.

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

1 SECTION 1. Section two hundred seventy-nine point fifteen  
2 (279.15), Code 1954, is amended as follows:  
3 1. By striking from line five (5) the word "five" and inserting in  
4 lieu thereof the word "eight (8)".  
5 2. By striking from line twelve (12) the word "five" and inserting  
6 in lieu thereof the word "eight (8)".  
7 3. By striking from line thirteen (13) the word "six" and inserting  
8 in lieu thereof the word "ten (10)".  
9 4. By striking from line seventeen (17) the word "seven" and in-  
10 sserting in lieu thereof the word "ten (10)".  
11 5. Further amend said section by adding at the end thereof the  
12 following: "When any school board persists in operating its school in  
13 violation of the provisions of this section it shall be the duty of the  
14 county attorney to bring action for injunction on request of the county  
15 superintendent."

1 SEC. 2. The provisions of this Act shall not be effective prior to  
2 the school year of 1958-59.

Approved April 1, 1957.

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## CHAPTER 133

### CLAIMS AGAINST SCHOOLS

S. F. 297

AN ACT relating to claims against school corporations.

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

1 SECTION 1. Section two hundred seventy-nine point twenty-six  
2 (279.26), Code 1954, is amended by adding the following thereto:  
3 "In any district in which the board consists of five (5) or more  
4 members, an audit made by one or more members of the board desig-

5 nated by the board or by a certified public accountant employed by the  
6 board, and certified to the board by such member or members of the  
7 board or by such accountant, shall satisfy the requirements of this  
8 section with respect to the audit of a claim."

Approved April 24, 1957.

## CHAPTER 134

### SUPPLEMENTAL AID TO SCHOOLS

#### S. F. 3

AN ACT relating to supplemental aid to schools.

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

1 SECTION 1. Section two hundred eighty-six point four (286.4),  
2 Code 1954, is hereby amended as follows:

3 1. By striking from line four (4) of subsection one (1) the word  
4 "ninety" and inserting in lieu thereof the words "one hundred twenty".

5 2. By striking from line five (5) of subsection one (1) the words  
6 "one hundred forty-five" and inserting in lieu thereof the words "one  
7 hundred seventy".

8 3. By striking from lines six (6), seven (7), eight (8), and nine (9)  
9 of subsection two (2) the words "seventeen mills for independent dis-  
10 tricts with high schools, ten mills for consolidated and other districts  
11 with high schools, and seven" and inserting in lieu thereof the words  
12 "fifteen mills for all districts with high schools and ten".

13 4. By striking all of subsection two (2) after the word "districts"  
14 in line ten (10).

1 SEC. 2. Section two hundred eighty-six point five (286.5), Code  
2 1954, is amended as follows:

3 1. By striking from line one (1) of subsection one (1) the word  
4 "ninety" and inserting in lieu thereof the words "one hundred twenty".

5 2. By striking from line one (1) of subsection two (2) the words  
6 "one hundred forty-five" and inserting in lieu thereof the words "one  
7 hundred seventy".

8 3. By striking all of subsection five (5).

Approved April 23, 1957.

## CHAPTER 135

### TEACHERS' RETIREMENT ALLOWANCE

#### H. F. 599

AN ACT to provide for minimum state retirement allowance payments to certain em-  
ployees in the public schools of the state of Iowa who retired prior to July 4, 1953,  
and to make an appropriation therefor.

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

1 SECTION 1. Any person having attained the age of sixty-five who  
2 shall have been an employee, holding a valid teaching certificate, in

3 the public schools of this state with a record of service of twenty-five  
 4 years or more, including a maximum of five years out-of-state service  
 5 followed by at least ten years service in this state prior to retirement  
 6 and who shall have retired prior to July 4, 1953, shall be entitled to  
 7 receive retirement allowance payments from the state of Iowa of not  
 8 less than seventy-five (75) dollars per month. Such sums as are neces-  
 9 sary to meet this minimum requirement shall be added to the retire-  
 10 ment allowance payments, if any, now being received from the state of  
 11 Iowa by individuals covered by the provisions of this Act.

12 Applications for such retirement allowance payments shall be made  
 13 to the employment security commission under such rules and regula-  
 14 tions as the commission may prescribe. Eligible persons shall be en-  
 15 titled to receive such retirement allowance payments effective from  
 16 the date of application to the commission, provided such application  
 17 is approved, and such payments shall be continued on the first day of  
 18 each month thereafter during the lifetime of any such person.

1 SEC. 2. There is hereby appropriated from the general fund of the  
 2 state of Iowa to the employment security commission an amount not  
 3 to exceed two hundred fifty thousand dollars (\$250,000.00), or so much  
 4 thereof as may be necessary to carry out the provisions of this Act.

5 Any balance remaining in the funds, to which appropriations are  
 6 made by this Act, at the end of the ensuing biennium shall revert to  
 7 the general fund of the state.

Approved May 14, 1957.

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## CHAPTER 136

### COUNTY SCHOOL LEVY

H. F. 61

AN ACT to amend section two hundred ninety-eight point ten (298.10), Code 1954, re-  
 lating to school levy by the county.

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

1 SECTION 1. Section two hundred ninety-eight point ten (298.10),  
 2 Code 1954, is hereby amended by striking the word "shall" in line  
 3 one (1) and inserting in lieu thereof the word "may".

Approved April 30, 1957.

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## CHAPTER 137

### STATE PARK ROADS

S. F. 236

AN ACT to exclude roads abutting or adjacent to state parks from the state park roads  
 system and to provide for concurrent jurisdiction as to certain roads within state  
 parks with the state highway commission or the county board of supervisors and  
 the state conservation commission.

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

1 SECTION 1. Section three hundred six point one (306.1), Code  
 2 1954, is hereby amended by striking from line three (3) the word  
 3 "three" and inserting in lieu thereof the word "four".

1 SEC. 2. Section three hundred six point one (306.1), Code 1954,  
2 is further amended by striking from line four (4) the words "state  
3 park and".

1 SEC. 3. Section three hundred six point one (306.1), Code 1954,  
2 is further amended by striking from line five (5) the word "and".

1 SEC. 4. Section three hundred six point one (306.1), Code 1954,  
2 is further amended by adding to line five (5) after the word "system"  
3 the words ", and the state park road system".

1 SEC. 5. Section three hundred six point two (306.2), Code 1954,  
2 is hereby amended by striking from line one (1) of subsection two  
3 (2) the words "State park and".

1 SEC. 6. Section three hundred six point two (306.2), Code 1954,  
2 is further amended by striking from line two (2) of subsection two  
3 (2) the words "state park and".

1 SEC. 7. Section three hundred six point two (306.2), Code 1954,  
2 is further amended by striking from line five (5) of subsection two  
3 (2) the words "state park or".

1 SEC. 8. Section three hundred six point two (306.2), Code 1954,  
2 is further amended by adding a new subsection as follows:

3 "6. *State park roads.* The term "state park roads" shall include all  
4 those highways and roads, either inside or outside of cities and towns,  
5 upon land belonging to the state at any state park."

1 SEC. 9. Section three hundred six point three (306.3), Code 1954,  
2 is hereby amended by adding to the section following the period in  
3 line ten (10) the following:

4 "Provided however, that as to any state park road which is an ex-  
5 tension of either a primary or secondary highway which both enters  
6 and exits from the state park at separate points, the state highway  
7 commission in the case of a primary road, and the county board of  
8 supervisors in the case of secondary roads, shall have concurrent  
9 jurisdiction with the state conservation commission over such roads,  
10 and the state highway commission in the case of a primary road and  
11 the board of supervisors in the case of a secondary road, may expend  
12 the moneys available for such roads in the same manner as they  
13 expend such funds on other roads over which they exercise jurisdic-  
14 tion and control. The parties exercising concurrent jurisdiction shall  
15 enter into agreements with each other as to the kind and type of con-  
16 struction or maintenance and the division of cost thereof, but in the  
17 absence of such agreement the jurisdiction and control of said road  
18 shall remain under the conservation commission."

1 SEC. 10. Section three hundred eight point one (308.1), Code  
2 1954, is hereby amended by striking from lines four (4) and five (5)  
3 the words "or state park,".

1 SEC. 11. Section three hundred eight point four (308.4), Code  
2 1954, is amended by adding in line three (3) after the word "district"  
3 the following:

4 "and roads included in the state park system as defined in section  
5 three hundred six point two (306.2) of the Code as amended".

Approved May 1, 1957.

CHAPTER 138  
FEDERAL ROAD FUNDS

H. F. 565

AN ACT relating to the crediting of federal appropriations to the primary road fund or to the engineering and administrative fund of the highway commission.

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

1 SECTION 1. Section three hundred seven point seven (307.7),  
2 Code 1954, is hereby amended by striking out the last sentence of that  
3 section reading "When payments on said projects or improvements  
4 are received by the state from the federal government, the funds so  
5 received shall be credited to the primary road fund.", and enacting in  
6 lieu thereof the following: "When payments on said project or im-  
7 provement are received by the state from the federal government, the  
8 funds so received shall be credited to the fund from which the advance  
9 expenditure was made, either to the primary road fund or to the  
10 engineering and administrative fund of the highway commission, as  
11 the case may be. The highway commission shall advise the treasurer  
12 of state as to the amount to be credited to the primary road fund or  
13 to the engineering and administrative fund of the highway commis-  
14 sion."

Approved May 14, 1957.

CHAPTER 139  
SECONDARY ROADS

H. F. 42

AN ACT relating to the secondary road system of counties.

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

1 SECTION 1. Sections three hundred and nine point four (309.4),  
2 three hundred and nine point five (309.5), three hundred and nine  
3 point six (309.6), three hundred and nine point seven (309.7), three  
4 hundred and nine point eight (309.8), three hundred and nine point  
5 nine (309.9), three hundred and nine point ten (309.10), as amended  
6 by chapter one hundred and forty-nine (149), Acts of the Fifty-sixth  
7 General Assembly, three hundred and nine point eleven (309.11),  
8 three hundred and nine point twelve (309.12), three hundred and nine  
9 point thirteen (309.13), as amended by chapter one hundred and  
10 forty-nine (149), Acts of the Fifty-sixth General Assembly, three  
11 hundred and nine point fourteen (309.14), three hundred and nine  
12 point fifteen (309.15), three hundred and nine point twenty-three  
13 (309.23), three hundred and nine point thirty-one (309.31), three hun-  
14 dred and nine point thirty-two (309.32), three hundred and nine point  
15 thirty-three (309.33), and section three hundred twenty-one point  
16 three hundred fifty-one (321.351), Code 1954, are hereby repealed.

1 SEC. 2. The board of supervisors may annually, at its September  
2 session, levy for secondary road construction and maintenance pur-  
3 poses:

4 1. A tax of not to exceed two and one-half mills on the dollar on all  
5 taxable property in the county except on property within cities and  
6 towns which control their own bridge levies.

7 2. A tax of not to exceed eight and five-eighths mills on the dollar  
8 on all property in the county, except on property within cities and  
9 towns, provided, that no county shall be required, as a condition prece-  
10 dent to being eligible, to receive farm-to-market road funds on an  
11 equalization basis, to levy in excess of five mills.

12 3. A tax not to exceed five-eighths mills on the dollar on all taxable  
13 property in the county.

1 SEC. 3. There is hereby created a secondary road fund which fund  
2 shall consist of:

3 1. All funds derived from the secondary road tax levies.

4 2. All funds allotted to the county from the state road use tax fund.

5 3. All funds provided by individuals for the improvement of any  
6 secondary road from their own contributions.

7 4. All other funds which may by law be dedicated to said fund.

1 SEC. 4. The secondary road fund is hereby pledged to and shall be  
2 used for any or all of the following purposes at the option of the board  
3 of supervisors:

4 1. Construction and reconstruction of secondary roads and costs in-  
5 cident thereto.

6 2. Maintenance and repair of secondary roads and costs incident  
7 thereto.

8 3. Payment of all or part of the cost of construction and mainte-  
9 nance of bridges in cities and towns having a population of eight  
10 thousand (8,000), or less and all or part of the cost of construction  
11 of roads located within an incorporated town, of less than four hun-  
12 dred (400), population, which lead to state parks.

13 4. Special drainage assessments levied on account of benefits to  
14 secondary roads.

15 5. Payment of interest on and principal of any bonds of the county  
16 issued on account of secondary roads, bridges or culverts constructed  
17 by the county.

18 6. Any legal obligation or contract in connection with secondary  
19 roads and bridges which is required by law to be taken over and as-  
20 sumed by the county, and

21 7. Secondary road equipment, materials, supplies and garages or  
22 sheds for the storage, repair and servicing thereof.

23 8. For the assignment or designation of names or numbers to roads  
24 in the county and to erect, construct or maintain guide posts or signs  
25 at the intersections thereof.

1 SEC. 5. Section three hundred and nine point twenty-two (309.22),  
2 Code 1954, is hereby amended as follows:

3 1. By striking from lines one (1), two (2) and three (3) the words,  
4 "Before proceeding with any construction work on the secondary road  
5 system for any year or years" and inserting in lieu thereof the words,  
6 "On or before the first day of November of each year".

7 2. By striking from lines five (5) and six (6) the words, "or proj-  
8 ect" and inserting in lieu thereof the following "for the next calendar  
9 year".

10 3. By inserting a period after the word "year" in line seven (7) and  
11 striking the remainder of said section.

1 SEC. 6. In the preparation of the county secondary road program  
2 required by section three hundred and nine point twenty-two (309.22),  
3 of the Code, the board of supervisors shall meet and consult with the  
4 township trustees as to the improvements needed for the secondary  
5 roads in the various townships.

1 SEC. 7. Section three hundred and eleven point seven, (311.7),  
2 Code 1954, is hereby amended by striking the word, "December" in  
3 line five (5) and inserting in lieu thereof the word, "July".

1 SEC. 8. Section three hundred and nine point forty-six (309.46),  
2 Code 1954, is hereby amended by striking the word, "construction"  
3 in line seven (7).

1 SEC. 9. Section three hundred and nine point forty-seven (309.47),  
2 Code 1954, is hereby amended by striking the word, "construction"  
3 in line four (4).

1 SEC. 10. Section three hundred and nine point forty-eight  
2 (309.48), Code 1954, is hereby amended as follows:

3 1. By striking from lines one (1) and two (2) of subsection one (1)  
4 the word, "construction".

5 2. By striking from line two (2) of subsection three (3), the word,  
6 "construction".

1 SEC. 11. Section three hundred and nine point fifty-two (309.52),  
2 Code 1954, is hereby amended as follows:

3 1. By striking from line four (4) the word, "construction" and in-  
4 serting in lieu thereof the words, "secondary road".

5 2. By striking from line nine (9) the word, "construction".

1 SEC. 12. Section three hundred and twelve point two (312.2), sub-  
2 section two (2), Code 1954, is hereby amended by striking the word,  
3 "construction" in line one (1).

1 SEC. 13. Section three hundred and twelve point three (312.3),  
2 subsection one (1), Code 1954, is hereby amended by striking the  
3 word, "construction" in lines five (5) and six (6).

1 SEC. 14. Section three hundred and twelve point four (312.4), sub-  
2 section two (2), Code 1954, is hereby amended by striking the word,  
3 "construction" from line three (3).

1 SEC. 15. Section three hundred and twenty-one point three hun-  
2 dred and forty-six (321.346), Code 1954, is hereby amended as fol-  
3 lows:

4 1. By striking the words, "county trunk highways" in line four (4)  
5 and inserting in lieu thereof the words, "secondary roads".

6 2. By striking the words, "trunk road maintenance or construction  
7 fund" in lines five (5) and six (6) and inserting in lieu thereof the  
8 words, "secondary road fund".

1 SEC. 16. Section four hundred sixty-seven B point thirteen  
2 (467B.13), Code 1954, is hereby amended by striking lines four (4)  
3 through line nine\* (9) inclusive, and inserting in lieu thereof the fol-  
4 lowing: "to the secondary road funds of the counties which".

\*Word supplied by editor, §3.1.

1 SEC. 17. The classification of secondary roads into "county trunk  
2 roads" and "local county roads" is hereby abolished. Wherever in any  
3 statute the words, "county trunkroads", "county road" or "local county  
4 road" appear, they shall be construed to mean "secondary road".

1 SEC. 18. The classification of county road funds into "secondary  
2 road construction funds" and "secondary road maintenance funds" is  
3 hereby abolished. Wherever in any statute the words, "secondary road  
4 construction fund" or "secondary road maintenance fund" appear,  
5 they shall be construed to mean, "secondary road fund".

Approved April 22, 1957.

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## CHAPTER 140

### COUNTY'S PROGRESS REPORT

H. F. 43

AN ACT to require an annual report as to a county's progress on its secondary road construction program.

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

1 SECTION 1. Section three hundred and nine point twenty-two  
2 (309.22), Code 1954, is amended by adding thereto the following:  
3 "At the close of each year, the county engineer as a part of his annual  
4 report to the state highway commission shall include a statement of  
5 the progress made toward the completion of each project contained  
6 in the approved program, a statement of the total amount expended  
7 on each such project during the year, and a statement of what por-  
8 tion of the work on each such project was done on contract and the  
9 amount so expended on each contract for each such project."

Approved February 27, 1957.

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## CHAPTER 141

### SECONDARY ROAD BUDGETS

H. F. 46

AN ACT relating to county secondary road budgets.

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

1 SECTION 1. On or before November 1 of each year, the board of  
2 supervisors, with the assistance of the county engineer, shall adopt  
3 and submit to the state highway commission for approval the county  
4 secondary road budget for the next calendar year. The budget shall  
5 include an itemized statement of:  
6 1. Estimated revenues to be raised by property taxation for second-  
7 ary road purposes.  
8 2. Estimated revenues to be received from the state road use tax  
9 fund.

10 3. Estimates of revenues from all other sources for secondary road  
11 purposes.

12 4. The proposed expenditures from each road fund during the next  
13 calendar year. The estimates of such proposed expenditures shall be  
14 itemized and classified in a manner which the state highway commis-  
15 sion shall prescribe.

16 5. The actual expenditures for the last two prior years and the  
17 estimated expenditures for the current year. These shall be itemized  
18 and classified in the same manner as proposed expenditures.

19 6. The cash balance of each road fund at the end of the last prior  
20 year, an estimate of the cash balance at the end of the current year,  
21 and an estimate of the cash balance at the end of the next calendar  
22 year.

1 SEC. 2. The state highway commission shall have the power to  
2 approve or disapprove the budget adopted by the board of supervisors.  
3 If the budget is not approved, the state highway commission shall list  
4 the disapproved expenditures and shall state the reasons for dis-  
5 approval when the budget is returned to the county. The commission  
6 shall act upon a budget and return the budget to the county within  
7 forty-five days after the budget is received by the commission. Upon  
8 disapproval of any proposed expenditure in a budget, the county may  
9 submit a revised budget to the commission for approval. The commis-  
10 sion shall act upon such a revised budget within ten days.

1 SEC. 3. The budget shall be binding except that should bona fide  
2 unforeseen or emergency conditions arise, the board of supervisors  
3 may amend such budget during the year for which it was adopted.  
4 Such amendments shall be submitted to the state highway commission  
5 for approval with a statement of the reasons necessitating the amend-  
6 ment. The state highway commission shall approve or disapprove  
7 such amendments in the same manner as original budget estimates  
8 except that the highway commission shall act upon and return such  
9 amendments within fifteen days after their receipt by the commission.  
10 The state highway commission acting upon budget amendments is  
11 directed to approve only such amendments as are actually necessitated  
12 by emergency conditions.

1 SEC. 4. 1. No county shall expend from a secondary road fund for  
2 any purpose, funds in excess of the amount provided for such purpose  
3 in the budget or amended budget as adopted by the board of super-  
4 visors, whether such budget is approved or disapproved by the high-  
5 way commission.

6 2. In the event that a county secondary road budget or amended  
7 budget thereto is disapproved by the highway commission, the county  
8 may elect either to revise such budget or amended budget so as to  
9 receive approval or the county may elect to operate with such dis-  
10 approved budget or amended budget. In the event the county second-  
11 ary road budget is disapproved in whole or in part, within twenty  
12 (20) days after receipt of the highway commission's report, the board  
13 of supervisors shall cause to be published in the official newspapers of  
14 the county, notice of a public hearing to be held within ten (10) days  
15 of said publication, on the highway commission's recommendations,  
16 and at said hearing the board of supervisors shall amend or adopt  
17 their original budget.

1 SEC. 5. Section three hundred and eleven point seven (311.7),  
 2 Code 1954, is hereby amended by striking the word "December" in  
 3 line five (5) and inserting in lieu thereof the word "July".

1 SEC. 6. Nothing in this Act shall contravene or affect the provi-  
 2 sions of chapter twenty-four (24) of the Code.

Approved March 29, 1957.

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## CHAPTER 142

### PRIMARY ROAD EXTENSIONS

H. F. 437

AN ACT relating to the construction, reconstruction, and improvement of storm sewers and electrical traffic control devices incident to the construction, reconstruction, and improvement of extensions of the primary road system within cities and towns.

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

1 SECTION 1. Section three hundred thirteen point twenty-one  
 2 (313.21), Code 1954, is hereby amended by striking from the first par-  
 3 agraph all after the word "town" in line five (5) and inserting in lieu  
 4 thereof the following: "including the construction, reconstruction, and  
 5 improvement of storm sewers and electrical traffic control devices rea-  
 6 sonably incident and necessary thereto, provided that such improve-  
 7 ment, exclusive of storm sewers, shall not exceed in width that of the  
 8 primary road system and the amount of funds expended in any one  
 9 year shall not exceed twenty-five percent (25%) of the primary road  
 10 construction fund."

1 SEC. 2. Section three hundred thirteen point twenty-two (313.22),  
 2 Code 1954, is hereby amended by striking all of said section after the  
 3 word "extension" in line four (4) and inserting in lieu thereof the  
 4 following: "; and for the construction, reconstruction, and improve-  
 5 ment of storm sewers and electrical traffic control devices reasonably  
 6 incident and necessary thereto, within such city or town. Said agree-  
 7 ment shall specify that the city or town shall pay for that portion of  
 8 the cost of said project which is not payable out of primary road funds,  
 9 and may authorize the state highway commission to advertise for bids,  
 10 let contracts, and supervise the construction of that portion of said  
 11 project to be paid for by the city or town. Such agreement shall be a  
 12 valid and binding obligation on the parties thereto."

Approved May 14, 1957.

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## CHAPTER 143

### TOLL ROAD REPEAL

S. F. 37

AN ACT to repeal chapter one hundred fifty-two (152), Acts of the 56th General Assembly relating to toll roads.

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

1 SECTION 1. Chapter one hundred fifty-two (152), Acts of the 56th  
 2 General Assembly is hereby repealed.

1 SEC. 2 The balance of the sum allotted to the Iowa toll road author-  
 2 ity by the Iowa state highway commission shall be transferred from  
 3 the toll road authority trust funds to the Iowa state highway commis-  
 4 sion.

1 SEC. 3. This Act, being deemed of immediate importance, shall  
 2 be in full force and effect from and after its publication in The Sioux  
 3 County Capital, a newspaper published at Orange City, Iowa, and The  
 4 Inwood Herald, a newspaper published at Inwood, Iowa.

Approved May 2, 1957.

I hereby certify that the foregoing Act, Senate File 37, was published in the Sioux County Capital, Orange City, Iowa, May 9, 1957, and in The Inwood Herald, Inwood, Iowa, May 9, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 144

### ABANDONED CEMETERIES

H. F. 87

AN ACT to amend chapter three hundred seventeen (317), Code 1954, relating to the destruction of weeds in abandoned cemeteries.

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

1 SECTION 1. Section three hundred seventeen point four (317.4),  
 2 Code 1954, is hereby amended by inserting in line twelve (12) after  
 3 the word "cities" the following: "and within the confines of aban-  
 4 doned cemeteries".

1 SEC. 2. Section three hundred seventeen point nine (317.9), Code  
 2 1954, is hereby amended by inserting in line five (5) after the first  
 3 comma the following: "abandoned cemeteries,".

1 SEC. 3. Chapter three hundred seventeen (317), Code 1954, is  
 2 hereby amended by adding the following new section:  
 3 "The commissioner shall spray the weeds growing in abandoned  
 4 cemeteries in the county as often as needed to keep said weeds under  
 5 control."

Approved April 4, 1957.

## CHAPTER 145

### TRANSPORTING FARM IMPLEMENTS AND FERTILIZERS

S. F. 429

AN ACT relating to the transporting of instruments of husbandry and commercial fertilizers.

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

1 SECTION 1. Chapter one hundred fifty-five (155), Acts of the  
 2 Fifty-sixth (56th) General Assembly is hereby amended by adding

3 the following thereto:

4 "It shall also include equipment of any kind for the storage, trans-  
5 portation, application, or any combination thereof, of anhydrous am-  
6 monia or other liquid commercial fertilizer used by owners of agri-  
7 cultural operations or dealers and distributors in delivering to, and  
8 supplying such owners."

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 Daily  
3 Times, a newspaper published in Davenport, Iowa, and in the Leon  
4 Journal-Reporter, a newspaper published in Leon, Iowa.

Approved April 24, 1957.

I hereby certify that the foregoing Act, Senate File 429, was published in The Daily Times, Davenport, Iowa, April 29, 1957, and in the Leon Journal-Reporter, Leon, Iowa, May 2, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 146

### AUTO REGISTRATION PLATE FUND\*

H. F. 157

AN ACT to amend sections three hundred twenty-one point one hundred forty-five (321.145) and three hundred twenty-one\*\* point one hundred forty-six (321.146), Code 1954, relating to a motor vehicle registration plate fund.

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

1 SECTION 1. Section three hundred twenty-one point one hundred  
2 forty-five (321.145), Code 1954, is hereby amended by inserting im-  
3 mediately following the first subsection the following new subsection:  
4 "Three hundred thousand dollars (\$300,000.00) to the general fund  
5 of the state. This fund shall be designated as the motor vehicle regis-  
6 tration plate fund, and shall be used to cover the costs of all registra-  
7 tion plates furnished by the department."

1 SEC. 2. Section three hundred twenty-one point one hundred forty-  
2 six (321.146), Code 1954, is hereby amended by striking the period at  
3 end of said section and adding the following thereto:  
4 "and in the motor vehicle registration plate fund."

\*Repealed by chapter 1, section 56.

\*\*According to enrolled Act.

This bill, having remained with the governor three days (Sunday excepted), the General Assembly being in session, has become a law this 29th day of April, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 147

## CONVALESCENT DRIVERS' LICENSES

H. F. 544

AN ACT relating to the issuance of drivers' licenses and to amend section three hundred twenty-one point one hundred seventy-seven (321.177), Code 1954.

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

1 SECTION 1. Section three hundred twenty-one point one hundred  
2 seventy-seven (321.177), Code 1954, is amended by adding to subsection five (5) the following: "Provided, however, that the department  
3 may issue such license when said mentally ill person is placed on  
4 parole or convalescent leave, when advised in writing that the medical  
5 staff and superintendent of the institution in which the person has  
6 been hospitalized recommend the issuance of said license."  
7

Approved May 15, 1957.

## CHAPTER 148

## DRIVERS' LICENSE FEES

S. F. 31

AN ACT relating to motor vehicle operators and chauffeur's license fees and to amend section three hundred twenty-one point one hundred ninety-one (321.191), Code 1954.

*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 1954, is hereby amended by striking from  
3 lines two (2) and three (3) thereof the words "one dollar fifty cents"  
4 and by inserting in lieu thereof the words "three (3) dollars".

1 SEC. 2. Section three hundred twenty-one point one hundred  
2 ninety-one (321.191), Code 1954, is hereby further amended by striking  
3 from line four (4) thereof the word "two" and by inserting in lieu  
4 thereof the word "four".

Approved April 29, 1957.

## CHAPTER 149

## DRIVING WHILE INTOXICATED

H. F. 86

AN ACT relating to the penalty for the third and all subsequent offenses of operating a motor vehicle while intoxicated, and to amend section three hundred twenty-one point two hundred eighty-one (321.281), Code 1954.

*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 1954, is hereby amended by striking from

3 line nineteen (19), Code 1954, the words "a period not to exceed three  
4 years" and inserting in lieu thereof "any term of years not less than  
5 one (1) nor more than five (5), and the court may pronounce sen-  
6 tence for a lesser period than the maximum, the provisions of the  
7 indeterminate sentence law to the contrary notwithstanding".

Approved May 14, 1957.

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## CHAPTER 150

### SPEED LIMIT ON HIGHWAYS

#### S. F. 133

AN ACT relating to the operation of motor vehicles upon highways and to regulate the speed thereof.

*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-five (321.285), Code 1954, is hereby amended by adding there-  
3 to as subsection five (5) the following:  
4 "Sixty (60) miles per hour from sunset to sunrise."

Approved April 25, 1957.

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## CHAPTER 151

### TOWING OF MOTOR VEHICLES

#### H. F. 203

AN ACT relating to the towing of motor vehicles over highways outside the limits of any incorporated city or town.

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

1 SECTION 1. Section three hundred twenty-one point three hundred  
2 nine (321.309), Code 1954, is hereby amended as follows:  
3 1. By inserting in line two (2) after the word, "vehicle" the words,  
4 ", for hire,".  
5 2. By striking in lines five (5) and six (6) the words, "for repair  
6 or other emergency," and inserting in lieu thereof the words, "of a  
7 disabled motor vehicle to the place where repairs will be made,".  
8 3. By striking in line twenty-six (26) the period (.) and inserting  
9 in lieu thereof the words, ", except in case of the temporary movement  
10 of a disabled vehicle in an emergency situation."

Approved April 24, 1957.

## CHAPTER 152

## LITTERING HIGHWAYS

H. F. 505

AN ACT relating to the penalty for violations of laws prohibiting the throwing or depositing of refuse upon any highway.

*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-nine (321.369), Code 1954, as amended by chapter one hundred  
3 sixty-three (163), section one (1), Acts of the Fifty-sixth General  
4 Assembly, is hereby amended by adding thereto the following:  
5 "Any person who violates any provision of this section or section  
6 three hundred twenty-one point three hundred seventy (321.370) of  
7 the Code shall be guilty of a misdemeanor and upon arrest and conviction  
8 therefor shall be punished as provided in section three hundred  
9 twenty-one point four hundred eighty-two (321.482) of the Code."

Approved May 14, 1957.

## CHAPTER 153

## SCHOOL BUS TRAFFIC LAWS

H. F. 287

AN ACT relating to traffic laws for school busses transporting children to and from a public or private school.

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

1 SECTION 1. Section three hundred twenty-one point three hundred  
2 seventy-two (321.372), Code 1954, is hereby amended by inserting in  
3 line two (2) of subsection one (1) after the word, "public" the words,  
4 "or private".

Approved April 5, 1957.

## CHAPTER 154

## RURAL MAIL CARRIERS

H. F. 78

AN ACT to permit rural mail carriers to use flashing lights on their vehicles when delivering mail.

*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-three (321.423), Code 1954, is amended by adding at the end  
3 of subsection one (1) the following:  
4 " , and except that rural mail carriers may use flashing white or  
5 amber, or any shade of color between white and amber, dome lights  
6 on the roof of their vehicles outside of the corporation limits of cities

7 and towns when stopping on or near the highway in the process of  
8 delivering mail."

Approved February 27, 1957.

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## CHAPTER 155

### FLASHING LIGHTS ON VEHICLES

S. F. 174

AN ACT relating to flashing lights on vehicles and to amend section three hundred twenty-one point four hundred twenty-three (321.423) and chapter three hundred twenty-one (321), Code 1954.

*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-three (321.423), Code 1954, is hereby amended by inserting  
3 before the word "Flashing" in line one (1) of subsection one (1)  
4 thereof the following: "Except as otherwise provided".

1 SEC. 2. Chapter three hundred twenty-one (321), Code 1954, is  
2 hereby amended by adding thereto the following new section:  
3 "Whenever any vehicle or combination of vehicles is disabled or for  
4 other reason may present a vehicular traffic hazard requiring unusual  
5 care in approaching, overtaking or passing during the hours of dark-  
6 ness, the operator of such vehicles may display on such vehicle or  
7 combination of vehicles four directional signals of a type complying  
8 with the provisions of section three hundred twenty-one point three  
9 hundred seventeen (321.317)\* relating to directional signal devices  
10 in simultaneous operation. The provisions of this section shall not be  
11 construed to exempt any vehicle or combination of vehicles from com-  
12 pliance with the provisions of sections three hundred twenty-one point  
13 four hundred forty-seven (321.447) and three hundred twenty-one  
14 point four hundred forty-eight (321.448).\*"

Approved April 17, 1957.

\*Words supplied by editor, §3.1

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## CHAPTER 156

### MOTOR VEHICLE BRAKES

H. F. 552

AN ACT relating to vehicle brake requirements and to amend chapter three hundred twenty-one (321), Code 1954.

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

1 SECTION 1. Section three hundred twenty-one point four hundred  
2 thirty (321.430), Code 1954, is hereby amended by striking the word,  
3 "Every" in line one (1) of subsection four (4) and inserting in lieu  
4 thereof the words, "Except as otherwise provided in this chapter,  
5 every".

1 SEC. 2. Section three hundred twenty-one point four hundred  
 2 thirty (321.430), Code 1954, is hereby further amended by striking  
 3 the last four (4) lines of subsection four (4) and inserting in lieu  
 4 thereof the following:  
 5 "vehicle with the following exceptions:  
 6 "(a) Any motorcycle.  
 7 "(b) Any trailer or semitrailer of less than three thousand (3,000)  
 8 pounds gross weight need not be equipped with brakes.  
 9 "(c) Trucks and truck tractors having three (3) or more axles  
 10 need not have brakes on the front wheels, except that such vehicles  
 11 equipped with two (2) or more front axles shall be equipped with  
 12 brakes on at least one (1) of such axles; provided that the service  
 13 brakes of such vehicle comply with the performance requirements of  
 14 section three hundred twenty-one point four hundred thirty-one  
 15 (321.431).  
 16 "(d) Only such brakes on the vehicle or vehicles being towed in a  
 17 driveaway-towaway operation need be operative as may be necessary  
 18 to insure compliance by the combination of vehicles with the perform-  
 19 ance requirements of section three hundred twenty-one point four  
 20 hundred thirty-one (321.431). The term "driveaway-towaway" oper-  
 21 ation as used in this subsection means any operation in which any  
 22 motor vehicle or motor vehicles, new or used, constitute the commodity  
 23 being transported, when one set or more of wheels of any such motor  
 24 vehicle or motor vehicles are on the roadway during the course of  
 25 transportation, whether or not any such motor vehicle furnishes the  
 26 motive power."

Approved April 12, 1957.

## CHAPTER 157

### LENGTH OF TRUCKS

#### H. F. 132

AN ACT relating to the maximum length and maximum gross weight of vehicles, and to amend section three hundred twenty-one point four hundred fifty-seven (321.457), and section three hundred twenty-one point four hundred sixty-three (321.463), Code 1954.

*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-seven (321.457), Code 1954, is hereby amended by striking from  
 3 line five (5) of subsection three (3) thereof the word "forty-five" and  
 4 inserting in lieu thereof the word "fifty".

1 SEC. 2. Section three hundred twenty-one point four hundred  
 2 sixty-three (321.463), Code 1954, is hereby amended by striking from  
 3 line seventy-two (72) the numeral "42" and inserting in lieu thereof  
 4 the following: "42 or more".

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 Harrison County Herald-Observer, a newspaper published at

4 Logan, Iowa, and in the Iowa City Press-Citizen, a newspaper pub-  
5 lished at Iowa City, Iowa.

Approved February 27, 1957.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1954, the Harrison County Herald-Observer, Logan, Iowa, being nonexistent, the Logan Herald-Observer, a newspaper published in Logan, Iowa, is designated to publish the foregoing Act, House File 132.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 132, was published in the Iowa City Press-Citizen, Iowa City, Iowa, March 4, 1957, and in the Logan Herald-Observer, Logan, Iowa, March 7, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 158

### SPECIAL OPERATION PERMITS FOR VEHICLES

#### H. F. 562

AN ACT to amend section three hundred twenty-one point four hundred sixty-seven (321.467), Code 1954, relating to special permits for the operation of vehicles of excess size and weight 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 sixty-seven (321.467), Code 1954, is hereby amended by adding after  
3 the word "miles" in line twenty-two (22) the following: "on a vehicle  
4 or combination of vehicles, not including mobile homes or house trail-  
5 ers, of a size or weight of vehicle or load exceeding the maximum  
6 specified in this chapter, or otherwise not in conformity with the pro-  
7 visions of this chapter, upon any highway under the jurisdiction of  
8 the party granting such permit, except on any part of the completed  
9 interstate highway system, if the gross weight on any axle of any  
10 such vehicle, or combination of vehicles, does not exceed the maximum  
11 axle load as prescribed in section three hundred twenty-one point four  
12 hundred sixty-three (321.463) of the Code, and".

Approved May 15, 1957.

## CHAPTER 159

### HEAVY MACHINERY ON HIGHWAYS

#### H. F. 555

AN ACT to allow the highway commission and local authorities to grant annual permits to manufacturers of heavy construction machinery which will provide for movement of such equipment over highways, roads and streets in Iowa.

*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 1954, is hereby amended by striking the  
3 period (.) after the word, "hereof" in line thirty-eight (38) and in-  
4 serting the following:

5 “; provided, however, that the highway commission and local au-  
 6 thorities with respect to highways, roads and streets under their juris-  
 7 diction may issue annual permits to any manufacturer of construc-  
 8 tion machinery or equipment manufactured or assembled in Iowa,  
 9 authorizing the movement of said machinery or any such equipment  
 10 to a storage area, shipping point, proving ground, experimental area,  
 11 weighing station, or between manufacturing plants or any area there-  
 12 of, provided, further that such machinery and equipment shall be  
 13 mounted for the movement on pneumatic tires and said movement  
 14 shall be for a distance not to exceed a radius of fifteen (15) miles from  
 15 the place of assembly or manufacture and shall be at a speed not  
 16 greater than twenty (20) miles per hour over the route approved by  
 17 the highway commission and local authorities with respect to high-  
 18 ways, roads and streets under their jurisdiction and that during such  
 19 movement red warning flags shall be displayed and the permit author-  
 20 izing such movement affixed thereto; and provided further, that such  
 21 construction equipment or machinery shall not be transported between  
 22 the hours of sunset and sunrise or on Saturday, Sunday or holidays;  
 23 and provided further that no such permit shall be granted for use on  
 24 any part of the interstate highway system.

1 SEC. 2. This Act, being deemed of immediate importance, shall  
 2 take effect and be in force from and after its publication in The Cedar  
 3 Rapids Gazette, a newspaper published in Cedar Rapids, Iowa, and in  
 4 The Manchester Press, a newspaper published in Manchester, Iowa.

Approved April 10, 1957.

I hereby certify that the foregoing Act, House File 555, was published in The Cedar Rapids Gazette, Cedar Rapids, Iowa, April 12, 1957, and in The Manchester Press, Manchester, Iowa, April 18, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 160

### MOTOR VEHICLE REGISTRATION INSPECTION

H. F. 205

AN ACT relating to the authority of state highway commission and its employees to stop and inspect motor vehicles or trailers to enforce the provisions of the law relating to motor vehicle registration.

*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 1954, is hereby amended by inserting in  
 3 line six (6) after the word, “the” the word, “registration,”.

1 SEC. 2. Section three hundred twenty-one point four hundred sev-  
 2 enty-seven (321.477), Code 1954, is hereby amended by inserting in  
 3 line eight (8) after the word, “the” the word, “registration,”.

Approved May 2, 1957.

## CHAPTER 161

## EMERGENCY VEHICLE INSURANCE

H. F. 76

AN ACT relating to insuring and indemnifying drivers of emergency vehicles and to amend sections three hundred twenty-one point four hundred ninety-five (321.495), three hundred twenty-one point four hundred ninety-six (321.496), and three hundred twenty-one point four hundred ninety-seven (321.497), Code 1954.

*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-five (321.495), Code 1954, is hereby amended by inserting after  
3 the word "city" in line one (1) thereof the following: ", township".

1 SEC. 2. Section three hundred twenty-one point four hundred  
2 ninety-six (321.496), Code 1954, is hereby amended as follows:

3 1. By inserting after the word "city" in line two (2) thereof the  
4 following: ", township".

5 2. By striking from line three thereof the following: "to 321.497,  
6 inclusive,"; also by striking from line three (3) the word "sections"  
7 and inserting in lieu thereof the word "section".

1 SEC. 3. Section three hundred twenty-one point four hundred  
2 ninety-six (321.496), Code 1954, is hereby amended by striking the  
3 period in the last line thereof and inserting in lieu thereof the fol-  
4 lowing: ", provided, however, that any city, township or town main-  
5 taining a police and/or fire department may, in its discretion, pay the  
6 premiums on liability insurance policies insuring individuals or  
7 groups of members referred to in section three hundred twenty-one  
8 point four hundred ninety-five (321.495) of the Code, against liability  
9 for damages arising out of a single accident in maximum amount of  
10 ten thousand dollars (\$10,000.00) for property damage and fifty  
11 thousand dollars (\$50,000.00) for injury or death to one person and,  
12 subject to said limit for one person, one hundred thousand dollars  
13 (\$100,000.00) for injury or death to more than one person. Pre-  
14 miums on such policies are hereby authorized to be paid from the  
15 public safety fund in cities and towns and from the proceeds of the  
16 levy provided in section three hundred fifty-nine point forty-three  
17 (359.43) in the case of townships."

1 SEC. 4. Section three hundred twenty-one point four hundred  
2 ninety-seven (321.497), Code 1954, is hereby amended by inserting  
3 after the word "town" in line one (1) the following: "or township".

Approved April 26, 1957.

## CHAPTER 162

## MOTOR VEHICLE FINANCIAL RESPONSIBILITY

## H. F. 116

AN ACT to increase the proofs of financial responsibility and security required by the motor vehicle responsibility law.

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

1 SECTION 1. Section three hundred twenty-one A point one  
2 (321A.1), Code 1954, is hereby amended as follows:

3 1. By striking from line six (6) of subsection ten (10) the word,  
4 "five" and inserting in lieu thereof the word, "ten (10)".

5 2. By striking from line ten (10) of subsection ten (10) the word,  
6 "ten" and inserting in lieu thereof the word, "twenty (20)".

7 3. By striking from line twelve (12) of subsection ten (10) the  
8 word, "one" and inserting in lieu thereof the word, "five (5)".

1 SEC. 2. Section three hundred twenty-one A point five (321A.5),  
2 Code 1954, is hereby amended as follows:

3 1. By striking from line twenty (20) of subsection three (3) the  
4 word, "five" and inserting in lieu thereof the word, "ten (10)".

5 2. By striking from line twenty-four (24) of subsection three (3)  
6 the word, "ten" and inserting in lieu thereof the word, "twenty (20)".

7 3. By striking from line twenty-eight (28) of subsection three (3)  
8 the word, "one" and inserting in lieu thereof the word, "five (5)".

1 SEC. 3. Section three hundred twenty-one A point fifteen  
2 (321A.15), Code 1954, is hereby amended as follows:

3 1. By striking from line one (1) of paragraph *a* of subsection one  
4 (1) the word, "five" and inserting in lieu thereof the word, "ten (10)".

5 2. By striking from line one (1) of paragraph *b* of subsection one  
6 (1) the word, "five" and inserting in lieu thereof the word, "ten (10)".

7 3. By striking from line three (3) of paragraph *b* of subsection one  
8 (1) the word "ten" and inserting in lieu thereof the word, "twenty  
9 (20)".

10 4. By striking from line one (1) of paragraph *c* of subsection one  
11 (1) the word, "one" and inserting in lieu thereof the word, "five (5)".

1 SEC. 4. Section three hundred twenty-one A point twenty-one  
2 (321A.21), Code 1954, is hereby amended as follows:

3 1. By striking from line twelve (12) of paragraph *b* of subsection  
4 two (2) the word, "Five" and inserting in lieu thereof the word, "Ten  
5 (10)".

6 2. By striking from line fifteen (15) of paragraph *b* of subsection  
7 two (2) the word "ten" and inserting in lieu thereof the word, "twenty  
8 (20)".

9 3. By striking from line seventeen (17) of paragraph *b* of subsec-  
10 tion two (2) the word, "one" and inserting in lieu thereof the word,  
11 "five (5)".

1 SEC. 5. Section three hundred twenty-one A point twenty-five  
2 (321A.25), Code 1954, is hereby amended as follows:

3 1. By striking from line four (4) of subsection one (1) the word,  
4 "eleven" and inserting in lieu thereof the word, "twenty-five (25)".

5 2. By striking from line seven (7) of subsection one (1) the word,  
6 "eleven" and inserting in lieu thereof the word, "twenty-five (25)".

Approved April 5, 1957.

## CHAPTER 163

### MOTOR VEHICLE DEALERS

H. F. 311

AN ACT to amend chapter three hundred twenty-two (322), Code 1954, relating to motor vehicle dealers.

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

1 SECTION 1. Section three hundred twenty-two point two (322.2),  
2 Code 1954, is hereby amended by adding thereto the following:

3 "7. 'Motor vehicle' means any vehicle subject to registration under  
4 the laws of this state.

5 "8. 'Retail installment transaction' means any sale evidenced by a  
6 retail installment contract between a retail buyer and a retail seller  
7 wherein the retail buyer buys a motor vehicle from a retail seller at a  
8 time price payable in one or more deferred installments. The cash  
9 sale price of the motor vehicle, the amount included for insurance and  
10 other benefits, if a separate charge is made therefor, official fees and  
11 finance charge, shall together constitute the time price.

12 "9. 'Retail installment contract' or 'contract' means an agreement,  
13 entered into in this state, pursuant to which the title to, the property  
14 in or a lien upon the motor vehicle, which is the subject matter of a  
15 retail installment transaction, is retained or taken by a retail seller  
16 from a retail buyer as security, in whole or in part, for the buyer's  
17 obligation. The term includes a chattel mortgage, a conditional sales  
18 contract and a contract for the bailment or leasing of a motor vehicle  
19 by which the bailee or lessee contracts to pay as compensation for its  
20 use a sum substantially equivalent to or in excess of its value and by  
21 which it is agreed that the bailee or lessee is bound to become, or has  
22 the option of becoming, the owner of the motor vehicle upon full com-  
23 pliance with the provisions of the contract.

24 "10. 'Retail seller' or 'seller' means a person who sells a motor ve-  
25 hicle to a retail buyer.

26 "11. 'Retail buyer' or 'buyer' means a person who buys a motor ve-  
27 hicle from a retail seller.

28 "12. 'Cash sale price' means the cash price stated in a retail in-  
29 stallment contract at which the seller would have sold to the buyer,  
30 and the buyer would have bought from the seller, the motor vehicle  
31 which is the subject matter of the retail installment contract, if such  
32 sale were a sale for cash instead of a retail installment transaction.  
33 The cash sale price may include any taxes, registration, certificate of  
34 title, license and other fees, and charges for accessories and their in-  
35 stallation and for delivery, servicing, repairing, or improving the  
36 motor vehicle.

37 "13. 'Official fees' means the fees prescribed by law for filing, re-  
38 cording or otherwise perfecting and releasing or satisfying a retained

39 title or a lien created by a retail installment transaction.

40 "14. 'Finance charge' means that part of the time price by which  
41 the latter exceeds the aggregate of the cash sale price, the amount, if  
42 any, separately included for insurance and other benefits, official fees  
43 and other costs necessary or incidental to the retail installment trans-  
44 action to be included in the retail installment contract.

45 "15. 'Down payment' means all partial payments whether made in  
46 cash or in the stated value of property otherwise received, by or for  
47 the benefit of the seller, prior to or substantially contemporaneous  
48 with either the execution of the retail installment contract or the  
49 delivery of the motor vehicle sold thereunder, whichever occurs later.

50 "16. 'Sales finance company' means a person engaged, in whole or  
51 in part, in the business of purchasing retail installment contracts  
52 from one or more retail sellers. The term also includes a retail seller  
53 engaged, in whole or in part, in the business of creating and holding  
54 retail installment contracts. The term does not include the pledgee of  
55 an aggregate number of such contracts to secure a bona fide loan  
56 thereon.

57 "17. The 'holder' of a retail installment contract means the retail  
58 seller of the motor vehicle under or subject to the contract or, if the  
59 contract is purchased by a sales finance company or other assignee,  
60 the sales finance company or other assignee.

61 "18. Nothing contained herein shall be construed to require the  
62 licensing or to apply to any bank, credit union or trust company in  
63 Iowa."

1 SEC. 2. Section three hundred twenty-two point three (322.3),  
2 subsection five (5), Code 1954, is hereby amended by inserting in line  
3 four (4) after the word "terminate" the following: "or fail to renew,"  
4 and by striking from lines six (6), seven (7) and eight (8) the follow-  
5 ing: " , before the expiration date of said contract, agreement, or un-  
6 derstanding,".

7 Section three hundred twenty-two point three (322.3), Code 1954,  
8 is hereby further amended by adding to the end of subsection five (5)  
9 the following:

10 "Provided, however, that the provisions of this subsection relating  
11 to 'failure to renew' shall not apply to any contract, agreement, or  
12 understanding, which is for a term of five (5) or more years."

1 SEC. 3. Section three hundred twenty-two point three (322.3),  
2 Code 1954, is hereby amended by striking therefrom subsection six (6)  
3 and substituting in lieu thereof the following:

4 "6. No person, who is engaged in the business of selling at retail  
5 motor vehicles, shall make and enter into a retail installment contract  
6 unless such contract meets the following requirements:

7 (a) Every retail installment contract shall be in writing, shall be  
8 signed by both the buyer and the seller and shall be completed as to  
9 all essential provisions prior to the signing of the contract by the  
10 buyer except that, if delivery of the motor vehicle is not made at the  
11 time of the execution of the contract, the identifying numbers or  
12 marks of the motor vehicle or similar information and the due date  
13 of the first installment may be inserted in the contract after its exe-  
14 cution.

15 (b) The printed portion of the contract, other than instructions for

16 completion, shall be in at least eight (8) point type. The contract shall  
 17 contain, directly above the buyer's signature, and in a size equal to at  
 18 least ten (10) point bold type:

19 (1) The following notice: "Notice to the Buyer: Do not sign this  
 20 contract before you read it or if it contains any blank spaces. You are  
 21 entitled to an exact copy of the contract you sign."

22 (2) An acknowledgment by the buyer of delivery of a copy of the  
 23 contract.

24 (c) The retail installment contract shall contain the following  
 25 items:

26 (1) The cash sale price of the motor vehicle which is the subject  
 27 matter of the retail installment transaction;

28 (2) The amount of the buyer's down payment, whether made in  
 29 money or goods, or partly in money and partly in goods;

30 (3) The difference between items one and two;

31 (4) The amount, if any, separately included for insurance and  
 32 other benefits specifying the types of coverage and benefits;

33 (5) Official fees as defined in subsection thirteen (13) of section  
 34 three hundred twenty-two point two (322.2);

35 (6) Principal balance, which is the sum of item three, item four  
 36 and item five;

37 (7) The amount of the finance charge;

38 (8) The balance, which is the sum of items six and seven, owed by  
 39 the buyer to the seller and the number of installments required and  
 40 the amount and date of each payment necessary finally to pay such  
 41 balance; provided, however, the amount and date of each payment  
 42 need not be separately listed if the payments are specified in terms  
 43 of a series of payments of specified amounts, payable at specified in-  
 44 tervals of time from an initial date.

45 The above items need not be stated in the sequence or order set forth,  
 46 and additional items may be included to explain the calculations in-  
 47 volved in determining the stated time price to be paid by the buyer.

48 (d) The amount, if any, included for insurance, which may be pur-  
 49 chased by the holder of the retail installment contract, shall not exceed  
 50 the applicable premiums chargeable in accordance with the rates filed  
 51 with the commissioner of insurance.

52 (3)\* The retail installment contract shall provide that any buyer  
 53 may pay in full at any time before maturity the debt of such contract  
 54 and in so paying such debt shall receive for such anticipation of pay-  
 55 ments a refund credit in an amount which shall represent at least as  
 56 great a proportion of the finance charge after first deducting from  
 57 such finance charge an acquisition cost of twenty-five dollars (\$25.00),  
 58 as the sum of the periodic time balances after the month in which pre-  
 59 payment is made, bears to the sum of all the periodic time balances  
 60 under the schedule of payments in the original contract; provided,  
 61 however, that if the amount of the credit is less than one dollar (\$1.00)  
 62 no refund need be made."

1 SEC. 4. Section three hundred twenty-two point three (322.3),  
 2 Code 1954, is hereby amended by adding thereto a new subsection as  
 3 follows:

4 "7. Nothing contained herein shall be construed to require that a  
 5 place of business as defined in this chapter shall be maintained by a

\*According to enrolled Act.

6 person selling motor vehicles at retail solely for the purpose of dis-  
7 posing of motor vehicles acquired or repossessed by such person in  
8 exercise of powers or rights granted by lien or title-retention instru-  
9 ments or contracts given as security for loans or purchase money obli-  
10 gations.”

1 SEC. 5. Section three hundred twenty-two point three (322.3),  
2 Code 1954, is hereby amended by adding thereto the following sub-  
3 section:

4 “No manufacturer or distributor of motor vehicles or agent of such  
5 manufacturer or distributor shall coerce or attempt to coerce any  
6 motor vehicle dealer to accept delivery of any motor vehicle or ve-  
7 hicles, parts, or accessories thereof, or any other commodity or com-  
8 modities which shall not have been ordered by such dealer.”

1 SEC. 6. Section three hundred twenty-two point five (322.5), Code  
2 1954, is hereby amended by striking from line three (3) the words  
3 “fifteen dollars” and inserting in lieu thereof the following: “twenty  
4 dollars for the licensee’s principal place of business in each city or  
5 town and an additional five dollars for each used-car lot which is in  
6 the city or town wherein said place of business is located and which is  
7 not adjacent to such place.”

1 SEC. 7. Section three hundred twenty-two point six (322.6), Code  
2 1954, is hereby amended by inserting in line ten (10) after the word  
3 “chapter” the following: “or any rules or regulations promulgated  
4 by the department thereunder except as otherwise provided.”

5 Said section is further amended by adding in line thirty-six (36)  
6 after the word “chapter” the following: “unless applicant is a person  
7 referred to in subsection seven (7) of section three hundred twenty-  
8 two point three (322.3)”.

9 Said section is further amended by striking from line thirty-nine  
10 (39) the word “and” and inserting after the figures “321.100” the  
11 following: “, 539.4 and 713.24”.

1 SEC. 8. Section three hundred twenty-two point fourteen (322.14)  
2 is hereby amended by adding thereto the following paragraph:

3 “Any person who shall wilfully and intentionally violate the pro-  
4 visions of subsection six (6) of section three hundred twenty-two  
5 point three (322.3) shall be guilty of a misdemeanor and upon convic-  
6 tion shall be punished by a fine not to exceed five hundred dollars  
7 (\$500.00).”

1 SEC. 9. Chapter three hundred twenty-two (322), Code 1954, is  
2 hereby amended by adding thereto the following sections:

3 1. A copy of every retail installment contract shall be furnished to  
4 the buyer at the time of the execution of the contract. An acknowledg-  
5 ment by the buyer contained in the body of the retail installment con-  
6 tract of the delivery of a copy thereof shall be conclusive proof of  
7 delivery in any action or proceeding by or against any assignee of a  
8 retail installment contract.

9 2. If dual interest insurance on the motor vehicle is purchased by  
10 the holder it shall, within thirty (30) days after execution of the retail  
11 installment contract, send or cause to be sent to the buyer a policy or  
12 policies or certificate of insurance, written by an insurance company

13 authorized to do business in this state, clearly setting forth the amount  
14 of the premium, the kind or kinds of insurance and the coverages. The  
15 buyer shall have the privilege of purchasing such insurance from an  
16 agent or broker of his own selection and of selecting an insurance com-  
17 pany acceptable to the holder; but in such case the inclusion of the  
18 insurance premium in the retail installment contract shall be optional  
19 with the seller. If any insurance is cancelled, unearned insurance  
20 premium refunds received by the holder shall be credited to the final  
21 maturing installments of the contract except to the extent applied  
22 toward payment for similar insurance protecting the interests of the  
23 buyer and the holder or either of them.

24 3. (a) Notwithstanding the provisions of any other existing law, a  
25 retail installment transaction may include a finance charge not in  
26 excess of the following rates:

27 Class 1. Any new motor vehicle designated by the manufacturer by  
28 a year model not earlier than the year in which the sale is made, an  
29 amount equivalent to one and one-fourth percent ( $1\frac{1}{4}\%$ ) per month  
30 simple interest on the declining balance.

31 Class 2. Any new motor vehicle not in Class 1 and any used motor  
32 vehicle designated by the manufacturer by a year model of the same  
33 or not more than two (2) years prior to the year in which the sale is  
34 made, an amount equivalent to one and three-fourths percent ( $1\frac{3}{4}\%$ )  
35 per month simple interest on the declining balance.

36 Class 3. Any used motor vehicle not in Class 2 and designated by  
37 the manufacturer by a year model not more than four (4) years prior  
38 to the year in which the sale is made, an amount equivalent to two and  
39 one-fourth percent ( $2\frac{1}{4}\%$ ) per month simple interest on the declining  
40 balance.

41 Class 4. Any used motor vehicle not in Class 2 or Class 3 and desig-  
42 nated by the manufacturer by a year model more than four (4) years  
43 prior to the year in which the sale is made, an amount equivalent to  
44 two and one-fourth percent ( $2\frac{1}{4}\%$ ) per month simple interest on the  
45 declining balance, plus a flat charge of one dollar (\$1.00) per month  
46 for the number of months from the date of the contract to the maturity  
47 date of the last installment thereunder, but in no event in excess of  
48 twelve dollars (\$12.00).

49 (b) Such finance charge shall be computed in advance on the prin-  
50 cipal balance as determined under paragraph (c) of subsection six (6)  
51 of section three hundred twenty-two point three (322.3) as amended  
52 by this Act on contracts payable in successive monthly payments sub-  
53 stantially equal in amount extending for a period of one year. On con-  
54 tracts providing for installment payments extending for a period less  
55 than or greater than one year, the finance charge shall be computed  
56 proportionately. Such finance charge may be computed on the basis of  
57 a full month for any fractional month period in excess of ten (10)  
58 days. A minimum finance charge of twenty-five dollars (\$25.00) may  
59 be charged on any contract in which the finance charge computed at  
60 the authorized rates results in a total charge of less than this amount.

61 (c) When a retail installment contract provides for unequal or ir-  
62 regular installment payments, the finance charge may be an amount  
63 computed in advance on the basis of the effective rates permitted in  
64 subsection (a) hereof, having due regard for the schedule of payments.

65 4. If the holder of a retail installment contract, at the request of the

66 buyer, extends the scheduled due date of all or any part of any install-  
 67 ment or installments, the holder may restate the amount of the install-  
 68 ments and the time schedule therefor, and collect for such extension  
 69 not more than one per cent (1%) per month simple interest on the  
 70 respective declining balances computed on the amount and for the  
 71 period of such extension or renewal.

72 5. Any retail installment contract which meets the requirements of  
 73 subsection six (6) of section three hundred twenty-two point three  
 74 (322.3) may be purchased or acquired by any sales finance company  
 75 from a retail seller on such terms and conditions and for such price as  
 76 may be agreed upon between them.

77 6. Any waiver of the provisions of subsection six (6) of section  
 78 three hundred twenty-two point three (322.3) shall be unenforceable  
 79 and void.

80 7. Any retail buyer having reason to believe that the provisions of  
 81 this chapter relating to his installment contract have been violated may  
 82 file with the department a written complaint setting forth the details  
 83 of such alleged violation and the department, upon the receipt of such  
 84 complaint, may inspect the pertinent books, records, letters and con-  
 85 tracts of the licensee or other person relating to such specific complaint.

86 8. The commissioner of public safety shall have the power to issue  
 87 subpoenas to compel the attendance of witnesses and the production of  
 88 documents, papers, books, records and other evidence before him in  
 89 any matter over which he has jurisdiction, control or supervision per-  
 90 taining to this chapter.

91 If any person shall refuse to obey any such subpoena, or to give tes-  
 92 timony, or to produce evidence as required thereby, any judge of the  
 93 district court of the state of Iowa in and for Polk County may, upon  
 94 application and proof of such refusal, make an order awarding process  
 95 of subpoena, or subpoena duces tecum, out of the said court, for the  
 96 witness to appear before the commissioner and to give testimony, and  
 97 to produce evidence as required thereby. Upon filing such order in the  
 98 office of the clerk of said court, the clerk shall issue process of sub-  
 99 poena, as directed, under the seal of said court, requiring the person to  
 100 whom it is directed to appear at the time and place therein designated.

1 SEC. 10. No person licensed under this chapter shall have for sale,  
 2 sell, or offer for sale at retail any motor vehicle, trailer, or semitrailer  
 3 which does not contain those parts or is not at all times equipped with  
 4 such lamps and brakes and other equipment in proper condition and  
 5 adjustment as required in chapter 321, Code 1954, or which is equipped  
 6 in any manner in violation of such chapter; provided, however, that  
 7 the violation of this section shall not constitute a ground for denial,  
 8 suspension or revocation of the license of such person.

1 SEC. 11. If any clause, sentence, paragraph, or part of this Act  
 2 shall for any reason be adjudged by any court of competent jurisdic-  
 3 tion to be invalid, such judgment shall not affect, impair or invalidate  
 4 the remainder of the Act, but shall be confined in its operation to the  
 5 clause, sentence, paragraph, or part thereof directly involved in the  
 6 controversy in which such judgment has been rendered, and to this  
 7 end the provisions of the Act are severable.

Approved May 2, 1957.

## CHAPTER 164

## MOTOR FUEL AND SPECIAL FUEL TAX

H. F. 440

AN ACT to amend, revise, codify, substitute for and supplement chapter three hundred twenty-four (324), Code 1954, as amended, to impose an excise tax on motor fuel and special fuel used to propel highway motor vehicles; to provide certain exemptions, refunds, and credits; to provide for the administration and enforcement of this Act and the disposition of the proceeds thereof.

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

1 SECTION 1. Chapter three hundred twenty-four (324), Code 1954,  
2 as amended by the laws of the Fifty-sixth General Assembly (56th  
3 G. A.), is hereby repealed and the following is substituted in lieu  
4 thereof:

## MOTOR VEHICLE FUEL TAX LAW

## DIVISION I

## MOTOR FUEL TAX

## 324.1 Short Title.

1 This division, plus applicable provisions of Division IV of this  
2 chapter and any amendments to either shall be known and may be  
3 cited as the Motor Fuel Tax Law, and as so constituted is hereinafter  
4 referred to as this division.

## 324.2 Definitions—As Employed in this Division:

1 1. "Motor Fuel" shall mean (a) all products commonly or commer-  
2 cially known or sold as gasoline (including casinghead and absorption  
3 or natural gasoline) regardless of their classifications or uses; and  
4 (b) any liquid advertised, offered for sale, sold for use as, or com-  
5 monly or commercially used as a fuel for propelling motor vehicles,  
6 which when subjected to distillation of gasoline, naphtha, kerosene and  
7 similar petroleum products (American Society of Testing Materials  
8 Designation D-86), show not less than ten per centum distilled (re-  
9 covered) below three hundred forty-seven degrees Fahrenheit (one  
10 hundred seventy-five degrees Centigrade) and not less than ninety-five  
11 per centum distilled (recovered) below four hundred sixty-four de-  
12 grees Fahrenheit (two hundred forty degrees Centigrade); provided,  
13 that the term "motor fuel" shall not include liquefied gases which  
14 would not exist as liquids at a temperature of sixty degrees Fahrenheit  
15 and a pressure of 14.7 pounds per square inch absolute, nor naphthas  
16 and solvents as hereinafter defined unless the liquefied gases or naph-  
17 thas and solvents are used as a component in the manufacture, com-  
18 pounding, or blending of a liquid within (b) above, in which event the  
19 resulting product shall be deemed to be motor fuel.

20 2. "Distributor" shall mean and include any person who first re-  
21 ceives motor fuel within this state (within the meaning of the word  
22 "received" as hereinafter defined), and any person now or hereafter  
23 engaged in the business of selling motor fuel to a dealer in this state  
24 for resale, provided that a person may bring into this state not to  
25 exceed 20 gallons of motor fuel in the fuel supply tank, or any other

26 container, directly connected to the motor of a motor vehicle without  
27 becoming a distributor.

28 3. "Licensee" shall mean and include any person holding an un-  
29 cancelled distributor's license issued by the treasurer under this divi-  
30 sion or any prior motor fuel tax law.

31 4. "Dealer" shall mean and include any person (except distributors  
32 as herein defined) now or hereafter engaged in the business of selling  
33 motor fuel in this state.

34 5. "Motor Fuel Deemed Received." (a) Motor fuel refined at a re-  
35 finery in this state and placed in tanks thereat, and motor fuel trans-  
36 ferred from a refinery or a marine or pipe line terminal in this state or  
37 from points outside this state to a refinery or a marine or pipe line ter-  
38 minal in this state and placed in tanks thereat, shall be deemed re-  
39 ceived, for the purposes of this division, at the time withdrawn from  
40 such refinery or terminal storage for sale or use in this state or for  
41 transportation to destinations in this state other than refineries or  
42 marine or pipe line terminals and not before.

43 When withdrawn from refinery or terminal storage as aforesaid,  
44 the motor fuel shall be deemed received by the person who was the  
45 owner thereof immediately prior to withdrawal, unless (a) the motor  
46 fuel is withdrawn for shipment or delivery to a licensee, in which case  
47 the motor fuel shall be deemed received by the licensee to whom  
48 shipped or delivered or (b) the motor fuel is withdrawn for shipment  
49 or delivery to a non-licensee for the account of a licensee in which case  
50 the motor fuel shall be deemed received by the licensee for whose ac-  
51 count the shipment or delivery to the non-licensee is made.

52 (b) Motor fuel imported into this state, other than that placed in  
53 storage at refineries or terminals as set out in subparagraph (a)  
54 above, shall be deemed received at the time unloaded in this state and  
55 by the person who is the owner thereof immediately after it is un-  
56 loaded in this state, except that if motor fuel so imported is used in  
57 this state directly from the transportation equipment by which im-  
58 ported then the motor fuel shall be deemed received at the time it is  
59 brought into this state and by the person using the motor fuel within  
60 this state; provided, however, that if motor fuel shipped or brought  
61 into this state by a licensee is sold and delivered directly to a non-licen-  
62 see in this state, then the gallonage so delivered shall be deemed re-  
63 ceived by the licensee shipping or bringing the motor fuel into this state.

64 (c) Motor fuel produced, compounded, or blended in this state other  
65 than at a refinery, marine or pipe line terminal, shall be deemed to be  
66 received at the time and by the person who is the owner thereof when  
67 the same is so produced, compounded or blended.

68 (d) Motor fuel acquired in this state by any person, other than as  
69 set out in subparagraphs (a), (b), or (c) above, shall, unless the per-  
70 son from whom the same is acquired has paid or incurred liability with  
71 respect thereto for the tax herein imposed, or unless the same be  
72 exempt under this division, be deemed to be received by the person  
73 so acquiring the same at the time so acquired.

74 Except as hereinbefore set forth, the word "received" shall be given  
75 its usual and customary meaning.

76 6. "Naphthas and solvents" shall mean and include those liquids  
77 which come within the distillations specifications for motor fuel set  
78 out under (b) of paragraph 1 of this section, but which are designed

79 and sold for exclusive use other than as a fuel for propelling motor  
80 vehicles.

### 324.3 Levy of Excise Tax—Exemptions—Credits.

1 For the privilege of operating motor vehicles in this state an excise  
2 tax of four cents a gallon is hereby imposed upon the use of all motor  
3 fuel used for any purpose except as otherwise provided in this division.  
4 The tax shall be paid in the first instance by the distributor upon the  
5 invoiced gallonage of all motor fuel received by him in this state,  
6 within the meaning of the word "received" as defined in this division,  
7 less the deductions hereinafter authorized. Thereafter, except as  
8 otherwise provided, the per gallon amount of such tax shall be added  
9 to the selling price of each and every gallon of such motor fuel sold  
10 in this state and collected from the purchaser to the end that the ulti-  
11 mate consumer shall bear the burden of such tax; provided, however,  
12 that no tax shall be imposed or collected under this division with re-  
13 spect to the following:

14 1. Motor fuel sold for export or exported from this state to any  
15 other state, territory, or foreign country.

16 2. Motor fuel sold to the United States or any agency or instru-  
17 mentality thereof.

18 3. Motor fuel sold to any post exchange or other concessionaire on  
19 any federal reservation within this state; but the tax on motor fuel  
20 so sold, to the extent permitted by federal law, shall be collected by  
21 the post exchange or concessionaire, reported and paid the treasurer.

22 4. Motor fuel sold to the state of Iowa or any of its agencies, but  
23 this exemption shall not apply to political subdivisions of this state.

24 5. The excise tax of four cents per gallon provided for in this section  
25 shall be increased to six cents per gallon for the period beginning  
26 July 4, 1957, and ending June 30, 1961.

### 324.4 Distributor's License. Application for Contents.

1 It shall be unlawful for any person to receive motor fuel within this  
2 state or to otherwise act as a distributor unless he holds an uncanceled  
3 distributor's license issued by the treasurer. To procure a license a  
4 distributor shall file with the treasurer an application signed under  
5 penalty for false certificate and in such form as the treasurer may  
6 prescribe, setting forth:

7 1. The name under which the distributor will transact business in  
8 the state of Iowa.

9 2. The location, with street number address, of the principal office  
10 or place of business of the distributor within this state.

11 3. The name and complete residence address of the owner or the  
12 names and addresses of the partners, if the distributor is a partner-  
13 ship, or the names and addresses of the principal officers, if the distrib-  
14 utor is a corporation or association.

15 Concurrently with the filing of an application for a license, every  
16 distributor shall file with the treasurer a bond of the character and in  
17 the amount provided for in this division. No license shall be issued  
18 unless application is accompanied by the bond, nor, if the applicant is  
19 a foreign corporation, unless it is at the time properly qualified under  
20 the laws of this state to do business therein.

21 If (a) any application for a license to transact business as a distrib-  
 22 utor in this state shall be filed by any person whose license shall have  
 23 been cancelled for cause at any time theretofore under the provisions  
 24 of the chapter or any prior motor fuel tax law, or

25 (b) the treasurer shall be of the opinion that such application is  
 26 not filed in good faith, or

27 (c) the application is filed by some person as a subterfuge for the  
 28 real person in interest whose license or registration shall theretofore  
 29 have been cancelled for cause under the provisions of this chapter or  
 30 any prior motor fuel tax law, the treasurer, after a hearing of which  
 31 the applicant shall have been given fifteen days notice in writing and  
 32 in which said applicant shall have the right to appear in person or by  
 33 counsel and present testimony, shall have and is hereby given the right  
 34 and authority to refuse to issue to the applicant a distributor's license.

35 Upon the filing of the application, a filing fee of ten dollars shall be  
 36 paid to the treasurer.

37 The application in proper form having been accepted for filing, the  
 38 filing fee paid, the bond having been accepted and approved and the  
 39 other conditions and requirements of this section having been complied  
 40 with, the treasurer shall issue to the applicant a license to transact  
 41 business as a distributor in this state. The license shall remain in full  
 42 force and effect until cancelled as provided in this chapter.

43 The license shall not be assignable, and shall be valid only for the  
 44 distributor in whose name issued, and shall be displayed conspicuously  
 45 in the principal place of business of the distributor in this state.

46 The treasurer shall keep and file all applications and bonds with an  
 47 alphabetical index thereof, together with a record of all licensees.

#### 324.5 Permissive Licensing as Distributors of Bulk Storers. For Use or Bulk Distribution.

1 Any person other than a distributor as hereinabove defined having  
 2 bulk storage in this state for rail tank car or 4,000 gallon or more  
 3 transport loads of motor fuel for use or for distribution in bulk by  
 4 tank truck or tank car, or both, may, subject to and upon compliance  
 5 with the provisions of Section 324.4, also be licensed as a distributor  
 6 and thereupon for all purposes of this division shall be deemed to be  
 7 the distributor with respect to any motor fuel "received" by him while  
 8 the license remains in effect.

#### 324.6 Continuance of Existing Distributor License.

1 Motor fuel distributor licenses issued under any prior motor fuel tax  
 2 law and in good standing as of the effective date of this division shall  
 3 be continued in effect until cancelled as hereinafter provided.

#### 324.7 Security Required of Licensed Distributor.

1 1. Every distributor shall file with the treasurer a bond:  
 2 (a) in an amount to be determined by the treasurer not less than  
 3 two thousand dollars nor more than fifty thousand dollars on a form  
 4 to be approved by the treasurer;  
 5 (b) with a surety company approved by the treasurer as surety  
 6 thereon;

7 (c) upon which the distributor shall be the principal obligor and the  
8 state of Iowa shall be the obligee; and

9 (d) conditioned upon the prompt filing of true reports and the pay-  
10 ment by the distributor to the treasurer of any and all motor fuel  
11 excise taxes which are now or which hereafter may be levied or im-  
12 posed by the state of Iowa, together with any and all penalties and/or  
13 interest thereon, and generally upon faithful compliance with the pro-  
14 visions of this division.

15 2. The treasurer shall contract annually with the lowest responsible  
16 bidder licensed to do business in Iowa for surety bonds to be filed by  
17 distributors. The premiums on the surety bonds contracted for by the  
18 treasurer shall be paid from the funds appropriated by Section 324.76.

19 3. In the event that liability upon the bond thus filed by a distrib-  
20 utor shall be discharged or reduced, whether by judgment rendered,  
21 payment made or otherwise, or if in the opinion of the treasurer any  
22 surety on the bond theretofore given shall have become unsatisfactory  
23 or unacceptable, then the Treasurer may require the distributor to file  
24 a new bond meeting the requirements in sub-section 1. If the new bond  
25 is not filed within 10 days after demand therefor, the treasurer shall  
26 forthwith cancel the license of the distributor. If a new bond shall be  
27 furnished by the distributor as above provided, the treasurer shall re-  
28 lease in writing the surety under the old bond from any liability accru-  
29 ing after the effective date of the new bond.

30 4. In the event that upon hearing, of which the distributor shall be  
31 given five days notice in writing, the treasurer shall decide that the  
32 amount of the existing bond is insufficient to insure payment to the  
33 state of Iowa of the amount of the tax and any penalties and interest  
34 for which the distributor is or may at any time become liable, then the  
35 distributor shall forthwith, upon the written demand of the treasurer,  
36 file a new bond meeting the requirements in subsection 1 and in such  
37 amount, not to exceed in total fifty thousand dollars, as is determined  
38 by the treasurer to be necessary to secure at all times the required  
39 reports and payments. If the new bond is not filed within ten days  
40 after demand therefor, the treasurer shall forthwith cancel the license  
41 of the distributor.

41 5. Any surety on bond furnished by distributor shall be released and  
42 discharged from any and all liability to the state of Iowa accruing on  
43 the bond after the expiration of sixty days from the date upon which  
44 such surety shall have lodged with the treasurer written request to be  
45 released and discharged; provided, however, that the request shall not  
46 operate to relieve, release or discharge the surety from any liability  
47 already accrued, or which shall accrue, before the expiration of the  
48 sixty-day period. The treasurer shall promptly on receipt of notice of  
49 the request notify the distributor who furnished the bond, and unless  
50 the distributor shall on or before expiration of the sixty-day period  
51 file with the treasurer a new bond with a surety company satisfactory  
52 to the treasurer in the amount and form hereinbefore in this section  
53 provided, the treasurer shall forthwith cancel the license of said dis-  
54 tributor.

55 6. In lieu of a surety bond in excess of the minimum amount the  
56 treasurer may accept a financial statement of the distributor showing  
57 ability to make any and all payments that may be due from the dis-  
58 tributor under this division.

**324.8 Tax Reports. Computation and Payment of Tax. Credits.**

1 For the purpose of determining the amount of his liability for the  
 2 tax herein imposed, each distributor shall, not later than the last day  
 3 of the month next following the month in which this division becomes  
 4 effective and not later than the last day of each calendar month there-  
 5 after, file with the treasurer a monthly report, signed under penalty  
 6 for false certificate, which shall include the following:

7 1. A statement of the number of invoiced gallons of motor fuel re-  
 8 ceived (within the meaning of the term "received" as defined in this  
 9 division) by the distributor within this state during the next preceding  
 10 calendar month in such detail as is prescribed by the treasurer and as  
 11 may be necessary for the proper administration of this division.

12 2. A statement showing the deductions authorized in this division  
 13 in such detail and with such supporting evidence as is prescribed by  
 14 the treasurer and as may be for proper administration of this division.

15 3. Such other information as the treasurer may require for the en-  
 16 forcement of this Act.

17 At the time of filing each monthly report, each distributor shall pay  
 18 to the treasurer the full amount of the motor fuel tax due from the  
 19 distributor for the next preceding calendar month computed as fol-  
 20 lows:

21 1. From the total number of invoiced gallons of motor fuel "re-  
 22 ceived" by the distributor within the state during the next preceding  
 23 calendar month shall be made the following deductions:

24 First, the gallonage of motor fuel received and thereafter sold within  
 25 the exemptions provided for in Section 324.3; and second, the number  
 26 of gallons of motor fuel equal to three per centum of the net number  
 27 of invoiced gallons of motor fuel received by the distributor within  
 28 this state during the next preceding calendar month, this percentage  
 29 being a flat allowance to cover evaporation, shrinkage, and losses, other  
 30 than those provided for in Section 324.3, and the distributor's expenses  
 31 and losses in collection, accounting for, and paying over the motor fuel  
 32 tax.

33 2. The number of invoiced gallons remaining after the deductions  
 34 hereinabove set forth shall be multiplied by the per gallon motor fuel  
 35 tax rate and resulting figure shall be the amount of motor fuel tax in  
 36 dollars and cents due from the distributor for the next preceding cal-  
 37 endar month. Any outstanding credit memoranda issued by the treas-  
 38 urer to the distributor may be applied against the amount due.

**324.9 Report from Persons not Licensed as Distributors.**

1 Every person other than a licensed distributor, who shall purchase,  
 2 bring into this state or otherwise acquire within this state motor fuel,  
 3 not otherwise exempted, with respect to which such person has know-  
 4 ingly not paid or incurred liability to pay either to a licensee or to a  
 5 dealer the motor fuel tax shall be subject with respect to the motor fuel  
 6 to all the provisions of this division that apply to distributors on  
 7 motor fuel received by them in this state and shall make the same  
 8 reports and tax payments thereon and be subject to the same penalties  
 9 for delinquent or non-reporting or delinquent or non-payment as apply  
 10 to distributors.

**324.10 Required Distributor and Dealer Records.**

1 Each motor fuel distributor shall maintain and keep for a period of  
 2 three years, such records of all transactions by which he receives, uses,  
 3 sells, delivers or otherwise disposes of motor fuel within this state,  
 4 together with invoices, bills of lading and other pertinent records and  
 5 papers as may reasonably be required by the treasurer for the ad-  
 6 ministration of this division.

7 If in the normal conduct of a distributor's business his records are  
 8 maintained and kept at an office outside the state of Iowa, it shall be  
 9 a sufficient compliance with this section if the records are made avail-  
 10 able for audit and examination by the treasurer at the office outside  
 11 Iowa, but such audit and examination outside Iowa shall be without  
 12 expense to the state.

13 Each dealer handling motor fuel in this state shall maintain and  
 14 keep for a period of two years records of all motor fuel purchased or  
 15 otherwise acquired by him, together with delivery tickets, invoices,  
 16 and bills of lading, and such other pertinent records as the treasurer  
 17 shall require.

18 The treasurer, after an audit and examination of the records of a  
 19 distributor or dealer may authorize their disposal, the authorization  
 20 to be in writing after request by the distributor or dealer.

**324.11 Registration of Carrier Transportation Equipment—Identifi-  
 cation of all Highway Transportation Equipment.**

1 1. Any person operating as a common or contract carrier and any  
 2 distributor who is also engaged in transportation within this state of  
 3 motor fuel for others, shall register with the treasurer on or before  
 4 the first day of the 3rd calendar month which begins after the effective  
 5 date of this division and currently thereafter as additional equipment  
 6 is put to use, each vehicle used in aforesaid transportation in this state,  
 7 except railroad, water vessel or pipe line equipment. The registration  
 8 shall be on forms furnished by and shall contain such information as  
 9 may reasonably be required by the treasurer. A fee of one dollar shall  
 10 be paid to the treasurer for original registration of each vehicle. The  
 11 treasurer shall furnish to the registrant for each vehicle registered  
 12 suitable identification which shall be permanently attached to the ve-  
 13 hicle and shall be available for inspection at all times. Currently as  
 14 any vehicle is retired or its use for the transportation of motor fuel  
 15 for others is discontinued, the registrant shall notify the treasurer or  
 16 at the direction of the treasurer shall either surrender to the treasurer  
 17 or destroy the vehicle identification issued under this section. Annually  
 18 on or before the first day of July of each year, each carrier as afore-  
 19 said shall file with the treasurer a statement showing each vehicle then  
 20 in use for transportation of motor fuel for others and thereupon the  
 21 treasurer shall issue to the registrant at a fee of twenty-five cents a  
 22 renewal identification for each vehicle for the ensuing year.

23 2. Each vehicle used by a carrier, distributor or any person in the  
 24 transportation on the highways in this state of fuels for motor vehicles  
 25 shall be identified by having shown thereon, in lettering at least six  
 26 inches in height made with a stroke of not less than three-fourths inch  
 27 in width and of a color contrasting to that of the background upon  
 28 which the lettering is placed, the name and address of the person trans-

29 porting the fuel. The identification shall be placed on both sides of the  
30 vehicle; provided, that, transportation equipment operated by a li-  
31 censee shall be identified with his distributor's license number in which  
32 case the trade or produce name or insignia generally used in identify-  
33 ing the highway transportation equipment of the licensee and well  
34 known and recognized throughout the area in which the transportation  
35 equipment is operated, may be shown in lieu of the name and address  
36 of the licensee.

37 3. The treasurer shall have the power to refuse to register a vehicle  
38 owned or used by any person, either directly or indirectly, who has had  
39 a license revoked for cause which license was issued under the pro-  
40 visions of this chapter or any prior motor fuel tax law.

#### 324.12 Loading and Delivery Evidence on Transportation Equipment.

1 1. There shall be carried on every vehicle, while in use in trans-  
2 portation service requiring that it be registered under the preceding  
3 section, a serially numbered manifest in form satisfactory to the treas-  
4 urer on which shall be entered the following information as to the  
5 cargo of motor fuel being moved in the vehicle; the date and place of  
6 loading, the place to be unloaded, the person for whom it is to be deliv-  
7 ered, the nature and kind of product, and the amount thereof and such  
8 other information as is called for in the forms prescribed or approved  
9 by the treasurer. The manifest covering each load transported upon  
10 consummation of the delivery shall be completed showing the date and  
11 place of actual delivery and the person to whom actually delivered and  
12 shall be kept as a permanent record for a period of three years, provid-  
13 ed, however, that the record of the manifest of past cargoes need not be  
14 carried on the conveyance but must be preserved by the carrier for  
15 the inspection of the treasurer or his representatives. A carrier sub-  
16 ject to this paragraph may with the approval of the Treasurer when  
17 distributing for a licensee substitute the loading and delivery evidence  
18 required in paragraph two (2) of this section.

19 2. Every distributor or other person while transporting motor fuel  
20 from a refinery or marine or pipe line terminal in this state or from  
21 a point outside this state via the highways of this state in service other  
22 than that covered in paragraph 1 of this section shall carry in the  
23 vehicle a loading invoice showing the true name and address of the  
24 seller or consignor, the date and place of loading and the kind and  
25 quantity of motor fuel loaded, together with invoices showing the kind  
26 and quantity of each delivery therefrom, and the name and address of  
27 each purchaser or consignee.

#### 324.13 Evidence Produced Upon Request.

1 The operator of any vehicle transporting motor fuel as covered in  
2 the preceding section shall, at the request of any sheriff, deputy sheriff  
3 or other peace officer or person authorized by law to inquire into or  
4 investigate said matters, produce and offer for inspection the manifest  
5 or loading and delivery invoices pertaining to the load and trip in ques-  
6 tion and shall permit the officer to inspect and measure the contents  
7 of the vehicle. If the vehicle operator fails to produce the covering  
8 evidence or if, when produced, it fails to contain the required informa-

9 tion and if it appears that there is an attempt to evade payment of the  
 10 motor fuel tax, then the officer or other person authorized to make the  
 11 inquiry may take and impound the motor fuel together with the con-  
 12 veying vehicle until the tax on the motor fuel together with penalty,  
 13 if an attempt to evade payment of the motor fuel is involved, amount-  
 14 ing to one hundred per cent of the tax have been paid. In case the  
 15 tax and penalty found to be due are not paid within forty-eight hours  
 16 after the taking of the property, the treasurer may proceed to sell the  
 17 vehicle and its cargo in the manner provided by law for the sale of  
 18 personal property by the sheriff under execution.

#### 324.14 Penalty for Operating Unregistered Transport.

1 It shall be unlawful for any person to transport motor fuel in bulk  
 2 upon the highways of this state in a conveyance the registration of  
 3 which is required without the evidence of registration provided for  
 4 and any person found guilty of the unlawful act shall be fined not to  
 5 exceed one hundred dollars or imprisoned in the county jail not more  
 6 than thirty days, and each cargo so transported shall be considered a  
 7 separate offense. This penalty shall be in addition to penalties imposed  
 8 under other provisions of this chapter. Persons transporting motor  
 9 fuel in bulk upon the highways of this state in an amount of not to  
 10 exceed four thousand (4,000) gallons shall not be regarded as trans-  
 11 porting in bulk.

#### 324.15 Transportation Reports—Refinery and Pipe Line and Marine Terminal Reports.

1 1. Every railroad and common or contract motor carrier transport-  
 2 ing motor fuel either in interstate or intrastate commerce within this  
 3 state and every person transporting motor fuel by whatever manner  
 4 from a point outside this state to any point in this state shall, subject  
 5 to penalties for false certificate, report to the treasurer on forms pre-  
 6 scribed by the treasurer all deliveries of motor fuel to points within  
 7 this state other than refineries or marine or pipe line terminals. If any  
 8 distributor or dealer is also engaged in the transportation of motor  
 9 fuel for others, he shall make the same reports as required of common  
 10 and contract carriers.

11 The reports shall cover monthly periods and shall show as to each  
 12 delivery:

13 (a) the name and address of the person to whom actually and in  
 14 fact made;

15 (b) the name and address of the originally named consignee, if  
 16 delivered to any other than the originally named consignee;

17 (c) the point of origin, the point of delivery, and the date of de-  
 18 livery;

19 (d) the number and initials of each tank car and the number of gal-  
 20 lons contained therein, if shipped by rail;

21 (e) the name of the boat, barge, or vessel, and the number of gal-  
 22 lons contained therein, if shipped by water;

23 (f) the registration number of each tank truck and the number of  
 24 gallons contained therein, if transported by motor truck;

25 (g) the manner, if delivered by other means, in which the delivery  
 26 is made; and

27 (h) such additional information relative to shipments of motor fuel  
28 as the treasurer may require.

29 If any person required under this section to file transportation re-  
30 ports is a licensee under this division and if the information required  
31 in his transportation report is contained in any other report rendered  
32 by him under this division no separate transportation report of that  
33 information shall be required.

34 2. Every person operating storage facilities at a refinery or at a  
35 marine or pipe line terminal in this state shall monthly make an ac-  
36 counting to the treasurer on forms prescribed by the treasurer of all  
37 motor fuel withdrawn from the refinery storage and all motor fuel  
38 delivered into, withdrawn from and on hand in the terminal storage.

39 3. The reports required in this section shall be for information pur-  
40 poses only and the treasurer may in his discretion waive the filing of  
41 any of these reports not necessary for proper administration of this  
42 division. The reports required in this section shall be certified under  
43 penalty for false certificate and filed with the treasurer within the time  
44 allowed for filing of distributors' reports of motor fuel received.

**324.16 Credit to Licensee for Non-Motor Vehicle Use, for Casualty  
Losses and for Tax-Paid Inventory of Non-Taxable Products.  
Refund in Certain Cases.**

1 1. A licensee having received motor fuel which thereafter (a) he  
2 uses for any purpose other than as fuel for propelling motor vehicles  
3 or (b) while owned by him is lost or destroyed through accountable  
4 leakage or through fire, accident, lightning, flood, storm, act of war  
5 or public enemy or other like cause, shall upon application to the treas-  
6 urer supported by proof as the treasurer may reasonably require, be  
7 entitled to a memorandum of credit which he may apply against subse-  
8 quent liability under this chapter, or, if an applicant having paid the  
9 tax on the gallonage covered in the application is no longer engaged in  
10 activity for which his license was issued, the treasurer shall refund  
11 the appropriate amount to the applicant.

12 2. A licensee who on July 1, 1957 has on hand gallonage of any  
13 product not subject to the tax imposed under this division, but which  
14 he reported and paid or is liable to pay the Iowa motor fuel tax under  
15 any prior law, shall upon application to the treasurer with such sup-  
16 porting data as the treasurer may require be entitled to a memorandum  
17 of credit which may be applied against the applicant's liability under  
18 this chapter or under the prior law, or, if an applicant under this para-  
19 graph, having paid the tax on the gallonage covered in his application,  
20 is no longer engaged in activity for which his license was issued, the  
21 treasurer shall refund the appropriate amount to the applicant.

**324.17 Refund to Non-Licensee of Tax Paid on Motor Fuel Used  
Other Than in Motor Vehicles.**

1 Any person other than a licensee who shall use motor fuel for the  
2 purpose of operating or propelling farm tractors, stationary gas en-  
3 gines, aircraft or boats, for cleaning or dyeing or for any purpose  
4 other than in motor vehicles operated or intended to be operated upon  
5 the public highways and having paid the motor fuel tax on the fuel  
6 either directly to the treasurer or by having the tax added to the price

7 of the fuel, and who has a refund permit shall, upon presentation to  
8 and approval by the treasurer of a claim for refund be reimbursed and  
9 repaid the amount of the tax which the claimant has paid on the gal-  
10 lonaage so used. Every claim filed subsequent to the effective date of  
11 this chapter shall be subject to the following conditions:

12 1. The claim shall be on a form prescribed by the treasurer and be  
13 certified by the claimant under penalty for false certificate;

14 2. The claim shall have attached thereto the original invoice or in-  
15 voices showing the purchase of the motor fuel on which a refund is  
16 claimed;

17 3. No invoice shall be acceptable in support of a claim for refund  
18 unless it is a separate serially numbered invoice covering no more  
19 than one purchase of motor fuel, prepared by the seller on a form ap-  
20 proved by the treasurer with double faced carbon paper under the  
21 original; nor unless it is legibly written with no corrections or erasures  
22 and shows the date of sale, the name and address of the seller and of  
23 the purchaser, the kind of motor fuel, the gallonaage in words and fig-  
24 ures, the per gallon price of the motor fuel, the per gallon rate of any  
25 tax added to the product price, the total purchase price including the  
26 Iowa motor fuel tax and that the total purchase price including tax has  
27 been paid; provided, that as to refund invoices made on a billing ma-  
28 chine the treasurer may waive any of the requirements of this para-  
29 graph;

30 4. The claim shall state the gallonaage of motor fuel that was used  
31 or will be used by the claimant other than in motor vehicles, the man-  
32 ner in which the motor fuel was used or will be used and the equip-  
33 ment in which it was used or will be used;

34 5. The claim shall also state whether or not the claimant used fuel  
35 for motor vehicles from the same tanks or receptacles in which the  
36 claimant kept the motor fuel on which the refund is claimed;

37 6. No refund will be paid with respect to any motor fuel taken out  
38 of this state in fuel supply tanks of motor vehicles;

39 7. No refund shall be paid with respect to motor fuel purchased  
40 more than three calendar months prior to the date the claim was filed  
41 with the treasurer;

42 8. No refund shall be paid with respect to motor fuel used in the  
43 performance of a contract which is paid out of state funds unless the  
44 contract for the work contains a certificate made under penalty for  
45 false certificate that the estimate, bid or price to be paid for the work  
46 includes no amount representing motor fuel tax subject to refund;

47 9. If an original invoice is lost or destroyed the treasurer may in his  
48 discretion approve a refund supported by a copy identified and certi-  
49 fied by the seller as being a true copy of the original;

50 10. The right of a person to a refund under this section shall not  
51 be assignable. Claim shall be made by and the amount of the refund  
52 when determined by the treasurer shall be paid to the person who pur-  
53 chased the motor fuel as shown in the supporting invoice; and

54 11. in order to verify the validity of a claim for refund the treas-  
55 urer shall have the right to require the claimant to furnish such addi-  
56 tional proof of validity as the treasurer may determine and by himself  
57 or his representative to examine the books and records of the claimant.  
58 Failure of a claimant to furnish his books and records for examination

59 shall constitute a waiver of all rights to refund related to the trans-  
60 action in question.

#### 324.18 Refund Permit.

1 No person may claim a refund under Section 324.17 until he shall  
2 have obtained a refund permit from the treasurer and paid the fee  
3 therefor. Application for a refund permit shall be made to the treas-  
4 urer on a form provided by the treasurer, shall be certified by the ap-  
5 plicant under penalty for false certificate and shall contain among  
6 other things, the name, the address and occupation of the applicant,  
7 the nature of his business and a sufficient description for identification  
8 of the machines and equipment in which is to be used motor fuel for  
9 which refund may be claimed under the permit. Each permit shall  
10 bear a separate number and each claim for refund shall bear the num-  
11 ber of the permit under which it is made. The treasurer shall keep  
12 a permanent record of all permits issued and a cumulative record of  
13 the amount of refund claimed and paid under each. A fee of one dol-  
14 lar shall be collected by the treasurer from each person to whom a  
15 refund permit is issued. A refund permit shall continue in effect until  
16 revoked as hereinafter provided or until the claimant shall have moved  
17 from the county with which his refund permit is identified.

#### 324.19 Revocation of Refund Permit.

1 Any refund permit issued under this chapter may be revoked by the  
2 treasurer for any of the following violations, but only after the holder  
3 of the permit has been given reasonable notice of the intention to re-  
4 voke the permit and reasonable opportunity to be heard:  
5 1. Using in support of a refund claim a false or altered invoice;  
6 2. Making a false statement in a claim for refund or in response to  
7 an investigation by the treasurer of a claim for refund; or  
8 3. refusal to submit his books and records for examination by the  
9 treasurer or his authorized representative.  
10 A person whose refund permit is revoked for cause (except non-use)  
11 may not obtain another refund permit for a period of one year after  
12 the revocation. A refund permit under which no refund is claimed for  
13 a period of one year from date of issuance or a refund permit whose  
14 holder has moved from the county wherein he resided at the time of  
15 application for said permit shall be revoked by the treasurer subject  
16 to reinstatement or issuance of a new permit upon application as pro-  
17 vided in Section 324.18.

#### 324.20 Posting Price and Discounts.

1 Every distributor and other person selling motor fuel in this state  
2 for resale to dealers in this state, shall keep posted in a conspicuous  
3 place most accessible to the public at their place or places of business,  
4 including bulk plants, a placard showing in legible words and/or fig-  
5 ures the same height and size, the price per gallon of each grade of  
6 motor fuel offered for sale, the amount of state excise tax per gallon  
7 thereon, the federal excise tax per gallon thereon, and the total thereof.  
8 If any rebate, discount, commission, or other concession is granted by  
9 distributors or persons engaged in the sale of motor fuel for resale to

10 dealers of such nature as will reduce the cost or price to any purchaser  
11 or dealer in such products, the conditions, quantity, and amount of  
12 such rebate, discount, commission or other concession shall be posted  
13 as a part of the posted price. All price placards shall be subject to the  
14 approval of the treasurer. Any distributor or person failing to post  
15 or keep posted the placard required by this section, or who posts  
16 placards not approved by the treasurer as provided in this section, or  
17 who sells any motor fuel for resale at a price which directly or indi-  
18 rectly, by any means or device, deviates from the posted price set forth  
19 on the price placard approved by the treasurer, shall be guilty of a mis-  
20 demeanor and shall be punished by a fine of one hundred dollars or im-  
21 prisonment in the county jail for thirty days. Nothing contained  
22 herein shall prohibit or restrict the distribution of earnings to the  
23 members of any distributor or person, nor to the distribution to con-  
24 sumers of road maps, publicity and other advertising media carrying  
25 the name of the distributor, person, or produce. Each day the required  
26 placard remains unposted or an unauthorized placard remains posted,  
27 or each deviation from the posted price, shall be considered a separate  
28 offense. In the event of a second conviction for the violation of any  
29 of the provisions of this section, the state treasurer may revoke the  
30 license of such distributor or person so convicted.

MOTOR VEHICLE FUEL TAX LAW  
DIVISION II  
SPECIAL FUEL TAX

**324.31 Short Title.**

1 This division, applicable provisions of Division IV of this chapter  
2 and any amendments to either shall be known, and may be cited, as  
3 the Special Fuel Tax Law, and as so constituted is hereinafter referred  
4 to as this division.

**324.32 Purpose.**

1 The purpose of this division is to supplement Division I of this  
2 chapter, by imposing an excise tax upon the receipt, delivery or placing  
3 into the fuel supply tanks of motor vehicles which are within this state,  
4 of all fuels not taxed under Division I.

**324.33 Definitions. As Used in this Division.**

1 1. "Special fuel" means and includes all combustible gases and  
2 liquids suitable for the generation of power for propulsion of motor  
3 vehicles also any substance used for that purpose, except that it does  
4 not include motor fuel as defined in the motor fuel tax law.

5 2. "Use" means the receipt, delivery or placing of special fuels by a  
6 special fuel user into a supply fuel tank of a motor vehicle while the  
7 vehicle is in this state.

8 3. "Special fuel dealer" means any person in the business of han-  
9 dling special fuel who delivers any part thereof into a fuel supply tank  
10 of any motor vehicle not then owned or controlled by him.

11 4. "Special fuel user" means the owner or other person responsible  
12 for the operation of a motor vehicle at the time special fuel is placed

13 in a fuel supply tank thereof while the vehicle is in this state.  
14 5. "Licensee" shall mean and include any person who holds an un-  
15 cancelled special fuel dealer license or special fuel user license, issued  
16 pursuant to this division.

#### 324.34 Tax Imposed.

1 For the privilege of operating motor vehicles in this state, there is  
2 hereby levied and imposed an excise tax on the use (as defined herein)  
3 of special fuel in any motor vehicle. The rate of tax on special (diesel  
4 engine) fuel shall be 7 cents per gallon. On all other special fuel the  
5 per gallon rate shall be the same as the motor fuel tax. The tax, with  
6 respect to all special fuel delivered by a special fuel dealer for use in  
7 this state as defined by Section 324.33, shall attach at the time of the  
8 delivery and shall be collected by the dealer from the special fuel user  
9 and shall be paid over to the treasurer as hereinafter provided. The  
10 tax, with respect to special fuel acquired by a special fuel user in any  
11 manner other than by delivery by a special fuel dealer into a fuel  
12 supply tank of a motor vehicle, shall attach at the time of the use (as  
13 herein defined) of the fuel and shall be paid over to the treasurer by  
14 the user as hereinafter provided.

15 The treasurer shall make reasonable rules and regulations governing  
16 the dispensing of special fuel at retail service stations and may require  
17 that special fuel delivered into the fuel supply tank of any motor ve-  
18 hicle shall be dispensed through a metered pump.

#### 324.35 Exemptions.

1 No tax is imposed under this division on special fuel used by the  
2 United States or any of its agencies or instrumentalities, but the tax  
3 on special fuel used or delivered into fuel supply tanks of motor ve-  
4 hicles by any post exchange or concessionaire on any federal reserva-  
5 tion in this state, to the extent permitted by federal law, shall be col-  
6 lected by the post exchange or concessionaire and paid to the treasurer.

7 No tax is imposed under this division on special fuel used by the  
8 state of Iowa or any of its agencies, but this exemption shall not apply  
9 to political subdivisions of this state.

#### 324.36 Special Fuel Dealers' and Special Fuel Users' Licenses.

1 1. *Required*: It shall be unlawful for any person to act as a special  
2 fuel dealer in this state unless he holds an uncanceled special fuel deal-  
3 er's license issued to him by the treasurer. Except for special fuel  
4 which is delivered by a special fuel dealer into a fuel supply tank of  
5 any motor vehicle in this state, the use (as herein defined) of special  
6 fuel in this state by any person shall be unlawful unless he holds an  
7 uncanceled special fuel user's license issued to him by the treasurer.

8 2. *Application*: Application for a special fuel dealer's license or a  
9 special fuel user's license shall be made to the treasurer. A special fuel  
10 dealer's license or a special fuel user's license, whichever is applicable,  
11 shall be required for each separate place of business or location where  
12 special fuels are regularly delivered or placed into the fuel supply tank  
13 of a motor vehicle. Provided, that, if a special fuel dealer also operates  
14 one or more bulk plants from which the distribution of special fuel is

15 primarily by tank vehicle, he need not obtain a separate license for any  
 16 of these plants not provided with fixed equipment designed for fueling  
 17 vehicles.

18 3. *Form of Application*: The application shall be filed upon a form  
 19 prepared and furnished by the treasurer and shall contain such in-  
 20 formation as the treasurer deems necessary.

21 4. *Bond*: No special fuel dealer's license or special fuel user's license  
 22 shall be issued to any person or continued in force unless he has on file  
 23 with the treasurer a surety bond in such form and amount as the  
 24 treasurer may require, but not less than \$500.00, nor more than  
 25 \$5,000.00, to secure his compliance with this division, and the payment  
 26 of any and all taxes, interest and penalties due and to become due here-  
 27 under. The provisions of subsections 1, 2, 3 and 4 of Section 324.7  
 28 with respect to distributors' bonds, except the amount of bond, shall  
 29 apply to bonds furnished by licensees under this division. A special  
 30 fuel dealer or special fuel user who is also a licensed distributor under  
 31 Division I of this chapter may have his obligation under this section  
 32 and under Section 324.7 covered by one bond.

33 5. *Issuance*: Upon receipt of the application and bond in proper  
 34 form, the treasurer shall issue to the applicant a license to act as a spe-  
 35 cial fuel dealer or a special fuel user; provided, however, the treasurer  
 36 may refuse to issue a special fuel dealer's license or a special fuel user's  
 37 license to any person: (1) who formerly held either type of license  
 38 and which has been revoked for cause; or (2) who is a subterfuge for  
 39 the real party in interest whose license has been revoked for cause; or  
 40 (3) upon other sufficient cause being shown. Before refusal, the treas-  
 41 urer shall grant the applicant a hearing and give him at least 15 days  
 42 written notice of the time and place thereof.

43 6. *Expiration of License*: Each special fuel dealer's license and spe-  
 44 cial fuel user's license shall be valid until suspended or revoked for  
 45 cause or otherwise cancelled.

46 7. *Assignment Forbidden*: No special fuel dealer's license or special  
 47 fuel user's license shall be transferable.

### 324.37 Special Fuel Dealers' and Special Fuel Users' Records.

1 For each location where special fuel is delivered or placed into the  
 2 fuel supply tank of a motor vehicle, the special fuel dealer or user  
 3 making the delivery shall prepare and maintain for a period of three  
 4 years such records as the treasurer may reasonably require with  
 5 respect to all these deliveries, and with respect to inventories, receipts,  
 6 purchases, and sales or other dispositions of special fuel.

### 324.38 Monthly Returns and Tax Payments.

1 1. *Returns*: For the purpose of determining the amount of his lia-  
 2 bility for special fuel tax each special fuel dealer and each special fuel  
 3 user shall file with the treasurer not later than the last day of the  
 4 month next following the month in which this division becomes effec-  
 5 tive and not later than the last day of each calendar month thereafter  
 6 a monthly tax return certified under penalties for false certificate.  
 7 The return shall show, with reference to each location at which special  
 8 fuel is delivered or placed by the dealer or user into a fuel supply tank

9 of any motor vehicle during the next preceding calendar month, such  
10 information as the treasurer may reasonably require for the proper  
11 administration and enforcement of this division; provided, however,  
12 that if a special fuel dealer or user is also a wholesale distributor of  
13 special fuel at a location where special fuel is delivered into the supply  
14 tank of a motor vehicle, the monthly return to the treasurer covering  
15 the location need not include inventory control data covering bulk  
16 storage from which wholesale distribution of special fuel is made.

17 2. *Computation*: The amount of tax due shall be computed by mul-  
18 tiplying the appropriate tax rate per gallon by the number of gallons  
19 of special fuel delivered or placed by the special fuel dealer or user  
20 into supply tanks of motor vehicles.

21 3. *Payments*: The return shall be accompanied by remittance in the  
22 amount of the tax due for the month in which the special fuel was  
23 placed in the fuel tanks of motor vehicles.

24 4. *Reporting Exemption for Authorized Tax-Paid Purchases*: Any  
25 special fuel dealer or user licensed under this division may upon appli-  
26 cation in writing to the treasurer be authorized, subject to regulations  
27 prescribed by the treasurer, to purchase on a tax-paid basis from any  
28 supplier licensed as a distributor under Division I of this chapter all  
29 special fuel acquired by the dealer or user for subsequent delivery into  
30 the fuel supply tanks of motor vehicles. Every supplier so licensed  
31 who sells or delivers special fuel on a tax-paid basis to special fuel  
32 users or special fuel dealers authorized as aforesaid shall make a re-  
33 turn of these tax-paid sales to the treasurer accompanied by payment  
34 of the special fuel tax on the tax-paid gallonage so sold or delivered.  
35 The return and payment shall be made at the same time as the sup-  
36 plier's motor fuel tax return or special fuel tax return for the month  
37 in which the covered sales or deliveries were made. A special fuel  
38 dealer or user shall be exempt from making any return or tax pay-  
39 ment to the treasurer on special fuel which, under authority from the  
40 treasurer, he acquires on a tax-paid basis from a supplier licensed as  
41 aforesaid.

42 5. *Exemption for Fueling by Licensed Dealers*: No return need be  
43 made by any special fuel user, not licensed as a special fuel dealer,  
44 whose entire use of special fuels in this state is limited solely to special  
45 fuels delivered into the fuel supply tank of the user's motor vehicles  
46 by special fuel dealers.

47 6. *Presumption*: For purposes of this section there shall be a prima  
48 facie presumption that all special fuel received by a special dealer or  
49 special fuel user into storage and dispensing equipment designed to  
50 fuel motor vehicles is to be delivered by the special fuel dealer or spe-  
51 cial fuel user into the fuel supply tanks of motor vehicles.

#### MOTOR VEHICLE FUEL TAX LAW

##### DIVISION III

#### MOTOR FUEL AND SPECIAL FUEL USE TAX FOR INTERSTATE MOTOR VEHICLE OPERATIONS

#### 324.50 Short Title.

1 This division and applicable provisions of Division IV of this chap-  
2 ter and any amendments to either shall be known and may be cited as

3 the Interstate Fuel Use Tax Law, and as so constituted is hereinafter  
4 referred to as this division.

#### 324.51 Purpose.

1 The purpose of this division is to provide an additional method of  
2 collecting fuel taxes from interstate motor vehicle operators commensurate  
3 with their operations on Iowa highways; and to permit the  
4 treasurer to suspend this collection as to transportation entering Iowa  
5 from any other state where it appears that Iowa highway fuel tax  
6 revenue and interstate highway transportation moving out of Iowa  
7 will not be unduly prejudiced thereby.

#### 324.52 Fuels Brought Into the State in Fuel Supply Tanks of Motor Vehicles.

1 No person shall bring into this state in the fuel supply tanks of a  
2 motor vehicle, or any other container, regardless of whether or not  
3 the supply tanks are connected to the motor of the vehicle, any motor  
4 fuel or special fuel to be used in the operation of the vehicle in this  
5 state unless he has paid or made arrangements in advance with the  
6 treasurer for payment of Iowa fuel taxes on the gallonage consumed in  
7 operating the vehicle in this state; except that this division shall not  
8 apply to a private passenger automobile.

9 Any person who brings into the state in the fuel supply tanks of a  
10 motor vehicle more than 20 gallons of motor fuel or special fuel in  
11 violation of the provisions of the preceding paragraph is guilty of a  
12 misdemeanor and upon conviction shall be fined not more than one  
13 hundred dollars or shall be imprisoned in the county jail not more  
14 than thirty days.

#### 324.53 Permit—Bond.

1 The advance arrangements referred to in the preceding section shall  
2 include the procuring of a permit and may in the discretion of the  
3 treasurer include the posting of a suitable indemnity bond in a sum  
4 to be fixed by the treasurer to assure the required reporting, tax pay-  
5 ments and the keeping of required records.

6 Permit may be obtained upon application to the treasurer. The  
7 treasurer shall charge a fee of one dollar for each permit issued. The  
8 holder of a permit under this division shall have the privilege of  
9 bringing into this state in the fuel supply tanks of motor vehicles any  
10 amount of motor fuel or special fuel to be used in the operation of the  
11 vehicles and for that privilege shall pay Iowa motor fuel or special  
12 fuel taxes as provided in Section 324.54.

13 Each vehicle operated into or through Iowa in interstate operations  
14 using motor fuel or special fuel acquired in any other state shall carry  
15 in or on each vehicle a duplicate or evidence of the permit required in  
16 this section. A fee not to exceed twenty-five cents shall be charged  
17 by the treasurer for each duplicate or other evidence of permit issued  
18 by him.

**324.54 Fuel Tax Computation, Reporting and Payment.**

1 Fuel tax liability under this division shall be computed on the total  
 2 number of gallons of each kind of motor fuel and special fuel con-  
 3 sumed in the operation in Iowa of motor vehicles subject to this divi-  
 4 sion at the same rate for each kind of fuel as would be applicable  
 5 thereto if taxed under Divisions I or II of this chapter. Credit against  
 6 the tax liability so computed shall be allowed in the amount of fuel  
 7 taxes paid under Divisions I or II of this chapter on motor fuel and  
 8 special fuel used in motor vehicles the operation of which is subject  
 9 to this division, but no amount so paid on fuel in excess of that con-  
 10 sumed in this state shall be refunded.

11 To determine the amount of fuel taxes due under this division and  
 12 to prevent the evasion thereof, the treasurer may require reports on  
 13 forms prescribed by the treasurer and fuel tax payments in the same  
 14 manner and at the same time as required in this chapter for reporting  
 15 and payment by distributors. These reports and tax payments may  
 16 be required covering actual operation and fuel consumption in Iowa  
 17 for vehicles the operation of which is subject to this division or on  
 18 a basis of their average consumption of fuel in Iowa determined by  
 19 taking that proportion of the total gallons consumed everywhere in  
 20 these vehicles that their mileage in Iowa is to their total mileage  
 21 everywhere.

**324.55 Records.**

1 Every person operating within the purview of this division shall  
 2 make and keep for a period of three years such records as may reason-  
 3 ably be required by the treasurer for the administration of this divi-  
 4 sion. If in the normal conduct of the business, the required records  
 5 are maintained and kept at an office outside the state of Iowa, it shall  
 6 be a sufficient compliance with this section if the records are made  
 7 available for audit and examination by the treasurer at the office out-  
 8 side Iowa, but such audit and examination shall be without expense  
 9 to the state of Iowa.

**324.56 Not Applicable to Distributors.**

1 The provisions of this division shall not apply to distributors  
 2 licensed under Division I of this chapter. Distributors so licensed  
 3 shall report and pay the tax on motor fuel and special fuel consumed  
 4 in propelling vehicles on the public highways of this state as provided  
 5 for respectively in Divisions I and II.

MOTOR VEHICLE FUEL TAX LAW  
 DIVISION IV  
 PROVISIONS COMMON TO TAXES IMPOSED UNDER  
 DIVISIONS I, II AND III

**324.57 Definitions:**

1 1. "Fuel taxes" means and includes the per gallon excise taxes im-  
 2 posed under Divisions I, II and III of this chapter with respect to  
 3 motor fuel and special fuel.

4 2. "Motor vehicle" shall mean and include all vehicles (except those  
5 operated on rails) which are propelled by internal combustion engines  
6 and are of such design as to permit their mobile use on public high-  
7 ways for transporting persons or property. A farm tractor while  
8 operated on a farm or for the purpose of hauling farm machinery,  
9 equipment or produce shall not be deemed to be a motor vehicle.  
10 "Motor vehicle" shall not include "mobile machinery and equipment"  
11 as hereinafter defined.

12 3. "Mobile machinery and equipment" shall mean and include vehi-  
13 cles self-propelled by an internal combustion engine but not designed  
14 or used primarily for the transportation of persons or property on  
15 public highways and only incidentally operated or moved over a high-  
16 way such as ditch digging apparatus, power shovels, drag lines, earth  
17 moving equipment and machinery, and road construction and mainte-  
18 nance machinery such as asphalt spreaders, bituminous mixers, bucket  
19 loaders, ditchers, leveling graders, finishing machines, motor graders,  
20 paving mixers, road rollers, scarifiers and earth moving scrapers. The  
21 foregoing enumeration shall not operate to exclude other vehicles  
22 which are within the general terms of this definition. "Mobile ma-  
23 chinery and equipment" shall not however include dump trucks or  
24 self-propelled vehicles originally designed for the transportation of  
25 persons or property on public highways and to which machinery, such  
26 as truck mounted transit mixers, cranes, shovels, welders, air com-  
27 pressors, well boring apparatus, corn shellers, lime spreaders or feed  
28 grinders, has been attached.

29 4. "Public highways" shall mean and include any way or place  
30 available to the public for purposes of vehicular travel notwithstand-  
31 ing temporarily closed.

32 5. "Person" shall mean and include natural persons, partnerships,  
33 firms, associations, corporations, representatives appointed by any  
34 court and political subdivisions of this state and use of the singular  
35 shall include the plural.

36 6. "Treasurer" shall mean the treasurer of the state of Iowa.

#### 324.58 Administrative Rules and Regulations.

1 The treasurer is authorized and empowered to make such reason-  
2 able rules and regulations relating to the administration and enforce-  
3 ment of this chapter as he may deem needful. These rules and regu-  
4 lations shall be effective when the provisions of Chapter 17A have  
5 been complied with.

#### 324.59 Forms of Report, Refund Claim and Records.

1 The treasurer shall prescribe and furnish all forms upon which re-  
2 ports and applications shall be made and claims for refund presented  
3 under this chapter and may prescribe forms of record to be kept by  
4 motor fuel distributors, motor fuel dealers, motor fuel carriers, special  
5 fuel dealers, special fuel users, and interstate motor vehicle operators.

6 Whenever in this chapter the treasurer is authorized to prescribe  
7 the form of record to be kept, he may in lieu thereof approve the form  
8 of record being kept, and shall approve the form of record where it  
9 furnishes in reasonably accessible form the information which the

10 treasurer requires, and substantially complies with the prescribed  
11 form.

### 324.60 Timely Filing of Reports—Extension.

1 The reports and remittances required under this chapter shall be  
2 deemed filed within the required time if postpaid, properly addressed  
3 and postmarked on or before midnight of the day on which due and  
4 payable. If the final filing date falls on a Saturday, Sunday or legal  
5 holiday the next secular or business day shall be the final filing date.  
6 The treasurer upon application may grant a reasonable extension  
7 of time for the filing of any required report or tax payment, or both.

### 324.61 Inspection of Records.

1 The treasurer or any deputy, employee or agent authorized by him  
2 is hereby given the authority within the time prescribed for keeping  
3 records (1) to examine, during the usual business hours of the day,  
4 the records, books, papers, receipts, invoices, storage tanks, and any  
5 other equipment of (a) any distributor, dealer, purchaser, or common,  
6 contract or other carrier, pertaining to motor fuel received, used, sold,  
7 delivered, or otherwise disposed of, or (b) of any special fuel dealer,  
8 special fuel user or person supplying special fuel to any dealer therein  
9 or user thereof and (c) of any interstate operator of motor vehicles  
10 to verify the truth and accuracy of any statement, report or return,  
11 or to ascertain whether or not the taxes imposed by this chapter have  
12 been paid; and (2) to examine the records, books, papers, receipts,  
13 and invoices of any distributor, special fuel dealer or special fuel user  
14 to determine financial responsibility for the payment of the taxes  
15 imposed by this chapter.

16 If any person within the purview of this section shall refuse access  
17 to pertinent records, books, papers, receipts invoices, storage tanks  
18 or any other equipment, then the said treasurer shall certify the  
19 names and facts to any court of competent jurisdiction, and the said  
20 court shall enter such order in the premises as the enforcement of  
21 this act and justice shall require.

### 324.62 Information Confidential.

1 All information obtained by the treasurer or his representatives,  
2 agents or employees from the examining of reports or records re-  
3 quired to be filed or kept under the provisions of this chapter shall be  
4 treated as confidential and shall not be divulged except to a member  
5 or members of the general assembly or any duly appointed committee  
6 of either or both houses thereof or to a representative of the state  
7 having some responsibility in connection with the collection of the  
8 taxes imposed or in proceedings brought under the provisions of this  
9 chapter; provided, however, that the treasurer shall make available  
10 for public information on or before the last day of the month follow-  
11 ing the month in which the tax is required to be paid the names of the  
12 distributors and as to each of them the total gallons received in the  
13 state and separately, the received gallons (a) exported or sold for  
14 export, (b) sold tax-free in the state to entities that are exempt from  
15 the tax, and (c) sold tax-free in the state to entities required to report

16 and account for the tax thereon. The treasurer shall also make avail-  
17 able to the public information with respect to special fuel dealers and  
18 users and as to each of them the gallonage used and taxes paid. The  
19 treasurer, upon request of officials entrusted with enforcement of the  
20 motor vehicle fuel tax laws of the federal government or any other  
21 state, may forward to such officials any pertinent information which  
22 he may have relative to motor fuel and special fuel provided the offi-  
23 cials of the other state furnish to the treasurer like information.

24 Any person violating the provisions of this section, and disclosing  
25 the contents of any records or reports required to be kept or made  
26 under the provisions of this chapter, except as hereinabove provided,  
27 shall upon conviction be fined not less than one hundred dollars nor  
28 more than one thousand dollars or be confined in the county jail not  
29 less than thirty days nor more than six months.

### 324.63 Treasurer May Estimate Taxable Gallonage.

1 If any person fails to make and file a report required of him or  
2 files an incorrect report, the treasurer shall after investigation deter-  
3 mine the gallonage with respect to which the person incurred liability  
4 for fuel taxes under this chapter in any month or months and fix the  
5 amount of taxes thereon. If the treasurer should at any time receive  
6 complaints or reports from any source that a licensee or other person  
7 is suspected of evading fuel taxes imposed by this chapter or has  
8 failed to report all the gallonage the reporting of which is required  
9 under this chapter, or is suspected of acting as a distributor or special  
10 fuel dealer or user without a license or of withholding payment of  
11 fuel taxes, the treasurer, upon five days notice to the person com-  
12 plained against of the nature of the complaint or report and of the  
13 time and place of a hearing thereon, may proceed to hold the hearing  
14 and determine the amount of fuel taxes, if any, due from that person.  
15 The treasurer may adjourn the hearing from time to time until the  
16 completion thereof. He may use any information available in deter-  
17 mining the amount, if any, of fuel taxes for which the person is liable.  
18 Upon determining the amount thereof he shall add the penalties and  
19 interest provided for in Section 324.65 and make an assessment for  
20 the amount of the unpaid taxes, penalties and interest, shall furnish a  
21 copy thereof to the person against whom the assessment is made and  
22 his surety and shall certify the same for collection or other appro-  
23 priate action by the proper public official. The findings of the treas-  
24 urer as to the amount of fuel taxes due from any person shall be pre-  
25 sumed to be the correct amount and in any litigation which may fol-  
26 low, the certificate of the treasurer shall be admitted in evidence, shall  
27 constitute a prima facie case, shall impose upon the other party the  
28 burden of showing any error in the treasurer's finding and the extent  
29 thereof or that the finding was contrary to law.

### 324.64 Penalty for Failure to Promptly Report or Pay Fuel Taxes.

1 If a licensee or other person fails to file a required report with the  
2 treasurer on or before the time fixed for the filing thereof or if a  
3 licensee or other person fails to pay to the treasurer an amount of  
4 fuel taxes when due, a penalty of ten per cent of the tax unpaid and  
5 due shall be added, the unpaid tax and penalty shall immediately

6 accrue and thereafter shall bear interest at the rate of one-half of  
7 one per cent per month until paid. The treasurer shall not remit  
8 any part of a penalty for delinquent payment where the delinquency  
9 results from the fact that a check given in payment is not honored  
10 because of insufficient funds in the account upon which the check was  
11 drawn. Provided, further, that if it appears as a result of investiga-  
12 tion by the treasurer or from a preponderance of the evidence adduced  
13 at a hearing before the treasurer that there has been a deliberate  
14 attempt on the part of a licensee or other person to evade payment  
15 of fuel taxes there shall be added to the assessment against the offend-  
16 ing person and collected a penalty of one hundred per cent of the tax,  
17 the evasion of which was attempted, and the tax and penalty shall  
18 immediately accrue and shall thereafter bear interest at the rate of  
19 one half of one per cent per month until paid.

### 324.65 Lien of Fuel Taxes—Priority.

1 1. The amount of fuel taxes imposed by this chapter, including in-  
2 terest and penalty and costs that may accrue, shall be a lien in favor  
3 of the state upon franchises, property and rights to property, whether  
4 real or personal, then belonging to or thereafter acquired by a person  
5 liable for the payment of the fuel taxes from the date the taxes are  
6 due and payable as provided in this chapter and until the amount of  
7 the lien is paid or the property sold in payment thereof. Fuel tax  
8 liens shall have priority over any lien or encumbrance whatsoever  
9 except the lien of other state taxes having priority by law, and except  
10 that a fuel tax lien shall not have priority over any bona fide mort-  
11 gagee, pledgee, attaching creditor or purchaser whose right shall have  
12 attached prior to the time the treasurer shall have filed his certificate  
13 in the office of the clerk of the court.

14 2. The certificate of the treasurer assessing the amount of fuel  
15 taxes and penalty due from a licensee or other person, ascertained in  
16 accordance with the provisions of this chapter or from a report of  
17 the person may be filed in the office of the clerk of the district court  
18 in the county in which the place of business of the licensee or other  
19 person is located. The clerk of the district court upon receipt of the  
20 certificate shall, without requiring payment of any fee, file and index  
21 the same in manner now provided for judgments. The treasurer may  
22 in like manner, file a duplicate of the certificate in any other county  
23 where it shall be indexed in a like manner. The claim of the state of  
24 Iowa as shown by the certificate or duplicate so filed shall be a lien  
25 on the real estate of the person named therein as owing fuel taxes and  
26 located in the county where the certificate or duplicate is recorded,  
27 for the amount shown by the certificate to be due including penalty  
28 and interest from the date of filing to the same extent as a mortgage  
29 lien.

30 3. The treasurer may give notice of the amount of fuel taxes and  
31 penalty due as ascertained by him by registered mail to all persons  
32 having in their possession or under their control any credits or other  
33 personal property belonging to a licensee or other person or to any  
34 person owing any debts to the licensee or other person. Thereafter  
35 the person notified shall neither transfer nor make any other dispo-  
36 sition of credit or other personal property or debts until thirty days

37 shall have elapsed from and after the receipt of the notice unless the  
38 treasurer of state shall give his consent to a previous transfer or other  
39 disposition. At the expiration of the thirty-day period, the property  
40 shall be released, unless in the meantime it shall have been attached  
41 by process of court or the holder thereof garnished. All persons so  
42 notified, must, within five days after receipt of the notice, advise the  
43 treasurer of state of any and all credits or personal property or debts  
44 in their possession or under their control belonging or owed to the  
45 licensee or other person from whom the fuel taxes are due.

46 4. When the property of a licensee is seized upon any mesne or  
47 final process of any court of this state or of the United States, or when  
48 the business of a licensee shall be suspended by the action of creditors  
49 or put into the hands of any assignee, receiver or trustee, or when a  
50 petition in voluntary or involuntary bankruptcy has been filed by or  
51 against a licensee, then and in all such cases, all fuel taxes collected  
52 by the licensee under the provisions of this chapter or due and owing  
53 to the state shall be considered and treated as preferred claims, and  
54 the state shall be a preferred creditor and shall be paid in full.

55 5. No sheriff, receiver, assignee, master or other officer shall sell  
56 the property or franchises of any licensee without first filing with the  
57 treasurer a statement containing the following information: name  
58 or names of the plaintiff or party at whose instance or upon whose  
59 account the sale is made; name of the person whose property or fran-  
60 chise is to be sold; the time and place of sale; and the nature of the  
61 property and the location of the same. It shall be the duty of the  
62 treasurer, after receiving notice as aforesaid, to furnish to the sheriff,  
63 receiver, trustee, assignee, master or other officer, having charge of  
64 the sale, a certified copy or copies of all assessments for fuel taxes,  
65 penalties, and interest on file in the office of the treasurer as liens  
66 against such person, and in the event there are no such liens a cer-  
67 tificate showing that fact, which certified copy or copies of certificate  
68 shall be publicly read by such officer at and immediately before the  
69 sale of the property or franchise of such person.

70 6. It shall be the duty of the treasurer to furnish to any person  
71 applying therefor a certificate showing the amount of all liens for  
72 fuel taxes, penalties, and interest that may be of record in the files  
73 of the treasurer against any person under the provisions of this  
74 chapter.

75 7. It shall be the duty of the treasurer, upon receipt of notice of  
76 the opening of the administration of an estate of any individual who  
77 was a licensee, to file a claim as a preferred creditor for all fuel taxes,  
78 penalties and interest due the state of Iowa, if any, in the court having  
79 jurisdiction over the administration of said estate.

#### 324.66 Procedure When Tax Payment in Default.

1 1. It shall be unlawful for any distributor to sell or offer for sale  
2 motor fuel or for any special fuel dealer or user to dispense or offer  
3 to dispense special fuel into a fuel supply tank of a motor vehicle,  
4 while in default of or delinquent in the payment or the whole or any  
5 part of fuel taxes imposed under this chapter, and in the event of  
6 the failure or refusal to pay the whole of any of these taxes after  
7 assessment and notice thereof by the treasurer, the delinquent fuel

8 taxes, together with penalties and interest provided for shall be re-  
9 covered by and in the name of the state of Iowa and the attorney  
10 general of the state of Iowa or the county attorney of any county in  
11 which the distributor, dealer or user resides or is engaged in business  
12 is hereby authorized and directed to institute suit therefor in any  
13 court of competent jurisdiction against the distributor or special fuel  
14 dealer or user or his surety or sureties, if any, or both.

15 2. A fuel tax lien filed in the office of the clerk of the district court  
16 of any county may be foreclosed in the same manner as real estate  
17 mortgage liens are foreclosed, and the court in the proceedings shall  
18 enter judgment against the licensee or other person for the amount  
19 found by the court to be due to the state, with interest and the pen-  
20 alty as assessed by the treasurer, and may in the same proceedings  
21 foreclose on any security which the treasurer may hold for the pay-  
22 ment of the fuel taxes, and may in the same proceedings entertain  
23 suit on any bond filed as security for the payment of the fuel taxes.

24 3. In the event suit is instituted upon application made by the at-  
25 torney general or other proper public official the court may issue a  
26 writ of injunction, without requiring bond, enjoining and restraining  
27 the defendant from engaging in any or all activities covered in sub-  
28 section 1 of this section until any judgment and costs recovered in the  
29 suit or attached have been paid, and the court shall, upon application  
30 therefor by the attorney general or other proper public official ap-  
31 point a receiver of the property and business of the delinquent defend-  
32 ant, for the purpose of impounding the same as security for any judg-  
33 ment recovered. The delinquent fuel taxes, penalties and interest  
34 shall also be collectible and enforceable by a writ of attachment  
35 brought by the attorney general or other proper public officials in the  
36 name of the state of Iowa against the lands, goods, chattels, credits  
37 and other personal property of the defendant. No attachment bond  
38 shall be required, nor shall an indemnity bond be required or de-  
39 manded by any officer serving the writ of attachment, and no officer  
40 shall be liable in damages on account of levying the attachment when  
41 acting under the direction of the attorney general or other proper  
42 public official. The serving officer shall also summon the persons  
43 named in the writ as garnishees, and all other persons within his  
44 county whom the attorney general or other proper public officials shall  
45 designate as having any property, effects, choses in action, or credits  
46 in their possession or power, belonging to the defendant, or who are  
47 in anywise indebted to the defendant, the same as if their names had  
48 been inserted in the writ. The persons so summoned shall be consid-  
49 ered as garnishees, and the officer shall state, in his return, the names  
50 of all persons so summoned, and the date of service on each. All  
51 proceedings and hearings, civil or criminal, arising under this chapter  
52 shall have precedence over all other cases in any court where the  
53 same shall be brought excepting criminal or other cases in which the  
54 public is a moving party.

55 4. No action or other proceeding shall be maintained to enforce col-  
56 lection of any amount of fuel tax, penalty, or interest over and above  
57 the amount shown to be due by reports filed by a licensee except upon  
58 an assessment by the treasurer as authorized in this chapter or unless  
59 brought within one year after the date of the assessment. No assess-  
60 ment shall be made covering any period beyond three years prior to  
61 the date of assessment.

**324.67 Power of Treasurer to Cancel Licenses.**

1 If a licensee shall at any time file a false monthly report of the data  
2 or information required by this chapter, or shall fail, refuse, or  
3 neglect to file a monthly report required by this chapter, or to pay  
4 the full amount of fuel tax as required by this chapter, then after  
5 ten days written notice by registered mail directed to the last known  
6 address of the licensee setting a time and place at which he may  
7 appear and show cause why his license should not be cancelled, and  
8 if the licensee fails to appear or if upon the hearing it is shown by a  
9 preponderance of the evidence that the failure to correctly report or  
10 pay was with intent to evade the tax, the treasurer may cancel the  
11 license and shall notify the licensee of the cancellation by registered  
12 mail to his last known address.

13 Upon receipt of written request from any licensee the treasurer  
14 shall cancel the license of the licensee effective sixty days from the  
15 date of receipt of the request but no such license shall be cancelled  
16 upon request unless and until the licensee shall, prior to the date of  
17 cancellation, have paid to the treasurer all fuel taxes payable under  
18 this chapter, together with any and all penalties, interest and fines  
19 appertaining thereto. If, upon investigation, the treasurer shall find  
20 that a licensee is no longer engaged in the activities for which a  
21 license was issued to him and has not been so engaged for a period  
22 of six months, the treasurer shall cancel the license and give sixty  
23 days notice of the cancellation mailed to the last known address of  
24 the licensee.

**324.68 Hearings Before Treasurer.**

1 Hearings before the treasurer authorized under the provisions of  
2 this chapter may be held at the seat of government in Des Moines or  
3 elsewhere in the state as the treasurer may direct. Any power  
4 granted to the treasurer in this chapter may be exercised by his dep-  
5 uty, and the treasurer is hereby authorized to appoint special deputies  
6 for the purpose of conducting hearings. The treasurer, his deputy  
7 or special deputy shall have the power to issue subpoenas including  
8 subpoenas duces tecum and to require the attendance of witnesses  
9 and the production of books, records and papers. In the event any  
10 person shall refuse to obey subpoena, or after appearing refuses to  
11 testify, the treasurer, his deputy or special deputy shall certify the  
12 name of the person to the district court of the county where the hear-  
13 ing is being held or to any judge thereof, and the court or judge shall  
14 proceed with the witness in the same manner as if the refusal had  
15 occurred in open court.

**324.69 Discontinuance of Licensed Activity. Liability of Successor.**

1 If a licensee ceases to engage in the state in activities for which  
2 his license was issued or discontinues, sells, or transfers the business  
3 in which he has carried on that activity he shall notify the treasurer  
4 in writing at least ten days prior to the time the cessation, discontinu-  
5 ance, sale or transfer takes effect. The notice shall give the date of  
6 proposed cessation or discontinuance, and, in the event of a proposed  
7 sale or transfer of the business, the date thereof and the name and

8 address of the purchaser or transferee thereof. All fuel taxes, pen-  
9 alties and interest under this chapter not yet due and payable shall,  
10 together with any and all interest accruing or penalties imposed  
11 under this chapter, notwithstanding any provisions thereof becomes  
12 due and payable concurrently with the cessation, discontinuances, sale  
13 or transfer, and thereupon it shall be the duty of the licensee to make  
14 a report and pay all the fuel taxes, interest, and penalties within ten  
15 days.

**324.70 Refunds to Persons Other Than Distributors on Tax-Paid  
Motor Fuel or Special Fuel Lost or Destroyed.**

1 Any person other than a distributor who has paid or has had  
2 charged to his account with a distributor, dealer or special fuel dealer  
3 fuel taxes imposed under this chapter with respect to motor fuel or  
4 special fuel in excess of one hundred gallons, which is subsequently  
5 lost or destroyed, while he shall be the owner thereof, through leakage,  
6 fire, explosion, lightning, flood, storm, or other casualty, except evap-  
7 oration, shrinkage, or unknown causes, shall be entitled to a refund  
8 of the tax so paid or charged. To qualify for the refund, he shall  
9 notify the treasurer in writing of the loss or destruction and the gal-  
10 lonage lost or destroyed within 10 days from the date of discovery  
11 of the loss or destruction. Within sixty days after filing the notice,  
12 he shall file with the treasurer an affidavit sworn to by the person  
13 having immediate custody of the motor fuel or special fuel at the  
14 time of the loss or destruction setting forth in full the circumstances  
15 and amount of the loss or destruction and such other information  
16 with respect thereto as the treasurer may require.

**324.71 Refund of or Credit for Fuel Taxes Erroneously or Illegally  
Collected.**

1 In the event that any fuel taxes, penalties, or interest have been  
2 erroneously or illegally collected from a licensee, the treasurer may  
3 permit the licensee to take credit against a subsequent tax return for  
4 the amount of the erroneous or illegal overpayment or, shall certify  
5 the amount thereof to the comptroller of this state, who shall there-  
6 upon draw his warrant for the certified amount on the treasurer of  
7 state payable to the licensee. The refund shall be paid to the licensee  
8 forthwith.

9 No refund shall be made under the provisions of this section unless  
10 a written claim therefor setting forth the circumstances by reason  
11 of which the refund should be allowed, nor unless the claim is filed  
12 with the treasurer within one year from the date of the payment of  
13 the taxes erroneously or illegally collected.

**324.72 Embezzlement of Fuel Tax Money—Penalty.**

1 Every sale of motor fuel in this state and every sale of special fuel  
2 dispensed by the seller into a fuel supply tank of a motor vehicle shall,  
3 unless otherwise provided, be presumed to include as a part of the  
4 purchase price the fuel tax due the state of Iowa under the provi-  
5 sions of this chapter. Every person collecting fuel tax money as part  
6 of the selling price of motor fuel or special fuel, shall hold the tax

7 money in trust for the state of Iowa unless the fuel tax on the fuel  
 8 has been previously paid to the state of Iowa. Any person receiving  
 9 fuel tax money in trust and failing to remit it to the treasurer of  
 10 state on or before time required shall be guilty of embezzlement of  
 11 public funds and upon conviction shall be subjected to the penalty  
 12 provided by law for that offense.

#### 324.73 Unlawful Acts. Penalty.

1 It shall be unlawful—  
 2 1. For any person to knowingly fail, neglect or refuse to make any  
 3 required return or statement or pay over fuel taxes as herein required.  
 4 2. For any person to knowingly make any false, incorrect or mate-  
 5 rially incomplete record required to be kept or made under the pro-  
 6 visions of this chapter, to refuse to offer his books and records to the  
 7 treasurer or his representatives for inspection on demand or to re-  
 8 fuse to permit the treasurer to examine his motor fuel or special fuel  
 9 storage tanks and handling or dispensing equipment.  
 10 3. For any seller to issue or any purchaser to receive and retain any  
 11 incorrect or false invoice or sales ticket in connection with the sale  
 12 or purchase of motor fuel or special fuel.  
 13 4. For any claimant to alter any invoice or sales ticket, whether  
 14 the invoice or sales ticket is to be used to support a claim for refund  
 15 or not, provided, however, if claimant's refund permit shall have been  
 16 revoked for cause as provided in Section 324.19 such revocation shall  
 17 be a bar to prosecution for violation of this paragraph.  
 18 5. For any person to act as a motor fuel distributor, special fuel  
 19 dealer or special fuel user without the required license.  
 20 6. For any person to display or attempt to use any license issued or  
 21 authorized under this chapter after the license has been cancelled.  
 22 7. For any person employed or engaged in the sale or distribution  
 23 of motor fuel, either directly or indirectly, to prepare for or on be-  
 24 half of purchasers of motor fuel, any application for a refund permit,  
 25 or any claim for refund of tax on account of other than motor vehicle  
 26 use of motor fuel.  
 27 8. For any person to use motor fuel or special fuel with respect to  
 28 which he knowingly has not paid or had charged to his account with  
 29 a distributor or dealer, or with respect to which does not within the  
 30 time required in this chapter report and pay the applicable fuel tax.  
 31 9. For any special fuel dealer to dispense special fuel into the fuel  
 32 supply tank of any motor vehicle without collecting the fuel tax.  
 33 Any person found guilty of any of the foregoing illegal acts shall  
 34 for the first offense be fined not more than one hundred dollars or be  
 35 imprisoned in the county jail for not more than 30 days and for sub-  
 36 sequent offenses shall be fined not less than one hundred dollars  
 37 nor more than one thousand dollars, or shall be imprisoned in the  
 38 county jail not less than thirty days nor more than six months or  
 39 both such fine and imprisonment in the discretion of the court.

#### 324.74 Penalty for False Certificate.

1 Any person who makes a false certificate in any report, return,  
 2 application or claim required or provided for by this chapter or under  
 3 any rule or regulation made by the treasurer shall be punished by

4 imprisonment in the penitentiary for not more than one year, or by  
 5 imprisonment in the county jail for such term as the court may deter-  
 6 mine, not exceeding six months, or by a fine of not more than two  
 7 thousand (\$2,000.00) dollars, or by such combination of either impris-  
 8 onment and fine as the court may determine.

#### 324.75 Enforcement Authority.

1 Authority is hereby given to the treasurer to enforce the provisions  
 2 of this chapter and employees of the treasurer designated as enforce-  
 3 ment officers shall have the power of peace officers in the performance  
 4 of such duties.

5 It is hereby made the duty of all sheriffs, deputy sheriffs, constables,  
 6 and all other peace officers to see that the provisions of this chapter  
 7 are not violated, and to respond to the call of the treasurer to make  
 8 investigations in their respective counties and report to the treasurer  
 9 or his representatives and said officers are authorized to stop convey-  
 10 ance suspected to be illegally transporting motor fuel on the high-  
 11 ways, and to investigate the cargo for that purpose and to seize and  
 12 impound said cargo and conveyance where it appears that said con-  
 13 veyance is being operated in violation of the provisions of this chapter.

#### 324.76 Treasurer to Employ Necessary Help.

1 The treasurer is hereby empowered to employ such inspectors, audi-  
 2 tors and other help as he may deem necessary for the effective en-  
 3 forcement of this chapter, the number and compensation of such em-  
 4 ployees to be fixed by the executive council.

5 There is hereby appropriated out of the money received under the  
 6 provisions of this chapter sufficient funds to pay the help of the treas-  
 7 urer's office in administering and enforcing this chapter, the premi-  
 8 ums on bonds contracted for by the treasurer, such refunds as are  
 9 provided for in this chapter, and the cost of postage, equipment, sup-  
 10 plies and printing used by the treasurer in administering this chapter.

#### 324.77 Other Remedies Available.

1 The special remedies provided under the provisions of this chapter  
 2 to enable the state to collect motor vehicle fuel excise tax shall not be  
 3 construed as depriving the state of any other remedy it might have  
 4 either at law or in equity independent of this chapter. The state shall  
 5 have the right to maintain an action at law for the collection of  
 6 said taxes required to be paid herein and in connection therewith  
 7 shall be entitled to a writ of attachment without bond.

#### 324.78 Use of Revenue.

1 The net proceeds of seven cents per gallon excise tax on the diesel  
 2 special fuel and four cents per gallon excise tax on motor fuel and  
 3 other special fuel, and penalties collected under the provisions of this  
 4 chapter, shall be credited to the road use tax fund.

5 (a) The net proceeds of one cent per gallon of the excise tax col-  
 6 lected under the provisions of this chapter shall, for the period be-  
 7 ginning July 4, 1957, and ending June 30, 1961, be credited by the

8 treasurer of state to the primary road fund, to be used for construc-  
9 tion of such primary roads as are presently surfaced with gravel or  
10 crushed rock only, on the basis of need as determined by the state  
11 highway commission.

12 (b) The net proceeds of one cent per gallon excise tax collected  
13 under the provisions of this chapter shall, for the period beginning  
14 July 4, 1957 and ending June 30, 1961, be credited by the treasurer  
15 of state to the primary road fund for the purpose of widening and  
16 modernization of highways and bridges.

#### 324.79 Microfilm or Photographic Copies—Originals Destroyed.

1 The treasurer shall have the power and authority to record, copy  
2 or reproduce by any photographic, photostatic, microfilm, microcard,  
3 miniature photographic or other process which accurately reproduces  
4 or forms a durable medium for so reproducing the original of any  
5 forms or records pertaining to motor fuel tax or special fuel tax,  
6 or any paper or document with respect to refund of such tax, and  
7 when such forms and records shall have been so reproduced, the  
8 treasurer shall have the power to destroy the originals and such repro-  
9 ductions shall be competent evidence in any court in accordance with  
10 the provision of section 622.30.

#### 324.80 Rights and Obligations Preserved.

1 All laws in conflict with this chapter are hereby superseded by this  
2 chapter, and it is the intention herein to substitute the provisions of  
3 this act for chapter 324, Code 1954, and any and all acts amendatory  
4 thereof. The repeal effected by the adoption of this chapter shall not  
5 be construed as relieving any person whatsoever from the payment of  
6 any excise tax, referred to in chapter 324, Code 1954, as "motor vehi-  
7 cle fuel license fee", penalty or interest due or owing to the state of  
8 Iowa under any law hereby repealed, or to affect or terminate any  
9 prosecutions or other proceedings pending under such laws or to pre-  
10 vent the commencement or prosecutions of any proceedings, legal or  
11 equitable, civil or criminal, for a violation of any such laws or for the  
12 collection of any excise tax with interest and penalty or for the  
13 obtaining of any refund or the enforcement of any other right accru-  
14 ing under the law as it existed prior to the taking effect of this  
15 chapter.

#### 324.81 Provisions Severable.

1 If any provision of this act or the application thereof to any person  
2 or circumstance is held invalid, such invalidity shall not affect other  
3 provisions or applications of this act which can be given effect with-  
4 out the invalid provision or application, and to this end the provisions  
5 of this act are declared severable.

Approved May 31, 1957.

## CHAPTER 165

## FEDERAL GASOLINE TAX REFUNDS\*

H. F. 471

AN ACT relating to joint action and cooperation between the state and the United States regarding the issuance of refunds for federal gasoline tax.

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

1 SECTION 1. Chapter three hundred twenty-four (324), Code 1954,  
2 is hereby amended by adding the following new section:

3 "1. The treasurer is hereby authorized to enter into and empowered  
4 to carry out the provisions of agreements with any duly authorized  
5 agent or department of the United States government for joint or co-  
6 operative action by the state and the United States government in the  
7 making of refunds of the federal tax on gasoline. Such agreements may  
8 provide that the treasurer may receive applications for and make re-  
9 funds of the federal tax on gasoline as an agent of the United States.  
10 Such agreements shall provide that the United States shall provide the  
11 treasurer with sufficient funds in advance to pay all costs to the state  
12 in the performance of such agreements and in the making of such re-  
13 funds. In the event such an agreement is concluded, the treasurer is  
14 hereby designated, appointed and empowered, through the motor ve-  
15 hicle fuel tax division of his office, to, as an agent of the United States  
16 government, accept applications for refunds of the federal tax on  
17 gasoline and to make such refunds from such moneys provided him  
18 in advance by the federal government.

19 "2. All moneys that may be paid in advance by the United States  
20 to the state to pay the cost to the state of performing such agreements  
21 and the cost of making such refunds are hereby appropriated to the  
22 treasurer for such purposes. Neither the state nor the treasurer shall  
23 be liable in any manner for the actions of the treasurer or his em-  
24 ployees in the receipt, administration, and expenditure of such federal  
25 funds including the making of refunds."

Approved May 14, 1957.

\*See chapter 164.

## CHAPTER 166

## GASOLINE TAX REFUNDS\*

S. F. 97

AN ACT to amend chapter three hundred twenty-four (324), Code 1954, relating to the filing of claims for refund of the tax on gasoline.

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

1 SECTION 1. Amend section three hundred twenty-four point fifty  
2 (324.50), Code 1954, by striking the words, "shall be verified by the  
3 oath of the claimant" in lines seventeen (17) and eighteen (18) and  
4 substituting in lieu thereof the words, "shall be certified by the claim-

\*See chapter 164.

5 ant under penalty as provided for in the last paragraph of section  
6 three hundred twenty-four point fifty-eight (324.58), Code 1954”.

1 SEC. 2. Amend section three hundred twenty-four point fifty-seven  
2 (324.57), Code 1954, by striking the words, “made under oath” in line  
3 nine (9) and substituting in lieu thereof the words, “certified by the  
4 applicant under penalty as provided for in the last paragraph of sec-  
5 tion three hundred twenty-four point fifty-eight (324.58), Code 1954”  
6 and by striking the last sentence and substituting in lieu thereof, “A  
7 refund permit shall continue in effect until revoked as hereinafter  
8 provided.”

1 SEC. 3. Chapter three hundred twenty-four (324), Code 1954, is  
2 hereby amended by adding thereto the following new section:

3 “*Revocation of Refund Permit.* Any refund permit issued under  
4 this chapter may be revoked by the treasurer for any of the following  
5 violations, but only after the holder of the permit has been given  
6 reasonable notice of the intention to revoke the permit and reasonable  
7 opportunity to be heard:

8 1. Using in support of a refund claim a false or altered invoice;

9 2. Making a false statement in a claim for refund or in response  
10 to an investigation by the treasurer of a claim for refund; or

11 3. Refusal to submit his books and records for examination by the  
12 treasurer or his authorized representative.

13 A person whose refund permit is revoked for cause as above pro-  
14 vided may not obtain another refund permit for a period of one year  
15 after the revocation.

16 A refund permit under which no refund is claimed for a period of  
17 one year from date of issuance or a refund permit whose holder has  
18 moved from the county wherein he resided at the time of application  
19 for said permit shall be revoked by the treasurer subject to reinstatement  
20 or issuance of a new permit as provided in section three hundred  
21 twenty-four point fifty-seven (324.57), Code 1954.”

1 SEC. 4. Amend section three hundred twenty-four point fifty-nine  
2 (324.59), Code 1954, by adding the words, “or false certificate,” after  
3 the comma (,) in line two (2) and by adding the words, “or certifi-  
4 cate” after the word, “affidavit” in line three (3).

1 SEC. 5. Amend section three hundred twenty-four point fifty  
2 (324.50), Code 1954, by adding a new sentence after the period (.) in  
3 line thirty-eight (38) as follows: “If an original invoice showing the  
4 purchase of the motor fuel on which a refund is claimed is lost or  
5 destroyed the treasurer may in his discretion approve a refund sup-  
6 ported by a copy identified and certified by the seller as being a true  
7 copy of the original.”

1 SEC. 6. Amend section three hundred twenty-four point fifty  
2 (324.50), Code 1954, by adding after the word “used” in line twenty-  
3 nine (29), the following “or will be used”.

Approved March 1, 1957.

## CHAPTER 167

## MOTOR VEHICLE COMMON CARRIERS

S. F. 78

AN ACT relating to proof of financial ability of motor vehicle common carriers of passengers to respond to legal liability to such persons for damages or injuries.

*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), Code 1954, is amended by adding thereto a new paragraph  
3 to subsection one (1) as follows:  
4 "Any common carrier of passengers coming under the provisions of  
5 this chapter, furnishing satisfactory proofs to the commission of such  
6 carrier's solvency and financial ability to cover the assured's legal li-  
7 ability as provided for herein and make payments to such persons as  
8 may be entitled thereto as a result of such legal liability, or when such  
9 common carrier deposits with the commission, surety satisfactory to  
10 it as to guarantee for such payments, such common carrier will be  
11 relieved of the provisions of this section requiring liability insurance,  
12 surety bond or certificate of insurance; but such common carrier shall,  
13 from time to time, furnish such additional proof of solvency and finan-  
14 cial ability to pay as may be required by the commission."

Approved April 17, 1957.

## CHAPTER 168

## MOTOR CERTIFICATED CARRIERS

H. F. 604

AN ACT to amend chapter three hundred twenty-five (325), Code 1954, relating to motor vehicle certificated carriers.

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

1 SECTION 1. Chapter three hundred twenty-five (325), Code 1954,  
2 is hereby amended by adding thereto the following section:  
3 "No certificate of convenience and necessity shall be issued nor con-  
4 tinued in force until the holder thereof shall have paid to the commis-  
5 sion for the administration of this chapter an annual certificate fee  
6 for each motor vehicle operated thereunder in the amount of five dol-  
7 lars (\$5.00)."

1 SEC. 2. Chapter three hundred twenty-five (325), Code 1954, is  
2 further amended by adding thereto the following section:  
3 "All moneys received under the provisions of this chapter, or so  
4 much thereof as may be necessary, shall be used for the administra-  
5 tion and enforcement of the provisions of this chapter and the regula-  
6 tion of certificated motor carriers, and shall be paid to the commission  
7 by warrant drawn from time to time by the state comptroller upon  
8 the treasurer of state. Unexpended balances on June 30th of each year  
9 shall be credited to the general fund of the state by December 31st  
10 following."

Approved May 15, 1957.

CHAPTER 169  
MOTOR CARRIERS

H. F. 484

AN ACT relating to the registration fee and compensation tax on the motor vehicles of motor carriers.

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

1 SECTION 1. Section three hundred twenty-six point two (326.2),  
2 Code 1954, is hereby amended as follows:

3 1. By striking in lines one (1), two (2) and three (3) of said sec-  
4 tion the words, "In addition to the regular registration fees or taxes  
5 imposed upon motor vehicles,".

6 2. By striking the last paragraph of such section and inserting in  
7 lieu thereof the following:

8 "None of the motor vehicles of any motor carrier shall be subject to  
9 the payment of the compensation tax, if the motor carrier registers,  
10 either voluntarily or because such registration is required by law, in  
11 Iowa under the provisions of chapter three hundred twenty-one (321)  
12 of the Code, either all of his motor vehicles using the highways of this  
13 state or such portion thereof as corresponds to or exceeds the ratio of  
14 the number of miles such motor vehicles operate in Iowa to the total  
15 number of miles such motor vehicles operate in all states. In addition  
16 to the authority granted the reciprocity board by section three hun-  
17 dred twenty-one point fifty-six (321.56) of the Code to enter into  
18 agreements for such apportionment of motor vehicle registration with  
19 the duly authorized representatives of any county, state, territory, or  
20 federal district, the reciprocity board is hereby authorized to enter  
21 into prorating arrangements with individual interstate motor carriers  
22 operating motor vehicles as defined in this chapter. The reciprocity  
23 board may require motor carriers to submit under oath such informa-  
24 tion as the board deems necessary for the execution of this section.  
25 The board's determination of the number and type of vehicles subject  
26 to be registered in Iowa shall be final. In determining the total num-  
27 ber of motor vehicles of a nonresident motor carrier that shall be reg-  
28 istered in Iowa, fractions of a motor vehicle of one-half ( $\frac{1}{2}$ ) or less  
29 shall not be included. The commissioner of public safety shall provide  
30 suitable identification for each motor vehicle operated by a motor car-  
31 rier who registers a portion of his fleet in Iowa under this section.  
32 This identification shall be displayed at all times in the manner pre-  
33 scribed by the commissioner of public safety."

1 SEC. 2. Section three hundred twenty-one point fifty-six (321.56),  
2 Code 1954, is hereby repealed and the following enacted in lieu there-  
3 of:

4 "1. A board, to be known as the reciprocity board, is hereby estab-  
5 lished to be located at the seat of government. The board shall have  
6 three (3) members who shall be: A member of the state highway  
7 commission, to be designated by the state highway commission; a  
8 member of the state commerce commission, to be designated by the  
9 state commerce commission; and the commissioner of public safety.  
10 Each member of the board may appoint from the officials of his de-  
11 partment a deputy member who shall, in the absence of such member,

12 act as a member of the board with the full powers, authority and re-  
13 sponsibility of such member. The duties of the members of the board  
14 and their deputies shall be in addition to their regular duties and they  
15 shall receive no additional compensation. The board shall maintain no  
16 staff, but shall use the staff, facilities, and personnel of the public  
17 safety department and the highway and commerce commissions. The  
18 attorney general or any assistant attorney general designated by him  
19 shall give legal counsel and assistance to the motor vehicle reciprocity  
20 board.

21 "2. The motor vehicle reciprocity board shall have authority to make  
22 reciprocity agreements with the duly authorized representatives of  
23 any county, state, territory or federal district exempting the residents  
24 of such county, state, territory or federal district using the highways  
25 of this state from the registration requirements of this chapter with  
26 such restrictions, conditions, and privileges or lack of them as such  
27 board may deem advisable provided the residents of this state when  
28 using the highways of such other state shall receive exemptions of a  
29 similar kind to a like degree. Such agreements may provide for the  
30 denial of registration exemption to one or more particular nonresi-  
31 dents at any time if in the opinion of the board such nonresidents  
32 should not be granted exemption privileges. Notwithstanding any  
33 provisions of this chapter to the contrary or inconsistent herewith  
34 such agreements may provide with respect to resident or nonresident  
35 fleets of two (2) or more commercial vehicles which are engaged in  
36 interstate movement, that the registrations of such fleets be appor-  
37 tioned between this state and the other states in which such fleets  
38 operate. The percentage of miles such fleets operate in this state, as  
39 related to the total miles such fleets operate in all states, shall be used  
40 by the board to determine what percentage of the total number of  
41 vehicles in such fleets are to be registered in this state. When a ve-  
42 hicle has been licensed in one of the reciprocating states under an  
43 agreement as provided herein, such vehicle shall not be subject to  
44 licensing in the other reciprocating state.

45 "3. The board may require fleet owners to submit under oath such  
46 information as the board deems necessary for the proper carrying out  
47 of the provisions of this section and the board's determination of the  
48 number of vehicles in fleets subject to this section to be registered in  
49 this state shall be final.

50 "4. Any nonresident motor vehicle, trailer, or semitrailer shall be  
51 subject to all laws, rules and regulations governing the operation of  
52 such vehicles on the highways of this state, and violations of such  
53 laws, rules or regulations by any carrier may be a ground for denial  
54 of registration exemption to such carrier. The registration number  
55 plates assigned and furnished to any foreign-licensed motor vehicle,  
56 trailer, or semitrailer for the current registration year by another  
57 state where the same is licensed shall be displayed on such motor ve-  
58 hicle, trailer, or semitrailer substantially as provided in this chapter  
59 for vehicles registered pursuant to the provisions thereof.

60 "5. Nothing herein contained shall authorize the waiving of the reg-  
61 istration requirements of this chapter relating to motor vehicles oper-  
62 ated within this state in intrastate commerce."

1 SEC. 3. Section three hundred twenty-seven point ten (327.10),  
2 Code 1954, is hereby amended by striking from line one (1) thereof

3 the words, "Iowa state commerce commission" and inserting in lieu  
 4 thereof the words, "reciprocity board established under the provisions  
 5 of section three hundred twenty-one point fifty-six (321.56)" and by  
 6 striking from line ten (10) thereof the word, "commission" and in-  
 7 serting in lieu thereof the word, "board".

Approved May 14, 1957.

## CHAPTER 170

### CONTRACT CARRIERS

#### H. F. 469

AN ACT to amend section three hundred twenty-seven point one (327.1), Code 1954, relating to the clarification of the term contract carrier.

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

1 SECTION 1. Section three hundred twenty-seven point one (327.1),  
 2 Code 1954, is amended by striking all of that part of subsection  
 3 one (1) which follows the word "under" in line ten (10) thereof and  
 4 by substituting therefor the following: "an individual written con-  
 5 tract."

1 SEC. 2. Section three hundred twenty-seven point one (327.1),  
 2 subsection five (5), is hereby stricken and the following enacted in  
 3 lieu thereof:

4 The term "contract carrier" shall mean any person who does not  
 5 hold out to the general public to serve it indiscriminately and who, for  
 6 compensation, engages in the business of transportation of property  
 7 by motor truck under individual written contracts, thereby providing  
 8 a special and individual service required by the peculiar needs of a  
 9 particular shipper, but does not include, (1) a motor carrier as defined  
 10 in chapter three hundred twenty-five (325), (2) a truck operator, or  
 11 (3) a person whose transportation by motor vehicle is in furtherance  
 12 of a private enterprise other than the business of transportation for  
 13 others for compensation.

14 The term "individual written contract" shall mean an agreement  
 15 in writing between a contract carrier and a shipper, effective for a  
 16 duration of at least three months, imposing mutual obligations to  
 17 tender freight and perform transportation, and specifying the charges.  
 18 The presence of goods originating from more than five (5) shippers  
 19 on one vehicle at any one time shall be prima facie evidence that the  
 20 carrier is a motor carrier and not a contract carrier.

1 SEC. 3. Any person, firm, or corporation may obtain a permit to  
 2 engage as a contract carrier in this state in the transportation of  
 3 agricultural limestone, aggregates such as sand, gravel, crushed or  
 4 broken stone, and all other materials for road or bridge construction  
 5 or reconstruction projects, by filing with the Iowa state commerce  
 6 commission an application therefor. No proof of need for service,  
 7 nor public convenience or necessity shall be required of such appli-  
 8 cant; there shall be no limitation on the number of individual con-  
 9 tracts, oral or written, permitted and no tariff or schedule of rates

10 or charges shall be required. The commission shall issue such permit  
 11 when the applicant has paid all fees required by this chapter, and  
 12 complied with the provisions of section three hundred twenty-seven  
 13 point fifteen (327.15) relating to insurance protection. The holder  
 14 of such permit shall in all cases comply with the safety rules and regu-  
 15 lations provided for by this chapter and shall pay all annual permit  
 16 fees required of other contract carriers and such permits shall, after  
 17 due hearing, be subject to revocation for violation thereof.

1 SEC. 4. This Act being deemed of immediate importance shall be  
 2 in force and effect from and after its passage and publication in The  
 3 Lockridge Times, a newspaper published at Lockridge, Iowa, and in  
 4 The Fayette County Union, a newspaper published at West Union,  
 5 Iowa.

Approved May 29, 1957.

I hereby certify that the foregoing Act, House File 469, was published in The Lock-  
 ridge Times, Lockridge, Iowa, June 6, 1957, and in The Fayette County Union, West  
 Union, Iowa, June 6, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 171

### MOTOR CARRIERS OF LIQUID PRODUCTS

#### S. F. 167

AN ACT relating to the control and regulation of motor carriers of liquid products in  
 bulk and to amend section three hundred twenty-one point four hundred twenty-  
 three (321.423), Code 1954.

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

1 SECTION 1. Definitions of words and phrases. The following words  
 2 and phrases, when used in this Act, will for the purpose of this Act,  
 3 have the following meanings respectively ascribed to them.  
 4 1. "Liquid transport carrier" shall mean any person engaged in  
 5 the transportation, for compensation, of liquid products in bulk upon  
 6 any highway in this state.  
 7 2. "Person" shall mean any individual, association, partnership,  
 8 firm or corporation.  
 9 3. "Vehicle" shall mean any self-propelled vehicle, any trailer,  
 10 semi-trailer, or other device used in connection therewith not operated  
 11 upon fixed rails or tracks, equipped with one or more cargo tanks, or  
 12 between fixed termini or over a regular route and used for the trans-  
 13 portation of liquid products in bulk.  
 14 4. "Transportation for compensation" shall, in addition to all pub-  
 15 lic transportation, also include transportation primarily for others  
 16 by a person, not a distributor licensed under chapter three hundred  
 17 twenty-four\* (324), even though as an incident thereto he buys the  
 18 liquids at the point where the transportation originates and sells it at  
 19 a delivered price at destination and, except as otherwise provided,  
 20 shall include transportation for others by a distributor licensed under  
 21 chapter three hundred twenty-four\* (324), or liquid products not

\*Words supplied by editor, §3.1.

22 owned by the distributor.

23 5. "Commission" shall mean the Iowa state commerce commission.

1 SEC. 2. Except as otherwise provided, it is hereby declared un-  
2 lawful for any liquid transport carrier to transport liquid products in  
3 bulk, for compensation from any point or place in the state of Iowa  
4 to another point or place in said state without first having obtained  
5 from the commission a certificate declaring that public convenience  
6 and necessity require such operation.

1 SEC. 3. The provisions of sections three hundred twenty-five point  
2 seven\* (325.7) to section three hundred twenty-five point twenty-  
3 four\* (325.24), inclusive, Code 1954, insofar as applicable are hereby  
4 extended to include Liquid Transport Carriers in relation to hearing  
5 on an application for the aforesaid certificate of convenience and  
6 necessity.

1 SEC. 4. Whenever any person shall file with the commission an  
2 application for authority to sell, transfer, lease or assign a certificate  
3 of convenience and necessity issued under the provisions of this Act,  
4 the commission shall fix a date for hearing thereon and cause a  
5 notice addressed to the citizens of each county through or in which  
6 the proposed service will be rendered to be published in some news-  
7 paper or general circulation in each such county, once each week for  
8 two consecutive weeks, and shall notify each liquid transport carrier  
9 holding a certificate, issued by the commission, to transport over, in,  
10 or through the area described in the application, by mailing notice of  
11 the hearing to each such carrier at least ten days before the date fixed  
12 for hearing, and the provisions of chapter three hundred twenty-five\*  
13 (325), Code 1954, inclusive of this Act shall, insofar as appropriate  
14 be applicable to the said hearing.

1 SEC. 5. No certificate shall be issued until and after an applicant  
2 shall have filed with the commission an insurance policy, policies,  
3 surety bond or certificate of insurance, in form to be approved by  
4 the commission, issued by some company, association, reciprocal or  
5 interinsurance exchange or other insurer authorized to do business  
6 in this state.

7 The minimum limit of liability of any policy or surety bond shall,  
8 for each vehicle thereby covered, be as follows:

9 1. To cover the assured's legal liability as a liquid transport car-  
10 rier for bodily injury or death resulting therefrom as a result of any  
11 one accident or other cause, one hundred thousand dollars for any  
12 recovery by one person, and subject to said limit for one person, one  
13 hundred thousand dollars, for more than one person.

14 2. To cover the assured's legal liability as a liquid transport carrier  
15 for damages to or destruction of any property other than that of or  
16 in charge of the assured, as a result of any one accident or other cause  
17 one hundred thousand dollars.

18 3. To cover the assured's legal liability as a liquid transport carrier  
19 for loss of or damage to property in the possession or custody of the  
20 assured while for the purpose of or being transported, except prop-  
21 erty of the assured as a result of any one accident or other cause ten  
22 thousand dollars. Such insurance policy, policies, surety bond, or

\*Words supplied by editor, §3.1.

23 certificate of insurance shall bind the obligators thereunder to make  
24 compensation for injuries to persons, excluding injury to or death of  
25 the applicant's employees while engaged in the course of their employ-  
26 ment and loss to or damage to property resulting from the operation  
27 of such liquid transport carrier and for which such liquid transport  
28 carrier would be legally liable. Such insurance policy, policies, surety  
29 bond, or certificate of insurance shall also provide that any person,  
30 firm, association or corporation having a right of action against such  
31 liquid transport carrier for injuries to persons or loss of or damage to  
32 property, when service cannot be obtained on the liquid transport car-  
33 rier within this state, may bring action for recovery directly upon  
34 such insurance policy, policies, surety bond, or certificate of insurance  
35 and against such insurance company, association, reciprocal or inter-  
36 insurance exchange or other insurer or bonding company. Except as  
37 required in this Act and in chapter three hundred twenty-five\* (325)  
38 and except for ordinary registration of motor vehicles, no other or  
39 additional policies, bonds or certificates shall be required by any city,  
40 town or other agency of this state for any liquid transport vehicle.

1 SEC. 6. Every vehicle operated by a liquid transport carrier and  
2 all parts thereof shall comply with all of the provisions of chapter  
3 three hundred twenty-one\* (321) applicable thereto and shall be  
4 maintained in a safe and sanitary condition at all times, and shall be  
5 at all times subject to inspection by the members of the department  
6 of public safety.

1 SEC. 7. Every driver employed by a liquid transport carrier shall  
2 be at least twenty-one years of age; in good physical condition; of  
3 good moral character; shall be fully competent to operate the vehicle  
4 under his charge, and shall hold a regular chauffeur's license from the  
5 department of public safety.

1 SEC. 8. There shall be attached to each vehicle such distinctive  
2 markings or tags as shall be prescribed by the commission.

1 SEC. 9. For violation of any of the provisions of this Act or of  
2 any rule or regulation promulgated hereunder by any liquid transport  
3 carrier, the commission may revoke and cancel the certificate of such  
4 liquid transport carrier. In the event of any flagrant and persistent  
5 violation of safety laws or regulations by the holder of a certificate  
6 or his agent, upon the request of the commissioner of public safety,  
7 the state commerce commission shall suspend such certificate of neces-  
8 sity until the safety laws or regulations prescribed by the department  
9 of public safety are complied with or the commission may revoke the  
10 certificate at its discretion.

1 SEC. 10. No person shall operate a vehicle on the highways of this  
2 state when operation of such vehicle would result in more than twelve  
3 hours of continuous driving operation by such person.

1 SEC. 11. No person shall operate a vehicle on the highways of  
2 this state for a period of eight hours following twelve consecutive  
3 driving hours of operation of any vehicle.

1 SEC. 12. Every liquid transport carrier shall keep or cause to be  
2 kept a record accurately setting forth the hours of vehicle operation

\*Words supplied by editor, §3.1.

3 of each person operating a vehicle or vehicles owned or leased by such  
 4 carrier. The commissioner of public safety or the commission may  
 5 require any liquid transport carrier to submit such records for in-  
 6 spection.

1 SEC. 13. All vehicles or combination of vehicles shall be equipped  
 2 with direction signal devices of a type complying with the provisions  
 3 of section three hundred twenty-one point three hundred seventeen\*  
 4 (321.317) relating to such devices and whenever, during hours of  
 5 darkness, any vehicle is disabled or for any other reason may pre-  
 6 sent a vehicular traffic hazard requiring unusual care in approaching,  
 7 overtaking or passing the operator of such vehicle shall display such  
 8 directional signals on such vehicle or combination of vehicles in simul-  
 9 taneous operation. The provisions of this section shall not be con-  
 10 strued to be in lieu of the provisions of sections three hundred twenty-  
 11 one point four hundred forty-seven\* (321.447) and three hundred  
 12 twenty-one point four hundred forty-eight\* (321.448) and the provi-  
 13 sions of the said sections shall be fully applicable as provided therein.

1 SEC. 14. Section three hundred twenty-one point four hundred  
 2 twenty-three (321.423), Code 1954, is hereby amended by inserting  
 3 before the word "Flashing" in line one (1) of subsection one (1)  
 4 thereof, the following: "Except as otherwise provided".

1 SEC. 15. Any liquid transport carrier actively and continuously  
 2 engaged in business as such between the first day of December, 1956,  
 3 and the fourteenth day of January, 1957 shall be issued a certificate  
 4 of convenience and necessity covering all points in this state to all  
 5 other points in this state, and all routes and areas in this state, pro-  
 6 vided that application therefor shall be made within sixty (60) days  
 7 after the effective date of this Act. No rights so granted may be sold,  
 8 leased, transferred or assigned, except such rights as are actively  
 9 being exercised at the time of sale, lease, transfer or assignment.  
 10 Before any rights may be sold, leased, transferred or assigned, appli-  
 11 cation therefor shall be filed with the commission, which shall fix a  
 12 date for hearing thereon, and the provisions of section four (4) of  
 13 this Act shall be applicable thereto.

1 SEC. 16. Sections 1 through 15 inclusive of this Act shall not  
 2 apply to (1) transportation in bulk by vehicle having a total cargo  
 3 tank shell capacity of 2,000 gallons or less, (2) transportation by a  
 4 distributor licensed under chapter three hundred twenty-four\* (324)  
 5 incidental to and in the regular course of his business as a distributor  
 6 of petroleum products, or (3) reciprocal exchange between distribu-  
 7 tors licensed under chapter three hundred twenty-four\* (324) of  
 8 transportation pursuant to an exchange of products between distrib-  
 9 utors so licensed.

1 SEC. 17. The provisions of this Act shall not apply to the transpor-  
 2 tation of dairy products.

1 SEC. 18. This Act being deemed of immediate importance shall be  
 2 in full force and effect from and after publication in the Lone Tree  
 3 Reporter, a newspaper published at Lone Tree, Iowa, and in The

\*Words supplied by editor, §3.1.

4 Williamsburg Journal-Tribune, a newspaper published at Williams-  
5 burg, Iowa.

Approved May 2, 1957.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1954, The Williamsburg Journal-Tribune, Williamsburg, Iowa, being nonexistent, the Journal-Tribune, a newspaper published in Williamsburg, Iowa, is designated to publish the foregoing Act, Senate File 167.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 167, was published in the Journal-Tribune, Williamsburg, Iowa, May 9, 1957, and in the Lone Tree Reporter, Lone Tree, Iowa, May 16, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 172

### AIRPORT COMMISSIONS

#### H. F. 399

AN ACT to amend sections three hundred thirty point seventeen (330.17) and three hundred thirty point nineteen (330.19), Code 1954, relating to airport commissions in cities and towns.

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

1 SECTION 1. Section three hundred thirty point seventeen (330.17),  
2 Code 1954, is amended by adding to said section the following:  
3 "Whenever an airport, or airports, of any city or town has been  
4 placed under the management and control of an airport commission,  
5 upon petition of ten percent of the number of qualified electors who  
6 voted at the last city election the council of any such city or town  
7 shall, at a city election if one is to be held within sixty (60) days from  
8 the filing of said petition or at a special election called for such pur-  
9 pose, submit to the voters the question as to whether the management  
10 and control of such airport, or airports, shall be continued in the air-  
11 port commission, and if a majority of the votes cast upon said propo-  
12 sition at the election shall be against the continuance of such airport  
13 commission, said commission shall stand abolished sixty (60) days  
14 from and after the date of such election, and the power to maintain  
15 and operate such airport, or airports, as provided in this chapter, shall  
16 revert to such city or town."

1 SEC. 2. Section three hundred thirty point nineteen (330.19), Code  
2 1954, is amended by adding after the word "place" in line four (4) the  
3 following: "(or continue)".

Approved April 30, 1957.

## CHAPTER 173

## USE OF REAL ESTATE BY COUNTY

H. F. 506

AN ACT to allow county supervisors to acquire the use of real estate for county purpose by means other than purchase.

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

- 1 SECTION 1. Section three hundred thirty-two point three (332.3),
- 2 Code 1954, is amended by inserting in line one (1) of subsection twelve
- 3 (12) after the word "purchase" the words "or acquire title or posses-
- 4 sion by lease or otherwise".

Approved April 25, 1957.

## CHAPTER 174

## WITNESS FEES IN JURY TRIALS

S. F. 198

AN ACT relating to payment of witness fees in jury trials in the district courts in criminal cases.

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

- 1 SECTION 1. Section three hundred thirty-three point three (333.3),
- 2 Code 1954, is amended by striking from line two (2) of subsection
- 3 three (3) the words, "of trial jury" and inserting in lieu thereof the
- 4 words, "in jury trials".

Approved March 27, 1957.

## CHAPTER 175

## COMPENSATION OF COUNTY OFFICERS

S. F. 234

AN ACT to amend chapter one hundred seventy-three (173), Acts of the Fifty-sixth General Assembly, relating to the compensation of county officers.

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

- 1 SECTION 1. Section one (1) of chapter one hundred seventy-three
- 2 (173), Acts of the Fifty-sixth General Assembly, is hereby amended
- 3 by striking therefrom subsections one (1) to thirteen (13), inclusive,
- 4 and inserting in lieu thereof the following:
- 5 "1. Less than ten thousand (10,000), four thousand (4,000) dol-
- 6 lars.
- 7 2. Ten thousand (10,000) and less than fifteen thousand (15,000),
- 8 four thousand one hundred fifty (4,150) dollars.
- 9 3. Fifteen thousand (15,000) and less than twenty thousand (20,-
- 10 000), four thousand three hundred (4,300) dollars.
- 11 4. Twenty thousand (20,000) and less than twenty-five thousand

- 12 (25,000), four thousand four hundred fifty (4,450) dollars.  
 13 5. Twenty-five thousand (25,000) and less than thirty thousand  
 14 (30,000), four thousand six hundred (4,600) dollars.  
 15 6. Thirty thousand (30,000) and less than thirty-five thousand  
 16 (35,000), four thousand seven hundred fifty (4,750) dollars.  
 17 7. Thirty-five thousand (35,000) and less than forty thousand  
 18 (40,000), four thousand nine hundred (4,900) dollars.  
 19 8. Forty thousand (40,000) and less than forty-five thousand (45,-  
 20 000), five thousand fifty (5,050) dollars.  
 21 9. Forty-five thousand (45,000) and less than fifty thousand (50,-  
 22 000), five thousand two hundred (5,200) dollars.  
 23 10. Fifty thousand (50,000) and less than sixty thousand (60,000),  
 24 five thousand five hundred (5,500) dollars.  
 25 11. Sixty thousand (60,000) and less than seventy thousand (70,-  
 26 000), five thousand eight hundred (5,800) dollars.  
 27 12. Seventy thousand (70,000) and less than eighty thousand (80,-  
 28 000), six thousand one hundred (6,100) dollars.  
 29 13. Eighty thousand (80,000) and over, six thousand four hundred  
 30 (6,400) dollars.”

1 SEC. 2. Section two (2) of chapter one hundred seventy-three  
 2 (173), Acts of the Fifty-sixth General Assembly, is hereby amended  
 3 by striking therefrom subsections one (1) to fourteen (14), inclusive,  
 4 and inserting in lieu thereof the following:

- 5 “1. Less than ten thousand (10,000), four thousand (4,000) dollars.  
 6 2. Ten thousand (10,000) and less than fifteen thousand (15,000),  
 7 four thousand one hundred fifty (4,150) dollars.  
 8 3. Fifteen thousand (15,000) and less than twenty thousand (20,-  
 9 000), four thousand three hundred (4,300) dollars.  
 10 4. Twenty thousand (20,000) and less than twenty-five thousand  
 11 (25,000), four thousand four hundred fifty (4,450) dollars.  
 12 5. Twenty-five thousand (25,000) and less than thirty thousand  
 13 (30,000), four thousand six hundred (4,600) dollars.  
 14 6. Thirty thousand (30,000) and less than thirty-five thousand  
 15 (35,000), four thousand seven hundred fifty (4,750) dollars.  
 16 7. Thirty-five thousand (35,000) and less than forty thousand  
 17 (40,000), four thousand nine hundred (4,900) dollars.  
 18 8. Forty thousand (40,000) and less than forty-five thousand (45,-  
 19 000), five thousand fifty (5,050) dollars.  
 20 9. Forty-five thousand (45,000) and less than fifty thousand (50,-  
 21 000), five thousand two hundred (5,200) dollars.  
 22 10. Fifty thousand (50,000) and less than sixty thousand (60,000),  
 23 five thousand five hundred (5,500) dollars.  
 24 11. Sixty thousand (60,000) and less than seventy thousand (70,-  
 25 000), five thousand eight hundred (5,800) dollars.  
 26 12. Seventy thousand (70,000) and less than eighty thousand (80,-  
 27 000), six thousand one hundred (6,100) dollars.  
 28 13. Eighty thousand (80,000) and less than one hundred twenty-  
 29 five thousand (125,000) six thousand six hundred (6,600) dollars.  
 30 14. One hundred twenty-five thousand (125,000) and over, seven  
 31 thousand six hundred (7,600) dollars.”

1 SEC. 3. Section four (4) of chapter one hundred seventy-three  
 2 (173), Acts of the Fifty-sixth General Assembly, is hereby amended

3 by striking from line four (4) thereof the word "eleven" and insert-  
 4 ing in lieu thereof the words "twelve dollars and fifty cents (\$12.50)";  
 5 by striking from lines five (5) and six (6) the words "thirty-six hun-  
 6 dred" and inserting in lieu thereof the words "four thousand (4,000)";  
 7 by striking from lines seven (7) and eight (8) the words "four thou-  
 8 sand" and inserting in lieu thereof the words "four thousand four  
 9 hundred (4,400)"; by striking from line nine (9) the words "five  
 10 thousand" and inserting in lieu thereof the words "five thousand four  
 11 hundred (5,400)"; by striking from line eleven (11) the words "fifty-  
 12 eight hundred" and inserting in lieu thereof the words "six thousand  
 13 two hundred (6,200)"; by striking from line fourteen (14) the words  
 14 "fifty-two hundred" and inserting in lieu thereof the words "fifty-six  
 15 hundred (5,600)".

1 SEC. 4. Section six (6) of chapter one hundred seventy-three  
 2 (173), Acts of the Fifty-sixth General Assembly, is hereby amended  
 3 by striking therefrom subsections one (1) to fifteen (15), inclusive,  
 4 and inserting in lieu thereof the following:

5 "1. Less than ten thousand (10,000), three thousand two hundred  
 6 (3,200) dollars.

7 2. Ten thousand (10,000) and less than fifteen thousand (15,000),  
 8 three thousand three hundred fifty (3,350) dollars.

9 3. Fifteen thousand (15,000) and less than twenty thousand (20,-  
 10 000), three thousand five hundred (3,500) dollars.

11 4. Twenty thousand (20,000) and less than twenty-five thousand  
 12 (25,000), three thousand six hundred fifty (3,650) dollars.

13 5. Twenty-five thousand (25,000) and less than thirty thousand  
 14 (30,000), three thousand eight hundred (3,800) dollars.

15 6. Thirty thousand (30,000) and less than thirty-five thousand  
 16 (35,000), three thousand nine hundred fifty (3,950) dollars.

17 7. Thirty-five thousand (35,000) and less than forty thousand (40,-  
 18 000), four thousand one hundred (4,100) dollars.

19 8. Forty thousand (40,000) and less than forty-five thousand (45,-  
 20 000), four thousand two hundred fifty (4,250) dollars.

21 9. Forty-five thousand (45,000) and less than fifty thousand (50,-  
 22 000), four thousand four hundred (4,400) dollars.

23 10. Fifty thousand (50,000) and less than sixty thousand (60,000),  
 24 four thousand seven hundred (4,700) dollars.

25 11. Sixty thousand (60,000) and less than seventy thousand (70,-  
 26 000), five thousand eight hundred (5,800) dollars.

27 12. Seventy thousand (70,000) and less than eighty thousand (80,-  
 28 000), six thousand one hundred (6,100) dollars.

29 13. Eighty thousand (80,000) and less than one hundred thousand  
 30 (100,000), six thousand six hundred (6,600) dollars.

31 14. One hundred thousand (100,000) and less than one hundred  
 32 fifty thousand (150,000), seven thousand two hundred (7,200) dollars.

33 15. One hundred fifty thousand (150,000) and over, seven thousand  
 34 six hundred (7,600) dollars."

1 SEC. 5. Section two hundred thirty-one point eight (231.8), Code  
 2 1954, as amended by the Acts of the Fifty-sixth General Assembly is  
 3 further amended as follows:

4 Subsection one (1), line five (5), strike "eight dollars per day or  
 5 one dollar per hour" and insert "twelve dollars per day or one dollar

- 6 and a half per hour".
- 7 Subsection one (1), line seven (7), strike "twenty-nine hundred"  
8 and insert "thirty-four hundred".
- 9 Subsection two (2), line eight (8), strike "forty-four hundred" and  
10 insert "forty-nine hundred".
- 11 Subsection two (2), line twelve (12), strike "thirty-three hundred  
12 twenty" and insert "thirty-eight hundred twenty".
- 13 Subsection three (3), line five (5), strike "forty-nine hundred" and  
14 insert "fifty-four hundred".
- 15 Subsection three (3), line nine (9), strike "thirty-nine hundred  
16 twenty" and insert "forty-four hundred twenty".
- 17 Subsection four (4), line four (4), strike "fifty-eight hundred" and  
18 insert "sixty-three hundred".
- 19 Subsection four (4), line eight (8), strike "forty-three hundred  
20 twenty" and insert "forty-eight hundred twenty".
- 21 Subsection five (5), line six (6), strike "twenty-two hundred" and  
22 insert "twenty-seven hundred".
- 23 Subsection five (5), lines nine (9) and ten (10), strike "twenty-  
24 seven hundred" and insert "thirty-two hundred".
- 25 Subsection six (6), line fifteen (15), strike "forty-six hundred" and  
26 insert "fifty-one hundred".

1 SEC. 6. Section five (5) of chapter one hundred seventy-three  
2 (173), Acts of the Fifty-sixth General Assembly, is amended by add-  
3 ing the following subsections:

4 "Section three hundred forty point two (340.2), Code 1954, is fur-  
5 ther amended by striking the period (.) after the word 'principal'  
6 in line six (6) and inserting in lieu thereof the following: '; how-  
7 ever, in counties with a population of one hundred thousand (100,000)  
8 or more, first and second deputies, and any deputy in charge of the  
9 motor vehicle registration and title department, shall receive an  
10 annual salary of eighty (80) percent of his or her principal.'

11 "Section three hundred forty point two (340.2), Code 1954, is fur-  
12 ther amended by striking the period (.) at the end of line eleven (11)  
13 and inserting in lieu thereof the following: '; however, in counties  
14 with a population of one hundred thousand (100,000) or more,  
15 deputies (where more than two (2) deputies are required) and the  
16 first assistant to the deputy in charge of the motor vehicle registra-  
17 tion and title department, shall receive an annual salary of sixty-five  
18 (65) percent of their principal.'"

1 SEC. 7. This Act shall be in full force and effect on and after Jan-  
2 uary 1, 1958.

Approved May 1, 1957.

CHAPTER 176  
COUNTY HOSPITALS  
H. F. 508

AN ACT to permit boards of trustees of county hospitals to lease hospital facilities, when not needed for the purpose for which acquired.

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

1 SECTION 1. Section three hundred forty-seven point thirteen  
2 (347.13), Code 1954, is amended by adding thereto the following new  
3 subsection:

4 "When it is determined by said board that all or a part of the facil-  
5 ities acquired under the provisions of this chapter and operated as a  
6 tuberculosis sanitarium are no longer needed for the uses provided or  
7 permitted under this chapter, the board may lease to the county or  
8 any political subdivision thereof for any public purpose, such facil-  
9 ities or such part thereof as the board deems proper."

Approved April 30, 1957.

CHAPTER 177  
COUNTY PUBLIC HOSPITALS  
H. F. 317

AN ACT to amend section three hundred forty-seven point fourteen (347.14), Code 1954, relating to powers and duties of the board of trustees of county public hospitals.

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

1 SECTION 1. Section three hundred forty-seven point fourteen  
2 (347.14), Code 1954, is amended by adding thereto the following:

3 "Procure and pay premiums on any and all insurance policies re-  
4 quired for the prudent management of the hospital, including but not  
5 limited to public liability, professional malpractice liability, work-  
6 men's compensation and vehicle liability. Said insurance may include  
7 as additional insureds the board of trustees and employees of the hos-  
8 pital. This subsection applies to all county hospitals whether organ-  
9 ized under this chapter, chapter three hundred forty-seven A (347A),  
10 chapter thirty-seven (37), or otherwise established by law."

1 SEC. 2. This Act, being deemed of immediate importance, shall  
2 take effect and be in force from and after its publication in The Eve-  
3 ning Journal, a newspaper published in Washington, Iowa, and in the  
4 West Des Moines Express, a newspaper published in West Des Moines,  
5 Iowa.

Approved April 19, 1957.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1954, The Evening Journal, Washington, Iowa, being nonexistent, The Washington Evening Journal, a newspaper published in Washington, Iowa, is designated to publish the foregoing Act, House File 317.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 317, was published in The West Des Moines Express, West Des Moines, Iowa, April 25, 1957, and in The Washington Evening Journal, Washington, Iowa, April 26, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 178

## FIRE DISTRICTS

## H. F. 233

AN ACT to provide for benefited fire districts, to require election thereon, and to provide for the financing thereof.

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

1 SECTION 1. The board of supervisors of any county or counties  
2 shall, on the petition of twenty-five percent of the resident property  
3 owners in any proposed benefited fire district, grant a hearing rela-  
4 tive to the establishment of such proposed fire district. Such petition  
5 shall set out the following and any other pertinent facts:

6 1. The need of co-operative fire protection.

7 2. The approximate district to be served.

8 3. The approximate number of families in the district.

9 The board of supervisors may, at its option, require a bond of the  
10 petitioners as provided in section four hundred fifty-five point ten  
11 (455.10) of the Code.

1 SEC. 2. The benefited fire district may include all or portions of  
2 one township and any adjoining townships or portions thereof.

1 SEC. 3. When the board of supervisors receives a petition for the  
2 establishment of a benefited fire district, a public hearing shall be  
3 held within twenty (20) days of the presentation of the petition.  
4 Notice of hearing shall be given by posting bills in three (3) public  
5 places within the district, or by publication in two successive issues  
6 of any paper of general circulation within the district. The last pub-  
7 lication or posting shall be not less than one (1) week before the  
8 proposed hearing.

1 SEC. 4. On the day fixed for such hearing, the board of supervisors  
2 shall by resolution establish the benefited fire district or disallow the  
3 petition. For adequate reasons the board of supervisors may defer  
4 action on such petition for not to exceed ten (10) days after the day  
5 first set for a hearing.

1 SEC. 5. When the board of supervisors shall have established the  
2 benefited fire district, they shall appoint a competent disinterested  
3 civil engineer, who shall prepare a preliminary plat showing the  
4 proper design in general outline of the district, and shall show the  
5 lots and parcels of land within the proposed district as they appear  
6 on the county auditor's plat books, together with the names of the  
7 owners, and the assessed valuation of said lots and parcels.

1 SEC. 6. The compensation of such engineer on the preliminary  
2 investigation shall be determined by the board of supervisors.

1 SEC. 7. The engineer's report shall be filed with the county audi-  
2 tor within thirty (30) days of such engineer's appointment. The  
3 board of supervisors may extend the time thereon upon good cause  
4 shown.

1 SEC. 8. On receipt of the engineer's report, the board of super-  
2 visors shall give notice in the same manner as before, of a hearing  
3 on the engineer's tentative design and dummy plat. On the day set,

4 or within ten (10) days thereafter, the board of supervisors shall  
5 approve or disapprove the engineer's plan. If it shall appear advis-  
6 able, the board of supervisors may make changes in the boundaries  
7 as they appear on the engineer's report.

1 SEC. 9. When the preliminary report has been approved by the  
2 board of supervisors, a date not more than thirty (30) days after such  
3 approval shall be set for an election within the district to approve  
4 the levy of a tax of not more than one and one-half ( $1\frac{1}{2}$ ) mills on all  
5 the taxable property within the district for the purposes set out in  
6 sections eleven (11) and twelve (12), and to choose candidates for the  
7 offices of trustee within the district. Notice of the election, including  
8 the time and place of holding the same, shall be given in the same  
9 manner as for the public hearing heretofore provided for. The vote  
10 shall be by ballot which shall state clearly the proposition to be voted  
11 upon, and any legal voter residing within the district at the time of  
12 the election shall be entitled to vote. Judges shall be appointed to  
13 serve without pay by the board of supervisors from among the quali-  
14 fied voters of the district who will have charge of the election. The  
15 proposition shall be deemed to have carried if sixty (60) percent of  
16 those voting thereon vote in favor of same.

1 SEC. 10. At the election provided for in section nine (9), the  
2 names of the trustees shall be written by the voter on blank ballots  
3 without formal nomination and the board of supervisors shall appoint  
4 three (3) from among the five (5) receiving the highest number of  
5 votes as trustees for the district, one (1) to serve for one (1) year, one  
6 (1) for two (2) years, and one (1) for three (3) years, which trust-  
7 ees and their successors shall give bond in the amount the board of  
8 supervisors may require, the premium of which shall be paid by the  
9 district said trustees represent. Vacancies may thereafter be filled  
10 by election, or by appointment by the board of supervisors. The term  
11 of succeeding trustees shall be for three (3) years.

1 SEC. 11. The trustees may purchase, own, rent or maintain fire  
2 apparatus or equipment and provide housing for same and furnish  
3 services in the extinguishing of fires in said benefited fire district.  
4 The trustees shall have the power after approval given by section nine  
5 (9) to levy an annual tax not to exceed one and one-half ( $1\frac{1}{2}$ ) mills  
6 outlined in section nine (9) of this act for the purpose of exercising  
7 the powers granted in this section. This levy shall be optional with  
8 the trustees. The trustees may purchase material and employ labor  
9 to properly maintain and operate the benefited fire district. The trust-  
10 ees shall be allowed necessary expenses in the discharge of the duties,  
11 but shall not receive any salary.

1 SEC. 12. Benefited fire districts may anticipate the collection of  
2 taxes outlined by sections nine (9) and eleven (11) and for such pur-  
3 poses may issue bonds payable in not more than ten (10) equal install-  
4 ments and the rate of interest thereon shall not exceed five (5) per-  
5 cent per annum, payable at such place and shall be in such form as  
6 the trustees shall designate by resolution. Sections twenty-three  
7 point twelve (23.12) to twenty-three point sixteen (23.16), inclusive,  
8 and chapter four hundred eight (408) of the code, so far as applicable,  
9 shall apply to such bonds.

1 SEC. 13. When the boundary lines of such benefited fire district  
 2 shall include an entire township, the township trustees shall no longer  
 3 levy the tax provided by section three hundred fifty-nine point forty-  
 4 three (359.43) of the code; and any indebtedness incurred for the  
 5 purposes of sections three hundred fifty-nine point forty-two (359.42)  
 6 to three hundred fifty-nine point forty-five (359.45), inclusive of the  
 7 code, shall be assumed by the benefited fire district and all the assets  
 8 of said township which relate to the fire-fighting operation shall be  
 9 transferred to the benefited fire district. Any property in the town-  
 10 ship purchased for dual purposes shall be held jointly.

1 SEC. 14. Upon petition of thirty-five percent of resident voters,  
 2 the board of supervisors may dissolve the benefited fire district and  
 3 dispose of any remaining property, proceeds of which shall first be  
 4 applied against outstanding obligations and any balance shall be  
 5 applied to tax credit of property owners of the district. The board  
 6 of supervisors shall continue to levy tax after dissolution of district  
 7 not to exceed one and one-half (1½) mills on all the taxable property  
 8 of the district until all outstanding obligations of the district are paid.

1 SEC. 15. This Act being deemed of immediate importance shall be  
 2 in full force and effect upon its publication in the Kanawha Reporter,  
 3 a newspaper published at Kanawha, Iowa, and in the Dallas County  
 4 News, published at Adel, Iowa.

Approved April 26, 1957.

I hereby certify that the foregoing Act, House File 233, was published in the Kanawha Reporter, Kanawha, Iowa, May 15, 1957, and in the Dallas County News, Adel, Iowa, May 15, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 179

### TOWNSHIP HALLS

#### H. F. 74

AN ACT to amend chapter three hundred sixty (360), Code 1954, relating to acquisition and maintenance of township halls.

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

1 SECTION 1. Section three hundred sixty point one (360.1), Code  
 2 1954, is hereby amended by inserting after the word "building" in line  
 3 four (4) thereof the following: "or acquiring by purchase".

1 SEC. 2. Section three hundred sixty point eight, (360.8), Code  
 2 1954, is hereby amended by inserting after the word "erected" in line  
 3 two (2) thereof the following: "or acquired by purchase or by gift".

1 SEC. 3. Section three hundred sixty point eight (360.8), Code  
 2 1954, is hereby amended as follows:

3 1. Amend line five (5) by striking the word "one-eighth" and in-  
 4 serting in lieu thereof the word "one-half".

5 2. By striking from line nine (9) through line thirteen (13) in-  
 6 clusive, the words "Provided, that where such buildings are of brick

7 construction with at least one hundred thousand cubic feet of space,  
8 such tax may be one-half mill on the dollar”.

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 Garner  
3 Leader and Signal, a newspaper published in Garner, Iowa, and the  
4 Britt News-Tribune, a newspaper published in Britt, Iowa.

Approved May 14, 1957.

I hereby certify that the foregoing Act, House File 74, was published in the Garner Leader and Signal, Garner, Iowa, May 22, 1957, and in the Britt News-Tribune, Britt, Iowa, May 22, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

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## CHAPTER 180

### URBANIZED AREA AROUND CITIES

H. F. 374

AN ACT creating and establishing an urbanized area for cities having a population of fifteen thousand (15,000) or more; defining the limits of said urbanized area; and prohibiting the incorporation of a new municipality within such urbanized area.

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

1 SECTION 1. Section three hundred sixty-two point one (362.1),  
2 Code 1954, is hereby amended by adding thereto the following:  
3 “All territory within three (3) miles of the corporate limits, as  
4 the same now exist or may hereafter be established, of any city having  
5 a population of fifteen thousand (15,000) or more is hereby declared  
6 to be an urbanized area. No territory within said urbanized area shall  
7 hereafter be incorporated as a city or town, and the district court  
8 shall have no jurisdiction to take any action upon a petition to incor-  
9 porate a municipality within said area.”

Approved April 1, 1957.

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## CHAPTER 181

### MUNICIPAL ANNEXATION ELECTION

H. F. 346

AN ACT to amend section three hundred sixty-two point twenty-six (362.26), Code 1954, relating to annexation of territory to cities and towns.

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

1 SECTION 1. Section three hundred sixty-two point twenty-six  
2 (362.26), Code 1954, is hereby amended by inserting in line four (4)  
3 of subsection two (2) after the word “municipal” the words “or  
4 special”.

Approved April 1, 1957.

## CHAPTER 182

## MUNICIPAL ANNEXATION OF TERRITORY

## H. F. 58

AN ACT providing for annexation of territorial property owned by the state of Iowa, by a city or town.

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

1 SECTION 1. Territory owned by the state of Iowa and adjoining  
2 any city or town, may be annexed to such city or town by following  
3 one of the procedures as set forth in section three hundred sixty-two  
4 point twenty-six (362.26) to section three hundred sixty-two point  
5 thirty-three (362.33) inclusive, Code 1954, anything in the laws of  
6 Iowa notwithstanding.

1 SEC. 2. If the proceedings are under the provisions of section three  
2 hundred sixty-two point twenty-six (362.26) and three hundred sixty-  
3 two point twenty-seven (362.27), the state of Iowa shall be given  
4 notice of the pendency of the action as provided by section six hun-  
5 dred thirteen point nine (613.9), of the Code of Iowa.

1 SEC. 3. That under the provisions of section three hundred sixty-  
2 two point thirty (362.30) and three hundred sixty-two point thirty-  
3 one (362.31) the owner shall mean that branch of the government of  
4 the state of Iowa having the property under its control.

1 SEC. 4. The right of the highway authorities of the state of Iowa  
2 to control access upon any highway acquired by the state of Iowa  
3 under the provisions of chapter one hundred forty-eight\* (148) of  
4 the Acts of the 56th General Assembly of Iowa shall not be affected by  
5 the annexing of such territory or land upon which any such controlled-  
6 access highway is located.

1 SEC. 5. This act being of immediate importance shall be in full  
2 force and effect after its passage and publication in the Iowa City  
3 Press Citizen, a newspaper published at Iowa City, Iowa, and the  
4 North English Record, a newspaper published at North English, Iowa.

Approved March 14, 1957.

I hereby certify that the foregoing Act, House File 58, was published in the Iowa City Press-Citizen, Iowa City, Iowa, March 19, 1957, and in the North English Record, North English, Iowa, March 21, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

\*Words supplied by editor, §3.1 of the Code.

## CHAPTER 183

## LEAGUE OF MUNICIPALITIES DUES

H. F. 281

AN ACT pertaining to the sum total of annual dues collectible by the League of Iowa Municipalities and to amend section three hundred sixty-three point forty-one (363.41), Code 1954, pertaining thereto.

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

- 1 SECTION 1. Section three hundred sixty-three point forty-one
- 2 (363.41), Code 1954, is amended by striking from line six (6) the word
- 3 "thirty-five" and inserting in lieu thereof the word "forty-five".

Approved April 1, 1957.

## CHAPTER 184

## COUNCIL-MANAGER CITIES

H. F. 93

AN ACT to provide five (5) councilmen in all cities operating under the form of government of council-manager by popular election.

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

- 1 SECTION 1. Section three hundred sixty-three C point one
- 2 (363C.1), Code 1954, is amended by striking from lines four (4) to
- 3 nine (9), inclusive, the following: "In cities having a population of
- 4 twenty thousand or more there shall be elected five councilmen. In
- 5 cities having a population of less than twenty thousand there shall be
- 6 elected three councilmen." and inserting in lieu thereof the following:
- 7 "In all such municipal corporations there shall be elected five (5)
- 8 councilmen."

- 1 SEC. 2. The provisions of this Act shall have the effect of increas-
- 2 ing the number of councilmen in manager-by-election cities hereto-
- 3 fore having three (3) councilmen so that on January 1, 1958 such
- 4 cities shall have five (5) councilmen. In any such city where only one
- 5 councilman's term expires December 31, 1957, three (3) councilmen
- 6 shall be elected as his successors in November, 1957, for four-year
- 7 terms. In any such city where two (2) councilmen's terms expire
- 8 December 31, 1957, three (3) councilmen shall be elected in November,
- 9 1957, for four-year terms and one (1) councilman shall be elected for
- 10 a two-year term.

Approved April 17, 1957.

## CHAPTER 185

## GROUP INSURANCE FOR MUNICIPAL EMPLOYEES

H. F. 282

AN ACT pertaining to group insurance for municipal employees and to make chapter three hundred sixty-five A (365A), Code 1954, applicable in all cities and towns.

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

1 SECTION 1. Section three hundred sixty-five A point one (365A.1),  
2 Code 1954, is amended by striking from lines one (1) to three (3) the  
3 words "city council in any city now or hereafter having a population  
4 of ten thousand inhabitants or more" and inserting in lieu thereof the  
5 words "council in any city or town".

6 Further amend said section by inserting after the word "city" in  
7 line six (6) the words "or town".

1 SEC. 2. Chapter three hundred sixty-five A (365A), Code 1954, is  
2 amended by inserting at the end thereof the following new section:

3 "For purposes of this chapter the following terms shall have the  
4 following meaning:

5 1. The word 'city' shall mean 'city or town'.

6 2. The words 'city council' shall mean 'city or town council'."

1 SEC. 3. Section three hundred sixty-five A point two (365A.2),  
2 Code 1954, is amended by adding thereto the following new subsec-  
3 tion:

4 "If the policy is an accident and health insurance policy, in lieu of  
5 compliance with subsections one (1) and two (2) of this section the  
6 funds for the plan may be created solely from contributions from em-  
7 ployees who elect to participate in the plan."

1 SEC. 4. Section three hundred sixty-five A point three (365A.3),  
2 Code 1954, is amended by inserting after the word "plan" in line two  
3 (2) thereof the following:

4 "the fund of which is created under the provisions of subsections  
5 one (1) and two (2) of section three hundred sixty-five A point two  
6 (365A.2) of the Code".

1 SEC. 5. Section three hundred sixty-five A point seven (365A.7),  
2 Code 1954, is amended by inserting before the word "Employee" in  
3 line one (1) thereof the words, "With reference to group life insur-  
4 ance policies,".

5 Said section three hundred sixty-five A point seven (365A.7), Code  
6 1954, is further amended by adding after period in last line the fol-  
7 lowing:

8 "With reference to group accident and health insurance policies,  
9 'employee' as used in this chapter is defined to be a person employed  
10 by the city on a weekly, monthly, or yearly basis and who is actually  
11 performing duties under such employment."

1 SEC. 6. Further amend said section three hundred sixty-five A  
2 point seven (365A.7), Code 1954, by striking the word "except" in  
3 line five (5) and inserting in lieu thereof the word "including".

Approved March 28, 1957.

## CHAPTER 186

## MUNICIPAL USE OF COUNTY JAILS

S. F. 253

AN ACT relating to use of county jails for the confinement of such persons as may be subject to imprisonment under the provisions of city or town ordinances and to amend section three hundred sixty-eight point fifteen (368.15), Code 1954, to make provision therefor.

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

1 SECTION 1. Section three hundred sixty-eight point fifteen  
2 (368.15), Code 1954, is amended by inserting at the end thereof the  
3 following:

4 "Any city or town shall have the right to use the jail of the county  
5 for the confinement of such persons as may be subject to imprison-  
6 ment under the ordinances of such city or town, but it shall pay the  
7 county the cost of keeping such prisoners."

Approved March 14, 1957.

## CHAPTER 187

## FEDERAL IMPROVEMENTS NEAR CITIES

H. F. 1

AN ACT to amend chapter three hundred sixty-eight (368), Code 1954, relating to the general powers of municipal corporations, and to authorize such corporations to cooperate with the government of the United States in connection with projects benefiting or affecting such municipal corporations, and providing for an election therefor.

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

1 SECTION 1. Chapter three hundred sixty-eight (368), Code 1954,  
2 is hereby amended by adding thereto the following:

3 "Whenever the government of the United States, acting through its  
4 proper agencies or instrumentalities, will undertake, in whole or in  
5 part, the original construction or planning of improvements within  
6 or adjacent to the corporate boundaries of any municipal corporation  
7 or the repair or alteration of existing improvements within or adja-  
8 cent to the corporate boundaries of any municipal corporation and  
9 which improvements will benefit said municipal corporation, or which  
10 could be constructed, repaired, or altered by said municipal corpora-  
11 tion acting by itself, said municipal corporation, when authorized by  
12 a majority vote of the electors thereof at a general, regular or special  
13 election called for that purpose as provided in section two (2) hereof,  
14 acting through its dock board in the case of improvements referred  
15 to in chapter three hundred eighty-four (384), Code 1954, or acting  
16 through its council in the case of all other improvements, shall have  
17 the power to enter into and to perform such agreements with the  
18 United States as may be necessary to meet federal requirements, in-  
19 cluding the giving of indemnifying agreements to the United States  
20 holding and saving the United States free from damages due to the  
21 construction and subsequent maintenance of the improvements, in-

22 cluding the granting of easements or other interests in real estate, and  
 23 including the taking over, repair, and maintenance of the improve-  
 24 ments. Any agreement or agreements with the United States con-  
 25 templated herein may be entered into by the municipal corporation as  
 26 herein provided in advance of the adoption of a final plan for such  
 27 improvements, such agreement to be effective if the plan of improve-  
 28 ment is finally adopted."

1 SEC. 2. So far as applicable the initiation of proceedings, the calling  
 2 of the election, notices and submission of question referred to in sec-  
 3 tion one (1) hereof shall be in the manner prescribed by chapter four  
 4 hundred seven (407), Code 1954.

Approved April 29, 1957.

## CHAPTER 188

### SWIMMING POOLS AND AIRPORTS

S. F. 490

AN ACT to enable two (2) or more cities to jointly construct a swimming pool or air-  
 port and providing for the issuance of bonds and the levy of taxes by such cities to  
 finance the swimming pool or airport.

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

1 SECTION 1. Any two (2) or more cities or towns may contract  
 2 with each other for the joint purchase, acquisition, ownership and  
 3 control of real or other property suitable as the site of a swimming  
 4 pool or airport and for the joint construction, erection, improvement,  
 5 operation and maintenance of a swimming pool or airport upon such  
 6 site. Any or all of such cities and towns for the purpose of paying its  
 7 respective share of the cost under such a contract may issue bonds and  
 8 levy a tax sufficient to meet the principal and interest on such bonds  
 9 or otherwise pay such costs, or both. For all such purposes, such cities  
 10 and towns and the councils thereof, singly or collectively, shall have all  
 11 of the powers, duties, rights, authority, responsibilities and follow the  
 12 same rules and procedure as authorized, granted and prescribed in  
 13 sections three hundred sixty-eight point nineteen (368.19) to three  
 14 hundred sixty-eight point twenty-two (368.22) inclusive, of the Code,  
 15 for cities or towns and counties and the governing bodies thereof, in  
 16 the acquisition of a site, and the construction and operation of joint  
 17 city and county buildings.

18 This section and those parts of sections three hundred sixty-eight  
 19 point nineteen (368.19) to three hundred sixty-eight point twenty-two  
 20 (368.22) referred to herein shall be construed as a complete and inde-  
 21 pendent law for providing joint swimming pools or airports for two  
 22 (2) or more cities or towns and for the issuance of bonds in connection  
 23 therewith.

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

- 3 Toledo Chronicle, a newspaper published in Toledo, Iowa, and in the
- 4 Tama News-Herald, a newspaper published in Tama, Iowa.

Approved May 9, 1957.

I hereby certify that the foregoing Act, Senate File 490, was published in The Toledo Chronicle, Toledo, Iowa, May 16, 1957, and in the Tama News-Herald, Tama, Iowa, May 16, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

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## CHAPTER 189

### POLICE MATRONS

S. F. 135

AN ACT to amend section three hundred sixty-eight A point nineteen (368A.19), Code 1954, relating to police matrons and their compensation.

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

- 1 SECTION 1. Section three hundred sixty-eight A point nineteen
- 2 (368A.19), Code 1954, is amended by adding the following: "Their
- 3 compensation shall be the same as that of patrolmen of the same class
- 4 in the city or town where they are employed."

Approved May 9, 1957.

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## CHAPTER 190

### RIVER-FRONT IMPROVEMENTS APPROVED

H. F. 279

AN ACT relating to river-front improvement commissions, and amending section three hundred seventy-two point nine (372.9), Code 1954.

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

- 1 SECTION 1. Section three hundred seventy-two point nine (372.9),
- 2 Code 1954, is amended by striking from line eleven (11) the word,
- 3 "executive" and by substituting in lieu thereof the words, "Iowa
- 4 natural resources".

Approved March 20, 1957.

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## CHAPTER 191

### DOCK BOARDS

H. F. 237

AN ACT to amend section three hundred eighty-four point three (384.3), Code 1954, relating to the powers of dock boards in cities and towns.

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

- 1 SECTION 1. Section three hundred eighty-four point three (384.3),
- 2 Code 1954, is amended by changing the period in line fourteen (14)

3 of subsection three (3) thereof to a comma and inserting thereafter  
 4 the following: "together with such other municipally owned lands or  
 5 properties as the city council may designate by ordinance."

1 SEC. 2. Section three hundred eighty-four point three (384.3),  
 2 Code 1954, is amended by adding a new subsection thereto as follows:  
 3 "In cities and towns the powers vested in the dock board by this act  
 4 shall be subject to such limitations and exceptions as the city council  
 5 may, by ordinance, establish."

Approved April 4, 1957.

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## CHAPTER 192

### STREET IMPROVEMENTS

S. F. 208

AN ACT providing for widening as reconstruction of street improvements.

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

1 SECTION 1. Subsection two (2) of section three hundred ninety-  
 2 one point one (391.1), Code 1954, is hereby amended by inserting  
 3 after the word, "reconstruct" in line two (2) thereof the words, "  
 4 reconstruct by widening".

1 SEC. 2. Subsection six (6) of section three hundred ninety-one A  
 2 point one (391A.1), Code 1954, is hereby amended by inserting after  
 3 the word, "reconstruction," in line three (3) thereof the words, "re-  
 4 construction by widening".

Approved April 17, 1957.

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## CHAPTER 193

### STREET AND SEWER ASSESSMENTS

S. F. 221

AN ACT relating to payment of municipal special assessments for streets and sewers.

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

1 SECTION 1. Section three hundred ninety-one point sixty (391.60),  
 2 Code 1954, is amended by striking all of the first paragraph and in-  
 3 serting in lieu thereof the following:  
 4 "The first installment, or total amount of assessment if less than  
 5 twenty-five dollars (\$25.00), shall mature and be payable thirty (30)  
 6 days from the date of such levy without interest, and the other assess-  
 7 ments, with interest, from the date of levy by the council, on the whole  
 8 amount unpaid, annually thereafter at the same time and in the same  
 9 manner as the March semiannual payment of ordinary taxes. How-  
 10 ever the total assessments may be paid without interest thirty (30)  
 11 days after levy by the council."

Approved April 25, 1957.

## CHAPTER 194

## PROTECTION FROM FLOODS

S. F. 243

AN ACT relating to protection from floods by cities and towns, and amending section three hundred ninety-five point one (395.1), Code 1954.

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

1 SECTION 1. Section three hundred ninety-five point one (395.1),  
2 Code 1954, is amended by adding after the word, "within" in line  
3 fifteen (15) the words, "or without".

1 SEC. 2. Section three hundred ninety-five point one (395.1), Code  
2 1954, is further amended by adding after the word, "embankments"  
3 in line sixteen (16) the words, "structures, impounding reservoirs,".

Approved March 25, 1957.

## CHAPTER 195

## WATERWORKS TRUSTEES COMPENSATION

S. F. 244

AN ACT relating to the compensation of waterworks trustees in cities and towns.

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

1 SECTION 1. Section three hundred ninety-seven point thirty-two  
2 (397.32), Code 1954, is amended by striking from lines fourteen (14)  
3 to sixteen (16), inclusive, the words, "The compensation of each  
4 trustee shall be not more than one hundred dollars per year, and".

1 SECTION 2. Strike all of Section three hundred ninety-seven point  
2 thirty-three (397.33), Code 1954, and substitute in lieu thereof the  
3 following:

4 "Compensation of trustees. In towns each trustee shall receive a  
5 compensation of not more than one hundred dollars (\$100.00) per  
6 year. In cities each trustee shall receive a compensation of not more  
7 than three hundred dollars (\$300.00) per year."

Approved April 5, 1957.

## CHAPTER 196

## PUBLIC BUILDINGS UNDER FEDERAL LAW

H. F. 175

AN ACT to permit cities and towns to construct and lease public buildings for the use of the federal government under the terms of Public Law five hundred nineteen (519), 1954, enacted by the Congress of the United States.

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

1 SECTION 1. Cities and towns shall have power to enter into lease-  
2 purchase agreements, by ordinance, with the Administrator of Gen-

3 eral Services of the United States, or the Postmaster General of the  
4 United States, or any other agency of the federal government or any  
5 combination of said departments or agencies, under the terms and  
6 conditions and with the limitations of the act of Congress, Public Law  
7 five hundred nineteen (519) of 1954, for the establishment, construc-  
8 tion and maintenance of public buildings for the use of the federal  
9 government in such cities and towns.

1 SEC. 2. Such agreements shall provide for a rental sufficient to  
2 amortize:

3 1. The cost of improvements to be constructed plus the fair market  
4 value, on the date of the agreement, of the site, if owned by the city or  
5 town, or

6 2. The fair market value, on the date of the agreement, of the com-  
7 pleted improvements together with the site thereof, or

8 3. A combination of the foregoing in the case of existing improve-  
9 ments to be remodeled by the city or town.

10 Such agreements shall also provide for a reasonable rate of interest  
11 on the outstanding principal and reimburse the city or town for the  
12 cost of any other obligation assumed by it under the contract.

1 SEC. 3. Nothing in the Act contained shall be so construed as to  
2 authorize or permit any municipality to make any contract or to incur  
3 any obligation of any kind or nature except such as shall be payable  
4 solely out of the rentals from such buildings. Such cities and towns  
5 may issue bonds payable solely and only from the revenues derived  
6 from such improvements.

7 Such bonds may be issued in such amounts as may be necessary to  
8 provide sufficient funds to pay all the costs of construction and oper-  
9 ation of such improvement, including engineering and other expenses,  
10 together with interest. Bonds issued under the provisions of this chap-  
11 ter are declared to be negotiable instruments, shall be executed by the  
12 mayor and clerk of the municipality, and shall be sealed with the cor-  
13 porate seal of the municipality. The principal and interest of said  
14 bonds shall be payable solely and only from the special fund herein  
15 provided for such payments, and said bonds shall not in any respect  
16 be a general obligation of such municipality, nor shall they be pay-  
17 able in any manner by taxation. All details pertaining to the issuance  
18 of such bonds and the terms and conditions thereof shall be determined  
19 by ordinance of the municipality.

1 SEC. 4. The council of the municipality by ordinance may pledge  
2 the property purchased and the net earnings of the improvements to  
3 the payment of said bonds and the interest thereon, and provide that  
4 the net earnings thereof shall be set apart as a sinking fund for that  
5 purpose.

1 SEC. 5. 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 Nonpareil, a newspaper published at Council Bluffs, Iowa,  
4 and in the Neola Gazette-Reporter, a newspaper published at Neola,  
5 Iowa.

Approved April 10, 1957.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa,  
under the provisions of section 3.9, Code of Iowa, 1954, the Nonpareil, Council Bluffs,

Iowa, being nonexistent, the Council Bluffs Nonpareil, a newspaper published in Council Bluffs, Iowa, is designated to publish the foregoing Act, House File 175.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 175, was published in the Council Bluffs Nonpareil, Council Bluffs, Iowa, April 13, 1957, and in the Neola Gazette-Reporter, Neola, Iowa, April 18, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 197

### URBAN RENEWAL LAW

S. F. 184

AN ACT to provide for the rehabilitation, clearance, and redevelopment of slums and blighted areas in cities and towns.

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

1 SECTION 1. This Act shall be known and may be cited as the  
2 "urban renewal law".

1 SEC. 2. 1. It is hereby found and declared that there exist in  
2 municipalities of the state slum and blighted areas, as herein defined,  
3 which constitute a serious and growing menace, injurious to the  
4 public health, safety, morals and welfare of the residents of the state;  
5 that the existence of such areas contributes substantially and in-  
6 creasingly to the spread of disease and crime, constitutes an economic  
7 and social liability imposing onerous municipal burdens which de-  
8 crease the tax base and reduce tax revenues, substantially impairs or  
9 arrests the sound growth of municipalities, retards the provision of  
10 housing accommodations, aggravates traffic problems and substan-  
11 tially impairs or arrests the elimination of traffic hazards and the  
12 improvement of traffic facilities; and that the prevention and elimi-  
13 nation of slums and blighted areas is a matter of state policy and  
14 state concern in order that the state and its municipalities shall not  
15 continue to be endangered by areas which are focal centers of dis-  
16 ease, promote juvenile delinquency and consume an excessive pro-  
17 portion of state revenues because of the extra services required for  
18 police, fire, accident, hospitalization and other forms of public pro-  
19 tection, services and facilities.

20 2. It is further found and declared that certain slum or blighted  
21 areas, or portions thereof, may require acquisition, clearance, and  
22 disposition subject to use restrictions, as provided in this Act, since  
23 the prevailing condition of decay may make impracticable the recla-  
24 mation of the area by conservation or rehabilitation; that other areas  
25 or portions thereof may, through the means provided in this Act, be  
26 susceptible of conservation or rehabilitation in such a manner that  
27 the conditions and evils hereinbefore enumerated may be eliminated,  
28 remedied or prevented; and that fringe areas can be conserved and  
29 rehabilitated through appropriate public action as herein authorized,  
30 and through the cooperation and voluntary action of the owners and  
31 tenants of property in such areas.

32 3. It is further found and declared that the powers conferred by

33 this Act are for public uses and purposes for which public money may  
34 be expended and for which the power of eminent domain and police  
35 power exercised; and that the necessity in the public interest for the  
36 provisions herein enacted is hereby declared as a matter of legis-  
37 lative determination.

1 SEC. 3. The local governing body of a municipality may formu-  
2 late for the municipality a workable program for utilizing appro-  
3 priate private and public resources to eliminate slums and prevent  
4 the development or spread of slums and urban blight and to encour-  
5 age needed urban rehabilitation. Such workable program may in-  
6 clude, without limitation, provisions for:

7 1. The prevention of the spread of blight into areas of the municipi-  
8 pality which are free from blight, through diligent enforcement of  
9 housing, zoning and occupancy controls and standards.

10 2. The rehabilitation or conservation of slum or blighted areas or  
11 portions thereof by replanning, by removing congestion, by provid-  
12 ing parks, playgrounds and other public improvements, by encourag-  
13 ing voluntary rehabilitation and by compelling the repair and reha-  
14 bilitation of deteriorated or deteriorating structures.

15 3. The clearance of slum and blighted areas or portions thereof.

16 4. The redevelopment of slum and blighted areas by approval of  
17 urban renewal plans.

1 SEC. 4. No municipality shall exercise the authority herein con-  
2 ferred upon municipalities by this Act until after its local governing  
3 body shall have adopted a resolution finding that:

4 1. One or more slum or blighted areas exist in such municipality.

5 2. The rehabilitation, conservation, redevelopment, or a combina-  
6 tion thereof, of such area or areas is necessary in the interest of the  
7 public health, safety, morals or welfare of the residents of such  
8 municipality.

1 SEC. 5. 1. A municipality shall not approve an urban renewal  
2 project for an urban renewal area unless the governing body has, by  
3 resolution, determined such area to be a slum area or a blighted area  
4 or a combination thereof, and designated such area as appropriate  
5 for an urban renewal project. The local governing body shall not  
6 approve an urban renewal plan until a general plan for the municipi-  
7 pality has been prepared. For this purpose and other municipal  
8 purposes, authority is hereby vested in every municipality to prepare,  
9 to adopt and to revise from time to time, a general plan for the phys-  
10 ical development of the municipality as a whole, giving due regard  
11 to the environs and metropolitan surroundings. A municipality shall  
12 not acquire real property for an urban renewal project unless the  
13 local governing body has approved the urban renewal project in ac-  
14 cordance with subsection four (4) hereof.

15 2. The municipality may itself prepare or cause to be prepared an  
16 urban renewal plan; or any person or agency, public or private, may  
17 submit such a plan to a municipality. Prior to its approval of an  
18 urban renewal project, the local governing body shall submit such  
19 plan to the planning commission of the municipality, if any, for re-  
20 view and recommendations as to its conformity with the general plan  
21 for the development of the municipality as a whole. The plan-

22 ning commission shall submit its written recommendations with  
23 respect to the proposed urban renewal plan to the local governing  
24 body within thirty (30) days after receipt of the plan for review.  
25 Upon receipt of the recommendations of the planning commission or,  
26 if no recommendations are received within said thirty (30) days,  
27 then, without such recommendations, the local governing body may  
28 proceed with the hearing on the proposed urban renewal project  
29 prescribed by subsection three (3) hereof.

30 3. The local governing body shall hold a public hearing on an  
31 urban renewal project after public notice thereof by publication in  
32 a newspaper having a general circulation in the area of operation of  
33 the municipality. The notice shall describe the time, date, place and  
34 purpose of the hearing, shall generally identify the urban renewal  
35 area covered by the plan, and shall outline the general scope of the  
36 urban renewal project under consideration.

37 4. Following such hearing, the local governing body may approve  
38 an urban renewal project if it finds that:

39 a. A feasible method exists for the location of families who will be  
40 displaced from the urban renewal area into decent, safe and sanitary  
41 dwelling accommodations within their means and without undue  
42 hardship to such families;

43 b. The urban renewal plan conforms to the general plan of the  
44 municipality as a whole; provided, that if the urban renewal area  
45 consists of an area of open land to be acquired by the municipality,  
46 such area shall not be so acquired except:

47 (1) If it is to be developed for residential uses, the local govern-  
48 ing body shall determine that a shortage of housing of sound stand-  
49 ards and design with decency, safety and sanitation exists in the  
50 municipality; that the need for housing accommodations has been or  
51 will be increased as a result of the clearance of slums in other areas,  
52 including other portions of the urban renewal area; that the condi-  
53 tions of blight in the area and the shortage of decent, safe and sani-  
54 tary housing cause or contribute to an increase in and spread of dis-  
55 ease and crime, and constitute a menace to the public health, safety,  
56 morals, or welfare; and that the acquisition of the area for residen-  
57 tial uses is an integral part of and essential to the program of the  
58 municipality.

59 (2) If it is to be developed for nonresidential uses, the local gov-  
60 erning body shall determine that such nonresidential uses are neces-  
61 sary and appropriate to facilitate the proper growth and development  
62 of the community in accordance with sound planning standards and  
63 local community objectives. The acquisition may require the exercise  
64 of governmental action, as provided in this Act, because of defective  
65 or unusual conditions of title, diversity of ownership, tax delinquency,  
66 improper subdivisions, outmoded street patterns, deterioration of  
67 site, economic disuse, unsuitable topography or faulty lot layouts,  
68 or because of the need for the correlation of the area with other  
69 areas of a municipality by streets and modern traffic requirements,  
70 or any combination of such factors or other conditions which retard  
71 development of the area.

72 5. An urban renewal plan may be modified at any time: Provided,  
73 that if modified after the lease or sale by the municipality of real  
74 property in the urban renewal project area, such modification may

75 be conditioned upon such approval of the owner, lessee or successor  
76 in interest as the municipality may deem advisable, and in any event  
77 such modification shall be subject to such rights at law or in equity  
78 as a lessee or purchaser, or his successor or successors in interest,  
79 may be entitled to assert.

80 6. Upon the approval by a municipality of an urban renewal plan  
81 or of any modification thereof, such plan or modification shall be  
82 deemed to be in full force and effect for the respective urban renewal  
83 area, and the municipality may then cause such plan or modification  
84 to be carried out in accordance with its terms.

85 7. Notwithstanding any other provisions of this Act, where the  
86 local governing body certifies that an area is in need of redevelop-  
87 ment or rehabilitation as a result of a flood, fire, hurricane, earth-  
88 quake, storm, or other catastrophe respecting which the governor of  
89 the state has certified the need for disaster assistance under Public  
90 Law 875, Eighty-first Congress, or other federal law, the local gov-  
91 erning body may approve an urban renewal plan and an urban re-  
92 newal project with respect to such area without regard to the provi-  
93 sions of subsection four (4) of this section and without regard to  
94 provisions of this section requiring a general plan for the municipal-  
95 ity and a public hearing on the urban renewal project.

1 SEC. 6. Every municipality shall have all the powers necessary  
2 or convenient to carry out and effectuate the purposes and provisions  
3 of this Act, including the following powers in addition to others  
4 herein granted:

5 1. To undertake and carry out urban renewal projects within its  
6 area of operation; and to make and execute contracts and other in-  
7 struments necessary or convenient to the exercise of its powers under  
8 this Act; and to disseminate slum clearance and urban renewal in-  
9 formation.

10 2. To arrange or contract for the furnishing or repair by any  
11 person of services, privileges, works, streets, roads, public utilities  
12 or other facilities for or in connection with an urban renewal proj-  
13 ect; to install, construct, and reconstruct streets, utilities, parks,  
14 playgrounds, and other public improvements; and to agree to any  
15 conditions, that it may deem reasonable and appropriate, attached  
16 to federal financial assistance and imposed pursuant to federal law  
17 relating to the determination of prevailing salaries or wages or com-  
18 pliance with labor standards, in the undertaking or carrying out of  
19 an urban renewal project; and to include in any contract let in con-  
20 nection with such a project, provisions to fulfill such of said condi-  
21 tions as it may deem reasonable and appropriate.

22 3. Within its area of operation, to enter into any building or prop-  
23 erty in any urban renewal area in order to make inspections, surveys,  
24 appraisals, soundings or test borings, and to obtain an order for this  
25 purpose from a court of competent jurisdiction in the event entry is  
26 denied or resisted; to acquire by purchase, lease, option, gift, grant,  
27 bequest, devise, eminent domain or otherwise, any real property, or  
28 personal property for administrative purposes, together with any  
29 improvements thereon; to hold, improve, clear or prepare for re-  
30 development any such property; to mortgage, pledge, hypothecate  
31 or otherwise encumber or dispose of any real property; to insure or

32 provide for the insurance of any real or personal property or oper-  
33 ations of the municipality against any risks or hazards, including  
34 the power to pay premiums on any such insurance; and to enter into  
35 any contracts necessary to effectuate the purposes of this Act: Pro-  
36 vided, however, that no statutory provision with respect to the ac-  
37 quisition, clearance or disposition of property by public bodies shall  
38 restrict a municipality or other public body exercising powers here-  
39 under in the exercise of such functions with respect to an urban  
40 renewal project, unless the legislature shall specifically so state.

41 4. To invest any urban renewal project funds held in reserves or  
42 sinking funds, or any such funds not required for immediate dis-  
43 bursement, in property or securities in which savings banks may  
44 legally invest funds subject to their control; to redeem such bonds  
45 as have been issued pursuant to section nine (9) of this Act at the  
46 redemption price established therein, or to purchase such bonds at  
47 less than redemption price, all such bonds so redeemed or purchased  
48 to be cancelled.

49 5. To borrow money and to apply for and accept advances, loans,  
50 grants, contributions and any other form of financial assistance from  
51 the federal government, the state, county, or other public body, or  
52 from any sources, public or private, for the purposes of this Act, and  
53 to give such security as may be required, and to enter into and carry  
54 out contracts in connection therewith. A municipality may include  
55 in any contract, for financial assistance with the federal government  
56 for an urban renewal project, such conditions imposed pursuant to  
57 federal laws as the municipality may deem reasonable and appro-  
58 priate and which are not inconsistent with the purposes of the Act.

59 6. Within its area of operation, to make or have made all surveys  
60 and planning necessary to the carrying out of the purposes of this  
61 Act, and to contract with any person in making and carrying out of  
62 such planning, and to adopt or approve, modify and amend such  
63 planning. Such planning may include, without limitation:

64 a. A general plan for the locality as a whole;

65 b. Urban renewal plans;

66 c. Preliminary plans outlining urban renewal activities for neigh-  
67 borhoods to embrace two or more urban renewal areas;

68 d. Planning for carrying out a program of voluntary or compul-  
69 sory repair and rehabilitation of buildings and improvements;

70 e. Planning for the enforcement of state and local laws, codes and  
71 regulations relating to the use of land and the use and occupancy of  
72 buildings and improvements and to the compulsory repair, rehabili-  
73 tation, demolition, or removal of buildings and improvements;

74 f. Appraisals, title searches, surveys, studies, and other planning  
75 and work necessary to prepare for the undertaking of urban renewal  
76 projects. The municipality is authorized to develop, test, and report  
77 methods and techniques, and carry out demonstrations and other  
78 activities, for the prevention and the elimination of slums and urban  
79 blight and to apply for, accept and utilize grants of funds from the  
80 federal government for such purposes.

81 7. To plan for the relocation of persons, including families, busi-  
82 ness concerns and others, displaced by an urban renewal project, and  
83 to make relocation payments to or with respect to such persons for

84 moving expenses and losses of property for which reimbursement or  
85 compensation is not otherwise made, including the making of such  
86 payments financed by the federal government.

87 8. To appropriate such funds and make such expenditures as may  
88 be necessary to carry out the purposes of this Act, and to levy taxes  
89 and assessments for such purposes; to zone or rezone any part of  
90 the municipality or make exceptions from building regulations; and  
91 to enter into agreements, respecting action to be taken by such mu-  
92 nicipality pursuant to any of the powers granted by this Act, with  
93 an urban renewal agency vested with urban renewal project powers  
94 under section fourteen (14) of this Act, which agreements may ex-  
95 tend over any period, notwithstanding any provision of rule of law  
96 to the contrary.

97 9. To close, vacate, plan or replan streets, roads, sidewalks, ways  
98 or other places; and to plan or replan any part of the municipality.

99 10. Within its area of operation, to organize, coordinate and direct  
100 the administration of the provisions of this Act as they apply to such  
101 municipality in order that the objective of remedying slum and  
102 blighted areas, and preventing the causes thereof, within such mu-  
103 nicipality, may be most effectively promoted and achieved; and to  
104 establish such new office or offices of the municipality, or to re-  
105 organize existing offices, in order to carry out such purpose most  
106 effectively.

107 11. To exercise all or any part of combination of powers herein  
108 granted.

109 12. To approve urban renewal plans.

110 13. To sell and convey real property in furtherance of an urban  
111 renewal project.

1 SEC. 7. A municipality shall have the right to acquire by con-  
2 demnation any interest in real property, including a fee simple title  
3 thereto, which it may deem necessary for or in connection with an  
4 urban renewal project under this Act. A municipality may exercise  
5 the power of eminent domain in the manner provided in chapter four  
6 hundred seventy-two (472) of the Code, and acts amendatory thereof  
7 or supplementary thereto, or it may exercise the power of eminent  
8 domain in the manner now or which may be hereafter provided by  
9 any other statutory provisions for the exercise of the power of emi-  
10 nent domain. Property already devoted to a public use may be ac-  
11 quired in like manner: Provided, that no real property belonging to  
12 the state, or any political subdivision thereof, may be acquired with-  
13 out its consent, provided further that no real property or any right  
14 or interest therein owned by any public utility company, pipe line  
15 company, railway or transportation company vested with the right  
16 of eminent domain under the laws of this state, shall be acquired  
17 without the consent of such company, or without first securing, after  
18 due notice to such company and after hearing, a certificate authoriz-  
19 ing condemnation of such property from the board, commission or  
20 body having the authority to grant a certificate authorizing condem-  
21 nation.

1 SEC. 8. 1. A municipality may sell, lease or otherwise transfer  
2 real property or any interest therein acquired by it, and may enter

3 into contracts for such purposes, in an urban renewal area for resi-  
4 dential, recreational, commercial, industrial or other uses, or for  
5 public use, subject to such covenants, conditions and restrictions,  
6 including covenants running with the land, as it may deem to be  
7 necessary or desirable to assist in preventing the development or  
8 spread of future slums or blighted areas, or to otherwise carry out  
9 the purposes of this Act: Provided, that such sale, lease, other trans-  
10 fer, or retention, and any agreement relating thereto, may be made  
11 only after the approval of the urban renewal plan by the local gov-  
12 erning body. The purchasers or lessees and their successors and  
13 assigns shall be obligated to devote such real property only to the  
14 uses specified in the urban renewal plan, and they may be obligated  
15 to comply with such other requirements as the municipality may  
16 determine to be in the public interest, including the obligation to  
17 begin within a reasonable time any improvements on such real prop-  
18 erty required by the urban renewal plan. Such real property or in-  
19 terest shall be sold, leased, otherwise transferred, or retained at not  
20 less than its fair value for uses in accordance with the urban renewal  
21 plan. In determining the fair value of real property for uses in  
22 accordance with the urban renewal plan, a municipality shall take  
23 into account and give consideration to: The uses provided in such  
24 plan; the restrictions upon, and the covenants, conditions and obli-  
25 gations assumed by the purchaser or lessee or by the municipality  
26 retaining the property; and the objectives of such plan for the pre-  
27 vention of the recurrence of slum or blighted areas. The municipality  
28 in any instrument of conveyance to a private purchaser or lessee may  
29 provide that such purchaser or lessee shall be without power to sell,  
30 lease or otherwise transfer the real property, without the prior writ-  
31 ten consent of the municipality, until he has completed the construc-  
32 tion of any or all improvements which he has obligated himself to  
33 construct thereon. Real property acquired by a municipality which,  
34 in accordance with the provisions of the urban renewal plan, is to be  
35 transferred, shall be transferred as rapidly as feasible in the public  
36 interest, consistent with the carrying out of the provisions of the  
37 urban renewal plan. Any contract for such transfer under the urban  
38 renewal plan, or such part or parts of such contract or plan as the  
39 municipality may determine, may be recorded in the land records of  
40 the county in such manner as to afford actual or constructive notice  
41 thereof.

42 2. A municipality may dispose of real property in an urban re-  
43 newal area to private persons only under such reasonable competitive  
44 bidding procedures as it shall prescribe, or as hereinafter provided  
45 in this subsection. A municipality, by public notice by publication in  
46 a newspaper having a general circulation in the community, thirty  
47 days prior to the execution of any contract to sell, lease or otherwise  
48 transfer real property, and prior to the delivery of any instrument of  
49 conveyance with respect thereto under the provisions of this section,  
50 may invite proposals from and make available all pertinent informa-  
51 tion to any persons interested in undertaking to redevelop or rehabili-  
52 tate an urban renewal area, or any part thereof. Such notice shall  
53 identify the area, or portion thereof, and shall state that proposals  
54 shall be made by those interested within thirty (30) days after the

55 date of publication of said notice, and that such further information  
56 as is available may be obtained at such office as shall be designated in  
57 said notice. The municipality shall consider all such redevelopment  
58 or rehabilitation proposals, and the financial and legal ability of the  
59 persons making such proposals to carry them out, and the municipa-  
60 lity may negotiate with any persons for proposals concerning the  
61 purchase, lease or other transfer of any real property acquired by  
62 the municipality in the urban renewal area. The municipality may  
63 accept such proposal as it deems to be in the public interest and in  
64 furtherance of the purposes of this Act: Provided, that a notifica-  
65 tion of intention to accept such proposal shall be filed with the gov-  
66 erning body not less than thirty (30) days prior to any such accep-  
67 tance. Thereafter, the municipality may execute such contract in  
68 accordance with the provisions of subsection one (1) of this Act and  
69 may deliver deeds, leases and other instruments and may take all  
70 steps necessary to effectuate such contract.

71 3. A municipality may temporarily operate and maintain real  
72 property acquired in an urban renewal area pending the disposition  
73 of the property as authorized in this Act, without regard to the provi-  
74 sions of subsection one (1) above, for such uses and purposes as may  
75 be deemed desirable, even though not in conformity with the urban  
76 renewal plan.

1 SEC. 9. 1. A municipality shall have power to issue bonds from  
2 time to time in its discretion to finance the undertaking of any urban  
3 renewal project under this Act, including, without limiting the gen-  
4 erality thereof, the payment of principal and interest upon any ad-  
5 vances for surveys and planning; and the municipality shall also  
6 have power to issue refunding bonds for the payment or retirement  
7 of such bonds previously issued by it. Such bonds shall be made pay-  
8 able, as to both principal and interest, solely from the income, pro-  
9 ceeds, revenues, and funds of the municipality derived from or held  
10 in connection with its undertaking and carrying out of urban renewal  
11 projects under this Act: Provided, however, that payment of such  
12 bonds, both as to principal and interest, may be further secured by  
13 a pledge of any loan, grant, or contribution from the federal govern-  
14 ment or other source, in aid of any urban renewal projects of the  
15 municipality under this Act, and by a mortgage of any such urban  
16 renewal projects, or any part thereof, title to which is in the munic-  
17 ipality.

18 2. Bonds issued under this section shall not constitute an indebt-  
19 edness within the meaning of any constitutional or statutory debt  
20 limitation or restriction, and shall not be subject to the provisions of  
21 any other law or charter relating to the authorization, issuance or  
22 sale of bonds. Bonds issued under the provisions of this Act are  
23 declared to be issued for an essential public and governmental pur-  
24 pose and, together with interest thereon and income therefrom, shall  
25 be exempted from all taxes.

26 3. Bonds issued under this section shall be authorized by resolu-  
27 tion or ordinance of the local governing body and may be issued in  
28 one or more series and shall bear such date or dates, be payable upon  
29 demand or mature at such time or times, bear interest at such rate  
30 or rates not exceeding six per centum (6%) per annum, be in such

31 denomination or denominations, be in such form either coupon or  
32 registered, carry such conversion or registration privileges, have  
33 such rank or priority, be executed in such manner, be payable in  
34 such medium of payment, at such place or places, and be subject to  
35 such terms of redemption, with or without premium, be secured in  
36 such manner, and have such other characteristics, as may be pro-  
37 vided by such resolution or trust indenture or mortgage issued pur-  
38 suant thereto.

39 4. Such bonds may be sold at not less than par at public sales held  
40 after notice published prior to such sale in a newspaper having a  
41 general circulation in the area of operation and in such other medium  
42 of publication as the municipality may determine, or may be ex-  
43 changed for other bonds on the basis of par: Provided, that such  
44 bonds may be sold to the federal government at private sale at not  
45 less than par, and, in the event less than all of the authorized prin-  
46 cipal amount of such bonds is sold to the federal government, the  
47 balance may be sold at private sale at not less than par at an interest  
48 cost to the municipality of not to exceed the interest cost to the  
49 municipality of the portion of the bonds sold to the federal govern-  
50 ment.

51 5. In case any of the public officials of the municipality whose  
52 signatures appear on any bonds or coupons issued under this Act  
53 shall cease to be such officials before the delivery of such bonds, such  
54 signatures shall, nevertheless, be valid and sufficient for all purposes,  
55 the same as if such officials had remained in office until such delivery.  
56 Any provision of any law to the contrary notwithstanding, any bonds  
57 issued pursuant to this Act shall be fully negotiable.

58 6. In any suit, action or proceeding involving the validity or en-  
59 forceability of any bond issued under this Act or the security there-  
60 for, any such bond reciting in substance that it has been issued by  
61 the municipality in connection with an urban renewal project, as  
62 herein defined, shall be conclusively deemed to have been issued for  
63 such purpose and such project shall be conclusively deemed to have  
64 been planned, located and carried out in accordance with the provi-  
65 sions of this Act.

1 SEC. 10. All banks, trust companies, bankers, savings banks and  
2 institutions, building and loan associations, savings and loan associ-  
3 ations, investment companies and other persons carrying on a bank-  
4 ing or investment business; all insurance companies, insurance asso-  
5 ciations, and other persons carrying on an insurance business; and  
6 all executors, administrators, curators, trustees, and other fiduciaries,  
7 may legally invest any sinking funds, moneys, or other funds belong-  
8 ing to them or within their control in any bonds or other obligations  
9 issued by a municipality pursuant to this Act, or those issued by any  
10 urban renewal agency vested with urban renewal project powers  
11 under section fourteen (14) of this Act: Provided, that such bonds  
12 and other obligations shall be secured by an agreement between the  
13 issuer and the federal government, in which the issuer agrees to  
14 borrow from the federal government and the federal government  
15 agrees to lend to the issuer, prior to the maturity of such bonds or  
16 other obligations, moneys in an amount which, together with any  
17 other moneys irrevocably committed to the payment of interest on

18 such bonds or other obligations, will suffice to pay the principal of  
 19 such bonds or other obligations with interest to maturity thereon,  
 20 which moneys under the terms of said agreement are required to be  
 21 used for the purpose of paying the principal of and the interest on  
 22 such bonds or other obligations at their maturity. Such bonds and  
 23 other obligations shall be authorized security for all public deposits.  
 24 It is the purpose of this section to authorize any persons, political  
 25 subdivisions and officers, public or private, to use any funds owned  
 26 or controlled by them for the purchase of any such bonds or other  
 27 obligations. Nothing contained in this section with regard to legal  
 28 investments shall be construed as relieving any person of any duty  
 29 of exercising reasonable care in selecting securities.

1 SEC. 11. 1. All property of a municipality, including funds,  
 2 owned or held by it for the purposes of this Act shall be exempt from  
 3 levy and sale by virtue of an execution; and no execution or other  
 4 judicial process shall issue against the same; nor shall judgment  
 5 against a municipality be a charge or lien upon such property: Pro-  
 6 vided, however, that the provisions of this section shall not apply to  
 7 or limit the right of obligees to pursue any remedies for the enforce-  
 8 ment of any pledge or lien given pursuant to this Act by a munici-  
 9 pality on its rents, fees, grants or revenues from urban renewal  
 10 projects.

11 2. The property of a municipality, acquired or held for the pur-  
 12 poses of this Act, is declared to be public property used for essential  
 13 public and governmental purposes, and such property shall be exempt  
 14 from all taxes of the municipality, the county, the state, or any po-  
 15 litical subdivision thereof: Provided, that such tax exemption shall  
 16 terminate when the municipality sells, leases or otherwise disposes  
 17 of such property in an urban renewal area to a purchaser or lessee  
 18 which is not a public body entitled to tax exemption with respect to  
 19 such property.

1 SEC. 12. 1. For the purpose of aiding in the planning, undertak-  
 2 ing or carrying out of an urban renewal project located within the  
 3 area in which it is authorized to act, any public body may, upon such  
 4 terms, with or without consideration, as it may determine:

5 *a.* Dedicate, sell, convey or lease any of its interest in any property,  
 6 or grant easements, licenses or other rights or privileges therein to  
 7 a municipality;

8 *b.* Incur the entire expense of any public improvements made by  
 9 such public body in exercising the powers granted in this section;

10 *c.* Do any and all things necessary to aid or cooperate in the plan-  
 11 ning or carrying out of an urban renewal project;

12 *d.* Lend, grant or contribute funds to a municipality;

13 *e.* Enter into agreements, which may extend over any period, not-  
 14 withstanding any provision or rule of law to the contrary, with a  
 15 municipality or other public body respecting action to be taken pur-  
 16 suant to any of the powers granted by this Act, including the fur-  
 17 nishing of funds or other assistance in connection with an urban  
 18 renewal project;

19 *f.* Cause public buildings and public facilities, including parks,  
 20 playgrounds, and recreational, community, educational, water, sewer

21 or drainage facilities, or any other works which it is otherwise em-  
22 powered to undertake to be furnished;

23 *g.* Furnish, dedicate, close, vacate, pave, install, grade, regrade,  
24 plan or replan streets, roads, sidewalks, ways or other places;

25 *h.* Plan or replan, zone or rezone any part of the public body or  
26 make exceptions from building regulations;

27 *i.* Cause administrative and other services to be furnished to the  
28 municipality.

29 2. If at any time title to or possession of any urban renewal proj-  
30 ect is held by any public body or governmental agency, including any  
31 agency or instrumentality of the United States of America, other  
32 than the municipality, which is authorized by law to engage in the  
33 undertaking, carrying out, or administration of urban renewal proj-  
34 ects, the provisions of the agreements referred to in this section shall  
35 inure to the benefit of and may be enforced by such public body or  
36 governmental agency. As used in this subsection, the term "municipi-  
37 pality" shall also include an urban renewal agency vested with all  
38 of the urban renewal project powers pursuant to the provisions of  
39 section fourteen (14) of this Act.

40 3. Any sale, conveyance, lease or agreement provided for in this  
41 section may be made by a public body without appraisal, public  
42 notice, advertisement or public bidding.

43 4. For the purpose of aiding in the planning, undertaking or carry-  
44 ing out of an urban renewal project of an urban renewal agency, a  
45 municipality may, in addition to its other powers and upon such  
46 terms, with or without consideration, as it may determine, do and  
47 perform any or all of the actions or things which, by the provisions  
48 of subsection one (1) of this section, a public body is authorized to  
49 do or perform, including the furnishing of financial and other as-  
50 sistance.

51 5. For the purposes of this section, or for the purpose of aiding in  
52 the planning, undertaking or carrying out of an urban renewal proj-  
53 ect of a municipality, such municipality may, in addition to any  
54 authority to issue bonds pursuant to section nine (9) of this Act,  
55 issue and sell its general obligation bonds. Any bonds issued by a  
56 municipality pursuant to this section shall be issued in the manner  
57 and within the limitations prescribed by the laws of this state for  
58 the issuance and authorization of bonds by such municipality for  
59 public purposes generally.

1 SEC. 13. Any instrument executed by a municipality and purport-  
2 ing to convey any right, title or interest in any property under this  
3 Act shall be conclusively presumed to have been executed in compli-  
4 ance with the provisions of this Act insofar as title or other interest  
5 of any bona fide purchasers, lessees or transferees of such property  
6 is concerned.

1 SEC. 14. 1. A municipality may itself exercise its urban renewal  
2 project powers, as herein defined, or may, if the local governing body  
3 by resolution determines such action to be in the public interest, elect  
4 to have such powers exercised by the urban renewal agency, if one  
5 exists or is subsequently established in the community. In the event  
6 the local governing body makes such determination, the urban re-  
7 newal agency shall be vested with all of the urban renewal project

8 powers in the same manner as though all such powers were con-  
9 ferred on such agency instead of the municipality. If the local gov-  
10 erning body does not elect to make such determination, the munici-  
11 pality in its discretion may exercise its urban renewal project powers  
12 through a board or commissioner, or through such officers of the  
13 municipality as the local governing body may by resolution deter-  
14 mine.

15 2. As used in this section, the term "urban renewal project pow-  
16 ers" shall include the rights, powers, functions and duties of a mu-  
17 nicipality under this Act, including the following:

18 a. The power to determine an area to be a slum or blighted area  
19 or combination thereof and to designate such area as appropriate  
20 for an urban renewal project and to hold any public hearings re-  
21 quired with respect thereto;

22 b. The power to approve urban renewal plans and modifications  
23 thereof;

24 c. The power to establish a general plan for the locality as a whole;

25 d. The power to formulate a workable program under section three  
26 (3) of this Act;

27 e. The power to make the determinations and findings provided  
28 for in section four (4), and section five (5), subsection four (4), of  
29 this Act;

30 f. The power to issue general obligation bonds;

31 g. The power to appropriate funds, to levy taxes and assessments,  
32 and to exercise other powers provided for in section six (6), subsec-  
33 tion eight (8), of this Act.

1 SEC. 15. 1. There is hereby created in each municipality a public  
2 body corporate and politic to be known as the "urban renewal agency"  
3 of the municipality: Provided, that such agency shall not transact  
4 any business or exercise its powers hereunder until or unless the  
5 local governing body has made the finding prescribed in section four  
6 (4) of this Act, and has elected to have the urban renewal project  
7 powers exercised by an urban renewal agency as provided in section  
8 fourteen (14) of this Act.

9 2. If the urban renewal agency is authorized to transact business  
10 and exercise powers hereunder, the mayor, by and with the advice  
11 and consent of the local governing body, shall appoint a board of  
12 commissioners of the urban renewal agency, which board shall consist  
13 of five commissioners. The term of office of each such commissioner  
14 shall be one year.

15 3. A commissioner shall receive no compensation for his services,  
16 but he shall be entitled to the necessary expenses, including traveling  
17 expenses, incurred in the discharge of his duties. Each commissioner  
18 shall hold office until his successor has been appointed and has quali-  
19 fied. A certificate of the appointment or reappointment of any com-  
20 missioner shall be filed with the clerk of the municipality, and such  
21 certificate shall be conclusive evidence of the due and proper appoint-  
22 ment of such commissioner.

23 4. The powers of an urban renewal agency shall be exercised by  
24 the commissioners thereof. A majority of the commissioners shall  
25 constitute a quorum for the purpose of conducting business and exer-  
26 cising the powers of the agency, and for all other purposes. Action

27 may be taken by the agency upon a vote of a majority of the com-  
28 missioners present, unless in any case the by-laws shall require a  
29 larger number. Any persons may be appointed as commissioners if  
30 they reside within the area of operation of the agency, which area  
31 shall be co-terminous with the area of operation of the municipality,  
32 and if they are otherwise eligible for such appointments under this  
33 Act.

34 5. The mayor shall designate a chairman and vice-chairman from  
35 among the commissioners. An agency may employ an executive di-  
36 rector, technical experts and such other agents and employees, per-  
37 manent and temporary, as it may require, and the agency may deter-  
38 mine their qualifications, duties and compensation. For such legal  
39 service as it may require, an agency may employ or retain its own  
40 counsel and legal staff. An agency authorized to transact business  
41 and exercise powers under this Act shall file, with the local governing  
42 body, on or before March 31 of each year, a report of its activities  
43 for the preceding calendar year, which report shall include a com-  
44 plete financial statement setting forth its assets, liabilities, income  
45 and operating expense as of the end of such calendar year. At the  
46 time of filing the report, the agency shall publish in a newspaper of  
47 general circulation in the community a notice to the effect that such  
48 report has been filed with the municipality, and that the report is  
49 available for inspection during business hours in the office of the city  
50 clerk and in the office of the agency.

51 6. For inefficiency, or neglect of duty, or misconduct in office, a  
52 commissioner may be removed only after a hearing, and after he  
53 shall have been given a copy of the charges at least ten (10) days  
54 prior to such hearing, and after he shall have had an opportunity to  
55 be heard in person or by counsel.

1 SEC. 16. No public official or employee of a municipality, or board  
2 or commission thereof, and no commissioner or employee of an urban  
3 renewal agency, which has been vested by a municipality with urban  
4 renewal project powers under section fourteen (14), shall voluntarily  
5 acquire any personal interest, direct or indirect, in any urban re-  
6 newal project, or in any property included or planned to be included  
7 in any urban renewal project of such municipality, or in any contract  
8 or proposed contract in connection with such urban renewal project.  
9 Where such acquisition is not voluntary, the interest acquired shall  
10 be immediately disclosed in writing to the local governing body, and  
11 such disclosure shall be entered upon the minutes of the governing  
12 body. If any such official, commissioner or employee presently owns  
13 or controls, or has owned or controlled within the preceding two (2)  
14 years, any interest, direct or indirect, in any property which he  
15 knows is included or planned to be included in an urban renewal  
16 project, he shall immediately disclose this fact in writing to the local  
17 governing body, and such disclosure shall be entered upon the minutes  
18 of the governing body; and any such official, commissioner or em-  
19 ployee shall not participate in any action by the municipality, or  
20 board or commission thereof, or urban renewal agency affecting such  
21 property. Any disclosure required to be made by this section to the  
22 local governing body shall concurrently be made to an urban renewal  
23 agency which has been vested with urban renewal project powers by

24 the municipality pursuant to the provisions of section fourteen (14)  
25 of this Act. No commissioner or other officer of any urban renewal  
26 agency, board or commission exercising powers pursuant to this Act  
27 shall hold any other public office under the municipality, other than  
28 his commissionership or office with respect to such urban renewal  
29 agency, board or commission. Any violation of the provisions of this  
30 section shall constitute misconduct in office.

1 SEC. 17. The following terms wherever used or referred to in this  
2 Act, shall have the following meanings, unless a different meaning is  
3 clearly indicated by the context:

4 1. "Agency" or "urban renewal agency" shall mean a public agency  
5 created by section fifteen (15) of this Act.

6 2. "Municipality" shall mean any city or town in the state.

7 3. "Public body" shall mean the state or any political subdivision  
8 thereof.

9 4. "Local governing body" shall mean the council or other legis-  
10 lative body charged with governing the municipality.

11 5. "Mayor" shall mean the mayor of a municipality, or other officer  
12 or body having the duties customarily imposed upon the executive  
13 head of a municipality.

14 6. "Clerk" shall mean the clerk or other official of the municipality  
15 who is the custodian of the official records of such municipality.

16 7. "Federal government" shall include the United States of Amer-  
17 ica or any agency or instrumentality, corporate or otherwise, of the  
18 United States of America.

19 8. "Slum area" shall mean an area in which there is a predomi-  
20 nance of buildings or improvements, whether residential or nonresi-  
21 dential, which: by reason of dilapidation, deterioration, age or obso-  
22 lescence; by reason of inadequate provision for ventilation, light, air,  
23 sanitation, or open spaces; by reason of high density of population  
24 and overcrowding; by reason of the existence of conditions which en-  
25 danger life or property by fire and other causes; or which by any  
26 combination of such factors, is conducive to ill health, transmission  
27 of disease, infant mortality, juvenile delinquency, or crime, and which  
28 is detrimental to the public health, safety, morals or welfare.

29 9. "Blighted area" shall mean an area which by reason of the pres-  
30 ence of a substantial number of slum, deteriorated or deteriorating  
31 structures, predominance of defective or inadequate street layout,  
32 faulty lot layout in relation to size, adequacy, accessibility or useful-  
33 ness, insanitary or unsafe conditions, deterioration of site or other  
34 improvements, diversity of ownership, tax or special assessment  
35 delinquency exceeding the fair value of the land, defective or unusual  
36 conditions of title, or the existence of conditions which endanger life  
37 or property by fire and other causes, or any combination of such fac-  
38 tors, substantially impairs or arrests the sound growth of a munici-  
39 pality, retards the provision of housing accommodations or consti-  
40 tutes an economic or social liability and is a menace to the public  
41 health, safety, morals, or welfare in its present condition and use:  
42 Provided, that if such blighted area consists of open land, the condi-  
43 tions contained in the proviso in section five (5), subsection four (4),  
44 shall apply: And provided further, that any disaster area referred  
45 to in section five (5), subsection seven (7), shall constitute a  
46 "blighted area".

47 10. "Urban renewal project" may include undertakings and ac-  
48 tivities of a municipality in an urban renewal area for the elimina-  
49 tion and for the prevention of the development or spread of slums  
50 and blight, and may involve slum clearance and redevelopment in an  
51 urban renewal area, or rehabilitation or conservation in an urban  
52 renewal area, or any combination or part thereof in accordance with  
53 an urban renewal program. Such undertakings and activities may  
54 include:

55 a. Acquisition of a slum area or a blighted area or portion thereof;

56 b. Demolition and removal of buildings and improvements;

57 c. Installation, construction, or reconstruction of streets, utilities,  
58 parks, playgrounds, and other improvements necessary for carrying  
59 out in the urban renewal area the urban renewal objectives of this  
60 Act in accordance with the urban renewal plan;

61 d. Disposition of any property acquired in the urban renewal area,  
62 including sale, initial leasing or retention by the municipality itself,  
63 at its fair value for uses in accordance with the urban renewal plan;

64 e. Carrying out plans for a program of voluntary or compulsory  
65 repair and rehabilitation of buildings or other improvements in ac-  
66 cordance with the urban renewal plan;

67 f. Acquisition of any other real property in the urban renewal  
68 area, where necessary to eliminate unhealthful, insanitary or unsafe  
69 conditions, or to lessen density, eliminate obsolete or other uses detri-  
70 mental to the public welfare, or otherwise to remove or prevent the  
71 spread of blight or deterioration, or to provide land for needed public  
72 facilities;

73 g. Sale and conveyance of real property in furtherance of an urban  
74 renewal project.

75 11. "Urban renewal area" means a slum area or a blighted area,  
76 or a combination thereof, which the local governing body designates  
77 as appropriate for an urban renewal project.

78 12. "Urban renewal plan" means a plan, as it exists from time to  
79 time, for an urban renewal project. The plan shall:

80 a. Conform to the general plan for the municipality as a whole  
81 except as provided in section five (5), subsection seven (7);

82 b. Be sufficiently complete to indicate such land acquisition, demo-  
83 lition and removal of structures, redevelopment, improvements, and  
84 rehabilitation as may be proposed to be carried out in the urban re-  
85 newal area, and to indicate zoning and planning changes, if any, land  
86 uses, maximum densities, building requirements, and the plans rela-  
87 tionship to definite local objectives respecting appropriate land uses,  
88 improved traffic, public transportation, public utilities, recreational  
89 and community facilities, and other public improvements.

90 13. "Real property" shall include all lands, including improve-  
91 ments and fixtures thereon, and property of any nature appurtenant  
92 thereto, or used in connection therewith, and every estate, interest,  
93 right and use, legal or equitable, therein, including terms for years  
94 and liens by way of judgment, mortgage or otherwise.

95 14. "Bonds" shall mean any bonds, including refunding bonds,  
96 notes, interim certificates, certificates of indebtedness, debentures or  
97 other obligations.

98 15. "Obligee" shall include any bondholder, agents or trustees for  
99 any bondholders, or any lessor demising to the municipality prop-

100 erty used in connection with an urban renewal project, or any as-  
 101 signee or assignees of such lessor's interest or any part thereof, and  
 102 the federal government, when it is a party to any contract with the  
 103 municipality.

104 16. "Person" shall mean any individual, firm, partnership, corpora-  
 105 tion, company, association, joint stock association; and shall include  
 106 any trustee, receiver, assignee, or other person acting in a similar  
 107 representative capacity for an individual or such entities.

108 17. "Area of operation" shall mean the area within the corporate  
 109 limits of the municipality and the area within five miles of such limits,  
 110 except that it shall not include any area which lies within the terri-  
 111 torial boundaries of another incorporated city or town, unless a reso-  
 112 lution shall have been adopted by the governing body of such other  
 113 city or town declaring a need therefor.

114 18. "Board" or "commission" shall mean a board, commission, de-  
 115 partment, division, office, body or other unit of the municipality.

116 19. "Public officer" shall mean any officer who is in charge of any  
 117 department or branch of the government of the municipality relating  
 118 to health, fire, building regulations, or to other activities concerning  
 119 dwellings in the municipality.

1 SEC. 18. Notwithstanding any other evidence of legislative in-  
 2 tent, it is hereby declared to be the controlling legislative intent that  
 3 if any provision of this Act, or the application thereof to any person  
 4 or circumstances, is held invalid, the remainder of the Act and the  
 5 application of such provision to persons or circumstances other than  
 6 those as to which it is held invalid, shall not be affected thereby.

1 SEC. 19. Insofar as the provisions of this Act may be inconsistent  
 2 with the provisions of any other law, the provisions of this Act shall  
 3 be controlling. The powers conferred by this Act shall be in addition  
 4 and supplemental to the powers conferred by any other law.

1 SEC. 20. Nothing in this Act shall be construed to permit any  
 2 municipalities to construct, own, lease, or operate any housing, or  
 3 residential buildings of any type, except as provided in subsection  
 4 three (3) of Section eight (8) of this Act.

Approved April 2, 1957.

## CHAPTER 198

### ENCUMBRANCES ON PLATTED AREAS

S. F. 356

AN ACT to amend section four hundred nine point nine (409.9), Code 1954, relating to encumbrances on platted areas.

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

1 SECTION 1. Section four hundred nine point nine (409.9), Code  
 2 1954, is amended by adding at the end thereof the following:

3 "Utility easements shall not be construed to be encumbrances here-  
 4 under and the location thereof with reference to the land platted may

5 be shown by drawing on the plat described under section four hun-  
 6 dred nine point one (409.1) of the Code. Grantees of said utility ease-  
 7 ments shall not be construed to be original proprietors of the land to  
 8 be platted and shall not join in platting or dedicating the platted land."

Approved April 17, 1957.

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## CHAPTER 199

### FIREMEN AND POLICE PENSIONS

S. F. 359

AN ACT to reduce the minimum population requirement of cities in which a one-half (½) mill tax levy is permitted for police and fireman pensions.

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

1 SECTION 1. Section four hundred ten point one (410.1), Code 1954,  
 2 is hereby amended by striking in line nine (9) the words, "seventeen  
 3 thousand" and inserting in lieu thereof the words, "six thousand five  
 4 hundred (6500)".

Approved May 2, 1957.

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## CHAPTER 200

### POLICE AND FIREMEN PENSIONS

H. F. 122

AN ACT relating to disabled and retired firemen's and policemen's pensions payable to a surviving spouse.

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

1 SECTION 1. Section four hundred ten point ten (410.10), Code  
 2 1954, is amended by adding a paragraph thereto as follows:  
 3 "This section and its provisions shall be interpreted for all pur-  
 4 poses as including all surviving spouses whether such spouse existed  
 5 at the time of the amendments to said section by the Fifty-sixth Gen-  
 6 eral Assembly or became such surviving spouse thereafter."

Approved March 22, 1957.

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## CHAPTER 201

### POLICE AND FIREMEN PENSIONS

H. F. 121

AN ACT to amend section four hundred ten point ten (410.10) and section four hundred eleven point six (411.6), Code 1954, relating to disabled and retired firemen's and policemen's pensions.

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

1 SECTION 1. Section four hundred ten point ten (410.10), Code  
 2 1954, subsection one (1), is amended by striking the words "fifty dol-

3 lars per month" in line three (3) thereof and inserting in lieu thereof  
 4 the words "a sum equal to one-fourth of the deceased members final  
 5 active duty compensation, but in no event less than seventy-five dollars  
 6 (\$75.00) per month".

1 SEC. 2. Section four hundred ten point ten (410.10), Code 1954,  
 2 subsection three (3), is amended by striking the word "ten" in line  
 3 two (2) thereof and inserting in lieu thereof the word "twenty".  
 4 Said subsection is further amended by striking the words "The ag-  
 5 gregate of all such payments shall not exceed one-half of the amount  
 6 of the salary of such member at the time of his death or retirement."  
 7 in lines four (4), five (5), six (6), and seven (7) thereof.

1 SEC. 3. Amend section four hundred eleven point six (411.6),  
 2 Code 1954, subsection thirteen (13), by striking the word "ten" in  
 3 line five (5) of subparagraph "a"\* and inserting in lieu thereof the  
 4 word "twenty (20)".

Approved March 21, 1957.

\*"Paragraph" probably intended.

## CHAPTER 202

### FIREMEN AND POLICE PENSIONS

S. F. 447

AN ACT relating to disabled and retired firemen's and policemen's pensions.

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

1 SECTION 1. Section four hundred ten point ten (410.10), Code  
 2 1954, is amended by striking from subsection three (3), line nine (9)  
 3 the word, "widow" and inserting in lieu thereof the word "spouse".

Approved May 2, 1957.

## CHAPTER 203

### HOURS OF DUTY FOR FIREMEN

S. F. 34

AN ACT to amend section four hundred ten point nineteen (410.19), Code 1954, relat-  
 ing to limitation of hours of duty of members of fire department.

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

1 SECTION 1. Section four hundred ten point nineteen (410.19),  
 2 Code 1954, is hereby amended by striking from line three (3) the  
 3 words "first class" and inserting in lieu thereof the following: "ten  
 4 thousand population or more, or under civil service."

1 SEC. 2. Section four hundred ten point nineteen (410.19), Code  
 2 1954, is further amended by striking from lines six (6) and seven (7)

3 thereof the words "twelve (12) hours per day" and adding in lieu  
4 thereof the following: "sixty-eight (68) hours per week".

1 SEC. 3. Section four hundred ten point nineteen (410.19), Code  
2 1954, is further amended by adding after the period in line thirteen  
3 (13) the following new sentence: "Firemen called back to duty under  
4 this provision shall be duly compensated in accordance with their reg-  
5 ular hourly wage."

Approved February 11, 1957.

## CHAPTER 204

### POLICE AND FIREMEN RETIREMENT SYSTEMS

#### H. F. 123

AN ACT to amend section four hundred eleven point six (411.6), Code 1954, relating to retirement benefits, accidental death benefits, and ordinary death benefits, as provided in retirement systems for policemen and firemen.

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

1 SECTION 1. Section four hundred eleven point six (411.6), Code  
2 1954, subsection six (6), is amended by striking the words "a service  
3 retirement allowance if he has attained the age of sixty, otherwise he  
4 shall receive" in lines three (3), four (4) and five (5) thereof.

1 SEC. 2. Section four hundred eleven point six (411.6), Code 1954,  
2 subsection eight (8), paragraph *b*, is amended by striking the word  
3 "fifty" in line fourteen (14) thereof and inserting in lieu thereof the  
4 word "seventy-five".

1 SEC. 3. Section two (2) of chapter two hundred four (204), Acts  
2 of the Fifty-sixth (56th) General Assembly, is hereby amended by  
3 striking the words and figure "ten dollars (\$10.00)" in line six (6)  
4 thereof and inserting in lieu thereof the words and figure "twenty  
5 dollars (\$20.00)".

1 SEC. 4. Section four hundred eleven point six (411.6), Code 1954,  
2 is amended by adding to subsection nine (9) paragraph *b*, the follow-  
3 ing: "In addition to the benefits for the spouse herein enumerated,  
4 there shall also be paid for each dependent child of a member under  
5 the age of eighteen (18) years the sum of twenty dollars (\$20.00)  
6 per month."

1 SEC. 5. Section four hundred eleven point six (411.6), Code 1954,  
2 subsection thirteen (13), is amended by striking the word fifty (50)  
3 in line four (4) of subparagraph\* *a* and inserting in lieu thereof the  
4 word "seventy-five (75)".

5 Further amend said subsection thirteen (13) by striking the word  
6 "ten (10)" from line five (5) of subparagraph\* *b* and inserting in  
7 lieu thereof the word "twenty (20)".

Approved March 21, 1957.

\*"Paragraph" probably intended.

## CHAPTER 205

## POLICEMEN AND FIREMEN

H. F. 299

AN ACT to amend subsection seven (7), paragraph *b*, section four hundred eleven point six (411.6), Code 1954, relating to disability retirement of policemen and firemen.

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

1 SECTION 1. Subsection seven (7), paragraph *b*, section four hun-  
2 dred eleven point six (411.6), Code 1954, is hereby amended by strik-  
3 ing the period at the end thereof and inserting in lieu thereof the  
4 following: "and also with the period of disability retirement, pro-  
5 vided that during such period of disability he has not engaged in a  
6 gainful occupation from which his net earnings exceeded the differ-  
7 ence between his disability retirement allowance and the amount he  
8 would have received for said period if his compensation at the time of  
9 disability had continued."

Approved April 19, 1957.

## CHAPTER 206

## FIREMEN AND POLICE IN ARMED FORCES

S. F. 345

AN ACT relating to the retirement credit for policemen and firemen who are absent while serving in the armed services.

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

1 SECTION 1. Section four hundred eleven point nine (411.9), Code  
2 1954, is hereby repealed and the following enacted in lieu thereof:  
3 "Any member who is absent while serving in the armed services of  
4 the United States or its allies and is discharged or separated there-  
5 from under honorable conditions shall have any such period or periods  
6 of absence while serving in such armed services on other than a volun-  
7 tary basis and one (1) such period of absence, not in excess of four  
8 (4) years, while serving in such armed forces on a voluntary basis  
9 included as part of his period of service in the department. Such mem-  
10 ber shall not be required to continue the contributions required of him  
11 under section four hundred eleven point eight (411.8) during such  
12 period of military service, provided that he shall, within six (6)  
13 months after he has been discharged or separated under honorable  
14 conditions from such military service, return and resume his duties  
15 in the department, and provided further, that such member shall be  
16 declared physically capable of resuming such duties upon examination  
17 by the military\* board.

1 SEC. 2. Section four hundred eleven point ten (411.10) is hereby  
2 amended by striking in lines nine (9), ten (10), eleven (11) and  
3 twelve (12) the words, "under section (411.9) for a period during  
4 which such member is serving in the armed forces and not later than  
5 six months after his honorable discharge." and inserting in lieu

\*See chapter 207.

6 thereof the words, “, but which under the provisions of section four  
7 hundred eleven point nine (411.9) are waived during periods of mili-  
8 tary service as defined by section four hundred eleven point nine  
9 (411.9) and six (6) months thereafter following discharge or separa-  
10 tion under honorable conditions.”

Approved May 7, 1957.

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## CHAPTER 207

### FIREMEN AND POLICE IN ARMED FORCES

S. F. 497

AN ACT relating to the retirement credit for policemen and firemen who are absent while serving in the armed forces, and to amend Senate File three hundred forty-five (345), Acts of the Fifty-seventh General Assembly.

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

1 SECTION 1. Senate File three hundred forty-five (345),\* Acts of  
2 the Fifty-seventh General Assembly is hereby amended, by striking in  
3 line nineteen (19), section one (1) the word “military” and inserting  
4 in lieu thereof the word “medical”.

Approved May 15, 1957.

\*Chapter 206.

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## CHAPTER 208

### COMPENSATION OF MAYORS

S. F. 194

AN ACT relating to the compensation of mayors in cities under special charter.

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

1 SECTION 1. Section four hundred twenty point fifteen (420.15),  
2 Code 1954 is hereby amended by striking the words “six thousand  
3 dollars (\$6,000.00)” in line three (3) and inserting in lieu thereof the  
4 words “eight thousand five hundred dollars (\$8,500.00)”.

Approved March 25, 1957.

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## CHAPTER 209

### STATE INCOME TAXES

S. F. 7

AN ACT to amend chapter four hundred twenty-two (422), Code 1954, as amended, relating to state income taxes, to provide for the adoption of amendments to the Internal Revenue Code of 1954.

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

1 SECTION 1. Section four hundred twenty-two point four (422.4),  
2 Code 1954, as amended, is hereby amended by adding the following  
3 subsection:

4 "The term 'Internal Revenue Code of 1954' means Internal Revenue  
5 Code of 1954, as amended to and including December 31, 1956."

1 SEC. 2. Section four hundred twenty-two point thirty-two  
2 (422.32), Code 1954, is hereby amended by adding the following sub-  
3 section:

4 "The term 'Internal Revenue Code of 1954' means Internal Revenue  
5 Code of 1954, as amended to and including December 31, 1956."

Approved April 24, 1957.

## CHAPTER 210

### STATE INCOME TAX

#### S. F. 180

AN ACT to amend chapter two hundred eight (208), Acts of the Fifty-sixth General Assembly, and chapter four hundred twenty-two (422), Code 1954, relating to the Iowa income tax.

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

1 SECTION 1. Chapter two hundred eight (208), section one (1),  
2 Acts of the fifty-sixth general assembly, is amended by inserting the  
3 following words after the word "Code" in line eleven (11): "plus  
4 the Iowa income tax deducted in computing said taxable income and  
5 minus federal income taxes as provided in section four hundred  
6 twenty-two point nine (422.9)".

1 SEC. 2. Chapter two hundred eight (208), section nineteen (19),  
2 Acts of the fifty-sixth general assembly, is amended by striking the  
3 period in line twenty-five (25) and inserting in lieu thereof the fol-  
4 lowing: "; and add the Iowa income tax deducted in computing said  
5 taxable income."

1 SEC. 3. Section four hundred twenty-two point four (422.4), sub-  
2 section ten (10), Code 1954, is hereby amended by striking the period  
3 in line two (2) and inserting in lieu thereof the following:  
4 "; and where an individual is permitted to file as a corporation,  
5 under the provisions of the Internal Revenue Code of 1954, such fic-  
6 tional status shall not be recognized for purposes of this chapter, and  
7 such individual's taxable income shall be computed as required under  
8 the provisions of the Internal Revenue Code of 1954 relating to indi-  
9 viduals not filing as a corporation, with the adjustments allowed by  
10 this chapter."

1 SEC. 4. The provisions of this Act shall be effective retroactive to  
2 January 1, 1957, upon publication in the Sioux City Journal-Tribune,  
3 a newspaper published at Sioux City, Iowa, and in the Anthon Her-  
4 ald, a newspaper published at Anthon, Iowa.

Approved April 25, 1957.

I hereby certify that the foregoing Act, Senate File 180, was published in the Sioux City Journal-Tribune, Sioux City, Iowa, April 29, 1957, and in The Anthon Herald, Anthon, Iowa, May 1, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 211

## INCOME TAX ADMINISTRATION

## S. F. 219

AN ACT to amend chapter four hundred twenty-two (422), Code 1954, as amended by the Fifty-sixth General Assembly, relating to periods of limitations and other administrative provisions of the Iowa income tax law.

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

1 SECTION 1. Section four hundred twenty-two point twenty-five  
2 (422.25), Code 1954, as amended by the fifty-sixth general assembly,  
3 is hereby amended by striking the period (.) following the word  
4 "tax" at the end of the first sentence and inserting in lieu thereof the  
5 following: "or in the case of failure to file a return. Notwithstand-  
6 ing the periods of limitation for examination and determination here-  
7 tofore specified, the commission shall have six (6) months from the  
8 date of final disposition of any controversy between the taxpayer and  
9 the Internal Revenue Service with respect to the particular tax year  
10 to make its examination and determination."

1 SEC. 2. Section four hundred twenty-two point twenty-five  
2 (422.25), Code 1954, as amended by the fifty-sixth general assembly,  
3 is hereby amended by striking all of subsection two (2).

1 SEC. 3. Section four hundred twenty-two point twenty-five  
2 (422.25), Code 1954, as amended by the fifty-sixth general assembly,  
3 is hereby amended by striking the words "subsections 1 and 2" in line  
4 three (3) of subsection three (3) and inserting in lieu thereof the  
5 words "subsection 1".

1 SEC. 4. Section four hundred twenty-two point twenty-five  
2 (422.25), Code 1954, as amended by the fifty-sixth general assembly,  
3 is hereby amended by inserting after the first word "return" in the  
4 second sentence of subsection three (3) the following: "; or to pay  
5 the tax required to be paid with the filing of the return,".

1 SEC. 5. Section four hundred twenty-two point twenty-five  
2 (422.25), Code 1954, as amended by the fifty-sixth general assembly,  
3 is hereby amended by striking the period (.) at the end of the word  
4 "thereof" in line six (6) of subsection nine (9) and inserting in lieu  
5 thereof the following: "except as otherwise provided in this section".

1 SEC. 6. Section four hundred twenty-two point twenty-five  
2 (422.25), Code 1954, as amended by the fifty-sixth general assembly,  
3 is hereby amended by adding the following new subsection:

4 "The periods of limitation provided by this section may be ex-  
5 tended by the taxpayer by signing a waiver agreement to be provided  
6 by the state tax commission. Such agreement shall stipulate the  
7 period of extension and the year or years to which such extension  
8 applies. It shall further provide that a claim for refund may be filed  
9 by the taxpayer at any time during the period of extension. In con-  
10 sideration of such agreement, interest due in excess of thirty-six (36)  
11 months on either a tax deficiency or tax refund shall be waived."

1 SEC. 7. Section four hundred twenty-two point forty-one (422.41),  
2 Code 1954, as amended by the fifty-sixth general assembly, is hereby

3 amended as follows: Strike all of said section following the heading  
 4 "Corporations" and substitute in lieu thereof the following:  
 5 "All the provisions of sections four hundred twenty-two point  
 6 twenty-eight (422.28), four hundred twenty-two point twenty-nine  
 7 (422.29), and four hundred twenty-two point thirty (422.30) of divi-  
 8 sion II in respect to revision, appeal, and jeopardy assessments shall  
 9 be applicable to corporations taxable under this division."

1 SEC. 8. This Act being deemed of immediate importance shall be  
 2 in force and effect immediately upon its passage and publication in  
 3 Correctionville News, a newspaper published at Correctionville, Iowa,  
 4 and in the Afton Star-Enterprise, a newspaper published at Afton,  
 5 Iowa, but shall not apply to tax years barred by a statute of limita-  
 6 tions at the date it becomes effective.

Approved April 25, 1957.

I hereby certify that the foregoing Act, Senate File 219, was published in Correctionville News, Correctionville, Iowa, May 2, 1957, and in the Afton Star-Enterprise, Afton, Iowa, May 2, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 212

### SALES TAX EXEMPTION TO FARMERS

H. F. 162

AN ACT to amend section four hundred twenty-two point forty-two (422.42), Code 1954, relating to the sales tax on farm chemicals and on motor vehicle fuel used in farm tractors.

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

1 SECTION 1. Section four hundred twenty-two point forty-two  
 2 (422.42) subsection three (3), Code 1954, is hereby amended by in-  
 3 serting in line eight (8) after the word "limestone" the following  
 4 words, "or materials, but not tools or equipment, which are to be used  
 5 in disease control, weed control, insect control or health promotion  
 6 of plants or livestock produced as part of agricultural production for  
 7 market,".

1 SEC. 2. Section four hundred twenty-two point forty-two (422.42)  
 2 subsection three (3), Code 1954, is further amended by striking the  
 3 period (.) at the end and inserting in lieu thereof the following words  
 4 and punctuation," or consumed in implements of husbandry engaged  
 5 in agricultural production."

This bill, having been returned by the Governor, with his objections, to the house in which it originated, and, after reconsideration, having again passed both houses by yeas and nays by a vote of two-thirds of the members of each house, has become a law this second day of May, 1957.

WILLIAM H. NICHOLAS  
*President of the Senate*

W. L. MOOTY  
*Speaker of the House*

## CHAPTER 213

## MONEYS AND CREDITS TAX

S. F. 453

AN ACT to amend chapter four hundred twenty-nine (429), Code 1954, relating to moneys and credits tax.

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

- 1 SECTION 1. Amend chapter four hundred twenty-nine (429), Code  
 2 1954, by adding thereto a new section as follows:  
 3 "All noninterest-bearing moneys and credits and accounts receiv-  
 4 able shall be tax exempt, but the five thousand dollar (\$5,000.00) ex-  
 5 emption as set out in section four hundred twenty-nine point four  
 6 (429.4), Code 1954, shall not apply in the event such noninterest-  
 7 bearing moneys and credits and accounts receivable exempted herein  
 8 shall exceed five thousand dollars (\$5,000.00) and if less than five  
 9 thousand dollars (\$5,000.00) then only so much thereof as shall  
 10 amount to five thousand dollars (\$5,000.00) when added to such non-  
 11 interest-bearing moneys and credits and accounts receivable."

Approved May 31, 1957.

## CHAPTER 214

## PROPERTY TAX EXEMPTIONS

S. F. 93

AN ACT to clarify the exemption of animals from property tax.

*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 1954, is amended by striking from line nine (9) of subsection  
 3 thirteen (13) the word, "domestic" and inserting in lieu thereof the  
 4 words, "livestock and fur-bearing".

Approved April 24, 1957.

## CHAPTER 215

## COUNTY MILLAGE LEVIES

H. F. 40

AN ACT to amend section four hundred forty-one point five (441.5), Code 1954, to set a millage levy limit for the county assessor's office, county boards of review and conference board.

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

- 1 SECTION 1. Section four hundred forty-one point five (441.5),  
 2 Code 1954, is hereby amended by inserting in line nineteen (19) fol-  
 3 lowing the comma after the word "assessor" the following:  
 4 "and such tax levy shall not exceed one and one-half (1½) mills

5 where the valuation upon which the tax is levied does not exceed  
 6 twenty-five (25) million dollars; one and one-quarter ( $1\frac{1}{4}$ ) mills in  
 7 counties where the valuation upon which the tax is levied exceeds  
 8 twenty-five (25) million dollars and does not exceed thirty (30) mil-  
 9 lion dollars; one (1) mill in counties where the valuation upon which  
 10 the tax is levied exceeds thirty (30) million dollars and does not ex-  
 11 ceed forty (40) million dollars; three-fourths ( $\frac{3}{4}$ ) mill in counties  
 12 where the valuation upon which the tax is levied exceeds forty (40)  
 13 million dollars; provided, however, that in counties containing a city  
 14 assessing district and the valuation of the taxing districts of the  
 15 county which are assessed by the county assessor exceed forty (40)  
 16 million dollars a levy of not to exceed one mill may be made."

Approved May 14, 1957.

## CHAPTER 216

### INHERITANCE TAX LIEN

H. F. 585

AN ACT to amend section four hundred fifty point seven (450.7), Code 1954, relating to the limitation of the inheritance tax lien where the decedent died on or before the fourth day of July 1941 and exceptions thereto.

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

1 SECTION 1. Section four hundred fifty point seven (450.7), Code  
 2 1954, is hereby repealed and re-enacted to read as follows:  
 3 "The tax shall be and remain a legal charge against and a lien upon  
 4 such estate, and any and all the property thereof from the death of  
 5 the decedent owner until paid subject to the limitation that inheri-  
 6 tance taxes owing with respect to any passing of property includable  
 7 in the estates of deceased persons who died on or before July 4, 1941  
 8 under any inheritance tax laws of this State shall no longer be a lien  
 9 against such property except to the extent such taxes are attributable  
 10 to remainder or deferred interests therein which did not finally vest  
 11 in possession on or before such date. The filing in the office of the clerk  
 12 of the receipt in full, or certificate of nonliability, of the state tax  
 13 commission or an order of court specifically finding that the estate is  
 14 exempt from tax shall release said lien as to all property reported in  
 15 the estate."

Approved May 14, 1957.

## CHAPTER 217

### INHERITANCE TAXES

H. F. 169

AN ACT to amend section four hundred fifty point twenty-eight (450.28), Code 1954, relating to notice of appraisal for inheritance tax purposes.

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

1 SECTION 1. Section four hundred fifty point twenty-eight (450.28),  
 2 Code 1954, is hereby amended by striking all after the comma (,) in

3 line twelve (12) thereof, and inserting in lieu thereof the following:  
 4 "or in such other manner as the court or judge in his discretion, may  
 5 prescribe upon application of any appraiser or any interested party."

Approved February 13, 1957.

## CHAPTER 218

### DRAINAGE AND LEVEE DISTRICT LANDS

#### S. F. 137

AN ACT relating to the classification of lands within a proposed drainage or levee district prior to the establishment of such district.

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

1 SECTION 1. Section four hundred fifty-five point nine (455.9), Code  
 2 1954, is hereby amended by inserting the following new subsection:

3 "In the event the petitioners request a classification before the estab-  
 4 lishment of the district, the petition shall include a request that the  
 5 district be classified as provided in sections four hundred fifty-five  
 6 point forty-five (455.45) to four hundred fifty-five point fifty-one  
 7 (455.51), inclusive, of the Code after the board has approved the  
 8 report of the engineer as a tentative plan but before the district is  
 9 finally established."

1 SEC. 2. In the event two or more landowners included in the pro-  
 2 posed district other than the petitioners request a classification prior  
 3 to the establishment of said district, they shall file in writing their  
 4 request and execute a bond as required in sections four hundred fifty-  
 5 five point ten (455.10) and four hundred fifty-five point eleven  
 6 (455.11) of the Code to cover the expense of such classification if the  
 7 district is not established. Such written request and the bond shall be  
 8 filed before the board establishes a district.

1 SEC. 3. Section four hundred fifty-five point nineteen (455.19),  
 2 Code 1954, is hereby amended by adding thereto the following:

3 "If the petition or other landowners requested a classification of the  
 4 district prior to establishment, the board shall order a classification as  
 5 provided by sections four hundred fifty-five point forty-five (455.45)  
 6 to section four hundred fifty-five point fifty-one (455.51), inclusive,  
 7 of the Code after they have approved the report of the engineer as a  
 8 tentative plan. The notice of hearing provided by section four hun-  
 9 dred fifty-five point twenty (455.20) of the Code shall also include  
 10 the requirements of the notice of hearing provided in section four hun-  
 11 dred fifty-five point fifty-two (455.52) of the Code as to this classifi-  
 12 cation, and the hearing on the petition provided in section four hun-  
 13 dred fifty-five point twenty-seven (455.27) of the Code shall also in-  
 14 clude the matters to be heard as provided in section four hundred  
 15 fifty-five point fifty-three (455.53) of the Code. If the board estab-  
 16 lishes the district as provided in section four hundred fifty-five point  
 17 twenty-eight (455.28) of the Code, the classification which is finally  
 18 approved at said hearing by the board shall remain the basis of all  
 19 future assessments for the purposes of said district as provided in

20 section four hundred fifty-five point fifty-six (455.56) of the Code.  
 21 The landowners shall have the same right of appeal from this classi-  
 22 fication as they would have if the petition had not requested a classi-  
 23 fication prior to establishment and the classification had been made  
 24 after establishment."

Approved April 5, 1957.

## CHAPTER 219

### NOTICE AFFECTING INTERESTS IN LAND

#### H. F. 551

AN ACT relating to the notice given to owners of land or interests or rights therein, in certain types of procedures and other matters affecting such land.

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

1 SECTION 1. Section four hundred fifty-five point twenty-one  
 2 (455.21), Code 1954, is hereby repealed and the following enacted in  
 3 lieu thereof:

4 "The notice provided in section four hundred fifty-five point twenty  
 5 (455.20) shall be served, except as otherwise hereinafter provided,  
 6 by publication thereof once each week for two consecutive weeks in  
 7 some newspaper of general circulation published in the county, the  
 8 last of which publications shall be not less than twenty days prior to  
 9 the day set for hearing. Proof of such service shall be made by affi-  
 10 davit of the publisher. Copy of such notice shall also be sent by ordi-  
 11 nary mail to each person named therein at his last known mailing  
 12 address unless there is on file an affidavit of the auditor, or of a person  
 13 designated by the board to make the necessary investigation, stating  
 14 that no mailing address is known and that diligent inquiry has been  
 15 made to ascertain it. Such copy of notice shall be mailed not less  
 16 than twenty days before the day set for hearing and proof of such  
 17 service shall be by affidavit of the auditor. Proofs of service required  
 18 by this section shall be on file at the time the hearing begins."

1 SEC. 2. Section four hundred fifty-five point fifty-five (455.55),  
 2 Code 1954, is hereby repealed and the following enacted in lieu  
 3 thereof:

4 "The board shall cause notice to be served upon the owner of any  
 5 tract of land or easement against which it is proposed to increase the  
 6 assessment, requiring him to appear at a fixed date and show cause  
 7 why such assessment should not be so increased. Such notice shall  
 8 be served for the time and in the manner prescribed in section four  
 9 hundred fifty-five point twenty-one (455.21) or section four hundred  
 10 fifty-five point twenty-two (455.22), as the case may be, except that  
 11 personal service in the same manner as an original notice may be  
 12 made in lieu of the other methods."

1 SEC. 3. Section four hundred fifty-five point eighty-one (455.81),  
 2 Code 1954, is hereby amended by striking the sentence beginning with  
 3 the word "Such" in line thirty-one (31) and inserting in lieu thereof  
 4 the following:

5 "Such notice shall be given by publication and by mailing for the  
6 same time in advance of hearing and in the same manner prescribed  
7 in section four hundred fifty-five point twenty-one (455.21)."

1 SEC. 4. Section four hundred fifty-five point two hundred seven  
2 (455.207), Code 1954, is hereby repealed and the following enacted  
3 in lieu thereof:

4 "Such notice shall be captioned in the name of the district and shall  
5 be directed to the owners of each tract or lot within said levee or  
6 drainage district, including railroad companies having rights of way,  
7 lienholders and encumbrancers, and to all owners, lienholders or en-  
8 cumbrancers of lands which an adoption of the plan would exclude  
9 from benefits and of lands outside the district which will benefit there-  
10 from and to all other persons whom it may concern and, without  
11 naming them, to the occupants of all lands affected and shall set forth  
12 that there is on file in the office of the auditor a plan of construction  
13 of the federal agency (naming it), together with reports of an engi-  
14 neer thereon, which the board has tentatively approved, and that such  
15 plan may be amended before final action; also the day and hour set  
16 for hearing on the adoption of said plan, and that all claims for dam-  
17 ages, except claims for land required for right of way or construction,  
18 and all objections to the adoption of said plan for any reason must be  
19 made in writing and filed in the office of the auditor at or before the  
20 time set for hearing. Provisions of this chapter for giving notice,  
21 waiver of notice, waiver of objection and damages and adjournment  
22 for service contained in sections four hundred fifty-five point twenty-  
23 one (455.21) to four hundred fifty-five point twenty-six (455.26), in-  
24 clusive, shall apply."

1 SEC. 5. Section four hundred sixty-nine point eighteen (469.18),  
2 Code 1954, is hereby amended by striking therefrom the last sentence  
3 in said section and inserting in lieu thereof the following:

4 "Where the owner of any land affected is a nonresident of the state,  
5 service of the notice may be made by publication thereof once each  
6 week for three consecutive weeks in some newspaper of general cir-  
7 culation published in the county, the last of which publications shall  
8 be not less than twenty (20) days prior to the day set for hearing.  
9 Proof of such service shall be made by affidavit of the publisher.  
10 Copy of such notice shall also be sent by ordinary mail to such person  
11 at his last known mailing address unless there is on file an affidavit  
12 of the plaintiff or his attorney stating that no mailing address is  
13 known and that diligent inquiry has been made to ascertain it. Such  
14 copy of notice shall be mailed not less than twenty (20) days before  
15 the day set for hearing and proof of such service shall be by affidavit  
16 of the plaintiff or his attorney, as the case may be. Proofs of service  
17 required by this section shall be on file at the time the hearing begins."

1 SEC. 6. Section four hundred sixty-five point three (465.3), Code  
2 1954, is hereby repealed and the following is enacted in lieu thereof:

3 "In case any such owner is a nonresident of the county he may be  
4 personally served in the manner required for original notices or, in  
5 lieu thereof, he may be given notice as provided in section four hun-  
6 dred fifty-five point twenty-one (455.21)."

1 SEC. 7. Section four hundred sixty-four point four (464.4), Code  
 2 1954, is hereby amended by striking all after the word "petition" in  
 3 line twenty-five (25) and adding in lieu thereof the following:  
 4 "and a copy of such notice shall also be sent by ordinary mail to  
 5 his last known address unless there is on file an affidavit of one of  
 6 the petitioners or his attorney stating that no mailing address is  
 7 known and that diligent inquiry has been made to ascertain it. Such  
 8 copy of notice shall be mailed not less than twenty (20) days prior  
 9 to the date set for hearing. Proof of publication and mailing shall  
 10 be by affidavit and shall be included in the records of the proceedings."

Approved April 26, 1957.

## CHAPTER 220

### DRAINAGE DISTRICT IMPROVEMENTS

H. F. 476

AN ACT to amend section four hundred fifty-five point forty-five (455.45), Code 1954, relating to time for appointment of commissioners to assess benefits and classify the lands affected by a drainage district improvement.

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

1 SECTION 1. Section four hundred fifty-five point forty-five  
 2 (455.45), Code 1954, is hereby amended by inserting after the comma  
 3 (,) following the word, "district" in line nine (9) the following: "or  
 4 a plan of the United States Government for original construction of  
 5 the improvements in such district has been heretofore or hereafter  
 6 adopted by such district under the provisions of sections four hun-  
 7 dred fifty-five point two hundred one (455.201) to four hundred fifty-  
 8 five point two hundred sixteen (455.216), inclusive, of the Code,".

1 SEC. 2. This Act being deemed of immediate importance shall take  
 2 effect and be in force and effect from and after its publication in the  
 3 Onawa Sentinel, a newspaper published at Onawa, Iowa, and the Dun-  
 4 lap Reporter, a newspaper published at Dunlap, Iowa.

Approved April 26, 1957.

I hereby certify that the foregoing Act, House File 476, was published in the Onawa Sentinel, Onawa, Iowa, May 9, 1957, and in the Dunlap Reporter, Dunlap, Iowa, May 2, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 221

### DRAINAGE AND LEVEE ASSESSMENTS

H. F. 117

AN ACT to provide for the payment of drainage and levee assessments on certain state-owned lands.

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

1 SECTION 1. Chapter four hundred fifty-five (455), Code 1954, is  
 2 amended by adding the following new section:

3 "When any state-owned lands under the jurisdiction of the state  
 4 conservation commission are situated within a levee or drainage dis-  
 5 trict, the commissioners to assess benefits shall ascertain and return  
 6 in their report the amount of benefits and the apportionment of costs  
 7 and expenses to such lands and the board of supervisors shall assess  
 8 the same against such lands.  
 9 "Such assessments against lands used by the fish and game division  
 10 of the state conservation commission shall be paid by the state conser-  
 11 vation commission from the state fish and game protection fund on  
 12 due certification of the amount by the county treasurer to said com-  
 13 mission, and against lands used by the division of lands and waters  
 14 from the state conservation funds."

Approved April 26, 1957.

## CHAPTER 222

### FUTURE DRAINAGE ASSESSMENTS

#### H. F. 75

AN ACT to amend section four hundred fifty-five point fifty-six (455.56), Code 1954, relating to classification as a basis for future assessments in drainage districts.

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

1 SECTION 1. Section four hundred fifty-five point fifty-six (455.56),  
 2 Code 1954, is hereby amended by adding thereto the following: "Ex-  
 3 cept districts established by mutual agreement in accordance with  
 4 section four hundred fifty-five point one hundred fifty-two (455.152),  
 5 Code 1954, in the event any forty-acre tract or less, or any lot, tract,  
 6 or parcel, as set forth in the existing classification or reclassification  
 7 of any drainage district now or hereafter established, is divided into  
 8 two or more tracts, whether such division is by sale or condemnation  
 9 or platted as a subdivision, the classification of the original tract shall  
 10 be apportioned to the resulting parcels, regardless of use, except for  
 11 land taken for additional drainage right-of-way. The classification of  
 12 the original tract may be apportioned between the resulting parcels  
 13 by agreement between the parties to such division. The parties shall  
 14 file with the county auditor a written agreement setting forth the  
 15 original description and the description of the tracts as subdivided  
 16 and the percentage of the original classification apportioned to each.  
 17 This agreement shall bear the signature of all of the parties to such  
 18 subdivision. The auditor shall enter this agreement in the drainage  
 19 record and amend the current classification of the district in accord-  
 20 ance with such agreement.

21 "In the event the parties to such subdivision cannot agree as to the  
 22 apportionment of the percentage classification, the board of super-  
 23 visors shall appoint a commission having the qualifications of commis-  
 24 sioners, in accordance with section 455.45. The commissioners shall  
 25 inspect the lands involved and apportion the existing classification of  
 26 the original tract equitably and fairly to each of the several tracts as  
 27 subdivided and shall make a full, accurate and detailed report thereof  
 28 and file the same with the county auditor within the time set by the

29 board. The report of the commissioners shall set forth the names of  
 30 the owners thereof, the description of each of the tracts and the per-  
 31 centage of the original classification that each such tract shall bear  
 32 (a) for main ditches and settling basins, (b) for laterals, (c) for  
 33 levees and pumping station. Thereafter all the proceedings in relation  
 34 thereto as to notice of hearing and fixing of percentage benefits shall  
 35 be as in this chapter provided in relation to original classification and  
 36 assessments, and at such hearing, the board may affirm, increase or  
 37 diminish the percentage of benefits so as to make them just and  
 38 equitable, and cause the record of the existing classification, percent-  
 39 age of benefits or assessments, or both, to be modified accordingly.  
 40 No tract of land included within the boundary of any drainage district  
 41 shall be exempt from drainage assessments or reassessments, except  
 42 as herein provided”.

Approved May 14, 1957.

## CHAPTER 223

### DRAINAGE AND LEVEE DISTRICTS

#### H. F. 100

AN ACT relating to the reclassification of lands in drainage and levee districts.

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

1 SECTION 1. Section four hundred fifty-five point seventy-two  
 2 (455.72), Code 1954, is hereby repealed and the following enacted in  
 3 lieu thereof:

4 “When, after a drainage or levee district has been established, ex-  
 5 cept districts established by mutual agreement in accordance with sec-  
 6 tion four hundred fifty-five point one hundred fifty-two (455.152),  
 7 Code 1954, and the improvements thereof constructed and put in  
 8 operation, there has been a material change as to lands occupied by  
 9 highway or railroad right-of-way or in the character of the lands  
 10 benefited by the improvement, or when a repair, improvement, or  
 11 extension has become necessary, the board may consider whether the  
 12 existing assessments are equitable as a basis for payment of the  
 13 expense of maintaining the district and/or of making the repair, im-  
 14 provement or extension. If they find the same to be inequitable in  
 15 any particular, they shall by resolution express such finding, appoint  
 16 three commissioners possessing the qualifications prescribed in sec-  
 17 tion four hundred fifty-five point forty-five (455.45) of the Code and  
 18 order a reclassification as follows:

19 1. If they find the assessments to be generally inequitable they shall  
 20 order a reclassification of all property subject to assessment, such as  
 21 lands, highways, and railroads in said district.

22 2. If the inequity ascertained by the board is limited to the propor-  
 23 tion paid by highways or railroads, a general reclassification of all  
 24 lands shall not be necessary but the commissioners may evaluate and  
 25 determine the fair proportion to be paid by such highways or railroads  
 26 or both as provided in sections four hundred fifty-five point forty-nine  
 27 (455.49) and four hundred fifty-five point fifty (455.50) of the Code.

28 3. Any benefits of a character for which levee or drainage districts  
 29 may be established and which are attributable to or enhanced by the  
 30 improvement or by the repair, improvement, or extension thereof,  
 31 shall be a proper subject of consideration in a reclassification not-  
 32 withstanding the district may have been originally established for a  
 33 limited purpose.

34 Such reclassification when finally adopted shall remain the basis  
 35 for all future assessments unless revised as provided in this chapter."

Approved April 30, 1957.

## CHAPTER 224

### ADDITIONAL DRAINAGE LANDS

S. F. 143

AN ACT relating to the annexation of additional lands in a drainage or levee district and basis for assessments upon such lands.

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

1 SECTION 1. Section four hundred fifty-five point one hundred  
 2 twenty-eight (455.128), Code 1954, is hereby repealed and the follow-  
 3 ing enacted in lieu thereof:

4 "After the establishment of a levee or drainage district, if the board  
 5 becomes convinced that additional lands are benefited by the improve-  
 6 ment or that the same are then receiving benefit or will be benefited  
 7 by a repair or improvement to said district as contemplated in section  
 8 four hundred fifty-five point one hundred thirty-five (455.135), it may  
 9 adopt, with or without a petition from owners of the proposed annexed  
 10 lands, a resolution of necessity for the annexation of such  
 11 additional land and appoint an engineer with the qualifications provided  
 12 in this chapter to examine such additional lands, to make a  
 13 survey and plat thereof showing their relation, elevation, and condi-  
 14 tion of drainage with reference to such established district, and to  
 15 make and file with the auditor a report as in this chapter provided for  
 16 the original establishment of such district, said report to specify the  
 17 character of the benefits received."

1 SEC. 2. Section four hundred fifty-five point one hundred thirty  
 2 (455.130), Code 1954, is hereby repealed and the following enacted in  
 3 lieu thereof:

4 "After such annexation is made the board shall levy upon the annexed  
 5 lands an assessment sufficient to equal the assessments for benefit originally  
 6 paid by the lands of equal classification if the finding by the board as  
 7 provided by section four hundred fifty-five point one hundred  
 8 twenty-eight (455.128) was that said lands should have been included  
 9 in the district when originally established, plus their proportionate  
 10 share of the costs of any enlargement or extension of drains required  
 11 to serve the annexed lands. If the finding of the board as provided  
 12 in section four hundred fifty-five point one hundred twenty-eight  
 13 (455.128) was based on the fact that additional lands are now  
 14 benefited by virtue of the repair or improvement made to said dis-

15 trict and were not benefited by the district as originally established,  
 16 then the board shall levy upon said annexed lands an assessment suf-  
 17 ficient to pay their proportionate share of the costs of said repair or  
 18 improvement which was the basis for the lands being annexed."

Approved April 5, 1957.

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## CHAPTER 225

### DRAINAGE AND LEVEE DISTRICTS

#### H. F. 103

AN ACT relating to the acquisition of easements for meander by drainage or levee districts.

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

1 SECTION 1. Section four hundred fifty-five point one hundred  
 2 thirty-five (455.135), Code 1954, is hereby amended by striking the  
 3 last paragraph thereof and inserting in lieu thereof the following:

4 "The governing body of the district may, by contract or convey-  
 5 ance, acquire, within or without the district, the necessary lands or  
 6 easements for making repairs or improvements under this section,  
 7 including easements for borrow and easements for meander, and in  
 8 addition thereto, the same may be obtained in the manner provided in  
 9 the original establishment of the district, or by exercise of the power  
 10 of eminent domain as provided for in chapter four hundred seventy-  
 11 two (472) of the Code."

1 SEC. 2. Districts hereafter established for the straightening, wid-  
 2 ening, deepening, or changing of a natural watercourse shall acquire  
 3 therefor an easement for right-of-way of sufficient width to accom-  
 4 modate reasonably anticipated erosion and meander of such stream.  
 5 In existing districts where the stream has by erosion appropriated  
 6 lands beyond its original right-of-way and it is more economical and  
 7 feasible to acquire an easement for such erosion and meander than to  
 8 undertake containment of the stream in its existing right-of-way, the  
 9 board may, in the discharge of the duties enjoined upon it by section  
 10 four hundred fifty-five point one hundred thirty-five (455.135) of the  
 11 Code, effect such acquisition as to the whole or part of the course.  
 12 Right-of-way so taken shall be classed an improvement for the pur-  
 13 pose of procedure under said section.

Approved March 29, 1957.

## CHAPTER 226

## DRAINAGE AND LEVEE DISTRICT IMPROVEMENTS

H. F. 104

AN ACT relating to the authority of drainage and levee districts to make improvements exceeding the original cost of the district plus existing subsequent improvements.

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

1 SECTION 1. Section four hundred fifty-five point one hundred  
2 thirty-five (455.135), Code 1954, is hereby amended by adding there-  
3 to the following:

4 "In the event that the estimated cost of the improvements as con-  
5 templated in this section should exceed the original cost of the district  
6 plus the cost of subsequent improvements in the district, a majority  
7 of the landowners, owning in the aggregate more than seventy per  
8 cent (70%) of the total land in said district, may file a written re-  
9 monstrance against said improvement, at or before the time fixed for  
10 hearing on said improvement, with the county auditor, or auditors in  
11 case the district extends into more than one county. If such remon-  
12 strance is filed, the board shall discontinue and dismiss all further  
13 proceedings on said improvement and charge the costs incurred to  
14 date for said proposed improvement to the district. This right of  
15 remonstrance shall not apply to repairs as defined in this section."

Approved April 26, 1957.

## CHAPTER 227

## DRAINAGE OUTLETS

H. F. 105

AN ACT relating to the assessment of costs between two or more drainage districts which outlet into the same ditch, drain, or natural watercourse for improvements, repairs, and for the maintenance of such ditch, drain or natural watercourse.

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

1 SECTION 1. Section four hundred fifty-five point one hundred  
2 forty-three (455.143), Code 1954, is hereby amended by adding there-  
3 to the following:

4 "In the event that one of the districts to be assessed under this  
5 statute shall have any improvement such as a settling basin which  
6 reduces the quality and quantity of flow or sediment, such commis-  
7 sion may give consideration to the existence of such an improvement  
8 when they determine the percentage of benefits and the sum total to  
9 be assessed to each district for the improvement."

Approved April 26, 1957.

## CHAPTER 228

## DRAINAGE DISTRICT ASSESSMENTS

H. F. 110

AN ACT to amend section four hundred fifty-five point two hundred twelve (455.212), Code 1954, relating to installments of assessments for the costs incident to the adoption by a drainage district board of a federal plan of improvement for said district.

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

1 SECTION 1. Section four hundred fifty-five point two hundred  
2 twelve (455.212), Code 1954, is hereby amended by striking from line  
3 eight (8) of said section the word "three" and inserting in lieu thereof  
4 the word "twenty".

Approved April 19, 1957.

## CHAPTER 229

## WATER RESOURCES CONSERVATION

H. F. 553

AN ACT relating to the conservation, protection, development, use, and regulation of the water resources of Iowa.

WHEREAS, the use of water for municipal, industrial, agricultural, recreational and all other beneficial purposes is a matter of great public interest and affects the public welfare, health and safety; and

WHEREAS, the sustained yield of water, services and products of kinds dependent upon water from related soils, watersheds, and ground water basins is essential to the attainment and maintenance of a permanent, stable and fruitful economy in the state of Iowa; and

WHEREAS, the proper use and management of surface water facilities makes practicable the conservation of ground water and land in many areas; and

WHEREAS, the needs of the state of Iowa, in reference to the availability and use of water of good quality, are such that the public interest and welfare require that our limited water supplies be put to the highest beneficial use in due regard to the needs of the land to assure proper development, wise use, conservation and protection of water, as well as land, including the sustained yield of water from soils, watersheds and ground water basins making up water problem areas; and

WHEREAS, the public interest, health and welfare will be served by enactment of a water code supplying needed definitions in the area of water rights, classifying certain uses of water as regulated uses to be regulated and controlled by means of a permit system to make possible the greatest utilization of the water resources of the state of Iowa for beneficial use but at the same time to protect the public interest in areas where competing uses are involved, and otherwise providing for the conservation, development, protection, use and regulation of the water resources of the state of Iowa; now therefore,

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

1 SECTION 1. Section four hundred fifty-five A point one (455A.1),  
2 Code 1954, is amended as follows:

3 1. By striking the words, "flood control" in line twenty-four (24) of  
4 such section and inserting in lieu thereof the words, "the subject  
5 matter of this chapter".

6 2. By adding to said section the following:

7 "Surface water" means the water occurring on the surface of the  
8 ground;

9 "Ground water" means that water occurring beneath the surface of  
10 the ground;

11 "Diffused waters" means waters arising by precipitation and snow-  
12 melt, and not yet a part of any water course or basin and shall include  
13 capillary soil water;

14 "Depleting use" means the storage, diversion, conveyance, or use of  
15 any supply of water which might impair rights of lower or surround-  
16 ing users, or might impair the natural resources of the state or might  
17 injure the public welfare if not controlled.

18 "Beneficial use" means the application of water to a useful purpose  
19 that inures to the benefit of the water user and subject to his dominion  
20 and control but does not include the waste or pollution of water;

21 "Nonregulated use" means the use of water for ordinary household  
22 purposes, use of water for poultry, livestock and domestic animals,  
23 any beneficial use of surface flow from rivers bordering the state of  
24 Iowa, or use of ground water on islands or former islands situated in  
25 such rivers, existing beneficial uses of water within the territorial  
26 boundaries of municipal corporations on the effective date of this Act,  
27 except that industrial users of water, having their own water supply,  
28 within the territorial boundaries of municipal corporations, shall be  
29 regulated when such water use exceeds three (3) percent more than  
30 the highest per day beneficial use prior to the effective date of this Act,  
31 and any other beneficial use of water by any person of less than five  
32 thousand (5000) gallons per day;

33 "Regulated use" means any depleting use except a use specifically  
34 designated as a nonregulated use;

35 "Permit" means the written authorization issued by the water  
36 commissioner or council to a permittee which shall be limited as to  
37 quantity, time, place, and rate of diversion, storage or withdrawal in  
38 accordance with the declared policies and principles of beneficial use  
39 set forth in this chapter;

40 "Permittee" means the person who obtains a permit from the  
41 council authorizing such persons to take possession by diversion or  
42 otherwise and to use and apply an allotted quantity of water for a  
43 designated beneficial use, and who makes actual use of the water for  
44 such purpose;

45 "Waste" means (a) permitting ground water or surface water to  
46 flow, taking it or using it in any manner so that it is not put to its full  
47 beneficial use, (b) transporting ground water from its source to its  
48 place of use in such a manner that there is an excessive loss in transit,  
49 (c) permitting or causing the pollution of a water bearing strata  
50 through any act which will cause salt water, highly mineralized  
51 water, or otherwise contaminated water to enter it;

52 "Watercourse" means any lake, river, creek, ditch or other body

53 of water or channel having definite banks and bed with visible evidence  
 54 of the flow or occurrence of water, except such lakes or ponds without  
 55 outlet to which only one landowner is riparian;

56 "Basin" means a specific subsurface water-bearing reservoir having  
 57 reasonably ascertainable boundaries;

58 "Established average minimum flow" means when reasonably required  
 59 for the purpose of this Act, the council shall determine and establish  
 60 the average minimum flow for a given watercourse at a given point  
 61 thereon. The "average minimum flow" for a given watercourse as  
 62 used in this Act shall be determined by the following factors:  
 63 (a) Average of minimum daily flows occurring during the preceding  
 64 years chosen by the council as more nearly representative of changing  
 65 conditions and needs of a given drainage area at a particular time;  
 66 (b) minimum daily flows shown by experience to be the limit at  
 67 which further withdrawals would be harmful to the public interest  
 68 in any particular drainage area; and (c) those minimum daily flows  
 69 shown by established discharge records and experiences to be defi-  
 70 nitely harmful to the public interest. Such determination shall be  
 71 based upon available flow data, supplemented, when available data are  
 72 incomplete, by whatever evidence is available."

73 "Impounded or stored water" means that water captured and stored  
 74 on the land by anyone taking it pursuant to the provisions of this  
 75 chapter, and the party impounding the water shall become the absolute  
 76 owner thereof.

1 SEC. 2. Section four hundred fifty-five A point two (455A.2),  
 2 Code 1954, is amended as follows:

3 1. By inserting after the word, "the" in line four (4) of such sec-  
 4 tion the words, "orderly development, wise use, protection and".

5 2. By inserting after the word, "agency" in line eleven (11) of  
 6 such section the following: ", the Iowa natural resources council,".

7 3. By striking all of such section after the word, "statewide" in line  
 8 thirteen (13) of such section and inserting in lieu thereof the follow-  
 9 ing: "program for the control, utilization, and protection of the sur-  
 10 face and ground-water resources of the state. It is hereby declared  
 11 that the general welfare of the people of the state of Iowa requires  
 12 that the water resources of the state be put to beneficial use to the  
 13 fullest extent of which they are capable, and that the waste or un-  
 14 reasonable use, or unreasonable methods of use, of water be pre-  
 15 vented, and that the conservation of such water be exercised with the  
 16 view to the reasonable and beneficial use thereof in the interest of the  
 17 people, and that the public and private funds for the promotion and  
 18 expansion of the beneficial use of water resources shall be invested to  
 19 the end that the best interests and welfare of the people are served.

20 Water occurring in any basin or in any watercourse, or other nat-  
 21 ural body of water of the state, is hereby declared to be public waters  
 22 and public wealth of the people of the state of Iowa and subject to use  
 23 in accordance with the provisions of this Act, and the control and  
 24 development and use of water for all beneficial purposes shall be in  
 25 the state, which, in the exercise of its police powers, shall take such  
 26 measures as shall effectuate full utilization and protection of the  
 27 water resources of the state of Iowa."

1 SEC. 3. Section four hundred fifty-five A point four (455A.4),  
 2 Code 1954, is hereby amended as follows:

3 1. By striking the word, "seven" in line two (2) of such section  
4 and inserting in lieu thereof the word, "nine (9)".

5 2. By striking the word, "and" in line six (6) after the word,  
6 "office".

7 3. By striking all of such section after the word, "years." in line  
8 eleven (11) of such section and insertng in lieu thereof the following:

9 "The terms of three (3) members of the council shall expire on  
10 July 1 of each odd-numbered year. Within sixty (60) days following  
11 the organization of each biennial regular session of the general assem-  
12 bly, appointments shall be made of successors to members of the coun-  
13 cil whose terms of office shall expire on the first of July next there-  
14 after and of members to fill the unexpired portion of vacant terms."

1 SEC. 4. Each incumbent member of the Iowa natural resources  
2 council serving at the time of the enactment of this Act shall con-  
3 tinue in office until the expiration of the term of office to which he  
4 was appointed. Short-term appointments of such additional members  
5 for periods of less than six (6) years as is necessary to provide for  
6 the transition from seven (7) members to nine (9) members, three  
7 (3) of whose terms expire on July 1, of each odd numbered year, shall  
8 be made within thirty (30) days after the effective date of this Act  
9 by the governor with the consent of two-thirds ( $\frac{2}{3}$ ) of the senate in  
10 executive session, if the general assembly is then in session.

1 SEC. 5. Section four hundred fifty-five A point seven (455A.7),  
2 Code 1954, is hereby amended by striking the word, "one" in line  
3 seven (7) of such section and inserting in lieu thereof the word,  
4 "two (2)".

1 SEC. 6. Section four hundred fifty-five A point nine (455A.9),  
2 Code 1954, is hereby amended by inserting at the beginning of such  
3 section the numeral "1", and inserting at the end of such section the  
4 following:

5 "2. The council shall choose a water commissioner who shall not  
6 be a member of the council and shall fix the compensation of such  
7 commissioner, which shall be payable out of the funds appropriated  
8 to the council. The water commissioner shall be qualified by training  
9 and experience. The term of office of the water commissioner shall  
10 be during the pleasure of the council. The water commissioner shall  
11 serve in a quasi-judicial capacity as the trier of fact questions in the  
12 processing of all applications for appropriation permits. He shall  
13 conduct hearings on any applications for permits as provided by law  
14 and the rules and regulations of the council, and he shall perform  
15 such other duties as the council may prescribe.

16 3. The council may choose one or more deputy water commission-  
17 ers who shall not be members of the council. The council shall fix  
18 the compensation of such deputy commissioners, which shall be pay-  
19 able out of the funds appropriated to the council. The deputy com-  
20 missioners shall be qualified by training and experience. The term  
21 of office of the deputy commissioners shall be during the pleasure of  
22 the council. A deputy commissioner shall have all of the duties, re-  
23 sponsibilities, and powers of the water commissioner when acting in  
24 his stead. The deputy commissioners shall be assigned hearings on  
25 applications for permits by the water commissioner."

1 SEC. 7. Section four hundred fifty-five A point seventeen  
2 (455A.17), Code 1954, is hereby amended by adding thereto the fol-  
3 lowing new sentence: "The council shall administer said programs."

1 SEC. 8. Section four hundred fifty-five A point eighteen (455A.18),  
2 Code 1954, is hereby amended by inserting after the word, "protec-  
3 tion" in line thirty-eight (38) of such section the word, "utilization,"  
4 and by striking all of such section after the word, "state." in line  
5 thirty-nine (39) of such section and inserting in lieu thereof the fol-  
6 lowing:

7 "Upon application by any person for permission to divert, pump,  
8 or otherwise take waters from any watercourse, underground basin  
9 or watercourse, drainage ditch or settling basin within the state of  
10 Iowa for any purpose other than a nonregulated use, the council shall  
11 cause to be made an investigation of the effect of such use upon the  
12 natural flow of such watercourse and also the effect of any such use  
13 upon the owners of any land which might be affected by such use  
14 and shall hold a hearing thereon."

1 SEC. 9. The procedure for securing a permit to divert, store or  
2 withdraw waters shall be as follows:

3 1. The application for a permit shall be made in writing to the  
4 council and shall set forth the designated beneficial use for which the  
5 permit is sought, the specific limits as to quantity, time, place, and  
6 rate of diversion, storage or withdrawal of waters.

7 2. Upon receipt of an application for a permit, the water commis-  
8 sioner shall set a time and place for hearing. The hearing shall be  
9 in the county where the permit is sought, but may be held at any  
10 other place in the state unless objection is raised by the applicant.  
11 The hearing shall be to the water commissioner.

12 3. The water commissioner shall cause notice of the hearing to be  
13 published in a newspaper of general circulation in the county in  
14 which the permit is sought. Said notice shall be published once each  
15 week for two consecutive weeks, with the date of last publication  
16 not less than ten (10) nor more than thirty (30) days prior to the  
17 date of hearing and said notice shall be on a form provided by the  
18 council which shall specify the date, time and place of hearing and  
19 shall include a concise statement of the designated beneficial purposes  
20 for which diversion is sought, the specific limits as to quantity, time,  
21 place, and rate of diversion, storage or withdrawal of waters, the  
22 name of the applicant and the description of the land upon which  
23 waters are to be diverted, stored or withdrawn. In addition to the  
24 foregoing, the water commissioner shall cause a copy of the notice  
25 to be sent to the director of the conservation commission, commis-  
26 sioner of public health, the secretary of the soil conservation commit-  
27 tee, secretary of agriculture, director of the Iowa geological survey,  
28 the director of the Iowa development commission, and to any other  
29 person who has filed a written request for a notification of any hear-  
30 ings affecting a designated area, by ordinary mail, prior to the date  
31 of last publication.

32 4. Any interested person may appear and present evidence at the  
33 hearing, and may be represented by counsel, who shall have the right  
34 to question others who present evidence.

35 5. The applicant for a permit shall pay a fee to the council in the

36 amount of ten (10.00) dollars at the time of filing his application  
37 which fee shall include the cost of publishing notice and which pub-  
38 lication shall then be paid for by the council.

39 6. The council shall prescribe the rules of procedure for the con-  
40 duct of the hearings.

41 7. The determination of the water commissioner on any application  
42 before him shall be in writing, filed with the council and shall set  
43 forth his findings. A copy of the determination shall be mailed to  
44 the applicant and to any person appearing who in writing requests  
45 a copy of the determination.

46 8. Any party aggrieved by the determination of the water commis-  
47 sioner may, within thirty (30) days from the date such determination  
48 is filed, appeal therefrom to the council setting forth in general terms  
49 the determination appealed from and the grounds of the appeal. The  
50 director shall set a time and place for hearing before the council and  
51 shall then send a notice by ordinary mail to all persons who appeared  
52 at the hearing before the water commissioner.

53 9. The council shall adopt rules and regulations for the conduct  
54 of the hearing on appeal and shall file a determination in writing,  
55 setting forth findings. A copy of the determination shall be mailed  
56 to the applicant or to any person appearing who in writing requests  
57 a copy of the determination.

58 10. The water commissioner or the council at any hearing or other  
59 proceeding authorized by this Act, shall have the power to administer  
60 oaths; take testimony; issue subpoenas and compel the attendance of  
61 witnesses, the subpoenas shall be served in the same manner as sub-  
62 poenas issued by the courts of the state; and to order the taking of  
63 depositions in the same manner as depositions are taken under the  
64 Iowa Rules of Civil Procedure.

1 SEC. 10. If the water commissioner at the first hearing or the  
2 council at the hearing on appeal shall determine after due investi-  
3 gation that such diversion, storage or withdrawal will not be detri-  
4 mental to the public interests, including drainage and levee districts,  
5 or to the interests of property owners with prior or superior rights  
6 who might be affected, the water commissioner following the first  
7 hearing, or the council following the hearing on appeal shall grant  
8 a permit for such diversion, storage or withdrawal. Any person or  
9 public body aggrieved by the granting of such permit may appeal as  
10 provided by section four hundred fifty-five A point twenty-three  
11 (455A.23). Permits may be granted for any period of time but not  
12 to exceed ten (10) years. Permits may be granted which provide  
13 for less diversion, storage, or withdrawal of waters than set forth  
14 in the application. Permits may be extended by the water commis-  
15 sioner beyond the period for which granted without hearing if no  
16 objection is raised, but if written objection is filed by any aggrieved  
17 person shown to have an interest, a hearing shall be held thereon.  
18 Any permit granted shall remain as an appurtenance of the land  
19 described in the application unless disposed of otherwise.

1 SEC. 11. In the consideration of applications for permits, priority  
2 will be given to persons in the order applications are received. How-  
3 ever, persons who have made diversion or withdrawal of water for a  
4 beneficial use prior to the effective date of this Act will be accorded

5 priority according to the actual date of said diversion or withdrawal.  
6 The water commissioner or the council on appeal shall exercise their  
7 judgment on the quantity of water for which a permit may be  
8 granted. The use of water for ordinary household purposes, for poul-  
9 try, livestock and domestic animals shall have priority over other  
10 uses. Any person with an existing irrigation system in use prior to  
11 the effective date of this Act shall be issued a permit to continue,  
12 unless by the use thereof some other riparian user is damaged. In  
13 the consideration of applications for permits by regulated users, the  
14 declared policies and principles of beneficial use, as set forth in this  
15 chapter, shall be the standard for the determination of the disposition  
16 of the applications for said permits. Nothing in this chapter shall  
17 impair the vested right of any person. Prior orders of the council  
18 shall not be invalidated by the provisions of this Act.

1 SEC. 12. The water commissioner and the council shall have the  
2 authority to issue a permit for beneficial use of water in a water-  
3 course provided the established average minimum flow is preserved.

1 SEC. 13. No use of water shall be authorized that will impair the  
2 effect of pollution control laws of this state.

1 SEC. 14. No permit shall be issued or continued that will impair  
2 the navigability of any navigable watercourse.

1 SEC. 15. For the purpose of administering this Act, a permit as  
2 herein provided shall be required for the following:

3 1. Any municipal corporation or person supplying a municipal cor-  
4 poration which increases its water use in excess of one hundred thou-  
5 sand (100,000) gallons, or three per cent (3%), whichever is the  
6 greater, per day more than its highest per day beneficial use prior  
7 to the effective date of this Act. Such corporation or person shall  
8 make reasonable provision for the storage of water at such time or  
9 times when the daily use of such water by such corporation or person  
10 is less than the amount specified herein.

11 2. Except for a nonregulated use, any person using in excess of  
12 five thousand (5,000) gallons of water per day, diverted, stored, or  
13 withdrawn from any source of supply except a municipal water sys-  
14 tem or any other source specifically exempted under the provisions  
15 of this Act.

16 3. Any person who diverts water or any material from the surface  
17 directly into any underground watercourse or basin. Provided, how-  
18 ever, that any diversion of water or material from the surface directly  
19 into any underground watercourse or basin existing upon the effective  
20 date of this Act shall not require a permit if said diversion does not  
21 create waste or pollution.

22 4. Industrial users of water having their own water supply, within  
23 the territorial boundaries of municipal corporations, shall be regulated  
24 when such water use exceeds three (3) percent more than the high-  
25 est per day beneficial use prior to the effective date of this Act.

1 SEC. 16. No person shall take water from any natural water-  
2 course, underground basin or watercourse, drainage ditch, or set-  
3 tling basin within the state of Iowa for any purpose other than a  
4 nonregulated use except upon compliance with the provisions of this

5 Act, provided that existing uses may be continued during the period  
6 of the pendency of an application for a permit.

1 SEC. 17. Nothing in this Act shall operate to deprive any person  
2 of the right to use diffused waters, or to drain land by use of tile, open  
3 ditch or surface drainage, or to construct an impoundment on said  
4 person's property or across a stream that originates on said person's  
5 property so long as provision is made for safe construction and for  
6 continued established average minimum flow, if and when such flow  
7 is required to protect the rights of water users below.

1 SEC. 18. Every permit issued hereunder shall be irrevocable for  
2 the term therefor, and for any extension of such term except as fol-  
3 lows:

4 1. A permit may be modified or cancelled by the water commission-  
5 er, with the consent of the permittee.

6 2. Subject to appeal in the manner provided by section nine (9),  
7 subsection eight (8), of this Act, a permit may be modified or can-  
8 celled by the water commissioner in case of any breach of the terms  
9 or conditions thereof or in case of any violation of the law pertaining  
10 thereto by the permittee, his agents or servants, in case of non-use as  
11 provided hereinafter, or in case the water commissioner finds such  
12 modification or cancellation necessary to protect the public health or  
13 safety or to protect the public interests in lands or waters, or to pre-  
14 vent substantial injury to persons or property in any manner, upon  
15 at least thirty (30) days written notice mailed to the permittee at  
16 his last known address, stating the grounds of the proposed modifi-  
17 cation or cancellation and giving the permittee an opportunity to  
18 be heard thereon.

19 3. By written order to the permittee, the water commissioner may  
20 forthwith suspend operations under a permit if he finds it necessary  
21 in an emergency to protect the public health or safety or to protect  
22 the public interests in lands or waters against imminent danger of  
23 substantial injury in any manner or to any extent not expressly  
24 authorized by the permit, or to protect persons or property against  
25 such danger, may require the permittee to take any measures neces-  
26 sary to prevent or remedy such injury; provided, that no such order  
27 shall be in effect for more than thirty (30) days from the date thereof,  
28 without giving the permittee at least ten (10) days written notice of  
29 such order and an opportunity to be heard thereon.

1 SEC. 19. The right of the permittee and his successors to the use  
2 of water shall terminate when he ceases for three (3) consecutive  
3 years to use it for the specific beneficial purpose authorized in his  
4 permit and the permittee has been notified by the water commission  
5 that unless written application as set forth as follows, that the per-  
6 mit will cease; provided, however, that upon his written application  
7 prior to the expiration of said three-year period for extension of said  
8 permit, the council may grant such extension without loss of priority.

1 SEC. 20. A permittee may sell, transfer, or assign his permit by  
2 conveying, leasing, or otherwise transferring the ownership of the  
3 land described in the permit, but such permit shall not constitute  
4 ownership or absolute rights of use of such waters, but such waters  
5 shall remain subject to the principle of beneficial use and the orders  
6 of the council.

1 SEC. 21. The state of Iowa, any subdivision thereof, or municipal  
2 corporation, for the purpose of carrying out any permission granted,  
3 as hereinbefore provided, shall have and exercise the power of emi-  
4 nent domain.

1 SEC. 22. Section four hundred fifty-five A point nineteen  
2 (455A.19), Code 1954, is hereby amended as follows:

3 1. By inserting after the word, "erected" in line three (3) of such  
4 section the words, ", used, or maintained".

5 2. By striking from line seventeen (17) of such section the words,  
6 ", make, use or maintain" and inserting in lieu thereof the words,  
7 "or make".

8 3. By striking from lines twenty-two (22) to twenty-five (25) in-  
9 clusive, of such section the words, "and it is uncertain as to whether  
10 it will adversely affect the efficiency of or unduly restrict the capacity  
11 of the floodway,".

12 4. By striking the word, "may" in line twenty-five (25) of such  
13 section and inserting in lieu thereof the word, "shall".

14 5. By inserting after the word, "same." in line thirty (30) of such  
15 section the following new paragraph:

16 "The council shall have the authority to maintain an action in  
17 equity to enjoin any such person from erecting or making or suffering  
18 or permitting to be made any structure, dam, obstruction, deposit, or  
19 excavation other than a dam constructed and operated under the  
20 authority of chapter four hundred sixty-nine (469) of the Code, for  
21 which a permit has not been granted."

1 SEC. 23. Section four hundred fifty-five A point twenty-five  
2 (455A.25), Code 1954, is hereby repealed.

1 SEC. 24. Unauthorized depleting uses. In the event that any per-  
2 son shall file a complaint with the council that any other person is  
3 making a depleting use of water not expressly exempted as a nonregu-  
4 lated use under the provisions of this chapter and without a permit  
5 to do so, the council shall cause an investigation to be made and if  
6 the facts stated in the complaint are verified the council shall order  
7 the discontinuance of the use.

1 SEC. 25. Section four hundred fifty-five A point twenty-six  
2 (455A.26), Code 1954, is hereby amended by inserting after the word,  
3 "chapter," in line three (3) of such section the words, "or whoever  
4 diverts or withdraws water in violation of the provisions of this  
5 chapter, upon conviction,".

1 SEC. 26. Saving clause. If any provision of this chapter or the  
2 application of such provision to any person or circumstance shall be  
3 held invalid, the remainder of this Act or the application of such  
4 provision to persons or circumstances other than those to which it  
5 is held invalid, shall not be affected thereby.

1 SEC. 27. This Act being deemed of immediate importance shall be  
2 in full force and effect immediately upon its publication in the Davis

- 3 County Republican, a newspaper published in Bloomfield, Iowa, and  
4 the Britt-News Tribune, a newspaper published in Britt, Iowa.

Approved May 1, 1957.

I hereby certify that the foregoing Act, House File 553, was published in the Davis County Republican, Bloomfield, Iowa, May 7, 1957, and in the Britt News-Tribune, Britt, Iowa, May 15, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 230

### DRAINAGE AND LEVEE DISTRICTS

#### S. F. 247

AN ACT relating to drainage and levee districts having pumping stations.

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

- 1 SECTION 1. Chapter four hundred sixty-one (461), Code 1954, is  
2 hereby amended by adding thereto the following new section:  
3 "The provisions of this chapter so far as applicable shall apply to  
4 all levee districts maintaining levees for the protection of any drain-  
5 age district or districts having pumping stations."

- 1 SEC. 2. Senate File two hundred forty-six (246), Acts of the Fifty-  
2 seventh General Assembly, is amended as follows:

- 3 1. Insert in line twelve (12) of section one (1) before the word  
4 "At", a new sentence: "Thereafter, in levee and drainage districts  
5 having pumping stations trustees shall hold office until the fourth Sat-  
6 urday in January three years after election."

- 7 2. Insert after the word "years" in line sixteen (16) of section one  
8 (1) the words, "to succeed the member of the board whose term will  
9 expire on the following Saturday".

Approved April 17, 1957.

## CHAPTER 231

### LEVEE OR DRAINAGE DISTRICTS

#### S. F. 246

AN ACT relating to the election and terms of office of trustees in levee or drainage districts having pumping stations.

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

- 1 SECTION 1. Section four hundred sixty-two point twenty (462.20),  
2 Code 1954, is hereby repealed and the following enacted in lieu  
3 thereof:

- 4 "The presently acting de facto members of the boards of trustees of  
5 drainage or levee districts having pumping stations are hereby de-  
6 clared to be the legally constituted members of such boards; the terms  
7 of such present trustees shall expire on the fourth (4th) Saturday of  
8 January, 1958, 1959 and 1960 respectively and the length of the term  
9 of each present trustee shall be determined by lot at a meeting to be

10 held on the third (3rd) Saturday of August, 1957. At an election to  
 11 be held on the third (3rd) Saturday in January, 1958 and on the third  
 12 (3rd) Saturday in January of each year thereafter a trustee shall be  
 13 elected for a term of three (3) years. At such election there shall also  
 14 be elected, if necessary, a trustee or trustees to fill any vacancy or  
 15 vacancies which may have occurred before such election."

Approved March 27, 1957.

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## CHAPTER 232

### DRAINAGE TRUSTEES' CLERK

H. F. 174

AN ACT to amend section four hundred sixty-two point twenty-six (462.26), Code 1954, relating to the appointment of a clerk for board of trustees for drainage district.

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

1 SECTION 1. Amend section four hundred sixty-two point twenty-  
 2 six (462.26), Code 1954, by striking from line four (4) the word "tax-  
 3 payer" and inserting in lieu thereof the words "competent person".

1 SEC. 2. Further amend section four hundred sixty-two point  
 2 twenty-six (462.26), Code 1954, by striking from lines four (4) and  
 3 five (5) the words "of the district".

Approved April 26, 1957.

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## CHAPTER 233

### TILE DRAINS CROSSING HIGHWAYS

S. F. 185

AN ACT relating to crossing highways with tile drains.

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

1 SECTION 1. Section four hundred sixty-five point twenty-three  
 2 (465.23), Code 1954, is amended by adding at the end thereof the fol-  
 3 lowing:

4 "If a tile line must be projected across the right of way to a suit-  
 5 able outlet, the expense of both material and labor used in installing  
 6 the tile drain across the highway and any subsequent repair thereof  
 7 shall be paid from funds available for the highways affected."

Approved April 24, 1957.

## CHAPTER 234

## SOIL CONSERVATION SUBDISTRICTS

H. F. 109

AN ACT to authorize the payment of the organizational expenses of subdistricts of soil conservation districts from the proceeds of the tax levied for such subdistricts.

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

1 SECTION 1. Chapter four hundred sixty-seven A (467A), Code  
2 1954, as amended by section three (3) of chapter two hundred twenty-  
3 five (225), Acts of the Fifty-sixth General Assembly, is hereby fur-  
4 ther amended by inserting the word "organization," after the word  
5 "for" in line seventy-nine (79) of said section three (3).

Approved April 26, 1957.

## CHAPTER 235

## SOIL CONSERVATION DISTRICTS

H. F. 435

AN ACT relating to the power of soil conservation districts to change the name of such districts.

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

1 SECTION 1. Section four hundred sixty-seven A point seven  
2 (467A.7), Code 1954, is hereby amended by adding the following new  
3 subsection:  
4 "Subject to the approval of the state soil conservation committee,  
5 to change the name of such soil conservation district."

Approved May 15, 1957.

## CHAPTER 236

## FLOOD AND EROSION CONTROL

S. F. 256

AN ACT relating to flood and soil erosion control and watershed improvements.

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

1 SECTION 1. Section four hundred sixty-seven B point one (467B.1),  
2 Code 1954, is hereby repealed and the following enacted in lieu there-  
3 of:  
4 "Whenever any county, soil conservation district, subdistrict of a  
5 soil conservation district, political subdivision of the state, or other  
6 local agency shall engage or participate in any project for flood or  
7 erosion control, flood prevention, or the conservation, development, uti-  
8 lization, and disposal of water, in cooperation with the federal govern-  
9 ment, or any department or agency thereof, the counties in which said  
10 project shall be carried on shall have the jurisdiction, power, and

11 authority through the board of supervisors to construct, operate and  
12 maintain said project on lands under the control or jurisdiction of the  
13 county whenever dedicated to county use, or to furnish financial and  
14 other assistance in connection with said projects. Such flood, soil  
15 erosion control, and watershed improvement projects shall be pre-  
16 sumed to be for the protection of the tax base of the county, for the  
17 protection of public roads and lands, and for the protection of the  
18 public health, sanitation, safety, and general welfare.”

1 SEC. 2. Section four hundred sixty-seven B point two (467B.2),  
2 Code 1954, is hereby repealed and the following enacted in lieu there-  
3 of:

4 “Any county may, in accordance with provisions of this chapter,  
5 accept federal funds for aid in any project for flood, or soil erosion  
6 control, flood prevention, or the conservation, development, utiliza-  
7 tion, and disposal of water, and may cooperate with the federal gov-  
8 ernment or any department or agency thereof, soil conservation dis-  
9 tricts, subdistrict of a soil conservation district, political subdivision  
10 of the state, or other local agency, and the county may assume such  
11 proportion of the cost of the project as deemed appropriate, and may  
12 assume the maintenance cost of the same on lands under the control  
13 or jurisdiction of the county as will not be discharged by federal aid  
14 or grant.”

1 SEC. 3. Section four hundred sixty-seven B point three (467B.3),  
2 Code 1954, is hereby repealed and the following enacted in lieu there-  
3 of:

4 “The counties and soil conservation districts, subdistricts of soil  
5 conservation districts concerned, shall advise and consult with each  
6 other, upon the request of either party or any affected landowners, and  
7 shall be authorized to cooperate with each other or with other state  
8 subdivisions, or instrumentalities, and affected landowners, as well as  
9 with the federal government or any department or agency thereof, to  
10 construct, operate, and maintain suitable projects for flood or soil  
11 erosion control, flood prevention, or the conservation, development,  
12 utilization, and disposal of water on public roads or other public lands  
13 or other land granted county use.”

1 SEC. 4. Section four hundred sixty-seven B point four (467B.4),  
2 Code 1954, is hereby repealed and the following enacted in lieu there-  
3 of:

4 “When structures or levees necessary for flood or soil erosion con-  
5 trol, flood prevention, or the conservation, development, utilization,  
6 and disposal of water, are constructed on county roads, the cost in  
7 total or in part shall be considered a part of the cost of road con-  
8 struction.”

1 SEC. 5. Section four hundred sixty-seven B point five (467B.5),  
2 Code 1954, is hereby repealed and the following enacted in lieu there-  
3 of:

4 “Where construction of projects has been completed by the soil con-  
5 servation district, subdistricts of soil conservation districts, political  
5 subdivisions of the state, or other local agencies, or the federal gov-  
6 ernment, or any department or agency thereof on private lands under

7 the easement granted to the county, only the cost of maintenance may  
8 be assumed by the county."

1 SEC. 6. Section four hundred sixty-seven B point seven (467B.7),  
2 Code 1954, is hereby repealed and the following enacted in lieu there-  
3 of:

4 "Any flood or soil erosion control, flood prevention, or the conser-  
5 vation, development, utilization, and disposal of water, projects built  
6 on private land with federal or other funds when dedicated to the  
7 county use, shall be maintained in the same manner as its own county  
8 owned or controlled property."

1 SEC. 7. Section four hundred sixty-seven B point ten (467B.10),  
2 Code 1954, is hereby repealed and the following enacted in lieu there-  
3 of:

4 "This chapter contemplates that actual direction of the project, or  
5 projects, and the actual work done in connection therewith, will be  
6 assumed by the soil conservation district, subdistrict of a soil conser-  
7 vation district, or by the federal government and that the county or  
8 other state subdivisions or instrumentalities jointly will meet the obli-  
9 gation required for federal cooperation and may make proper commit-  
10 ment for the care and maintenance of the project after its completion  
11 for the general welfare of the public and residents of the respective  
12 counties."

Approved April 17, 1957.

## CHAPTER 237

### FEDERAL FLOOD CONTROL LANDS

S. F. 58

AN ACT to amend chapter four hundred sixty-seven B (467B), Code 1954, relating to  
taxation on land acquired by the federal government for flood control purposes.

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

1 SECTION 1. Chapter four hundred sixty-seven B (467B), Code  
2 1954, is hereby amended by adding thereto the following: "The treas-  
3 urer of any county wherein is situated any land acquired by the federal  
4 government for flood control projects is hereby authorized to cancel  
5 any taxes or tax assessments against any such land so acquired where  
6 the tax has been extended but has not become a lien thereon at the  
7 time of the acquisition thereof."

Approved April 5, 1957.

## CHAPTER 238

## MILLDAMS AND RACES

H. F. 308

AN ACT relating to milldams and to amend sections four hundred sixty-nine point five (469.5) and four hundred sixty-nine point nine (469.9), Code 1954.

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

1 SECTION 1. Section four hundred sixty-nine point five (469.5),  
2 Code 1954, is amended by adding after the word, "project" in line  
3 eight (8) the words, ", excepting water taken by a municipality for  
4 distribution in its watermains,".

1 SEC. 2. Section four hundred sixty-nine point nine (469.9), Code  
2 1954, is amended by adding after the word, "constructed" in line  
3 seventeen (17) the words, "for power production"; and by striking  
4 the period (.) following the word, "capacity" in line eighteen (18)  
5 and inserting in lieu thereof the words, ", nor shall they apply to dams  
6 developed solely for recreational use where the recreational facilities  
7 thus created are open to the public without charge."

Approved April 1, 1957.

## CHAPTER 239

## EMINENT DOMAIN

H. F. 330

AN ACT relating to procedure under the power of eminent domain.

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

1 SECTION 1. Section four hundred seventy-two point fourteen  
2 (472.14), Code 1954, is hereby repealed and the following enacted in  
3 lieu thereof:

4 "The commissioners shall, at the time fixed in the aforesaid notices,  
5 view the land sought to be condemned and assess the damages which  
6 the owner will sustain by reason of the appropriation; and they shall  
7 file their written report with the sheriff. Where the land sought to be  
8 condemned is a part of a larger tract of land, and in making such  
9 assessment at the request of the condemnee the commissioners shall  
10 divide the damages into two (2) parts, namely, the value of the land  
11 (including improvements thereon), sought to be condemned, and the  
12 consequential damages resulting to the owner from such condemna-  
13 tion and appropriation. The appraisement and return may be in par-  
14 cels larger than forty (40) acres belonging to one (1) person and  
15 lying in one (1) tract, unless the agent or attorney of the applicant,  
16 or the commissioners, have actual knowledge that the tract does not  
17 belong wholly to the person in whose name it appears of record; and  
18 in case of such knowledge, the appraisement shall be made of the dif-  
19 ferent portions as they are known to be owned."

1 SEC. 2. This Act being deemed of immediate importance shall be  
2 in full force and effect after its passage and publication in The Daily

- 3 Times, a newspaper published at Davenport, Iowa, and the Iowa City  
 4 Press-Citizen, a newspaper published at Iowa City, Iowa.

Approved May 14, 1957.

I hereby certify that the foregoing Act, House File 330, was published in the Iowa City Press-Citizen, Iowa City, Iowa, May 16, 1957, and in The Daily Times, Davenport, Iowa, May 17, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 240

### EMINENT DOMAIN SURVEY

#### H. F. 160

AN ACT to permit the survey of land prior to the right to exercise the right of eminent domain.

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

1 SECTION 1. Section four hundred eighty-nine point fourteen  
 2 (489.14), Code 1954, is hereby amended by adding thereto the fol-  
 3 lowing:

4 "Any person, company or corporation proposing to construct a  
 5 transmission line or other facility which involves the taking of prop-  
 6 erty under the right of eminent domain and desiring to enter upon  
 7 the land, which it proposes to appropriate, for the purpose of exam-  
 8 ining or surveying the same, shall first file with the Iowa state com-  
 9 merce commission or with the county board of supervisors in the  
 10 county the land is situated, a written statement under oath setting  
 11 forth the proposed routing of the line or facility including a descrip-  
 12 tion of the lands to be crossed, the names and addresses of owners,  
 13 together with request that a permit be issued by said commission or  
 14 board of supervisors authorizing said person, company or corpora-  
 15 tion or its duly appointed representative to enter upon the land for  
 16 the purpose of examining and surveying and to take and use thereon  
 17 any vehicle and surveying equipment necessary in making the survey.  
 18 Said commission or board of supervisors shall within ten (10) days  
 19 after said request issue a permit, accompanied by such bond in such  
 20 amount as the commission or board of supervisors shall approve, to  
 21 the person, company or corporation making said application, if in its  
 22 opinion the application is made in good faith and not for the purpose  
 23 of harassing the owner of the land. If the commission or the board  
 24 of supervisors is of the opinion that the application is not made in  
 25 good faith or made for the purpose of harassment to the owner of  
 26 said land it shall set the matter for hearing and it shall be heard not  
 27 more than twenty (20) days after filing said application. Notice of  
 28 the time and place of hearing shall be given by said commission, or  
 29 board of supervisors, to the owner of said land by registered mail  
 30 with a return receipt requested, not less than ten (10) days preced-  
 31 ing date of hearing.

32 Any person, company or corporation that has obtained a permit  
 33 in the manner herein prescribed may enter upon said land or lands,  
 34 as above provided, and shall be liable for actual damages sustained in

35 connection with such entry. An action in damages shall be the  
36 exclusive remedy.

1 SEC. 2. This Act being deemed of immediate importance shall be  
2 in full force and effect upon its publication in the Belmont Independ-  
3 ent, a newspaper published at Belmont, Iowa, and in the Earlham  
4 Echo, a newspaper published at Earlham, Iowa.

Approved May 1, 1957.

I hereby certify that the foregoing Act, House File 160, was published in the Belmont Independent, Belmont, Iowa, May 9, 1957, and in the Earlham Echo, Earlham, Iowa, May 9, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

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## CHAPTER 241

### LIFE INSURANCE MEDICAL EXAMINATION

H. F. 84

AN ACT relating to medical examination of applicants for life insurance and to amend section five hundred eight point twenty-eight (508.28), Code 1954.

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

1 SECTION 1. Section five hundred eight point twenty-eight (508.28),  
2 Code 1954, is hereby amended by striking all of said section after the  
3 word "thereto" in line five (5), by inserting a period after the said  
4 word "thereto", and adding the following: "The policy shall be in-  
5 contestable after it shall have been in force during the lifetime of the  
6 insured for two years from its date, except for nonpayment of pre-  
7 miums."

Approved March 14, 1957.

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## CHAPTER 242

### GROUP INSURANCE

H. F. 130

AN ACT to amend chapter five hundred nine (509), Code 1954, relating to group insurance.

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

1 SECTION 1. Section five hundred nine point one (509.1), Code  
2 1954, is hereby amended as follows:  
3 1. By inserting after the word "provides" in line five (5) of para-  
4 graph *d* of subsection one (1) the word "term".  
5 2. By inserting after the word "other" in line six (6) of paragraph  
6 *d* of subsection one (1) the word "term".  
7 3. By inserting after the word "provides" in line five (5) of para-  
8 graph *d* of subsection four (4) the word "term".

9 4. By inserting after the word "other" in line six (6) of paragraph  
10 *d* of subsection four (4) the word "term".

11 5. By inserting before the word "insurance" in line six (6) of para-  
12 graph *d* of subsection five (5) the word "term".

13 6. By inserting after the word "other" in line seven (7) of para-  
14 graph *d* of subsection five (5) the word "term".

1 SEC. 2. Section five hundred nine point one (509.1), Code 1954, is  
2 hereby further amended as follows:

3 1. By striking from line one (1) of paragraph *e* of subsection one  
4 (1) the words "accident and health".

5 2. By striking from line one (1) of paragraph *e* of subsection four  
6 (4) the words "accident and health".

7 3. By striking from line one (1) of paragraph *e* of subsection five  
8 (5) the words "accident and health".

9 4. By striking from line one (1) of paragraph *e* of subsection six  
10 (6) the words "accident and health".

1 SEC. 3. Section five hundred nine point one (509.1), Code 1954, is  
2 hereby further amended by inserting after the word "unions" in line  
3 three (3) of subsection five (5) the words "or by one or more employ-  
4 ers and by one or more labor unions".

Approved April 19, 1957.

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## CHAPTER 243

### GROUP INSURANCE

H. F. 559

AN ACT to repeal section five hundred nine point thirteen (509.13), Code 1954, relating to waiver of medical examination for group insurance.

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

1 SECTION 1. Section five hundred nine point thirteen (509.13),  
2 Code 1954, is hereby repealed.

Approved April 29, 1957.

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## CHAPTER 244

### LIFE INSURANCE INVESTMENTS

S. F. 109

AN ACT relating to investment of funds of life insurance companies and associations and to amend section five hundred eleven point eight (511.8), Code of 1954, and section one (1) of chapter two hundred forty-three (243) Acts of the 56th General Assembly.

*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 1954, is hereby amended by inserting after the word "acquisition" in

3 the last line of paragraph a, subsection four (4) the following:  
4 "or if, at the date of acquisition, the obligations are adequately se-  
5 cured and have investment qualities and characteristics wherein the  
6 speculative elements are not predominant".

1 SEC. 2. Section five hundred eleven point eight (511.8), Code 1954,  
2 is hereby further amended by adding to subsection eight (8) thereof  
3 the following new paragraph:

4 "g. Bonds, notes or other evidences of indebtedness representing  
5 loans and advances of credit that have been issued, guaranteed, or  
6 insured, in accordance with the terms and provisions of an act of the  
7 Federal Parliament of the Dominion of Canada approved March 18,  
8 1954, cited as the 'National Housing Act, 1954', as heretofore and  
9 hereafter amended."

1 SEC. 3. Section five hundred eleven point eight (511.8), Code 1954,  
2 is hereby further amended by striking line one (1) of subsection thir-  
3 teen (13) thereof and inserting in lieu thereof the following: "Urban  
4 real estate and personal property. Personal or real property or both  
5 personal or real property located".

1 SEC. 4. Section five hundred eleven point eight (511.8), Code 1954,  
2 is hereby further amended by inserting following the word "than" in  
3 line three (3) of subsection thirteen (13) thereof the word "real".

1 SEC. 5. Section five hundred eleven point eight (511.8), Code 1954,  
2 is hereby further amended by inserting after the word "income" in  
3 line seven (7) of subsection thirteen (13) thereof the following:  
4 "; provided, however, that personal property acquired under the provi-  
5 sions of this subsection is acquired for the purpose of entering into a  
6 contract for the sale or use thereof under which the contractual pay-  
7 ments may reasonably be expected to result in the recovery of the  
8 investment and an investment return within the anticipated useful  
9 life of the property."

1 SEC. 6. Section five hundred eleven point eight (511.8), Code 1954,  
2 is hereby further amended by striking from line eight (8) of subsec-  
3 tion thirteen (13) thereof the word "estate" and inserting in lieu  
4 thereof the word "property".

1 SEC. 7. Section five hundred eleven point eight (511.8), Code 1954,  
2 is hereby further amended by striking from line twelve (12) of sub-  
3 section thirteen (13) thereof the word "five" and inserting in lieu  
4 thereof the word "ten".

1 SEC. 8. Section five hundred eleven point eight (511.8), Code 1954,  
2 is hereby further amended by inserting following the word "appurte-  
3 nances" in line eighteen (18) of paragraph a of subsection eight (8)  
4 thereof the words, "to real property".

1 SEC. 9. Section one (1) of Chapter two hundred forty-three (243)  
2 Acts of the 56th General Assembly is hereby amended by inserting  
3 following the word "unencumbered" in line six (6) thereof the words  
4 "personal or real or both personal and".

1 SEC. 10. Section one (1) of Chapter two hundred forty-three  
2 (243) Acts of the 56th General Assembly is hereby further amended

3 by striking the word "and" in line fourteen (14) thereof and inserting  
4 in lieu thereof the word "or".

1 SEC. 11. Section one (1) of Chapter two hundred forty-three  
2 (243) Acts of the 56th General Assembly is hereby further amended  
3 by striking from line twenty (20) thereof the following: "five per  
4 cent (5%)" and inserting in lieu thereof the words "ten per cent".

Approved April 5, 1957.

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## CHAPTER 245

### INSURANCE COMPANY DIRECTORS

S. F. 302

AN ACT to amend section five hundred fifteen point twenty-six (515.26), Code 1954, relating to the number of directors in insurance companies other than life companies.

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

1 SECTION 1. Section five hundred fifteen point twenty-six (515.26),  
2 Code 1954, is amended by striking from lines three (3) and four (4)  
3 thereof the words "to be stated in the Articles" immediately following  
4 the word "directors" in line three (3) thereof.

Approved March 27, 1957.

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## CHAPTER 246

### PUBLIC INSURANCE

H. F. 364

AN ACT to repeal section five hundred seventeen A point one (517A.1), Code 1954, and to enact a substitute therefor, relating to purchase of insurance for public employees, officers and bodies.

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

1 SECTION 1. Section five hundred seventeen A point one (517A.1),  
2 Code 1954, is hereby repealed and the following enacted in lieu there-  
3 of:  
4 "All state commissions, departments, boards and agencies and all  
5 commissions, departments, boards, districts, municipal corporations  
6 and agencies of all political subdivisions of the state of Iowa not  
7 otherwise authorized are hereby authorized and empowered to pur-  
8 chase and pay the premiums on liability, personal injury and property  
9 damage insurance covering all officers, proprietary functions and em-  
10 ployees of such public bodies, including volunteer firemen, while in the  
11 performance of any or all of their duties including operating an auto-  
12 mobile, truck, tractor, machinery or other vehicles owned or used by  
13 said public bodies, which insurance shall insure, cover and protect  
14 against individual personal, corporate or quasi corporate liability that

15 said bodies or their officers or employees may incur.  
 16 The amount of insurance that said commissions, departments,  
 17 boards and agencies may purchase shall not exceed ten thousand dol-  
 18 lars (\$10,000.00) for property damage or twenty-five thousand dol-  
 19 lars (\$25,000.00) for personal injury or death of one person, and  
 20 subject to said limit for one person, fifty thousand dollars (\$50,000.00)  
 21 for personal injury or death of more than one person, arising out of a  
 22 single accident."

1 SEC. 2. This Act being deemed of immediate importance shall be  
 2 in full force and effect immediately upon its passage and publication  
 3 in The Lowden News, a newspaper published at Lowden, Iowa, and in  
 4 the Lone Tree Reporter, a newspaper published at Lone Tree, Iowa.

Approved April 5, 1957.

I hereby certify that the foregoing Act, House File 364, was published in The Lowden News, Lowden, Iowa, April 10, 1957, and in the Lone Tree Reporter, Lone Tree, Iowa, April 11, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 247

### ASSESSMENT INSURANCE ASSOCIATIONS

#### H. F. 6

AN ACT to amend section five hundred eighteen point one (518.1), Code 1954, relating to insurance coverages authorized for mutual fire, tornado, hailstorm and other insurance associations.

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

1 SECTION 1. Section five hundred eighteen point one (518.1), Code  
 2 1954, is hereby amended by striking therefrom subsection one (1) and  
 3 substituting in lieu thereof the following:  
 4 "1. Any number of persons may, by incorporating under chapter  
 5 four hundred ninety-one (491) of the Code, enter into contracts with  
 6 each other for the following kinds of insurance from loss or damage  
 7 by:  
 8 a. Any peril or perils resulting in physical loss of or damage to  
 9 property.  
 10 b. Theft of personal property.  
 11 c. Injury, sickness, or death of animals and the furnishing of vet-  
 12 erinary service.  
 13 d. Any automobile or aircraft or other vehicle, including loss, ex-  
 14 pense, or liability resulting from the ownership, maintenance, or use  
 15 thereof, but shall not include, by county mutuals, insurance against  
 16 bodily injury to the person."

Approved February 27, 1957.

## CHAPTER 248

## INSURANCE AGENTS' LICENSES

## H. F. 9

AN ACT to amend section five hundred twenty-two point three (522.3), Code 1954, relating to issuance and revocation of insurance agents' licenses.

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

1 SECTION 1. Section five hundred twenty-two point three (522.3),  
2 Code 1954, is amended by striking all of said section and substituting  
3 therefor the following:

4 "The commissioner shall require of each first-time applicant such  
5 reasonable proof of character and competency with respect to the type  
6 and kind of insurance the applicant proposes to sell as will protect  
7 public interest, before issuing such license and may, for good cause,  
8 after hearing held within sixty (60) days from the date of applica-  
9 tion, decline to issue such license or may, for like cause, after hearing,  
10 revoke the same. The commissioner is authorized and directed to estab-  
11 lish and publish reasonable rules and regulations setting forth the  
12 required qualifications for such license. Prior to April 1, 1958, the  
13 certificate of the company or association requesting the license shall  
14 be considered sufficient proof of competency, but thereafter such com-  
15 petency for any applicant not previously licensed shall be established  
16 in accordance with the rules and regulations established by the com-  
17 missioner as provided herein. The commissioner may issue a tempo-  
18 rary license for a period of not to exceed six (6) months and for such  
19 temporary license may waive the requirements established herein.

20 "Nothing contained herein shall preclude the licensee from engag-  
21 ing in any other lawful business, occupation or profession. Nothing  
22 contained herein shall be applicable to duly licensed attorneys pro-  
23 viding surety bonds incident to their practice or to persons selling  
24 transportation tickets of a common carrier of persons or property  
25 who shall act as such agents only as to transportation ticket policies  
26 of health and accident insurance or baggage insurance on personal  
27 effects.

28 "The commissioner shall require of each first time applicant an ap-  
29 plication fee of five dollars (\$5.00)."

Approved March 19, 1957.

## CHAPTER 249

## BANK INVESTMENTS IN FARM CREDIT SECURITIES

## H. F. 277

AN ACT relating to the investment of funds by banks and trust companies in federal farm credit securities and modifying the limitations now existing.

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

1 SECTION 1. Notwithstanding any other provision of law and the  
2 limitations on investments contained in section five hundred twenty-  
3 eight point fourteen (528.14), Code 1954, any savings or state bank

4 or trust company is authorized to invest any of its available funds,  
 5 not to exceed in the aggregate 10% of its total assets, in bonds and  
 6 debentures issued either singly or collectively by any of the twelve  
 7 federal land banks, the twelve federal intermediate credit banks or the  
 8 thirteen banks for cooperatives under the supervision of the farm  
 9 credit administration.

Approved March 20, 1957.

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## CHAPTER 250

### FIDUCIARY INVESTMENT NOMINEES

#### H. F. 389

AN ACT to amend chapter five hundred thirty-two (532), Code 1954, relating to the appointment of a nominee by banking institutions acting in a fiduciary capacity.

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

1 SECTION 1. Chapter five hundred thirty-two (532), Code 1954, is  
 2 amended by adding a new section as follows:  
 3 "Appointment of nominee. Any state or national bank or trust  
 4 company, when acting in this state as a fiduciary or a co-fiduciary with  
 5 others, may with the consent of its co-fiduciary or co-fiduciaries, if  
 6 any (who are hereby authorized to give such consent), cause any in-  
 7 vestment held in any such capacity to be registered and held in the  
 8 name of a nominee or nominees of such bank or trust company. Such  
 9 bank or trust company shall be liable for the acts of any such nominee  
 10 with respect to any investment so registered. The records of such  
 11 bank or trust company shall at all times show the ownership of any  
 12 such investment, which investment shall be in the possession and con-  
 13 trol of such bank or trust company and be kept separate and apart  
 14 from the assets of such bank or trust company.  
 15 "All reports or accounts rendered by the fiduciary shall clearly show  
 16 the ownership of the investment and the facts regarding its holding,  
 17 and if the fiduciary relationship pertains to an estate, trust, guardian-  
 18 ship, or receivership pending in the district court, or to any other dis-  
 19 trict court matters or proceedings, court approval shall be first ob-  
 20 tained to register and hold investments in the name of a nominee or  
 21 nominees, and all reports or accounts rendered by the fiduciary or  
 22 fiduciaries in such matters pending in the district or probate court  
 23 shall require court approval."

Approved April 26, 1957.

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## CHAPTER 251

### AGRICULTURAL WAREHOUSES

#### S. F. 414

AN ACT relating to warehouses for agricultural products.

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

1 SECTION 1. Section five hundred forty-three point sixteen (543.16),  
 2 Code 1954, is hereby amended as follows:

3 1. By striking from line one (1) thereof the words, "Except as  
4 hereinafter provided it" and inserting in lieu thereof the word, "It".

5 2. By striking from line five (5) the words, "except as hereinafter  
6 provided".

7 3. By striking from said section the entire sentence beginning in  
8 line eight (8) and ending in line eleven (11).

9 4. By striking the sentence beginning on line fifteen (15) and  
10 ending on line twenty-one (21) and inserting in lieu thereof the fol-  
11 lowing: "This section shall not apply to the acceptance and storage  
12 of bulk grain by a person bonded and licensed under the provisions of  
13 a federal law, if and to the extent that such person is authorized  
14 under federal law to accept and store bulk grain, but such person shall  
15 comply with all other provisions of this chapter which do not conflict  
16 with such federal law."

1 SEC. 2. Section five hundred forty-three point seventeen (543.17),  
2 Code 1954, is hereby amended as follows:

3 1. By inserting in line thirty-one (31) before the word, "not" the  
4 words, "to the depositor".

5 2. By striking the entire sentence beginning in line forty-one (41)  
6 and ending in line forty-seven (47) and inserting in lieu thereof the  
7 following:

8 "Any grain which has been received at any unlicensed warehouse,  
9 and for which the actual sale price is not fixed and payment made  
10 therefor within ten (10) days after the receipt of said grain, is con-  
11 sidered to be grain held in storage within the meaning of the Iowa  
12 bonded warehouse law."

Approved May 2, 1957.

## CHAPTER 252

### AUCTIONEERS' LICENSES

H. F. 569

AN ACT to repeal section five hundred forty-six point one (546.1), Code 1954, and to enact a substitute therefor, relating to the licensing of auctioneers, and to repeal section five hundred forty-six point two (546.2), Code 1954.

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

1 SECTION 1. Section five hundred forty-six point one (546.1), Code  
2 1954, is repealed and the following is hereby enacted in lieu thereof:

3 "The county board of supervisors may license any person in its  
4 county as an auctioneer for hire, which license, while unexpired, shall  
5 be effective any place in the state of Iowa. Such license shall be issued  
6 by the county auditor and shall authorize the licensee to conduct the  
7 business of an auctioneer for hire for a period of one (1) year. Before  
8 such license is issued the licensee shall pay into the county treasury  
9 a fee of ten dollars (\$10.00). Provided, that a resident of another  
10 state may be licensed as an auctioneer in Iowa upon complying with  
11 the laws of the state of Iowa relating to the issuance of auctioneers'  
12 licenses."

1 SEC. 2. Section five hundred forty-six point two (546.2), Code  
2 1954, is hereby repealed.

Approved May 14, 1957.

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CHAPTER 253

MOTOR VEHICLE MORTGAGES

H. F. 272

AN ACT to amend section five hundred fifty-six point one (556.1), Code 1954, relating to mortgages on personal property exempt from execution.

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

1 SECTION 1. Section five hundred fifty-six point one (556.1), Code  
2 1954, is amended by striking the period (.) in line eight (8) and substi-  
3 tuting in lieu thereof a semicolon (;) and adding after such semicolon  
4 (;) the following: "except that an encumbrance of a motor vehicle  
5 as defined in section three hundred twenty-one point one (321.1) of  
6 the Code, given to secure the claim of any person for services or mate-  
7 rials, or both, used in repairing, improving or enhancing the value of  
8 such motor vehicle need be signed only by the owner of the motor ve-  
9 hicle to be valid."

Approved May 14, 1957.

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CHAPTER 254

RELEASE OF MORTGAGES

H. F. 313

AN ACT relating to the release of mortgages.

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

1 SECTION 1. Section five hundred fifty-six point seventeen (556.17),  
2 Code 1954, is hereby amended as follows:  
3 By inserting immediately after the first paragraph of said section  
4 the following:  
5 "The fee for the release of any of the above instruments shall be  
6 paid directly to the county recorder at the time the original instrument  
7 is filed of record."

Approved May 14, 1957.

## CHAPTER 255

## LIST OF MENTAL DEFECTIVES

H. F. 554

AN ACT relating to duties of the board of control and to repeal sections five hundred ninety-five point twenty (595.20) to five hundred ninety-five point twenty-eight (595.28), inclusive, Code 1954, relating thereto.

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

- 1 SECTION 1. Sections five hundred ninety-five point twenty (595.20)
- 2 to five hundred ninety-five point twenty-eight (595.28), inclusive,
- 3 Code 1954, are hereby repealed.

Approved May 24, 1957.

## CHAPTER 256

## DIVORCES

H. F. 285

AN ACT providing for a sixty (60) day period before a decree of divorce shall be granted except in emergencies.

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

- 1 SECTION 1. Chapter five hundred ninety-eight (598), Code 1954, is
- 2 hereby amended by adding the following new section:
- 3 "Any law or rules of procedure to the contrary notwithstanding, no
- 4 decree of divorce shall be granted in any divorce proceedings before
- 5 sixty (60) days shall have elapsed from the day the original notice is
- 6 served, or from the last day of publication of notice, or from the date
- 7 that waiver or acceptance of original notice is filed. Provided, how-
- 8 ever, the court may in its discretion, on written motion supported by
- 9 affidavit setting forth grounds of emergency or necessity and facts
- 10 which satisfy the court that immediate action is warranted or re-
- 11 quired to protect the substantive rights or interests of any party or
- 12 person who might be affected by the decree, hold a hearing and grant
- 13 a decree of divorce prior to the expiration of the sixty (60) day period,
- 14 provided that requirements of notice have been complied with. In such
- 15 case the grounds of emergency or necessity and the facts with respect
- 16 thereto shall be recited in the decree unless otherwise ordered by the
- 17 court."

Approved April 19, 1957.

## CHAPTER 257

## ADOPTION OF CHILDREN

S. F. 433

AN ACT relating to consent to adoption and legalizing certain consents made prior to January 1, 1957 and to amend chapter\* six hundred point three (600.3), Code 1954.

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

1 SECTION 1. Section six hundred point three (600.3), Code 1954 is  
2 hereby amended by adding thereto the following:

3 "No consent executed prior to January 1, 1957, and with respect to  
4 which no action or judicial proceeding is now pending or hereafter  
5 commenced before July 1, 1957, shall be declared illegal or void for  
6 failure to disclose the name or names of adopting parents."

1 SEC. 2. This Act being deemed of immediate importance shall take  
2 effect and be in force from and after publication in the Lamoni Chron-  
3 icle, a newspaper published in Lamoni, Iowa, and in the Mount Ayr  
4 Record-News, a newspaper published in Mount Ayr, Iowa.

Approved April 22, 1957.

\*According to enrolled Act.

I hereby certify that the foregoing Act, Senate File 433, was published in the Lamoni Chronicle, Lamoni, Iowa, May 2, 1957, and in the Mount Ayr Record-News, Mount Ayr, Iowa, May 2, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 258

## ALTERNATE MUNICIPAL JUDGES

S. F. 291

AN ACT relating to the appointment of an alternate judge in municipal courts having only one (1) judge, such alternate judge to act only during the absence or vacation of the regular judge, and relating to the salaries of judges of municipal courts.

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

1 SECTION 1. Section six hundred two point twenty-two (602.22),  
2 Code 1954, is hereby amended by adding at the end of such section  
3 the following:

4 "The words, 'inability of any judge to act' as herein used shall in-  
5 clude any absence from court duties for reasonable cause, including a  
6 reasonable vacation period. In any municipal court having only one  
7 (1) judge, the governor shall upon request of the duly elected judge  
8 of said court appoint an alternate judge for a term expiring at the  
9 same time as the term of the regular judge. The appointment of such  
10 alternate judge shall in no way affect the position, rights, or salary  
11 of the regular judge. Such alternate judge shall act as judge only in  
12 case of the inability of the regular judge to act. The alternate judge  
13 shall have the same qualifications as the regular judge and shall sub-  
14 scribe to the same oath which shall be filed with the city clerk. Such  
15 alternate judge may practice as an attorney or counselor except at

16 such time as he is acting as judge and holding court for the regular  
17 judge. While acting as a judge he shall not act in any manner with  
18 respect to any case in which he is interested as an attorney.

19 The alternate judge shall for such times as he shall act as judge be  
20 paid a salary in the same amount and manner as the regular judge.  
21 The salary of such alternate judge shall be paid equally from the city  
22 treasury and from the court expense fund of the county."

1 SECTION 2. Section six hundred two point forty-nine (602.49),  
2 Code 1954, as amended by section one (1), chapter two hundred sixty-  
3 four (264), Acts of the Fifty-sixth General Assembly, is amended by  
4 striking lines one (1) to eight (8) inclusive and through the word  
5 "population" in line nine (9) and inserting in lieu thereof the follow-  
6 ing:

7 "The annual salary of each municipal judge shall be six thousand  
8 five hundred (6,500) dollars in cities of less than thirty thousand  
9 (30,000) population; seven thousand two hundred (7,200) dollars in  
10 cities of thirty thousand (30,000) and less than seventy thousand  
11 (70,000) population; and eight thousand (8,000) dollars in cities of  
12 seventy thousand (70,000) or more population."

Approved May 9, 1957.

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## CHAPTER 259

### MUNICIPAL COURT JURY LISTS

H. F. 296

AN ACT to correct the time for preparation of municipal court jury lists.

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

1 SECTION 1. Section six hundred two point thirty-four (602.34),  
2 Code 1954, is amended by substituting the word "December" for the  
3 word "April" in line twelve (12) thereof.

Approved May 14, 1957.

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## CHAPTER 260

### COURT REPORTERS AND GRAND JURY CLERKS

S. F. 49

AN ACT relating to compensation of court appointed shorthand reporters and clerk of the grand jury.

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

1 SECTION 1. Section six hundred two point forty-six (602.46), Code  
2 1954, is hereby amended as follows:

3 1. Strike from line seven (7) thereof the word "twelve" and insert  
4 in lieu thereof the words\* "seventeen".

\*According to enrolled Act.

5 2. Strike from line ten (10) thereof the word "fifteen" and insert  
6 in lieu thereof the words\* "twenty".

1 SEC. 2. Section six hundred five point eight (605.8), Code 1954,  
2 is hereby amended by striking from line two (2) thereof the word  
3 "twenty" and inserting in lieu thereof the word "twenty-five".

4 Section six hundred five point eight (605.8), Code 1954, is further  
5 amended by striking the period at the end thereof and adding the fol-  
6 lowing: ", provided however, that the maximum compensation for  
7 one-day attendance at court shall not exceed the per diem herein desig-  
8 nated."

1 SEC. 3. Section six hundred five point nine (605.9), Code 1954, is  
2 hereby amended by striking from lines three (3) and four (4) thereof  
3 the words "forty-eight" and inserting in lieu thereof the words "fifty-  
4 four".

1 SEC. 4. Section seven hundred seventy point twenty-one (770.21),  
2 Code 1954, is hereby amended by striking from line twenty-three (23)  
3 thereof the words, "forty-four hundred" and inserting in lieu thereof  
4 the words, "forty-eight hundred (4800)".

Approved May 2, 1957.

\*According to enrolled Act.

## CHAPTER 261

### MUNICIPAL COURTS

#### H. F. 26

AN ACT relating to the pay periods of municipal court personnel.

*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 1954, is hereby amended by striking the last paragraph of such  
3 section beginning on line thirty-two (32), and ending on line forty  
4 (40), and inserting in lieu thereof the following: "The salaries of  
5 municipal judges, clerk, bailiff, and all deputies shall be paid, either  
6 monthly on the first Monday of each month, or semimonthly on the  
7 same days as semimonthly paid employees of such city. Under either  
8 method of payment the first month salary shall be paid from the city  
9 treasury and the second month salary shall be paid from the court  
10 expense fund of the county, thereafter such payments shall alternate  
11 from the city treasury to the court expense fund of the county in like  
12 manner."

Approved April 10, 1957.

## CHAPTER 262

## MUNICIPAL COURT FEES

H. F. 19

AN ACT to amend section six hundred two point fifty (602.50), Code 1954, relating to jury fees in municipal courts in class "C" cases, and in misdemeanor cases specially mentioned in section six hundred two point twenty-eight (602.28).

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

1 SECTION 1. Section six hundred two point fifty (602.50), Code  
2 1954, is hereby amended by adding to said section the following:  
3 "Jury fees in class "C" cases and in misdemeanor cases specially men-  
4 tioned in section six hundred two point twenty-eight (602.28), shall  
5 be paid by the county."

Approved April 23, 1957.

## CHAPTER 263

## DISTRICT COURT JUDGES

S. F. 61

AN ACT relating to an increase in the number of judges in the seventh (7th) and ninth (9th) judicial districts.

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

1 SECTION 1. Section six hundred four point eight (604.8), Code  
2 1954, is hereby amended as follows:  
3 1. By striking from line twenty-five (25) the word "five (5)" and  
4 inserting in lieu thereof the word, "six (6)".  
5 2. By adding after the word, "judge." in line twenty-seven (27)  
6 the sentence:  
7 "The largest county at the last federal census shall have three (3)  
8 resident judges."  
9 3. By striking from line thirty-two (32) the word, "six" and in-  
10 sserting in lieu thereof the word, "seven (7)".

1 SEC. 2. The vacancies in the office of district judge created by this  
2 Act shall be filled by appointment by the governor. The person so  
3 appointed shall hold said office until January 1, 1959, or until his suc-  
4 cessor is elected and qualified, which successor shall be elected at the  
5 general election in 1958, and every four (4) years thereafter.

1 SEC. 3. This Act being deemed of immediate importance shall be  
2 in full force and effect from and after publication in the West Des  
3 Moines Express, a newspaper published in West Des Moines, Iowa,  
4 and in the Perry Daily Chief, a newspaper published in Perry, Iowa.

Approved March 13, 1957.

I hereby certify that the foregoing Act, Senate File 61, was published in the Perry Daily Chief, Perry, Iowa, March 15, 1957, and in the West Des Moines Express, West Des Moines, Iowa, March 21, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 264

## EXPENSE ALLOWANCE FOR JUDGES

H. F. 224

AN ACT to amend section six hundred five point two (605.2), Code 1954, relating to expense of judges.

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

1 SECTION 1. Section six hundred five point two (605.2), Code 1954,  
2 is hereby amended by striking from line eight (8) the word "six" and  
3 insert in lieu thereof the word "nine".

Approved March 27, 1957.

## CHAPTER 265

## MILEAGE OF JURORS

H. F. 159

AN ACT relating to mileage allowances of petit and grand jurors.

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

1 SECTION 1. Section six hundred seven point five (607.5), Code  
2 1954, is hereby amended as follows:

3 1. By inserting in line five (5) of subsection one (1) after the  
4 word, "trial" the words, "for each days service and attendance".

5 2. By inserting in line five (5) of subsection three (3) after the  
6 word, "traveled" the words, "each day from his residence to the place  
7 of attendance and".

8 3. By adding at the end of subsection three (3) the following:

9 "provided, however, that grand jurors shall be entitled to mileage  
10 for travel from the place of their residence to the county seat for the  
11 purpose of being impaneled. No grand juror shall receive mileage  
12 for travel in the performance of his duties when he travels in a  
13 vehicle for which another juror is receiving mileage."

Approved April 26, 1957.

## CHAPTER 266

## PUBLICATION AND POSTING OF NOTICES

H. F. 195

AN ACT to amend section six hundred eighteen point eleven (618.11), Code 1954, relating to the publication and posting of notices.

*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 1954, is hereby amended by inserting after the comma in line  
3 nine (9) the following: "style, manner or form,".

Approved February 15, 1957.

## CHAPTER 267

## CERTIFIED MAIL NOTICES

S. F. 378

AN ACT relating to the use of certified mail for mailings required or permitted by statute and defining certified mail.

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

1 SECTION 1. Chapter six hundred eighteen (618), Code 1954, is  
2 hereby amended by adding the following new section:

3 "Wherever used in this Code, the following words shall have the  
4 meanings respectively ascribed to them unless such meanings are re-  
5 pugnant to the context:

6 1. The words, 'certified mail' mean any form of mail service, by  
7 whatever name, provided by the United States post office where the  
8 post office provides the mailer with a receipt to prove mailing.

9 2. The words, 'restricted certified mail' mean any form of certified  
10 mail as defined in subsection one (1) which carries on the face thereof,  
11 in a conspicuous place where it will not be obliterated, the endorse-  
12 ment, 'Deliver to addressee only', and for which the post office pro-  
13 vides the mailer with a return receipt showing the date of delivery,  
14 the place of delivery, and person to whom delivered."

1 SEC. 2. Section twenty-three point six (23.6), Code 1954, is hereby  
2 amended by striking from line five (5) the word, "registered" and  
3 inserting in lieu thereof the word, "certified".

1 SEC. 3. Section twenty-three point fourteen (23.14), Code 1954, is  
2 hereby amended by striking from line sixteen (16) the word, "regis-  
3 tered" and inserting in lieu thereof the word, "certified".

1 SEC. 4. Section twenty-four point twenty-seven (24.27), Code  
2 1954, is hereby amended by striking from line eight (8) the word,  
3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 5. Section twenty-nine point twenty-four (29.24), Code 1954,  
2 is hereby amended by striking from lines eleven (11) and twelve (12)  
3 the words, "registered letter" and inserting in lieu thereof the words,  
4 "certified mail".

1 SEC. 6. Section thirty-five A point seven (35A.7), Code 1954, is  
2 hereby amended by striking from line eleven (11) the word, "regis-  
3 tered" and inserting in lieu thereof the word, "certified".

1 SEC. 7. Section eighty-one point four (81.4), subsection two (2),  
2 Code 1954, is hereby amended as follows:

3 1. By striking from line seven (7) the word, "registered" and in-  
4 serting in lieu thereof the word, "certified".

5 2. By striking from lines eleven (11) and twelve (12) of subsection  
6 two (2) the words, "registered United States mail, return receipt  
7 requested" and inserting in lieu thereof the words, "restricted certi-  
8 fied mail".

1 SEC. 8. Section eighty-one point six (81.6), Code 1954, is hereby  
2 amended as follows:

3 1. By striking from line eight (8) the word, "registered" and in-  
4 serting in lieu thereof the word, "certified".

5 2. By striking from lines nineteen (19) and twenty (20) the words,  
6 "return receipt requested." and inserting in lieu thereof the words,  
7 "by restricted certified mail."

1 SEC. 9. Section eighty-one point nine (81.9), Code 1954, is hereby  
2 amended as follows:

3 1. By striking from line five (5) the words, "registered letter" and  
4 inserting in lieu thereof the word, "restricted certified mail".

5 2. By striking from line seven (7) the words, "return receipt re-  
6 quested,".

1 SEC. 10. Section eighty-five point one (85.1), subsection three (3),  
2 Code 1954, is hereby amended by striking from line ten (10) the word,  
3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 11. Section eighty-six point thirteen (86.13), Code 1954, is  
2 hereby amended by striking from line nine (9) the words, "registered  
3 letter" and inserting in lieu thereof the words, "certified mail".

1 SEC. 12. Section eighty-six point thirty-six (86.36), Code 1954, is  
2 hereby amended as follows:

3 1. By striking from subsection one (1), line four (4) the words,  
4 "registered and deposited in the" and inserting in lieu thereof the  
5 words, "mailed by certified".

6 2. By striking from subsection two (2), paragraph *b*, line three  
7 (3) the word, "registered" and inserting in lieu thereof the word,  
8 "certified".

9 3. By striking subsection three (3).

10 4. By striking from line nine (9) of subsection five (5) the words,  
11 "return registry" and inserting in lieu thereof the words, "restricted  
12 certified mail return".

1 SEC. 13. Section eighty-seven point nineteen (87.19), Code 1954,  
2 is hereby amended by striking in lines five (5) and six (6) the word,  
3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 14. Section eighty-seven point twenty-three (87.23), Code  
2 1954, is hereby amended by striking from line six (6) the word,  
3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 15. Section ninety-six point seven (96.7), Code 1954, as  
2 amended by chapter eighty-one (81), sections one (1) and two (2),  
3 Acts of the Fifty-sixth General Assembly is hereby amended as fol-  
4 lows:

5 1. By striking from subsection three (3), paragraph *f*, line thir-  
6 teen (13) the word, "registered" and inserting in lieu thereof the  
7 word, "certified".

8 2. By striking from subsection four (4), paragraph *a*, line fourteen  
9 (14) the word, "registered" and inserting in lieu thereof the word  
10 "certified".

11 3. By striking from subsection four (4), paragraph *b*, line fifteen  
12 (15) the word, "registered" and inserting in lieu thereof the word,  
13 "certified".

14 4. By striking from subsection five (5), line fourteen (14) the word,  
15 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 16. Section ninety-six point fourteen (96.14), Code 1954, is  
2 hereby amended as follows:

3 1. By striking from subsection seven (7), paragraph *b*, line four  
4 (4) the word, "registered" and inserting in lieu thereof the word,  
5 "certified".

6 2. By striking subsection nine (9).

7 3. By striking in subsection eleven (11), line nine (9) the words,  
8 "return registry" and inserting in lieu thereof the words, "restricted  
9 certified mail return".

1 SEC. 17. Section ninety-seven B point twenty-two (97B.22), Code  
2 1954, is hereby amended as follows:

3 1. By striking from lines eighteen (18) and nineteen (19) the word,  
4 "registered" and inserting in lieu thereof the word, "certified".

5 2. By striking from lines twenty-three (23) and twenty-four (24)  
6 the word, "registered" and inserting in lieu thereof the word, "certi-  
7 fied".

1 SEC. 18. Section ninety-eight point twenty-two (98.22), subsec-  
2 tion one (1), Code 1954, is hereby amended by striking from line six-  
3 teen (16) the word, "registered" and inserting in lieu thereof the  
4 word, "certified".

1 SEC. 19. Section ninety-eight point twenty-nine (98.29), Code  
2 1954, is hereby amended by striking from lines four (4) and five (5)  
3 the word, "registered" and inserting in lieu thereof the word, "certi-  
4 fied".

1 SEC. 20. Section ninety-nine A point five (99A.5), Code 1954, is  
2 hereby amended by striking from line sixteen (16) the word, "regis-  
3 tered" and inserting in lieu thereof the word, "certified".

1 SEC. 21. Section one hundred point twenty-six (100.26), Code  
2 1954, is hereby amended by striking from line ten (10) the word,  
3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 22. Section one hundred seventeen point twenty-three  
2 (117.23), Code 1954, is hereby amended by striking from lines twenty-  
3 eight (28) and twenty-nine (29) the word, "registered" and insert-  
4 ing in lieu thereof the word, "certified".

1 SEC. 23. Section one hundred seventeen point thirty-three  
2 (117.33), Code 1954, is hereby amended by striking from line six (6)  
3 the word, "registered" and inserting in lieu thereof the word, "certi-  
4 fied".

1 SEC. 24. Section one hundred seventeen point thirty-five (117.35),  
2 Code 1954, is hereby amended as follows:

3 1. By striking from line fifteen (15) the word, "registered" and  
4 inserting in lieu thereof the word, "certified".

5 2. By striking from line twenty-one (21) the word, "registered"  
6 and inserting in lieu thereof the word, "certified".

1 SEC. 25. Section one hundred twenty point ten (120.10), Code  
2 1954, is hereby amended by striking from line twelve (12) the word,  
3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 26. Section one hundred twenty-four point four (124.4),  
 2 Code 1954, is hereby amended by striking from line twenty-eight (28)  
 3 the word, "registered" and inserting in lieu thereof the word, "certi-  
 4 fied".

1 SEC. 27. Section one hundred thirty-five B point six (135B.6),  
 2 Code 1954, is hereby amended as follows:

3 1. By striking from line ten (10) the word, "registered" and in-  
 4 serting in lieu thereof the word, "certified".

5 2. By striking from lines thirty-three (33) and thirty-four (34)  
 6 the word, "registered" and inserting in lieu thereof the word, "certi-  
 7 fied".

1 SEC. 28. Section one hundred fifty-three point fourteen (153.14),  
 2 Code 1954, is hereby amended by striking from line sixteen (16) the  
 3 word, "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 29. Section one hundred sixty-six point thirty-one (166.31),  
 2 Code 1954, is hereby amended by striking from line four (4) the word,  
 3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 30. Section two hundred seventy-nine point thirteen (279.13),  
 2 Code 1954, is hereby amended by striking from line seventy (70) the  
 3 word, "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 31. Section three hundred six point six (306.6), Code 1954,  
 2 is hereby amended by striking from line twelve (12) the word, "regis-  
 3 tered" and inserting in lieu thereof the word, "certified".

1 SEC. 32. Section three hundred six point seventeen (306.17), Code  
 2 1954, is hereby amended by striking from line five (5) the word,  
 3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 33. Section three hundred six point twenty-four (306.24),  
 2 Code 1954, is hereby amended by striking from line fourteen (14) the  
 3 word, "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 34. Section three hundred seventeen point six (317.6), Code  
 2 1954, is hereby amended as follows:

3 1. By striking from line twenty-nine (29) the word, "registered"  
 4 and inserting in lieu thereof the word, "certified".

5 2. By striking from line forty (40) the word, "registered" and in-  
 6 serting in lieu thereof the word, "certified".

7 3. By striking from line forty-one (41) the word, "registered" and  
 8 inserting in lieu thereof the word, "certified".

1 SEC. 35. Section three hundred seventeen point twenty-one  
 2 (317.21), subsection three (3), Code 1954, is hereby amended by strik-  
 3 ing from line seventeen (17) the word, "registered" and inserting in  
 4 lieu thereof the word, "certified".

1 SEC. 36. Section three hundred twenty-one point sixteen (321.16),  
 2 Code 1954, is hereby amended by striking from line eight (8) the  
 3 word, "registered" and inserting in lieu thereof the words, "restricted  
 4 certified".

1 SEC. 37. Section three hundred twenty-one point eighty-five  
 2 (321.85), Code 1954, is hereby amended by striking from line ten (10)

3 the word, "registered" and inserting in lieu thereof the word, "certi-  
4 fied".

1 SEC. 38. Section three hundred twenty-one point five hundred one  
2 (321.501), subsection two (2), Code 1954, is hereby amended by strik-  
3 ing from line four (4) the word, "registered" and inserting in lieu  
4 thereof the word, "certified".

1 SEC. 39. Section three hundred twenty-one point five hundred  
2 three (321.503), Code 1954, is hereby repealed.

1 SEC. 40. Section three hundred twenty-one point five hundred five  
2 (321.505), Code 1954, is hereby amended by striking from line nine  
3 (9), the words, "return registry" and inserting in lieu thereof the  
4 words, "restricted certified mail return".

1 SEC. 41. Section three hundred twenty-four point twenty-three  
2 (324.23), Code 1954, is hereby amended by striking from line four  
3 (4) the word, "registered" and inserting in lieu thereof the word,  
4 "certified".

1 SEC. 42. Section three hundred fifty-eight B point sixteen  
2 (358B.16), Code 1954, is hereby amended by striking from line eleven  
3 (11) the word, "registered" and inserting in lieu thereof the word,  
4 "certified".

1 SEC. 43. Section three hundred eighty-three point seven (383.7),  
2 Code 1954, is hereby amended by striking from line thirty-one (31)  
3 the word, "registered" and inserting in lieu thereof the word, "certi-  
4 fied".

1 SEC. 44. Section three hundred ninety-one point fifty-four  
2 (391.54), Code 1954, is hereby amended by striking from lines seven-  
3 teen (17) and eighteen (18) the words, "in a registered letter" and  
4 inserting in lieu thereof the words, "by certified mail".

1 SEC. 45. Section three hundred ninety-one A point twenty-one  
2 (391A.21), Code 1954, is hereby amended by striking from line twenty-  
3 eight (28) the words, "registered mail with return receipt" and in-  
4 serting in lieu thereof the words, "restricted certified mail".

1 SEC. 46. Section four hundred twenty-two point twenty-five  
2 (422.25), Code 1954, as amended by chapter two hundred ten (210),  
3 sections one (1) and two (2), and chapter two hundred eleven (211),  
4 Acts of the Fifty-sixth General Assembly, is hereby amended as fol-  
5 lows:

6 1. By striking from line eleven (11) of subsection one (1) the word,  
7 "registered" and inserting in lieu thereof the word, "certified".

8 2. By striking from line twelve (12) of subsection two (2) the  
9 word, "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 47. Section four hundred twenty-two point fifty-seven  
2 (422.57), subsection one (1), Code 1954, is hereby amended by strik-  
3 ing in lines four (4) and five (5) the word, "registered" and inserting  
4 in lieu thereof the word, "certified".

1 SEC. 48. Section four hundred twenty-four point eight (424.8),  
2 Code 1954, is hereby amended by striking from line five (5) the word,  
3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 49. Section four hundred twenty-five point three (425.3),  
2 Code 1954, is hereby amended by striking from line seven (7) the  
3 word, "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 50. Section four hundred twenty-five point seven (425.7),  
2 subsection three (3), Code 1954, is hereby amended by striking from  
3 lines twenty-three (23) and twenty-four (24) the words, "registered  
4 mail, with receipt requested," and inserting in lieu thereof the words,  
5 "restricted certified mail,".

1 SEC. 51. Section four hundred twenty-six A point six (426A.6),  
2 Code 1954, is hereby amended by striking from line twenty-five (25)  
3 the words, "registered mail with receipt requested," and inserting in  
4 lieu thereof the words, "restricted certified mail,".

1 SEC. 52. Section four hundred twenty-seven point one (427.1),  
2 subsection twenty-six (26), Code 1954, as amended by chapter two  
3 hundred seventeen (217), Acts of the Fifty-sixth General Assembly,  
4 is hereby amended by striking from line ten (10) the word, "regist-  
5 tered" and inserting in lieu thereof the word, "certified".

1 SEC. 53. Section four hundred thirty point fifteen (430.15), Code  
2 1954, is hereby amended by striking from line two (2) the word,  
3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 54. Section four hundred thirty-seven point four (437.4),  
2 Code 1954, is hereby amended by striking in line nine (9) the word,  
3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 55. Section four hundred thirty-seven point five (437.5),  
2 Code 1954, is hereby amended by striking from line six (6) the word,  
3 "registered" and inserting in lieu thereof the words, "certified mail".

1 SEC. 56. Section four hundred forty-three point seven (443.7),  
2 Code 1954, is hereby amended by striking from line three (3) the  
3 words, "registered letter" and inserting in lieu thereof the words,  
4 "certified mail".

1 SEC. 57. Section four hundred forty-seven point nine (447.9),  
2 Code 1954, is hereby amended by striking from line twenty-one (21)  
3 the word, "registered" and inserting in lieu thereof the word, "certi-  
4 fied".

1 SEC. 58. Section four hundred fifty point fifty-nine (450.59),  
2 Code 1954, is hereby amended by striking from line fifteen (15) the  
3 word, "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 59. Section four hundred fifty-four point fourteen (454.14),  
2 Code 1954, is hereby amended by striking from line sixty-six (66) the  
3 word, "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 60. Section four hundred fifty-five point twenty-two  
2 (455.22), Code 1954, is hereby amended by striking from line twelve  
3 (12) the word, "registered" and inserting in lieu thereof the word,  
4 "certified".

1 SEC. 61. Section four hundred fifty-five point sixty-six (455.66),  
2 Code 1954, is hereby amended by striking from line nine (9) the word,  
3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 62. Section four hundred fifty-five point one hundred four-  
2 teen (455.114), Code 1954, is hereby amended by striking from line  
3 nine (9) the word, "registered" and inserting in lieu thereof the word,  
4 "certified".

1 SEC. 63. Section four hundred fifty-five point one hundred forty-  
2 two (455.142), Code 1954, is hereby amended as follows:

3 1. By striking from line twelve (12) the word, "registered" and  
4 inserting in lieu thereof the word, "certified".

5 2. By striking from line sixteen (16) the word, "registered" and  
6 inserting in lieu thereof the word, "certified".

1 SEC. 64. Section four hundred fifty-five point one hundred forty-  
2 four (455.144), Code 1954, is hereby amended as follows:

3 1. By striking from line ten (10) the word, "registered" and in-  
4 serting in lieu thereof the word, "certified".

5 2. By striking from line twelve (12) the word, "registered" and  
6 inserting in lieu thereof the word, "certified".

1 SEC. 65. Section four hundred fifty-five point one hundred forty-  
2 five (455.145), Code 1954, is hereby amended by striking from line  
3 eleven (11) the word, "registered" and inserting in lieu thereof the  
4 word, "certified".

1 SEC. 66. Section four hundred ninety-one point fifteen (491.15),  
2 Code 1954, is hereby amended as follows:

3 1. By striking from line twenty-six (26) the word, "registered"  
4 and inserting in lieu thereof the word, "certified".

5 2. By striking from line thirty-one (31) the word, "registered" and  
6 inserting in lieu thereof the word, "certified".

1 SEC. 67. Section four hundred ninety-four point two (494.2), sub-  
2 section six (6), Code 1954, is hereby amended by striking in line four-  
3 teen (14) the word, "registered" and inserting in lieu thereof the  
4 word, "certified".

1 SEC. 68. Section four hundred ninety-six point nine (496.9), Code  
2 1954, is hereby amended by striking from line six (6) the word, "regis-  
3 tered" and inserting in lieu thereof the word, "certified".

1 SEC. 69. Section four hundred ninety-eight point twenty-seven  
2 (498.27), Code 1954, is hereby amended by striking from line two (2)  
3 the word, "registered" and inserting in lieu thereof the word, "certi-  
4 fied".

1 SEC. 70. Section four hundred ninety-nine point fifty (499.50),  
2 Code 1954, is hereby amended by striking from lines three (3) and  
3 four (4) the words, "registered letter" and inserting in lieu thereof  
4 the words, "notice by certified mail".

1 SEC. 71. Section five hundred two point four (502.4), Code 1954,  
2 is hereby amended as follows:

3 1. By striking from line thirty-one (31) of subsection five (5) the  
4 word, "registered" and inserting in lieu thereof the word, "certified".

5 2. By striking from line forty (40) of subsection five (5) the word,  
6 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 72. Section five hundred two point nine (502.9), Code 1954,  
2 is hereby amended by striking from line thirty-nine (39) the word,  
3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 73. Section five hundred seven A point three (507A.3), Code  
2 1954, is hereby amended as follows:

3 1. By striking from line seven (7) of subsection two (2) the word,  
4 "registered" and inserting in lieu thereof the words, "restricted certi-  
5 fied".

6 2. By striking from line fourteen (14) of subsection two (2) the  
7 word, "registered" and inserting in lieu thereof the words, "restricted  
8 certified".

9 3. By striking from lines eighteen (18) and nineteen (19) of sub-  
10 section two (2) the words, "with which the letter is registered,".

11 4. By striking from subsection three (3), paragraph *c*, line four  
12 (4) the word, "registered" and inserting in lieu thereof the words,  
13 "restricted certified".

14 5. By striking from subsection three (3), paragraph *c*, line nine  
15 (9) the words, "with which the letter is registered,".

1 SEC. 74. Section five hundred eleven point twenty-eight (511.28),  
2 Code 1954, is hereby amended as follows:

3 1. By striking from line four (4) the word, "registered" and in-  
4 serting in lieu thereof the words, "certified mail".

5 2. By striking from line ten (10) the word, "registered" and in-  
6 serting in lieu thereof the words, "certified mail".

7 3. By striking from line fifteen (15) the word, "registered" and  
8 inserting in lieu thereof the words, "certified mail".

1 SEC. 75. Section five hundred fifteen point seventy-four (515.74),  
2 Code 1954, is hereby amended as follows:

3 1. By striking from line four (4) the word, "registered" and in-  
4 serting in lieu thereof the words, "certified mail".

5 2. By striking from line ten (10) the word, "registered" and in-  
6 serting in lieu thereof the words, "certified mail".

7 3. By striking from line fifteen (15) the word, "registered" and  
8 inserting in lieu thereof the words, "certified mail".

1 SEC. 76. Section five hundred fifteen point eighty (515.80), Code  
2 1954, is hereby amended by striking from line eighteen (18) the word,  
3 "registered" and inserting in lieu thereof the words, "certified mail".

1 SEC. 77. Section five hundred fifteen point one hundred (515.100),  
2 Code 1954, is hereby amended by striking from lines three (3) and  
3 four (4) the word, "registered" and inserting in lieu thereof the  
4 words, "certified mail".

1 SEC. 78. Section five hundred eighteen point twenty-one (518.21),  
2 Code 1954, is hereby amended by striking from line three (3) the  
3 word, "registered" and inserting in lieu thereof the words, "certified  
4 mail".

1 SEC. 79. Section five hundred twenty-eight point one hundred  
2 twenty-five (528.125), Code 1954, is hereby amended by striking from

3 line nineteen (19) the word, "registered" and inserting in lieu thereof  
4 the word, "certified".

1 SEC. 80. Section five hundred thirty-four point nine (534.9), sub-  
2 section two (2), Code 1954, is hereby amended by striking from line  
3 seven (7) the word, "registered" and inserting in lieu thereof the  
4 word, "certified".

1 SEC. 81. Section five hundred forty-two point thirty-three  
2 (542.33), Code 1954, is hereby amended by striking from line nine (9)  
3 the word, "registered" and inserting in lieu thereof the words, "cer-  
4 tified mail".

1 SEC. 82. Section five hundred fifty-five point one (555.1), subsec-  
2 tion three (3), Code 1954, is hereby amended by striking from line  
3 five (5) the word, "registered" and inserting in lieu thereof the word,  
4 "certified".

1 SEC. 83. Section five hundred sixty-two point seven (562.7), sub-  
2 section three (3), Code 1954, is hereby amended by striking from lines  
3 three (3) and four (4) the words, "registered mail with a return re-  
4 ceipt demanded" and inserting in lieu thereof the words, "restricted  
5 certified mail."

1 SEC. 84. Section five hundred sixty-six point twenty-three  
2 (566.23), Code 1954, is hereby amended by striking from line four (4)  
3 the word, "registered" and inserting in lieu thereof the word, "certi-  
4 fied".

1 SEC. 85. Section five hundred seventy-five point five (575.5), Code  
2 1954, is hereby amended by striking from line nine (9) the word,  
3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 86. Section six hundred one point eleven (601.11), Code 1954,  
2 is hereby amended by striking from line seventeen (17) the word,  
3 "registered" and inserting in lieu thereof the words, "certified mail".

1 SEC. 87. Section six hundred six point four (606.4), Code 1954,  
2 is hereby amended by striking from line two (2) the word, "regis-  
3 tered" and inserting in lieu thereof the word, "certified".

1 SEC. 88. Section six hundred thirteen point nine (613.9), Code  
2 1954, is hereby amended by striking from line seven (7) the word,  
3 "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 89. Section six hundred thirty-two point nine (632.9), Code  
2 1954, is hereby amended by striking from line seven (7) the word,  
3 "registered" and inserting in lieu thereof the words, "certified mail".

1 SEC. 90. Section six hundred fifty-three point two (653.2), Code  
2 1954, is hereby amended by striking from lines four (4) and five (5)  
3 the word, "registered" and inserting in lieu thereof the word, "certi-  
4 fied".

1 SEC. 91. Section six hundred seventy-five point three (675.3),  
2 Code 1954, is hereby amended by striking from line three (3) the  
3 word, "registered" and inserting in lieu thereof the words, "certified  
4 mail".

1 SEC. 92. Section six hundred ninety-five point thirteen (695.13),  
2 Code 1954, is hereby amended by striking from line three (3) the  
3 word, "registered" and inserting in lieu thereof the word, "certified".

1 SEC. 93. Chapter sixty-one (61), Acts of the Fifty-sixth General  
2 Assembly, is hereby amended by striking from section seven (7) line  
3 seven (7) the word, "registered" and inserting in lieu thereof the  
4 word, "certified".

1 SEC. 94. Chapter one hundred fifty-seven (157), Acts of the Fifty-  
2 sixth General Assembly, is hereby amended by striking from section  
3 three (3) line thirteen (13) the word, "registered" and inserting in  
4 lieu thereof the word, "certified".

1 SEC. 95. Chapter two hundred thirty-seven (237), section six (6),  
2 Acts of the Fifty-sixth General Assembly, is hereby amended as fol-  
3 lows:

4 1. By striking from line forty-one (41) the words, "registering  
5 and".

6 2. By inserting in line forty-two (42) after the word, "thereof" the  
7 words, "by restricted certified mail".

8 3. By striking from line forty-six (46) the word, "postcard".

9 4. By striking from line forty-seven (47) the word, "registered".

10 5. By inserting in line forty-eight (48) after the word, "mailed"  
11 the words, "by restricted certified mail".

Approved April 24, 1957.

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## CHAPTER 268

### GARNISHMENT OF PERSONAL EARNINGS

#### H. F. 113

AN ACT relating to exemption of personal earnings and provide for garnishment for debts.

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

1 SECTION 1. Section six hundred twenty-seven point ten (627.10),  
2 Code 1954, is amended by repealing said section and inserting the fol-  
3 lowing in lieu thereof:

4 "The wages or salary for services of an employee who is the head  
5 of a family, to the amount of thirty-five (35) dollars per week and an  
6 additional three (3) dollars per week for each dependent under eight-  
7 teen (18) years of age exclusive of all payroll deductions in the form  
8 of taxes, shall be exempt from garnishment. Provided, that when  
9 such employee receives no definite or agreed wage or salary but is  
10 compensated for his services by commission or profit allowances, such  
11 allowances shall be similarly exempt from garnishment to an amount  
12 of thirty-five (35) dollars per week and an additional three (3) dol-  
13 lars per week for each dependent under eighteen (18) years of age.  
14 All above said exempt amount shall be liable for garnishment, except  
15 that no creditor may garnish for more than one hundred fifty (150)  
16 dollars plus his costs of garnishment.

17 "Every employer shall pay to such employee such exempt wages or  
 18 salary or commission or profit allowances not to exceed said amount of  
 19 the wages or salary or commission or profit allowances earned by him,  
 20 when due, upon such employee's making and delivering to his em-  
 21 ployer, his affidavit that he is such head of a family, notwithstanding  
 22 the service of any notice of garnishment upon such employer, and the  
 23 surplus only above such exempt wages or salary or commission or  
 24 profit allowances shall be held by such employer to abide the event of  
 25 the garnishment suit. If the amount of wages or salary or commis-  
 26 sion or profit allowances subject to garnishment shall not equal the  
 27 costs of the garnishment, whatever remains of costs shall be paid by  
 28 the person bringing the garnishment proceedings, and judgment shall  
 29 be entered therefor against him, and no judgment for any such de-  
 30 ficiency of costs shall go against the employer or the defendant. No  
 31 employer so served with garnishment shall in any case be liable to  
 32 answer for any amount not earned by such employee at the time of  
 33 the service of the notice of garnishment.  
 34 "The provisions of this Act shall not be applicable to any judgment  
 35 entered prior to July 4, 1957."

This bill, having been returned by the Governor, with his objections, to the house in which it originated, and, after reconsideration, having again passed both houses by yeas and nays by a vote of two-thirds of the members of each house, has become a law this second day of May, 1957.

WILLIAM H. NICHOLAS  
*President of the Senate*

W. L. MOOTY  
*Speaker of the House*

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## CHAPTER 269

### DECREE OF HEIRSHIP ACT REPEAL

S. F. 163

AN ACT relating to decree of distribution in estates of decedents, and to repeal chapter two hundred sixty-seven (267), Acts of the Fifty-sixth General Assembly relating thereto.

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

- 1 SECTION 1. Chapter two hundred sixty-seven (267), Acts of the
- 2 Fifty-Sixth General Assembly, is hereby repealed.

Approved March 20, 1957.

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## CHAPTER 270

### EXECUTORS AND ADMINISTRATORS

S. F. 161

AN ACT to amend section six hundred thirty-eight point twenty-three (638.23), Code 1954, relating to compensation for executors and administrators.

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

- 1 SECTION 1. Section six hundred thirty-eight point twenty-three
- 2 (638.23), Code 1954, is hereby amended as follows:

3 1. Strike from lines five (5), six (6), seven (7) and eight (8) the  
 4 following: "personal estate sold or distributed by them and for the  
 5 proceeds of real estate sold for the payment of debts by them" and  
 6 insert in lieu thereof the following: "gross assets of the estate listed  
 7 in the probate inventory for Iowa inheritance tax purposes".

Approved February 15, 1957.

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CHAPTER 271  
 COURT EXPENSES

H. F. 367

AN ACT relating to court expenses collectible through the clerk of court from fines and forfeitures.

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

1 SECTION 1. Section six hundred sixty-six point three (666.3),  
 2 Code 1954, is hereby amended by inserting in line three (3) after the  
 3 word, "costs" the following: ", court expenses collectible through the  
 4 clerk of the court,".

Approved April 26, 1957.

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CHAPTER 272  
 PRIVATE FISHING PONDS

S. F. 47

AN ACT relating to fishing, without permission of the owner of the premises.

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

1 SECTION 1. Section seven hundred fourteen point twenty-five  
 2 (714.25), Code 1954, is hereby amended by adding after the word  
 3 "another" in line three (3) thereof the following: ", or who shall fish  
 4 upon the enclosed or cultivated lands containing or encompassing an  
 5 artificially constructed pond or ponds of another which have been pri-  
 6 vately stocked with fish,".

Approved May 9, 1957.

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CHAPTER 273  
 MINORS IN POOLHALLS

H. F. 229

AN ACT relating to the entry and admittance of minors into billiard halls and pool-rooms.

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

1 SECTION 1. Section seven hundred twenty-six point nine (726.9),  
 2 Code 1954, is amended as follows:

3 1. By inserting in line one (1) after the word, "hall" the words,  
4 "where beer is sold".

5 2. By adding at the end of such section the following:

6 "The council in any city or town shall have power by ordinance to  
7 establish minimum age limits for minors for the purpose of regulating  
8 their admittance to billiard halls which do not sell beer and their par-  
9 ticipation while therein in the games known as pool and billiards."

1 SEC. 2. Section two hundred thirty-three point one (233.1), Code  
2 1954, is hereby amended by inserting in subsection two (2), line six  
3 (6) after the word, "poolroom" the words, "where beer is sold".

Approved May 14, 1957.

**SPECIAL AND LEGALIZING ACTS**

## SPECIAL AND LEGALIZING ACTS

### CHAPTER 274

#### BURLINGTON CHURCH CHARTER

S. F. 417

AN ACT to amend chapter seventy-eight (78), Acts of the Eleventh General Assembly, relating to the corporate powers of the board of trustees of the Congregational Church and Society of Burlington.

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

1 SECTION 1. Chapter seventy-eight (78), Acts of the Eleventh  
 2 General Assembly, is hereby amended by striking in section one (1)  
 3 thereof after the word, "mixed" the comma (,) and inserting in lieu  
 4 thereof a period (.) and by striking from said section the words, "to  
 5 an amount not exceeding one hundred thousand (100,000) dollars."

Approved May 2, 1957.

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### CHAPTER 275

#### CENTRAL LUTHERAN CHURCH GROUNDS

H. F. 338

AN ACT to amend chapter two hundred seventy-seven (277), Acts of the Fifty-sixth General Assembly, an Act authorizing the executive council to lease a part of the capitol grounds to the Central Lutheran Church of Des Moines, Iowa.

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

1 SECTION 1. Section one (1) of chapter two hundred seventy-seven  
 2 (277), Acts of the Fifty-sixth General Assembly, is hereby amended  
 3 by inserting in line three (3) after the numeral "2" the following:  
 4 "and Lot three (3) of the Official Plat of Block one (1), H. Lyons'  
 5 Addition to the town of Des Moines,\* all".

1 SEC. 2. The executive council is hereby authorized to add an  
 2 amendment to the lease with the Central Lutheran Church of Des  
 3 Moines, Iowa, executed pursuant to the authorization provided for in  
 4 chapter two hundred seventy-seven (277), Acts of the Fifty-sixth  
 5 General Assembly, to include Lot three (3) of the Official Plat of  
 6 Block one (1), H. Lyons' Addition to the town of Des Moines,\* all  
 7 now included in and forming a part of the city of Des Moines, Polk  
 8 County, Iowa.

1 SEC. 3. The lease originally executed by the executive council and  
 2 the Central Lutheran Church of Des Moines, Iowa, under authority of  
 3 said chapter two hundred seventy-seven (277), Acts of the Fifty-sixth

\*According to enrolled Act.

4 General Assembly, when amended as herein authorized, is hereby con-  
5 firmed.

1 SEC. 4. 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 Grinnell Herald-Register, a newspaper published in Grinnell, Iowa,  
4 and in The Holstein Advance, a newspaper published in Holstein,  
5 Iowa.

Approved April 4, 1957.

I hereby certify that the foregoing Act, House File 338, was published in the Grinnell Herald-Register, Grinnell, Iowa, April 11, 1957, and in The Holstein Advance, Holstein, Iowa, April 11, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 276

### CENTRAL LUTHERAN CHURCH GROUNDS

S. F. 101

AN ACT to amend chapter two hundred fifty-nine (259), Acts of the Fifty-fifth General Assembly providing that the executive council had authority to sell at private sale to Central Lutheran Church of Des Moines, Polk County, Iowa, a non-profit corporation, certain land belonging to the state of Iowa situated in block three (3), H. Lyons Addition to the town of Demoine, now included in and forming a part of the city of Des Moines, Polk County, Iowa.

WHEREAS, chapter two hundred fifty-nine (259) of the Fifty-Fifth General Assembly provided that the executive council had authority to sell at private sale to Central Lutheran Church of Des Moines, Polk County, Iowa, a non-profit corporation, the following described real estate to wit: "The North fifteen (15) feet of the South sixty-five (65) feet of lots eleven (11) and twelve (12) and the North one hundred (100) feet of Lots nine (9) and ten (10) in H. Lyons Addition to the town of Demoine, now included in and forming a part of the city of Des Moines, Polk County, Iowa", and

WHEREAS, the legal description above described is incorrect in that "Block three (3)" was omitted from said description in the enacting clause\* and should be inserted in order to complete and correct the legal description, now therefore

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

1 SECTION 1. That chapter two hundred fifty-nine (259) of the Acts  
2 of the Fifty-Fifth General Assembly of the state of Iowa be and is  
3 hereby amended by inserting the words "Block three (3)" after the  
4 word and figure "ten (10)" in line seven (7) of the enacting clause.\*

Approved April 5, 1957.

\*According to enrolled Act.

## CHAPTER 277

## TOWN OF LAKE VIEW EASEMENT

H. F. 531

AN ACT granting to the town of Lake View, Iowa, an easement to install and maintain water and sewer lines on property owned by the state of Iowa, and authorizing the expenditure of municipal funds of said town to pay for the same.

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

1 SECTION 1. The town of Lake View, Iowa, is hereby granted a  
2 perpetual easement to install and maintain sewer and water lines  
3 across real estate owned by the state of Iowa and described as follows:  
4 public highway under the jurisdiction of the Iowa conservation com-  
5 mission located in northeast quarter (NE $\frac{1}{4}$ ) of the northwest quar-  
6 ter (NW $\frac{1}{4}$ ) of section four (4), township eighty-six (86), north of  
7 range thirty-six (36), west of the fifth (5) P.M., Sac County, Iowa;  
8 also east one-half (E $\frac{1}{2}$ ), of the southeast quarter (SE $\frac{1}{4}$ ), of section  
9 thirty-three (33), township eighty-seven (87), north of range thirty-  
10 six (36), Sac County, Iowa.

1 SEC. 2. The town of Lake View, Iowa, is hereby authorized to  
2 expend such of its funds derived from the sale of sewer bonds, or  
3 otherwise, as may be required for the installation and maintenance of  
4 sewer and water lines across the above real estate, not to exceed, how-  
5 ever, the sum of twenty-five thousand dollars (\$25,000).

Approved April 19, 1957.

## CHAPTER 278

## LAND PATENT

H. F. 206

AN ACT authorizing a patent to the East half of the Southeast quarter (E $\frac{1}{2}$  of SE $\frac{1}{4}$ ) of section sixteen (16), Township eighty-eight North (88N), Range nineteen (19) West of the 5th Principal Meridian, Hardin county, Iowa.

WHEREAS, heretofore a patent issued from the United States of America to the state of Iowa for section sixteen (16) Township eighty-eight North (88N) Range nineteen (19) West of the 5th principal meridian, a tract of land within Hardin County, Iowa; and

WHEREAS, prior to the year A. D. 1858 John Vansickle purchased from the state of Iowa the East half of Southeast quarter (E $\frac{1}{2}$  of SE $\frac{1}{4}$ ) of section sixteen (16) above described; and

WHEREAS, it appears that no patent for said land has ever been issued to the said John Vansickle or to any other person; and

WHEREAS, it appears that the purchase price has been fully paid and that the state of Iowa claims no ownership in the before-described land although the apparent legal title thereto still remains in the state of Iowa; and

WHEREAS, the present owner and owners of the before-described premises or portions thereof now in possession of said land together with the

several previous grantors and grantees, have been in open, actual, notorious and adverse possession of said land and the park thereof for more than ninety-nine (99) years last past; now therefore,

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

1 SECTION 1. The governor and secretary of the state of Iowa are  
2 hereby authorized, empowered and directed to issue a patent to John  
3 Vansickle conveying the East half of the Southeast quarter (E $\frac{1}{2}$  of  
4 SE $\frac{1}{4}$ ) of section sixteen (16) Township eighty-eight North (88N)  
5 Range nineteen (19) West of the 5th principal meridian, Hardin  
6 County, Iowa, containing eighty (80) acres, more or less, according to  
7 the government survey, for the use and benefit of the successive  
8 owners of 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 Eldora  
3 Herald Ledger, a newspaper published at Eldora, Iowa, and in the  
4 Iowa Falls Citizen, a newspaper published at Iowa Falls, Iowa.

Approved March 22, 1957.

I hereby certify that the foregoing Act, House File 206, was published in the Eldora Herald-Ledger, Eldora, Iowa, March 26, 1957, and in the Iowa Falls Citizen, Iowa Falls, Iowa, March 28, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 279

### IOWA COUNTY LAND PATENT

#### H. F. 154

AN ACT authorizing a patent to issue to the west half of the southwest quarter (W $\frac{1}{2}$  of SW $\frac{1}{4}$ ) of section sixteen (16), Township eighty-one North (81N), Range ten (10) West of the Fifth Principal Meridian, in Iowa county, Iowa.

WHEREAS, it appears that on the 19th day of February, 1853, John Bishop purchased of the school fund commissioner for the county of Iowa the following described premises, to wit: West half of the Southwest quarter (W $\frac{1}{2}$  of SW $\frac{1}{4}$ ) of section sixteen (16), Township eighty-one North (81N), Range ten (10) West of the Fifth principal meridian, Iowa County, Iowa; and

WHEREAS, it appears that no patent for said land has ever been issued to the said John Bishop or to any other person; and

WHEREAS, it appears that the purchase price has been fully paid and 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, have been in open, actual, notorious, and adverse possession of said land and the parts thereof for more than one hundred (100) years last past, now therefore,

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

1 SECTION 1. The governor and the secretary of the state of Iowa are  
 2 hereby authorized, empowered, and directed to issue a patent to John  
 3 Bishop conveying the West half of the Southwest quarter ( $W\frac{1}{2}$  of  
 4  $SW\frac{1}{4}$ ) of section sixteen (16), Township eighty-one North (81N),  
 5 Range ten (10) West of the Fifth principal meridian, containing 80  
 6 acres, Iowa County, Iowa, for the use and benefit of the successive  
 7 owners of said land.

Approved April 24, 1957.

## CHAPTER 280

### VAN BUREN COUNTY LAND PATENT

H. F. 548

AN ACT authorizing a patent to the north half of the northwest quarter ( $N\frac{1}{2}$  of  $NW\frac{1}{4}$ ) of section sixteen (16), Township seventy (70) North, Range ten (10) West of the 5th Principal Meridian, Van Buren county, Iowa.

WHEREAS, heretofore a patent issued from the United States of America to the State of Iowa for section sixteen (16), township seventy (70) north, range ten (10) west of the 5th principal meridian, a tract of land within Van Buren County, Iowa; and

WHEREAS, on or about the 9th day of January, A. D. 1852, the School Fund Commissioner of Van Buren County, Iowa, sold the north half ( $N\frac{1}{2}$ ) of the northwest quarter ( $NW\frac{1}{4}$ ) of said section sixteen (16), also known as lot three (3), above described, to Anthony Crook; and

WHEREAS, it appears that no patent for said land has ever been issued to the said Anthony Crook or to any other person; and

WHEREAS, it appears that the purchase price has been fully paid and that the State of Iowa claims no ownership in the above-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, have been in open, actual, notorious and adverse possession of said land for more than one hundred and five (105) years last past; now, therefore,

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

1 SECTION 1. The governor and secretary of state of the State of  
 2 Iowa are hereby authorized, empowered and directed to issue a patent  
 3 to Anthony Crook conveying the north half ( $N\frac{1}{2}$ ) of the northwest  
 4 quarter ( $NW\frac{1}{4}$ ) of section sixteen (16), township seventy (70)  
 5 north, range ten (10) west of the 5th principal meridian, in Van  
 6 Buren County, Iowa, containing eighty (80) acres more or less, ac-  
 7 cording to the government survey, for the use and benefit of the suc-  
 8 cessive owners of 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 Record-  
 3 Republican, a newspaper published at Bonaparte, Iowa, and in the  
 4 Van Buren County Register, a newspaper published in Keosauqua,  
 5 Iowa.

Approved April 17, 1957.

I hereby certify that the foregoing Act, House File 548, was published in the Van Buren County Register, Keosauqua, Iowa, April 25, 1957, and in The Record-Republican, Bonaparte, Iowa, April 30, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 281

### DECATUR COUNTY LEGALIZING ACT

#### H. F. 273

AN ACT to legalize a contract for sale and authorizing a patent to issue to the northeast quarter (NE $\frac{1}{4}$ ) of the northeast quarter (NE $\frac{1}{4}$ ), section nineteen (19), Township sixty-nine North (69N), Range twenty-five (25), West of the Fifth P.M., in Decatur County, Iowa.

WHEREAS, the state of Iowa for the use and benefit of the school fund acquired title to the following described lands: The Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ), Section Nineteen (19), Township Sixty-ninth North (69N), Range Twenty-five (25), West of the Fifth P.M., in Decatur County, Iowa; and

WHEREAS, it appears that the state of Iowa, for the use and benefit of the school fund, acquired the above-described premises by a warranty deed executed by George R. Baker and Lily J. Baker, dated August 7, 1933, given in satisfaction, dated August 7, 1933, of a school-fund mortgage executed by George R. Baker and Lily J. Baker, on April 13, 1920; and

WHEREAS, it appears that a contract of sale of the foregoing described premises was executed by the county auditor of Decatur County, Iowa, April 10, 1947, to W. P. Umpress and Madge Umpress; and

WHEREAS, it does not appear of record that the county auditor or county board of supervisors of Decatur County complied with the provisions of the law governing the sale of school lands in contracting to sell the aforesaid described property to the said W. P. Umpress and Madge Umpress in that there is no showing of record that:

(a) The county board of supervisors of Decatur County passed a resolution providing for the sale of said property and directing and authorizing the trustees of the township to appraise the value of said property.

(b) The trustees of the township certified to the said county board of supervisors their appraisal thereof finding and fixing the value of said property and action of the board thereon.

(c) The county auditor posted notice and advertised said property for sale at public auction to the highest and best bidder therefor as provided by statute.

(d) The county auditor exposed, offered for sale and struck off the said property to the highest and best bidder therefor; and

WHEREAS, the said W. P. Umpress and Madge Umpress, their assigns or grantees, have been in open, actual, notorious and adverse possession of said lands at all times since the execution of the contract for sale on the 10th day of April, 1947; and

WHEREAS, the state of Iowa has no claims upon said property adverse to those of the said W. P. Umpress and Madge Umpress, their assigns or grantees, and it appears that the said W. P. Umpress and Madge Umpress, their assigns or grantees, are entitled to a patent conveying the foregoing described property to them, their assigns or grantees, upon payment of all sums due or to become due under the contract for sale; now therefore,

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

1 SECTION 1. The contract for sale executed by the county auditor  
2 of Decatur County, Iowa, to W. P. Umpress and Madge Umpress on  
3 the 10th day of April, 1947, for the sale of the following described  
4 property, to wit: Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast  
5 Quarter (NE $\frac{1}{4}$ ), Section Nineteen (19), Township Sixty-nine North  
6 (69N), Range Twenty-five (25), West of the Fifth P.M., in Decatur  
7 County, Iowa, is hereby legalized, validated and confirmed.

1 SEC. 2. The auditor of Decatur County, Iowa, is hereby authorized,  
2 empowered and directed to issue a certificate of purchase, which cer-  
3 tificate shall contain reference to this Act, to W. P. Umpress and  
4 Madge Umpress, their heirs, grantees or assigns, for the following  
5 described property, to wit: Northeast Quarter (NE $\frac{1}{4}$ ) of the North-  
6 east Quarter (NE $\frac{1}{4}$ ), Section Nineteen (19), Township Sixty-nine  
7 North (69N), Range Twenty-five (25), West of the Fifth P.M., in  
8 Decatur County, Iowa, upon payment of all sums due or to become due  
9 upon the contract for sale of said property, and when the same has  
10 been transmitted to the secretary of state, the governor and the sec-  
11 retary of state of Iowa are hereby authorized, empowered and directed  
12 to issue a patent to the said W. P. Umpress and Madge Umpress, their  
13 heirs, grantees or assigns, for the use and benefit of the successive  
14 owners of said land.

Approved April 26, 1957.

## CHAPTER 282

### STORY COUNTY LAND PATENT

H. F. 420

AN ACT to legalize the purchase of certain land in Story county, Iowa, by the state board of regents and its transfer to the United States of America and to validate and confirm the execution of a patent therefor.

WHEREAS, by resolution the state board of regents on the 27th day of July, 1956, deeming the acquisition a proper use, directed the purchase by contract for the sum of eighty-six thousand five hundred and seventy dollars (\$86,570.00) from M. D. Textrum and Janice Textrum, husband and wife, and L. C. Textrum and Ena Textrum, husband and wife, for the use and benefit of the state college of agriculture and mechanic arts the following described land:

The northwest fractional quarter (NW FR.  $\frac{1}{4}$ ) of Section Thirty-one (31), Township Eighty-four North (84N), Range Twenty-three (23), West of the Fifth (5th) P.M., being one hundred eighty-four point nineteen (184.19) acres, more or less; and

WHEREAS, the executive council of the state of Iowa did in meeting assembled on the 8th day of August, 1956, approve by resolution the foregoing described contract entered into on the 1st day of August, 1956, subject to the approval of the attorney general; and

WHEREAS, on the 8th day of August, 1956, the attorney general approved the said contract subject only to the proper acknowledgment being attached thereto and the contract being properly recorded; and

WHEREAS, subsequent thereto said contract was acknowledged and recorded in the books of Story County, Iowa, on the 11th day of August, 1956; and

WHEREAS, on the 27th day of July, 1956, by resolution the state board of regents, deeming the acquisition a proper use, directed the purchase by contract from Otto I. Ronningen and Grace Ronningen, husband and wife, for the sum of sixty-three thousand two hundred six dollars (\$63,206.00), for the use and benefit of the state college of agriculture and mechanic arts, the following described land:

The south fractional half (S FR.  $\frac{1}{2}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) and the northwest fractional quarter (NW FR.  $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) except the north twenty-seven point fifty-six (27.56) acres thereof, and the south seventeen point forty-four (17.44) acres of the northeast quarter (NE $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ), all of said land being a part of and located in Section Thirty (30), Township Eighty-four North (84N), Range Twenty-three (23), West of the Fifth (5th) P.M., situated in Story County, Iowa, being one hundred thirty-four point forty-eight (134.48) acres, more or less; and

WHEREAS, the executive council of the state of Iowa did in meeting assembled on the 8th day of August, 1956, approve by resolution the foregoing described contract entered into on the 1st day of August, 1956, subject to the approval of the attorney general; and

WHEREAS, on the 8th day of August, 1956, the attorney general approved the said contract subject only to the proper acknowledgment being attached thereto and the contract being properly recorded; and

WHEREAS, subsequent thereto said contract was acknowledged and recorded in the books of Story County, Iowa, on the 11th day of August, 1956; and

WHEREAS, the state board of regents at a meeting held on September 21, 1956, found that the foregoing described land purchased by contract is not necessary for the use and benefit and proper administration of the state college of agriculture and mechanic arts or any other institution under the jurisdiction of the state board of regents, and further found that said land is suitable for the construction and erection thereon of a federal animal disease laboratory and the erection of said building would be of vast importance to the people of the state of Iowa and be beneficial to their well-being and prosperity, and on the 12th day of December, 1956, the executive coun-

cil in meeting assembled approved the foregoing resolution of the state board of regents adopted on September 21, 1956; and

WHEREAS, the foregoing described contracts have now been fully performed and title to the land described and purchased has vested in the state of Iowa for the use and benefit of the state college of agriculture and mechanic arts; and

WHEREAS, in accordance with law and the authority vested thereby, patents to the following described lands:

The northwest fractional quarter (NW FR.  $\frac{1}{4}$ ) of Section Thirty-one (31), Township Eighty-four North (84N), Range Twenty-three (23), West of the Fifth (5th) P.M., being one hundred eighty-four point nineteen (184.19) acres, more or less; and the south fractional half (S FR.  $\frac{1}{2}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) and the northwest fractional quarter (NW FR.  $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) except the north twenty-seven point fifty-six (27.56) acres thereof, and the south seventeen point forty-four (17.44) acres of the northeast quarter (NE $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ), all of said land being a part of and located in Section Thirty (30), Township Eighty-four North (84N), Range twenty-three (23), West of the Fifth (5th) P.M., situated in Story County, Iowa, being one hundred thirty-four point forty-eight (134.48) acres, more or less, have been executed by the governor of Iowa and the secretary of state and delivered to the United States of America; and

WHEREAS, in order to allay such doubts as may have arisen or may arise concerning the validity and legal sufficiency of the proceedings had and of the actions of the state board of regents and the executive council heretofore described and to the authority of the named agencies to transfer the said lands and to the execution and delivery of the patents heretofore described, it is deemed necessary and advisable to put such doubts and all others concerning them forever at rest; now, therefore,

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

1 SECTION 1. The patents executed and delivered by the governor of  
2 Iowa and the secretary of state conveying the following described  
3 lands to the United States of America:

4 The northwest fractional quarter (NW FR.  $\frac{1}{4}$ ) of Section Thirty-  
5 one (31), Township Eighty-four North (84N), Range Twenty-three  
6 (23), West of the Fifth (5th) P.M., being one hundred eighty-four  
7 point nineteen (184.19) acres, more or less; and the south fractional  
8 half (S. FR.  $\frac{1}{2}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) and the northwest  
9 fractional quarter (NW FR.  $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ )  
10 except the north twenty-seven point fifty-six (27.56) acres thereof,  
11 and the south seventeen point forty-four (17.44) acres of the north-  
12 east quarter (NE $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ), all of said  
13 land being a part of and located in Section Thirty (30), Township  
14 Eighty-four North (84N), Range Twenty-three (23), West of the  
15 Fifth (5th) P.M., situated in Story County, Iowa, being one hundred  
16 thirty-four point forty-eight (134.48) acres, more or less, be and are  
17 hereby legalized, validated and confirmed, and the proceedings and  
18 actions of the state board of regents and the executive council includ-  
19 ing the power to transfer this land all heretofore described be and are  
20 likewise legalized, validated and confirmed.

- 1 SEC. 2. This Act, being deemed of immediate importance, shall  
 2 take effect and be in force from and after its publication in the Jeffer-  
 3 son Bee, a newspaper published in Jefferson, Iowa, and in the Algona  
 4 Upper Des Moines, a newspaper published in Algona, Iowa.

Approved April 19, 1957.

I hereby certify that the foregoing Act, House File 420, was published in the Jefferson Bee, Jefferson, Iowa, April 23, 1957, and in the Algona Upper Des Moines, Algona, Iowa, April 25, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 283

### GRAND JUNCTION CEMETERY ASSOCIATION

H. F. 560

AN ACT to validate transfers of cemetery lots by the Grand Junction Cemetery Association of Greene county.

WHEREAS, the Grand Junction Cemetery Association was organized in the year 1874 and has thereafter been in continuous existence; and

WHEREAS, such association on September 29, 1874, became the record owner of the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section five (5) Township eighty-three (83), Range twenty-nine (29) Greene County, Iowa, and constituted a cemetery thereon, laid out in blocks and lots and has continuously maintained such cemetery; and

WHEREAS, since its organization said association by its president and secretary over their respective signatures have issued deeds of transfer of title to cemetery lots or portions thereof; and

WHEREAS, the records of said association have become lost or destroyed and there is in existence no by-law or other record showing authority to execute conveyances of the property of the association and by reason of the foregoing recitals question has arisen as to the validity of the transfers of such cemetery lots and the titles thereto; now therefore,

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

- 1 SECTION 1. That any and all of the deeds and transfers of title  
 2 heretofore made on behalf and in the name of the Grand Junction  
 3 Cemetery Association to lots in the cemetery located on the Southwest  
 4 quarter of the Southwest quarter (SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of section five (5)  
 5 Township eighty-three (83), Range twenty-nine (29), Greene County,  
 6 Iowa, are hereby validated and legalized.

Approved April 30, 1957.

## CHAPTER 284

## GREAT LAKES LEGALIZING ACT

H. F. 495

AN ACT to legalize and validate the proceedings of the board of trustees of the Iowa Great Lakes Sanitary District, Dickinson County, Iowa, authorizing and providing for the issuance, sale and delivery of sanitary sewer district 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 district.

WHEREAS, it appears from the records of the board of trustees of the Iowa Great Lakes Sanitary District, in Dickinson County, Iowa, that it is necessary to construct enlargements and additions to the present sewage treatment plant and works in and for said sanitary district, and that the board of trustees of said district has by resolution authorized and provided for the sale and issuance of sanitary sewer district bonds of said district to the amount of four hundred fifty thousand dollars (\$450,000), for the payment of the cost thereof and has 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 proceedings and provisions made for the sale and issuance of said bonds and for the levy and collection of taxes to pay the principal of and 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 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 trustees of The Iowa Great Lakes Sanitary District, in Dickinson  
3 County, Iowa, providing for the sale, issuance and delivery of sanitary  
4 sewer district bonds of said district to the amount of four hundred  
5 fifty thousand dollars (\$450,000) to pay the cost of enlargements and  
6 additions to the present sewage treatment plant and works in and for  
7 said sanitary district and for the levy of taxes upon all the taxable  
8 property in said district to pay said bonds and the interest thereon,  
9 are hereby legalized, validated and confirmed, and said sanitary sewer  
10 district bonds, issued, sold and delivered pursuant to and in accordance  
11 with said proceedings are hereby declared to be legal and to constitute  
12 valid and binding obligations of said 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 the  
3 Beacon, a newspaper published in Spirit Lake, Iowa, and in the Mil-  
4 ford Mail, a newspaper published in Milford, Iowa, all without expense  
5 to the state.

Approved April 10, 1957.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1954, the Beacon, Spirit Lake, Iowa, being nonexistent, The Spirit Lake Beacon, a newspaper published in Spirit Lake, Iowa, is designated to publish the foregoing Act, House File 495.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 495, was published in The Spirit Lake Beacon, Spirit Lake, Iowa, April 25, 1957, and in the Milford Mail, Milford, Iowa, April 25, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 285

## HANCOCK COUNTY LEGALIZING ACT

## H. F. 275

AN ACT to legalize the action of the board of supervisors of Hancock county in transferring funds from the general county fund to the secondary road maintenance fund.

WHEREAS, the board of supervisors of Hancock County, Iowa, proceeded to repair and remodel a building for a highway maintenance garage and depot and expended the sum of fifteen thousand three hundred twenty dollars and seventy-one cents (\$15,320.71) therefor from the secondary road maintenance fund; and

WHEREAS, it was later found that said building was no longer needed for purposes acquired and should be used for general county purposes, and the sum of fifteen thousand three hundred twenty dollars and seventy-one cents (\$15,320.71) was transferred from the general county fund to the secondary road maintenance fund; and

WHEREAS, doubts have arisen as to the legality of such transfer and it is deemed advisable to put such doubts forever at rest; therefore,

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

1 SECTION 1. The action of the board of supervisors of Hancock  
2 County, Iowa, in expending the sum of fifteen thousand three hundred  
3 twenty dollars and seventy-one cents (\$15,320.71) and the transfer of  
4 said amount from the general county fund to the secondary road main-  
5 tenance fund of said county is declared to be legal, valid and binding.

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 Garner Leader & Signal, a newspaper published at Garner, Iowa, and  
4 the Britt-News Tribune, a newspaper published at Britt, Iowa, such  
5 publication to be without expense to the state.

Approved May 1, 1957.

I hereby certify that the foregoing Act, House File 275, was published in the Garner Leader and Signal, Garner, Iowa, May 15, 1957, and in the Britt News-Tribune, Britt, Iowa, May 15, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 286

## JONES COUNTY LEGALIZING ACT

## H. F. 68

AN ACT to legalize the action of the board of supervisors of Jones county in making expenditures for repairs at the Jones County Home out of the poor fund.

WHEREAS, the board of supervisors of Jones County made urgently needed repairs to deteriorated floors and bathroom fixtures in the Jones County Home in the year 1955 and made payment of seven thousand three hundred fifty-nine dollars and ten cents (\$7359.10) out of the poor fund

of such county for such repairs, which amount, by reason of unforeseen emergency conditions discovered when repairs were under way, is greater than was anticipated, and

WHEREAS, doubts have arisen as to the legality of the expenditures of such sum from such poor fund, and it is deemed advisable to put such doubts forever at rest; therefore,

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

1 SECTION 1. The action of the board of supervisors of Jones Coun-  
2 ty, Iowa, in making expenditures for repairs in the Jones County  
3 Home in the sum of seven thousand three hundred fifty-nine dollars  
4 and ten cents (\$7359.10) paid out of the poor fund of such county  
5 during the year 1955 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 and effect from and after its passage and publication in  
3 the Anamosa Journal, a newspaper published at Anamosa, Iowa, and  
4 the Monticello Express, a newspaper published at Monticello, Iowa,  
5 such publication to be without expense to the state.

Approved February 22, 1957.

I hereby certify that the foregoing Act, House File 68, was published in the Anamosa Journal, Anamosa, Iowa, March 4, 1957, and in the Monticello Express, Monticello, Iowa, March 7, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 287

### MONONA AND HARRISON COUNTIES LEGALIZING ACT

H. F. 467

AN ACT to legalize the acts and proceedings of the joint boards of supervisors of Monona and Harrison counties in relation to the Little Sioux Intercounty Drainage District in Monona and Harrison counties, Iowa.

WHEREAS, there has been heretofore established in Monona and Harrison Counties, Iowa, an intercounty drainage district known and designated as the Little Sioux Intercounty Drainage District; and

WHEREAS, doubts have arisen as to the acts and proceedings of the joint boards of supervisors of Monona and Harrison Counties, Iowa, as the governing body of said district and other officers of said district in respect to said district; and it is deemed advisable to put such doubts regarding the legality of such acts and proceedings forever at rest; now therefore

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

1 SECTION 1. All acts and proceedings of the joint boards of super-  
2 visors of Monona and Harrison Counties, Iowa, as the governing body  
3 of the Little Sioux Intercounty Drainage District, and other officers  
4 of said district in relation to the Little Sioux Intercounty Drainage  
5 District within said counties, are hereby legalized in all respects as if

6 all of the provisions of the laws of the state of Iowa had been fully and  
7 strictly complied with.

1 SEC. 2. Nothing in this act shall in any manner affect pending liti-  
2 gation.

1 SEC. 3. This Act being deemed of immediate importance shall take  
2 effect and be in force and effect from and after its publication in the  
3 Howard County Times Plain Dealer, a newspaper published at Cresco,  
4 Iowa, and Onawa Democrat, a newspaper published at Onawa, Iowa.

Approved April 30, 1957.

I hereby certify that the foregoing Act, House File 467, was published in the Howard County Times Plain Dealer, Cresco, Iowa, May 8, 1957, and in the Onawa Democrat, Onawa, Iowa, May 9, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 288

### FORT DODGE SCHOOL LEGALIZING ACT

H. F. 591

AN ACT to ratify the sale by installment contract of certain real estate owned by the Community School District of Fort Dodge, in the county of Webster, state of Iowa, and to authorize conveyance of legal title in exchange for performance of the purchasers' remaining obligations thereunder.

WHEREAS, the board of directors of the Community School District of Fort Dodge, in the county of Webster, state of Iowa (formerly the Independent School District of Fort Dodge, in the county of Webster, state of Iowa) heretofore sold real estate owned by it and hereafter described by the installment contract hereafter identified for the sum of twelve thousand five hundred dollars, together with interest, to purchasers who have since assigned their interest in the contract; and

WHEREAS, doubts have arisen concerning the authority of said board of directors to sell and convey this real estate; now, therefore,

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

1 SECTION 1. The sale by the board of directors of the Community  
2 School District of Fort Dodge, in the county of Webster, state of Iowa,  
3 of the following-described real estate situated in Webster County,  
4 Iowa: Lot Five (5) of Ringland's Subdivision of Block Five (5) in  
5 Plumb's Addition to Fort Dodge, Iowa, by the installment contract  
6 dated July 13, 1953 and filed in Book 90, Page 91, of the Town Lot  
7 Mortgage records of Webster County, Iowa, for the sum of twelve  
8 thousand five hundred dollars, together with interest, is hereby rati-  
9 fied and confirmed, and the board of directors of said school district is  
10 hereby authorized to convey said property to the purchasers' assignees,  
11 or their assigns, in exchange for performance of the purchasers' re-  
12 maining obligations thereunder.

Approved May 14, 1957.

## CHAPTER 289

## IDA GROVE SCHOOL LEGALIZING ACT

## H. F. 201

AN ACT to legalize and validate the proceedings for the organization of the Ida Grove Community School District in Ida county, state of Iowa, and to legalize and validate the actions of the board of directors of the said Ida Grove Community School District and the board of directors of the Grant Township School District of the county of Ida, state of Iowa, in calling a special election for the merger of said two school districts.

WHEREAS, the Ida Grove Community School District in Ida County, state of Iowa, was organized pursuant to the provisions of chapter two hundred seventy-five (275), Code 1954, as amended, and was established on July 1, 1956, pursuant to an election held on April 25, 1956; and

WHEREAS, the boards of directors of the Grant Township School District in Ida County, state of Iowa, and the Ida Grove Community School District in Ida County, state of Iowa, pursuant to petitions filed by more than the required number of legal voters of said two (2) school districts in compliance with chapter two hundred seventy-five (275), Code 1954, as amended, called a special election of the voters of said two (2) school districts for October 11, 1956, on the question of the merger of the said Grant Township School District with the said Ida Grove Community School District, the results of said special elections carrying in favor of such merger; and

WHEREAS, the existence of said school district and said merger is of general public interest and vital to the public interest and welfare of the area now contained within the boundaries of the said Ida Grove Community School District; and

WHEREAS, some doubts have arisen concerning the validity of the proceedings for the formation of said Ida Grove Community School District, and as to the present legal existence of said school district, and as to the validity of the action of the boards of directors of the said Grant Township School District and the said Ida Grove Community School District in calling of the special elections for said merger held on October 11, 1956, and all proceedings connected therewith; now therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the formation of the Ida Grove Community School District in  
3 Ida County, state of Iowa, are hereby declared to be validated, legal-  
4 ized, and confirmed, and the school district hereinbefore referred to  
5 and known as the "Ida Grove Community School District in Ida  
6 County, state of Iowa", is hereby declared to be a legal entity.

1 SEC. 2. That all proceedings heretofore taken by the boards of  
2 directors of the Grant Township School District in Ida County, state  
3 of Iowa, and the Ida Grove Community School District in Ida County,  
4 state of Iowa, in connection with the submission of the proposition of  
5 the merger of said two school districts, including the calling and pro-  
6 cedure of said special elections and the merger of said two school dis-  
7 tricts, be and the same are hereby legalized, validated and confirmed.

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 Ida County Pioneer Record, a newspaper published at Ida Grove,  
 4 Iowa, and in The Holstein Advance, a newspaper published at Hol-  
 5 stein, Iowa, without expense to the state.

Approved April 25, 1957.

I hereby certify that the foregoing Act, House File 201, was published in the Ida County Pioneer Record, Ida Grove, Iowa, May 16, 1957, and in The Holstein Advance, Holstein, Iowa, May 16, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 290

### KEOSAUQUA SCHOOL LEGALIZING ACT

#### H. F. 268

AN ACT to legalize and validate the proceedings of the board of directors of the Independent School District of Keosauqua, in the county of Van Buren, state of Iowa, authorizing and providing for the issuance and delivery of school addition 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 Independent School District of Keosauqua, in the county of Van Buren, state of Iowa, that at a special election held in and for said school district on December 2, 1954, the proposition of issuing bonds of said school district in an amount not exceeding seventy-one thousand four hundred (71,400) dollars for the purpose of building and equipping additions to the school house in said school district was approved by more than sixty (60) per cent of the total number of votes cast for and against said proposition and in reliance upon said election said board of directors thereafter by resolution authorized and provided for the issuance of school addition 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; 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 Keosauqua, in the  
 3 county of Van Buren, state of Iowa, preliminary to and in connection  
 4 with the special election held in said school district on December 2,  
 5 1954, and providing for the issuance and delivery of school addition  
 6 bonds of said school district to the amount of seventy-one thousand  
 7 four hundred (71,400) dollars pursuant to said election, and for the  
 8 levy of taxes to pay said bonds and interest thereon, are hereby legal-  
 9 ized, validated and confirmed and said school addition bonds issued,  
 10 sold and delivered pursuant to and in accordance with said proceed-

11 ings are hereby declared to be legal and to constitute valid and binding  
12 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 the  
3 Van Buren County Register, a newspaper published in Keosauqua,  
4 Iowa, and in the Record-Republican, a newspaper published in Bona-  
5 parte, Iowa, all without expense to the state.

Approved April 10, 1957.

I hereby certify that the foregoing Act, House File 268, was published in the Van Buren County Register, Keosauqua, Iowa, April 25, 1957, and in the Record-Republican, Bonaparte, Iowa, April 30, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 291

### LAWLER SCHOOL LEGALIZING ACT

S. F. 132

AN ACT to legalize and validate the petition to and proceedings had by the Independent School District of Lawler, Chickasaw county, Iowa, and the school officials relating to the submission at a special election held in said school district on October 18, 1956, and the election itself, on the proposition of constructing a gymnasium and remodeling the existing gymnasium for classroom purposes and contracting indebtedness for such purpose and issuing bonds therefore, not exceeding fifty (50) thousand dollars and levying a tax annually upon the property in said school district for the payment of the said bonds and the interest thereon, and declaring the same to be legally sufficient authority for the board of directors and school officials of said school district to contract indebtedness and to issue bonds and the interest thereon.

WHEREAS, pursuant to a petition with the requisite signatures thereon, the board of directors of the Independent School District of Lawler, Chickasaw County, Iowa, provided for the submission to the voters of said school district at a special election held on October 18, 1956, pursuant to the provisions of Chapter 296, Code 1954, as amended, a proposition as follows:

“Shall the Independent School District of Lawler, Chickasaw County, Iowa, issue bonds of said district in an amount not exceeding fifty (50) thousand dollars and levy a tax annually upon the taxable property in said district for the payment of said bonds and the interest thereon, the bonds when issued, or the proceeds thereof, to be used for the purpose of constructing a gymnasium and remodeling the present gymnasium for classroom purposes?” and

WHEREAS, at said election said proposition carried by a majority of more than sixty (60) percent of the total vote cast for and against said proposition at said election; and

WHEREAS, doubts have arisen as to the legal sufficiency of said petition, election proceedings, election, the giving of notice thereof and the authority of the board of directors and school officials of said school district to contract indebtedness and issue bonds for such purpose and to levy a sufficient tax to pay said bonds and the interest thereon, and it is deemed

advisable to put said doubts and all other doubts concerning the same that might arise forever at rest; now, therefore,

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

1 SECTION 1. The petition, and all acts and proceedings of the board  
2 of directors and school officials of the Independent School District of  
3 Lawler, Chickasaw County, Iowa, in authorizing and providing for  
4 the submission of the proposition set out in the preamble hereof to the  
5 voters of said school district at the special election held in said school  
6 district on October 18, 1956, the election itself and the adoption of  
7 said proposition at said election by the voters of said school district  
8 are hereby validated and legalized, notwithstanding any irregularities  
9 or omissions therein, and shall constitute full authority for the board  
10 of directors and school officials of and for said school district to con-  
11 tract indebtedness, to issue said bonds in an amount not exceeding  
12 fifty (50) thousand dollars and to levy a sufficient continuing annual  
13 tax to pay the principal of and interest on said bonds as they become  
14 due in accordance with other applicable statutes and said bonds when  
15 issued shall constitute valid and binding obligations of said school  
16 district.

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 New Hampton Tribune, a newspaper published in New Hampton,  
4 Iowa, and in the Charles City Press, a newspaper published in Charles  
5 City, Iowa, all without expense to the state.

Approved February 28, 1957.

I hereby certify that the foregoing Act, Senate File 132, was published in the Charles City Press, Charles City, Iowa, March 8, 1957, and in the New Hampton Tribune, New Hampton, Iowa, March 14, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 292

### MANILLA SCHOOL LEGALIZING ACT

H. F. 188

AN ACT to legalize and validate the proceedings for the organization and establishment of the Manilla Community School District in the counties of Crawford and Shelby, state of Iowa, and declaring said district a duly and legally organized corporate body.

WHEREAS, the Manilla Community School District in the counties of Crawford and Shelby, state of Iowa, was organized on July 1, 1956, pursuant to an election held on the 30th day of January, 1956, and the existence of said Manilla Community School District in the counties of Crawford and Shelby, state of Iowa, is of general public interest and welfare of the area contained within its boundaries; and

WHEREAS, doubts have arisen concerning the validity of the action of the joint boards of education of Crawford and Shelby counties in fixing the boundaries of the proposed school district prior to such election and concerning whether all persons in interest had due notice; concerning

whether the notice for a special election on the proposal for the establishment of such school district was sufficient; whether the joint boards of education abused their discretion in fixing the boundaries of the proposed district; whether the district consists of contiguous territory, and concerning the entire validity of the proceedings had for the formation of the Manilla Community School District and concerning the validity and legal sufficiency of the territory and boundaries of said district; and

WHEREAS, in order to effectively administer the schools within said school district it is in the public interest to put any doubt which might arise concerning the validity and legal sufficiency of the proceedings had for the formation and the organization of the Manilla Community School District and concerning the validity and legal sufficiency of the territory and boundaries of said school district at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the organization, creation and establishment of the Manilla  
3 Community School District in the counties of Crawford and Shelby,  
4 state of Iowa, and the legal existence of said school district, are hereby  
5 declared to be valid, legal and sufficient to create and establish within  
6 said territory by the proceedings hereinbefore referred to, a school  
7 corporation and a school district known as the Manilla Community  
8 School District in the counties of Crawford and Shelby, state of Iowa,  
9 and the same are hereby legalized, validated and confirmed and said  
10 school district is declared to be a legal entity.

1 SEC. 2. That all proceedings heretofore taken in connection with  
2 the formation of the territory and the establishing of the boundaries  
3 of the Manilla Community School District in the counties of Crawford  
4 and Shelby, state of Iowa, are hereby legalized, validated and con-  
5 firmed and the boundaries of said school district, as determined by  
6 such proceedings now shown by the records of the county auditors  
7 of the counties of Crawford and Shelby, and state of Iowa, are hereby  
8 declared to be the legally established boundaries of said school dis-  
9 trict.

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 publi-  
3 cation in The Manilla Times, a newspaper published at Manilla, Iowa,  
4 and in The Manning Monitor, a newspaper published at Manning,  
5 Iowa, all without expense to the state.

This bill, having remained with the governor three days (Sunday excepted), the General Assembly being in session, has become a law this 3rd day of May, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 188, was published in The Manilla Times, Manilla, Iowa, May 23, 1957, and in The Manning Monitor, Manning, Iowa, May 23, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 293

## MANSON SCHOOL LEGALIZING ACT

H. F. 422

AN ACT to legalize and validate the proceedings of the boards of directors of the Manson Community School District, in the counties of Calhoun and Pocahontas, state of Iowa, and the Lincoln Township School District of Calhoun county, Iowa, for the merger of said Lincoln Township School District into said Manson School District.

WHEREAS, pursuant to petitions theretofore filed elections were called and held on August 7, 1956 in the Manson Community School District, in the counties of Calhoun and Pocahontas, state of Iowa, and in the Lincoln Township School District of Calhoun County, Iowa, on the proposition of merging said Lincoln Township School District into said Manson Community School District, and said proposition carried by a substantial majority in each of said school corporations; and

WHEREAS, in reliance upon said elections and by concurrent action by the boards of directors of said school corporations, the area included within the boundaries of the Lincoln Township School District, of Calhoun County, Iowa, has been ordered merged with the Manson Community School District, in the counties of Calhoun and Pocahontas, state of Iowa; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings, elections and provisions made for the merger of said Lincoln Township School District of Calhoun County, Iowa, with the Manson Community School District, in the counties of Calhoun and Pocahontas, state of Iowa; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the boards of  
2 directors of the Manson Community School District, in the counties of  
3 Calhoun and Pocahontas, state of Iowa, and the Lincoln Township  
4 School District, of Calhoun County, Iowa, preliminary to and in con-  
5 nection with the special elections held in said school corporations on  
6 August 7, 1956, and providing for the merger of said Lincoln Town-  
7 ship School District into said Manson Community School District are  
8 hereby legalized, validated and confirmed.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Manson Journal, a newspaper published at Manson, Iowa, and Poca-  
4 hontas Record-Democrat, a newspaper published at Pocahontas, Iowa,  
5 without expense to the state.

Approved May 14, 1957.

I hereby certify that the foregoing Act, House File 422, was published in the Manson Journal, Manson, Iowa, May 30, 1957, and in the Pocahontas Record-Democrat, Pocahontas, Iowa, May 30, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 294

## MANSON SCHOOL LEGALIZING ACT

H. F. 421

AN ACT to legalize and validate the proceedings for the organization and establishment of the Manson Community School District, in the counties of Calhoun and Pocahontas, state of Iowa.

WHEREAS, pursuant to a sufficient petition and proceedings taken by the county superintendent of schools of Calhoun County, Iowa, and the county boards of education of Calhoun and Pocahontas Counties, Iowa, an election was held on January 31, 1956, on the proposition of creating a new school corporation in the territory now included within the boundaries of the Manson Community School District, in the counties of Calhoun and Pocahontas, state of Iowa; and

WHEREAS, pursuant to the favorable results of said election a new school corporation was organized and has been operating for over seven months which is known and has been officially designated as the "Manson Community School District, in the counties of Calhoun and Pocahontas, state of Iowa"; and

WHEREAS, in said organization proceedings the new school corporation was at various times referred to as the "Manson Community School District", without reference to Calhoun or Pocahontas Counties, Iowa; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings for the organization and establishment of said Manson Community School District, in the counties of Calhoun and Pocahontas, state of Iowa, and it is deemed advisable and necessary 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 in connection  
2 with the organization, creation, and establishment of the school cor-  
3 poration now known and identified as the "Manson Community School  
4 District, in the counties of Calhoun and Pocahontas, state of Iowa"  
5 be and the same are hereby legalized, validated and confirmed, and  
6 said school district is hereby declared to constitute a legal school cor-  
7 poration.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Manson Journal, a newspaper published at Manson, Iowa, and Poca-  
4 hontas Record-Democrat, a newspaper published at Pocahontas, Iowa,  
5 without expense to the state.

Approved May 14, 1957.

I hereby certify that the foregoing Act, House File 421, was published in the Manson Journal, Manson, Iowa, May 30, 1957, and in the Pocahontas Record-Democrat, Pocahontas, Iowa, May 30, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 295

## MELVIN SCHOOL LEGALIZING ACT

H. F. 589

AN ACT to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of school district indebtedness bonds of the Community School District of Melvin in the counties of Osceola and O'Brien, state of Iowa.

WHEREAS, on the 28th day of January, 1957, the Board of Directors of said Community School District of Melvin in the Counties of Osceola and O'Brien, State of Iowa, pursuant to a petition filed by certain voters of said School District, called a special election of the voters of said District for February 27, 1957 on the question of issuance of school bonds by said School District in the sum of \$245,000.00 for the purpose of constructing, erecting and equipping an addition on and to the schoolhouse building existing in the Town of Melvin, Osceola County, Iowa, and within said District; and

WHEREAS, at said election said proposition was approved by more than 60% of the total votes cast for or against said proposition, there being 320 votes cast in favor of said proposition and 115 votes against the same; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election and the proceedings and provisions made for the issuance and sale of said school building bonds to the amount and for the purpose aforesaid and it is deemed advisable and necessary to put such doubts and all others that might arise concerning the same 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 February 27,  
2 1957, and all proceedings in connection therewith and heretofore taken  
3 in the Melvin Community School District in the Counties of Osceola  
4 and O'Brien, State of Iowa, authorizing and providing for the issu-  
5 ance, sale and delivery of school district indebtedness bonds of said  
6 School District to the amount of \$245,000.00 and providing for the  
7 levy of annual taxes to pay the interest on and principal of said bonds,  
8 are hereby legalized, validated and confirmed, and said school bonds  
9 issued, sold and delivered pursuant to and in accordance with said  
10 proceedings are hereby declared to be legal and to constitute valid and  
11 binding obligations of said school district.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Sibley Gazette-Tribune, a newspaper published in Sibley, Osceola  
4 County, Iowa, and the Sanborn Pioneer, Sanborn, Iowa, all without  
5 expense to the State.

Approved May 14, 1957.

I hereby certify that the foregoing Act, House File 589, was published in the Sibley Gazette-Tribune, Sibley, Iowa, May 23, 1957, and in the Sanborn Pioneer, Sanborn, Iowa, May 30, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 296

## MELVIN SCHOOL LEGALIZING ACT

H. F. 447

AN ACT to legalize and validate the proceedings for the organization and establishment of the Community School District of Melvin, in the counties of Osceola and O'Brien, state of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

WHEREAS, the Community School District of Melvin, in the counties of Osceola and O'Brien, state of Iowa, was organized and established pursuant to the provisions of chapter two hundred seventy-five (275), Code 1954, and the existence of said district is of general public interest and vital to the public interest and welfare of the area contained within its boundaries; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings for the organization and establishment of said district, and it is deemed advisable and necessary 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 in connection  
2 with the organization, creation, and establishment of the Community  
3 School District of Melvin, in the counties of Osceola and O'Brien, state  
4 of Iowa, are hereby declared to be valid, legal and sufficient to create  
5 and establish the body corporate and politic known as the Community  
6 School District of Melvin in the counties of Osceola and O'Brien, state  
7 of Iowa, and the same are hereby legalized, validated, and confirmed,  
8 and said school district is declared to be a legal entity and municipality  
9 created under the provisions of chapter two hundred seventy-five  
10 (275), Code 1954.

1 SEC. 2. This Act being of immediate importance shall be in full  
2 force and effect from and after its passage and publication in the  
3 Sibley Gazette-Tribune, a newspaper published at Sibley, Iowa, and  
4 the Sanborn Pioneer, a newspaper published at Sanborn, Iowa, without  
5 expense to the state.

Approved May 14, 1957.

I hereby certify that the foregoing Act, House File 447, was published in the Sibley Gazette-Tribune, Sibley, Iowa, May 23, 1957, and in the Sanborn Pioneer, Sanborn, Iowa, May 30, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 297

## OCHEYEDAN SCHOOL LEGALIZING ACT

H. F. 153

AN ACT to legalize and validate the proceedings for the organization and establishment of the Community School District of Ocheyedan in Osceola county, state of Iowa, and declaring said district a duly and legally organized corporate body.

WHEREAS, the Community School District of Ocheyedan in Osceola County, state of Iowa, was organized on July 1, 1956, pursuant to an elec-

tion held on the 15th day of May, 1956, and the existence of said Community School District of Ocheyedan in Osceola County, state of Iowa, is of general public interest and vital to the public interest and welfare of the area contained within its boundaries; and

WHEREAS, doubts have arisen concerning the validity of the proceedings had for the formation of the Community School District of Ocheyedan in Osceola County, state of Iowa, and concerning the validity and legal sufficiency of the territory and boundaries of said district; and

WHEREAS, in order to effectively administer the school within said school district it is in the public interest to put any doubt which might arise concerning the validity and legal sufficiency of the proceedings had for the formation and the organization of the Community School District of Ocheyedan in Osceola County, state of Iowa, and concerning the validity and legal sufficiency of the territory and boundaries of said school district at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the organization, creation and establishment of the Community  
3 School of Ocheyedan in Osceola County, state of Iowa, and the legal  
4 existence of said school district, are hereby declared to be valid, legal  
5 and sufficient to create and establish within said territory by the  
6 proceedings hereinbefore referred to, a school corporation and a school  
7 district known as the Community School District of Ocheyedan in  
8 Osceola County, state of Iowa in the County of Osceola, state of Iowa,  
9 and the same are hereby legalized, validated and confirmed and said  
10 school district is declared to be a legal entity.

1 SEC. 2. That all proceedings heretofore taken in connection with  
2 the formation of the territory and the establishing of the boundaries  
3 of the Community School District of Ocheyedan in Osceola County,  
4 state of Iowa, are hereby legalized, validated and confirmed and the  
5 boundaries of said school district, as now shown by the records of the  
6 county auditor of Osceola County, state of Iowa, are hereby declared  
7 to be the legally established boundaries of said school district.

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 publi-  
3 cation in the Ocheyedan Press, a newspaper published at Ocheyedan,  
4 Iowa, and in the Sibley Gazette-Tribune, a newspaper published at  
5 Sibley, Iowa, all without expense to the state.

Approved May 14, 1957.

I hereby certify that the foregoing Act, House File 153, was published in the Ocheyedan Press, Ocheyedan, Iowa, June 6, 1957, and in the Sibley Gazette-Tribune, Sibley, Iowa, June 6, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 298

## ODEBOLT-ARTHUR SCHOOL LEGALIZING ACT

H. F. 22

AN ACT to legalize and validate the proceedings for the organization of Odebolt-Arthur Community School District, in the counties of Sac, Crawford and Ida, state of Iowa, and to legalize and validate the action of the board of directors of said school district in calling a special school bond election.

WHEREAS, the Odebolt-Arthur community school district, in the counties of Sac, Crawford and Ida, state of Iowa, was organized on July 1, 1956, pursuant to an election held on May 29, 1956, and the existence of said Odebolt-Arthur community school district, in the counties of Sac, Crawford and Ida, state of Iowa, is of general public interest and vital to the public interest and welfare of the area contained within its boundaries; and

WHEREAS, on the 12th day of November, 1956, the board of directors of said Odebolt-Arthur community school district, pursuant to a petition therefore filed by certain voters of said school district, called a special election of the voters of said district for December 18, 1956, on the question of the issuance of \$785,000.00 of school bonds of said school district for the purpose of constructing and furnishing an addition to the school building within the town of Odebolt, Iowa, within said district; and

WHEREAS, doubts have arisen concerning the validity of the proceedings had for the formation of said Odebolt-Arthur community school district, and as to the present legal existence of said school district, and as to the validity of the action of the board of directors of said district in calling said special school bond election for December 18, 1956, on said petition for election, and as to the validity of said election petition; Now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection  
2 with the formation of the territory of the Odebolt-Arthur community  
3 school district, in the counties of Sac, Crawford and Ida, state of Iowa,  
4 and the legal existence of said school district, are hereby declared to  
5 be valid, legal and sufficient to create and establish within said terri-  
6 tory by the proceedings hereinbefore referred to, a school district  
7 known as "Odebolt-Arthur community school district, in the counties  
8 of Sac, Crawford and Ida, state of Iowa," and the same are hereby  
9 legalized, validated and confirmed and said school district is declared  
10 to be a legal entity.

1 SEC. 2. That all proceedings heretofore taken by the board of di-  
2 rectors of the Odebolt-Arthur community school district, in the coun-  
3 ties of Sac, Crawford and Ida, state of Iowa, preliminary to and in  
4 connection with the call of the special election for the submission of  
5 the proposition for the authorization and issuance of \$785,000.00 in  
6 bonds of said district for school building purposes, including also the  
7 petition calling for said election, be and the same are hereby legal-  
8 ized, validated and confirmed.

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 Odebolt Chronicle, a newspaper published at Odebolt, Iowa, and  
 4 the Jefferson Bee, a newspaper published at Jefferson, Iowa, all with-  
 5 out expense to the state.

Approved March 27, 1957.

I hereby certify that the foregoing Act, House File 22, was published in the Jefferson Bee, Jefferson, Iowa, April 16, 1957, and in the Odebolt Chronicle, Odebolt, Iowa, April 11, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 299

### TOWN OF ALTA LEGALIZING ACT

#### H. F. 17

AN ACT to legalize and validate the special election, petition therefor, proceedings in connection therewith and proceedings authorizing and providing for the issuance, sale and delivery, all in connection with swimming pool bonds of the town of Alta, Iowa, and the provisions made for the levy and collection of annual taxes to pay said bonds and the interest thereon and declaring said bonds, issued, sold and delivered pursuant to said election and said proceedings, to be valid obligations of said town.

WHEREAS, the town of Alta, Iowa, did heretofore, pursuant to a petition with the requisite signatures, call and hold a special election in said town on July 27, 1956, and submit thereat the following proposition: "Shall the town of Alta, Buena Vista county, Iowa, establish a swimming pool on land already owned by said town in South Park and contract indebtedness for such purpose not exceeding \$34,000 and issue bonds for such purpose not exceeding \$34,000 and levy a tax annually upon the taxable property in said town of Alta not exceeding Two and One-half mills per annum for the payment of such bonds and interest thereon?" and at said election more than sixty per cent of the votes cast for and against said proposition were in favor thereof; and

WHEREAS, the town council of said town, in reliance upon said election, did on the first day of December, 1956, pass and approve a resolution awarding and approving the sale of \$34,000 swimming pool bonds of said town, and did on the third day of December, 1956, pass and approve a resolution authorizing and providing for the issuance and delivery of said bonds to the purchaser and confirming the sale thereof, said bonds to mature serially in numerical order, and by said resolution provided for the levy and collection of annual taxes on all the taxable property in said town sufficient to pay the principal thereof and interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election, petition, proceedings, bonds, the sale thereof and provisions made for the payment of said bonds and interest thereon, 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 election held on July 27, 1956, in  
 2 said town, as referred to in the preamble hereof, and the petition, the

3 proceedings heretofore taken by the town council of said town of Alta  
 4 in connection therewith, and the resolutions and proceedings of said  
 5 town council adopting said resolutions awarding and approving the  
 6 sale of said \$34,000 swimming pool bonds of said town and authoriz-  
 7 ing and providing for the issuance and delivery of said bonds to the  
 8 purchaser and confirming the sale thereof and providing for the levy  
 9 and collection of annual taxes on all the taxable property in said town  
 10 sufficient to pay the principal of and interest on said bonds are hereby  
 11 legalized, validated and confirmed and said swimming pool bonds of  
 12 \$34,000 sold, issued and delivered pursuant to and in accordance with  
 13 said proceedings are hereby declared to constitute valid and binding  
 14 obligations of said town.

1 SEC. 2. This act, being deemed of immediate importance, shall  
 2 take effect and be in force from and after its publication in The Alta  
 3 Advertiser, a newspaper published at Alta, Iowa, and in The Pilot-  
 4 Tribune, a newspaper published in Storm Lake, Iowa, all without  
 5 expense to the state.

Approved February 22, 1957.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1954, The Pilot-Tribune, Storm Lake, Iowa, being nonexistent, the Storm Lake Pilot-Tribune, a newspaper published in Storm Lake, Iowa, is designated to publish the foregoing Act, House File 17.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 17, was published in The Alta Advertiser, Alta, Iowa, March 7, 1957, and in the Storm Lake Pilot-Tribune, Storm Lake, Iowa, March 7, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 300

### CITY OF CHEROKEE LEGALIZING ACT

#### H. F. 111

AN ACT to legalize and validate petition to and proceedings had by the city of Cherokee, Iowa, and the city officials, relating to the submission at a special municipal election held in said city on August 30, 1956, and the election itself, on the proposition of constructing and equipping a municipal swimming pool including bath houses, and if required acquiring property for said purpose, and contracting indebtedness for such purpose not exceeding \$75,000 and issuing bonds for such purpose not exceeding \$75,000 and levying tax annually upon the taxable property in said city not exceeding 1 ½ mills per annum for the payment of such bonds and the interest thereon, and declaring the same to be legally sufficient authority for the city council and city officials of said city to contract indebtedness and issue bonds in reliance thereon and to levy taxes to pay said bonds and the interest thereon.

WHEREAS, pursuant to a petition with the requisite signatures, the city council of the city of Cherokee, Iowa, provided for the submission to the voters of said city at a special municipal election held August 30, 1956, pursuant to the provisions of Chapter 407 of the Code of Iowa, 1954, a proposition as follows:

Shall the city of Cherokee, Iowa, construct and equip a municipal swimming pool including bath houses, and if required acquire property for said purpose, and contract indebtedness for such purpose not exceeding

\$75,000 and issue bonds for such purpose not exceeding \$75,000 and levy tax annually upon the taxable property in Cherokee, Iowa, not exceeding  $1\frac{1}{2}$  mills per annum for the payment of such bonds and the interest thereon; and

WHEREAS, at said election said proposition carried by a majority of more than seventy per cent (70%) of the total vote cast for and against said proposition at said election; and

WHEREAS, doubts have arisen as to the legal sufficiency of said petition, election proceedings, election, the giving of the notice thereof and the authority of the city council and city officials of said city to contract indebtedness and issue bonds for such purpose and to levy tax annually upon the taxable property in said city, not exceeding  $1\frac{1}{2}$  mills per annum to pay said bonds and the interest thereon, and it is deemed advisable to put said doubts and all other doubts concerning the same that might arise forever at rest; now, therefore,

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

1 SECTION 1. The petition, and all acts and proceedings of the city  
2 council and city officials of the city of Cherokee, Iowa, in authorizing  
3 and providing for the submission of the proposition set out in the  
4 preamble hereof to the voters of said city at the election held in said  
5 city on August 30, 1956, the election itself and the adoption of said  
6 proposition at said election by the voters of said city are hereby vali-  
7 dated and legalized, notwithstanding any irregularities or omissions  
8 therein, and shall constitute full authority for the city council and  
9 city officials of and for said city to contract said indebtedness and to  
10 issue said bonds for the purposes authorized at said election in an  
11 amount not exceeding seventy-five thousand dollars (\$75,000) and to  
12 levy tax annually upon the taxable property in said city, not exceeding  
13  $1\frac{1}{2}$  mills per annum, to pay the principal of and interest on said bonds  
14 as they become due in accordance with all applicable statutory provi-  
15 sions and said bonds when issued shall constitute valid and binding  
16 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 publication in The Cherokee  
3 Courier, a newspaper published in Cherokee, Iowa, and in Aurelia  
4 Sentinel, a newspaper published in Aurelia, Iowa, all without expense  
5 to the state.

Approved March 27, 1957.

I hereby certify that the foregoing Act, House File 111, was published in The Cherokee Courier, Cherokee, Iowa, April 4, 1957, and in the Aurelia Sentinel, Aurelia, Iowa, April 4, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 301

## CLINTON LEGALIZING ACT

S. F. 335

AN ACT to legalize and validate the proceedings of the city council of the city of Clinton, in Clinton county, Iowa, authorizing and providing for the issuance, sale and delivery of fire department 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 city.

WHEREAS it appears from the records of the city council of the city of Clinton, in Clinton county, Iowa, that pursuant to notices published in a newspaper printed and having a general circulation in said city, the city council thereof has by resolutions authorized and provided for the issuance and sale of fire department bonds of said city in the amount of eighty thousand (\$80,000.00) dollars to pay the cost of constructing and equipping a new fire station for the fire department in said city 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 proceedings and provisions made for the issuance and sale of said bonds 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 city council of the city of Clinton, in Clinton county, Iowa, providing for the  
2 issuance, sale and delivery of fire department bonds of said city to the  
3 amount of eighty thousand (\$80,000.00) dollars to pay the cost of constructing and equipping a new fire station for the fire department in  
4 said city and for the levy of taxes to pay said bonds and interest  
5 thereon, are hereby legalized, validated and confirmed, and said fire  
6 department bonds issued, sold and delivered pursuant to and in accordance with said proceedings are hereby declared to be legal and to  
7 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 Clinton Herald, a newspaper published in Clinton, Iowa, and in The  
4 Wheatland Gazette, a newspaper published in Wheatland, Iowa, all  
5 without expense to the state.

Approved March 19, 1957.

I hereby certify that the foregoing Act, Senate File 335, was published in the Clinton Herald, Clinton, Iowa, March 26, 1957, and in The Wheatland Gazette, Wheatland, Iowa, March 27, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 302

## TOWN OF FONDA LEGALIZING ACT

H. F. 490

AN ACT to legalize and validate the petition, notice and proceedings of the town council of the town of Fonda, Iowa, in connection with the election and authorizing and providing for the issuance and disposition of swimming pool 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 town.

WHEREAS, it appears from the records of the town of Fonda, Iowa, that pursuant to a sufficient petition theretofore filed, the town council of said town called and ordered a special election to be held in said town on October 4, 1956, for the purpose of voting on the proposition of constructing a swimming pool in the town of Fonda, Iowa, and contracting indebtedness for such purpose not exceeding forty thousand dollars (\$40,000) and issuing bonds for such purpose not exceeding forty thousand dollars (\$40,000) and levying a tax annually upon the taxable property in said town not exceeding two and one-half mills per annum to pay said bonds and the interest thereon, and notice of said election was published once each week for three consecutive weeks prior to the day of said election in the manner and form required by law; and

WHEREAS, after canvassing the results of said election it was found and determined that said bond proposition was approved by more than sixty per cent (60%) of the total number of votes cast for and against said proposition throughout said town, and in reliance upon the favorable vote cast at said election the town council of said town has by resolutions authorized and provided for the sale and issuance of swimming pool bonds to the amount of thirty thousand dollars (\$30,000) and for the purpose aforesaid and has 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 sale, 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 the petition and all proceedings heretofore taken  
2 and the notice given by the town council of the town of Fonda, Iowa,  
3 preliminary to and in connection with the special election held in said  
4 town on October 4, 1956, and providing for the sale and issuance of  
5 swimming pool bonds of said town to the amount of thirty thousand  
6 dollars (\$30,000) pursuant to said election, and for the levy of taxes  
7 upon all the taxable property in said town to pay said bonds and in-  
8 terest thereon, are hereby legalized, validated and confirmed, and said  
9 swimming pool bonds issued, sold and delivered pursuant to and in  
10 accordance with said proceedings are hereby declared to be legal and  
11 to constitute valid and binding obligations of said town.

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 Fonda Times, a newspaper published in Fonda, Iowa, and in The

4 Rolfe Arrow, a newspaper published in Rolfe, Iowa, all without ex-  
5 pense to the state.

Approved April 10, 1957.

I hereby certify that the foregoing Act, House File 490, was published in The Fonda Times, Fonda, Iowa, April 18, 1957, and in The Rolfe Arrow, Rolfe, Iowa, April 18, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 303

### CITY OF KEOKUK LEGALIZING ACT

S. F. 446

AN ACT to legalize and validate proceedings had by the city of Keokuk, Iowa, and the city officials, relating to the submission at a special municipal election held in said city on March 5, 1957, and the election itself, and the giving of notice thereof, on the proposition of constructing a new police station and fire station in combination, and contracting indebtedness for such purpose not exceeding one hundred five thousand dollars (\$105,000) and issuing bonds for such purpose not exceeding one hundred five thousand dollars (\$105,000) and levying tax annually upon the taxable property in said city not exceeding one-half ( $\frac{1}{2}$ ) of one (1) mill per annum for the payment of such bonds and the interest thereon, and declaring the same to be legally sufficient authority for the city council and city officials of said city to contract indebtedness and issue bonds in reliance thereon and to levy taxes to pay said bonds and the interest thereon.

WHEREAS, the city council of the city of Keokuk, Iowa, provided for the submission to the voters of said city at a special municipal election held March 5, 1957 and the giving of notice thereof pursuant to the provisions of chapter four hundred seven (407), Code 1954, a proposition as follows:

Shall the city of Keokuk construct a new police station and fire station in combination in the city of Keokuk and contract indebtedness for such purpose not exceeding one hundred five thousand dollars (\$105,000) and issue bonds for such purpose, not exceeding one hundred five thousand dollars (\$105,000) and levy tax annually upon the taxable property in the city of Keokuk, not exceeding one-half ( $\frac{1}{2}$ ) of one (1) mill per annum for the payment of such bonds and the interest thereon?; and

WHEREAS, at said election said proposition carried by a majority of more than eighty percent (80%) of the total vote cast for and against said proposition at said election; and

WHEREAS, doubts have arisen as to the legal sufficiency of said election proceedings, election, the giving of the notice thereof and the authority of the city council and city officials of said city to contract indebtedness and issue bonds for such purpose and to levy tax annually upon the taxable property in said city, not exceeding one-half ( $\frac{1}{2}$ ) of one (1) mill per annum to pay said bonds and the interest thereon, and it is deemed advisable to put said doubts and all other doubts concerning the same that might arise forever at rest; now, therefore,

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

- 1 SECTION 1. The acts and proceedings of the city council and city
- 2 officials of the city of Keokuk, Iowa, in authorizing and providing
- 3 for the submission of the proposition set out in the preamble hereof

4 to the voters of said city at the election held in said city on March  
 5 5, 1957, the election itself and the giving of notice thereof and the  
 6 adoption of said proposition at said election by the voters of said city  
 7 are hereby validated and legalized, notwithstanding any irregularities  
 8 or omissions therein, and shall constitute full authority for the city  
 9 council and city officials of and for said city to contract said indebt-  
 10 edness and to issue said bonds for the purposes authorized at said  
 11 election in an amount not exceeding one hundred five thousand dollars  
 12 (\$105,000) and to levy tax annually upon the taxable property in  
 13 said city, not exceeding one-half (1/2) of one (1) mill per annum,  
 14 to pay the principal of and interest on said bonds as they become due  
 15 in accordance with all applicable statutory provisions and said bonds  
 16 when issued shall constitute valid and binding obligations of said  
 17 city.

1 SEC. 2. This act, being deemed of immediate importance, shall  
 2 take effect and be in force from and after its publication in the Daily  
 3 Gate City, a newspaper published in Keokuk, Iowa, and in The Don-  
 4 nellson Review, a newspaper published in Donnellson, Iowa, all with-  
 5 out expense to the state.

Approved May 1, 1957.

I hereby certify that the foregoing Act, Senate File 446, was published in the Daily Gate City, Keokuk, Iowa, May 8, 1957, and in The Donnellson Review, Donnellson, Iowa, May 9, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 304

### TOWN OF MAYNARD LEGALIZING ACT

S. F. 476

AN ACT to legalize and validate the proceedings of the town council of the town of Maynard, in Fayette county, state of Iowa, in the conduct of an election on the proposition of incurring of indebtedness and issuing bonds for town hall purposes.

WHEREAS, it appears from the records of the town council of the town of Maynard, in Fayette County, state of Iowa, that at a regular meeting held on September 2, 1956, and purporting to act upon authority contained in chapter four hundred seven (407) of the Code, said council called and ordered a special election to be held in said town on November 15, 1956, for the purpose of voting on the proposition of purchasing a building to be used as a town hall, contracting indebtedness for such purpose not exceeding fifteen thousand seven hundred fifty (15,750) dollars and issuing bonds for such purpose not exceeding fifteen thousand seven hundred fifty (15,750) dollars and levying a tax annually upon all the taxable property in said town not exceeding four (4) mills per annum to pay said bonds and the interest thereon; and

WHEREAS, at the special election held on November 15, 1956, the favorable vote was equal to seventy-five (75) percent of the total number of ballots cast; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election proceedings 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 town  
2 council of the town of Maynard, in Fayette County, state of Iowa, pre-  
3 liminary to and in connection with the special election held in said  
4 town on November 15, 1956, are hereby legalized, validated and con-  
5 firmed and said proceedings are hereby declared to be legally sufficient  
6 within the meaning and application of the provisions of chapter four  
7 hundred seven (407) of the Code.

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 Oelwein Daily Register, a newspaper published in Oelwein, Iowa,  
4 and in The Fayette County Union, a newspaper published in West  
5 Union, Iowa, all without expense to the state.

Approved May 2, 1957.

I hereby certify that the foregoing Act, Senate File 476, was published in the Oelwein Daily Register, Oelwein, Iowa, May 9, 1957, and in The Fayette County Union, West Union, Iowa, May 16, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 305

### CITY OF WEST DES MOINES LEGALIZING ACT

#### H. F. 356

AN ACT to legalize and validate the proceedings of the city council of the city of West Des Moines, Iowa, authorizing and providing for the issuance of swimming pool 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 city.

WHEREAS, it appears from the records of the City of West Des Moines, Iowa that pursuant to a sufficient petition theretofore filed, the city council of said city called and ordered a special election to be held in said city on November 6, 1956, for the purpose of voting on the proposition of acquiring land and establishing a swimming pool thereon and contracting indebtedness for such purpose not exceeding one hundred eighty thousand dollars (\$180,000) and levying a tax annually upon the taxable property in said city not exceeding two mills per annum to pay said bonds and the interest thereon, and notice of said election was published once each week for three consecutive weeks prior to the day of said election in the manner and form required by law; and

WHEREAS, after the calling of said election and prior to the day of the election certain adjoining territory was annexed to the city in compliance with the provisions of sections three hundred sixty-two point thirty (362.30) and three hundred sixty-two point thirty-three (362.33) of the Code of Iowa, 1954, and the voters residing in this annexed area were afforded the opportunity of voting at said election on the proposition of issuing said bonds; and

WHEREAS, after canvassing the results of said election it was found and determined that said bond proposition was approved by more than sixty per cent (60%) of the total number of votes cast for and against said proposition throughout said city, including the area annexed to said city, as hereinbefore mentioned, and in reliance upon the favorable vote cast at said election the city council of said city has by resolutions authorized and provided for the sale and issuance of swimming pool bonds to the amount and for the purpose aforesaid and has 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 sale, 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 city council of the City of West Des Moines, Iowa, preliminary to and in connection with the special election held in said city on November 6, 1956, and providing for the sale and issuance of swimming pool bonds of said city to the amount of one hundred eighty thousand dollars (\$180,000) pursuant to said election, and for the levy of taxes upon all the taxable property in said city, including the area annexed to said city as referred to in the preamble hereof, to pay said bonds and interest thereon, are hereby legalized, validated and confirmed, and said swimming pool bonds issued, sold and delivered pursuant to and in accordance with said proceedings are hereby declared to be legal and to constitute valid and binding obligations of said city.

1 SEC. 2. This Act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in The West Des Moines Express, a newspaper published in West Des Moines, Iowa, and in the Highland Park News and Advertiser, a newspaper published in Des Moines, Iowa, all without expense to the state.

Approved April 4, 1957.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1954, the Highland Park News and Advertiser, Des Moines, Iowa, being nonexistent, the Highland Park News, a newspaper published in Des Moines, Iowa, is designated to publish the foregoing Act, House File 356.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, House File 356, was published in The West Des Moines Express, West Des Moines, Iowa, April 11, 1957, and in the Highland Park News, Des Moines, Iowa, April 11, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

**JOINT RESOLUTIONS  
AND  
RULES OF CIVIL PROCEDURE**

## JOINT RESOLUTIONS

### CHAPTER 306

#### CITY OF CLARINDA WATERWORKS

##### S. J. R. 3

A JOINT RESOLUTION to authorize the board of control of state institutions to cooperate with the city of Clarinda, Iowa, in financing improvements to the city of Clarinda waterworks facilities for the joint use of the city of Clarinda and the Clarinda mental health institute to assure an adequate and dependable supply of water for the Clarinda mental health institute, and to make appropriation therefor.

WHEREAS, the board of control of state institutions has entered into a contract with the city of Clarinda, Iowa, by the terms of which the board of control is to furnish financial assistance in a contemplated improvement of the Clarinda waterworks system in order to assure an adequate and dependable supply of water for the Clarinda mental health institute, and

WHEREAS, under said contract the board of control of state institutions agrees to pay the sum of one hundred forty-five thousand dollars (\$145,000.00) to the city of Clarinda, which is to be spent and applied on the cost of said improvement, which said sum is considered to be a fair share of the cost of said improvement, and

WHEREAS, said contract provides for the type of improvement to be made and the manner in which financial assistance is to be paid by the board of control of state institutions to the said city of Clarinda, and further provides that the said city shall furnish all water requirements to the Clarinda mental health institute, and specifies the rate to be paid for the same, and

WHEREAS, the said contract is made subject to the passage of this joint resolution by the general assembly of the state of Iowa, and subject to the appropriation by it of the funds required hereunder as stated herein, now therefore,

*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 the sum of one hundred forty-five thousand dollars (\$145,-  
3 000.00) to be applied to the expense of improving the water system  
4 and facilities of the city of Clarinda, Iowa, the said city to furnish  
5 water to the Clarinda mental health institute, in such amounts and  
6 under such terms as are set out in the contract, which has been entered  
7 into between the board of control of state institutions and the city of  
8 Clarinda, and which said appropriation shall be paid to the city under  
9 the terms and conditions set out in said contract.

1 SEC. 2. The agreement between the board of control of state insti-  
2 tutions and the city of Clarinda, Iowa, referred to herein, is hereby  
3 authorized and approved.

1 SEC. 3. This joint resolution being deemed of immediate impor-  
2 tance, shall take effect and be in force from and after its publication in

3 The Evening Sentinel a newspaper published at Shenandoah, Iowa,  
 4 and in the Clarinda Herald Journal a newspaper published at Cla-  
 5 rinda, Iowa.

Approved April 5, 1957.

I hereby certify that the foregoing Act, Senate Joint Resolution 3, was published in The Evening Sentinel, Shenandoah, Iowa, April 8, 1957, and in the Clarinda Herald Journal, Clarinda, Iowa, April 11, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 307

### BOUNDARY STUDY COMMITTEE

H. J. R. 8

A JOINT RESOLUTION creating a special committee to confer with the legislature of the state of Nebraska and to make a study of the present boundary line between the state of Nebraska and the state of Iowa and to bring back a report on the matter to the legislature of this state, such report to be made to the Fifty-eighth General Assembly, and to make an appropriation therefor.

WHEREAS, when Iowa was admitted to the Union as a state and until 1943 the boundary between the state of Nebraska and the state of Iowa was the center of the main channel of the Missouri River, and

WHEREAS, in 1943 by Acts of the legislature of the state of Iowa and the legislature of the state of Nebraska and concurring action by the Congress of the United States the boundary was changed so as to follow a line surveyed and mapped by the U. S. Army Corps of Engineers which at that time was the center of the main channel of the Missouri River as altered by the U. S. Army Corps of Engineers and presumed to be permanent, and

WHEREAS, the U. S. Army Corps of Engineers has not maintained the channel of the Missouri River on this line which now forms the boundary between the state of Nebraska and the state of Iowa, and

WHEREAS, in some instances the entire river now flows through the state of Nebraska and Iowans do not have access to it except by going through parts of the state of Nebraska, now therefore,

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

1 SECTION 1. That a special committee is hereby created to study  
 2 and draft proposed legislation pertaining to the boundary line between  
 3 the states of Iowa and Nebraska.

1 SEC. 2. Said committee shall be composed of six (6) members,  
 2 three (3) of whom shall be appointed by the speaker of the house of  
 3 representatives and three (3) of whom shall be appointed by the pres-  
 4 ident of the senate.

1 SEC. 3. The terms of office of committee members shall be four  
 2 years from July 1 of the year of appointment. Of the first members  
 3 appointed, one from the Senate and one from the House, the terms  
 4 shall be for two years from said date. A vacancy shall exist whenever  
 5 a committee member ceases to be a member of the general assembly.

1 SEC. 4. The committee shall have full power and authority to  
2 study, inquire into, and examine all pertinent matters relating to the  
3 Iowa-Nebraska boundary and to draft legislation that will correct the  
4 existing situation as well as being acceptable to the state of Nebraska.

1 SEC. 5. The committee shall choose a chairman from its members  
2 and shall adopt rules for conduct of its proceedings. The committee is  
3 hereby authorized to employ a secretary or such other aides and em-  
4 ployees as are necessary in connection with the business of the com-  
5 mittee. The committee is also authorized to employ such expert  
6 assistance as may be deemed necessary to accomplish its purpose. The  
7 committee shall have the power to fix the compensation of its secretary  
8 and other aides and employees and shall, if necessary, be provided  
9 suitable office space for the conduct of its business by the executive  
10 council. The committee shall have access to all public records and be  
11 given the co-operation of all public officials and shall generally have  
12 the power of any legislative committee.

1 SEC. 6. Vacancies in the committee shall be filled under the same  
2 authority and restrictions as the original appointment. Members of  
3 the committee shall be reimbursed for actual and necessary expenses  
4 incurred by them in the actual discharge of their duties.

1 SEC. 7. The committee shall make biennial reports to the general  
2 assembly and submit its recommendations.

1 SEC. 8. There is hereby appropriated from the general fund of the  
2 state not otherwise obligated the sum of two thousand dollars (\$2,-  
3 000.00), or so much thereof as may be necessary, to carry out the  
4 purposes of this Act. All expenses incurred by the committee shall  
5 be paid out of the general fund of the state on vouchers to be approved  
6 by the chairman or secretary of the committee and audited according  
7 to law.

1 SEC. 9. 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 West Des Moines Express, a newspaper published at West Des  
4 Moines, Iowa, and the Dallas Center Times, a newspaper published at  
5 Dallas Center, Iowa.

Approved May 14, 1957.

I hereby certify that the foregoing Act, House Joint Resolution 8, was published in the West Des Moines Express, West Des Moines, Iowa, May 23, 1957, and in the Dallas Center Times, Dallas Center, Iowa, May 23, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 308

## INDIAN RESERVATION OFFICER

H. J. R. 22

A JOINT RESOLUTION relating to assistance by the state to the county of Tama in providing a law-enforcement officer for the Sac and Fox Indian Reservation in such county and making an appropriation therefor.

WHEREAS, there exists in the county of Tama an Indian reservation of the Sac and Fox tribe which reservation encompasses approximately four thousand (4,000) acres and has a population of approximately five hundred (500) persons; and

WHEREAS, although said Indian reservation is a heavily populated community, it is not organized as a municipality and consequently has no law-enforcement agency of its own but must rely upon the sheriff of the county of Tama for law enforcement; and

WHEREAS, due to the extensive duties of and the large area required to be policed by the sheriff of the county of Tama, said sheriff and his deputies are unable to adequately provide proper law enforcement for said Indian reservation; and

WHEREAS, due to said conditions a public emergency exists with regard to the proper enforcement of the law within said Indian reservation; and

WHEREAS, said Sac and Fox Indian tribe through its tribal council has passed a resolution requesting the help and aid of the state in securing additional law enforcement so as to preserve and protect the public peace and welfare of said Indian tribe on said reservation, now therefore,

*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 to Tama County, Iowa, the sum of two thousand five hun-  
3 dred (2,500) dollars per year for each year of the biennium commenc-  
4 ing July 1, 1957 and ending June 30, 1959, said money to be expended  
5 by said county only for the payment of the salary and expenses of an  
6 additional deputy sheriff of said county, the principal duties of which  
7 deputy shall be to provide law enforcement upon the Sac and Fox  
8 Indian reservation in said county. Said deputy shall if possible reside  
9 on said Indian reservation. All additional sums necessary to pay the  
10 salary and expenses of said deputy shall be paid by the county of  
11 Tama. The expenditure of such funds from any moneys of said  
12 county which may be available for such purpose is hereby authorized.

Approved May 15, 1957.

## CHAPTER 309

## ELECTION AND ELECTION PRIVILEGES COMMITTEE

## H. J. R. 23

A JOINT RESOLUTION proposing a joint bipartisan committee to be created and known as an election and election privileges committee, establishing its powers and duties and to make a report to the Fifty-eighth General Assembly.

WHEREAS, in the public interest it is imperative that the elections and election activities in Iowa continue to represent the highest form of honesty, integrity and ethical conduct; and

WHEREAS, in the public interest the election laws of this state may need simplification and modernization in order to enable full participation in the election of public officials by the electors; and

WHEREAS, the present laws relating to political parties, political activities and procedures relating to the conduct of elections within this state are in need of study and may be susceptible to improvement through revisions or corrective legislation; NOW THEREFORE

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

1 SECTION 1. A joint bipartisan committee of six (6) members of  
2 the House of Representatives and Senate of the Fifty-seventh General  
3 Assembly is hereby created to be known as the election and election  
4 privileges committee. Said committee shall consist of three (3) mem-  
5 bers of the Senate to be appointed by the president of the Senate, two  
6 (2) from the majority party and one (1) from the minority party,  
7 and three (3) members of the House of Representatives, two (2) from  
8 the majority party and one (1) from the minority party, to be ap-  
9 pointed by the Speaker of the House of Representatives, who shall  
10 serve until the next regular session of the General Assembly. Any  
11 vacancy in the membership of the committee shall be filled by the  
12 appointment from the representative body to which such member of  
13 the committee belong by the president of the Senate or the Speaker of  
14 the House, as the case may be.

1 SEC. 2. The committee shall have full power and authority during  
2 the session of the Fifty-seventh General Assembly, and following its  
3 adjournment to investigate, inquire into and examine into all matters  
4 relating but not limited to a study of the question of revision and im-  
5 provement of existing laws governing elections, political party organ-  
6 izations, and committees, political campaign activities and funds and  
7 to make a written report and recommendations thereon to the Fifty-  
8 eighth General Assembly.

1 SEC. 3. The committee shall be appointed as promptly as possible  
2 after the enactment of this measure and shall organize as soon there-  
3 after as possible. The committee shall choose a chairman from its  
4 members, adopt rules for the conduct of its proceedings as necessary  
5 for the proper conduct of the business of the committee. The commit-  
6 tee may hold public or private hearings; it is hereby authorized and  
7 empowered to summon and subpoena witnesses from any place within  
8 the state of Iowa and compel the production of books, documents or  
9 papers pertaining to its inquiry, and to compel the attendance of wit-

10 nesses in any place within the state of Iowa where said committee may  
 11 deem it advisable to hold hearings; it may take testimony under oath  
 12 and may take the testimony of witnesses outside of the state; that any  
 13 person refusing to answer to a subpoena or refusing to give testimony  
 14 may be punished for contempt in the manner provided by the laws of  
 15 Iowa. The committee shall have access to all public records and shall  
 16 be given the cooperation of all public officials and shall generally have  
 17 all the powers of a legislative committee or of a joint legislative com-  
 18 mittee, and any member of the committee shall have power to admin-  
 19 ister oaths at hearings. The committee may at any time or from time  
 20 to time be divided into subcommittees of two or more members, at  
 21 least one from each political party, the said committee or any of said  
 22 subcommittees having the power to hold hearings and conduct inquir-  
 23 ies in any part of the state. The committee is authorized to call upon  
 24 the Attorney General and his staff for assistance in such hearings and  
 25 inquiries as the committee may deem necessary, and is authorized to  
 26 call upon any department of the state government for assistance.  
 27 Members of the committee shall receive as compensation such amounts  
 28 as the Fifty-eighth General Assembly may allow. The committee is  
 29 authorized to employ such legal counsel and investigators and other  
 30 personnel as it finds necessary to carry out the provisions of this Act,  
 31 and the budget and financial control committee is hereby authorized  
 32 to provide sufficient funds out of the contingent fund in its hands for  
 33 the payment of the services and expenses of such persons upon the  
 34 certification thereof by a majority of said committee.

1 SEC. 4. This resolution being deemed of immediate importance  
 2 shall be in full force and effect from and after its passage and publi-  
 3 cation in the Garner Leader and Signal, a newspaper published at  
 4 Garner, Iowa, and in the Belmond Independent, a newspaper published  
 5 at Belmond, Iowa.

Approved April 30, 1957.

I hereby certify that the foregoing Act, House Joint Resolution 23, was published in the Garner Leader and Signal, Garner, Iowa, May 8, 1957, and in the Belmond Independent, Belmond, Iowa, May 9, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 310

### INSTITUTIONS STUDY COMMITTEE

H. J. R. 24

A JOINT RESOLUTION creating a special joint committee for the purpose of studying the problem of obtaining qualified professional personnel for board of control institutions and observing the sufficiency and adequacy of the legislation relating thereto.

WHEREAS, the joint special committee of the appropriations committee studying the needs of board of control institutions has advised the general assembly of urgent and serious special problems confronting the board of control with respect to obtaining professional staff, particularly medical doctors, psychiatrists, psychiatric nurses, and psychologists for board of control institutions; and

WHEREAS, qualified persons trained in such professions are in great demand and the number of such persons available is limited, but due to present world conditions, there is potentially available to such board of control a number of persons trained in such professions who are refugees from or trained in foreign nations; and

WHEREAS, the present statutes of the state of Iowa severely limit the ability of the board of control to employ such foreign persons; and

WHEREAS, proposals for certain corrective legislation have been made by the Iowa Medical Association to permit the state of Iowa to utilize the services of such foreign persons, at the same time retaining adequate safeguards to insure that, before receiving a license to practice their professions in Iowa, such persons will have to meet the proper standards of professional training ability and competence; and

WHEREAS, such proposals for corrective legislation, although offered in good faith, are possibly, in an attempt to maintain the highest professional standards, overly conservative in the light of the pressing needs; and

WHEREAS, during the interim period between this and the next regular session of the general assembly, a sufficient period will elapse to determine the adequacy of such legislation and whether the philosophy followed therein is sufficient to meet the needs of the state institutions; now, therefore,

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

1 SECTION 1. A special joint committee is hereby created, the mem-  
2 bers of such committee to be the members of the present joint house  
3 and senate subcommittee of the appropriations committee studying  
4 the needs of board of control institutions. Such committee shall serve  
5 without compensation during the interim period between this and the  
6 next regular session of the general assembly. The committee shall  
7 meet at the call of the co-chairmen and it shall be the duty of the  
8 committee to study and observe the results of the statutes of the state  
9 of Iowa with respect to the critical problem of obtaining professional  
10 staff, particularly medical doctors, psychiatrists, psychiatric nurses,  
11 and psychologists for the board of control institutions. The commit-  
12 tee shall give particular attention to the adequacy of the statutes of  
13 the state permitting the employment of foreign members of such pro-  
14 fessions without lowering the professional standards required for  
15 practice of such professions in the state. The committee shall report  
16 its findings to the governor and the Fifty-eighth General Assembly  
17 within thirty (30) days after the convening of such General Assembly.

Approved May 15, 1957.

## CHAPTER 311

## 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-seventh General Assembly of the State of Iowa:*

1 In accordance with sections 684.18 and 684.19, Code of Iowa, 1954,  
2 the Supreme Court of Iowa has prescribed and herewith reports to  
3 you rules of practice and procedure in the nature of amendments to  
4 the following designated Rules of Civil Procedure.

5 Rule 121 is revised to read:

6 **121. Interrogatories—time—nature.** In actions other than actions  
7 in justice court or class "B" actions in municipal court a party may,  
8 after the general appearance of an adversary or before such appear-  
9 ance with leave of court, file in duplicate not over thirty numbered  
10 interrogatories to be answered by such adversary. Interrogatories  
11 may relate to any matters which can be inquired into under rule 143  
12 and the answers may be used to the same extent as provided in rules  
13 144 and 145 for the use of the deposition of a party.

14 **124. Answers.**

15 (a) No change in present Iowa rule.

16 Rule 124 (b) is revised to read:

17 (b) Answers for a party not a natural person shall be made by  
18 any officer, partner or managing agent, who shall furnish such in-  
19 formation as is available to the party.

20 Rule 125, now in effect, is superseded by the following:

21 **125. Protective orders.**

22 (a) The restrictions of rule 141(a) and (d) are applicable for  
23 the protection of the parties from whom answers to interrogatories  
24 are sought under these rules.

25 (b) Interrogatories may be filed after a deposition has been taken,  
26 and a deposition may be sought after interrogatories have been  
27 answered, but the court, on motion of the deponent or the party in-  
28 terrogated, may make such protective order as justice may require.

29 Rule 126, now in effect, is superseded by the following:

30 **126. Delivery of answers.** Copies of the answers shall be delivered  
31 as provided in rule 82.

32 Rule 127, now in effect, is superseded by the following:

33 **127. Admission of facts and of genuineness of documents.** After the  
34 general appearance of an adverse party, any party may file in dupli-  
35 cate a written request for the admission by any other party of the  
36 genuineness of any relevant documents described in and exhibited  
37 with the request or of the truth of any relevant matters of fact set  
38 forth in the request. Copies of the documents shall be filed with the  
39 request unless copies have already been furnished. Within ten (10)

40 days after the filing thereof, or within such shorter or longer time  
41 as the court may allow on motion and notice, the party to whom the  
42 request is directed shall file in duplicate either (a) a sworn state-  
43 ment specifically admitting or denying the matters of which an ad-  
44 mission is requested or setting forth in detail the reasons why he  
45 cannot truthfully admit or deny those matters, or (b) written ob-  
46 jections on the ground that some or all of the requested admissions  
47 are privileged or irrelevant or that the request is otherwise improper  
48 in whole or in part. If written objections are filed to any of the  
49 requests, the time for answering all the requests shall be suspended  
50 until the objections are ruled on. At the hearing upon the objections,  
51 if it is determined that any of the requests shall be answered, the  
52 court shall fix the time within which answers shall be made. A denial  
53 shall fairly meet the substance of the requested admission, and when  
54 good faith requires that a party qualify his answer or deny only a  
55 part of the matter of which an admission is requested, he shall  
56 specify so much of it as is true and deny only the remainder. If the  
57 adverse party is an individual, he need only furnish information  
58 which is within his personal knowledge. If the adverse party is a  
59 public or private corporation or a partnership or association, the  
60 sworn statement shall be by an officer, partner or managing agent  
61 thereof on the basis of such information as is available to the party.  
62 The Clerk shall deliver all copies filed hereunder as provided in rule  
63 82.

64 Rule 128, now in effect, is superseded by the following:

65 **128. Effect of admission.** Any admission made by a party pur-  
66 suant to such request is for the purpose of the pending action only  
67 and neither constitutes an admission by him for any other purpose  
68 nor may be used against him in any other proceeding.

69 Rule 131 is amended by striking "as in rules 126 and 129" and  
70 substituting therefor "as in rule 129."

71 Rule 132 is amended by striking therefrom "as in rules 126 and  
72 129" and substituting in lieu thereof "as in rule 129."

73 Rule 134, now in effect, is superseded by the following:

74 **134. Refusal to make discovery—consequences.**

75 (a) *Refusal to answer.* If a party or other deponent refuses to  
76 answer any question propounded upon oral examination, the exami-  
77 nation shall be completed on other matters or adjourned, as the  
78 proponent of the question may prefer. Thereafter, on reasonable  
79 notice to all persons affected thereby, he may apply to the court in  
80 which the action is pending or to a court of record in the district  
81 where the deposition is taken for an order compelling an answer.  
82 Upon the refusal of a deponent to answer any interrogatory sub-  
83 mitted under rule 150 or upon the refusal of a party to answer any  
84 interrogatory submitted under rule 121, the proponent of the ques-  
85 tion may on like notice make like application for such an order. If  
86 the motion is granted, and if the court finds that the refusal was  
87 without substantial justification, the court shall require the refusing  
88 party or deponent or the party advising the refusal, or any of them,  
89 to pay the examining party the amount of the reasonable expenses  
90 incurred in obtaining the order, including reasonable attorney fees.

91 If the motion is denied, and if the court finds that the motion was  
92 made without substantial justification, the court shall require the  
93 examining party advising the motion to pay to the refusing party or  
94 witness the amount of the reasonable expenses incurred in opposing  
95 the motion, including reasonable attorney fees.

96 (b) *Failure to comply with order.*

97 (1) *Contempt.* If a party or other witness refuses to be sworn or  
98 refuses to answer any question after being directed to do so by the  
99 court, the refusal may be considered a contempt of that court.

100 (2) *Other consequences.* If any party or an officer, partner or  
101 managing agent of a party refuses to obey an order made under sub-  
102 division (a) of this rule requiring him to answer designated ques-  
103 tions, or an order made under rules 129, 130 and 131, to produce any  
104 document or other thing for inspection, copying or photographing,  
105 or to permit it to be done, or to permit entry upon land or other  
106 property, or an order made under rules 132 and 133 requiring him  
107 to submit to a physical or mental examination, the court may make  
108 such orders in regard to the refusal as are just, and among others  
109 the following:

110 An order that the matters regarding which the questions were  
111 asked, or the character or description of the thing or land, or the  
112 contents of the paper, or the physical or mental condition of the  
113 party, or any other designated facts, shall be taken to be established  
114 for the purposes of the action in accordance with the claim of the  
115 party obtaining the order;

116 An order refusing to allow the disobedient party to support or  
117 oppose designated claims or defenses, or prohibiting him from intro-  
118 ducing in evidence designated documents or things or items of testi-  
119 mony, or from introducing evidence of physical or mental condition;

120 An order striking out pleadings or parts thereof, or staying fur-  
121 ther proceedings until the order is obeyed, or dismissing the action  
122 or proceeding or any part thereof, or rendering a judgment by de-  
123 fault against the disobedient party.

124 (c) *Expenses on refusal to admit.* If a party, after being served  
125 with a request under rules 127 and 128 to admit the genuineness of  
126 any documents or the truth of any matters of fact, serves a sworn  
127 denial thereof, and if the party requesting the admissions thereafter  
128 proves the genuineness of any such document or the truth of any such  
129 matter of fact, he may apply to the court for an order requiring the  
130 other party to pay him the reasonable expenses incurred in making  
131 such proof, including reasonable attorney fees. No expenses as afore-  
132 said shall be allowed unless the court finds that the admissions sought  
133 were of substantial importance and the denial was not made in good  
134 faith.

135 (d) *Failure of party to attend or file answers.* If a party or an  
136 officer, partner or managing agent of a party wilfully fails to appear  
137 before the officer who is to take his deposition or submit to the tak-  
138 ing thereof after being served with a proper notice, or wilfully fails  
139 to continue the taking of his deposition after the commencement  
140 thereof, or fails to file answers to interrogatories submitted under  
141 rule 121, the court on motion and notice may strike out all or any  
142 part of any pleading of that party, or dismiss the action or proceed-  
143 ing or any part thereof, or enter a judgment by default against such  
144 party.

145

## DIVISION VI

146

## PRETRIAL PROCEDURE

147 Rule 138, now in effect, is superseded by the following:

148 **138. Orders.** The court shall make an order reciting any action  
 149 taken at the conference which will control the subsequent course of  
 150 the action relative to matters it includes, unless modified to prevent  
 151 manifest injustice.

152 Rule 139, now in effect, is superseded by the following:

153 **139. Restriction on orders.** The court shall not, under any pretrial  
 154 procedure or other rules, require a party to list or name the witnesses  
 155 he expects to call to testify at the trial.

156

## DIVISION VII

157 Rule 140, now in effect, is superseded by the following:

158 **140. Depositions generally—stipulation.** Depositions shall be gov-  
 159 erned wholly by these rules, but may be differently taken in any  
 160 respect if that be in accord with the written stipulation of the par-  
 161 ties. Subject to the restrictions in rule 141, a party may take the  
 162 testimony of any person, including a party, by deposition upon oral  
 163 examination or written interrogatories for the purpose of discovery  
 164 or for use as evidence in the action, or for both purposes.

165 Rule 141, now in effect, is superseded by the following:

166 **141. Restrictions.**

167 (a) The deponent shall not be required and the court shall not  
 168 order a deponent or party to produce or submit for inspection any  
 169 writing obtained or prepared by the adverse party, his attorney,  
 170 surety, indemnitor or agent, in anticipation of litigation or prepara-  
 171 tion for trial unless satisfied that the denial of production or inspec-  
 172 tion will result in an injustice or undue hardship; nor shall the  
 173 deponent be required or the court order a deponent or party to pro-  
 174 duce or submit for inspection any part of a writing which reflects  
 175 an attorney's mental impressions, conclusions, opinions or legal  
 176 theories, or, except as provided in rule 133, the conclusions of an  
 177 expert. The deponent shall not be examined on nor shall the court  
 178 order the production or inspection of any liability insurance policy  
 179 or indemnity agreement unless such liability insurance policy or  
 180 indemnity agreement would be admissible in evidence at the trial  
 181 of the action.

182 (b) Depositions before answers are all filed, or of a person in  
 183 prison, may be taken only by leave of court, on such terms as the  
 184 court prescribes.

185 (c) Except where the action involves an interest in real estate,  
 186 depositions for discovery may not be taken where the amount in con-  
 187 troversy as shown by the pleadings is less than \$1,000.00, unless  
 188 leave of court is first obtained, on notice and a showing of just cause  
 189 therefor, upon such terms as justice may require.

190 (d) After notice is served for taking a deposition by oral exami-  
 191 nation, upon motion seasonably made by any party or by the person

192 to be examined and upon notice and for good cause shown, the court  
 193 in which the action is pending may make an order that the deposi-  
 194 tion shall not be taken, or that it may be taken only at some desig-  
 195 nated place other than that stated in the notice, or that it may be  
 196 taken only on written interrogatories, or that certain matters shall  
 197 not be inquired into, or that the scope of the examination shall be  
 198 limited to certain matters, or that the examination shall be held with  
 199 no one present except the parties to the action and their officers or  
 200 counsel, or that after being sealed the deposition shall be opened only  
 201 by order of the court, or that secret processes, developments or re-  
 202 search need not be disclosed, or that the parties shall simultaneously  
 203 file specified documents or information enclosed in sealed envelopes  
 204 to be opened as directed by the court, or the court may make any  
 205 other order which justice requires to protect the party or witness  
 206 from annoyance, expense, embarrassment or oppression.

207 (e) At any time during the taking of the deposition, on motion of  
 208 any party or of the deponent and upon a showing that the examina-  
 209 tion is being conducted in bad faith or in such manner as unreason-  
 210 ably to annoy, embarrass or oppress the deponent or party, the court  
 211 in which the action is pending or a court of record in the district  
 212 where the deposition is being taken, may order the officer conducting  
 213 the examination to cease forthwith from taking the deposition, or  
 214 may limit the scope and manner of the taking of the deposition as  
 215 provided in subdivision (d). If the order made terminates the  
 216 examination, it shall be resumed thereafter only upon the order of  
 217 the court in which the action is pending. Upon demand of the ob-  
 218 jecting party or deponent, the taking of the deposition shall be sus-  
 219 pended for the time necessary to make a motion for an order. In  
 220 granting or refusing such order, the court may impose upon either  
 221 party or upon the witness the requirement to pay such costs or  
 222 expenses as the court may deem reasonable.

223 Rule 143, now in effect, is superseded by the following:

224 **143. Scope of examination.** Subject to the provisions of rule 141,  
 225 the deponent may be examined regarding any matter, not privileged,  
 226 which is relevant to the subject matter involved in the pending  
 227 action, whether it relates to the claim or defense of the examining  
 228 party or to the claim or defense of any other party, including the  
 229 existence, description, nature, custody, condition and location of any  
 230 books, documents or other tangible things and the identity and loca-  
 231 tion of persons having knowledge of the relevant facts; provided  
 232 that a party shall not be required to list the witnesses he expects to  
 233 call at the trial. It is not ground for objection that the testimony  
 234 will be inadmissible at the trial if the testimony sought appears  
 235 reasonably calculated to lead to the discovery of admissible evidence.

236 Rule 144 is amended by substituting the word "partner" for the  
 237 word "director" in subdivision (b) thereof.

238 Rule 147 is amended by adding thereto the following:

239 (c) No subpoena is necessary to require the appearance of a party  
 240 for a deposition. Service on the party or his attorney of record of  
 241 notice of the taking of the deposition of the party or of an officer,  
 242 partner or managing agent of any party who is not a natural person,

243 as provided in (b) hereof, is sufficient to require the appearance of  
244 a deponent for the deposition.

245 (d) If the deponent is a party or the officer, partner or managing  
246 agent of a party which is not a natural person, the deponent shall be  
247 required to submit to examination in the county where the action is  
248 pending, unless otherwise ordered by the court, as provided in rule  
249 141 (d).

250 Rule 148 is amended as follows:

251 The present Iowa rule 148 shall be subdivision (a) thereof, and  
252 there shall be added thereto the following:

253 (b) At any time after notice has been given of the taking of a  
254 deposition, the court, on its motion or on the motion of any party  
255 upon cause shown, may order the deposition to be taken before the  
256 court or before a master appointed by the court to preside over the  
257 taking of the deposition and rule on any matters which may arise in  
258 connection with the taking thereof. The appointment of a master  
259 shall be made only upon a showing that some exceptional condition  
260 requires such appointment. The master shall exercise the powers  
261 permitted by rules 209 and 210 and his rulings or orders shall be  
262 subject to review by the court upon notice and hearing. The reason-  
263 able fees and expenses of the master shall be allowed as provided in  
264 rule 208 and be taxed as costs in the action.

265 Rule 155 (a) is revised to read as follows:

266 155. Subpoena.

267 (a) On application of any party, or proof of service of a notice to  
268 take depositions under rule 147 or rule 150, the clerk of court where  
269 the action is pending shall issue subpoenas for persons named or de-  
270 scribed in said notice or application. Subpoenas may also be issued  
271 as provided in section 622.84 of the Code of Iowa. No subpoena shall  
272 call for production of documents unless the court on notice and hear-  
273 ing so orders.

274

#### CERTIFICATE

275 I, (S) T. G. Garfield, do hereby certify that the foregoing amend-  
276 ments to the Rules of Civil Procedure were adopted and approved by  
277 the Supreme Court of Iowa, and were reported to the Fifty-Seventh  
278 General Assembly on January 1957, pursuant to sections 684.18 and  
279 684.19 of the 1954 Code of Iowa, by delivering the same to the Sec-  
280 retary of the Senate and to the Chief Clerk of the House of Repre-  
281 sentatives on said date.

282

THE SUPREME COURT OF IOWA

283

By (S) T. G. Garfield

284

Assistant Chief Justice

285 ATTEST:

286 (Seal)

287 (S) Helen M. Lyman

288 Clerk of the Supreme Court of Iowa

289

#### ACKNOWLEDGMENT

290 I, Richard W. Berglund, Secretary of the Senate of the State of  
291 Iowa, hereby acknowledge delivery to me on the 24th day of Janu-

292 ary, 1957, of the foregoing report of the Supreme Court of Iowa  
293 pertaining to the amendments to the Rules of Civil Procedure.

294 (S) RICHARD W. BERGLUND  
295 Secretary of the Senate  
296 Fifty-Seventh General Assembly  
297 of the State of Iowa

298 ACKNOWLEDGEMENT

299 I, A. C. Gustafson, Chief Clerk of the House of Representatives of  
300 the State of Iowa, hereby acknowledge delivery to me on January  
301 24th, 1957, of the foregoing report of the Supreme Court of the  
302 State of Iowa pertaining to the amendments to the Rules of Civil  
303 Procedure.

304 (S) A. C. GUSTAFSON  
305 Chief Clerk, House of Representatives  
306 of the Fifty-seventh General Assembly  
307 of the State of Iowa.

308 CERTIFICATE

309 I, William H. Nicholas, do hereby certify that I am the President  
310 of the Senate of the Fifty-seventh General Assembly of the State of  
311 Iowa; and I, Richard W. Berglund, do hereby certify that I am the  
312 Secretary of the Senate of the Fifty-seventh General Assembly of  
313 the State of Iowa, and we do hereby jointly certify that as such  
314 President and Secretary that on the 24th day of January, 1957, the  
315 Supreme Court of the State of Iowa reported to said Senate, and  
316 filed with it, the attached and foregoing modifications, amendments,  
317 revisions and additions to the Rules of Civil Procedure, heretofore  
318 reported by said Supreme Court to the Fiftieth General Assembly of  
319 the State of Iowa;

320 THAT the date of making said report to the Fifty-seventh General  
321 Assembly was within the twenty days subsequent to the convening  
322 of the regular session of the Fifty-seventh General Assembly;

323 THAT no other report pertaining to the Rules of Civil Procedure  
324 was made or filed by said Supreme Court with said Senate;

325 THAT no other or different changes, modifications, amendments,  
326 revisions or additions to the Rules of Civil Procedure were made or  
327 enacted at such regular session of said Fifty-seventh General As-  
328 sembly.

329 Signed this 3rd day of May, 1957, being the last legislative day of  
330 the Fifty-seventh General Assembly.

331 (S) WILLIAM H. NICHOLAS,  
332 William H. Nicholas, President  
333 (S) RICHARD W. BERGLUND  
334 Richard W. Berglund, Secretary  
335 SENATE  
336 Fifty-seventh General Assembly  
337 of the State of Iowa

338

## CERTIFICATE

339 I, W. L. Mooty, do hereby certify that I am the Speaker of the  
340 House of Representatives of the Fifty-seventh General Assembly of  
341 the State of Iowa; and I, William R. Kendrick, do hereby certify  
342 that I am the Chief Clerk of the House of Representatives of the  
343 Fifty-seventh General Assembly of the State of Iowa, and we do  
344 hereby jointly certify that as such Speaker and Chief Clerk that on  
345 the 24th day of January, 1957, the Supreme Court of the State of  
346 Iowa reported to said House of Representatives, and filed with it, the  
347 attached and foregoing modifications, amendments, revisions and  
348 additions to the Rules of Civil Procedure, heretofore reported by said  
349 Supreme Court to the Fiftieth General Assembly of the State of  
350 Iowa;

351 THAT the date of making said report to the Fifty-seventh General  
352 Assembly was within the twenty days subsequent to the convening  
353 of the regular session of the Fifty-seventh General Assembly;

354 THAT no other report pertaining to the Rules of Civil Procedure  
355 was made or filed by said Supreme Court with said House of Repre-  
356 sentatives;

357 THAT no other or different changes, modifications, amendments,  
358 revisions or additions to the Rules of Civil Procedure were made or  
359 enacted at such regular session of said Fifty-seventh General As-  
360 sembly.

361 Signed this 3rd day of May, 1957, being the last legislative day of  
362 the Fifty-seventh General Assembly.

363 (S) W. L. MOOTY

364 W. L. Mooty, Speaker

365 (S) WILLIAM R. KENDRICK

366 William R. Kendrick, Chief Clerk

367 HOUSE OF REPRESENTATIVES

368 Fifty-seventh General Assembly of  
369 the State of Iowa

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**MEMORIAL TO THE CONGRESS  
OF THE UNITED STATES****SENATE CONCURRENT RESOLUTION 21**

*Whereas*, during the emergency of World War II, the Congress of the United States enacted an excise tax levy on the transportation of property and persons; and

*Whereas*, the tax on transportation of property and persons was designed for a double motive, to supply revenue and for the principal purpose of discouraging unnecessary civilian use of common carriers when their services were needed in the war effort; and

*Whereas*, though the hostilities have long since ceased, the tax on transportation of property and persons still continues to be an effective deterrent to such transportation and is now effective in weakening the national transportation system contrary to the best public interest; and

*Whereas*, the national policy declared by the Congress of the United States in the Interstate Commerce Act calls for the development and preservation of a national transportation system adequate to meet the needs of commerce, postal service and the national defense; and

*Whereas*, the publicly regulated carriers are the collectors of the tax for the government, the tax adds to the shipping cost paid by the shipper or receiver who uses the regulated carrier and it, therefore, places an undue and unfair advantage in the hands of those who can afford to furnish their own transportation as against the small shipper or receiver who, because of his economic station, is compelled to use the regulated carrier. It also creates an inequality between the shipper who has a long haul and one who has a short haul on the same regulated carrier because the excise tax is levied as a percentage of the cost of the transportation; and

*Whereas*, transportation is not by any standard a luxury, and sound reasoning allows us to distinguish between the excise tax on transportation and other excise taxes on luxury items; and

*Whereas*, it is the opinion of the General Assembly of the State of Iowa that the best interest of the citizens of the State and the Nation will best be served by the removal of the excise taxes on transportation;

*Therefore, Be It Resolved by the Senate, the House Concurring*, that it shall be the manifest expression of the Fifty-seventh General Assembly that the discriminatory and burdensome excise taxes on transportation of persons and property be removed by the Congress of the United States.

*Be It Further Resolved*, that a copy of the resolution be communicated to the members of Congress from Iowa and that a copy of said resolution be communicated to the committee on ways and means of the House of Representatives and to the committee on finance in the Senate of the United States Congress.

Adopted: S. J. 509; H. J. 711.

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