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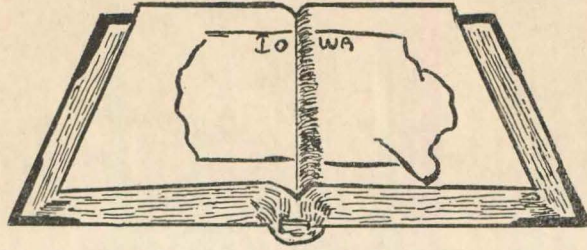
Supplement To  
Iowa School Laws  
1960

By  
State of Iowa  
Dept. of Public Instruction

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Supplement to

Iowa School Laws

1960

September, 1963

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## INTRODUCTION

The material which follows is intended to serve as a supplement to School Laws of Iowa - 1960. Those sections of the Iowa Code which were changed by the 59th or 60th General Assemblies and are pertinent to schools have been taken into account.

The sections included are as they now stand after change by action of the 59th or 60th General Assemblies. Therefore, if a section appears in the material which follows there has been some change in it and it is written in its corrected form. New additions have been written in capital letters. Only those sections that have been changed are included. Subsections which have been revised are completely rewritten to appear in their corrected form. Where a section has more than one subsection those subsections that have not been changed are so marked.

One act, Senate File 42 of the 60th General Assembly, has not been written out. This act changes the title of county, municipal and school examiners to "auditor" in Chapter 11 of the Iowa Code, 1962.

Sections marked with an (\*) have been included because some deletion has been made in the section.

The Table of Contents has been included. This includes all sections pertinent to the School Laws of Iowa which were changed by the 59th and 60th General Assemblies. The reader can use this Table of Contents to determine whether or not a particular section has been revised.

7-8-64 Dept. of Pub. Instruction gift



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11.9 COUNTY, MUNICIPAL AND SCHOOL AUDITORS' SALARIES. COUNTY, MUNICIPAL AND SCHOOL AUDITORS AND THEIR ASSISTANTS SHALL, IN ADDITION TO SALARY, BE REIMBURSED FOR THEIR ACTUAL AND NECESSARY EXPENSES. SALARY PAYMENTS PERTAINING TO VACATION OR SICK LEAVE SHALL BE PAID FROM THE APPROPRIATION MADE TO THE AUDITOR'S OFFICE. ALL OTHER PAYMENTS SHALL BE PAID FROM FUNDS IN THE STATE TREASURY UPON CERTIFICATION OF THE AUDITOR OF STATE, AND THE GENERAL FUND SHALL BE REIMBURSED AS PROVIDED IN SECTIONS 11.20 AND 11.21 OF THE CODE.

11.18 Examination of cities, townships, and schools. The financial condition and transactions of all cities and city offices; and all school OFFICES IN INDEPENDENT AND COMMUNITY SCHOOL DISTRICTS MAINTAINING HIGH SCHOOLS shall be examined at least once each year. THE EXAMINATION OF SCHOOL OFFICES SHALL INCLUDE AN AUDIT OF ACTIVITY FUNDS. EXAMINATIONS may be made by the auditor of state, or in lieu of the examination by state accountants the local governing body whose accounts are to be examined, in case it elects so to do, may contract with, or employ, certified or registered public accountants, certified and registered in the state of Iowa, and pay the same from the proper public funds. If the city or school district elect to have the audit made by certified or registered public accountants, they must so notify the auditor of state within sixty days after the close of the fiscal year to be examined. If any city or school district does not file such notification with the auditor of state within the required period, the auditor of state is authorized to make the examination and cover any period which has not been previously examined.

Any township or municipal corporation not embraced within the foregoing provisions of this chapter and any school corporation in which an annual examination is not required may, on application to the auditor of state, secure an examination of its financial transactions and condition of its funds, or a like examination shall be had on application of one hundred or more taxpayers, or if there are fewer than five hundred taxpayers, then by five percent thereof. The examination in any such school district may be had upon the written request of the county superintendent of schools. In lieu of such examination by state accountants, the local governing body may contract with, or employ, certified or registered public accountants and pay the same from the proper public funds.

11.20 BILLS -- AUDIT AND PAYMENT. WHERE THE EXAMINATION IS MADE BY THE STATE AUDITOR UNDER THE PROVISIONS OF THIS CHAPTER, EACH AUDITOR SHALL FILE WITH THE AUDITOR OF STATE AN ITEMIZED, CERTIFIED AND SWORN VOUCHER OF HIS EXPENSE FOR THE TIME SUCH AUDITOR IS ACTUALLY ENGAGED IN SUCH EXAMINATION. ON THE FIFTEENTH AND LAST DAYS OF EACH MONTH EACH AUDITOR SHALL FILE IN TRIPPLICATE WITH THE AUDITOR OF STATE A CERTIFIED STATEMENT OF THE ACTUAL DAYS ENGAGED IN EACH SUCH EXAMINATION. THE SALARIES SHALL BE INCLUDED IN A SEMIMONTHLY PAY ROLL. UPON APPROVAL OF THE AUDITOR OF STATE THE STATE COMPTROLLER IS HEREBY AUTHORIZED TO ISSUE WARRANTS FOR THE PAYMENT OF SAID VOUCHERS AND SALARY PAYMENTS, OTHER THAN VACATION OR SICK LEAVE, FROM ANY UNAPPROPRIATED FUNDS IN THE STATE TREASURY. REPAYMENT TO THE STATE SHALL BE MADE AS PROVIDED IN SECTION 11.20 OF THE CODE.

11.21 REPAYMENT -- OBJECTIONS. UPON PAYMENT BY THE STATE OF THE SALARY AND EXPENSES, THE AUDITOR OF STATE SHALL FILE WITH THE WARRANT-ISSUING OFFICER OF THE COUNTY, MUNICIPALITY OR SCHOOL, WHOSE OFFICES WERE EXAMINED, A SWORN STATEMENT CONSISTING OF THE ITEMIZED EXPENSES PAID AND PRORATED SALARY COSTS PAID UNDER SECTION 11.20 OF THE CODE. UPON AUDIT AND APPROVAL BY THE BOARD OF SUPERVISORS, CITY, COUNTY OR SCHOOL BOARD, THE SAID WARRANT-ISSUING OFFICER



SHALL DRAW HIS WARRANT FOR SAID AMOUNT ON THE GENERAL FUND OF THE COUNTY, MUNICIPALITY OR SCHOOL IN FAVOR OF THE AUDITOR OF STATE, WHICH WARRANT SHALL BE PLACED TO THE CREDIT OF THE GENERAL FUND OF THE STATE. IN THE EVENT OF THE DISAPPROVAL OF ANY ITEMS OF SAID STATEMENT BY THE COUNTY, MUNICIPALITY, OR SCHOOL AUTHORITIES, WRITTEN OBJECTIONS SHALL BE FILED WITH THE AUDITOR OF STATE WITHIN THIRTY DAYS FROM THE FILING THEREOF. DISAPPROVED ITEMS OF SAID STATEMENT SHALL BE PAID THE AUDITOR OF STATE UPON RECEIVING FINAL DECISIONS EMANATING FROM PUBLIC HEARING ESTABLISHED BY THE AUDITOR OF STATE.

WHENEVER THE COUNTY BOARD OF SUPERVISORS, THE SCHOOL BOARD, OR THE COUNCIL SHALL FILE WRITTEN OBJECTIONS ON THE QUESTION OF COMPENSATION AND EXPENSES WITH THE AUDITOR OF STATE, HE OR HIS REPRESENTATIVE SHALL HOLD A PUBLIC HEARING IN THE CITY WHERE THE EXAMINATION WAS MADE AND SHALL GIVE THE COMPLAINING BOARD NOTICE OF THE TIME AND PLACE OF HEARING. AFTER SUCH HEARING HE SHALL HAVE THE POWER TO REDUCE THE COMPENSATION AND EXPENSES OF THE AUDITOR WHOSE BILLS HAVE BEEN QUESTIONED. ANY AUDITOR WHO SHALL BE FOUND GUILTY OF FALSIFYING HIS EXPENSE VOUCHERS OR ENGAGEMENT REPORT SHALL BE IMMEDIATELY DISCHARGED BY THE AUDITOR OF STATE AND SHALL NOT BE ELIGIBLE FOR REEMPLOYMENT. SUCH AUDITOR MUST THEREUPON REIMBURSE THE AUDITOR OF THE STATE FOR ALL SUCH COMPENSATION AND EXPENSES SO FOUND TO HAVE BEEN OVERPAID TO HIM AND IN THE EVENT OF HIS FAILURE TO DO SO, THE AUDITOR OF STATE MAY COLLECT THE SAME AMOUNT FROM THE AUDITOR'S BONDSMAN BY SUIT, IF NECESSARY.

23.4 Appeal. Interested objectors in any municipality equal in number to one percent of those voting for the office of governor at the last general election in said municipality, but in no event less than TWENTY-FIVE, may appeal from the decision to the appeal board by serving notice thereof on the clerk or secretary of such municipality within ten days after such decision is entered of record.

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

23.12 Issuance of bonds--notice. Before any municipality shall institute proceedings for the issuance of any bonds or other evidence of indebtedness PAYABLE FROM TAXATION, excepting such bonds or other evidence of indebtedness as have been authorized by a vote of the people of such municipality, and except such bonds or obligations as it may be by law compelled to issue, a notice of such action, including a statement of the amount and purpose of said bonds or other evidence of indebtedness shall be published at least once in a newspaper of general circulation within such municipality at least ten days before the meeting at which it is proposed to issue such bonds.

23.13 Objections. At any time before the date fixed for the issuance of such bonds or other evidence of indebtedness INTERESTED OBJECTORS IN ANY MUNICIPALITY EQUAL IN NUMBER TO ONE PERCENT OF THOSE VOTING FOR THE OFFICE OF GOVERNOR AT THE LAST GENERAL ELECTION IN SAID MUNICIPALITY, BUT IN NO EVENT LESS THAN TWENTY-FIVE, may file a petition in the office of the clerk or secretary of the municipality setting forth their objections thereto.



49.44 Form of ballot. Upon the right-hand margin, opposite said words, two spaces shall be left, one for votes favoring such amendment or public measure, and the other for votes opposing the same. In one of these spaces the word "yes" or other word required by law shall be printed; in the other, the word "no" or other word required, and to the right of each space a square shall be printed to receive the voting cross OR CHECK.

49.46 Marking ballots on public measures. The elector shall designate his vote by a cross mark, thus, "X", OR A CHECK MARK, THUS, "✓", PLACED IN THE PROPER SQUARE.

49.47 Notice on ballots. At the top of ballots on such public measures shall be printed the following:

(Notice to voters. For an affirmative vote upon any question submitted upon this ballot make a cross (X) mark OR CHECK (✓) in the square after the word "Yes". For a negative vote make a similar mark in the square following the word "No".)

49.92 Voting mark. The voting mark shall be a cross OR CHECK which shall be placed in the circle at the head of a ticket, or in the squares opposite the names of candidates.

49.94 How to mark a straight ticket. If the names of all the candidates for whom a voter desires to vote appear upon the same ticket, and he desires to vote for all candidates whose names appear upon such ticket he may do so in any one of the following ways:

1. He may place a cross OR CHECK in the circle at the top of such ticket without making a cross OR CHECK in any square beneath said circle.
2. He may place a cross OR CHECK in the square opposite the name of each such candidate without making any cross OR CHECK in the circle at the top of such ticket.
3. He may place a cross OR CHECK in the circle at the top of such ticket and also a cross OR CHECK in any or all of the squares beneath said circle.

49.95 Voting part of ticket only. If the names of all the candidates for whom the voter desires to vote appear upon a single ticket but he does not desire to vote for all the candidates whose names appear thereon, he shall place a cross OR CHECK in the square opposite the name of each such candidate for whom he desires to vote without making any cross OR CHECK in the circle at the top of such ticket.

49.96 Group candidates for offices of same class. Where two or more offices of the same class are to be filled at the same election, and all of the candidates for such offices, for whom the voter desires to vote, appear upon his party ticket at the top of which he has marked a cross OR CHECK in the circle, he need not otherwise indicate his vote for such candidate; but if the name of any candidate for whom he desires to vote for such office appears upon a different ticket, then as to such group of candidates the cross



OR CHECK in the circle does not apply and to indicate his choice the voter must place a cross OR CHECK in the square opposite the name of each such candidate for whom he desires to vote whether the same appears under such marked circle or not.

49.97 How to mark a mixed ticket. If the names of all candidates for whom a voter desires to vote do not appear upon the same ticket, he may indicate the candidates of his choice by marking his ballot in any one of the following ways:

1. He may place a cross OR CHECK in the circle at the top of a ticket on which the names of some of the candidates for whom he desires to vote appear and also a cross OR CHECK in the square opposite the name of each other candidate of his choice, whose name appears upon some ticket other than the one in which he has marked the circle at the top.

2. He may place a cross OR CHECK in the square opposite the name of each candidate for whom he desires to vote without placing any cross OR CHECK in any circle.

49.98 Counting ballots. The ballots shall be counted according to the markings thereon, respectively, as provided in sections 49.92 to 49.97, inclusive, and not otherwise. If, for any reason, it is impossible to determine from a ballot, as marked, the choice of the voter for any office, such ballot shall not be counted for such office. When there is a conflict between the cross OR CHECK in the circle on one ticket and the cross OR CHECK in the square on another ticket on the ballot, the cross OR CHECK in the square shall be held to control, and the cross OR CHECK in the circle in such case shall not apply as to that office. Any ballot marked in any other manner than as authorized in sections 49.92 to 49.97, inclusive, and in such manner as to show that the voter employed such mark for the purpose of identifying his ballot, shall be rejected.

49.99 Writing name on ballot. The voter may also insert in writing in the proper place the name of any person for whom he desires to vote and place a cross OR CHECK in the square opposite thereto. The writing of such name without making a cross OR CHECK opposite thereto, or the marking of a cross OR CHECK in a square opposite a blank without writing a name therein, shall not affect the validity of the remainder of the ballot.

53.10 Application mailed. If the voter requests said application by CARD OR letter, the auditor may send him both the application and ballot at the same time.

75.1 Bonds--election--vote required. When a proposition to authorize an issuance of bonds by a county, township, school district, city or town, or by any local board or commission, is submitted to the electors, such proposition shall not be deemed carried or adopted, anything in the statutes to the contrary notwithstanding, unless the vote in favor of such authorization is equal to at least sixty percent of the total vote cast for and against said proposition at said election.



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

WHEN A PROPOSITION TO AUTHORIZE AN ISSUANCE OF BONDS HAS BEEN SUBMITTED TO THE ELECTORS UNDER THIS SECTION AND THE PROPOSAL FAILS TO GAIN APPROVAL BY THE REQUIRED PERCENTAGE OF VOTES, SUCH PROPOSAL, OR ANY PROPOSAL WHICH INCORPORATES ANY PORTION OF THE DEFEATED PROPOSAL, SHALL NOT BE SUBMITTED TO THE ELECTORS FOR A PERIOD OF SIX MONTHS FROM THE DATE OF SUCH REGULAR OR SPECIAL ELECTION.

75.10 BOND DENOMINATIONS. NOTWITHSTANDING ANY OTHER PROVISIONS IN THE STATUTES TO THE CONTRARY, ISSUES OF PUBLIC BONDS OF EVERY KIND AND CHARACTER BY COUNTIES, CITIES, TOWNS AND SCHOOL DISTRICTS SHALL BE ISSUED IN AMOUNTS OF ONE HUNDRED DOLLARS OR MULTIPLES THEREOF NOT TO EXCEED TEN THOUSAND DOLLARS. THIS PROVISION SHALL NOT APPLY TO BONDS, THE INTEREST OR PRINCIPAL, OR BOTH, OF WHICH ARE PAYABLE OUT OF SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTIES.

85.2 Compulsory when. Where the state, county, municipal corporation, school district, COUNTY BOARD OF EDUCATION, or city under any form of government is the employer, the provisions of this chapter for the payment of compensation and amount thereof for an injury sustained by an employee of such employer shall be exclusive, compulsory, and obligatory upon both employer and employee, except as otherwise provided in section 85.1.

85.22 Liability of others--subrogation. When an employee receives an injury for which compensation is payable under this chapter, and which injury is caused under circumstances creating a legal liability against some person other than the employer to pay damages, the employee, or his dependent, or the trustee of such dependent, may take proceedings against his employer for compensation, and the employee or, in case of death, his legal representative may also maintain an action against such third party for damages. When an injured employee or his legal representative brings an action against such third party, a copy of the original notice shall be served upon the employer by the plaintiff, not less than ten days before the trial of the case, but a failure to give such notice shall not prejudice the rights of the employer, and the following rights and duties shall ensue:

Subsections 1 and 2 remain unchanged.

3. Before a settlement shall become effective between an employee or an employer and such third party who is liable for the injury, it must be with the written consent of the employee, in case the settlement is between the employer or insurer and such third person; and the consent of the employer or insurer, in case the settlement is between the employee and such third party; or on refusal of consent, in either case, then upon the written approval of the industrial commissioner. THE INDUSTRIAL COMMISSIONER MAY COMPROMISE AND SETTLE ON BEHALF OF THE STATE OF IOWA ANY WORKMAN'S COMPENSATION CASES OF DOUBTFUL LIABILITY.

85.26a NO CLAIM OR PROCEEDINGS FOR BENEFITS SHALL BE MAINTAINED BY ANY PERSON OTHER THAN THE INJURED EMPLOYEE, HIS DEPENDENT OR HIS LEGAL REPRESENTATIVE, IF ENTITLED TO BENEFITS.



85.27 Professional and hospital services--prosthetic devices. The employer, with notice or knowledge of injury, shall furnish reasonable surgical, medical, osteopathic, chiropractic, podiatric, nursing and hospital services and supplies therefor. The employer shall also furnish reasonable and necessary crutches, artificial members and appliances but shall not be required to furnish more than one permanent prosthetic device. THE TOTAL AMOUNT WHICH MAY BE ALLOWED FOR MEDICAL, SURGICAL, AND HOSPITAL SERVICES AND SUPPLIES, SERVICES OF SPECIAL NURSES, ONE SET OF PROSTHETIC DEVICES AND AMBULANCE CHARGES, SHALL BE UNLIMITED. HOWEVER, IF THE AGGREGATE THEREOF EXCEEDS SEVENTY-FIVE HUNDRED DOLLARS, APPLICATION FOR THE ALLOWANCE OF SUCH ADDITIONAL AMOUNTS SHALL BE MADE TO THE COMMISSIONER BY THE CLAIMANT, AND THE COMMISSIONER MAY, UPON REASONABLE PROOF BEING FURNISHED OF REAL NECESSITY THEREFOR, ALLOW AND ORDER PAYMENT FOR ADDITIONAL SURGICAL, MEDICAL, OSTEOPATHIC, CHIROPRACTIC, PODIATRIAL AND HOSPITAL SERVICES AND SUPPLIES, AND NO STATUTORY PERIOD OF LIMITATION SHALL BE APPLICABLE THERETO.

CHARGES BELIEVED TO BE EXCESSIVE OR UNNECESSARY MAY BE REFERRED TO THE INDUSTRIAL COMMISSIONER FOR DETERMINATION, AND THE COMMISSIONER MAY, IN CONNECTION THEREWITH, UTILIZE THE PROCEDURES PROVIDED IN SECTIONS 86.38 AND 86.39, CODE 1962.

85.28 Burial expense. When death ensues from the injury, the employer shall pay the reasonable expenses of burial of such employee not to exceed FIVE hundred dollars, which shall be in addition to other compensation or any other benefit provided for in this chapter.

85.37 Compensation schedule. In all cases where an employee receives a personal injury causing temporary disability, or causing a permanent partial disability for which compensation is payable during a healing period shall be upon the following basis:

FIFTY DOLLARS PER WEEK FOR AN EMPLOYEE WHO HAS FOUR OR MORE CHILDREN;

FORTY-SIX DOLLARS PER WEEK FOR AN EMPLOYEE WHO HAS THREE CHILDREN;

FORTY-TWO DOLLARS PER WEEK FOR AN EMPLOYEE WHO HAS TWO CHILDREN;

THIRTY-EIGHT DOLLARS PER WEEK FOR AN EMPLOYEE WHO HAS ONE CHILD;

THIRTY-FOUR DOLLARS PER WEEK FOR AN EMPLOYEE WHO HAS NO CHILDREN; provided, however, that the total weekly compensation for any employee shall not exceed sixty-six and two-thirds percent per week of the employee's average weekly earnings; provided further, that such compensation shall not be less than eighteen dollars per week, except if at the time of his injury his earnings are less than eighteen dollars per week, then he shall receive in weekly payments a sum equal to the full amount of his weekly earnings.

Such compensation shall be in addition to the benefits provided by sections 85.27 and 85.28.

The words "child" or "children" as used herein shall mean and be defined as in subsection 2 of section 85.42.



85.45 Commutation. Future payments of compensation may be commuted to a present worth lump sum payment on the following conditions:

Subsections 1 through 3 remain unchanged.

4. WHEN THE RECIPIENT OF COMMUTED BENEFITS IS A MINOR EMPLOYEE, THE INDUSTRIAL COMMISSIONER MAY ORDER THAT SUCH BENEFITS BE PAID TO A TRUSTEE AS PROVIDED IN SECTION 85.49 OF THE CODE.

\*85.49 Trustees for incompetent. When a minor dependent, or one mentally incompetent, is entitled to compensation under this chapter, payment shall be made to the clerk of the district court for the county in which the injury occurred, who shall act as trustee, and the money coming into his hands shall be expended for the use and benefit of the person entitled thereto under the direction and orders of a judge of the district court, in which such county is located, during term time or in vacation. The clerk of the district court, as such trustee, shall qualify and give bond in such amount as the judge may direct, which may be increased or diminished from time to time as the court may deem best. The cost of such bond shall be paid by the county as the court may direct by written order directed to the auditor of the county who shall issue a warrant therefor upon the treasurer of the county. If the domicile or residence of such minor dependent or one mentally incompetent be in a county other than that in which the injury to the employee occurred the industrial commissioner may order and direct that compensation to such minors or incompetents be paid to the clerk of the district court of the county wherein they shall be domiciled or reside.

85.61 Definitions. In this and chapters 86 and 87, unless the context otherwise requires, the following definitions of terms shall prevail:

1. "Employer" includes and applies to any person, firm, association, or corporation, state, county, municipal corporation, school district, COUNTY BOARD OF EDUCATION, and the legal representatives of a deceased employer.

Subsection 2 remains unchanged.

3. The following persons shall not be deemed "workmen" or "employees":

a. A person whose employment is purely casual and not for the purpose of the employer's trade or business.

b. An independent contractor.

c. A person holding an official position, or standing in a representative capacity of the employer, however officials elected or appointed by the state, counties, school districts, COUNTY BOARDS OF EDUCATION and municipal corporations shall be deemed employees, including members of the Iowa highway safety patrol and conservation officers.

85.70 CREDIT FOR BENEFITS PAID UNDER GROUP PLANS. IN THE EVENT THE DISABLED EMPLOYEE SHALL RECEIVE ANY BENEFITS, INCLUDING MEDICAL, SURGICAL OR HOSPITAL BENEFITS, UNDER ANY GROUP PLAN COVERING NONOCCUPATIONAL DISABILITIES CONTRIBUTED TO WHOLLY OR PARTIALLY BY THE EMPLOYER, WHICH BENEFITS SHOULD NOT HAVE BEEN PAID OR PAYABLE IF ANY RIGHTS OF RECOVERY EXISTED UNDER THIS CHAPTER



OR CHAPTER 85A, THEN SUCH AMOUNTS SO PAID TO SAID EMPLOYEE FROM ANY SUCH GROUP PLAN SHALL BE CREDITED TO OR AGAINST ANY COMPENSATION PAYMENTS, INCLUDING MEDICAL, SURGICAL OR HOSPITAL, MADE OR TO BE MADE UNDER THIS CHAPTER OR CHAPTER 85A. SUCH AMOUNTS SO CREDITED SHALL BE DEDUCTED FROM THE PAYMENTS MADE UNDER THESE CHAPTERS. ANY NONOCCUPATIONAL PLAN SHALL BE REIMBURSED IN THE AMOUNT SO DEDUCTED. THIS SECTION SHALL NOT APPLY TO PAYMENTS MADE UNDER ANY GROUP PLAN WHICH WOULD HAVE BEEN PAYABLE EVEN THOUGH THERE WAS AN INJURY UNDER THIS CHAPTER OR AN OCCUPATIONAL DISEASE UNDER CHAPTER 85A. ANY EMPLOYER RECEIVING SUCH CREDIT SHALL KEEP SUCH EMPLOYEE SAFE AND HARMLESS FROM ANY AND ALL CLAIMS OR LIABILITIES THAT MAY BE MADE AGAINST THEM BY REASON OF HAVING RECEIVED SUCH PAYMENTS ONLY TO THE EXTENT OF SUCH CREDIT.

89.2 Inspection made--certificate.

1. It shall be the duty of the state boiler inspector, to inspect or cause to be inspected internally and externally, at least once every twelve months, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, in order to determine whether all such equipment is in a safe and satisfactory condition, and properly constructed and maintained for the purpose for which the same is used, all steam boilers, tanks, jacket kettles, generators and other appurtenances used in this state for generating or transmitting steam for power, or for using steam under pressure for heating or steaming purposes, in order to determine whether said equipment is in a safe and satisfactory condition, and properly constructed and maintained for the purpose for which the same is used.

Subsections 2 through 4 remain unchanged.

5. THE BOILER INSPECTOR IS HEREBY EMPOWERED TO INSPECT BOILERS AND TANKS FOR OTHER THAN STEAM PRESSURE, MANUFACTURED IN IOWA, WHEN REQUESTED BY THE MANUFACTURER.

6. ON AND AFTER JULY 4, 1963, EACH FIRED STEAM BOILER OF ONE HUNDRED THOUSAND POUNDS PER HOUR OR MORE CAPACITY, USED OR PROPOSED TO BE USED WITHIN THIS STATE, WHICH HAS INTERNAL CONTINUOUS WATER TREATMENT UNDER THE DIRECT SUPERVISION OF A GRADUATE ENGINEER OR CHEMIST, OR ONE HAVING EQUIVALENT EXPERIENCE IN THE TREATMENT OF BOILER WATER WHERE THE SAID WATER TREATMENT IS FOR THE PURPOSE OF CONTROLLING AND LIMITING SERIOUS CORROSION AND OTHER DETERIORATING FACTORS, AND WITH RESPECT TO WHICH BOILER THE STATE BOILER INSPECTOR HAS DETERMINED THAT THE OWNER OR USER HAS COMPILED WITH THE RECORD-KEEPING REQUIREMENTS HEREAFTER PRESCRIBED, SHALL BE INSPECTED AT LEAST ONCE EVERY TWO YEARS INTERNALLY AND EXTERNALLY WHILE NOT UNDER PRESSURE, BY THE STATE BOILER INSPECTOR OR BY ONE OF THE DEPUTY INSPECTORS AS TO ITS CONSTRUCTION, INSTALLATION, CONDITION AND OPERATION. IF AT ANY TIME, A HYDROSTATIC TEST SHALL BE DEEMED NECESSARY TO DETERMINE THE SAFETY OF A BOILER, THE SAME SHALL BE MADE, UNDER THE SUPERVISION OF THE INSPECTOR, BY THE OWNER OR USER THEREOF.

NOT MORE THAN TWENTY-FOUR MONTHS SHALL ELAPSE BETWEEN INTERNAL INSPECTIONS, AND EXTERNAL INSPECTIONS WHILE UNDER PRESSURE SHALL ALSO BE MADE AT GREATER INTERVALS.

THE OWNER OR USER OF SUCH BOILER SHALL KEEP AVAILABLE FOR EXAMINATION BY THE STATE BOILER INSPECTOR OR ANY OF THE DEPUTY INSPECTORS ACCURATE



RECORDS SHOWING THE DATE AND ACTUAL TIME SUCH BOILER IS OUT OF SERVICE AND THE REASON OR REASONS THEREFOR, AND SUCH CHEMICAL PHYSICAL LABORATORY ANALYSES OF SAMPLES OF THE BOILER WATER TAKEN AT REGULAR INTERVALS OF NOT MORE THAN FORTY-EIGHT HOURS OF OPERATION AS WILL ADEQUATELY SHOW THE CONDITION OF SUCH WATER AND ANY ELEMENTS OR CHARACTERISTICS THEREOF WHICH ARE CAPABLE OF PRODUCING CORROSION OR OTHER DETERIORATION OF THE BOILER OR ITS PARTS.

89.7 Fees for inspection. An inspection fee of each boiler or pressure unit INSPECTED by the boiler inspector according to the terms of this chapter shall be paid by the owner or user as follows:

Subsections 1 through 6 remain unchanged.

7. INSPECTIONS MADE AT THE REQUEST OF A BOILER OR TANK MANUFACTURER BY THE CHIEF INSPECTOR OR ANY DEPUTY INSPECTOR, SHALL BE CHARGED FOR AT THE RATE CURRENTLY CHARGED BY THE VARIOUS INSURANCE COMPANIES FOR PERFORMING A SIMILAR SERVICE. THIS CHARGE SHALL NOT VOID THE REGULAR FEE FOR INSPECTION OR CERTIFICATE WHEN THE BOILER OR TANK IS INSTALLED.

97B.7 Fund Created.

Subsection 1 remains unchanged.

2. The treasurer of the state of Iowa is hereby made the custodian and trustee of this fund and shall administer the same in accordance with the directions of the commission. It shall be the duty of the trustee:

a. To hold said trust funds.

b. Invest such portion of said trust funds as in the judgment of the commission are not needed for current payment of benefits under this chapter in interest-bearing securities issued by the United States, or interest-bearing bonds issued by the state of Iowa, or bonds issued by counties, school districts and/or general obligations or limited levy bonds issued by municipal corporations in this state as authorized by law, or other investments authorized by insurance companies in this state. In the event of loss on the redemption or sale of securities, where invested as prescribed by law, neither the treasurer nor the commission shall be personally liable, but such loss shall be charged against the retirement fund and there is hereby appropriated from such fund an amount as may be so required.

c. Disburse such trust funds upon warrants drawn by the comptroller pursuant to the order of the commission.

d. TO SELL ANY SECURITIES OR OTHER PROPERTY IN THE TRUST FUND AND REINVEST THE PROCEEDS IN ACCORDANCE WITH THE DIRECTION OF THE COMMISSION WHEN SUCH ACTION MAY BE DEEMED ADVISABLE BY THE COMMISSION FOR THE PROTECTION OF THE TRUST FUND OR THE PRESERVATION OF THE VALUE OF THE INVESTMENT. SUCH SALE OF SECURITIES OR OTHER PROPERTY OF THE TRUST FUND SHALL ONLY BE MADE AFTER ADVICE FROM THE ADVISORY BOARD IN THE MANNER AND TO THE EXTENT PROVIDED IN THIS CHAPTER IN REGARD TO THE PURCHASE OF INVESTMENTS.



e. TO SUBSCRIBE, IN ACCORDANCE WITH THE DIRECTION OF THE COMMISSION, FOR THE PURCHASE OF SECURITIES FOR FUTURE DELIVERY IN ANTICIPATION OF FUTURE INCOME. SUCH SECURITIES SHALL BE PAID FOR BY SUCH ANTICIPATED INCOME OR FROM FUNDS FROM THE SALE OF SECURITIES OR OTHER PROPERTY HELD BY THE FUND.

f. TO PAY FOR SECURITIES DIRECTED TO BE PURCHASED BY THE COMMISSION ON THE RECEIPT OF THE PURCHASING BANK'S PAID STATEMENT OR PAID CONFIRMATION OF PURCHASE.

97B.9 Taxes--payment and interest. Taxes unpaid on the date on which they are due, and payable as prescribed by the commission, shall bear interest at the rate of one-half of one per centum per month from and after such date until payment plus accrued interest is received by the commission, provided that the commission may prescribe fair and reasonable regulations pursuant to which such interest shall not accrue with respect to taxes required. Interest collected pursuant to this section shall be paid into the Iowa public employees' retirement fund.

Subsection 1 remains unchanged.

2. The employer shall pay its tax or contribution from funds available and is directed to pay same from tax money or from any other income of the political subdivision; PROVIDED HOWEVER, THE TAX SHALL BE PAID FROM THE SAME FUND AS THE EMPLOYEE SALARY.

3. Every political subdivision is hereby authorized and directed to levy a tax sufficient to meet its obligations under the provisions of this chapter IF ANY TAX IS NEEDED.

97B.41 Definitions. When used in this chapter:

1. For the purpose of this chapter the term, "wages", means all remuneration for employment; including the cash value of remuneration paid in any medium other than cash, but not including the cash value of remuneration paid in any medium other than cash necessitated by the convenience of the employer, such amount as agreed upon by employer shall be conclusive of the value of remuneration in a medium other than cash; except that such term shall not include--

a. FOR EACH CALENDAR YEAR UP TO JANUARY 1, 1964, THAT PART OF THE REMUNERATION FOR EMPLOYMENT WHICH EXCEEDS FOUR THOUSAND DOLLARS IN EACH SUCH CALENDAR YEAR.

b. FOR THE CALENDAR YEAR BEGINNING ON JANUARY 1, 1964, AND EACH CALENDAR YEAR THEREAFTER, THAT PART OF THE REMUNERATION FOR EMPLOYMENT WHICH EXCEEDS FORTY-EIGHT HUNDRED DOLLARS IN EACH SUCH CALENDAR YEAR.

97B.49 Monthly payments of allowance. A member shall upon retirement at or after the date he attains the age of sixty-five receive a monthly retirement allowance which shall commence on such retirement date and shall be continued on the first day of each month thereafter during his lifetime. The amount of each such monthly retirement allowance shall be determined as the sum of subsections 1 and 2 following:



Subsections 1 and 2 remain unchanged.

EFFECTIVE AS OF JANUARY 1, 1964, AN ADDITIONAL MONTHLY RETIREMENT ALLOWANCE SHALL BE PROVIDED TO MEMBERS AS DETERMINED BY SUBSECTIONS 3 AND 4 FOLLOWING:

3. EACH MEMBER WHO HAS QUALIFIED FOR PRIOR SERVICE CREDIT IN ACCORDANCE WITH THE FIRST PARAGRAPH OF SECTION 97B.43 OF THE CODE SHALL BE ENTITLED TO AN ADDITIONAL MONTHLY PRIOR SERVICE RETIREMENT ALLOWANCE OF AN AMOUNT EQUAL TO THE MONTHLY PRIOR SERVICE RETIREMENT ALLOWANCE SUCH MEMBER IS ENTITLED TO UNDER SUBSECTION 2 OF THIS SECTION.

4. EACH MEMBER WHO IS CREDITED WITH RETIREMENT DIVIDENDS AND INTEREST DIVIDENDS IN ACCORDANCE WITH SECTION 7 OF THIS ACT SHALL BE ENTITLED TO AN ADDITIONAL MONTHLY RETIREMENT ALLOWANCE OF AN AMOUNT EQUAL TO THE ACTUARIAL EQUIVALENT OF THE TOTAL UNDER THIS CHAPTER OF THE RETIREMENT DIVIDENDS AND INTEREST DIVIDENDS SO CREDITED TO SUCH MEMBER.

THE ADDITIONAL MONTHLY RETIREMENT ALLOWANCE SHALL COMMENCE ON JANUARY 1, 1964 FOR THOSE MEMBERS WHO BEGAN RECEIVING RETIREMENT ALLOWANCE PAYMENTS UNDER SUBSECTIONS 1 and 2 OF THIS SECTION PRIOR TO JANUARY 1, 1964. FOR MEMBERS WHO RETIRE ON OR AFTER JANUARY 1, 1964, THE ADDITIONAL MONTHLY RETIREMENT ALLOWANCE SHALL COMMENCE ON THE SAME DATE AS THE RETIREMENT ALLOWANCE PROVIDED FOR BY SUBSECTIONS 1 and 2 OF THIS SECTION.

97B.50 Payments when retired at fifty-five. A member shall upon retirement at age fifty-five or later, under the provisions of section 97B.47 receive a monthly retirement allowance which shall commence on the date of such retirement and shall be continued on the first day of each month thereafter during his lifetime.

The amount of each monthly retirement allowance shall be determined in the same manner as provided in section 97B.49, except that the amount of any monthly retirement allowance so determined in accordance with SUBSECTIONS 2 AND 3 of section 97B.49 shall be reduced on an actuarial equivalent basis for the period that the retirement date precedes the first day of the month next following or coinciding with the date he attains the age of sixty-five.

97B.51 Optional allowance. Each member shall have the right at any time prior to his retirement date to elect to have his retirement allowance payable under ONE OF the OPTIONS hereinafter set forth in this section in lieu of the retirement allowance otherwise payable to him upon retirement under any of the provisions of the retirement system. The amount of any optional retirement allowance shall be the actuarial equivalent of the amount of such retirement allowance otherwise payable to him. The member shall make such an election by written request to the commission and such an election will be subject to the approval of the commission.

Subsections 1 through 3 remain unchanged.

4. A MEMBER MAY ELECT TO RECEIVE AN INCREASED RETIREMENT ALLOWANCE DURING HIS LIFETIME WITH NO DEATH BENEFIT AFTER HIS RETIREMENT DATE.



5. A MEMBER MAY ELECT TO RECEIVE AN INCREASED RETIREMENT ALLOWANCE DURING HIS LIFETIME WITH A DEATH BENEFIT AFTER HIS RETIREMENT DATE EQUAL TO THE EXCESS, IF ANY, OF THE ACCUMULATED CONTRIBUTIONS BY THE MEMBER AS OF SAID DATE, OVER THE TOTAL MONTHLY RETIREMENT ALLOWANCES RECEIVED BY HIM UNDER THE RETIREMENT SYSTEM. SUCH DEATH BENEFIT SHALL BE PAID TO HIS BENEFICIARY.

97B.52 Payment to beneficiary.

1. If a member dies prior to the date his first retirement allowance is payable under the retirement system, the accumulated contributions by the member AND EMPLOYER at date of death will be payable to his beneficiary.

2. If a member dies after the date his first retirement allowance is payable under the retirement system, the excess, if any, of the accumulated contributions by the member AND EMPLOYER as of said date, over the total monthly retirement allowances received by him under the retirement system will be paid to his beneficiary unless the retirement allowance is then being paid in accordance with subsection 1, 4 OR 5 of section 97B.51.

97B.53 Termination of employment. All rights to all benefits under the retirement system will cease upon a member's termination of employment with the employer prior to his retirement, other than by death, except as provided hereafter:

1. Upon the termination of employment with the employer prior to retirement other than by death of a member, the accumulated contributions by the member at the date of such termination will be paid to such member, except as may be provided in subsection 2 and subsection 5 and SUBSECTION 6 of this section.

\*2. If the employment with the employer of a member is terminated prior to his retirement, other than by death, but after he has either (a) attained the age of forty-eight and completed at least eight years of service, or (b) has attained the age of fifty-five, he shall receive a monthly retirement allowance commencing on the first day of the month next following or coinciding with the date he attains the age of sixty-five, if he is then alive, or, if the member so elects in accordance with section 97B.47, commencing on the first day of any month coinciding with or next following the date he attains the age of fifty-five and prior to the date he attains the age of sixty-five, and continuing on the first day of each month thereafter during his lifetime, provided the member does not receive prior to the date his retirement allowance is to commence, a refund of his accumulated contributions under any of the provisions of this chapter. The amount of each such monthly retirement allowance shall be determined as provided in either section 97B.49 or in section 97B.50, whichever is applicable.

Subsections 3 through 5 remain unchanged.

6. ANY MEMBER WHO TERMINATES EMPLOYMENT BEFORE HE IS ENTITLED TO THE BENEFITS OF SUBSECTION 2 OF THIS SECTION OR THE RIGHT OF ELECTION UNDER SUBSECTION 5 OF THIS SECTION AND WHO DOES NOT CLAIM AND RECEIVE A REFUND OF



HIS ACCUMULATED CONTRIBUTIONS WITHIN FIVE YEARS OF HIS DATE OF TERMINATION SHALL, IN EVENT HE MAKES CLAIM FOR SUCH REFUND MORE THAN FIVE YEARS AFTER HIS DATE OF TERMINATION, BE REQUIRED TO SUBMIT PROOF SATISFACTORY TO THE COMMISSION OF HIS ENTITLEMENT TO SUCH REFUND. THE COMMISSION SHALL BE UNDER NO OBLIGATION TO MAINTAIN THE ACCUMULATED CONTRIBUTION ACCOUNTS OF SUCH FORMER MEMBERS FOR MORE THAN FIVE YEARS AFTER THEIR DATES OF TERMINATION. THE AMOUNTS RELEASED BY CANCELLATION OF THE ACCUMULATED CONTRIBUTION ACCOUNTS OF SUCH FORMER MEMBERS SHALL BE MADE A PART OF THE RETIREMENT DIVIDENDS TO BE ALLOCATED TO MEMBERS IN ACCORDANCE WITH SECTION 7 OF THIS ACT.

ANY PERSON WHO MADE CONTRIBUTIONS TO THE ABOLISHED SYSTEM WHO IS ENTITLED TO A REFUND IN ACCORDANCE WITH SECTION 97.51 SUBSECTION 5 OF THE CODE, AND WHO HAS NOT CLAIMED AND RECEIVED SUCH REFUND PRIOR TO JANUARY 1, 1964 SHALL, IN EVENT HE MAKES A CLAIM FOR SUCH REFUND AFTER JANUARY 1, 1964, BE REQUIRED TO SUBMIT PROOF SATISFACTORY TO THE COMMISSION OF HIS ENTITLEMENT TO SUCH REFUND. THE COMMISSION SHALL BE UNDER NO OBLIGATION TO MAINTAIN THE CONTRIBUTION ACCOUNTS OF SUCH PERSONS AFTER JANUARY 1, 1964. THE AMOUNTS RELEASED BY CANCELLATION OF THE CONTRIBUTION ACCOUNTS OF SUCH PERSONS SHALL BE MADE A PART OF THE RETIREMENT DIVIDENDS TO BE ALLOCATED TO MEMBERS IN ACCORDANCE WITH SECTION 7 OF THIS ACT.

97B.54 Accrued liability contribution. The accrued liability contribution shall be that annual amount required to provide for the liquidation, prior to July 1, 1998, of the liability for retirement allowances payable under this chapter arising from the prior service of members credited under this chapter. The unfunded accrued liability at any particular time shall be the excess, if any, of the present value of retirement allowances due to prior service, over the sum of (1) the net total accumulated accrued liability contributions (after adjustment for retirement allowances due to prior service) and (2) any assets transferred to the retirement fund in accordance with section 97B.56, with interest on such sum at the rates of interest earned each year on the retirement fund. Accrued liability contributions shall be determined on actuarial bases adopted by the commission. Such contributions shall be determined by the commission after each valuation of the assets and liabilities of the system, and shall continue in force until a new valuation is made. NO OBLIGATION SHALL INURE TO THIS SYSTEM FROM THE GENERAL FUND OF THE STATE OF IOWA UNDER THIS SECTION.

97B.55 Limit of State's liability. (Repealed)

97B.70 DIVIDENDS. THE COMMISSION SHALL DECLARE CERTAIN DIVIDENDS TO MEMBERS OF THE SYSTEM. THE METHOD OF DETERMINING THE AMOUNT OF SUCH DIVIDENDS AND THE METHODS OF CREDITING OR PAYING SUCH DIVIDENDS TO MEMBERS SHALL BE AS FOLLOWS:

1. "DIVIDENDS TO ACTIVE MEMBERS." a. "INTEREST DIVIDENDS." WITHIN SIXTY DAYS AFTER THE END OF EACH CALENDAR YEAR, THE ADVISORY INVESTMENT BOARD SHALL DETERMINE THE AVERAGE ANNUAL NET RATE OF INTEREST EARNED ON THE RETIREMENT FUND FOR THE CALENDAR YEAR JUST ENDED. THE AMOUNT OF INTEREST DIVIDEND FOR EACH ACTIVE MEMBER FOR SUCH CALENDAR YEAR SHALL BE EQUAL TO THE PRODUCT OF (1) THE EXCESS ANNUAL RATE OF INTEREST FOR SUCH YEAR, TIMES (2) SUCH MEMBER'S ACCUMULATED CONTRIBUTIONS AS OF JANUARY 1 OF SUCH YEAR. THE EXCESS ANNUAL RATE OF INTEREST FOR SUCH YEAR SHALL BE DETERMINED BY THE COMMISSION UPON RECOMMENDATION OF THE ADVISORY INVESTMENT BOARD, BUT IN NO EVENT SHALL SUCH RATE EXCEED THE EXCESS, IF ANY OF (3) THE AVERAGE ANNUAL NET RATE OF



INTEREST EARNED ON THE RETIREMENT FUND FOR SUCH YEAR, OVER (4) THE ANNUAL RATE OF INTEREST CREDITED TO EACH MEMBER'S ACCUMULATED CONTRIBUTIONS UNDER SUBSECTION 9 OF SECTION 97B.41 PLUS .0025. THE AVERAGE ANNUAL NET RATE OF INTEREST AND THE EXCESS ANNUAL RATE OF INTEREST SHALL EACH BE CALCULATED, IN DECIMAL FORM, TO THE NEAREST TEN THOUSANDS--i.e. FOUR DECIMAL PLACES.

THE AMOUNT OF INTEREST DIVIDEND FOR EACH ACTIVE MEMBER, DETERMINED AS PROVIDED IN THIS PARAGRAPH "a", SHALL BE CREDITED TO AND MADE A PART OF SUCH MEMBER'S ACCUMULATED CONTRIBUTIONS AS OF DECEMBER 31 OF THE YEAR FOR WHICH SUCH DIVIDEND IS COMPUTED. IN THE ANNUAL STATEMENTS OF ACCUMULATED CREDIT AS REQUIRED BY SECTION 97B.18 OF THE CODE SUCH DIVIDEND MAY EITHER BE SHOWN SEPARATELY AND LABELED "INTEREST DIVIDEND" OR IT MAY BE INCLUDED WITH THE REGULAR INTEREST CREDITED TO THE MEMBER IN ACCORDANCE WITH SUBSECTION 9 OF SECTION 97B.41 OF THE CODE.

INTEREST DIVIDENDS SHALL ALSO BE CREDITED TO EMPLOYERS' CONTRIBUTIONS AT THE SAME RATE AS PROVIDED IN THIS PARAGRAPH "a" FOR MEMBERS' CONTRIBUTIONS.

"ACTIVE MEMBER" MEANS A MEMBER WHO IS NOT RECEIVING BENEFIT PAYMENTS FROM THE SYSTEM AND WHO MADE CONTRIBUTIONS TO THE SYSTEM AT ANY TIME DURING THE CALENDAR YEAR FOR WHICH DIVIDENDS ARE BEING COMPUTED, AND WHO HAD NOT RECEIVED OR APPLIED FOR A REFUND OF HIS ACCUMULATED CONTRIBUTIONS PRIOR TO DECEMBER 31 OF SUCH YEAR.

b. RETIREMENT DIVIDENDS. THE CONTRIBUTIONS, AND INTEREST THEREON, MADE BY EMPLOYERS ON BEHALF OF ACTIVE MEMBERS WHO TERMINATE EMPLOYMENT AND RECEIVE A REFUND OF THEIR CONTRIBUTIONS AFTER DECEMBER 31, 1962 SHALL BE CREDITED AS RETIREMENT DIVIDENDS EACH YEAR TO ACTIVE MEMBERS WHO REMAIN IN EMPLOYMENT, AFTER FIRST DEDUCTING FROM SUCH CONTRIBUTIONS THE ANNUAL ACCRUED LIABILITY CONTRIBUTION COMPUTED IN ACCORDANCE WITH SECTION 97B.54 OF THE CODE FOR SUCH YEAR AND THE ADMINISTRATION EXPENSES OF THE SYSTEM ALLOCATED TO THE ACTIVE MEMBERS' FUTURE SERVICE ACCOUNT. SUCH RETIREMENT DIVIDENDS SHALL BE USED TO PROVIDE RETIREMENT ALLOWANCES COMPUTED IN ACCORDANCE WITH SECTION 97B.49 OF THE CODE, SUBSECTION 4, AS AMENDED BY SECTION 2 OF THIS ACT. RETIREMENT DIVIDENDS, INCLUDING INTEREST AND INTEREST DIVIDENDS CREDITED THERETO, CREDITED TO ACTIVE MEMBERS WHO TERMINATE EMPLOYMENT AND RECEIVE A REFUND OF THEIR ACCUMULATED CONTRIBUTIONS PRIOR TO RETIREMENT UNDER THIS CHAPTER SHALL BE CANCELED UPON SUCH RECEIPT OF REFUND AND SHALL BE REAPPORTIONED TO THE ACTIVE MEMBERS WHO REMAIN IN EMPLOYMENT. THE AMOUNT OF RETIREMENT DIVIDEND TO BE CREDITED EACH YEAR TO EACH ACTIVE MEMBER SHALL BE DETERMINED AS FOLLOWS:

AS OF DECEMBER 31, 1963, AND AS OF EACH DECEMBER 31 THEREAFTER, THE COMMISSION SHALL CAUSE TO BE DETERMINED (1) THE TOTAL AMOUNT OF CONTRIBUTIONS, AND INTEREST THEREON, MADE BY EMPLOYERS ON BEHALF OF ACTIVE MEMBERS WHO RECEIVE A REFUND OF THEIR CONTRIBUTIONS DURING THE YEAR ENDING ON SUCH DECEMBER 31; PLUS THE TOTAL AMOUNT OF RETIREMENT DIVIDEND CREDITS CANCELED DURING THE YEAR ENDING ON SUCH DECEMBER 31 WITH RESPECT TO MEMBERS WHO RECEIVE A REFUND OF THEIR CONTRIBUTIONS DURING THE YEAR ENDING ON SUCH DECEMBER 31; MINUS THE ANNUAL ACCRUED LIABILITY CONTRIBUTION PAYABLE ON THE NEXT JUNE 30, COMPUTED IN ACCORDANCE WITH SECTION 97B.54 OF THE CODE; ALSO MINUS THE ADMINISTRATION EXPENSES OF THE SYSTEM ALLOCATED TO THE ACTIVE MEMBERS' FUTURE SERVICE ACCOUNT.



(2) THE TOTAL AMOUNT OF CONTRIBUTIONS FROM ALL ACTIVE MEMBERS RECEIVED BY THE SYSTEM DURING THE YEAR ENDING ON SUCH DECEMBER 31.

THE AMOUNT OF RETIREMENT DIVIDEND TO BE CREDITED TO EACH ACTIVE MEMBER ON EACH DECEMBER 31 SHALL EQUAL THE RATIO OF SUBPARAGRAPH "1" OVER SUBPARAGRAPH "2" OF THIS PARAGRAPH "b" AS OF SUCH DECEMBER 31, MULTIPLIED BY EACH SUCH ACTIVE MEMBER'S CONTRIBUTIONS RECEIVED BY THE SYSTEM DURING THE YEAR ENDING ON SUCH DECEMBER 31.

RETIREMENT DIVIDENDS SHALL BE CREDITED WITH INTEREST AND INTEREST DIVIDENDS EACH YEAR AT THE SAME RATES AND IN THE SAME MANNER AS PROVIDED FOR WITH RESPECT TO THE MEMBERS' ACCUMULATED CONTRIBUTIONS.

THE COMMISSION SHALL CAUSE THE RETIREMENT DIVIDENDS, AS COMPUTED IN ACCORDANCE WITH THIS PARAGRAPH "b", TO BE CREDITED TO EACH ACTIVE MEMBER NOT LATER THAN THE JUNE 30 NEXT FOLLOWING THE DECEMBER 31 AS OF WHICH THE RETIREMENT DIVIDENDS ARE COMPUTED.

2. DIVIDENDS TO RETIRED MEMBERS AND BENEFICIARIES. AS OF JULY 1, 1964, AND AS OF JULY 1 AT THE END OF EACH FIVE-YEAR PERIOD THEREAFTER, THE ACTUARY SHALL CALCULATE, ON THE BASIS OF THE RESULTS OF THE ACTUARIAL VALUATION MADE AS OF SUCH JULY 1, THE RATIO<sup>1</sup> OF (a) THE PORTION OF THE RETIREMENT FUND DESIGNATED ON THE RETIREMENT FUND RECORDS AS "FUTURE SERVICE--RETIRED MEMBERS", TO (b) THE PRESENT VALUE OF ALL FUTURE SERVICE RETIREMENT ALLOWANCES THEN BEING PAID TO RETIRED MEMBERS AND BENEFICIARIES IN ACCORDANCE WITH SUBSECTIONS 1 AND 4 OF 97B.49 OF THE CODE, AS AMENDED BY SECTION 2 OF THIS ACT, OR THE EQUIVALENT THEREOF IN ACCORDANCE WITH SECTION 97B.50 OR SECTION 97B.51 OF THE CODE AS AMENDED BY SECTIONS 3 AND 4 OF THIS ACT. SUCH PORTION OF THE RETIREMENT FUND AS OF ANY JULY 1 SHALL BE CALCULATED AS THE ACCUMULATION FROM JULY 1, 1953 TO SUCH JULY 1 OF (c) ALL ACCUMULATED CONTRIBUTIONS OF MEMBERS AND EMPLOYERS AND ALL RETIREMENT DIVIDENDS THAT HAVE BEEN APPLIED TO PROVIDE RETIREMENT ALLOWANCES UNDER SUBSECTIONS 1 AND 4 OF SECTION 97B.49 OF THE CODE AS AMENDED BY SECTION 2 OF THIS ACT, FROM JULY 1, 1953 TO SUCH JULY 1, MINUS (d) ALL FUTURE SERVICE RETIREMENT ALLOWANCE PAYMENTS MADE FROM JULY 1, 1953 TO SUCH JULY 1, MINUS (e) REFUNDS OF EXCESS, IF ANY, OF RETIRED MEMBER'S ACCUMULATED CONTRIBUTIONS, EXCLUDING PRIOR SERVICE CONTRIBUTIONS, OVER HIS FUTURE SERVICE RETIREMENT ALLOWANCE PAYMENTS, MINUS (f) ALL ADMINISTRATIVE EXPENSES ALLOCATED TO RETIRED MEMBERS' FUTURE SERVICE RETIREMENT ALLOWANCES FROM JULY 1, 1953 TO SUCH JULY 1, PLUS (g) ALL INVESTMENT INCOME THAT IS ALLOCATED TO THE BALANCE OF ITEMS "c" MINUS "d" MINUS "e" MINUS "f" FROM TIME TO TIME DURING THE PERIOD FROM JULY 1, 1953 TO SUCH JULY 1.

THE RATIO COMPUTED IN ACCORDANCE WITH THE FIRST PARAGRAPH OF THIS SUBSECTION SHALL BE ROUNDED, IN DECIMAL FORM, TO THE NEAREST ONE THOUSANDTH--i.e., THREE DECIMAL PLACES. THE FRACTION BY WHICH SUCH RATIO EXCEEDS 1.010 SHALL BE KNOWN AS THE DIVIDEND RATE PERCENT FOR RETIRED MEMBERS' FUTURE SERVICE RETIREMENT ALLOWANCES, SUCH RATE TO BE EFFECTIVE FOR THE FIVE-YEAR PERIOD BEGINNING ON THE JANUARY 1 NEXT FOLLOWING THE JULY 1 AS OF WHICH SUCH DIVIDEND RATE PERCENT IS COMPUTED.

<sup>1</sup> According to enrolled act.



THE COMMISSION SHALL DECLARE DIVIDENDS BE PAID WITH RESPECT TO RETIRED MEMBERS' FUTURE SERVICE RETIREMENT ALLOWANCES. SUCH DIVIDENDS SHALL BE IN THE FORM OF AN ADDITION TO THE RETIRED MEMBER'S OR BENEFICIARY'S REGULAR PERIODIC RETIREMENT ALLOWANCE. THE AMOUNT OF SUCH DIVIDEND TO BE SO ADDED SHALL BE EQUAL TO THE PRODUCT OF (g) DIVIDEND RATE PERCENT FOR RETIRED MEMBERS' FUTURE SERVICE RETIREMENT ALLOWANCES OR SUCH PORTION THEREOF AS THE COMMISSION MAY DECLARE, TIMES (h) THE RETIRED MEMBER'S OR BENEFICIARY'S REGULAR PERIODIC FUTURE SERVICE RETIREMENT ALLOWANCE. SUCH DIVIDEND SHALL BE PAID AT THE SAME TIME AS THE RETIRED MEMBER'S OR BENEFICIARY'S REGULAR PERIODIC RETIREMENT ALLOWANCE BEGINNING ON THE JANUARY 1 AS OF WHICH SUCH DIVIDEND RATE PERCENT IS EFFECTIVE AND ENDING ON THE DECEMBER 31 FIVE YEARS THEREAFTER OR ON THE DATE THE RETIRED MEMBER'S OR BENEFICIARY'S REGULAR PERIODIC RETIREMENT ALLOWANCE CEASES, IF EARLIER. DIVIDEND PAYMENTS SHALL BE IDENTIFIED AS SUCH TO THE RETIRED MEMBERS AND BENEFICIARIES.

AT SUCH TIME AS THE PRIOR SERVICE PORTION OF THE RETIREMENT FUND BECOMES AT LEAST EQUAL IN VALUE TO THE PRESENT VALUE OF ALL PRIOR SERVICE RETIREMENT ALLOWANCES, WITH RESPECT TO BOTH ACTIVE AND RETIRED MEMBERS, AS REFLECTED IN THE ACTUARIAL VALUATION AS OF A JULY 1, DIVIDEND PAYMENTS MAY THEN BE DECLARED WITH RESPECT TO SUCH PRIOR SERVICE RETIREMENT ALLOWANCES. THE PROCEDURE FOR DETERMINING ANY SUCH DIVIDEND PAYMENTS SHALL BE SIMILAR TO, AND MAY BE COMBINED WITH, THE PROCEDURE SET FORTH IN THIS SUBSECTION FOR DETERMINATION OF DIVIDEND PAYMENTS WITH RESPECT TO FUTURE SERVICE RETIREMENT ALLOWANCES.

3. RETIREMENT DIVIDENDS UP TO JANUARY 1, 1963. THE CONTRIBUTIONS, AND INTEREST THEREON, MADE BY EMPLOYERS ON BEHALF OF ACTIVE MEMBERS WHO TERMINATED EMPLOYMENT AND RECEIVED A REFUND OF THEIR CONTRIBUTIONS DURING THE YEARS FROM JULY 4, 1953 TO DECEMBER 31, 1962 AND THE EXCESS INVESTMENT EARNINGS ON THE RETIREMENT FUND DURING THOSE YEARS, EXCLUDING THE AMOUNT OF SUCH CONTRIBUTIONS PREVIOUSLY ALLOCATED TO THE FUNDING OF PRIOR SERVICE BENEFITS AND PAYMENT OF ADMINISTRATION EXPENSES OF THE SYSTEM AND EXCLUDING EXCESS INVESTMENT EARNINGS PREVIOUSLY ALLOCATED TO THE PRIOR SERVICE ACCOUNT, SHALL BE ALLOCATED AS RETIREMENT DIVIDENDS AMONG ALL MEMBERS WHO ARE (a) IN ACTIVE EMPLOYMENT ON JANUARY 1, 1963, OR (b) RETIRED AND RECEIVING A RETIREMENT ALLOWANCE UNDER SECTION 97B.49 OF THE CODE, SUBSECTION 1 ON JANUARY 1, 1963. EXCESS INVESTMENT EARNINGS MEANS THE INVESTMENT EARNINGS EACH YEAR IN EXCESS OF TWO PERCENT INTEREST ON THE RETIREMENT FUND FOR SUCH YEAR.

THE ALLOCATION SHALL BE MADE SEPARATELY FOR EACH YEAR FROM 1953 THROUGH 1962 AS FOLLOWS:

(c) THE CONTRIBUTIONS, AND INTEREST THEREON, MADE BY EMPLOYERS ON BEHALF OF ACTIVE MEMBERS WHO TERMINATED EMPLOYMENT AND RECEIVED A REFUND OF THEIR CONTRIBUTIONS DURING THE CALENDAR YEAR 1953 AND THE EXCESS INVESTMENT EARNINGS ON THE RETIREMENT FUND FOR CALENDAR YEAR 1953, EXCLUDING THE PRIOR SERVICE ACCOUNT, SHALL BE ALLOCATED AMONG THE MEMBERS WHO WERE IN ACTIVE EMPLOYMENT IN 1953 AND WHO ARE IN THE GROUP OF MEMBERS DEFINED IN ITEMS "a" AND "b" OF THE FIRST PARAGRAPH OF THIS SUBSECTION. SUCH ALLOCATION SHALL BE MADE IN DIRECT PROPORTION TO THE MEMBERS' ACCUMULATED CONTRIBUTION ACCOUNTS ON JANUARY 1, 1963, FOR ACTIVE MEMBERS, OR ON THE DATE OF RETIREMENT FOR RETIRED MEMBERS,



(d) ALLOCATIONS FOR EACH OF THE CALENDAR YEARS 1954 THROUGH 1962, INCLUSIVE, SHALL BE MADE BY THE SAME PROCEDURE AS PROVIDED IN PARAGRAPH "c" FOR THE YEAR 1953. THE AMOUNT TO BE ALLOCATED EACH YEAR SHALL EXCLUDE THE AMOUNT, IF ANY, THAT WAS ALLOCATED TO THE FUNDING OF PRIOR SERVICE BENEFITS AND ADMINISTRATION EXPENSES FOR EACH SUCH YEAR.

(e) THE SUM OF THE ALLOCATIONS MADE TO EACH MEMBER PURSUANT TO PARAGRAPHS "c" AND "d" SHALL BE CREDITED TO EACH SUCH MEMBER AS A RETIREMENT DIVIDEND TO BE APPLIED TO PROVIDE HIM WITH ADDITIONAL RETIREMENT ALLOWANCE IN ACCORDANCE WITH SECTION 97B.49, SUBSECTION 4, OF THE CODE AS AMENDED BY SECTION 2 OF THIS ACT.

(f) RETIREMENT DIVIDENDS SO CREDITED TO ACTIVE MEMBERS WHO TERMINATE EMPLOYMENT AND RECEIVE A REFUND OF THEIR ACCUMULATED CONTRIBUTIONS PRIOR TO RETIREMENT UNDER THIS CHAPTER SHALL BE CANCELED UPON SUCH RECEIPT OF REFUND AND SHALL BE REAPPORTIONED TO THE ACTIVE MEMBERS WHO REMAIN IN SUCH EMPLOYMENT.

97B.71 CLAIM FOR REPLAYMENT. A CLAIM MAY BE FILED BY ANY EMPLOYEE FOR REPAYMENT OF ANY TAXES WITHHELD OVER THE FIRST FORTY-EIGHT HUNDRED DOLLARS IN EARNINGS IN ANY ONE YEAR, BY ONE OR MORE EMPLOYERS. THE COMMISSION SHALL IF A CLAIM IS ALLOWED TO THE EMPLOYEE, ALSO MAIL A REFUND CHECK FOR THE TAXES PAID BY THE EMPLOYER FOR THE EMPLOYEE ON WHICH THE EMPLOYEE IS ALLOWED A REFUND. THE COMMISSION SHALL HAVE POWER AND AUTHORITY TO REQUIRE THE FILING OF A PROPER APPLICATION BY THE EMPLOYEE BEFORE THE CLAIM SHALL BE ALLOWED. ANY CLAIM FOR SUCH REFUND SHALL BE MADE WITHIN THREE YEARS OF DATE OF PAYMENT AND NOT THEREAFTER. FOR LACK OF TIME AND CAUSE, ADJUSTMENTS, COMPROMISES OR REFUNDS MAY BE MADE BY THE COMMISSION ON ITS OWN INITIATIVE.

143.1 Authority to employ. The board of supervisors of any county, the council of any city or town, or the school board of any school district may employ public health nurses at such periods each year and in such numbers as may be deemed advisable. THE BOARD OF SUPERVISORS OF ANY COUNTY, THE COUNCIL OF ANY CITY OR TOWN, OR THE SCHOOL BOARD OF ANY SCHOOL DISTRICT, OR ANY OF THEM ACTING IN CO-OPERATION, MAY CONTRACT WITH ANY NON-PROFIT NURSES' ASSOCIATION FOR PUBLIC HEALTH NURSING SERVICE. The compensation and expenses thereof shall be paid out of the general fund of the political subdivision employing said nurse.

237.2 "Children's boarding home" defined. Any person who receives for care and treatment or has in his custody at any one time children under the age of sixteen years unattended by parent or guardian for the purpose of providing them with food, care, and lodging, except children related to him by blood or marriage, and except children received by him with the intent of adopting them into his own family, shall be deemed to maintain a children's boarding home. This definition shall not include any person who IS CARING FOR CHILDREN FOR A PERIOD OF LESS THAN THIRTY DAYS.

257.5 Election of members. The election of members of the state board shall be conducted in the following manner:



1. In each county of the state board of public instruction district where an election is to be held for a member of the state board, the county board of education shall nominate and elect delegates and alternates to the district convention provided for in this section and the board of education of each community, independent or consolidated school district within such state board of public instruction district maintaining a four-year high school and containing a city of five thousand or more population shall elect delegates and alternates to said convention.

a. The number of delegates to be elected by each such board of a COMMUNITY, consolidated or independent district maintaining a four-year high school and having a city of five thousand or more population shall be as follows:

(1) In the event the population of the city in such school district as shown at the last federal census is twenty thousand or less one delegate shall be elected.

(2) In the event the population of the city in such school district is over twenty thousand one delegate shall be elected for each twenty thousand of population or major fraction thereof.

b. The number of delegates to be elected by each county board of education shall be determined as follows:

(1) When the population of any county is twenty-two thousand five hundred or less the county board shall elect one delegate unless there is no community, independent or consolidated school district within the county maintaining a four-year high school and containing a city having a population of at least five thousand in which event the county board shall elect two delegates.

(2) If the population of the county is in excess of twenty-two thousand five hundred the county board shall elect two delegates. In no case shall a county have less than two delegates. Said election shall be held on the second Monday in July of odd-numbered years when necessary to elect members to the state board for unexpired terms where vacancies have been filled by appointment or choose successors for members whose terms will expire in the following January. The names of these chosen as delegates and alternates shall be certified to the secretary of state by the county board of education and boards of education of said school districts within the district within ten days after the election.

258.4 Duties of board. The board shall:

Subsections 1 through 6 remain unchanged.

7. Establish standards for, and annually inspect as a basis of approval, all schools, departments, and classes, AREA VOCATIONAL TECHNICAL HIGH SCHOOLS AND PROGRAMS, and all teachers training schools, departments, and classes applying for federal and state moneys and under the provisions of this chapter.

262.43 Students residing on state-owned land. The state board of regents shall pay to the local school boards the tuition payments and transportation



costs, as otherwise authorized by statutes for the elementary or high school education of students residing on land owned by the state and under the control of the state board of regents. SUCH PAYMENTS FOR THE THREE INSTITUTIONS OF HIGHER LEARNING, THE STATE UNIVERSITY OF IOWA, THE IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY AND THE STATE COLLEGE OF IOWA, SHALL BE MADE FROM THE FUNDS OF THE RESPECTIVE INSTITUTIONS OTHER THAN STATE APPROPRIATIONS, AND FOR THE THREE NON-COLLEGIATE INSTITUTIONS, THE IOWA BRAILLE AND SIGHT-SAVING SCHOOL, THE STATE SCHOOL FOR THE DEAF AND THE STATE SANATORIUM, THERE IS HEREBY APPROPRIATED OUT OF ANY FUNDS IN THE STATE TREASURY NOT OTHERWISE APPROPRIATED A SUM SUFFICIENT TO MAKE SUCH PAYMENTS.

268.1 Official designation. The STATE school at Cedar Falls, shall be officially designated and known as the "STATE COLLEGE OF IOWA."

268.2 Branches of study. THE PRIMARY RESPONSIBILITY OF THE COLLEGE SHALL BE THE PREPARATION OF TEACHERS AND OTHER EDUCATIONAL PERSONNEL FOR SCHOOLS, COLLEGES, AND UNIVERSITIES, AND THE PROVISION OF CONSULTATIVE AND OTHER SERVICES, INCLUDING EXPERIMENTATION WITH INSTRUCTIONAL CONTENT, METHOD, AND MATERIALS, FOR THE IMPROVEMENT OF THE EDUCATIONAL PROGRAMS OF SCHOOLS OF THE STATE.

THE COLLEGE MAY ALSO OFFER PROGRAMS OF INSTRUCTION IN THE LIBERAL AND VOCATIONAL ARTS AND SUCH OTHER EDUCATIONAL PROGRAMS AS THE STATE BOARD OF REGENTS MAY FROM TIME TO TIME APPROVE.

273.7 Canvass. The ballots cast at any election for membership on the board shall be counted by the judges of election and return thereof shall be made by the judges on forms provided therefor to the secretary of the school district within forty hours after the closing of the polls. Within five days following the election, the secretary of each school district shall make return of the votes cast in said district to the county board of education on forms provided therefor, which board shall meet at ten o'clock a.m. on the last Monday in SEPTEMBER, and canvass the vote and issue certificates of election.

274.4 Record of reorganization filed. When an election on the proposition of organizing, reorganizing, enlarging, or changing the boundaries of any school corporation carries by the required statutory margin or any area of less than four sections is attached to any school corporation by order of a county board of education, OR THE BOUNDARY LINES OF CONTIGUOUS SCHOOL CORPORATIONS ARE CHANGED BY THE CONCURRENT ACTION OF THE RESPECTIVE BOARDS OF DIRECTORS, the county superintendent, or the secretary of said school corporation, shall file a written description of the new boundaries of the school corporation in the office of the county auditor of each county in which any portion of the school corporation lies.

274.47 Boundary lines of contiguous school corporations.

1. THE BOUNDARY LINES OF CONTIGUOUS SCHOOL CORPORATIONS MAY BE CHANGED BY THE CONCURRENT ACTION OF THE RESPECTIVE BOARDS OF DIRECTORS AT THEIR REGULAR MEETINGS IN JULY, OR AT SPECIAL MEETINGS CALLED FOR THAT PURPOSE. SUCH CONCURRENT ACTION SHALL BE SUBJECT TO THE APPROVAL OF THE COUNTY BOARD



OR BOARDS OF EDUCATION INVOLVED BUT SUCH CONCURRENT ACTION SHALL STAND APPROVED IF THE COUNTY BOARD OR BOARDS OF EDUCATION DO NOT DISAPPROVE SUCH CONCURRENT ACTION WITHIN THIRTY DAYS FOLLOWING RECEIPT OF NOTICE THEREOF. THE CORPORATION FROM WHICH TERRITORY IS DETACHED SHALL, AFTER THE CHANGE, CONTAIN NOT LESS THAN FOUR GOVERNMENT SECTIONS OF LAND.

2. ANY SCHOOL BOARD MAY REQUEST A STUDY AND RECOMMENDATIONS OF THE DEPARTMENT OF PUBLIC INSTRUCTION RELATIVE TO THE ADJUSTMENT OF BOUNDARY LINES AND THE RECOMMENDATIONS OF THE DEPARTMENT OF PUBLIC INSTRUCTION SHALL BE SUBMITTED TO THOSE DISTRICTS INVOLVED WITHIN SIXTY DAYS AFTER THE REQUEST FOR SUCH STUDY AND RECOMMENDATIONS IS MADE BUT SUCH RECOMMENDATIONS SHALL BE ADVISORY ONLY AND SHALL NOT BE BINDING ON THE LOCAL DISTRICTS.

275.12 Petition - method of election.

Subsection 1 remains unchanged.

2. Such petition shall also state THE NUMBER OF DIRECTORS WHICH MAY BE EITHER FIVE OR SEVEN AND the method of election of the school directors of the proposed district. The method of election of the directors shall be one of the following optional plans:

a. Election at large from the entire district by the electors of the entire district.

b. Division of the entire school district into designated geographical subdistricts, to be known as director districts, each of which director districts shall be represented on the school board by one director who shall be a resident of such director district but who shall be elected by the vote of the electors of the entire school district. The school district shall be divided into the same number of director districts as the number of school directors the district is authorized by law. The boundaries of such director districts and the area and population included within each district shall be such as justice, equity, and the interests of the people may require. Insofar as may be practicable, the boundaries of such districts shall follow established political or natural geographic divisions.

c. Election of not more than one-half of the total number of school directors at large from the entire district and the remaining directors from and as residents of designated director districts into which the entire school district shall be divided. In such case, all directors shall be elected by the electors of the entire school district.

d. Division of the entire school district into designated geographical subdistricts, to be known as director districts, each of which director district shall be represented on the school board by one director who shall be a resident of such director district and who shall be elected by the voters of said director district. Place of voting in such director districts shall be designated by the county board.

Subsection 3 remains unchanged.



4. The county board or boards of education in reviewing such petition as provided in sections 275.15 AND 275.16 shall review the proposed method of election of school directors and shall have the duty and authority to change or amend such plan in any manner including the changing of boundaries of director districts if proposed, or to specify a different method of electing school directors on the basis of area, school population, or assessed valuation as may be required by law, justice, equity, and the interest of the people. In such action the county board or boards shall follow the same procedure as is required by sections 275.15 AND 275.16 for other action on the petition by the county board or boards.

275.25 Election of directors. If the proposition to establish a new corporation carries under the method hereinabove provided a special election shall be called by the county superintendent by giving notice by one publication in the same newspaper in which the former notices were published and he shall appoint judges who shall serve without pay. At such election, two directors shall be elected to serve until the next regular election, two until the second, and one until the third regular election thereafter, except in districts which include all or part of a city of fifteen thousand or more population AND IN DISTRICTS IN WHICH THE PROPOSITION TO ESTABLISH A NEW CORPORATION PROVIDES FOR SEVEN DIRECTORS, three directors shall be elected to serve until the third regular election thereafter, all of whom to serve until such time as their successors are elected and qualified. Provided, however, that in all community school districts which include a city of fifteen thousand or more population and which became effective prior to July 4, 1955, and in all community school districts containing a city which has attained a population of fifteen thousand or more as shown by the most recent decennial federal census, the board of directors shall consist of seven members, where it becomes necessary to increase the membership of any such board under the provisions hereof, TWO DIRECTORS SHALL BE ADDED ACCORDING TO THE PROCEDURE DESCRIBED IN SECTION 277.23. The judges of election shall make return to the county superintendent who shall enter the return of record in his office and notify the persons who are elected directors. The new board shall organize within fifteen days following their election upon call of the county superintendent. The new board of directors shall have complete control of the employment of all personnel for the newly formed community school district for the ensuing school year. Following the organization of the new board they shall have authority to establish policy, organize curriculum, enter into contracts and complete such other planning and take such action as is essential for the efficient management of the newly formed community school district.

275.35 Change of method of elections. Any existing or hereafter created or enlarged school district may change THE NUMBER OF DIRECTORS FROM FIVE TO SEVEN AND MAY ALSO CHANGE its method of election of school directors to any method authorized by section 275.12 by submission of a proposal, stating the proposed new method of election and describing the boundaries of the proposed director districts if any, by the school board of such district to the electors at any regular OR SPECIAL school election. The school board shall give notice of the submission of such proposal to the voters by one publication at least ten days prior to such election of such proposal in a newspaper published within the school district, or if none is published therein, in a newspaper published in the county where the school district is located, and of general circulation in the territory described. Such proposal shall be adopted:

Subsections 1 and 2 remain unchanged.



275.36 Submission of change to electors. If a petition for a change IN THE NUMBER OF DIRECTORS OR in the method of election of school directors, describing the boundaries of the proposed director districts, if any, signed by at least one-third of the voters residing within the school district and accompanied by affidavit as required by section 275.13 be filed with the school board of a school district, not earlier than six months and not later than two months before a regular or special school election, the school board shall submit such proposition to the voters at such election.

275.37 Special election. If change in the NUMBER OR method of election of school directors is approved at a regular OR SPECIAL school election by the voters of a school district, the school board shall, by notice in one publication in the same newspaper which the notice of election required by section 275.35 was published, call a special election to be held on or before the tenth day of June next following, for the election of new school directors under the newly adopted method of election. The school directors elected at such election shall meet and organize on the first Monday in July following their election.

275.40 Alternate merger procedure. In addition to the procedure set forth in sections 275.12 to 275.23, inclusive, relating to the organization of a proposed school district, a school district not operating a high school that is contiguous to a high school district may merge with said high school district in the following manner:

Subsections 1 through 4 remain unchanged.

5. A SCHOOL DISTRICT MAINTAINING A HIGH SCHOOL MAY PARTICIPATE AND EFFECT MORE THAN ONE MERGER PRIOR TO JULY 1 IN ANY GIVEN YEAR, SUBJECT TO THE PROVISIONS OF THIS SECTION.

277.2 Special election. The board of directors in any school corporation may call a special election at which election the voters shall have the powers exercised at the regular election with reference to the sale of school property and the application to be made of the proceeds, THE AUTHORIZATION OF SEVEN MEMBERS ON THE BOARD OF DIRECTORS, THE AUTHORIZATION TO ESTABLISH OR CHANGE THE BOUNDARIES OF DIRECTOR DISTRICTS, the authorization of a schoolhouse tax or indebtedness, as provided by law, for the purchase of a site and the construction of a necessary schoolhouse, and for obtaining roads thereto.

\*277.3 Notice of election. There shall be a written notice of all regular or special elections, which notice shall be given not less than ten days next preceding the day of the election, except as otherwise provided in this section, and shall contain the date, the polling place, the hours during which the polls will be open, the number of directors or officers to be elected and the terms thereof, and such propositions as will be submitted to and be determined by the voters.

In those corporations where registration is not required and in which only one voting precinct has been established said notice shall be posted by the secretary of the board in five public places in the corporation.

In those corporations in which registration of voters is required or in which more than one voting precinct has been established the secretary shall publish it once each week for two consecutive weeks preceding the election



in some newspaper published in the county and of general circulation in the corporation.

In subdistricts said notice shall be posted by the subdirector in three public places within the subdistrict, one of which shall be on the front of the school building. If the subdirector fails to post the required notice not less than ten days next preceding the day of the election, or if there be no subdirector, then any other voter in the subdistrict may secure from the county superintendent the proper form for the required number of notices filled out in the manner provided in this section and such notices, if signed by the county superintendent and said voter and posted as required in this section not less than five days next preceding the day of the election, shall constitute due and legal notice of said election.

277.12 Right to vote. To have the right to vote at a school election a person shall have the same qualifications as for voting at a general election and must have been for ten days prior to such school election an actual resident of the corporation and precinct or subdistrict in which he offers to vote.

IN SCHOOL DISTRICTS EMBRACING AREAS IN MORE THAN ONE COUNTY, THE COUNTY RESIDENCE REQUIREMENT RESPECTING ELECTORS' QUALIFICATION SHALL BE CONSIDERED TO HAVE BEEN MET IF THE ELECTOR OR ELECTORS HAVE RESIDED IN THE SCHOOL DISTRICT FOR A PERIOD OF SIXTY DAYS NEXT PRECEDING THE ELECTION, EVEN THOUGH SUCH SIXTY DAYS OF RESIDENCE MAY NOT HAVE BEEN ESTABLISHED IN THE COUNTY WHERE SUCH ELECTOR OR ELECTORS RESIDE AT THE TIME OF THE ELECTION.

277.23 Directors - number. In any district including all or part of a city of fifteen thousand or more population AND IN ANY DISTRICT IN WHICH THE VOTERS HAVE AUTHORIZED SEVEN DIRECTORS, the board shall consist of seven members; in all other independent city or town districts, in consolidated districts, and in rural and village independent districts having a population of over five hundred, the board shall consist of five members; in all other rural and village independent districts having a population of five hundred or less and in school townships not divided into subdistricts the board shall consist of three members; in school townships divided into subdistricts the board shall consist of one subdirector from each subdistrict with a director-at-large in those school townships that are divided into an even number of subdistricts.

A CHANGE FROM FIVE TO SEVEN DIRECTORS SHALL BE EFFECTED IN A DISTRICT AT THE FIRST REGULAR ELECTION AFTER AUTHORIZATION BY THE VOTERS OR WHEN A DISTRICT BECOMES WHOLLY OR IN PART WITHIN A CITY OF FIFTEEN THOUSAND POPULATION OR MORE IN THE FOLLOWING MANNER; IF THE TERM OF ONE DIRECTOR OF THE FIVE-MEMBER BOARD EXPIRES AT THE TIME OF SAID REGULAR ELECTION, THREE DIRECTORS SHALL BE ELECTED TO SERVE UNTIL THE THIRD REGULAR ELECTION THEREAFTER; IF THE TERMS OF TWO DIRECTORS EXPIRE AT THE TIME OF SAID REGULAR ELECTION, THREE DIRECTORS SHALL BE ELECTED TO SERVE UNTIL THE THIRD REGULAR ELECTION THEREAFTER AND ONE DIRECTOR SHALL BE ELECTED TO SERVE A TERM THE EXPIRATION OF WHICH COINCIDES WITH THE EXPIRATION OF THE TERM OF THE DIRECTOR HERETOFORE SINGLY ELECTED.

278.1 Enumeration. The voters at the regular election shall have power to:



Subsections 1 through 8 remain unchanged.

9. AUTHORIZE A CHANGE FROM FIVE TO SEVEN DIRECTORS.

10. AUTHORIZE THE ESTABLISHMENT OF DIRECTOR DISTRICTS OR A CHANGE OF BOUNDARIES OF DIRECTOR DISTRICTS.

279.3 Appointment of secretary and treasurer. At the meeting of the board the first secular day AFTER THE SEVENTH DAY in July the board shall appoint a secretary who shall not be a teacher or other employee of the board. It shall also, except in the districts composed in whole or in part of a city or town, appoint a treasurer. Such officers shall be appointed from outside the membership of the board for terms of one year beginning with the first secular day after the seventh day in July which appointment and qualification shall be entered of record in the minutes of the secretary. They shall qualify within ten days following their appointment by taking the oath of office in the manner required by section 277.28 and filing a bond as required by section 291.2 and shall hold office until their successors are appointed and qualified.

279.6 Vacancies filled by board - qualification - tenure. Vacancies occurring among the officers or members of a school board shall be filled by the board by appointment. A person so appointed to fill a vacancy in an elective office shall hold until the organization of the board the third Monday in SEPTEMBER immediately following the next regular election and until his successor is elected and qualified. A person appointed to fill a vacancy in an appointive office shall hold such office for the residue of the unexpired term and until his successor is appointed and qualified. Any person so appointed shall qualify within ten days thereafter in the manner required by section 277.28.

279.30 Annual settlements. On the first secular day AFTER THE SEVENTH DAY in July, the board of each school township and the board of each independent school corporation, shall meet, examine the books of and settle with the secretary and treasurer for the year ending on the thirtieth day of June preceding, and transact such other business as may properly come before it. The treasurer at the time of such settlement shall furnish the board with a sworn statement from each depository showing the balance then on deposit in such depository. Should the secretary or treasurer fail to make proper reports for such settlement, the board shall take action to secure the same.

279.31 Transfer of funds. (Repealed)

279.32 Financial statement - publication. In each consolidated district and in each independent city or town school district, the board shall, during the SECOND week of July of each year, publish by one insertion in at least one newspaper, if there is a newspaper published in said district, a summarized statement verified by affidavit of the secretary of the board showing the receipts and disbursements of all funds for the preceding school year. In all such districts of more than one hundred twenty-five thousand population, the statement of disbursements is to show the names of the persons, firms, or corporations, and the total amount paid to each during the school year.



279.41 SCHOOLHOUSES AND SITES SOLD - FUNDS. ANY FUND RECEIVED FROM THE CONDEMNATION, SALE, OR OTHER DISPOSITION FOR PUBLIC PURPOSES OF SCHOOLHOUSES, SCHOOL SITES OR BOTH SCHOOLHOUSES AND SCHOOL SITES MAY BE DEPOSITED IN THE SCHOOLHOUSE FUND AND MAY WITHOUT A VOTE OF THE ELECTORATE BE USED FOR THE PURCHASE OF SCHOOL SITES AND/OR THE ERECTION OR REPAIR OF SCHOOLHOUSES AS ORDERED BY THE BOARD OF DIRECTORS OF SUCH SCHOOL DISTRICT, PROVIDED, HOWEVER, THAT THE BOARD SHALL COMPLY WITH SECTION 297.7.

281.2 Definition. The term "children requiring special education" shall be interpreted for the purpose of this chapter as either of the following:

Subsection 1 remains unchanged.

2. Children under twenty-one years who are certified to be emotionally maladjusted or intellectually incapable of profiting from ordinary instructional methods.

Provided, that the term "children requiring special education" shall INCLUDE CHILDREN UNDER FIVE YEARS OF AGE BUT SHALL not include the blind, the deaf, and other physically and mentally handicapped children attending special schools or institutions provided by the state.

282.3 Admission and exclusion of pupils.

Subsections 1 through 4 remain unchanged.

5. ON AND AFTER JULY 1, 1962, THE CONDITIONS OF ADMISSION TO PUBLIC SCHOOLS FOR WORK IN THE SCHOOL YEAR IMMEDIATELY PRECEDING THE FIRST GRADE AND IN THE FIRST GRADE SHALL BE AS FOLLOWS:

NO CHILD UNDER THE AGE OF SIX YEARS ON THE FIFTEENTH OF OCTOBER OF THE CURRENT SCHOOL YEAR SHALL BE ADMITTED TO ANY PUBLIC SCHOOL UNLESS THE BOARD OF DIRECTORS OF THE SCHOOL (OR COUNTY BOARD OF EDUCATION) SHALL HAVE ADOPTED AND PUT INTO EFFECT COURSES OF STUDY FOR THE SCHOOL YEAR IMMEDIATELY PRECEDING THE FIRST GRADE, APPROVED BY THE DEPARTMENT OF PUBLIC INSTRUCTION AND SHALL HAVE EMPLOYED A TEACHER OR TEACHERS FOR THIS WORK WITH STANDARDS OF TRAINING APPROVED BY THE DEPARTMENT OF PUBLIC INSTRUCTION.

NO CHILD SHALL BE ADMITTED TO SCHOOL WORK FOR THE YEAR IMMEDIATELY PRECEDING THE FIRST GRADE UNLESS HE IS FIVE YEARS OF AGE ON OR BEFORE THE FIFTEENTH OF OCTOBER OF THE CURRENT SCHOOL YEAR.

NO CHILD SHALL BE ADMITTED TO THE FIRST GRADE UNLESS HE IS SIX YEARS OF AGE ON OR BEFORE THE FIFTEENTH OF OCTOBER OF THE CURRENT SCHOOL YEAR; EXCEPT THAT A CHILD UNDER SIX YEARS OF AGE WHO HAS BEEN ADMITTED TO SCHOOL WORK FOR THE YEAR IMMEDIATELY PRECEDING THE FIRST GRADE UNDER CONDITIONS APPROVED BY THE DEPARTMENT OF PUBLIC INSTRUCTION, OR WHO HAS DEMONSTRATED THE POSSESSION OF SUFFICIENT ABILITY TO PROFIT BY FIRST-GRADE WORK ON THE BASIS OF TESTS OR OTHER MEANS OF EVALUATION RECOMMENDED OR APPROVED BY THE DEPARTMENT OF PUBLIC INSTRUCTION, MAY BE ADMITTED TO FIRST GRADE AT ANY TIME BEFORE DECEMBER 31.



6. ON AND AFTER JULY 1, 1963, THE CONDITIONS OF ADMISSION TO PUBLIC SCHOOLS FOR WORK IN THE SCHOOL YEAR IMMEDIATELY PRECEDING THE FIRST GRADE AND IN THE FIRST GRADE SHALL BE AS FOLLOWS:

NO CHILD UNDER THE AGE OF SIX YEARS ON THE FIFTEENTH OF SEPTEMBER OF THE CURRENT SCHOOL YEAR SHALL BE ADMITTED TO ANY PUBLIC SCHOOL UNLESS THE BOARD OF DIRECTORS OF THE SCHOOL (OR THE COUNTY BOARD OF EDUCATION) SHALL HAVE ADOPTED AND PUT INTO EFFECT COURSES OF STUDY FOR THE SCHOOL YEAR IMMEDIATELY PRECEDING THE FIRST GRADE, APPROVED BY THE DEPARTMENT OF PUBLIC INSTRUCTION AND SHALL HAVE EMPLOYED A TEACHER OR TEACHERS FOR THIS WORK WITH STANDARDS OF TRAINING APPROVED BY THE DEPARTMENT OF PUBLIC INSTRUCTION.

NO CHILD SHALL BE ADMITTED TO SCHOOL WORK FOR THE YEAR IMMEDIATELY PRECEDING THE FIRST GRADE UNLESS HE IS FIVE YEARS OF AGE ON OR BEFORE THE FIFTEENTH OF SEPTEMBER OF THE CURRENT SCHOOL YEAR.

NO CHILD SHALL BE ADMITTED TO THE FIRST GRADE UNLESS HE IS SIX YEARS OF AGE ON OR BEFORE THE FIFTEENTH OF SEPTEMBER OF THE CURRENT SCHOOL YEAR; EXCEPT THAT A CHILD UNDER SIX YEARS OF AGE WHO HAS BEEN ADMITTED TO SCHOOL WORK FOR THE YEAR IMMEDIATELY PRECEDING THE FIRST GRADE UNDER CONDITIONS APPROVED BY THE DEPARTMENT OF PUBLIC INSTRUCTION, OR WHO HAS DEMONSTRATED THE POSSESSION OF SUFFICIENT ABILITY TO PROFIT BY FIRST-GRADE WORK ON THE BASIS OF TESTS OR OTHER MEANS OF EVALUATION RECOMMENDED OR APPROVED BY THE DEPARTMENT OF PUBLIC INSTRUCTION, MAY BE ADMITTED TO FIRST GRADE AT ANY TIME BEFORE DECEMBER 31.

7. NOTHING IN SUBSECTIONS 2, 3, 4, 5, OR 6 SHALL PROHIBIT A SCHOOL BOARD FROM REQUIRING THE ATTAINMENT OF A GREATER AGE THAN THE AGE REQUIREMENTS HEREIN SET FORTH.

282.7 Attending in another corporation - payment. The board of directors in any school district may by record action discontinue any or all of its school facilities. When such action has been taken, the board shall designate an appropriate approved public school or schools for attendance. Tuition shall be paid by the resident district as required in section 279.18 and section 282.20 for all pupils attending designated school, except that high school pupils may attend school of choice and be entitled to tuition, but must attend school designated for attendance to qualify for transportation. Designations shall be made as provided in chapter 285.

ANY SCHOOL DISTRICT WHICH DOES NOT HAVE AN AREA VOCATIONAL TECHNICAL HIGH SCHOOL OR PROGRAM, ESTABLISHED AND APPROVED UNDER THE PROVISIONS OF CHAPTER 258, MAY PERMIT A RESIDENT CHILD TO ATTEND SCHOOL IN ANOTHER DISTRICT WHICH HAS SUCH A SCHOOL OR PROGRAM. SAID CHILD SHALL MEET THE ENTRANCE REQUIREMENTS OF THE SCHOOL DISTRICT WHICH HAS SUCH AN AREA SCHOOL OR PROGRAM. TUITION, BUT NOT TRANSPORTATION, FOR SUCH A CHILD SHALL BE PAID BY THE RESIDENT DISTRICT AS REQUIRED IN SECTION 282.20.

282.18 Children from charitable institution. Children who are residents of a charitable institution organized under the laws of this state or residents of ANY INSTITUTION UNDER THE JURISDICTION OF THE BOARD OF CONTROL and who have completed a course of study for the eighth grade as required by section 282.19 shall be permitted to enter any approved public high school in Iowa that will



receive them and the tuition and transportation when required by law shall be paid by the treasurer of state from any money in his hands not otherwise appropriated and upon warrants drawn and signed by the state comptroller on requisition issued by the superintendent of public instruction. The superintendent of public instruction is hereby empowered to require such reports, from such institution and from the high school such pupils attend, as are necessary properly to carry out the provisions of this section.

286A.3 Basis of aid - standards for junior colleges. GENERAL SCHOOL AID SHALL BE DISTRIBUTED UNDER THIS CHAPTER ON THE BASIS PROVIDED IN SECTION 286A.4.

Approval standards for public junior colleges shall be established and approved by the state board of public instruction, and the state board of regents, acting jointly, with said standards to be issued and enforced by the state department of public instruction, subject to the approval of the state board of public instruction. Eligibility for receipt of state aid for public junior colleges shall be determined by the above two boards. Junior college aid will not be paid unless such standards are met. In the development of said standards, the association of public junior colleges shall serve in the advisory capacity to the aforementioned boards.

286A.4 Determination. The general school aid funds allocated to each district shall be determined as follows:

Subsections 1 and 2 remain unchanged.

3. Multiply one dollar by the average daily enrollment of the students who are residents of the junior college district carrying twelve OR MORE SEMESTER HOURS OF WORK PLUS THE FULL TIME EQUIVALENT OF RESIDENT STUDENTS CARRYING LESS THAN TWELVE SEMESTER HOURS OF WORK. MULTIPLY ONE DOLLAR AND A HALF BY THE AVERAGE DAILY ENROLLMENT OF STUDENTS WHO ARE NONRESIDENTS OF THE DISTRICT CARRYING TWELVE OR MORE SEMESTER HOURS OF WORK PLUS THE FULL TIME EQUIVALENT OF NONRESIDENT STUDENTS CARRYING LESS THAN TWELVE SEMESTER HOURS OF WORK. Multiply the sum of these products by the actual number of days school was officially in session, not to exceed one hundred eighty days. For the purpose of this section "work" means subjects or courses for which credit is granted and which are approved by the state department of public instruction for state aid.

MULTIPLY ONE DOLLAR AND THIRTY CENTS BY THE NUMBER OF STUDENTS FOR WHICH THE DISTRICT PAYS TUITION FOR SUCH STUDENTS TO ATTEND AN AREA VOCATIONAL TECHNICAL HIGH SCHOOL OR PROGRAM WHICH HAS BEEN ESTABLISHED AND APPROVED UNDER THE PROVISIONS OF CHAPTER 258. MULTIPLY THIS PRODUCT BY THE ACTUAL NUMBER OF DAYS THAT THE VOCATIONAL TECHNICAL SCHOOL WAS OFFICIALLY IN SESSION, NOT TO EXCEED ONE HUNDRED EIGHTY DAYS. FOR ANY DISTRICT WHICH HAS AN AREA VOCATIONAL TECHNICAL HIGH SCHOOL OR PROGRAM ESTABLISHED AND APPROVED UNDER THE PROVISIONS OF CHAPTER 258, MULTIPLY ONE DOLLAR AND FIFTY CENTS BY THE NUMBER OF FULL-TIME DAYS STUDENTS WHO HAVE GRADUATED FROM HIGH SCHOOL OR WHO ARE BEYOND TWENTY-ONE YEARS OF AGE AND ARE TUITION STUDENTS. MULTIPLY THIS PRODUCT BY THE ACTUAL NUMBER OF DAYS THAT THE SCHOOL WAS OFFICIALLY IN SESSION, NOT TO EXCEED ONE HUNDRED EIGHTY DAYS. A SCHOOL DISTRICT, IN COMPUTING THE TUITION TO CHARGE SUCH A STUDENT, SHALL DEDUCT THE AMOUNT OF GENERAL AID RECEIVED FOR SUCH STUDENT FROM THE REGULAR TUITION FOR SUCH STUDENT.



286A.5 Information furnished by school district. At the close of each school year, but not later than July 5, the local district shall supply to the state department of public instruction the information required for calculation of the amount reimbursable to the district. FOR ANY DAY STUDENT WHO HAS BEEN ENROLLED ON A LESS THAN A FULL SCHOOL-DAY BASIS, THE REIMBURSEMENT SHALL BE CALCULATED PROPORTIONATELY TO THE PORTION FOR WHICH HE IS ENROLLED AS SHALL BE DETERMINED BY THE STATE DEPARTMENT OF PUBLIC INSTRUCTION. Forms for this purpose shall be supplied by the state department to each school district not later than June 1. After all claims have been calculated and validated for accuracy, the department of public instruction shall certify the same to the state comptroller NOT LATER THAN SEPTEMBER 1 for payment. The state comptroller shall pay one-half of the amount appropriated for general aid to schools on or about November 1 each year and one-half on or about May 1 of the succeeding year. In event that the amount appropriated for reimbursement of the school districts is insufficient to pay in full the amounts to each of the school districts, then the amount of each payment shall be reduced by the state comptroller in the ratio that the total funds appropriated and available bears to the total amount certified for reimbursement. All funds received or to be received under the provisions of this chapter shall be taken into account and considered by each school district when estimating the amount required for the general fund.

286A.7 Funds. For the purpose of carrying out the provisions of this chapter for the distribution of general aid the funds of each school district, except schoolhouse funds, shall be designated as a general fund and a special courses fund.

All general aid moneys distributed to a public school district shall be placed in said school district in the said general fund of said district which fund shall be used only for the following purposes:

The cost of operating and maintaining the school and the cost of instruction and supervision occasioned by the teaching of the basic curriculum hereinafter described.

The special courses fund shall consist of moneys raised by levy against the taxable property of the school district for the cost of instruction and supervision in teaching courses other than those included in the basic curriculum.

For the purposes of this chapter, there is hereby established in each public school a basic curriculum which shall consist of the following subjects:

Subsections 1 through 3 remain unchanged.

4. NOT LATER THAN SEPTEMBER 1 OF EACH YEAR THE DEPARTMENT OF PUBLIC INSTRUCTION SHALL CERTIFY TO THE BOARD OF SUPERVISORS OF EACH COUNTY THE AMOUNT OF GENERAL AID, SUPPLEMENTARY AID, TRANSPORTATION AID, AND ANY OTHER STATE AID THAT WILL BE RECEIVED BY EACH SCHOOL DISTRICT WITHIN THE COUNTY. IN THE EVENT ANY ESTIMATE OF SAID AIDS IN ANY SCHOOL BUDGET CERTIFIED TO THE COUNTY AUDITOR, AS PROVIDED BY SECTION 24.17 OF THE CODE, IS LESS THAN THE AMOUNT OF SAID AID CERTIFIED TO THE COUNTY BOARD OF SUPERVISORS BY THE DEPARTMENT OF PUBLIC INSTRUCTION AS PROVIDED BY THIS SECTION, THE BOARD OF SUPERVISORS SHALL REDUCE THE AMOUNT TO BE RAISED BY TAXATION SHOWN IN THE CERTIFIED BUDGET BY AN AMOUNT EQUAL TO THE DIFFERENCE BETWEEN THE ESTIMATED



AID IN THE BUDGET AND THE AMOUNT OF AID CERTIFIED TO THE BOARD OF SUPERVISORS BY THE STATE DEPARTMENT OF PUBLIC INSTRUCTION BEFORE LEVYING THE TAXES AS PROVIDED BY SECTION 298.8 OF THE CODE.

294.6 Minimum teachers' wage. (Repealed)

294.7 Temporary suspension. (Repealed)

294.12 Pension fund held for survivors. In the event of such termination, all assessments of teachers shall cease upon such date of termination, or upon such earlier date as may be prescribed in such resolution, and no additional taxes shall be levied or assessed for the operation of such system, save as in section 294.13. All undisposed of funds and accumulations derived from the operation of said system, including the proceeds, when collected, of any annual tax heretofore levied for the operation of said system, and including the proceeds of any annual tax levied hereafter pursuant to the provisions of section 294.13, shall constitute a retirement liquidation fund. Such liquidation fund shall be held for the benefit of those surviving beneficiaries under such system as of said date of termination, and of members of such system as of date of termination. There shall be set aside from such retirement liquidation fund an amount sufficient to provide for the payment of all surviving beneficiaries who shall be entitled to receive benefits under such system as of said date of termination, providing an actuarial computation has been made of the amount required to meet such benefit payments, providing the amount in the retirement liquidation fund is sufficient for this purpose, and the amount set aside shall be used for no other purpose than for the payment of claims to such beneficiaries. Any amount in excess of the actuarial equivalent of the sum required to pay such benefit payments shall be apportioned to persons who were as of the effective date of the termination of the system, members of such system, in proportion to the amount which the accumulated contribution of each such person bears to the total funds of such retirement system subject to such apportionment. Any member of such system as of the date of termination thereof, may, in lieu of receiving the cash refund of his share of the liquidation fund, elect to come under the coverage of any new pension and annuity retirement system established by the district, to which he is eligible, with credits toward future benefits in consideration of his prior contributions and length of service, and may direct the transfer of the amount payable to him to the assets of the new pension and annuity retirement system. In any case where the board of directors of a school district including a teachers retirement system established under the provisions of section 294.8, whose members were not under coverage of the Iowa old-age and survivors' insurance system prior to May 1, 1953, the board of directors may authorize the payment from funds in excess of the actuarial amount estimated as required for the payment of benefits to persons entitled to them, and for the purpose of obtaining retroactive social security coverage from January 1, 1951 until the effective date of federal coverage of Iowa public employees as provided by chapter 97C. Each surviving beneficiary entitled to receive retirement benefits of the date of termination of the system will be entitled to receive retirement benefits at the time and in the amount in effect with respect to such beneficiary immediately prior to the date of termination.

IN ANY SCHOOL DISTRICT WHICH HAS PURSUANT TO SECTION 294.11 OF THE CODE TERMINATED A PREVIOUSLY EXISTING PENSION AND ANNUITY RETIREMENT SYSTEM AND



HAS AFTER ACTUARIAL COMPUTATION ESTABLISHED A RETIREMENT RESERVE FUND PURSUANT TO SECTION 294.12 OF THE CODE IN ORDER TO PAY TO SURVIVING BENEFICIARIES ENTITLED TO RECEIVE RETIREMENT BENEFITS AT DATE OF TERMINATION OF SAID SYSTEM IN THE AMOUNT IN EFFECT WITH RESPECT TO SUCH BENEFICIARIES IMMEDIATELY PRIOR TO THE DATE OF TERMINATION, THE BOARD OF DIRECTORS MAY AUTHORIZE EACH AND EVERY PAYMENT TO SUCH SURVIVING BENEFICIARY FALLING DUE SUBSEQUENT TO JUNE 30, 1962, TO BE INCREASED BY FIFTY PERCENT SUCH INCREASED PAYMENTS TO BE PAID FROM THE RETIREMENT RESERVE FUND ACCORDING TO AN ACTUARIAL COMPUTATION THEREOF PLUS SUCH ADDITIONAL AMOUNTS TRANSFERRED FROM THE GENERAL FUND AS MAY BE REQUIRED. IN ORDER TO PROVIDE THE ADDITIONAL AMOUNTS REQUIRED FROM THE GENERAL FUND FOR SUCH INCREASED PAYMENTS, THE BOARD OF DIRECTORS MAY ANNUALLY AT THE MEETING AT WHICH IT ESTIMATES THE AMOUNT REQUIRED FOR THE GENERAL FUND IN ACCORDANCE WITH SECTION 298.1 OF THE CODE ESTIMATE SUCH ADDITIONAL AMOUNT AS AN ACTUARIAL COMPUTATION SHALL SHOW IS NECESSARY FROM THE GENERAL FUND FOR THE PAYMENT OF SUCH INCREASED BENEFITS FOR THE CURRENT SCHOOL YEAR; PROVIDED THE AMOUNT ESTIMATED AND CERTIFIED TO BE TRANSFERRED FROM THE GENERAL FUND TO THE RETIREMENT RESERVE FUND SHALL NOT EXCEED FIVE HUNDREDTHS OF A MILL ON THE DOLLAR OF THE ASSESSED VALUATION OF THE TAXABLE PROPERTY OF THE SCHOOL CORPORATION. THE BOARD OF SUPERVISORS SHALL IN ACCORDANCE WITH THE PROVISIONS OF SECTION 298.8 OF THE CODE LEVY THE TAXES NECESSARY TO RAISE THE AMOUNT ESTIMATED BY THE BOARD OF DIRECTORS AS ABOVE PROVIDED AND CERTIFIED TO THE BOARD OF SUPERVISORS. UPON THE DEATH OF THE LAST BENEFICIARY TO SURVIVE, ANY BALANCE REMAINING IN SAID RETIREMENT RESERVE FUND SHALL BE TRANSFERRED TO THE GENERAL FUND OF SAID SCHOOL DISTRICT.

294.15 State teachers' pension. Any person having attained the age of sixty-five who shall have been an employee, holding a valid teaching certificate, in the public schools of this state with a record of service of twenty-five years or more, including a maximum of five years out-of-state service followed by at least ten years service in this state prior to retirement and who shall have retired prior to July 4, 1953, shall be entitled to receive retirement allowance payments from the state of Iowa of seventy-five dollars per month. Such sums as are necessary to meet this requirement shall be added to the retirement allowance payments, if any, now being received from the state of Iowa by individuals covered by the provisions of this section. NO SUCH PERSON SHALL RECEIVE RETIREMENT BENEFITS FROM THE STATE OF MORE THAN SEVENTY-FIVE DOLLARS PER MONTH.

Application for such retirement allowance payments shall be made to the employment security commission under such rules and regulations as the commission may prescribe. Eligible persons shall be entitled to receive such retirement allowance payments effective from the date of application to the commission, provided such application is approved, and such payments shall be continued on the first day of each month thereafter during the lifetime of any such person.

For the purpose of paying the teachers' retirement allowance payments granted under this section, there is hereby appropriated out of any funds in the state treasury not otherwise appropriated, a sum sufficient therefor.

296.1 Indebtedness authorized. SUBJECT TO THE APPROVAL OF THE VOTERS THEREOF, SCHOOL CORPORATIONS ARE HEREBY AUTHORIZED TO CONTRACT INDEBTEDNESS, AND TO ISSUE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO DEFRAY THE COST OF PURCHASING, BUILDING, FURNISHING, RECONSTRUCTING, REPAIRING, IMPROVING OR



REMODELING A SCHOOLHOUSE OR SCHOOLHOUSES AND ADDITIONS THERETO, GYMNASIUM, STADIUM, FIELD HOUSE, SCHOOL BUS GARAGE, TEACHERS' OR SUPERINTENDENT'S HOME OR HOMES, AND PROCURING A SITE OR SITES THEREFOR, OR PURCHASING LAND TO ADD TO A SITE ALREADY OWNED, OR PROCURING AND IMPROVING A SITE FOR AN ATHLETIC FIELD, OR IMPROVING A SITE ALREADY OWNED FOR AN ATHLETIC FIELD, AND FOR ANY ONE OR MORE OF SUCH PURPOSES. TAXES FOR THE PAYMENT OF SAID BONDS SHALL BE LEVIED IN ACCORDANCE WITH CHAPTER 76 OF THE CODE, AND SAID BONDS SHALL MATURE WITHIN A PERIOD NOT EXCEEDING TWENTY YEARS FROM DATE OF ISSUE, SHALL BEAR INTEREST AT A RATE OR RATES NOT EXCEEDING FIVE PERCENT PER ANNUM AND SHALL BE OF SUCH FORM AS THE BOARD OF DIRECTORS OF SUCH SCHOOL CORPORATION SHALL BY RESOLUTION PROVIDE, BUT THE AGGREGATE INDEBTEDNESS OF ANY SCHOOL CORPORATION SHALL NOT EXCEED FIVE PERCENT OF THE ACTUAL VALUE OF THE TAXABLE PROPERTY WITHIN SAID SCHOOL CORPORATION, AS ASCERTAINED BY THE LAST PRECEDING STATE AND COUNTY TAX LISTS.

ANY SUCH SCHOOL CORPORATION SHALL ALSO BE ALLOWED TO BECOME INDEBTED, UNDER THE ABOVE CONDITIONS, AND ISSUE BONDS THEREFOR TO BUILD, FURNISH, RE-CONSTRUCT, REPAIR, IMPROVE OR REMODEL AND EQUIP A COMMUNITY OR JUNIOR COLLEGE BUILDING AND PURCHASE A SITE THEREFOR WHEN AUTHORIZED BY SECTION 280.18 OF THE CODE. SAID PROPOSITION MAY BE PLACED ON THE SAME BALLOT AS PROVIDED IN SAID SECTION.

296.6 BONDS. IF THE VOTE IN FAVOR OF THE ISSUANCE OF SUCH BONDS IS EQUAL TO AT LEAST SIXTY PERCENT OF THE TOTAL VOTE CAST FOR AND AGAINST SAID PROPOSITION AT SAID ELECTION, THE BOARD OF DIRECTORS SHALL ISSUE THE SAME AND MAKE PROVISION FOR PAYMENT THEREOF.

THE REPEAL OF SECTIONS 296.6 AND THE ENACTMENT OF SUBSTITUTE LAWS THEREFOR, AS HEREINBEFORE PROVIDED, SHALL NOT BE CONSTRUED TO PREVENT ANY SCHOOL CORPORATION FROM PROCEEDING TO ISSUE ITS BONDS PURSUANT TO AUTHORITY GRANTED AT ANY ELECTION HERETOFORE CALLED OR HERETOFORE HELD IN ANY SUCH SCHOOL CORPORATION UNDER THE PROVISIONS OF CHAPTER 296 OF THE CODE. (Chapter 178, Section 3, Laws of Sixtieth General Assembly.)

321.372 Discharging pupils - regulations.

1. The driver of any school bus used to transport children to and from a public or private school shall, when stopping to receive or discharge pupils, turn on the flashing stop warning signal lights at a distance of not less than three hundred feet, nor more than five hundred feet from the point where said pupils are to be received or discharged from the bus. At the point of receiving or discharging pupils the driver of the bus shall bring bus to a stop and extend the stoparm. After receiving or discharging pupils, the bus driver shall turn off the flashing stop warning lights, retract the stoparm and then proceed on the route. No school bus shall stop to load or unload pupils unless there is at least three hundred feet of clear vision in each direction.

2. All pupils shall be received and discharged from the right front entrance of every school bus and if said pupils must cross the highway, they shall be required to pass in front of the bus, look in both directions, and proceed to cross the highway only on signal from the bus driver.



3. The driver of any vehicle when meeting a school bus on which the stop warning signal lights are flashing shall reduce the speed of said vehicle to not more than twenty miles per hour, and shall bring said vehicle to a complete stop when school bus stops and stop signal arm is extended and said vehicle shall remain stopped until stoparm is retracted after which driver may proceed with due caution.

The driver of any vehicle overtaking a school bus shall not pass a school bus when flashing stop warning signal lights are flashing and shall bring said vehicle to a complete stop not closer than fifteen feet of the school bus when it is stopped and stoparm is extended, and shall remain stopped until the stoparm is retracted and school bus resumes motion, or until signalled by the driver to proceed.

This section shall not apply to "business" and "residence" districts UNLESS SO PROVIDED BY ORDINANCE, but shall apply in suburban districts of cities and towns.

365A.1 AUTHORITY IN CITIES AND TOWNS. THE GOVERNING BODY OF THE STATE, COUNTY, SCHOOL DISTRICT, CITY, TOWN OR ANY INSTITUTION SUPPORTED IN WHOLE OR IN PART BY PUBLIC FUNDS MAY ESTABLISH PLANS FOR AND PROCURE GROUP INSURANCE, HEALTH OR MEDICAL SERVICE FOR THE EMPLOYEES OF THE STATE, COUNTY, SCHOOL DISTRICT, CITY, TOWN OR TAX-SUPPORTED INSTITUTION.

365A.2 Sources of funds. The funds for such plans shall be created from the following sources:

Subsections 1 and 2 remain unchanged.

3. SOLELY FROM THE CONTRIBUTIONS OF EMPLOYEES, EXCEPT AS PROVIDED IN SUBSECTIONS 1 AND 2 ABOVE, FOR ANY PLAN ESTABLISHED AFTER JULY 4, 1963.

365A.3 Assessment of employees. All employees participating in any such plan the fund of which is created under the provisions of subsections 1 and 2 of section 365A.2 shall be assessed and required to pay an amount to be fixed by the GOVERNING BODY not to exceed the two percent which shall be contributed by the PUBLIC BODY according to the plan adopted, and the amount so assessed shall be deducted and retained out of the wages or salaries of such employees.

ANY EMPLOYEE MAY AUTHORIZE DEDUCTIONS FROM HIS WAGES OR SALARY IN PAYMENT FOR PLANS AUTHORIZED IN THIS CHAPTER IN THE MANNER PROVIDED IN SECTION 514.16 OF THE CODE.

365A.4 Participation optional. Participation in any such plan shall be optional with all employees eligible to the benefits thereof as provided by the rules and regulations adopted by the GOVERNING BODY pursuant thereto. Election to participate therein shall be in writing signed by the employee and filed with the GOVERNING BODY.

365A.5 Fund under control of GOVERNING BODY. The fund for each plan shall be under the control and shall be expended under the directions of the



GOVERNING BODY and shall be used solely for the purpose of administering and carrying out the provisions of the plan adopted by the GOVERNING BODY.

365A.6 Contract with insurance carrier. The GOVERNING BODY may contract with a nonprofit corporation operating under the provisions of chapter 509 or with ANY INSURANCE COMPANY HAVING A CERTIFICATE OF AUTHORITY TO TRANSACT AN INSURANCE BUSINESS IN THIS STATE with respect of a group insurance plan, which may include life, ACCIDENT, health, hospitalization and disability insurance during period of active service of such employees, with the right of any employee to continue such life insurance in force after termination of active service at such employee's sole expense; and may contract with a nonprofit corporation operating under and governed by the provisions of chapter 509 OR 514 with respect of any hospital or medical service plan.

365A.7 Employee defined. THE WORD "EMPLOYEE" AS USED IN THIS CHAPTER SHALL NOT INCLUDE TEMPORARY OR RETIRED EMPLOYEES; HOWEVER, NOTHING HEREIN SHALL BE CONSTRUED AS PREVENTING A RETIRED EMPLOYEE FROM VOLUNTARILY CONTINUING IN FORCE, AT HIS OWN EXPENSE, AN EXISTING CONTRACT.

365A.8 Rules and regulations. THE GOVERNING BODY OF PUBLIC BODIES establishing any such plan under this chapter shall administer such plan and formulate and establish rules and regulations for the operation thereof, not inconsistent with the provisions of this chapter.

365A.10 Decisions of GOVERNING BODY final. The decisions of the GOVERNING BODY upon all matters upon which the said GOVERNING BODY is empowered to act, under and pursuant to the provisions hereof, shall be final and conclusive in the absence of fraud, and no appeal shall be allowed therefrom nor shall such decisions of the GOVERNING BODY, in the absence of fraud, be reviewed, enjoined or set aside by any court.

365A.11 Definitions. For purposes of this chapter the following terms shall have the following meaning:

1. THE WORDS "GOVERNING BODY" MEANS THE EXECUTIVE COUNCIL OF THE STATE, THE BOARD OF SUPERVISORS OF COUNTIES, THE SCHOOL BOARDS OF SCHOOL DISTRICTS, THE CITY OR TOWN COUNCIL OF CITIES OR TOWNS AND THE SUPERINTENDENT OR OTHER PERSON IN CHARGE OF AN INSTITUTION SUPPORTED IN WHOLE OR IN PART BY PUBLIC FUNDS.

2. THE WORDS "PUBLIC BODY" MEANS THE STATE, A COUNTY, SCHOOL DISTRICT, CITY, TOWN OR INSTITUTION SUPPORTED IN WHOLE OR IN PART BY PUBLIC FUNDS.

378.11 Power to Contract. Contracts may be made between the board of trustees of any free public library AND OTHER BOARDS OF TRUSTEES OF FREE PUBLIC LIBRARIES and any city, town, school corporation, township or county or with the trustees of any county library district for district use by the respective residents. Townships and counties may enter into such contracts, but may only contract for the residents outside of cities and towns. Such contract by a county shall supersede all contracts by the library trustees and townships or school corporations outside of cities and towns.



453.1 Deposits in general. The treasurer of state, and of each county, city, town and school corporation, and each township clerk and each county recorder, auditor, sheriff, each clerk and bailiff of the municipal court, and clerk of the district court, and each secretary of the school board shall deposit all funds in their hands in such banks as are first approved by the executive council, board of supervisors, city or town council, board of school directors, or township trustees, respectively. However, ANY COUNTY, CITY, TOWN OR SCHOOL CORPORATION MAY INVEST FUNDS NOT IMMEDIATELY NEEDED FOR CURRENT OPERATING EXPENSES IN TIME CERTIFICATES OF DEPOSIT OR SAVINGS ACCOUNTS IN BANKS APPROVED AS DEPOSITORIES AS IN THIS CHAPTER PROVIDED. THIS AUTHORITY SHALL BE IN ADDITION TO THAT GRANTED BY SECTIONS 453.9 AND 453.10 OF THE CODE. The treasurer of state shall invest or deposit as provided in section 452.10 any of the public funds not currently needed for operating expenses. The list of public depositories and the amounts severally deposited shall be a matter of public record. The term "bank" shall embrace any corporation, firm, or individual engaged in a general banking business.

453.5 Refusal of deposits--procedure. If none of the duly approved banks will accept said deposits under the conditions herein prescribed or authorized, said funds may be deposited in any approved bank or banks conveniently located within the state.

IF A GOVERNMENTAL UNIT SECURES RESOLUTIONS DULY ADOPTED BY THE BOARD OF DIRECTORS OF TWO OR MORE LAWFUL DEPOSITORY BANKS TO WHICH A BONA FIDE PROFFER TO DEPOSIT PUBLIC FUNDS EITHER IN A SAVINGS ACCOUNT OR IN A TIME CERTIFICATE OF DEPOSIT, FOR SOME PERIOD EXTENDING FROM NINETY DAYS TO ONE YEAR WITH THE PRIVILEGE OF RENEWAL IF MUTUALLY DESIRED, AND WHICH RESOLUTIONS ARE DATED WITHIN TEN DAYS OF THE PROFFER AND DECLINE SUCH PUBLIC DEPOSIT, THEN AND ONLY THEN MAY SUCH GOVERNMENTAL UNIT INVEST SUCH FUNDS SO DECLINED IN INTEREST-BEARING NOTES, CERTIFICATES OR BONDS OF THE UNITED STATES.

453.6 Interest rate. Henceforth public deposits shall be deposited with reasonable promptness and shall except for time certificates of deposit be evidenced by passbook entry by the depository legally designated as depository for such funds. Time certificates of deposit for public funds shall draw interest at rates to be determined January 1 and quarterly thereafter by joint action of the superintendent of banking, insurance commissioner and treasurer of state, of which a majority shall control their actions in setting such rates. Said rates shall not be less than one percent, nor more than THREE percent.

453.8 Liability of public officers. No officer referred to in section 453.1 shall be liable for loss of funds by reason of the insolvency of the depository bank when said funds have been deposited OR INVESTED as herein provided. ANY DEPOSIT OR INVESTMENT IN A LAWFUL DEPOSITORY UPON WHICH INTEREST IS PAID TO A GOVERNMENTAL UNIT UNDER THE PROVISIONS OF THIS CHAPTER SHALL BE CONSIDERED LEGAL DEPOSITS FOR THE PURPOSES OF CHAPTER 454 OF THE CODE.

453.11 DELEGATING INVESTMENT AUTHORITY. A COUNTY, CITY, TOWN OR SCHOOL CORPORATION GOVERNING BODY MAY DELEGATE ITS INVESTMENT AUTHORITY, UNDER THE PROVISIONS OF THIS CHAPTER, TO THE TREASURER OR OTHER FINANCIAL OFFICER OF THE GOVERNMENTAL UNIT, WHO SHALL THEREAFTER BE RESPONSIBLE FOR HANDLING INVESTMENT TRANSACTIONS UNTIL SUCH DELEGATION OF AUTHORITY IS REVOKED.



509.4 Number insured. An insurer may issue policies of individual life, accident, health, hospital, medical or surgical insurance or any combination thereof at reduced rates to employees of a common employer INCLUDING THE STATE, A COUNTY, SCHOOL DISTRICT, CITY, TOWN OR INSTITUTION SUPPORTED IN WHOLE OR IN PART BY PUBLIC FUNDS, BUT THE NUMBER OF EMPLOYEES TO BE INSURED MUST BE MORE THAN FOUR. The premium for such policies may be paid wholly or in part by the employer. If such policies shall provide term life insurance renewable only during the continuance of employment with the employer they shall also provide for conversion to a level premium life policy substantially in accordance with the provisions of subsection 8 of section 509.2.

Chapter 735  
INFRINGEMENT OF CIVIL RIGHTS

735.1 Remains unchanged.

735.2 Remains unchanged.

735.3 Remains unchanged.

735.4 Remains unchanged.

735.4 Remains unchanged.

735.6 EVERY PERSON IN THIS STATE IS ENTITLED TO THE OPPORTUNITY FOR EMPLOYMENT ON EQUAL TERMS WITH EVERY OTHER PERSON. IT SHALL BE UNLAWFUL FOR ANY PERSON OR EMPLOYER TO DISCRIMINATE IN THE EMPLOYMENT OF INDIVIDUALS BECAUSE OF RACE, RELIGION, COLOR, NATIONAL ORIGIN OR ANCESTRY. HOWEVER, AS TO EMPLOYMENT SUCH INDIVIDUAL MUST BE QUALIFIED TO PERFORM THE SERVICES OR WORK REQUIRED.

735.7 IT SHALL BE UNLAWFUL FOR ANY LABOR UNION OR ORGANIZATION OR AN OFFICER THEREOF TO DISCRIMINATE AGAINST ANY PERSON AS TO MEMBERSHIP THEREIN BECAUSE OF RACE, RELIGION, COLOR, NATIONAL ORIGIN OR ANCESTRY.

735.8 ANY PERSON, EMPLOYER, LABOR UNION OR ORGANIZATION OR OFFICER OF A LABOR UNION OR ORGANIZATION CONVICTED OF A VIOLATION OF SUBSECTIONS 1 OR 2 OF THIS ACT SHALL BE PUNISHED BY A FINE NOT TO EXCEED ONE HUNDRED DOLLARS OR IMPRISONMENT IN THE COUNTY JAIL NOT TO EXCEED THIRTY DAYS.

CHAPTER 110  
LAWS OF THE SIXTIETH GENERAL ASSEMBLY  
METROPOLITAN PLANNING COMMISSIONS

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SECTION 1. THE GOVERNING BODIES OF TWO OR MORE ADJOINING CITIES, INDEPENDENTLY OR TOGETHER WITH THE GOVERNING BODY OR BODIES OF THE COUNTY OR COUNTIES WITHIN WHICH SUCH CITIES ARE LOCATED, OR THE GOVERNING BODIES OF TWO OR MORE ADJOINING COUNTIES, OR A COUNTY AND ITS MAJOR CITY OR CITIES, OR THE GOVERNING BODIES OF ONE OR MORE COUNTIES TOGETHER WITH THE GOVERNING BODIES OF ONE OR MORE CITIES ADJOINING SUCH COUNTY OR COUNTIES, OR ANY OF THE ABOVE TOGETHER WITH A SCHOOL DISTRICT, BENEFITED WATER DISTRICT, BENEFITED FIRE DISTRICT, SANITARY DISTRICT OR ANY OTHER SIMILAR DISTRICT WHICH MAY BE



FORMED UNDER AN ACT OF THE LEGISLATURE, MAY COOPERATE IN THE CREATION OF A JOINT PLANNING COMMISSION WHICH MAY BE DESIGNATED TO BE A REGIONAL OR METROPOLITAN PLANNING COMMISSION, AS AGREED AMONG THE GOVERNING BODIES. THE GOVERNING BODIES OF CITIES, COUNTIES, SCHOOL DISTRICTS OR OTHER GOVERNMENTAL UNITS MAY COOPERATE WITH THE GOVERNING BODIES OF THE CITIES AND COUNTIES OR OTHER AUTHORIZED GOVERNING BODIES OF ANY ADJOINING STATE OR STATES IN THE CREATION OF SUCH A JOINT PLANNING COMMISSION WHERE SUCH CO-OPERATION HAS BEEN AUTHORIZED BY LAW BY THE ADJOINING STATE OR STATES.

SECTION 2. THE COMMISSION SHALL HAVE NOT LESS THAN FIVE MEMBERS, APPOINTED BY THE GOVERNING BODIES OF THE AREA SERVED BY THE COMMISSION. A MAJORITY OF THE MEMBERS OF THE COMMISSION SHALL BE CITIZENS WHO HOLD NO OTHER PUBLIC OFFICE OR POSITION EXCEPT APPOINTIVE MEMBERSHIP ON A CITY PLAN COMMISSION OR OTHER PLANNING COMMISSION, BOARD OR AGENCY. CITIZEN MEMBERS SHALL BE APPOINTED FOR OVERLAPPING TERMS OF NOT LESS THAN THREE NOR MORE THAN FIVE YEARS OR THEREAFTER UNTIL THEIR SUCCESSORS ARE APPOINTED. THE APPOINTING GOVERNING BODIES SHALL DETERMINE THE AMOUNT OF COMPENSATION, IF ANY, TO BE PAID TO THE MEMBERS OF A COMMISSION. ANY VACANCY IN THE MEMBERSHIP OF A COMMISSION SHALL BE FILLED FOR THE UNEXPIRED TERM IN THE SAME MANNER AS THE INITIAL APPOINTMENT. THE GOVERNING BODIES SHALL HAVE AUTHORITY TO REMOVE ANY MEMBER FOR CAUSE STATED IN WRITING AND AFTER A PUBLIC HEARING.

SECTION 3. THE JOINT PLANNING COMMISSION SHALL ELECT ONE OF ITS APPOINTIVE MEMBERS AS CHAIRMAN WHO SHALL SERVE FOR ONE YEAR OR UNTIL HE IS RE-ELECTED OR HIS SUCCESSOR IS ELECTED. THE COMMISSION SHALL APPOINT A SECRETARY WHO MAY BE AN OFFICER OR AN EMPLOYEE OF A GOVERNING BODY OR OF THE COMMISSION. THE MEMBERS OF THE COMMISSION SHALL MEET NOT LESS THAN FOUR TIMES A YEAR AT THE CALL OF THE CHAIRMAN AND AT SUCH OTHER TIMES AS THE CHAIRMAN OR THE MEMBERS OF THE COMMISSION SHALL DETERMINE, SHALL ADOPT RULES FOR THE TRANSACTION OF BUSINESS, AND SHALL KEEP A RECORD OF THEIR RESOLUTIONS, TRANSACTIONS, FINDINGS AND DETERMINATIONS, WHICH RECORD SHALL BE A PUBLIC RECORD. THE COMMISSION MAY EMPLOY SUCH EMPLOYEES AND STAFF AS IT MAY DEEM NECESSARY FOR ITS WORK, INCLUDING A DIRECTOR OF PLANNING AND CONSULTANTS. IN THE PERFORMANCE OF ITS DUTIES, THE COMMISSION MAY COOPERATE WITH, CONTRACT WITH, AND ACCEPT AND EXPEND FUNDS FROM FEDERAL, STATE OR LOCAL AGENCIES, PUBLIC OR SEMIPUBLIC AGENCIES, OR PRIVATE INDIVIDUALS OR CORPORATIONS, AND MAY CARRY OUT SUCH COOPERATIVE UNDERTAKINGS AND CONTRACT. IT MAY ENTER INTO OTHER CONTRACTS AND MAKE EXPENDITURES FOR THE PURCHASE OF REQUIRED EQUIPMENT AND SUPPLIES, AND EXERCISE ALL OTHER POWERS NECESSARY TO CARRY OUT THE PURPOSES OF THIS ACT. THE EXPENDITURES OF THE COMMISSION, EXCLUSIVE OF GIFTS OR GRANTS TO THE COMMISSION OR ITS CONTRACT RECEIPTS, SHALL BE WITHIN THE AMOUNTS APPROPRIATED OR PROVIDED TO THE COMMISSION BY THE GOVERNING BODIES OF THE AREA SERVED BY THE COMMISSION, WHO ARE EMPOWERED TO DETERMINE, AGREE UPON, AND APPROPRIATE FUNDS FOR THE PAYMENT OF THE EXPENSES OF THE COMMISSION OF THEIR RESPECTIVE SHARES THEREOF. THE GOVERNING BODIES OF THE AREA SERVED BY THE COMMISSION SHALL COOPERATE WITH THE COMMISSION AND MAY AID THE COMMISSION BY FURNISHING STAFF, SERVICES AND PROPERTY.

SECTION 4 THE COMMISSION SHALL HAVE THE POWER AND DUTY TO MAKE COMPREHENSIVE STUDIES AND PLANS FOR THE DEVELOPMENT OF THE AREA IT SERVES WHICH WILL GUIDE THE UNIFIED DEVELOPMENT OF THE AREA AND WHICH WILL ELIMINATE PLANNING DUPLICATION AND PROMOTE ECONOMY AND EFFICIENCY IN THE COORDINATED DEVELOPMENT OF THE AREA AND THE GENERAL WELFARE, CONVENIENCE, SAFETY, AND PROSPERITY



OF ITS PEOPLE. THE PLAN OR PLANS COLLECTIVELY SHALL BE KNOWN AS THE REGIONAL OR METROPOLITAN DEVELOPMENT PLAN. THE PLANS FOR THE DEVELOPMENT OF THE AREA MAY INCLUDE, BUT SHALL NOT BE LIMITED TO, RECOMMENDATIONS WITH RESPECT TO EXISTING AND PROPOSED HIGHWAYS, BRIDGES, AIRPORTS, STREETS, PARKS AND RECREATIONAL AREAS, SCHOOLS AND PUBLIC INSTITUTIONS AND PUBLIC UTILITIES, PUBLIC OPEN SPACES, AND SITES FOR PUBLIC BUILDINGS AND STRUCTURES; DISTRICTS FOR RESIDENCE, BUSINESS, INDUSTRY, RECREATION, AGRICULTURE, AND FORESTRY; WATER SUPPLY, SANITATION, DRAINAGE, PROTECTION AGAINST FLOODS AND OTHER DISASTERS; AREAS FOR HOUSING DEVELOPMENTS, SLUM CLEARANCE AND URBAN RENEWAL AND REDEVELOPMENT; LOCATION OF PRIVATE AND PUBLIC UTILITIES, INCLUDING BUT NOT LIMITED TO SEWERAGE AND WATER SUPPLY SYSTEMS; AND SUCH OTHER RECOMMENDATIONS CONCERNING CURRENT AND IMPENDING PROBLEMS AS MAY AFFECT THE AREA SERVED BY THE COMMISSION. TIME AND PRIORITY SCHEDULES AND COST ESTIMATES FOR THE ACCOMPLISHMENT OF THE RECOMMENDATIONS MAY ALSO BE INCLUDED IN THE PLANS. THE PLANS SHALL BE BASED UPON AND INCLUDE APPROPRIATE STUDIES OF THE LOCATION AND EXTENT OF PRESENT AND ANTICIPATED POPULATIONS; SOCIAL, PHYSICAL, AND ECONOMIC RESOURCES, PROBLEMS AND TRENDS; AND GOVERNMENTAL CONDITIONS AND TRENDS. THE COMMISSION IS ALSO AUTHORIZED TO MAKE SURVEYS, LAND-USE STUDIES, AND URBAN RENEWAL PLANS, PROVIDE TECHNICAL SERVICES AND OTHER PLANNING WORK FOR THE AREA IT SERVES AND FOR CITIES, COUNTIES, AND OTHER POLITICAL SUBDIVISIONS IN THE AREA. A PLAN OR PLANS OF THE COMMISSION MAY BE ADOPTED, ADDED TO, AND CHANGED FROM TIME TO TIME BY A MAJORITY VOTE OF THE PLANNING COMMISSION. THE PLAN OR PLANS MAY IN WHOLE OR IN PART BE ADOPTED BY THE GOVERNING BODIES OF THE COOPERATING CITIES AND COUNTIES AS THE GENERAL PLANS OF SUCH CITIES AND COUNTIES. THE COMMISSION MAY ALSO ASSIST THE GOVERNING BODIES AND OTHER PUBLIC AUTHORITIES OR AGENCIES WITHIN THE AREA IT SERVES IN CARRYING OUT ANY REGIONAL PLAN OR PLANS, AND ASSIST ANY PLANNING COMMISSION, BOARD OR AGENCY OF THE CITIES AND COUNTIES AND POLITICAL SUBDIVISIONS IN THE PREPARATION OF EFFECTUATION OF LOCAL PLANS AND PLANNING CONSISTENT WITH THE PROGRAM OF THE COMMISSION. THE COMMISSION MAY COOPERATE AND CONFER, AS FAR AS POSSIBLE, WITH PLANNING AGENCIES OF OTHER STATES OR OF REGIONAL GROUPS OF STATES ADJOINING ITS AREA.

SECTION 5. COPIES OF THE PLAN OR PLANS AND AMENDMENTS OR REVISIONS OF A PLAN OR PLANS PREPARED BY A COMMISSION MAY BE TRANSMITTED BY THE COMMISSION TO THE CHIEF ADMINISTRATIVE OFFICERS, THE LEGISLATIVE BODIES, THE PLANNING COMMISSIONS, BOARDS OR AGENCIES OF THE COUNTIES AND CITIES WITHIN ITS AREA, AND TO REGIONAL OR METROPOLITAN PLANNING COMMISSIONS ESTABLISHED FOR ADJOINING AREAS. A COMMISSION MAY MAKE COPIES OF ITS PLAN OR PLANS OR PARTS OF PLANS AVAILABLE FOR GENERAL DISTRIBUTION OR SALE, AND MAY ADVISE AND SUPPLY INFORMATION, AS FAR AS AVAILABLE, TO PERSONS AND ORGANIZATIONS WHO MAY REQUEST SUCH ADVICE AND INFORMATION AND WHO ARE CONCERNED WITH THE AREA'S DEVELOPMENT PROBLEMS. IT MAY ALSO PROVIDE INFORMATION TO STATE AND LOCAL AGENCIES AND TO THE PUBLIC AT LARGE, IN ORDER TO FOSTER PUBLIC AWARENESS AND UNDERSTANDING OF THE OBJECTIVES OF REGIONAL OR METROPOLITAN PLANNING, AND IN ORDER TO STIMULATE PUBLIC INTEREST AND PARTICIPATION IN THE ORDERLY, INTEGRATED DEVELOPMENT OF THE AREA SERVED BY THE COMMISSION.

SECTION 6. TO FACILITATE EFFECTIVE AND HARMONIOUS PLANNING OF THE REGION OR METROPOLITAN AREA, ALL GOVERNING BODIES IN THE AREA SERVED BY A COMMISSION, AND ALL COUNTY AND CITY PLANNING COMMISSIONS, BOARDS OR AGENCIES IN THE AREA MAY FILE WITH THE COMMISSION, FOR ITS INFORMATION, ALL COUNTY OR CITY PLANS, ZONING ORDINANCES, OFFICIAL MAPS, BUILDING CODES, SUBDIVISION REGULATIONS, OR AMENDMENTS OR REVISIONS OF THEM, AS WELL AS COPIES OF THEIR REGULAR AND SPECIAL



REPORTS DEALING IN WHOLE OR IN PART WITH PLANNING MATTERS. COUNTY OR CITY GOVERNING BODIES, OR COUNTY OR CITY LOCAL PLANNING COMMISSIONS, BOARDS OR AGENCIES MAY ALSO SUBMIT PROPOSALS TO A COMMISSION FOR SUCH PLANS, ORDINANCES, MAPS, CODES, REGULATIONS, AMENDMENTS OR REVISIONS PRIOR TO THEIR ADOPTION, IN ORDER TO AFFORD AN OPPORTUNITY TO THE COMMISSION TO STUDY SUCH PROPOSALS AND TO RENDER ADVICE THEREON.

SECTION 7. NOTHING IN THIS CHAPTER SHALL BE CONSTRUED TO REMOVE OR LIMIT THE POWERS OF THE COOPERATING CITIES, COUNTIES, SCHOOL DISTRICTS, BENEFITED WATER DISTRICTS, BENEFITED FIRE DISTRICTS, SANITARY DISTRICTS, OR SIMILAR DISTRICTS AS PROVIDED BY STATE LAW. ALL LEGISLATIVE POWER WITH RESPECT TO ZONING AND OTHER PLANNING LEGISLATION SHALL REMAIN WITH THE GOVERNING BODY OF THE COOPERATIVE CITIES AND COUNTIES. EACH PARTICIPATING CITY OR COUNTY MAY CONTINUE TO HAVE ITS OWN PLANNING COMMISSION OR BOARD BUT MAY UNDER THE JOINT AGREEMENT AND IN THE INTEREST OF ECONOMY AND EFFICIENCY AND IN THE INTEREST OF UNIFORM STANDARDS AND PROCEDURES, REQUEST THE METROPOLITAN OR REGIONAL PLANNING COMMISSION TO ASSUME DUTIES AND FUNCTIONS OF LOCAL PLANNING AGENCIES IN WHOLE OR IN PART. THE METROPOLITAN OR REGIONAL PLANNING COMMISSION SHALL HAVE THE DUTY AND FUNCTION OF PROMOTING PUBLIC INTEREST AND UNDERSTANDING OF THE ECONOMIC AND SOCIAL NECESSITY FOR LONG-TERM COORDINATED PLANNING FOR THE METROPOLITAN OR REGIONAL AREA, BUT ITS OFFICIAL RECOMMENDATIONS SHALL BE MADE TO THE GOVERNING BODIES OF THE COOPERATING CITIES, COUNTIES, SCHOOL DISTRICTS, BENEFITED WATER DISTRICTS, BENEFITED FIRE DISTRICTS, SANITARY DISTRICTS, OR SIMILAR DISTRICTS.

SECTION 8. IF ANY PROVISIONS OF THIS ACT OR THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, SUCH INVALIDITY SHALL NOT AFFECT OTHER PROVISIONS OR APPLICATION OF THE ACT WHICH CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISIONS OR APPLICATION, AND TO THIS END THE PROVISIONS OF THIS ACT ARE DECLARED TO BE SEVERABLE.

APPROVED APRIL 18, 1963.

CHAPTER 170  
LAWS OF THE SIXTIETH GENERAL ASSEMBLY  
GIFTS TO SCHOOLS

SECTION 1. THE BOARD OF DIRECTORS OF ANY SCHOOL DISTRICT WHICH RECEIVES FUNDS THROUGH GIFTS, DEVISES AND BEQUESTS MAY UTILIZE THE SAME, UNLESS LIMITED BY THE TERMS OF THE GRANT, IN THE GENERAL OR SCHOOLHOUSE FUND EXPENDITURES.



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