

ACTS AND JOINT RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

Forty-eighth General Assembly

OF THE

STATE OF IOWA

EDITED BY
DWIGHT G. McCARTY
UNDER THE DIRECTION OF
DAVID K. BROWN
SUPERINTENDENT OF PRINTING

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CERTIFICATE

STATE OF IOWA
Office of Superintendent of Printing

I, David K. Brown, Superintendent of Printing, do hereby certify that the acts, laws and joint resolutions and the certificates by the Secretary of State of the publication thereof contained in this volume have been prepared from the original enrolled acts on file in the office of the Secretary of State and are correct and are published under the authority of the statutes of this state and constitute the acts, laws and joint resolutions of the Forty-eighth General Assembly of the State of Iowa.



Superintendent of Printing.

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WASSEL: GORHAM

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STATE ROSTER

List of state officers, members of the general assembly, judges of the supreme, district, superior, and municipal court and commissioners for this state in other states as prepared and furnished by the Hon. Earl G. Miller, Secretary of State, for publication with the laws of the Forty-eighth General Assembly in accordance with the requirements of Sec. 163 of the Code.

STATE OFFICERS

ELECTIVE

Official Address—Des Moines, Iowa

NAME	TITLE	Residence	Politics
Geo. A. Wilson	Governor	Des Moines	Republican
Bourke B. Hickenlooper	Lieutenant Governor	Cedar Rapids	Republican
*John F. Wessels	Secretary of State	Des Moines	Independent
Earl G. Miller	Secretary of State	Des Moines	Republican
Chet B. Akers	Auditor of State	Ottumwa	Republican
W. G. C. Bagley	Treasurer of State	Mason City	Republican
Mark G. Thornburg	Secretary of Agriculture	Emmetsburg	Republican
Fred D. Everett	Attorney General	Albia	Republican
B. M. Richardson	Commerce Commissioner	Cedar Rapids	Republican
Barr Keshlear	Commerce Commissioner	Shenandoah	Republican
M. P. Conway	Commerce Commissioner	Atlantic	Democrat
Jessie M. Parker	Superintendent of Public Instruction	Lake Mills	Republican

*Short term ending January 2, 1939.

SENATORS IN GENERAL ASSEMBLY

Republicans

NAME	Residence	Age	Occupation	Dist	Counties Composing District	Former Legislative Service
*Beardsley, Wm. S.	New Virginia	37	Merchant	11	Warren, Clarke	45 45X 46 46X 47
Bekman, Elmer K.	Ottumwa	38	Attorney	13	Wapello	
Benson, Ralph E.	Jefferson	31	Farm Manager	48	Carroll, Greene, Sac	
Berg, John P.	Cedar Falls	54	Merchant	38	Black Hawk, Grundy	46 46X 47
*Byers, Frank C.	Cedar Rapids	54	Attorney	26	Linn	43 44 45 45X 46 46X 47
Corwin, E. P.	Fruitland	55	Farmer	20	Muscatine, Louisa	46 46X 47
Cromwell, Fred	Burlington	33	Attorney	9	Des Moines	
Dewey, A. Claire	Washington	52	Orchardist	10	Washington, Henry	46 46X 47
Donohue, E. P.	New Hampton	39	Attorney	44	Chickasaw, Floyd	46 46X 47
*Doran, L. H.	Boone	45	Attorney	31	Boone, Story	43 44 47
*Edwards, Howard W.	Tingley	69	Undertaker	5	Decatur, Ringgold, Union	46X 47
*Elthon, Leo	Fertile	40	Farmer	41	Worth, Mitchell, Winnebago	45 45X 46 46X 47
*Evans, K. A.	Emerson	40	Farm Manager	8	Mills, Montgomery	47
Paul, George M.	Des Moines	39	Attorney	30	Polk	
*Forsling, L. B.	Sioux City	47	Attorney	32	Woodbury	39 40 40X 41 42 42X 43 44
Hart, Stanley L.	Keokuk	42	Wholesale Cheese Merchant	1	Lee	47
Harvey, Robert W.	Missouri Valley	63	Druggist	34	Harrison, Monona, Crawford	
Hill, G. R.	Clarion	51	Attorney	37	Hamilton, Hardin, Wright	46X 47
Henningsen, O. H.	Clinton	55	Insurance and Real Estate	22	Clinton	
*Hoeven, Charles B.	Alton	43	Attorney	49	Lyon, Osceola, O'Brien, Sioux	47
*Hopkins, George M.	Guthrie Center	72	Farmer	17	Audubon, Dallas, Guthrie	42 43 43X 45 45X 46 47
*Husted, Ora E.	St. Charles	62	Farmer	16	Adair, Madison	44 45 45X 46 46X 47
*Kirketeg, O. J.	Bedford	47	Attorney	6	Adams, Taylor	47
Leo, Richard V.	Dysart	50	Livestock and Farming	45	Tama, Benton	45X
*Levis, H. V.	Chariton	42	Attorney	4	Lucas, Wayne	47
*Lundy, Hugh W.	Albia	43	Attorney	15	Monroe, Marion	47
Martin, Frank D.	Davenport	54	Former Sheriff	21	Scott	
Mowry, Ross R.	Newton	56	Attorney	29	Jasper	
*Parker, George L.	Independence	59	Pharmacist	33	Delaware, Buchanan	46 46X 47
Pelzer, Frank	Marne	62	Farmer	18	Cass, Shelby	46X 47
*Schadt, Frederick C.	Williamsburg	52	Physician and Surgeon	25	Iowa, Johnson	47
Shaw, Albert J.	Pocahontas	62	Attorney	50	Buena Vista, Humboldt, Pocahontas	46 46X 47
Sjulin, Carl O.	Hamburg	48	Nurseryman	7	Fremont, Page	
*Smith, C. Colfax	Clarksville	70	Physician and Surgeon	39	Butler, Bremer	46 46X 47
*Stewart, Paul P.	Maynard	62	Farmer	40	Allamakee, Fayette	47
Talbot, John E.	Brooklyn	51	Attorney	12	Keokuk, Poweshiek	
*Whitehill, B. C.	Marshalltown	63	Real Estate	28	Marshall	47
*Zeigler, Sanford, Jr.	Fairfield	47	Farming	2	Jefferson, Van Buren	46 46X 47

STATE SENATORS

v

Democrats

*Augustine, A. E.	Oskaloosa	48	Real Estate	14	Mahaska	46X 47
*Baldwin, Howard C.	Cascade	34	Editor and Publisher	35	Dubuque	45X 46 47
*Breen, Edward	Ft. Dodge	39	Attorney	27	Calhoun, Webster	47
*Dean, Earl	Mason City	44	Farmer	43	Cerro Gordo, Franklin, Hancock	45 45X 47
*Ellis, Frank E.	Maquoketa	59	Real Estate and Insurance	23	Jackson	47
*Geske, M. X.	McGregor	65	Attorney	36	Clayton	45 45X 46 46X 47
*Gillette, Lester S.	Fostoria	..	Farming	47	Clay, Dickinson, Emmet, Kossuth, Palo Alto	47
*Guernsey, Hugh G.	Centerville	46	Attorney	3	Appanoose, Davis	46X 47
*Mighell, Winfred	Holstein	64	Farmer	46	Ida, Cherokee, Plymouth	47
*Miller, Henry D.	Morley	70	Farmer	24	Cedar, Jones	45 45X 46 46X 47
*Moore, Morris	Walnut	64	Physician and Surgeon	19	Pottawattamie	45 45X 46 46X 47
Vrba, Edward H.	Cresco	30	Farmer	42	Howard, Winnesheik	47

* Holdover Senators.

** To fill vacancy.

REPRESENTATIVES IN GENERAL ASSEMBLY

Republicans

NAME	Address	Age	Occupation	County	Former Legislative Service
Avery, A. H.	Spencer	68	Insurance	Clay	44 45X 46
Axmeear, W. C.	Keswick	56	Lumberman	Keokuk	
Beeler, W. J.	Winterset	63	Farmer	Madison	
Blue, Robert D.	Eagle Grove	40	Attorney	Wright	46 46X 47
Bowers, L. C.	Kent	71	Merchant	Union	45 45X 46 46X 47
Brodersen, T. H.	Battle Creek	61	Farmer	Ida	47
Bulow, Harry F.	Clinton	54	Barber Proprietor	Clinton	47
Burk, I. J.	Rippey	61	Farmer	Greene	
Burma, Henry W.	Allison	43	Former Sheriff	Butler	47
Clark, Clarence L.	Corydon	61	Abstracter of Titles	Wayne	
Claypool, Harold B.	Williamsburg	37	Attorney	Iowa	
Cooper, Elmer E.	Corning	55	Farmer	Adams	
Dancer, David A.	Lamoni	42	Farmer	Decatur	46 46X 47
Davenport, John A.	Sioux City	67	Former Sheriff	Woodbury	
Dodds, Bert E.	Danville	53	Farmer	Des Moines	47
Dvorak, Raphael R. R.	Toledo	30	Attorney	Tama	
Dykhouse, J. T.	Rock Rapids	49	Farm Loans, Ins., Farming	Lyon	47
Fishbaugh, Earl C., Jr.	Shenandoah	29	Attorney	Page	46 46X 47

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Foster, Harlan C.	Mt. Pleasant	52	Farmer	Henry	47
Gardner, John R.	Lisbon	63	Physician and Surgeon	Linn	47
Goode, Dewey E.	Bloomfield	40	Produce and Fur Dealer	Davis	45 45X 46 46X 47
Greene, A. C.	Denison	57	Former Sheriff	Crawford	
Gregory, Curtis W.	Adel	41	Attorney	Dallas	
Guernsey, N. E.	Milton	60	Newspaper Publisher	Van Buren	
Hall, J. R.	Malvern	58	Lumber	Mills	
Hallagan, Frank B.	Des Moines	49	Attorney	Polk	
Hathaway, George	Independence	59	Mail Messenger	Buchanan	47
Hauge, Herbert H.	Des Moines	32	Attorney	Polk	
Heffner, John S.	Webster City	55	Farmer and Stockman	Hamilton	
Hocum, Frank O.	Newell	58	Retired	Buena Vista	
Hoegh, Leo. A.	Chariton	30	Attorney	Lucas	47
Hultman, O. N.	Stanton		Retail Lumber Dealer	Montgomery	45 45X 46 46X 47
Hyett, F. E.	Oskaloosa	71	Lumber Yard and Elevator	Mahaska	
Irwin, John R.	Keokuk		Wholesale Dry Goods	Lee	43 46 46X 47
Johnson, Carroll	Knoxville	25	Attorney	Marion	
Johnson, Elmer A.	Cedar Rapids	67	Attorney	Linn	45 45X
Judd, William N.	Clinton	51	Railroad Yardmaster	Clinton	47
Kerr, William	Randolph	65	Physician and Surgeon	Fremont	47
Knowlton, W. P.	Decorah	53	Salesman	Winneshiek	
Knudson, Herman M.	Mason City	51	Florist, Printing	Cerro Gordo	46 46X
Knudson, John	Marshalltown	33	Farmer and Seedsman	Marshall	47
Kruse, William	Rockford	48	Farmer	Floyd	
Kuester, G. T.	Griswold	50	Farmer	Cass	46 46X 47
Lampman, L. O.	Primghar	44	Attorney	O'Brien	
Latchaw, F. A.	Wilton Jct.	56	Electrical Contractor	Muscatine	47
Lichty, E. M.	Waterloo	71	Retired Farmer	Black Hawk	40 41 42 42X 43 44 45 45X
Love, H. S.	Bridgewater	48	Hardware, Produce	Adair	46 46X 47
Lucas, James A.	Bedford	42	Attorney	Taylor	
Lutz, John C.	Council Bluffs	55	Insurance	Pottawattamie	
McFarlane, Arch W.	Waterloo	53	Wholesale Fuel Dealer	Black Hawk	36 37 38 38X 39 42 42X 43 44 45 45X 46
Martin, S. A.	Centerville	67	Manufacturer	Appanoose	
Miller, J. F.	Humboldt	52	Grain Dealer and Farm Opr.	Humboldt	
Morrison, Wm. F.	Iowa City	24	Attorney	Johnson	
Morrisey, Edward J.	Valeria	50	Farming and Livestock	Jasper	
Morrow, H. E.	Hopkinton	56	Minister	Delaware	47
Nelson, Charles W.	Packwood	30	Hatchery	Jefferson	47
Odden, J. G.	Lake Mills	60	Merchant	Winnebago	47

STATE REPRESENTATIVES—Continued

Peisen, Dean W.	Eldora	50	Attorney	Hardin	47
Peyton, H. L.	Logan	42	Merchant	Harrison	
Pieper, Elmer	Waukon	52	Attorney	Allamakee	
Pine, F. J.	Columbus Jct.	45	Automobile Dealer & Farmer	Louis	47
Prall, S. E.	Indianola	33	Attorney	Warren	47
Prentis, X. T.	Mt. Ayr	42	Hatchery and Feed Store	Ringgold	
Randall, Claus	Manly	56	Farmer	Worth	47
Risse, H. F.	Mitchell		Minister and Insurance	Mitchell	
Ritchie, Fred J.	Marcus	59	Farmer	Cherokee	
Roan, Phillip F.	Ft. Madison		Attorney	Lee	46 46X 47
Ropes, Wayne M.	Onawa	40	Real Estate and Insurance	Monona	
Rovn, Lehman C.	Armstrong	32	Farmer, Teacher, Salesman	Emmet	
Scholz, Charles H.	New Hampton	27	Attorney	Chickasaw	
Schwendemann, Francis	Duncombe	51	Farmer and Dairyman	Webster	
Scott, E. W.	Lake View	58	Farmer	Sac	46 46X 47
Scott, Geo. L.	West Union	50	Farmer	Fayette	46 46X 47
Shales, John R.	Tripoli	51	Theater Manager	Bremer	
Sharp, F. E.	Elkader	44	Attorney	Clayton	
Shimanek, C. F.	Monticello	28	Attorney	Jones	
Siefkas, Henry	Osceola	41	Farmer	Clark	
Smith, Gordon	Clarence	35	Minister	Cedar	
Steinberg, Albert	Ames	48	Attorney	Story	
Stewart, E. L.	Washington	53	Farmer	Washington	46 46X 47
Thompson, Jens	Rolfe	51	Farmer	Pocahontas	46 46X 47
Thompson, Stanley M.	Yale	59	Farmer and Stock Feeder	Guthrie	46 46X 47
Troeger, Paul	Ottumwa	39	Teacher	Wapello	
Van Oosterhout, M. D.	Orange City	38	Attorney	Sioux	
Walter, Herman W.	Council Bluffs	27	Attorney	Pottawattamie	
Weichman, Harry E.	Newhall	46	Farmer	Benton	47
Wichman, Henry	Malcom	56	Farmer	Poweshiek	
Wilson, Melvin	Lake City	48	Rendering and Stockman	Calhoun	
Wood, W. G.	Albia	65	Retired	Monroe	47

Democrats

Alesch, Gustave	Marcus	61	Farmer	Plymouth	45 45X 46 46X 47
Bittner, Grover J.	Bellevue	53	Lumberman	Jackson	
Dietz, Walter	Walcott	42	Farmer, Dairy	Scott	47
Eckerman, Howard P.	Davenport	30	Attorney	Scott	
Elliott, Mrs. Isabel M.	Bronson	49	Farmer	Woodbury	47
Graham, J. A.	Audubon	64	Attorney	Audubon	
Hermesen, John B.	Carroll	54	Public Service & Farm Bur.	Carroll	
Irwin, James E.	Boone	58	Insurance	Boone	

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Johannes, W. J.	Ashton	48	Banker	Osceola	46 46X 47
Johnson, Oscar E.	Kanawha	44	Druggist	Hancock	46 46X 47
Keeney, George Harvey	Mallard	58	Physician and Surgeon	Palo Alto	47
Knippling, John	Elmo	49	Farmer	Howard	47
Kohlhaas, Phillip J.	Algona	51	Real Estate Broker	Kossuth	47
Manley, John W.	Dyersville	30	Attorney	Dubuque	
Moore, E. A.	Harlan	66	Physician	Shelby	46 46X 47
Paullus, Fred J.	Hampton	44	Stock Breeder and Dairy	Franklin	
Reilly, Robert C.	Dubuque	34	Sales Representative	Dubuque	
Ross, C. W.	Wellsburg	48	Garage	Grundy	47
Yager, W. A.	Spirit Lake	50	Salesman	Dickinson	45 45X 46 46X 47

OFFICERS OF THE FORTY-EIGHTH GENERAL ASSEMBLY

OFFICERS OF THE SENATE

<i>President</i> —Lieut. Governor Bourke B. Hickenlooper	Cedar Rapids
<i>President Pro Tempore</i> —Charles B. Hoeven	Alton
<i>Secretary</i> —Walter H. Beam	Martensdale
<i>Assistant Secretary</i> —C. H. Pitchforth	Muscatine
<i>Reading Clerk</i> —W. J. Scarborough	West Des Moines
<i>Journal Clerk</i> —Margaret E. Santee	Cedar Falls
<i>Assistant Journal Clerk</i> —Ruth Hauge	Boone
<i>Engrossing Clerk</i> —Wendel Lowe	Weldon
<i>Enrolling Clerk</i> —Florence Wattles	Waukon
<i>Enrolled Bills Clerk</i> —Margaret G. Allen	Estherville
<i>Special Clerk</i> —Mable M. Hoeye	Adel
<i>Sergeant-at-Arms</i> —Frank D. Logan	Glenwood
<i>Assistant Sergeant-at-Arms</i> —Harvey E. Daines	Buffalo
<i>Chief Doorkeeper</i> —Ben J. Beck	Marcus
<i>Bill Clerk</i> —Nelson C. A. Berg	Ellsworth
<i>File Clerk</i> —Burrell S. May	Manchester
<i>Assistant File Clerk</i> —Harry Upham	Fredricksburg
<i>Lieutenant Governor's Clerk</i> —Helen Berry	Cedar Rapids
<i>Secretary's Clerk</i> —Dorothy Dillman	Chariton
<i>Postmistress</i> —Jennie Hyatt	La Moille

OFFICERS OF THE HOUSE

<i>Speaker</i> —John R. Irwin	Keokuk
<i>Speaker Pro Tempore</i> —Dewey E. Goode	Bloomfield
<i>Chief Clerk</i> —A. C. Gustafson	Des Moines
<i>Assistant Chief Clerk</i> —James W. Richards	Eldora
<i>Reading Clerk</i> —Tom Moore King	Coin
<i>Special Clerk</i> —Lillian Leffert	Des Moines
<i>Journal Clerk</i> —Phyllis Rogers	Coon Rapids
<i>Journal Clerk</i> —June G. Barrett	Wapello
<i>Engrossing Clerk</i> —Jenivie L. Jack	Muscatine
<i>Enrolling Clerk</i> —Mae Hornseth	Rock Rapids
<i>Clerk of Enrolled Bills</i> —Mildred Tapley	Sac City
<i>Speakers' Clerk</i> —Edith Auld	Keokuk
<i>Chief Clerk's Clerk</i> —Martha P. Cesar	Des Moines
<i>File Clerk</i> —Gerald J. Frizzell	Manly
<i>Assistant File Clerk</i> —Carlton Hansen	Atlantic
<i>Bill Clerk</i> —Howard Erbe	McGregor
<i>Assistant Bill Clerk</i> —Richard Bitting	Indianola
<i>Postmaster</i> —Hazel N. Chapman	Bagley
<i>Sergeant-at-Arms</i> —John Jacobsen	Clinton
<i>Assistant Sergeant-at-Arms</i> —Harry L. Black	Bloomfield

JUDICIAL DEPARTMENT

JUDGES OF THE SUPREME COURT

Wm. L. Bliss.....	Mason City.....	Republican
Oscar Hale.....	Wapello.....	Republican
W. H. Hamilton.....	Sigourney.....	Democrat
Frederic M. Miller.....	Des Moines.....	Republican
R. F. Mitchell.....	Fort Dodge.....	Democrat
*Ralph A. Oliver.....	Sioux City.....	Republican
Paul W. Richards.....	Red Oak.....	Democrat
E. A. Sager.....	Waverly.....	Democrat
Carl B. Stiger.....	Toledo.....	Democrat

*To fill vacancy.

JUDGES OF THE DISTRICT COURTS

First Judicial District

James S. Burrows.....	Keokuk	J. R. Leary.....	Keokuk
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Second Judicial District

George W. Dashiell.....	Albia	Heinrich C. Taylor.....	Bloomfield
Elmer K. Daugherty.....	Ottumwa	Charles F. Wennerstrum.....	Chariton

Third Judicial District

Homer A. Fuller.....	Mount Ayr	George A. Johnston.....	Creston
H. H. Carter.....	Corydon		

Fourth Judicial District

Miles W. Newby.....	Onawa	Robert H. Munger.....	Sioux City
A. O. Wakefield.....	Sioux City	D. C. Browning.....	Sioux City

Fifth Judicial District

W. S. Cooper.....	Winterset	Norman R. Hays.....	Knoxville
E. W. Dingwell.....	Adel		

Sixth Judicial District

Frank Bechly	Montezuma	P. J. Siegers.....	Newton
J. G. Patterson.....	Oskaloosa		

Seventh Judicial District

D. V. Jackson.....	Muscatine	W. W. Scott.....	Davenport
J. E. Purcell.....	Clinton	W. R. Maines.....	Davenport
F. D. Kelsey.....	Maquoketa		

Eighth Judicial District

H. D. Evans.....	Iowa City	Jas. P. Gaffney.....	Williamsburg
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Ninth Judicial District

Joseph E. Meyer.....	Des Moines	Loy Ladd.....	Des Moines
O. S. Franklin.....	Des Moines	John J. Halloran.....	Des Moines
Frank S. Shankland.....	Des Moines	Russell Jordan.....	Des Moines

Tenth Judicial District

George W. Wood.....	Waterloo	A. B. Lovejoy.....	Waterloo
R. W. Hasner.....	Waterloo		

Eleventh Judicial District

H. E. Fry.....	Boone	T. G. Garfield.....	Ames
Sherwood A. Clock.....	Hampton	O. J. Henderson.....	Webster City

Twelfth Judicial District

M. F. Edwards.....	Parkersburg	T. A. Beardmore.....	Charles City
M. H. Kepler.....	Northwood	Henry N. Graven.....	Mason City

JUDICIAL DEPARTMENT—Continued

Thirteenth Judicial District

H. E. Taylor.....Waukon T. H. Goheen.....Calmar
W. L. Eichendorf.....McGregor

Fourteenth Judicial District

F. C. Davidson.....Emmetsburg Gerald W. Stillman.....Algona
Fred M. Hudson.....Pocahontas

Fifteenth Judicial District

H. J. Mantz.....Audubon Whitney GillilandGlenwood
Charles RoeCarson Earl PetersClarinda
John A. Murray.....Logan

Sixteenth Judicial District

M. E. Hutchison.....Lake City P. J. Klinker.....Denison
R. L. McCord.....Sac City

Seventeenth Judicial District

B. O. Tankersley.....Marshalltown L. J. Kirkland.....Vinton

Eighteenth Judicial District

John T. Moffit.....Tipton H. C. Ring.....Cedar Rapids
Charles J. Haas.....Marion J. E. Heiserman.....Monticello

Nineteenth Judicial District

Milton J. Glenn.....Dubuque Hugh StuartDubuque

Twentieth Judicial District

Paul H. McCoid.....Mount Pleasant E. O. Newell.....Columbus Junction

Twenty-first Judicial District

O. S. Thomas.....Rock Rapids R. G. Rodman.....Cherokee
W. C. Garberson.....Sibley

JUDGES OF THE MUNICIPAL AND SUPERIOR COURTS

Municipal Courts

Judges	Address	Clerks	Reporters
John Y. Luke.....	Ames.....	L. E. Thomas.....	Irene Sogard
W. A. McCullough.....	Clinton.....	A. J. Meyer.....	.....
John L. Blanchard.....	Council Bluffs.....	H. V. Beatty.....	.....
Daniel H. Sheehan.....	Council Bluffs.....	H. V. Beatty.....	.....
C. Edwin Moore.....	Des Moines.....	Walter R. Priebe.....	E. F. Katz
R. L. Powers.....	Des Moines.....	Walter R. Priebe.....	Kathryn Miller
D. G. Allen.....	Des Moines.....	Walter R. Priebe.....	.....
Charles S. Cooter.....	Des Moines.....	Walter R. Priebe.....	.....
L. R. Sheets.....	Marshalltown.....	Etta Northup.....	Minnie E. Grimm
Berry J. Sisk.....	Sioux City.....	Harry E. Harbeck.....	H. F. Kemis
Bernard A. Brown.....	Sioux City.....	Harry E. Harbeck.....	Louisa Holly
H. R. Kenaston.....	Sioux City.....	Harry E. Harbeck.....	.....
George J. Sager.....	Waterloo.....	.....	Eve M. Leonard
Ben G. Howrey.....	Waterloo.....	.....	Eve M. Leonard

Superior Courts

Judges	Address	Clerks	Reporters
Thomas B. Powell.....	Cedar Rapids.....	L. J. Storey.....	Edna H. Bailey
W. L. McNamara.....	Keokuk.....	.....	Kenneth A. Brown
Jay Cook.....	Oelwein.....	C. D. Shippy.....	Florence Lawther

NOTE—Superior Courts at Shenandoah and Grinnell have been discontinued.

COMMISSIONERS IN OTHER STATES

There have been no such commissions in force since 1930.

OFFICERS, COMMISSIONS, BOARDS AND APPOINTIVE OFFICERS

(Complete to time of going to press.)

Name	Position	County from which originally chosen
Geo. A. Wilson	Governor	Polk
John D. Zug	Secretary to the Governor	Polk
B. B. Hickenlooper	Lieutenant Governor	Linn
Earl G. Miller	Secretary of State	Polk
Rollo Bergeson	Deputy Secretary of State	Woodbury
Chet B. Akers	Auditor of State	Wapello
Frank M. Hanson	Deputy Auditor of State	Linn
W. G. C. Bagley	Treasurer of State	Cerro Gordo
Leslie B. Freese	Deputy Treasurer of State	Sac
Mark Thornburg	Secretary of Agriculture	Palo Alto
Harry D. Linn	Assistant Secretary of Agriculture	Polk
Fred Everett	Attorney General	Monroe
John M. Rankin	Assistant Attorney General	Lee
Jens Grothe	Assistant Attorney General	Floyd
John E. Mulroney	Assistant Attorney General	Webster
Horace E. Pike	Assistant Attorney General	Black Hawk
G. H. Clark, Jr.	Assistant Attorney General	Ida
Don Hise	Assistant Attorney General	Polk
Floyd Philbrick	Assistant Attorney General	Linn
Jessie M. Parker	Superintendent of Public Instruction	Winnebago
J. P. Street	Deputy Supt. of Public Instruction	Cass
Barr Keshlear, Chm.	Iowa State Commerce Commission	Page
B. M. Richardson		Linn
M. P. Conway		Cass
George A. McCaughan	Secretary, Iowa State Commerce Commission	Polk
Harold Davidson	Commerce Counsel	Page
Geo. A. Wilson	Executive Council	
Earl G. Miller		
Chet B. Akers		
W. G. C. Bagley		
Mark Thornburg		
Berry Halden	Secretary, Executive Council	Lucas
R. T. Pullen, Chm.	State Board of Control	Clay
P. F. Hopkins		Cerro Gordo
D. R. McCreery		Linn
G. S. Wooten	Secretary, Board of Control	Boone
W. E. Jackson, Chm.	Board of Parole	Des Moines
E. R. Moore		Linn
Clarence Godfrey		Monroe
Sam D. Woods	Secretary, Board of Parole	Polk
D. L. Murrow, Chm.	State Tax Commission	Wayne
C. Frank Green		Woodbury
Fred W. Nelson		Story
Elsie L. Dachroth	Secretary, State Tax Commission	Polk
A. A. Hurst	Iowa State Highway Commission	Jackson
Gus A. Olson		Monona
Randall Melson		Humboldt
Leslie M. Eicher		Washington
R. B. Laird		Fremont
Fred R. White	Chief Engineer	Story
King R. Palmer, Chm.	Board of Social Welfare	Fayette
H. C. Beard		Ringgold
Mrs. Mary E. Huncke		Polk
D. L. Jenkins	Secretary, Board of Social Welfare	Woodbury
Claude M. Stanley, Chm.	Unemployment Compensation Commission	Adams
Peter J. Kies		Dubuque
J. R. Pefferle		Polk
Charles F. Wilkins	Secretary, Unemployment Compensation Commission	
B. E. Manley, Chm.	Iowa Liquor Control Commission	Chickasaw
Dick R. Lane		Cerro Gordo
M. L. Curtis		Scott
		Marion

STATE OFFICERS—Continued

Name	Position	County from which originally chosen
W. J. Ryan.....	Secretary, Iowa Liquor Control Commission	Webster
George T. Baker, Pres.....	} State Board of Education.....	Scott
Anna B. Lawther.....		Dubuque
John P. Wallace.....		Polk
T. W. Keenan.....		Page
W. Earl Hall.....		Cerro Gordo
Richard H. Plock.....	Lee	
Henry Shull.....	Woodbury	
Dorothy Houghton.....	Montgomery	
Roy Loudon.....	Jefferson	
W. R. Boyd, Chm.....	} Finance Committee, Board of Education	Linn
W. G. Noth.....		Polk
M. R. Pierson.....	Secretary, State Board of Education and Finance Committee.....	Pottawattamie
R. E. Stewart.....	} State Conservation Commission.....	Wapello
Mrs. Addison Parker.....		Polk
E. B. Gaunitz.....		Allamakee
Ralph E. Garberson.....		Osceola
Fred Poyneer.....		Linn
J. D. Lowe.....	Kossuth	
W. A. Bents.....	Howard	
M. L. Hutton.....	State Conservation Director.....	Story
Karl W. Fischer.....	Commissioner of Public Safety.....	Benton
R. W. Nebergall.....	Chief, Bureau of Criminal Investigation...	Story
C. A. Knee.....	Chief, State Highway Patrol.....	Dallas
John Strohm.....	State Fire Marshall.....	Clinton
Geo. A. Wilson.....	State Fair Board, Ex-Officio:	
Mark Thornburg.....	Governor.....	Polk
C. E. Friley.....	Secretary of Agriculture.....	Palo Alto
	President Iowa State College.....	Story
J. P. Mullen.....	State Fair Board, Elective:	
F. E. Sheldon.....	President, Iowa State Fair Board.....	Pocahontas
A. R. Corey.....	Vice President, Iowa State Fair Board...	Ringgold
N. W. McBeath.....	Secretary, Iowa State Fair Board.....	Polk
Charles H. Grahl.....	Treasurer, Iowa State Fair Board.....	Polk
C. Fred Porter.....	Adjutant General.....	Polk
Charles R. Fischer.....	State Comptroller.....	Polk
John T. Clarkson.....	Commissioner of Insurance.....	Monona
Charles W. Harness.....	Industrial Commissioner.....	Monroe
Gray Anderson.....	Labor Commissioner.....	Wapello
D. W. Bates.....	Custodian.....	Marion
D. W. Bates.....	Superintendent of Banking.....	Monroe
H. P. Dowling.....	} State Banking Board.....	Shelby
Paul H. Huston.....		Linn
B. F. Kauffman.....		Polk
L. J. Schuster.....		Clinton
Chet B. Akers, Chm.....	} State Printing Board.....	
Earl G. Miller.....		
Fred Everett.....		
G. L. Caswell.....		
J. R. Bahne.....		Story
David K. Brown.....	Superintendent of Printing.....	Hardin
Geo. A. Wilson, Chm.....	} State Library Commission.....	Shelby
Richard Mitchell.....		Webster
Jessie Parker.....		
Ora Williams.....	Curator, Historical Department.....	Polk
B. B. Druker.....	Acting Law Librarian.....	Marshall
Blanche A. Smith.....	Librarian, Iowa State Traveling Library...	Warren
Jessie Parker, Chm.....	} Board of Vocational Education and Rehabilitation.....	
George T. Baker.....		
Charles W. Harness.....		
Forest E. Moore.....	Director of Vocational Education.....	Story

STATE OFFICERS—Continued

Name	Position	County from which originally chosen
George W. Gillman, Chm...	State Board of Pharmacy Examiners....	Webster
V. H. Tyler.....		Taylor
Duane H. Redfield.....	Secretary, Board of Pharmacy Examiners..	Page
John Heerema		Marion
F. E. Palmer, Pres.....	Commission for the Blind.....	Benton
C. E. Laustrup.....		Pottawattamie
Mrs. George Kraetsch	Secretary, Commission for the Blind.....	Polk
Mrs. Ethel Towne Holmes		Polk
Arthur C. Trowbridge.....	State Geologist	Johnson
Maurice C. Miller, Chm....	State Board of Engineering Examiners..	Polk
J. S. Dodds.....		Story
C. H. Currie.....		Hamilton
George J. Keller.....		Johnson
L. M. Martin.....	Secretary, Board of Engineering Examiners	Pottawattamie
Berry F. Halden.....		
Jacob Ritter, Pres.....	Board of Examiners for Mine Inspectors.	Appanoose
William Anderson		Monroe
William Jervis		Polk
James Smith		Monroe
William Abram	State Mine Inspectors.....	Jasper
E. A. Farnsworth.....		Appanoose
R. T. Rhys.....		Wapello
J. E. Jeffreys.....		Polk
Phil R. Clarkson.....	Secretary, State Mine Inspectors.....	Polk
Fred Everett	Board of Law Examiners.....	Dubuque
H. J. Hoffman.....		Woodbury
C. N. Jepson.....		Woodbury
J. W. Anderson.....		Johnson
William R. Hart.....		Mahaska
J. A. Devitt.....		Clay
Wilson W. Cornwall.....		Polk
Frank J. Comfort.....		Union
J. D. Reynolds.....		Fayette
E. R. O'Brien.....		Dubuque
Frank D. Gillon.....	Code Editor	Benton
Richard Reichmann	Board of Educational Examiners.....	Black Hawk
Jessie M. Parker, Pres....		Poweshiek
O. R. Latham.....		Crawford
John S. Nollen.....		Linn
F. N. Olry.....	Executive Secretary, Board of Educational Examiners	Polk
Arthur Deamer		Polk
Walter L. Biering, M.D....	Commissioner of Health.....	
Ex-Officio:	State Board of Health.....	
Geo. A. Wilson.....		
Earl G. Miller.....		
W. G. C. Bagley.....		
Chet B. Akers.....		
Mark Thornburg	Board of Medical Examiners.....	Boone
Appointive:		Clarke
Edward M. Myers, M.D..		Jefferson
Herbert E. Stroy, M.D...		Page
W. A. Sternberg, M.D....		Dubuque
Erwin J. Goettsch, M.D..		
William J. Connell, M.D..	Pottawattamie	
Aldis A. Johnson, M.D., Chm.		Polk
Erwin Schenk, M.D.....		Lee
Frank M. Fuller, M.D.....		

STATE OFFICERS—Continued

Name	Position	County from which originally chosen
Frank B. Whinery, D.D.S., Chm.	Board of Dental Examiners.....	Johnson
Hardy F. Pool, D.D.S.....		Cerro Gordo
R. J. Lash, D.D.S.....	Board of Optometry Examiners.....	Pottawattamie
Philip H. Sheridan, D.D.S.		Dubuque
J. J. Foley, D.D.S.....	Board of Chiropractic Examiners.....	Webster
Alfred J. Meyer, Chm.....		Scott
V. V. Kirby.....	Board of Osteopathy Examiners.....	Polk
Roscoe C. Griffith.....		Shelby
R. L. Sheeler, D.C., Chm...	Board of Embalmer Examiners.....	Pottawattamie
H. T. Opsahl, D.C.....		Winneshiak
C. B. Kerr, D.C.....	Board of Podiatry Examiners.....	Story
H. B. Willard, D.O., Chm...		Delaware
D. E. Hannan, D.O.....	Board of Cosmetology Examiners.....	Dallas
C. N. Stryker, D.O.....		O'Brien
O. O. Greenlee, L.E., Chm..	Board of Barber Examiners.....	Wayne
Al. M. Didesch, L.E.....		Dubuque
A. L. Fleenor, L.E.....	Board of Basic Science Examiners.....	Hamilton
Cecil L. Moon, Chm.....		Marshall
William H. Thomas.....	Board of Barber Examiners.....	Polk
Stewart E. Reed.....		Polk
Mrs. Mae Haney, Chm.....	Board of Barber Examiners.....	Union
Mrs. Mayme Madden.....		Scott
Mrs. Sue Weresh.....	Board of Barber Examiners.....	Jasper
L. D. Hamilton, Chm.....		Woodbury
Lee W. Skinner.....	Board of Barber Examiners.....	Pottawattamie
T. F. Thompson.....		Linn
Charles Carter, Chm.....	Board of Barber Examiners.....	Jefferson
William L. Strunk.....		Winneshiak
Joseph H. Bodine.....	Board of Barber Examiners.....	Johnson
Benjamin H. Peterson....		Linn
Frederic F. Smith.....	Board of Barber Examiners.....	Buena Vista
G. W. Heitkamp.....		Dubuque

CONDITION OF STATE TREASURY

Statement of the receipts and expenditures of the public money for the biennial fiscal period beginning July 1, 1936, and ending June 30, 1938, as prepared and furnished by the Honorable C. Fred Porter, State Comptroller, for publication with the laws of the Forty-eighth General Assembly in accordance with the requirements of Section 18, Article III, of the Constitution of the State of Iowa and Section 164 of the Code.

STATEMENT OF THE CONDITION OF THE TREASURY

Receipts, Disbursements and Balances in the Several Funds for Biennial Report, Ending June 30, 1938

	Balance July 1, 1936	Total Receipts	Total Available	Total Disbursements (Warrants Redeemed)	June 30, 1937, Balance
General revenue .. \$	692,282.83	\$21,430,403.90	\$22,122,686.73	\$21,958,756.80	\$ 163,929.93
Trust funds	10,566,630.47	45,281,926.49	55,848,556.96	51,575,339.94	4,273,217.02
State college en- dowment cash ..	10,134.90	5,649.30	15,784.20	13,004.70	2,779.50
State college en- dowment bonds ..	483,100.00	6,000.00	489,100.00	24,600.00	464,500.00
State college en- dowment interest	1,526.31	20,124.59	21,650.90	16,526.31	5,124.59
Soldiers' bonus tax	441,849.09	1,500,000.00	1,941,849.09	1,446,890.00	494,959.09
Soldiers' bonus bond tax receipts	3,387.80	.....	3,387.80	.....	3,387.80
	<u>\$12,198,911.40</u>	<u>\$68,244,104.28</u>	<u>\$80,443,015.68</u>	<u>\$75,035,117.75</u>	<u>\$ 5,407,897.93</u>
			Balance July 1, 1936	\$12,198,911.40	
			Receipts	68,244,104.28	
				<u>\$80,443,015.68</u>	
			Disbursements	75,035,117.75	
				<u>\$ 5,407,897.93</u>	

Receipts, Disbursements and Balances in the Several Funds for Biennial Report, Ending June 30, 1938

	Balances July 1, 1937	Total Receipts	Total Available	Total Disbursements (Warrants Redeemed)	Balance June 30, 1938
General revenue .. \$	163,929.93	\$21,640,859.95	\$21,804,789.88	\$20,347,824.49	\$ 1,456,965.39
Trust funds	4,273,217.02	61,501,470.37	65,774,687.39	60,704,624.96	5,066,457.27
Transferred to general				3,605.16	
State college en- dowment cash ..	2,779.50	78,002.72	80,782.22	60,311.25	20,470.97
State college en- dowment bonds	464,500.00	17,500.00	482,000.00	48,053.50	433,946.50
State college en- dowment interest	5,124.59	15,513.01	20,637.60	20,637.60	.....
Soldiers' bonus tax	494,959.09	1,003,713.02	1,498,672.11	1,370,980.00	127,692.11
Soldiers' bonus bond tax receipts	3,387.80	.....	3,387.80	253.50	3,134.30
	<u>\$5,407,897.93</u>	<u>\$84,257,059.07</u>	<u>\$89,664,957.00</u>	<u>\$82,556,290.46</u>	<u>\$ 7,108,666.54</u>
			Balance July 1, 1937	\$ 5,407,897.93	
			Receipts	84,257,059.07	
				<u>\$89,664,957.00</u>	
			Disbursements	82,556,290.46	
				<u>\$ 7,108,666.54</u>	
			Transfer under Trust is as follows:		
			Motor Carrier Truck	\$ 729.05	
			Pipe Line	2,876.11	
				<u>\$3,605.16</u>	
			Transferred to General Revenue		

LAWS

OF THE

Forty-eighth General Assembly

OF THE

STATE OF IOWA

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE
CAPITAL OF THE STATE, BEGUN ON THE NINTH DAY OF JANUARY,
AND ENDED ON THE TWENTY-SIXTH DAY OF APRIL, A. D., 1939,
IN THE NINETY-THIRD YEAR OF THE STATE

APPROPRIATIONS

CHAPTER I

GENERAL APPROPRIATIONS

Sub. for H. F. 200.

AN ACT to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1939, and ending June 30, 1941, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium.

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

1 SECTION 1. That the amount derived from delinquent state taxes,
2 other than from the bonus levy, during the fiscal years beginning
3 July 1, 1939, and July 1, 1940, and ending June 30, 1940, and June 30,
4 1941, respectively, and all revenue from other sources which is avail-
5 able for appropriations for state purposes, and all other money in the
6 state treasury which is not by law segregated, shall be established as
7 a general fund, and so much thereof as may be necessary, except as
8 herein provided, shall be, and the same is hereby appropriated for
9 the biennium beginning July 1, 1939, and ending June 30, 1941, in the
10 following manner and for the following uses, to-wit:

DEPARTMENT OF AGRICULTURE

1 SEC. 2. For the department of agriculture there is hereby appro-
2 priated for each year of the biennium beginning July 1, 1939, and
3 ending June 30, 1941, the sum of two hundred ninety-five thousand

4 two hundred ten dollars (\$295,210.00) or so much thereof as may be
5 necessary to be used in the following manner:

AGRICULTURE DEPARTMENT

6	For salary of secretary of agriculture.....	\$ 5,000.00
7	For salaries, support, maintenance and miscel-	
8	laneous purposes	125,000.00
9	Total for agricultural department.....	\$130,000.00
	(1) ANIMAL HEALTH AND VETERINARY	
10	For the control and eradication of contagious	
11	and infectious livestock diseases, T. B. in-	
12	spectors, and necessary traveling expenses;	
13	assistant state veterinarians (per diem and	
14	expenses) indemnities, salaries, and miscel-	
15	laneous	\$100,000.00
	(2) IOWA BEEF PRODUCERS' ASSOCIATION	
16	State Aid	\$ 4,500.00
	(3) CORN AND SMALL GRAIN GROWERS ASSOCIATION	
17	State Aid	\$ 2,250.00
	(4) DAIRY ASSOCIATION	
18	State Aid	\$ 4,500.00
19	(To be expended in accordance with the provi-	
20	sions of Chapter 137, Code 1935)	
	(5) HORTICULTURAL SOCIETY	
21	State Aid	\$ 6,000.00
22	Office supplies	1,350.00
	(6) POULTRY ASSOCIATIONS, SHORT COURSES AND ACHIEVEMENT SHOWS	
23	State Aid	\$ 18,000.00
	(7) BOARD OF VETERINARY EXAMINERS	
24	Per diem and expenses of board members.....	\$ 360.00
	(8) IOWA HORSE BREEDERS' ASSOCIATION	
25	State Aid	\$ 4,500.00
	(9) AGRICULTURAL STATISTICS	
26	State Aid	\$ 4,000.00
	(10) WEATHER DIVISION	
27	State Aid	\$ 5,000.00
	(11) SWINE BREEDERS' ASSOCIATION	
28	State Aid	\$ 4,500.00
	(12) STATE ENTOMOLOGIST	
29	For salaries, support, maintenance and miscel-	
30	laneous purposes	\$ 7,000.00

(13) DAIRY CALF CLUB EXPOSITION

31	State Aid	\$ 2,000.00
32	Special appropriation for National Corn Husk-	
33	ing contest in 1940.....	1,250.00
		<hr/>
34	Grand total of all appropriations for all pur-	
35	poses for each year of the biennium for the	
36	department of agriculture	\$295,210.00

AUDITOR OF STATE

1	SEC. 3. For the office of auditor of state there is hereby appro-	
2	riated for each year of the biennium beginning July 1, 1939, and	
3	ending June 30, 1941, the sum of ninety thousand dollars (\$90,000.00)	
4	or so much thereof as may be necessary, to be used in the following	
5	manner:	
6	For salary of auditor of state.....	\$ 5,000.00
7	Salaries, support, maintenance and miscella-	
8	neous purposes	82,500.00
9	For salary of supervisor of savings and loan	
10	associations as fixed in Senate File 147, 48th	
11	G. A.	2,500.00
		<hr/>
12	Grand total of all appropriations for all pur-	
13	poses for each year of the biennium for the	
14	department of auditor of state.....	\$ 90,000.00

COMMISSION FOR THE BLIND

1	SEC. 4. For the commission for the blind there is hereby appro-	
2	riated for each year of the biennium beginning July 1, 1939, and	
3	ending June 30, 1941, the sum of fifteen thousand dollars (\$15,-	
4	000.00) or so much thereof as may be necessary, to be used in the	
5	following manner:	
6	For salary of secretary.....	\$ 2,400.00
7	For salaries, support, maintenance and miscel-	
8	laneous purposes	7,600.00
9	For the exclusive purpose of purchasing ma-	
10	chinery, equipment and supplies for use of the	
11	blind, subject to the approval of the comp-	
12	troller	5,000.00
		<hr/>
13	Grand total of all appropriations for all pur-	
14	poses for each year of the biennium for the	
15	commission for the blind.....	\$ 15,000.00

STATE COMMERCE COMMISSION

1	SEC. 5. For the department of the state commerce commission
2	there is hereby appropriated for each year of the biennium beginning
3	July 1, 1939, and ending June 30, 1941, the sum of one hundred eighty
4	thousand fifty dollars (\$180,050.00) or so much thereof as may be
5	necessary, to be used in the following manner:

6	For salaries of commissioners, 3 at \$3,850.00	
7	each	\$ 11,550.00
8	For salaries, support, maintenance and miscel-	
9	laneous purposes	42,800.00
10	Total for general office	\$ 54,350.00
MOTOR CARRIER, MOTOR TRUCK AND WAREHOUSE DIVISION		
11	For salary of superintendent.....	\$ 2,700.00
12	For salaries, support, maintenance and miscel-	
13	laneous purposes	123,000.00
14	Total for motor carrier, motor truck and ware-	
15	house division	\$125,700.00
16	Grand total of all appropriations for all pur-	
17	poses for each year of the biennium for all	
18	divisions of the commerce commission.....	\$180,050.00

STATE COMPTROLLER

1	SEC. 6. For the department of the state comptroller there is here-	
2	by appropriated for each year of the biennium beginning July 1,	
3	1939, and ending June 30, 1941, the sum of fifty-six thousand six hun-	
4	dred dollars (\$56,600.00) or so much thereof as may be necessary,	
5	to be used in the following manner:	
6	For salary of state comptroller.....	\$ 6,000.00
7	For salaries and miscellaneous purposes.....	50,600.00
8	Grand total of all appropriations for all pur-	
9	poses for each year of the biennium for the	
10	department of state comptroller.....	\$ 56,600.00

CONSERVATION COMMISSION

1	SEC. 7. For the board of conservation there is hereby appropri-	
2	ated for each year of the biennium beginning July 1, 1939, and ending	
3	June 30, 1941, the sum of one hundred thirty-nine thousand five hun-	
4	dred dollars (\$139,500.00) or so much thereof as may be necessary,	
5	to be used in the following manner:	
6	For miscellaneous purposes:	
7	For the administration of the conservation com-	
8	mission, maintenance of state parks, purchase	
9	of small tracts of land adjacent to state-owned	
10	areas and general improvements, and for the	
11	construction, maintenance and improvement	
12	of roads and highways in said parks.....	\$139,500.00
13	Grand total of all appropriations for all pur-	
14	poses for each year of the biennium for the	
15	conservation commission.....	\$139,500.00

BOARD OF CONTROL

1	SEC. 8. For the board of control there is hereby appropriated for
2	each year of the biennium beginning July 1, 1939, and ending June

3	30, 1941, the sum of seventy-two thousand dollars (\$72,000.00) or	
4	so much thereof as may be necessary, to be used in the following	
5	manner:	
6	For salaries, members of the board (3 at \$3,-	
7	850.00)	\$ 11,550.00
8	For salaries, support, maintenance and miscel-	
9	laneous purposes	60,450.00
		<hr/>
10	Grand total of all appropriations for all pur-	
11	poses for each year of the biennium for the	
12	board of control	\$ 72,000.00

CUSTODIAN

1	SEC. 9. For the department of the custodian there is hereby ap-	
2	propriated for each year of the biennium beginning July 1, 1939, and	
3	ending June 30, 1941, the sum of seventy-seven thousand four hun-	
4	dred dollars (\$77,400.00) or so much thereof as may be necessary,	
5	to be used in the following manner:	
6	For salary of custodian.....	\$ 2,400.00
7	For salaries, support and maintenance and mis-	
8	cellaneous purposes	75,000.00
		<hr/>
9	Grand total of all appropriations for all pur-	
10	poses for each year of the biennium for the	
11	department of the custodian.....	\$ 77,400.00

JUDGES OF THE DISTRICT COURT

1	SEC. 10. For the department of the district court judges there is	
2	hereby appropriated for each year of the biennium beginning July 1,	
3	1939, and ending June 30, 1941, the sum of three hundred seventy-	
4	five thousand dollars (\$375,000.00) or so much thereof as may be	
5	necessary, to be used in the following manner:	
6	For salaries of judges of the district courts of	
7	Iowa (70 judges)	\$350,000.00
8	For miscellaneous purposes:	
9	Traveling expenses of judges and court report-	
10	ers in and out of districts.....	25,000.00
		<hr/>
11	Grand total of all appropriations for all pur-	
12	poses for each year of the biennium for the	
13	department of district court judges.....	\$375,000.00

BOARD OF EDUCATION

1	SEC. 11. For the department of the board of education there is	
2	hereby appropriated for each year of the biennium beginning July	
3	1, 1939, and ending June 30, 1941, the sum of fifty-one thousand five	
4	hundred dollars (\$51,500.00) or so much thereof as may be neces-	
5	sary, to be used in the following manner:	
6	For salaries:	
7	Chairman, finance committee	\$ 2,900.00

8	Member, finance committee	2,900.00
9	Secretary, finance committee	3,000.00
10	For salaries, support, maintenance and mis-	
11	cellaneous purposes	42,700.00
<hr/>		
12	Board members to receive a per diem of \$10.00	
13	per day and shall not exceed \$600.00 per year per	
14	member.	
15	Grand total of all appropriations for all pur-	
16	poses for each year of the biennium for the	
17	department of board of education.....	\$ 51,500.00

STATE EMPLOYMENT SERVICE

1	SEC. 12. For the department of the state employment service	
2	there is hereby appropriated for each year of the biennium begin-	
3	ning July 1, 1939, and ending June 30, 1941, the sum of fifty-nine	
4	thousand eight hundred fifty-two dollars and fifty-two cents (\$59,-	
5	852.52) or so much thereof as may be necessary, to be used in the	
6	following manner:	
7	For salaries, support, maintenance and miscel-	
8	laneous purposes.....	\$ 59,852.52
<hr/>		
9	Grand total of all appropriations for all pur-	
10	poses for each year of the biennium for the de-	
11	partment of state employment service.....	\$ 59,852.52

EXECUTIVE COUNCIL

1	SEC. 13. For the department of the executive council there is	
2	hereby appropriated for each year of the biennium beginning July 1,	
3	1939, and ending June 30, 1941, the sum of two hundred fifty thou-	
4	sand dollars (\$250,000.00) or so much thereof as may be necessary, to	
5	be used in the following manner:	

GENERAL OFFICE

6	For salaries, support, maintenance and miscel-	
7	laneous purposes	\$250,000.00
<hr/>		
8	Grand total of all appropriations for all pur-	
9	poses for each year of the biennium for the	
10	executive council	\$250,000.00

STATE FAIR BOARD

1	SEC. 14. For the department of the state fair board there is here-	
2	by appropriated for each year of the biennium beginning July 1, 1939,	
3	and ending June 30, 1941, the sum of fifty thousand dollars (\$50,-	
4	000.00) or so much thereof as may be necessary, to be used in the	
5	following manner:	
6	For maintenance and operating expense of fair..	\$ 40,000.00
7	For premiums	10,000.00
<hr/>		
8	Grand total of all appropriations for all pur-	
9	poses for each year of the biennium for the	
10	state fair board	\$ 50,000.00

AGRICULTURAL SOCIETIES

1 SEC. 15. For the agricultural societies there is hereby appropri-
 2 ated for each year of the biennium beginning July 1, 1939, and end-
 3 ing June 30, 1941, the sum of one hundred forty thousand dollars
 4 (\$140,000.00) or so much thereof as may be necessary, to be used in
 5 the following manner:

6 For miscellaneous purposes:

7 State aid to county fairs.....\$140,000.00

8 The foregoing appropriation for state aid to county fairs shall be
 9 deemed conditioned on full compliance with all other statutes which
 10 regulate and prescribe the conditions under which such aid is pay-
 11 able.

GEOLOGICAL SURVEY

1 SEC. 16. For the department of the geological survey there is
 2 hereby appropriated for each year of the biennium beginning July
 3 1, 1939, and ending June 30, 1941, the sum of sixteen thousand dol-
 4 lars (\$16,000.00) or so much thereof as may be necessary, to be used
 5 in the following manner:

6 For salaries, support, maintenance and miscel-
 7 laneous purposes\$ 11,500.00

8 Stream gaging 4,500.00

9 Grand total of all appropriations for all pur-
 10 poses for each year of the biennium for the
 11 department of the geological survey.....\$ 16,000.00

GOVERNOR

1 Sec. 17. For the department of the governor there is hereby ap-
 2 propriated for each year of the biennium beginning July 1, 1939, and
 3 ending June 30, 1941, the sum of nineteen thousand one hundred
 4 fifty dollars (\$19,150.00) or so much thereof as may be necessary,
 5 to be used in the following manner:

6 For salary of governor of the State of Iowa...\$ 7,500.00

7 For salary of secretary..... 3,000.00

8 For salaries, support and miscellaneous pur-
 9 poses 8,650.00

10 Grand total of all appropriations for all pur-
 11 poses for each year of the biennium for the
 12 department of the governor.....\$ 19,150.00

GRAND ARMY OF THE REPUBLIC

1 SEC. 18. For the department of the grand army of the republic
 2 there is hereby appropriated for each year of the biennium beginning
 3 July 1, 1939, and ending June 30, 1941, the sum of one thousand two
 4 hundred fifty dollars (\$1,250.00) or so much thereof as may be nec-
 5 essary, to be used in the following manner:

6 Headquarters expenses\$ 750.00

7 Expense in completing grand army of the re-

8	public records	500.00
9	Grand total of all appropriations for all pur-	
10	poses for each year of the biennium for the	
11	department of the grand army of the republic	
12	lic	\$ 1,250.00

DEPARTMENT OF HEALTH

1 SEC. 19. For the department of health there is hereby appropri-
 2 ated for each year of the biennium beginning July 1, 1939, and end-
 3 ing June 30, 1941, the sum of one hundred fifty-nine thousand five
 4 hundred dollars (\$159,500.00) or so much thereof as may be neces-
 5 sary, to be used in the following manner:

GENERAL OFFICE

6	For salary of commissioner of the department of	
7	health	\$ 5,000.00
8	For salaries, support, maintenance and miscel-	
9	laneous purposes	75,000.00
10	For purchase, distribution and use of various	
11	serums	40,000.00
12	Total department of health.....	\$120,000.00

(1) BOARD OF BARBERS' EXAMINERS

13 For the board of barbers' examiners there is hereby appropriated
 14 for each year of the biennium beginning July 1, 1939, and ending
 15 June 30, 1941, the sum of sixteen thousand dollars (\$16,000.00) or
 16 so much thereof as may be necessary, to be used in the following
 17 manner:

18	For salaries, support, maintenance and miscel-	
19	laneous purposes	\$ 16,000.00
20	Total for the board of barbers' examiners.....	\$ 16,000.00

(2) BOARD OF CHIROPRACTIC EXAMINERS

21 For the board of chiropractic examiners there is hereby appropri-
 22 ated for each year of the biennium beginning July 1, 1939, and end-
 23 ing June 30, 1941, the sum of one thousand two hundred dollars (\$1,-
 24 200.00) or so much thereof as may be necessary, to be used in the
 25 following manner:

26	For salaries, support, maintenance and miscel-	
27	laneous purposes	\$ 1,200.00
28	Total for board of chiropractic examiners.....	\$ 1,200.00

(3) BOARD OF COSMETOLOGY EXAMINERS

29 For the board of cosmetology examiners there is hereby appro-
 30 priated for each year of the biennium beginning July 1, 1939, and
 31 ending June 30, 1941, the sum of sixteen thousand dollars (\$16,-
 32 000.00) or so much thereof as may be necessary, to be used in the
 33 following manner:

34 For salaries, support, maintenance and miscel-
 35 laneous purposes\$ 16,000.00

36 Total for board of cosmetology examiners.....\$ 16,000.00

(4) BOARD OF DENTAL EXAMINERS

37 For the board of dental examiners there is hereby appropriated
 38 for each year of the biennium beginning July 1, 1939, and ending
 39 June 30, 1941, the sum of two thousand dollars (\$2,000.00) or so
 40 much thereof as may be necessary, to be used in the following man-
 41 ner:

42 For board members and expense.....\$ 2,000.00

43 Total for board of dental examiners.....\$ 2,000.00

(5) BOARD OF EMBALMERS' EXAMINERS

44 For the board of embalmers' examiners there is hereby appro-
 45 priated for each year of the biennium beginning July 1, 1939, and
 46 ending June 30, 1941, the sum of one thousand two hundred fifty dol-
 47 lars (\$1,250.00) or so much thereof as may be necessary, to be used
 48 in the following manner:

49 For board members and expense.....\$ 1,250.00

50 Total for board of embalmers' examiners.....\$ 1,250.00

(6) BOARD OF MEDICAL EXAMINERS

51 For the board of medical examiners there is hereby appropriated
 52 for each year of the biennium beginning July 1, 1939, and ending
 53 June 30, 1941, the sum of one thousand two hundred dollars (\$1,-
 54 200.00) or so much thereof as may be necessary, to be used in the
 55 following manner:

56 For board members and expense.....\$ 1,200.00

57 Total for board of medical examiners.....\$ 1,200.00

(7) BOARD OF OPTOMETRY EXAMINERS

58 For the board of optometry examiners there is hereby appro-
 59 priated for each year of the biennium beginning July 1, 1939, and
 60 ending June 30, 1941, the sum of four hundred fifty dollars (\$450.00)
 61 or so much thereof as may be necessary, to be used in the following
 62 manner:

63 Total for board members and expense.....\$ 450.00

64 Total for board of optometry examiners.....\$ 450.00

(8) BOARD OF OSTEOPATHIC EXAMINERS

65 For the board of osteopathic examiners there is hereby appro-
 66 priated for each year of the biennium beginning July 1, 1939, and
 67 ending June 30, 1941, the sum of one thousand two hundred dollars
 68 (\$1,200.00) or so much thereof as may be necessary, to be used in the
 69 following manner:

70 For board members, secretary's salary and ex-
 71 penses\$ 1,200.00

72 Total for board of osteopathic examiners.....\$ 1,200.00

(9) BOARD OF PODIATRY EXAMINERS

73	For the board of Podiatry examiners there is hereby appropriated	
74	for each year of the biennium beginning July 1, 1939, and ending	
75	June 30, 1941, the sum of two hundred dollars (\$200.00) or so much	
76	thereof as may be necessary, to be used in the following manner:	
77	For board members and expense.....	\$ 200.00
78	Total for board of podiatry examiners.....	\$ 200.00
79	Grand total of all appropriations for all pur-	
80	poses for each year of the biennium beginning	
81	July 1, 1939, and ending June 30, 1941, for	
82	the department of health.....	\$159,500.00

MEMORIAL MUSEUM OF ART AND HISTORY

1	SEC. 20. For the department of the memorial museum of art and	
2	history there is hereby appropriated for each year of the biennium	
3	beginning July 1, 1939, and ending June 30, 1941, the sum of twenty-	
4	seven thousand dollars (\$27,000.00) or so much thereof as may be	
5	necessary, to be used in the following manner:	
6	Salary of curator.....	\$ 2,400.00
7	For salaries, support, miscellaneous and main-	
8	tenance of all divisions of the memorial mu-	
9	seum of art and history.....	24,600.00
10	Grand total of all appropriations for all pur-	
11	poses for each year of the biennium for the	
12	department of the memorial museum of art	
13	and history	\$ 27,000.00

HISTORICAL SOCIETY

1	SEC. 21. For the historical society there is hereby appropriated	
2	for each year of the biennium beginning July 1, 1939, and ending	
3	June 30, 1941, the sum of thirty-six thousand dollars (\$36,000.00)	
4	or so much thereof as may be necessary, to be used in the following	
5	manner:	
6	For salaries, support, maintenance and miscel-	
7	laneous purposes	\$ 32,500.00
8	Preparation of data for Iowa Centennial 1946..	3,500.00
9	Grand total of all appropriations for all pur-	
10	poses for each year of the biennium for the	
11	historical society	\$ 36,000.00

INDUSTRIAL COMMISSION

1	SEC. 22. For the department of the industrial commission there	
2	is hereby appropriated for each year of the biennium beginning July	
3	1, 1939, and ending June 30, 1941, the sum of thirty-eight thousand	
4	three hundred dollars (\$38,300.00) or so much thereof as may be	
5	necessary, to be used in the following manner:	
6	For salary of the industrial commissioner.....	\$ 3,300.00

7	For salaries, support, maintenance, compensa-	
8	tion and miscellaneous purposes.....	35,000.00
9	Grand total of all appropriations for all pur-	
10	poses for each year of the biennium for the	
11	department of the industrial commission.....	\$ 38,300.00

DEPARTMENT OF INSURANCE

1	SEC. 23. For the department of insurance there is hereby appro-	
2	riated for each year of the biennium beginning July 1, 1939, and	
3	ending June 30, 1941, the sum of fifty-six thousand dollars (\$56,-	
4	000.00) or so much thereof as may be necessary, to be used in the	
5	following manner:	
6	For salary of commissioner.....	\$ 5,000.00
7	For salaries, support, maintenance and miscel-	
8	laneous purposes	41,000.00
9	Total for general office.....	\$ 46,000.00

SECURITIES DIVISION

10	For salary of valuation counsel.....	\$ 3,000.00
11	For salaries, support, maintenance, and miscel-	
12	laneous purposes	7,000.00
13	Total for securities division.....	\$ 10,000.00
14	Grand total of all appropriations for all pur-	
15	poses for each year of the biennium for the	
16	department of insurance.....	\$ 56,000.00

DEPARTMENT OF JUSTICE

1	SEC. 24. For the department of justice there is hereby appro-	
2	riated for each year of the biennium beginning July 1, 1939, and	
3	ending June 30, 1941, the sum of thirty thousand dollars (\$30,-	
4	000.00) or so much thereof as may be necessary, to be used in the	
5	following manner:	
6	For salary of the attorney general.....	\$ 6,000.00
7	For salaries, support, maintenance and miscel-	
8	laneous purposes	24,000.00
9	Grand total of all appropriations for all pur-	
10	poses for each year of the biennium for the	
11	department of justice.....	\$ 30,000.00

BUREAU OF LABOR

1	SEC. 25. For the department of the bureau of labor there is here-	
2	by appropriated for each year of the biennium beginning July 1,	
3	1939, and ending June 30, 1941, the sum of fifteen thousand dollars	
4	(\$15,000.00) or so much thereof as may be necessary, to be used in	
5	the following manner:	
6	For salary of the commissioner of labor.....	\$ 3,000.00

7	For salaries, support, maintenance and miscel-	
8	laneous purposes	12,000.00
9	Grand total of all appropriations for all pur-	
10	poses for each year of the biennium for the	
11	department of the bureau of labor.....	\$ 15,000.00

BOARD OF LIBRARY COMMISSIONERS

1 SEC. 26. For the board of library commissioners, for use in the
2 law, medical and traveling divisions of the state library, there is
3 hereby appropriated for each year of the biennium beginning July
4 1, 1939, and ending June 30, 1941, the sum of fifty-eight thousand
5 dollars (\$58,000.00) or so much thereof as may be necessary, to be
6 used in the following manner:

7	For salary of law librarian.....	\$ 2,400.00
8	For salary of medical librarian.....	2,400.00
9	For salary of traveling librarian.....	2,400.00
10	For salaries, support, maintenance and miscel-	
11	laneous purposes	50,800.00
12	Grand total of all appropriations for all di-	
13	visions of the state library, for all purposes,	
14	for each year of the biennium.....	\$ 58,000.00

BOARD OF MINE EXAMINERS

1 SEC. 27. For the department of the board of mine examiners there
2 is hereby appropriated for each year of the biennium beginning July
3 1, 1939, and ending June 30, 1941, the sum of fifteen hundred dollars
4 (\$1,500.00) or so much thereof as may be necessary, to be used in the
5 following manner:

6	Per diem and expenses.....	\$ 1,500.00
7	Grand total of all appropriations for all pur-	
8	poses for each year of the biennium for the de-	
9	partment of the board of mine examiners.....	\$ 1,500.00

MINE INSPECTORS

1 SEC. 28. For the department of mine inspectors there is hereby
2 appropriated for each year of the biennium beginning July 1, 1939,
3 and ending June 30, 1941, the sum of eighteen thousand six hundred
4 dollars (\$18,600.00) or so much thereof as may be necessary, to be
5 used in the following manner:

6	A. For salaries, support, maintenance and mis-	
7	cellaneous purposes	\$ 14,600.00
8	B. State aid to Iowa Coal Institute.....	4,000.00
9	Grand total of all appropriations for all pur-	
10	poses for each year of the biennium for the de-	
11	partment of mine inspectors.....	\$ 18,600.00

THE NATIONAL GUARD

1	SEC. 29. For the department of the national guard there is hereby	
2	appropriated for each year of the biennium beginning July 1, 1939,	
3	and ending June 30, 1941, the sum of two hundred fifty thousand dol-	
4	lars (\$250,000.00) or so much thereof as may be necessary, to be	
5	used in the following manner:	
6	For salary of adjutant general.....	\$ 3,000.00
7	For salaries, support, maintenance and miscel-	
8	laneous purposes	247,000.00
		<hr/>
9	Grand total of all appropriations for all pur-	
10	poses for each year of the biennium for the	
11	department of the national guard.....	\$250,000.00

BOARD OF PAROLE

1	SEC. 30. For the department of the board of parole there is hereby	
2	appropriated for each year of the biennium beginning July 1, 1939,	
3	and ending June 30, 1941, the sum of thirty-one thousand five hun-	
4	dred fifty dollars (\$31,550.00) or so much thereof as may be nec-	
5	essary, to be used in the following manner:	
6	For salaries of board members, 2 @ \$2,700.00	
7	each	\$ 5,400.00
8	For salary of legal member.....	3,000.00
9	For salaries, support, maintenance and miscel-	
10	laneous purposes	\$ 23,150.00
		<hr/>
11	Grand total of all appropriations for all pur-	
12	poses for each year of the biennium for the	
13	department of the board of parole.....	\$ 31,550.00

PHARMACY EXAMINERS BOARD

1	SEC. 31. For the department of the pharmacy examiners board	
2	there is hereby appropriated for each year of the biennium beginning	
3	July 1, 1939, and ending June 30, 1941, the sum of twenty thousand	
4	dollars (\$20,000.00) or so much thereof as may be necessary, to be	
5	used in the following manner:	
6	For salary of secretary.....	\$ 2,580.00
7	For salaries, support, maintenance and miscel-	
8	laneous purposes	12,420.00

(1) UNIFORM NARCOTIC LAW

9	For the department of board of pharmacy examiners there is here-	
10	by appropriated for each year of the biennium beginning July 1,	
11	1939, and ending June 30, 1941, the sum of five thousand dollars	
12	(\$5,000.00) or so much thereof as may be necessary to be used in the	
13	following manner:	
14	Board members, per diem and expense.....	\$ 5,000.00
		<hr/>
15	Grand total of all appropriations for all pur-	
16	poses for each year of the biennium for the de-	
17	partment of pharmacy examiners board.....	\$ 20,000.00

PIONEER LAWMAKERS

1 SEC. 32. For the department of the pioneer lawmakers there is
 2 hereby appropriated for each year of the biennium beginning July 1,
 3 1939, and ending June 30, 1941, the sum of fifty dollars (\$50.00) or
 4 so much thereof as may be necessary, to be used in the following
 5 manner:

6	For miscellaneous purposes.....	\$	50.00
7	Grand total of all appropriations for all pur-		
8	poses for each year of the biennium for the		
9	department of pioneer lawmakers.....	\$	50.00

PRESIDENTIAL ELECTORS

1 SEC. 33. For the department of the presidential electors there is
 2 hereby appropriated for each year of the biennium beginning July 1,
 3 1939, and ending June 30, 1941, the sum of two hundred dollars
 4 (\$200.00) or so much thereof as may be necessary, to be used in the
 5 following manner:

6	For miscellaneous purposes	\$	200.00
7	Grand total of all appropriations for all pur-		
8	poses for each year of the biennium for the		
9	department of presidential electors.....	\$	200.00

STATE PRINTING BOARD

1 SEC. 34. For the department of the state printing board there is
 2 hereby appropriated for each year of the biennium beginning July 1,
 3 1939, and ending June 30, 1941, the sum of eighteen thousand
 4 dollars (\$18,000.00) or so much thereof as may be necessary, to be
 5 used in the following manner:

GENERAL OFFICE

6	For salary of superintendent of printing.....	\$	3,300.00
7	For salaries, support, maintenance and miscel-		
8	laneous purposes		14,700.00
9	Grand total of all appropriations for all pur-		
10	poses for each year of the biennium for the		
11	department of state printing board office.....	\$	18,000.00

STATE PRINTING BOARD

1 SEC. 35. For the department of the state printing board there is
 2 hereby appropriated for each year of the biennium beginning July 1,
 3 1939, and ending June 30, 1941, the sum of one hundred fifty thous-
 4 and dollars (\$150,000.00) or so much thereof as may be necessary,
 5 to be used in the following manner:

STATE PURPOSES

6 For the necessary printing and binding author-
 7 ized by law for the general assembly and for
 8 all state departments that have not been pro-

9 vided for in departmental appropriations....\$150,000.00

10 Grand total of all appropriations for all pur-
11 poses for each year of the biennium for the
12 department of the state printing board office..\$150,000.00

13 This section is not to be construed or interpreted to include the
14 expense of any printing for any of the following departments, bu-
15 reaus, board, or associations: State teachers' association, animal
16 health and veterinary division of agricultural department for elim-
17 ination of bovine tuberculosis, Iowa beef producers' association, Iowa
18 corn and small grain growers' association, farmers' institutes, Iowa
19 state dairy association, Iowa swine producers' association, Iowa state
20 poultry breeders' association, short courses, board of conservation,
21 state entomologist, state fair board, agricultural societies, Iowa de-
22 partment of the grand army of the republic, horse breeders' associa-
23 tion, state library and all divisions thereof, psychopathic hospital,
24 indigent hospital, state highway commission, receivership division
25 of the banking department, board of engineering examiners, fish and
26 game department, motor vehicle department, motor vehicle fuel tax
27 division, institutions under the board of control, institutions under
28 the board of education, and the state board of vocational education,
29 board of educational examiners, basic science board of examiners,
30 industrial survey, motor carrier department, truck operator de-
31 partment, and any and every agency, activity and undertaking that
32 has a fund for general support. Providing that funds appropriated
33 by this section, in the discretion of the printing board, may be used
34 in supplying paper stock, multigraph or mimeograph work for any
35 of the foregoing departments, bureaus, associations and institutions,
36 any sum so used for supplying multigraph or mimeograph work
37 to be refunded to the printing board and returned to the credit of the
38 appropriation made for printing board general office expense; any
39 sum so used for supplying paper stock to be refunded to the printing
40 board and returned to the credit of the appropriation made by this
41 section. These payments shall be made to the printing board in the
42 same manner as other claims against such departments are paid, and
43 the printing board shall remit the proceeds to the Comptroller of
44 State on the first secular day of each calendar month, taking the
45 comptroller's receipt therefor, showing the same properly credited
46 to the respective appropriations.

47 The following departments are hereby limited to their demands for
48 printing during the biennial period, commencing July 1, 1939, and
49 ending June 30, 1941, to an amount not to exceed the following:

50 Commerce Counsel, \$1,000.00; auditor of state, \$10,000.00; custo-
51 dian, \$20.00; board of control, \$1,000.00; department of agricul-
52 ture, \$25,000.00; executive council, \$4,000.00; board of education,
53 \$3,000.00; department of public instruction, \$12,000.00; academy
54 of science, \$2,000.00; pioneer lawmakers, \$15.00; entomologist,
55 \$150.00; securities department, \$1,000.00; supreme court reporters,
56 \$25,000.00; supreme court, \$200.00; state tax commission, \$8,000.00;
57 comptroller, \$15,000.00; bureau of labor, \$1,400.00; fire marshal,
58 \$1,000.00; geological survey, \$4,000.00; governor, \$2,500.00; in-
59 dustrial commission, \$1,500.00; adjutant general, \$2,000.00; depart-
60 ment of health, \$10,000.00; board of parole, \$500.00; secretary of

61 state, \$5,000.00; treasurer of state, \$10,000.00; attorney general,
62 \$12,000.00; clerk of supreme court, \$3,000.00; it is, however, pro-
63 vided that in case of emergency, the executive council may authorize
64 increased amounts where necessary.

DEPARTMENT OF PUBLIC SAFETY

1 SEC. 36. For the department of public safety there is hereby ap-
2 propriated for each year of the biennium beginning July 1, 1939, and
3 ending June 30, 1941, the sum of six hundred sixty-two thousand four
4 hundred twenty-two dollars (\$662,422.00) or so much thereof as may
5 be necessary to be used in the following manner:

6	For salary of commissioner of public safety.....	\$ 4,000.00
7	For salary of chief of highway patrol.....	3,200.00
8	For salary of bureau of criminal investigation..	3,600.00
9	For salary of superintendent of radio broadcast-	
10	ing stations	2,400.00
11	For salary of superintendent of operators and	
12	chauffeurs license division.....	2,000.00
13	For salary of fire marshal.....	2,500.00
14	For salaries, support, maintenance and miscel-	
15	laneous purposes	613,512.00

16	Total for the department of public safety for use	
17	of the highway patrol, bureau of criminal in-	
18	vestigation, radio broadcasting stations, oper-	
19	ators and chauffeurs licenses and fire mar-	
20	shal's office for each year of the biennium.....	\$631,212.00

(2) PUBLIC SAFETY AND EDUCATION

21 For the division of public safety and education there is hereby ap-
22 propriated for each year of the biennium beginning July 1, 1939, and
23 ending June 30, 1941, the sum of thirty-one thousand two hundred
24 ten dollars (\$31,210.00) or so much thereof as may be necessary to be
25 used in the following manner:

26	For salaries, support, maintenance and miscel-	
27	laneous purposes	\$ 31,210.00

28	Grand total of all appropriations for all pur-	
29	poses for all divisions of the department of	
30	public safety for each year of the biennium....	\$662,422.00

(3) LIQUOR CONTROL ENFORCEMENT

31 For the division of liquor control enforcement there is hereby
32 transferred from the liquor control commission funds to the depart-
33 ment of public safety for each year of the biennium beginning July 1,
34 1939, and ending June 30, 1941, the sum of twenty-six thousand dol-
35 lars (\$26,000.00) or so much thereof as may be necessary.

SUPERINTENDENT OF PUBLIC INSTRUCTION

1 SEC. 37. For the department of the superintendent of public in-
2 struction there is hereby appropriated for each year of the biennium
3 beginning July 1, 1939, and ending June 30, 1941, the sum of forty

4 thousand dollars (\$40,000.00) or so much thereof as may be neces-
5 sary, to be used in the following manner:

GENERAL OFFICE

6	For salary of superintendent of public instruc-	
7	tion	\$ 4,500.00
8	For salaries, support, maintenance and miscel-	
9	laneous purposes.....	35,500.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the depart-	
12	ment of the superintendent of public instruc-	
13	tion, office	\$ 40,000.00

SUPERINTENDENT OF PUBLIC INSTRUCTION

1 SEC. 38. For the department of the superintendent of public in-
2 struction there is hereby appropriated for each year of the biennium
3 beginning July 1, 1939, and ending June 30, 1941, the sum of four
4 hundred six thousand four hundred fifty dollars (\$406,450.00) or so
5 much thereof as may be necessary, to be used in the following man-
6 ner:

STATE AID TO PUBLIC SCHOOLS

7	For state aid to public schools:	
8	Normal training schools.....	\$100,000.00
9	Consolidated	125,000.00
10	Standard Schools (for use of rural schools only)	90,000.00
11	Normal institutes	4,450.00
12	Mining camp schools.....	45,000.00
13	Mining camp schools emergencies.....	27,000.00
14	Handicapped children	15,000.00

15 The superintendent of public instruction shall apportion the ap-
16 propriation for state aid to schools in mining camp districts and
17 certify to the state comptroller the amounts so allotted to these school
18 corporations.

19 Whereupon the state comptroller shall draw a warrant on the
20 treasurer of state payable to each school corporation for the amount
21 certified by the superintendent of public instruction and forward the
22 same to the secretary of the school corporation.

23	Grand total of all appropriations for all pur-	
24	poses for each year of the biennium for the de-	
25	partment of the superintendent of public in-	
26	struction for state aid to public schools.....	\$406,450.00

SECRETARY OF STATE

1 SEC. 39. For the department of secretary of state there is hereby
2 appropriated for each year of the biennium beginning July 1, 1939,
3 and ending June 30, 1941, the sum of two hundred eighty-six thou-
4 sand five hundred dollars (\$286,500.00) or so much thereof as may
5 be necessary, to be used in the following manner:

(1) ADMINISTRATION

6	For salary of secretary of state.....	\$ 5,000.00
7	For salaries, support, maintenance and miscel-	
8	aneous purposes	13,500.00
9	Total for administration.....	\$ 18,500.00

(2) MOTOR VEHICLE REGISTRATION AND DEALER'S LICENSE

10	For salary of superintendent.....	\$ 2,700.00
11	For salaries, support, maintenance and miscel-	
12	laneous purposes	247,300.00
13	Total for motor vehicle registration and deal-	
14	er's license	250,000.00
15	In case of legislative transfer of the above department, the ap-	
16	propriation is to be transferred and made available to the department	
17	of transfer.*	

(3) REAL ESTATE DIVISION

18	For salary of secretary.....	\$ 3,000.00
19	For salaries, support, maintenance and miscel-	
20	laneous purposes	15,000.00
21	Total for real estate division.....	\$ 18,000.00
22	Grand total of all appropriations for all pur-	
23	poses for each year of the biennium for the	
24	department of the secretary of state.....	286,500.00

SOCIAL WELFARE BOARD

1	SEC. 40. For the department of the board of social welfare there	
2	is hereby appropriated for each year of the biennium beginning July	
3	1, 1939, and ending June 30, 1941, the sum of two hundred sixty	
4	thousand dollars (\$260,000.00) or so much thereof as may be neces-	
5	sary, to be used in the following manner:	
6	For administration purposes	\$ 45,000.00
7	For child welfare.....	75,000.00
8	Aid to the blind.....	140,000.00
9	Grand total of all appropriations for all pur-	
10	poses for each year of the biennium for the de-	
11	partment of the board of social welfare.....	\$260,000.00

CLERK OF THE SUPREME COURT

1	SEC. 41. For the department of the clerk of the supreme court	
2	there is hereby appropriated for each year of the biennium begin-	
3	ning July 1, 1939, and ending June 30, 1941, the sum of ten thousand	
4	dollars (\$10,000.00) or so much thereof as may be necessary, to be	
5	used in the following manner:	
6	For salary of clerk of the supreme court.....	\$ 3,500.00

*Note: Transferred to the department of public safety under S. F. 498 of the Acts of the 48 G. A.

7	For salary of deputy clerk.....	2,000.00
8	For salary of file clerk.....	1,500.00
9	For salary of general clerk and stenographer....	1,344.00
10	For salary of messenger or janitor.....	1,200.00
11	For support, maintenance and miscellaneous	
12	purposes	456.00
<hr/>		
13	Grand total of all appropriations for all pur-	
14	poses for each year of the biennium for the	
15	department of the clerk of the supreme court..	\$ 10,000.00

SUPREME COURT

1	SEC. 42. For the department of the supreme court there is hereby	
2	appropriated for each year of the biennium beginning July 1, 1939,	
3	and ending June 30, 1941, the sum of eighty-four thousand five hun-	
4	dred dollars (\$84,500.00) or so much thereof as may be necessary,	
5	to be used in the following manner:	
6	For salaries of judges (9 at \$7,500.00 each).....	\$ 67,500.00
7	For salary of bailiff.....	1,800.00
8	For salaries, support, maintenance and miscel-	
9	laneous purposes	15,200.00
<hr/>		
10	Grand total of all appropriations for all pur-	
11	poses for each year of the biennium for the	
12	department of the supreme court.....	\$ 84,500.00

REPORTER OF THE SUPREME COURT AND CODE EDITOR

1	SEC. 43. (a) For the department of the reporter of the supreme	
2	court and code editor there is hereby appropriated for each year of	
3	the biennium beginning July 1, 1939, and ending June 30, 1941, the	
4	sum of twelve thousand eight hundred fifty dollars (\$12,850.00) or	
5	so much thereof as may be necessary, to be used in the following	
6	manner:	
7	For salary of reporter of the supreme court and	
8	code editor	\$ 3,850.00
9	Salary of deputy	1,800.00
10	Salary of assistant	2,400.00
11	Salary of proofreader, two at \$1,500.00 each.....	3,000.00
12	For miscellaneous purposes	1,800.00
<hr/>		
13	Grand total of all appropriations except as pro-	
14	vided by section 7a of Senate File 506, 48th	
15	G. A. for all purposes for each year of the bi-	
16	ennium for the department of the reporter of	
17	the supreme court and code editor.....	\$ 12,850.00

STATE TAX COMMISSION

1	SEC. 44. For the state tax commission there is hereby appropriated	
2	for each year of the biennium beginning July 1, 1939, and ending	
3	June 30, 1941, the sum of five hundred seventy thousand two	
4	hundred dollars (\$570,200.00) or so much thereof as may be neces-	
5	sary, to be used in the following manner:	

(1) ADMINISTRATION

6	Chairman	\$ 4,500.00
7	Vice Chairman	4,500.00
8	Member	4,500.00
9	For salary of assistant attorney general to per-	
10	form the legal work of the state tax division	
11	as provided by Senate File 424 of the Acts of	
12	the 48th General Assembly.....	4,000.00
13	For salaries, support, maintenance and miscel-	
14	laneous purposes for all divisions of the state	
15	tax commission	552,700.00
16	Grand total of all appropriations for all pur-	
17	poses for each year of the biennium for all	
18	divisions of the state tax commission.....	\$570,200.00

TREASURER OF STATE

1	SEC. 45. For the department of the treasurer of state there is	
2	hereby appropriated for each year of the biennium beginning July	
3	1, 1939, and ending June 30, 1941, the sum of forty-two thousand	
4	dollars (\$42,000.00) or so much thereof as may be necessary, to be	
5	used in the following manner:	
6	For salary of treasurer of state.....	\$ 5,000.00
7	For salaries, support, maintenance, and miscel-	
8	laneous purposes	32,200.00
9	For salaries of old age assistance and unem-	
10	ployment compensation warrant clerks.....	4,800.00
11	Grand total of all appropriations for all pur-	
12	poses for each year of the biennium for the	
13	department of the treasurer of state.....	\$ 42,000.00

UNIFORM LAWS COMMISSION

1	SEC. 46. For the commission on uniform laws there is hereby ap-	
2	propriated for each year of the biennium beginning July 1, 1939,	
3	and ending June 30, 1941, the sum of three hundred dollars (\$300.00)	
4	or so much thereof as may be necessary, to be used in the following	
5	manner:	
6	Travel expenses of members of the commission	
7	on uniform laws	\$ 300.00
8	Grand total of all appropriations for all pur-	
9	poses for each year of the biennium for the	
10	commission on uniform laws	\$ 300.00

BOARD OF VOCATIONAL EDUCATION

1	SEC. 47. For the department of vocational education there is here-	
2	by appropriated for each year of the biennium beginning July 1,	
3	1939, and ending June 30, 1941, the sum of sixty thousand dollars	
4	(\$60,000.00) or so much thereof as may be necessary, to be used in	
5	the following manner:	

6	For salary of director of the vocational educa-	
7	tion division and civilian rehabilitation divi-	
8	sion	\$ 2,250.00
9	For salaries, support, maintenance and miscel-	
10	laneous purposes	57,750.00
11	Grand total of all appropriations for all pur-	
12	poses for each year of the biennium for the	
13	department of the board of vocational edu-	
14	cation	\$ 60,000.00

BOARD OF CONTROL OF STATE INSTITUTIONS

1 SEC. 48. For the board of control of state institutions, for
 2 salaries, support, maintenance, repairs, replacements and altera-
 3 tions, of all state institutions under control of the said board,
 4 namely:
 5 State hospital and colony for epileptics and feeble-minded,
 6 Institution for feeble-minded children, Glenwood
 7 State hospital for insane, Cherokee
 8 State hospital for insane, Clarinda
 9 State hospital for insane, Independence
 10 State hospital for insane, Mount Pleasant
 11 State juvenile home, Toledo
 12 Penitentiary, Fort Madison
 13 Men's Reformatory, Anamosa
 14 Women's Reformatory, Rockwell City
 15 State sanatorium, Oakdale
 16 Iowa Soldiers' Home, Marshalltown
 17 Iowa Soldiers' Orphans' Home, Davenport
 18 Training school for boys, Eldora
 19 Training school for girls, Mitchellville
 20 There is hereby appropriated the sum of three million nine hun-
 21 dred eighty-seven thousand four hundred seven dollars (\$3,987,-
 22 407.00) or so much thereof as may be necessary for each year of the
 23 biennium beginning July 1, 1939, and ending June 30, 1941, to be
 24 used at the respective institutions in the following manner and for
 25 the following purposes:

STATE HOSPITAL AND COLONY FOR EPILEPTICS AND FEEBLE-
 MINDED, WOODWARD

26 (1) For the state hospital and colony for epileptics and feeble-
 27 minded there is hereby appropriated for each year of the biennium
 28 beginning July 1, 1939, and ending June 30, 1941, the sum of two
 29 hundred eighty-seven thousand three hundred eighty-five dollars
 30 (\$287,385.00) or so much thereof as may be necessary, to be used
 31 in the following manner:
 32 (a) For salaries, support and maintenance.....\$281,385.00
 33 (b) For repairs, replacements and alterations.. 6,000.00

34	Total for state hospital and colony for epileptics	
35	and feeble-minded, Woodward.....	\$287,385.00

INSTITUTION FOR FEEBLE-MINDED CHILDREN, GLENWOOD

36 (2) For the institution for feeble-minded children there is hereby
 37 appropriated for each year of the biennium beginning July 1, 1939,
 38 and ending June 30, 1941, the sum of three hundred seventy-two
 39 thousand seven hundred seventy dollars (\$372,770.00) or so much
 40 thereof as may be necessary, to be used in the following manner:

41 (a) For salaries, support, and maintenance.....\$364,770.00
 42 (b) For repairs, replacements and alterations.. 8,000.00

43 Total for institution for feeble-minded children,
 44 Glenwood\$372,770.00

STATE HOSPITAL FOR INSANE, CHEROKEE

45 (3) For the state hospital for the insane, Cherokee, there is hereby
 46 appropriated for each year of the biennium beginning July 1, 1939,
 47 and ending June 30, 1941, the sum of four hundred four thousand
 48 two hundred seventy-one dollars (\$404,271.00) or so much thereof
 49 as may be necessary, to be used in the following manner:

50 (a) For salaries, support, and maintenance.....\$396,271.00
 51 (b) For repairs, replacements and alterations.. 8,000.00

52 Total for state hospital for insane, Cherokee.....\$404,271.00

STATE HOSPITAL FOR INSANE, CLARINDA

53 (4) For the state hospital for the insane, Clarinda, there is hereby
 54 appropriated for each year of the biennium beginning July 1, 1939,
 55 and ending June 30, 1941, the sum of three hundred ninety-six
 56 thousand three hundred ninety-five dollars (\$396,395.00) or so much
 57 thereof as may be necessary, to be used in the following manner:

58 (a) For salaries, support, maintenance.....\$390,395.00
 59 (b) For repairs, replacements and alterations.. 6,000.00

60 Total for state hospital for insane, Clarinda.....\$396,395.00

STATE HOSPITAL FOR INSANE, INDEPENDENCE

61 (5) For the state hospital for the insane, Independence, there is
 62 hereby appropriated for each year of the biennium beginning July
 63 1, 1939, and ending June 30, 1941, the sum of four hundred twenty-
 64 three thousand two hundred fifty-two dollars (\$423,252.00) or so
 65 much thereof as may be necessary, to be used in the following man-
 66 ner:

67 (a) For salaries, support, and maintenance.....\$416,752.00
 68 (b) For repairs, replacements and alterations.. 6,500.00

69 Total for state hospital for insane, Independ-
 70 ence\$423,252.00

STATE HOSPITAL FOR INSANE, MOUNT PLEASANT

71 (6) For the state hospital for the insane, Mount Pleasant, there
 72 is hereby appropriated for each year of the biennium beginning
 73 July 1, 1939, and ending June 30, 1941, the sum of three hundred
 74 fifty-one thousand one hundred twenty-four dollars (\$351,124.00)
 75 or so much thereof as may be necessary, to be used in the following
 76 manner:

77	(a) For salaries, support, and maintenance.....	\$345,124.00
78	(b) For repairs, replacements and alterations	6,000.00
79	Total for state hospital for insane, Mount Pleas-	
80	ant	\$351,124.00

STATE JUVENILE HOME, TOLEDO

81	(7) For the state juvenile home, Toledo, there is hereby appro-	
82	propriated for each year of the biennium beginning July 1, 1939, and	
83	ending June 30, 1941, the sum of one hundred sixteen thousand five	
84	hundred fifty dollars (\$116,550.00) or so much thereof as may be	
85	necessary, to be used in the following manner:	
86	(a) For salaries, support and maintenance	\$113,000.00
87	(b) For repairs, replacements and alterations..	3,300.00
88	(c) For transportation for religious education	
89	and training subject to the approval of the	
90	comptroller	250.00
91	Total for state juvenile home, Toledo.....	\$116,550.00

PENITENTIARY, FORT MADISON

92	(8) For the state penitentiary, Ft. Madison, there is hereby ap-	
93	propriated for each year of the biennium beginning July 1, 1939,	
94	and ending June 30, 1941, the sum of four hundred three thousand	
95	dollars (\$403,000.00), which is hereby appropriated from the follow-	
96	ing funds: \$390,500.00 from the general fund of the state of Iowa,	
97	and \$12,500.00 from the industries fund of said institution, which	
98	sum is hereby transferred to the support, maintenance and improve-	
99	ment fund of said institution, or so much thereof as may be necessary,	
100	to be used in the following manner:	
101	(a) For salaries, support, and maintenance.....	\$390,000.00
102	(b) For repairs, replacements and alterations	13,000.00

103 Total for penitentiary, Fort Madison.....\$403,000.00

104 Provided, however, that in the appropriation herein made the
 105 board of control shall so allocate said appropriation that every em-
 106 ployee of the penitentiary at Fort Madison shall have one day vaca-
 107 tion out of every consecutive seven days.

MEN'S REFORMATORY, ANAMOSA

108	(9) For the men's reformatory, Anamosa, there is hereby appro-	
109	propriated for each year of the biennium beginning July 1, 1939, and	
110	ending June 30, 1941, the sum of three hundred five thousand dollars	
111	(\$305,000.00), which is hereby appropriated from the following	
112	funds: \$230,000.00 from the general fund of the state of Iowa, and	
113	\$75,000.00 from the industries fund of the said institution, which	
114	is hereby transferred to the support, maintenance, and improve-	
115	ment fund of the said institution, or so much thereof as may be neces-	
116	sary to be used in the following manner:	
117	(a) For salaries, support, and maintenance....	\$302,300.00
118	(b) For repairs, replacements and alterations..	2,700.00
119	Total for Men's Reformatory, Anamosa.....	\$305,000.00

120 Provided, however, that in the appropriation herein made the
 121 board of control shall so allocate said appropriation that every em-
 122 ployee of the men's reformatory at Anamosa shall have one day
 123 vacation out of every consecutive seven days.

WOMEN'S REFORMATORY, ROCKWELL CITY

124 (10) For the women's reformatory, Rockwell City, there is hereby
 125 appropriated for each year of the biennium beginning July 1, 1939,
 126 and ending June 30, 1941, the sum of forty-two thousand dollars
 127 (\$42,000.00) or so much thereof as may be necessary, to be used
 128 in the following manner:

129 (a) For salaries, support, and maintenance....\$ 40,000.00
 130 (b) For repairs, replacements and alterations 2,000.00

131 Total for women's reformatory, Rockwell City....\$ 42,000.00

STATE SANATORIUM, OAKDALE

132 (11) For the state sanatorium, Oakdale, there is hereby appro-
 133 priated for each year of the biennium beginning July 1, 1939, and
 134 ending June 30, 1941, the sum of two hundred forty-six thousand
 135 dollars (\$246,000.00) or so much thereof as may be necessary, to be
 136 used in the following manner:

137 (a) For salary of superintendent.....\$ 3,000.00
 138 (b) For other salaries, support, and mainte-
 139 nance 233,000.00
 140 (c) For repairs, replacements and alterations.. 10,000.00

141 Total for state sanatorium, Oakdale.....\$246,000.00

IOWA SOLDIERS' HOME, MARSHALLTOWN

142 (12) For the Iowa Soldiers' Home, Marshalltown, there is hereby
 143 appropriated for each year of the biennium beginning July 1, 1939,
 144 and ending June 30, 1941, the sum of one hundred seventy-one thou-
 145 sand one hundred sixty-three dollars (\$171,163.00) or so much there-
 146 of as may be necessary, to be used in the following manner:

147 (a) For salaries, support, and maintenance.....\$167,163.00
 148 (b) For repairs, replacements and alterations.. 4,000.00

149 Total for Iowa Soldiers' Home, Marshalltown....\$171,163.00

IOWA SOLDIERS' ORPHANS' HOME, DAVENPORT

150 (13) For the Iowa soldiers' orphans' home, Davenport, there is
 151 hereby appropriated for each year of the biennium beginning July
 152 1, 1939, and ending June 30, 1941, the sum of two hundred thousand
 153 seven hundred fifty dollars (\$200,750.00) or so much thereof as may
 154 be necessary, to be used in the following manner:

155 (a) For salaries, support, and maintenance.....\$193,000.00
 156 (b) For repairs, replacements and alterations 7,500.00
 157 (c) For transportation for religious education
 158 and training subject to the approval of the
 159 comptroller 250.00

160 Total for Iowa Soldiers' Orphans' Home, Dav-
 161 enport\$200,750.00

TRAINING SCHOOL FOR BOYS, ELDORA

162 (14) For the training school for boys, Eldora, there is hereby ap-
 163 propriated for each year of the biennium beginning July 1, 1939,
 164 and ending June 30, 1941, the sum of one hundred eighty-one thou-
 165 sand seven hundred ninety-seven dollars (\$181,797.00) or so much
 166 thereof as may be necessary, to be used in the following manner:
 167 (a) For salaries, support, maintenance.....\$171,797.00
 168 (b) For repairs, replacements and alterations.. 10,000.00

169 Total for Training School for Boys, Eldora.....\$181,797.00

TRAINING SCHOOL FOR GIRLS, MITCHELLVILLE

170 (15) For the training school for girls, Mitchellville, there is here-
 171 by appropriated for each year of the biennium beginning July 1,
 172 1939, and ending June 30, 1941, the sum of seventy-eight thousand
 173 four hundred fifty dollars (\$78,450.00) or so much thereof as may
 174 be necessary, to be used in the following manner:
 175 (a) For salaries, support and maintenance.....\$ 75,000.00
 176 (b) For repairs, replacements and alterations.. 3,450.00

177 Total for Training School for Girls, Mitchell-
 178 ville\$ 78,450.00

ROAD FUND

179 (16) For road purposes there is hereby appropriated for each year
 180 of the biennium beginning July 1, 1939, and ending June 30, 1941,
 181 the sum of seven thousand five hundred dollars (\$7,500.00) or so
 182 much thereof as may be necessary, to be used in the following man-
 183 ner:
 184 For construction, maintenance and repairs of
 185 roads at institutions under the control of said
 186 board\$ 7,500.00

187 Total road fund\$ 7,500.00

188 Grand total of all appropriations for all pur-
 189 poses for each year of the biennium for all
 190 institutions under the board of control...\$ 3,987,407.00

191 The board of control may appropriate from the funds allotted to
 192 the state hospitals for the insane not to exceed \$10,000.00 for the
 193 establishment of observation wards under arrangement with one
 194 or more recognized hospitals for the purpose of there making diag-
 195 nosis and treatment of persons adjudged insane by a commission
 196 of insanity. The admission and care of such patients shall be accord-
 197 ing to rules adopted by the board of control.

STATE BOARD OF EDUCATION

1 SEC. 49. For the state board of education, for the administration,
 2 maintenance, operation, repairs, replacements and alterations of the
 3 state university of Iowa, at Iowa City; the Iowa state college of agri-
 4 culture and mechanic arts, at Ames; the Iowa state teachers' college,
 5 at Cedar Falls; the Iowa school for the deaf, at Council Bluffs; the
 6 Iowa school for the blind, at Vinton; the university hospital, at Iowa

7 City; the psychopathic hospital, at Iowa City; and the bacteriological
8 laboratory, at Iowa City; and for soldiers' tuition:

9 There is hereby appropriated the sum of six million eight hundred
10 twenty-one thousand dollars (\$6,821,000.00) or so much thereof as
11 may be necessary, for each year of the biennium beginning July 1,
12 1939, and ending June 30, 1941, to be used in the following manner
13 and for the following purposes, to wit:

(1) STATE UNIVERSITY OF IOWA

14 For the state university of Iowa, at Iowa City, for each year of
15 said biennium, the sum of two million three hundred forty thousand
16 dollars (\$2,340,000.00) or so much thereof as may be necessary, to
17 be used in the following manner:

18 (a) For salaries, support, and maintenance...\$2,277,500.00
19 (b) For repairs, replacements and alterations 62,500.00

20 Total for state university of Iowa.....\$2,340,000.00

(2) IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS

21 For the Iowa state college of agriculture and mechanic arts at
22 Ames, Iowa, for each year of said biennium, the sum of two million
23 three hundred twenty-five thousand dollars (\$2,325,000.00) or so
24 much thereof as may be necessary, to be used in the following man-
25 ner:

26 (a) For salaries, support, and maintenance...\$2,215,000.00
27 (b) For repairs, replacements and alterations 110,000.00

28 Total for Iowa state college of agriculture and
29 mechanic arts, Ames\$2,325,000.00

(3) IOWA STATE TEACHERS' COLLEGE

30 For the Iowa state teachers' college, at Cedar Falls, for each year
31 of said biennium, the sum of six hundred forty eight thousand five
32 hundred dollars (\$648,500.00) or so much thereof as may be neces-
33 sary, to be used in the following manner:

34 (a) For salaries, support, maintenance, re-
35 pairs, replacements and alterations.....\$ 648,500.00
36 Total for Iowa state teachers' college.....\$ 648,500.00

37 (b) For purchase of that part of the Chas.
38 Messier property lying between 27th Street
39 and Highway No. 57, Cedar Falls, or as
40 much thereof as may be necessary, condi-
41 tional upon approval of the committee on
42 retrenchment and reform and executive
43 council 5,000.00

(4) IOWA SCHOOL FOR THE DEAF

44 For the Iowa school for the deaf, at Council Bluffs, for each year
45 of said biennium, the sum of two hundred twenty-five thousand dol-
46 lars (\$225,000.00) or so much thereof as may be necessary, to be
47 expended as follows:

48 (a) For salaries, support and maintenance...\$ 221,000.00
49 (b) For repairs, replacements and alterations 4,000.00

50 Total for Iowa school for the deaf.....\$ 225,000.00

(5) IOWA SCHOOL FOR THE BLIND

51 For the Iowa school for the blind at Vinton, for each year of said
 52 biennium the sum of one hundred thirty-five thousand dollars (\$135,-
 53 000.00) or so much thereof as may be necessary, to be expended as
 54 follows:

55 (a) For salaries, support and maintenance.....\$ 120,000.00
 56 (b) For repairs, replacements and alterations 15,000.00

57 Total for Iowa school for the blind.....\$ 135,000.00

MEDICAL AND SURGICAL TREATMENT OF INDIGENT PERSONS

(6) UNIVERSITY HOSPITAL

58 For the purpose of carrying out the provisions of chapter 199,
 59 Code of 1935, for each year of said biennium, the sum of one million
 60 dollars (\$1,000,000.00) or so much thereof as may be necessary, to
 61 be expended in the manner and under the authority provided in said
 62 chapter.

(7) PSYCHOPATHIC HOSPITAL

63 For the psychopathic hospital, at Iowa City, for each year of said
 64 biennium the sum of one hundred eight thousand dollars (\$108,-
 65 000.00) or so much thereof as may be necessary, to be used in the
 66 manner and under the authority provided in chapter 197, provided,
 67 however, that said amount shall be available in monthly installments,
 68 not exceeding nine thousand dollars (\$9,000.00) and that said install-
 69 ments shall be expended only upon the submission of bills in the
 70 manner provided in section 3984 of said chapter.

(8) BACTERIOLOGICAL LABORATORY—STATE DEPARTMENT OF HEALTH

71 For the bacteriological laboratory and the hygienic laboratory of
 72 the state department of health at Iowa City, for each year of the
 73 said biennium the sum of thirty-seven thousand five hundred dollars
 74 (\$37,500.00) or so much thereof as may be necessary to provide for
 75 public health examinations, such as bacteriological, water, and sero-
 76 logical tests, to determine the cause of infectious diseases, the origin
 77 and control of epidemics throughout the state of Iowa.

(9) SOLDIERS' TUITION

78 The sum of two thousand dollars (\$2,000.00) or so much thereof
 79 as may be necessary, for each year of the biennium beginning July 1,
 80 1939, and ending June 30, 1941, for the payment of tuition for honor-
 81 ably discharged soldiers or sailors of the world war of the United
 82 States who are citizens of the state of Iowa, who enroll in any division
 83 of the state university, at Iowa City, the State Teacher's* College
 84 at Cedar Falls, or the college of agriculture and mechanic arts at
 85 Ames, said payment being fixed at twenty dollars (\$20.00) for each
 86 student for each semester and each summer school.

87 Grand total of all appropriations for all pur-
 88 poses for each year of the biennium, for all
 89 institutions under the board of education....\$6,821,000.00

*Note: In accordance with enrolled bill.

**IOWA SOLDIERS' BONUS BOARD
WORLD WAR ORPHANS' EDUCATIONAL AID**

1 SEC. 50. For the Iowa soldiers' bonus board, there is hereby
2 appropriated for each year of the biennium beginning July 1, 1939,
3 and ending June 30, 1941, the sum of four thousand two hundred
4 fifty dollars (\$4,250.00) or so much thereof as may be necessary, to
5 be used in the following manner:

6 For the purpose of administration and aiding
7 in the education of children of soldiers,
8 sailors, marines and nurses.....\$ 4,250.00

9 Grand total of all appropriations for all pur-
10 poses for each year of the biennium for the
11 Iowa soldiers' bonus board.....\$ 4,250.00

12 The salary of the secretary of the Iowa Bonus Board shall in no
13 event exceed the sum of two thousand four hundred dollars (\$2,-
14 400.00); and the salary of the clerk of the Iowa Bonus Board shall
15 in no event exceed the sum of one thousand two hundred dollars
16 (\$1,200.00).

GENERAL CONTINGENT FUND

1 SEC. 51. For the purpose of establishing a general contingent
2 fund for the state, there is hereby appropriated for each year of the
3 biennium beginning July 1, 1939, and ending June 30, 1941, the sum
4 of three hundred thousand dollars (\$300,000.00) or so much thereof
5 as may be necessary, to be administered by the Committee on Re-
6 trenchment and Reform for contingencies arising during the bien-
7 nium which are legally payable from the general fund of the state;
8 reports of all receipts and expenditures shall be printed in the budget
9 report.

INSURANCE DEPARTMENT

1 SEC. 52. The insurance commissioner is hereby authorized to
2 employ not to exceed eighteen (18) insurance examiners, of which
3 examiners the commissioner may designate two examiners in charge
4 at per diem not to exceed \$15.00 each, and expenses as herein pro-
5 vided, all other examiners at per diem not exceeding \$12.50 each,
6 and their actual and necessary expenses while engaged in the
7 performance of their duties, said per diem and expenses to be paid
8 from funds in the state treasury upon presentation of proper vouch-
9 ers and warrants; provided, however, that the state treasurer shall
10 be reimbursed in the manner and under the authority provided in
11 sections 8632 and 8633, Code of 1935.

COUNTY AND MUNICIPAL EXAMINERS

1 SEC. 53. The auditor of state is hereby authorized to employ coun-
2 ty, municipal, and school examiners and assistants at a per diem not
3 exceeding seven dollars (\$7.00) each, and their actual and necessary
4 expenses while engaged in the performance of their duties, to be paid
5 in the manner as provided by Chapter 10 of the Code.

BOARD OF ENGINEERING EXAMINERS

1 SEC. 54. The board of engineering examiners is hereby authorized
 2 to pay its secretary a salary of six hundred dollars (\$600.00) per year
 3 and to pay a clerk three hundred dollars (\$300.00) per year, to be
 4 paid out of funds belonging to the board of engineering examiners.

HIGHWAY COMMISSION

1 SEC. 55. The state highway commission is authorized to expend
 2 from the primary road fund for each year of the biennium beginning
 3 July 1, 1939, and ending June 30, 1941, not to exceed four million nine
 4 hundred three thousand two hundred seventy-two dollars (\$4,903,-
 5 272.00) or so much thereof as may be necessary, to be used in the
 6 following manner:

(1) SUPPORT OF IOWA HIGHWAY COMMISSION

7	For salaries	\$ 20,000.00
8	For traveling expenses.....	6,000.00
9	For office supplies.....	275.00
10	For miscellaneous expenses.....	525.00

11	Total for support of Iowa Highway Commis-	
12	sion	\$ 26,800.00

(2) ENGINEERING, INSPECTION AND ADMINISTRATION OF HIGHWAY WORK

13	For salaries	\$ 778,815.00
14	For traveling expenses.....	132,880.00
15	For office supplies	29,085.00
16	For miscellaneous expenses	88,445.00

17	Total for engineering, inspection and admin-	
18	istration of highway work.....	\$1,029,225.00

(3) MAINTENANCE OF PRIMARY ROAD SYSTEM

19	For materials, supplies and services.....	\$1,147,000.00
20	For salaries and wages.....	1,789,530.00
21	For equipment replacement and operation.....	872,217.00

22	Total for maintenance of primary road system	\$3,808,747.00
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(4) SECONDARY ROAD WORK

23	Inspection and testing of materials for second-	
24	ary road work, made at request of the coun-	
25	ties; for salaries	16,500.00
26	For inspection of materials for secondary road	
27	work by agencies employed by the State	
28	Highway Commission	22,000.00

29	Total for inspection and testing of materials	
30	for secondary road work made at request of	
31	the counties	\$ 38,500.00

32	Grand total highway commission is authorized	
33	to expend from the primary road fund for	
34	each year of the biennium	\$4,903,272.00

GENERAL PROVISIONS

1 SEC. 56. The governing board of any state department, institu-
2 tion, or agency, or, if there be no governing board, the head of any
3 department, institution or agency, in the interest of economy and
4 efficiency, may, with the written consent and approval of the governor
5 and state comptroller, first obtained, at any time during the biennium,
6 partially or wholly use its unexpended appropriations for purposes
7 properly within the scope of such department, institution or agency.

1 SEC. 57. No state department, institution, or agency receiving
2 appropriations under the provisions of this act shall expend funds
3 or approve claims in excess of its appropriations, except as other-
4 wise provided in this act. If the expenditures of any state depart-
5 ment, institution, or agency, shall in any other manner exceed the
6 amounts of its appropriation, the members of the governing board
7 of any such state department, institution or agency who shall have
8 voted for such excessive expenditures, or, if there be no governing
9 board, the head of any such state department, institution, or agency
10 making excessive expenditure or approving excessive claims shall be
11 personally liable for the full amount of the unauthorized deficit thus
12 created.

13 When the appropriation of any department, institution or agency
14 is insufficient to properly meet the legitimate expense of such depart-
15 ment, institution or agency of the state, the state comptroller, with
16 the approval of the governor, is authorized to transfer from any
17 other department, institution or agency of the state having an appro-
18 priation in excess of its necessity, sufficient funds to meet that de-
19 ficiency.

1 SEC. 58. No obligation of any kind whatsoever, shall be incurred
2 or created subsequent to June 30, 1941, against any appropriation
3 made by this act unless otherwise specifically provided by law, and,
4 on June 30, 1941, it shall be the duty of the head of each department,
5 board or commission, receiving appropriations under the provisions
6 of this act, to file with the state comptroller a list of all expenditures
7 for which warrants have not been drawn.

1 SEC. 59. Except where otherwise specifically provided by law, all
2 appropriations made by this act, remaining unexpended or unobli-
3 gated, at the close of business on December 31, 1941, shall revert
4 to and become a part of the general fund in the state treasury.

1 SEC. 60. All salaries provided for by this act are in lieu of all
2 existing statutory salaries, for the positions provided herein, and
3 shall be payable in equal monthly or semi-monthly installments, and
4 shall be in full compensation for all services during the biennium
5 ending June 30, 1941.

6 Employees of the state, including employees of the highway com-
7 mission, are granted one week's vacation after one year's steady employ-
8 ment and two weeks' vacation after two or more years employ-
9 ment, with pay. Leave of absence of thirty days is granted to em-
10 ployees on account of sickness or injury, accumulative for three con-
11 secutive years, with pay at the discretion of the heads of the de-
12 partments.

13 Any employee while traveling on state business, driving his own
14 car, may charge for same at the rate of not to exceed four cents (4c)
15 per mile for use of said car, regardless of the number of passengers
16 carried.

1 SEC. 61. Employees of the state shall be under the control of the
2 head of the department and the compensation paid shall be subject
3 to the approval of the governor and state comptroller. Any employee
4 may be assigned to such duties as the department head shall direct
5 and subject to provisions of chapter sixty (60), 1935 Code of Iowa.

1 SEC. 62. For the office of the state comptroller there is hereby
2 set aside from the collection of taxes on motor vehicle fuel the sum
3 of three thousand five hundred dollars (\$3,500.00) annually, for
4 use in employing sufficient help in writing motor vehicle fuel tax
5 refund warrants.

1 SEC. 63. For the office of the industrial commissioner there is
2 hereby set aside from the primary road fund the sum of twenty thou-
3 sand dollars (\$20,000.00) annually, for use in paying all claims of
4 employees of the state highway commission who are injured or
5 killed while on duty, as provided in chapter 70, of the Code of 1935.

1 SEC. 64. For the office of the industrial commissioner there is
2 hereby set aside from the liquor control act fund the sum of ten
3 thousand dollars (\$10,000.00) annually, or so much thereof as may
4 be necessary, for use in paying all claims of employees for the liquor
5 control commission who are injured or killed while on duty as pro-
6 vided for in section 1418, Code of 1935.

1 SEC. 65. For the office of the attorney general there is hereby
2 set aside from the primary road fund the sum of ten thousand dol-
3 lars (\$10,000.00) annually, for the purpose of covering all costs of
4 litigation arising from or pertaining to primary roads.

1 SEC. 66. Where any provisions of the laws of this state are in
2 conflict with this act the provisions of this act shall govern for the
3 biennium.

1 SEC. 67. All appropriations made by this act are to be recorded
2 and accounted for as is the procedure for the appropriations for the
3 present biennium.

1 SEC. 68. If for any reason the appropriation allocated to any de-
2 partment or division of a department, is incorrectly allocated the
3 state comptroller shall have authority to correctly allocate the appro-
4 priation made to the said department or division of a department.

Approved May 17, 1939.

CHAPTER 2
APPROPRIATIONS

H. F. 647

AN ACT to appropriate to the state board of control for repairs, buildings, and equipment at the various state institutions the sum of six hundred twenty-five thousand six hundred dollars (\$625,600.00), and to appropriate to the state fair board for the construction of a combination 4-H club dining hall and dormitory the sum of twenty-five thousand dollars (\$25,000.00), and to appropriate to the state board of education for the construction of a women's gymnasium at the Iowa State College of Agriculture and Mechanic Arts the sum of one hundred twenty-five thousand dollars (\$125,000.00), all for each year of the biennium beginning July 1, 1939, and ending June 30, 1941, and providing for the manner of expenditure thereof.

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

1 SECTION 1. All funds appropriated hereunder shall be expended
2 only in the following manner: The plans and specifications for the
3 repairs, buildings, and equipment for which funds are herein appro-
4 priated shall first, before any work is done, have the express ap-
5 proval of the executive council and the joint legislative committee on
6 retrenchment and reform, and the sub-final and final payments shall
7 also be approved by the said executive council and legislative com-
8 mittee on retrenchment and reform before payments are made. Said
9 committee on retrenchment and reform may, if it deems it necessary
10 and advisable, appoint from its membership a subcommittee, and
11 may delegate to such subcommittee such power and authority as said
12 committee on retrenchment and reform deems necessary.

1 SEC. 2. The executive council and the joint legislative committee
2 on retrenchment and reform are hereby authorized to consider the
3 advisability of consolidating the housing of all state departments
4 located in Des Moines and now housed in buildings rented or leased
5 by the state, and the said executive council and the joint legislative
6 committee on retrenchment and reform are further authorized and
7 directed to investigate as to repairs and improvements on all state
8 property and shall report their findings with reference to the housing
9 of the various state departments now housed in leased buildings, and
10 shall further make such recommendations as they consider advisable
11 to the next session of the general assembly of the state of Iowa as to
12 the manner of providing for necessary office space, and shall also make
13 recommendations as to the improvements and amount thereof that
14 are necessary on the various buildings under the control of the state
15 of Iowa. All leases leasing any building or office space for state pur-
16 poses hereafter executed or leased shall be subject to the approval of
17 the executive council and the joint legislative committee on retrench-
18 ment and reform.

1 SEC. 3. There is hereby appropriated from the general fund of
2 the state treasury to the board of control of state institutions for
3 each year of the biennium beginning July 1, 1939, and ending June
4 30, 1941, the sum of six hundred twenty-five thousand six hundred
5 dollars (\$625,600.00), or so much thereof as may be necessary, to be
6 used in the following manner:

STATE HOSPITAL FOR INSANE, CHEROKEE

7	(a) For the state hospital for insane, Cherokee:	
8	1. Main building, completely overhaul and	
9	refinish two wards; also completely fire-	
10	proof	\$ 9,000.00
11	2. Renew steam lines to Wade and Donohoe	
12	cottages	\$ 1,000.00
13	3. Painting metal roof work on all build-	
14	ings	\$ 1,750.00
15	4. Ward equipment furnishings; floor cover-	
16	ing, room furniture, hall furniture,	
17	lighting, decoration of walls, windows,	
18	pictures, etc.	\$ 2,500.00
19	5. Laboratory equipment; clinical, patho-	
20	logical, x-ray, research, etc.....	\$ 1,000.00
21	6. Therapeutic equipment: Including hy-	
22	dro and electrical, occupational, musical,	
23	library, etc.	\$ 1,200.00
24	7. Rebuilding and enlarging equipment for	
25	refrigeration and ice making.....	\$ 6,000.00
26	8. Extending dairy facilities by adding a	
27	milking barn, additional space for cattle,	
28	hay keeper and dairy room equipment....	\$ 2,500.00
29	9. Sewage disposal plant.....	\$ 30,000.00
30	Total each year	\$ 54,950.00

STATE HOSPITAL FOR INSANE, CLARINDA

31	(b) For the state hospital for insane, Clarinda:	
32	1. Elimination of fire hazards in several	
33	buildings	\$ 750.00
34	2. Installation of high pressure steam lines	
35	and unit controlled radiators in wards	
36	in main building.....	\$ 10,000.00
37	3. Conversion of NVC and SVC to Infirm-	
38	aries by installation of dumb-waiters,	
39	etc.	\$ 1,250.00
40	4. Enlarging toilet, bathing and lavatory	
41	facilities in wards in main building.....	\$ 5,000.00
42	5. Replace heat and water mains to Hope	
43	Hall in underground tunnel for pedes-	
44	trian passage	\$ 4,000.00
45	6. Ward equipment: Rugs, curtains, furni-	
46	ture, etc.	\$ 2,500.00
47	7. Laboratory equipment	\$ 550.00
48	8. Therapeutic equipment: Hydro, electrical,	
49	surgical, occupational, musical, li-	
50	brary	\$ 575.00
51	9. Installation of new generator, capacity	
52	400 KVA	\$ 7,000.00
53	10. Doubling laundry capacity.....	\$7,000.00
54	Additional equipment	\$7,000.00
55	Total for each year of the biennium.....	\$ 7,000.00
56	Total each year.....	\$ 38,625.00

STATE HOSPITAL FOR INSANE, INDEPENDENCE

57	(c) For the state hospital for insane, Independence:	
58		
59	1. Fire escape installed in Farmers Lodge.....	\$ 1,000.00
60	2. Install fire doors at center of Main Building	
61	ing	\$ 600.00
62	3. All dangerously exposed wires rewired	
63	in steel conduit in Main Building, etc.....	\$ 5,000.00
64	4. Remodel and enlarge toilets, bath rooms	
65	and laboratories throughout institution..	\$ 2,500.00
66	5. Ward equipment: Rugs, curtains, etc.....	\$ 2,500.00
67	6. Water tower	\$ 10,000.00
68	Total each year	\$ 21,600.00

STATE HOSPITAL FOR INSANE, MOUNT PLEASANT

69	(d) For the state hospital for insane, Mount Pleasant:	
70		
71	1. Rewiring main patient building.....	\$ 5,000.00
72	2. Installation of sprinkler system in main	
73	patient building	\$ 20,000.00
74	3. Installation of ten (10) fire escapes in	
75	main patient building.....	\$ 15,000.00
76	4. Tunnel to Women's Infirmary, rebuild....	\$ 3,000.00
77	5. Enlarge bath and toilet facilities, Men's	
78	Infirmary	\$ 350.00
79	6. Establish well at Oaks Farm.....	\$ 750.00
80	7. Enlarge laundry and equipment.....	\$ 7,500.00
81	8. Ward equipment—furnishings	\$ 2,500.00
82	9. Laboratory equipment: Clinical, patho-	
83	logical, x-ray and research.....	\$ 825.00
84	10. Therapeutic equipment: Hydro, electrical,	
85	surgical, occupational, musical, library	
86	.....	\$ 2,000.00
87	11. Fire equipment: Truck and pump.....	\$ 1,000.00
88	12. Miscellaneous fire equipment.....	\$ 1,000.00
89	13. Changing electrification from D.C. to	
90	A.C. current and rewiring.....	\$ 12,500.00
91	Total each year.....	\$ 71,425.00

INSTITUTION FOR FEEBLE-MINDED CHILDREN, GLENWOOD

92	(e) For institution for feeble-minded children,	
93	Glenwood:	
94	1. New roof on administration building.....	\$ 5,000.00
95	2. Plumbing and heating renewal on all	
96	wards	\$ 3,750.00
97	3. Replacement of Girls' Custodial, with a	
98	complete new three (3) unit building	
99	with a central kitchen unit for said build-	
100	ings; cost of buildings not to exceed	
101	\$350,000	\$175,000.00
102	Total each year	\$183,750.00

HOSPITAL FOR EPILEPTICS AND SCHOOL FOR FEEBLE-MINDED, WOODWARD

103	(f) For hospital for epileptics and school for		
104	feeble-minded, Woodward:		
105	1. Ward equipment-furnishings	\$	3,000.00
106	2. Therapeutic equipment: Electrical, sur-		
107	gical, occupational, musical, library.....	\$	1,500.00
108	3. Laboratory equipment: Clinical, x-ray,		
109	research	\$	500.00
110	4. Water softener and filter in laundry		
111	room	\$	1,750.00
112	5. New filtering plant.....	\$	20,000.00
113	6. Sewage disposal plant.....	\$	30,000.00
114	Total each year	\$	56,750.00

MEN'S REFORMATORY, ANAMOSA

115	(g) For men's reformatory, Anamosa:		
116	1. Completion of hospital building and		
117	equipment, present hospital facilities are		
118	wholly inadequate	\$	40,000.00
119	2. Engine room equipment. Repairing two		
120	old engines and buying one new engine		
121	and generator	\$	15,000.00
122	Total each year	\$	55,000.00

IOWA SOLDIERS' ORPHANS' HOME, DAVENPORT

123	(h) For Iowa soldiers' orphans' home, Daven-		
124	port:		
125	1. New grade school building.....	\$	40,000.00
126	2. To fireproof present old school building		
127	to be used as dormitory for boys.....	\$	7,500.00
128	Total each year	\$	47,500.00

TRAINING SCHOOL FOR BOYS, ELDORA

129	(i) For training school for boys, Eldora:		
130	1. Sewage disposal plant.....	\$	15,000.00
131	Total each year	\$	15,000.00

STATE PENITENTIARY, FORT MADISON

132	(j) For state penitentiary, Fort Madison:		
133	1. A complete water softener unit and plant		
134	for laundry and other restricted institu-		
135	tional needs	\$	2,500.00
136	2. Corn crib and granary, Farm No. 1.....	\$	1,000.00
137	Total each year	\$	3,500.00

IOWA SOLDIERS' HOME, MARSHALLTOWN

138	(k) For Iowa soldiers' home, Marshalltown:		
139	1. Repair fund for boilers.....	\$	2,500.00
140	2. New power house building.....	\$	30,000.00

141	*3. Sewage disposal hook-up with City of	
142	Marshalltown	\$ 7,500.00
143	Total each year	\$ 40,000.00
144	*The total for biennium to be available first	
145	year of biennium.	

TRAINING SCHOOL FOR GIRLS, MITCHELLVILLE

146	(l) For training school for girls, Mitchellville:	
147	1. Repairs to and reconditioning of all cot-	
148	tages	\$ 5,000.00
149	2. Two (2) new boilers, reset two (2)	
150	boilers, stokers, smoke stack.....	\$ 21,500.00
151	Total each year	\$ 26,500.00

STATE SANATORIUM, OAKDALE

152	(m) For state sanatorium, Oakdale:	
153	1. Repair sewage disposal plant.....	\$ 2,500.00
154	2. X-ray equipment	\$ 3,000.00
155	Total each year	\$ 5,500.00

STATE JUVENILE HOME, TOLEDO

156	(n) For state juvenile home, Toledo:	
157	1. General overhauling and repairing of	
158	steam heating system, including a tunnel	
159	from power plant to main building and	
160	to superintendent's home.....	\$ 5,500.00
161	Total each year	\$ 5,500.00
162	Grand total of all capital improvements	
163	for each year of the biennium.....	\$625,600.00

IOWA STATE FAIR BOARD

1 SEC. 4. There is hereby appropriated from the general fund of
2 the state treasury to the Iowa state fair board for each year of the
3 biennium beginning July 1, 1939, and ending June 30, 1941, the sum
4 of twenty-five thousand dollars (\$25,000.00), or so much thereof as
5 may be necessary, to be used in the following manner:

6	For the construction of a combination 4-H club	
7	dining hall and dormitory on the Iowa state	
8	fair grounds	\$ 25,000.00
9	Total each year.....	\$ 25,000.00

1 SEC. 5. There is hereby appropriated from the general fund of the
2 state treasury to the state board of education for each year of the
3 biennium beginning July 1, 1939, and ending June 30, 1941, the sum
4 of one hundred twenty-five thousand dollars (\$125,000.00), or so
5 much thereof as may be necessary, to be used in the following man-
6 ner:

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS

7	For the Iowa State College of Agriculture and	
8	Mechanic Arts:	
9	For a women's new gymnasium.....	\$125,000.00
10	Total each year.....	\$125,000.00

Approved May 17, 1939.

CHAPTER 3

APPROPRIATIONS

S. F. 506

AN ACT making an appropriation for the payment of typewriter rental, miscellaneous expenses of the Forty-eighth General Assembly, and other expenses that are payable from the general fund of the state.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, the following sums, or so
3 much thereof as may be necessary, to pay the claims and expenses
4 indicated.

1 SEC. 2. To the several typewriter agencies for machines furnished
2 the Forty-eighth General Assembly:

3 L. C. Smith & Corona Typewriters, Inc., for the house of representa-
4 tives, rental for typewriters and purchase of a new typewriter for
5 enrolling bills, the sum of five hundred seventy dollars and fifty-one
6 cents (\$570.51); and for the senate, for rental of typewriters, pur-
7 chase of new typewriter for enrolling bills, and ribbons for and repairs
8 on state-owned typewriters, the sum of four hundred forty-six dollars
9 and eighty-one cents (\$446.81).

10 Underwood Elliott Fisher Company, Inc., for the house of represent-
11 atives for rental for typewriters, the sum of one hundred fifty dollars
12 (\$150.00); and for the senate, for typewriter ribbons and typewriter
13 rental, the sum of ninety-four dollars and seventy-five cents (\$94.75).

14 Royal Typewriter Company, for the house of representatives, for
15 rental for typewriters, the sum of thirty-two dollars (\$32.00); and
16 for the senate, for rental for typewriters, the sum of one hundred
17 thirty dollars (\$130.00).

18 Remington-Rand, Inc., for the house of representatives, for rental
19 for typewriters, the sum of thirty dollars (\$30.00).

1 SEC. 3. To the Des Moines Rubber Stamp Works for badges and
2 supplies furnished the Forty-eighth General Assembly, for the house
3 of representatives, the sum of seventy-two dollars and seventy cents
4 (\$72.70), and for the senate, the sum of forty-one dollars and sixty-five
5 cents (\$41.65).

1 SEC. 4. To A. C. Gustafson, chief clerk of the house of representa-
2 tives, for postage, telegrams and necessary expenses incurred and paid
3 by him in connection with the duties of his office during the Forty-
4 eighth General Assembly, the sum of fifty-eight dollars and five cents
5 (\$58.05).

1 SEC. 5. To Walter H. Beam, secretary of the senate, for postage,
2 supplies and other expenses incurred and paid by him in connection
3 with the duties of his office during the Forty-eighth General Assembly,
4 the sum of forty-eight dollars and seventy-two cents (\$48.72).

1 SEC. 6. To Tildon Manufacturing Company of Ames, Iowa, for
2 coats for pages in the house of representatives and in the senate, the
3 sum of one hundred nineteen dollars and seventy-four cents (\$119.74).

1 SEC. 7. To the executive council, for telephone, telegraph and ex-
2 press charges, supplies, and postage, the sum of three thousand dollars
3 (\$3,000.00).

1 SEC. 7a. There is hereby appropriated to the reporter of the su-
2 preme court and code editor the sum of seventy-five thousand dollars
3 (\$75,000.00) or so much thereof as may be necessary to be used for
4 salaries, support, maintenance and miscellaneous purposes in editing
5 the code, annotations, advance sheets, skeleton digest, and parallel
6 tables of corresponding sections.

1 SEC. 7b. For the relief of Frederick M. Hull there is hereby appro-
2 priated for each year of the biennium beginning July 1, 1939, and end-
3 ing June 30, 1941, the sum of three hundred sixty dollars (\$360.00) or
4 so much thereof as may be necessary.

1 SEC. 7c. To the American Laundry Company, for laundering tow-
2 els for the Forty-eighth General Assembly, the sum of one hundred
3 twenty-five dollars (\$125.00).

1 SEC. 7d. To the Townsend Studio, for photographs of the Forty-
2 eighth General Assembly, for the Historical department, the sum of
3 one hundred forty dollars (\$140.00).

1 SEC. 8. To the state printing board, for printing for the Forty-
2 eighth General Assembly, the sum of forty-two thousand four hundred
3 seventy-eight dollars and seventy-five cents (\$42,478.75).

1 SEC. 9. To John Heerema, secretary of the state pharmacy board,
2 for extra expenses, eighty-seven dollars and fifty cents (\$87.50).

1 SEC. 10. To Dean W. Peisen, for expenses incurred in attending
2 the national conference on Interstate Trade Barriers in accordance
3 with House Resolution 12, the sum of forty-one dollars and eighty-
4 three cents (\$41.83).

1 SEC. 11. To Koch Brothers, for the house of representatives, for
2 typewriter desk, stenographer's chair and equipment, the sum of sixty-
3 eight dollars and sixty-five cents (\$68.65); and for the senate, for
4 paper and supplies, the sum of fourteen dollars and ninety cents
5 (\$14.90).

1 SEC. 12. To the Savery Hotel, for office space for the committee on
2 consolidation and coordination of state government of the house of
3 representatives, the sum of five dollars (\$5.00).

1 SEC. 13. To the following named persons, the amounts as indicated,
2 for expenses incurred in the senate investigation of state institutions
3 under the board of control:

4 Marjorie Long, typist, one hundred thirty dollars (\$130.00); Paul
5 Brookins, stenotypist, forty-seven dollars and eight cents (\$47.08);
6 Robert Hoffman, stenotypist, one hundred one dollars and fifty-seven
7 cents (\$101.57); Dr. A. J. Havlick, professional services, ten dollars
8 (\$10.00); Ena Hickerson, witness fee and mileage, eleven dollars
9 and twenty cents (\$11.20); Carrie McKinney, photographer, twelve
10 dollars (\$12.00); Robert B. Tabor, photographer, thirty-three dollars
11 and seventy-five cents (\$33.75); Jane Niles, extra services, sixty dol-

12 lars (\$60.00); Anna Miletich, for transcripts of evidence, sixty-four
 13 dollars (\$64.00); and Chamberlain Hotel, for office space, four dollars
 14 and fifty cents (\$4.50).

1 SEC. 14. To the following named persons, the amounts as indicated,
 2 for services not otherwise provided for: in the house of representa-
 3 tives, Kenneth Kay, page, legislative expense, twelve dollars and fifty
 4 cents (\$12.50); and in the senate, W. J. Scarborough, reading clerk,
 5 extra service, seventy-five dollars and sixty cents (\$75.60); Wilbur
 6 Knop, page, twelve dollars and fifty cents (\$12.50); Laura E. Hicks,
 7 postoffice assistant, ten dollars (\$10.00); Harry Upham, assistant file
 8 clerk, eight dollars (\$8.00); Leo Ritchie, fifty cents (50c) per day
 9 from February 15th up to and including the final day of the session;
 10 Joe Carney, one dollar (\$1.00) per day from April 16th up to and in-
 11 cluding the final day of the session.

1 SEC. 15. To Jane Worden, for extra service as clerk of the house
 2 claims committee, one hundred dollars (\$100.00); to Maude Johnson,
 3 for extra service as clerk of the senate claims committee, one hundred
 4 dollars (\$100.00).

1 SEC. 16. To Maxine Smith, for extra service as clerk of the house
 2 appropriations committee, one hundred dollars (\$100.00).

1 SEC. 17. To Frances Cody, for extra service as clerk of the senate
 2 appropriations committee, one hundred dollars (\$100.00); to Hope
 3 Hull, for extra service for the senate appropriations committee, one
 4 hundred dollars (\$100.00); to Charles Royer, for extra service as
 5 clerk of senate judiciary 1, thirty dollars (\$30.00); to Evelyn Wilkins,
 6 for extra service as clerk of senate judiciary 2 and as clerk of the sen-
 7 ate sifting committee, one hundred dollars (\$100.00); Arlene Collins
 8 for extra services as clerk of the House Sifting Committee, \$100.00.

1 SEC. 18. To Charles Royer, for reporting and preparation of trans-
 2 cript in re Kraschel hearing before senate judiciary 1, twenty-two dol-
 3 lars and seventy cents (\$22.70).

1 SEC. 19. To A. C. Gustafson, chief clerk of the house of representa-
 2 tives, the sum of seventy-five dollars (\$75.00), and to Walter H. Beam,
 3 secretary of the senate, the sum of fifty dollars (\$50.00), for postage
 4 and necessary expenses after the close of the regular session of the
 5 Forty-eighth General Assembly.

1 SEC. 20. To the executive council, to pay for further wiring for the
 2 loud-speaker system in the house, as provided in House Resolution 16,
 3 five hundred dollars (\$500.00) or so much thereof as may be neces-
 4 sary.

1 SEC. 21. A sum sufficient to pay the per diem compensation made
 2 necessary by House Concurrent Resolution 23 for services required by
 3 officers and employees of the Forty-eighth General Assembly after
 4 final adjournment.

1 SEC. 22. To the State Historical Society of Iowa for the purpose of
 2 preparing and printing a legislative manual setting forth the proced-
 3 ure governing the method of working in the Senate and in the House

4 of Representatives of the state of Iowa, the sum of two hundred fifty
5 dollars (\$250.00).

1 SEC. 23. To the Executive Council, to pay for re-lettering and re-
2 pairing the Iowa memorial on the battlefield at Vicksburg, Mississippi,
3 the sum of five hundred dollars (\$500.00), or so much thereof as may
4 be necessary.

1 SEC. 24. The unused portion of the appropriation allocated to the
2 securities division heretofore under the secretary of state is hereby
3 transferred to the department of insurance for the purpose of main-
4 taining said securities division until June 30, 1939.

1 SEC. 25. To the janitors, doorkeepers, porters and matrons of the
2 House and Senate, an amount equal to ten cents per day for each such
3 person.

1 SEC. 26. The state comptroller is hereby authorized and directed
2 to draw warrants and the treasurer of state to pay the same, in the
3 amounts appropriated herein, upon certification by the speaker and
4 chief clerk of the house of representatives for house expense, and by
5 the president and secretary of the senate for senate expense, or upon
6 certification by the secretary of the executive council under the provi-
7 sions of sections seven (7) and twenty (20) of this act.

1 SEC. 27. This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in the
3 Boone News Republican, a newspaper published at Boone, Iowa, and
4 in the Waterloo Courier, a newspaper published at Waterloo, Iowa.

Approved April 28, 1939.

I hereby certify that the foregoing act was published in the Boone News Republican,
May 1, 1939, and the Waterloo Daily Courier, May 2, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 4

IOWA EMERGENCY RELIEF FUND

S. F. 505

AN ACT to create a fund for emergency relief during the ensuing biennium, providing for appropriations therefor and the administration thereof by the state board of social welfare; and relating to the state sinking fund for public deposits; and to amend section fifty-three hundred thirty-seven (5337), code, 1935, relating to the levy for poor tax.

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

1 SECTION 1. There is hereby created for the ensuing biennium a fund
2 to be known as the Iowa Emergency Relief Fund for the purpose of
3 caring for the unemployed and needy persons of this state. Such fund
4 shall be administered by the State Board of Social Welfare, and shall
5 be allotted by the board throughout the various counties of the state
6 in accordance with the need therefor.

7 All unexpended funds which were set aside for emergency relief
8 under the provisions of section two (2), chapter one hundred ninety-
9 five (195), Acts of the Forty-seventh General Assembly shall on July
10 5th, 1939, be paid into the fund hereby created.

11 In addition thereto, there shall be paid into said fund for the quarter
12 beginning July 1st, 1939, and quarterly thereafter up to and including
13 April 1st, 1941, from revenue collected under the provisions of chapter
14 three hundred twenty-nine-F one (329-F1), Code, 1935, the sum of one
15 hundred and twenty-five thousand dollars (\$125,000.00).

16 Said fund shall be further increased during the first year of the
17 ensuing biennium in the sum of seven hundred fifty thousand dollars
18 (\$750,000.00) which is hereby appropriated out of the general fund.

19 For the second year of the ensuing biennium only the license fees and
20 taxes now paid to the state sinking fund for public deposits under the
21 provisions of subsection b of section one thousand nine hundred twenty-
22 one-f one hundred twenty-five (1921-f125) shall be paid for such year
23 into the fund for emergency relief hereby created, and there is hereby
24 appropriated to said fund for the said second year of the ensuing
25 biennium the sum of three hundred thousand dollars (\$300,000.00),
26 out of the general fund. If any allowed claims upon the state sinking
27 fund for public deposits on July 1, 1940, are unpaid, revenues from
28 license fees and taxes which are now paid into said fund under the
29 provisions of subsection b of section nineteen hundred twenty-one-f
30 one hundred twenty-five (1921-f125) shall after July 1, 1941, be again
31 paid into said fund in an amount sufficient to pay two-thirds of the
32 total amount of said allowed claims.

1 SEC. 2. Section fifty-three hundred thirty-seven (5337), Code, 1935,
2 is hereby amended by adding thereto the following: "Should the one
3 and one-half mill levy fail to provide adequate funds to take care of
4 the poor, then the board of supervisors, with the approval of the state
5 comptroller, shall levy an additional tax of not to exceed one and one-
6 half mills for poor relief to be entered on the tax list and collected as
7 the ordinary county tax. Such additional tax shall be levied only dur-
8 ing the years 1939 and 1940. Before any such additional levy is made,
9 a showing of the necessity for such additional levy shall be made to
10 the state comptroller and no levy in excess of said one and one-half
11 mills shall be made unless it shall be approved in writing by the
12 comptroller.

13 Before any county can receive aid from the Iowa emergency relief
14 fund for the aid of the poor, such county must have levied the maxi-
15 mum amount authorized by law for poor relief.

Approved May 10, 1939.

CHAPTER 5

MOTOR VEHICLE REFUND APPROPRIATIONS

S. F. 482

AN ACT to make appropriations to certain named persons to cover refunds on motor vehicle registration fees.

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

1 SECTION 1. There is hereby appropriated out of the reimburse-
2 ment fund of the state to the following named persons, the amounts
3 set opposite their respective names, to cover refunds on motor vehicle
4 registration fees, as provided in section one hundred fifty-nine (159)
5 of chapter one hundred thirty-four (134), Acts of the Forty-seventh
6 General Assembly:

	Name	Address	License No.	Amount of Refund
7	B. L. Anderson	Clarence, Iowa	T6-359	\$ 25.00
8	H. R. Alcorn	Edinburg, Texas	T42-523	25.00
9	C. E. Armstrong	Lewis, Iowa	T78-1334	25.00
10	Frank Andersen	Kimballton, Iowa	T83-52	15.00
11	Wm. R. Ammeter	Delhi, Iowa	T28-584	25.00
12	Atlantic Implement			
13	Company	Atlantic, Iowa	T15-247	25.00
14	D. J. Armstrong	Ackley, Iowa	35-2214	2.00
15	Edwin Aanas	Waukon, Iowa	T3-407	25.00
16	Louie Blaine	Crawfordsville, Iowa	92-1752	5.00
17	R. C. Bauer	Wesley, Iowa	T55-766	25.00
18	H. E. Biggs	Washington, D. C.	T34-239	25.00
19	Bell Motor Co.	Swea City, Iowa	T55-358	25.00
20	Olive Brown	Ames, Iowa	85-7082	2.00
21	Olive Brown	Ames, Iowa	85-8754	1.00
22	Donald S. Barry	Cedar Rapids, Iowa	57-15773	1.00
23	Homer Blauer	Afton, Iowa	T88-409	38.00
24	Blue Line Transfer			
25	Company	Grinnell, Iowa	T79-43	40.00
26	Mrs. Ethel Brownfield	Clarinda, Iowa	73-5037	2.00
27	Frank Bose	Yale, Iowa	39-1778	2.00
28	S. H. Brandt	Melvin, Iowa	72-2387	1.25
29	Carl Burk	Storm Lake, Iowa	T11-221	25.00
30	Earl P. Conley	Bostonia, California	7-20526	3.00
31	D. E. Chambers	Oakland, Iowa	T78-1780	25.00
32	E. H. Cotter	Iowa City, Iowa	52-4058	1.00
33	Dale W. Christensen	Walnut, Iowa	T78-1817	16.75
34	S. E. Campbell	Fayette, Iowa	T33-366	25.00
35	W. B. Curnes	Osceola, Iowa	20-2211	.75
36	W. B. Curnes	Osceola, Iowa	20-1009	1.00
37	T. R. Collins	West Union, Iowa	33-5400	1.00
38	E. H. Campbell	Atlantic, Iowa	15-5253	1.75
39	J. M. Cash	Parnell, Iowa	48-1486	2.00
40	Elgy Crowell	Burlington, Iowa	29-7687	.75
41	Elgy Crowell	Burlington, Iowa	29-4654	1.00
42	Des Moines Reo Co.	Des Moines, Iowa	77-2028	40.00
43	Richard Dorale	Ute, Iowa	T24-377	26.25

44	H. G. Dodd.....	Marshalltown, Iowa.....	T64-548	25.00
45	Will Dale.....	Brooklyn, Iowa.....	79-5207	.75
46	Donahoe Bros.....	Williamsburg, Iowa.....	48-3577	1.00
47	Adolph Erickson.....	Spencer, Iowa.....	21-3487	10.50
48	Rev. W. F. Ellerbeck.....	Washta, Iowa.....	18-3622	1.00
49	Bernard H. Evers.....	Dubuque, Iowa.....	31-9729	1.00
50	John Frankl.....	Algona, Iowa.....	55-1273	17.25
51	Wm. Fritz.....	West Burlington, Iowa.....	29-953	2.00
52	Farrell Implement			
53	Company.....	Gilbertville, Iowa.....	T7-967	25.00
54	Edwin Finn.....	Blockton, Iowa.....	80-275	1.00
55	G. L. Garnett.....	Iowa City, Iowa.....	T52-324	15.00
56	J. M. Gertsen.....	Story City, Iowa.....	T85-426	25.00
57	E. M. Galloway.....	Henderson, Iowa.....	T65-217	25.00
58	Tony Grenehen.....	Carroll, Iowa.....	14-355	4.00
59	T. C. Galloway.....	Redding, Iowa.....	80-1533	2.25
60	General Outdoor Ad-			
61	vertising Company.....	Chicago, Illinois.....	T82-2540	3.75
62	Francis Glaspey.....	Riverside, Iowa.....	T52-654	25.00
63	Floyd Godown.....	Redfield, Iowa.....	T25-588	25.00
64	Kenneth H. Hughes.....	Carson, Iowa.....	T78-128	75.00
65	Tom Hogan.....	Stuart, Iowa.....	T1-237	25.00
66	Hansen Garage.....	Harlan, Iowa.....	T83-420	26.75
67	E. L. Hagenson.....	Thompson, Iowa.....	T95-92	25.00
68	Eldon Hackett.....	Oakland, Iowa.....	T78-585	25.00
69	Howard Huskins.....	West Liberty, Iowa.....	70-6419	1.00
70	Margaret Harris.....	Greeley, Iowa.....	28-4295	5.00
71	Len Hansmeier.....	Waukon, Iowa.....	3-2878	1.00
72	Gale Hill.....	Bennett, Iowa.....	T16-407	25.00
73	Randall Holland.....	Kelley, Iowa.....	T85-581	25.00
74	Mark E. Herbst.....	Chicago, Illinois.....	95-3533	5.75
75	Harry H. Johnston.....	Columbus Junction, Iowa.....	58-884	2.00
76	A. M. James.....	Woodbine, Iowa.....	T43-277	25.00
77	Karl Kaskey.....	Rockwell City, Iowa.....	13-3896	2.00
78	Jerry Kløver.....	Carnarvon, Iowa.....	T81-47	25.00
79	C. R. Kirkpatrick.....	Milo, Iowa.....	T91-441	26.25
80	A. L. Lansing.....	Perry, Iowa.....	385	9.00
81	C. C. Little.....	Ames, Iowa.....	T8-314	25.00
82	Joe Livezey.....	Fairbank, Iowa.....	T33-868	16.00
83	Edward Miller.....	Alta, Iowa.....	T11-378	25.00
84	Mackie & Co.....	Vinton, Iowa.....	T6-76	40.00
85	Seldon Montgomery.....	Casey, Iowa.....	T1-240	25.00
86	Bernard Myers.....	Fairbank, Iowa.....	T10-496	25.00
87	Price Miller.....	Nevada, Iowa.....	T85-213	25.00
88	Conrad Madsen.....	Menlo, Iowa.....	39-1995	1.00
89	George Mahoney.....	Fonda, Iowa.....	76-1047	2.00
90	T. H. Murphy.....	Ames, Iowa.....	85-5910	1.00
91	George R. Nauman.....	Afton, Iowa.....	88-2959	1.00
92	Melvin Nolting.....	Waukon, Iowa.....	3-1429	1.00
93	Walter E. Nielsen.....	Harlan, Iowa.....	T83-353	26.25
94	Oelwein Motor Co.....	Oelwein, Iowa.....	T33-635	25.00
95	Oelwein Implement			
96	Company.....	Oelwein, Iowa.....	T33-740	25.00

97	Olaf Pearson	Swea City, Iowa.....	2940	9.00
98	W. R. Phelps.....	Wadena, Iowa.....	33-5511	2.00
99	Jerould Pedelty	Mason City, Iowa.....	T17-1076	25.00
100	Rope Motor Company....	Clarinda, Iowa.....	73-1614	4.50
101	Rope Motor Company....	Clarinda, Iowa.....	87-2690	2.25
102	Earl Rasmussen	Garwin, Iowa	T86-795	26.25
103	Ed Roseman	Lorimor, Iowa	T88-208	25.00
104	Shaffer Auto Co.....	Nevada, Iowa	T85-980	20.75
105	Ray Shriver	Strawberry Point, Iowa....	T19-461	25.00
106	Stulken Bros.	Anamosa, Iowa.....	T53-25	15.00
107	Simmons Motor Co.....	Iowa City, Iowa	52-12	16.50
108	G. W. Salisbury.....	Jesup, Iowa.....	T10-197	25.00
109	Dr. E. A. Schwende-			
110	mann	Atlantic, Iowa.....	15-705	1.00
111	Frank Semmons	Council Bluffs, Iowa.....	78-539	2.00
112	Otto Siemsen	Harlan, Iowa.....	T83-182	25.00
113	Cletus Shukert	Dubuque, Iowa	T31-671	25.00
114	Ralph E. Suter.....	South English, Iowa	54-1165	1.00
115	D. E. Shettlemore.....	Bemidji, Minnesota	77-14355	4.50
116	D. E. Shettlemore.....	Bemidji, Minnesota	77-14356	4.75
117	S & S Chevrolet Co.....	Missouri Valley, Iowa.....	T43-195	25.00
118	Howard Smith	Collins, Iowa.....	85-1742	1.00
119	Shukei Motor Co.....	Waterloo, Iowa.....	T7-2427	12.50
120	C. E. Truher.....	Dubuque, Iowa	31-342	8.25
121	D. F. Thomas.....	Underwood, Iowa.....	T1-287	42.00
122	Roy Weaver	Blockton, Iowa	87-3305	1.00
123	Geo. Weber Motor Co....	Ackley, Iowa.....	T42-863	16.75
124	Walter E. Wittig.....	Boone, Iowa.....	8-5123	1.00
125	Walter E. Wittig.....	Boone, Iowa.....	8-4918	1.00
126	Mrs. C. A. Watrous.....	Des Moines, Iowa.....	77-41694	1.75
127	Westcott, Doughty,			
128	Chandler Funeral			
129	Chapel	Sioux City, Iowa.....	97-4294	1.00
130	E. R. Wilson.....	Anita, Iowa.....	T15-13	100.00
131	Darrell L. Worley.....	Ames, Iowa.....	85-7320	2.00
132	Wm. Westman	Essex, Iowa.....	73-1892	1.00
133	Roy L. Yoder.....	Wellman, Iowa	T48-508	25.00
134	Roy L. Yoder.....	Wellman, Iowa	T48-438	25.00
135	S. P. Colby.....	Lake Mills, Iowa.....	T17-212	40.00
136	Clell Huffman	Bloomfield, Iowa.....	T26-73	25.00
137	F. E. Lorenz.....	Des Moines, Iowa.....	77-18584	15.00
138	Harry C. Snyder.....	Clinton, Iowa	23-9276	4.75

1 SEC. 2. The secretary of state is hereby authorized and directed
2 to issue his warrants to the above named persons in the amounts set
3 opposite their respective names and to pay the same from said reim-
4 bursement fund.

1 SEC. 3. Receipt of said sums by said parties, respectively, shall
2 be in full settlement of all claims they may hold against the state of
3 Iowa for refunds on motor vehicle registration fees, claims for which
4 were presented to the joint claims committee of the Forty-eighth
5 General Assembly.

Approved April 26, 1939.

CHAPTER 6
APPROPRIATIONS

S. F. 407

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

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

- 1 SECTION 1. There is hereby appropriated out of the Primary Road
2 Fund of the state, to the following named persons, the amounts set
3 opposite their respective names, to-wit:

	Claimant	Address	Claim No.	Nature of Claim	Amt.
4	Paul Safrony	New York, N. Y.	H-1	Collision	\$ 50.00
5	L. W. Bank	Grand Island, Nebr.	H-8	Collision	21.50
6	Jens Odgaard	Rutland, Iowa	H-10	Auto Damage	35.22
7	Ralph Johnson	Humboldt, Iowa	H-11	Dead cow	50.00
8	G. A. Hansmeir	Waukon, Iowa	H-14	Property Damage	7.60
9	H. Stechman	Bemidji, Minn.	H-15	Collision	2.50
10	Dr. S. B. Chase	Ft. Dodge, Iowa	H-18	Collision	187.16
11	R. T. Neyens	Davenport, Iowa	H-26	Collision	4.50
12	Liberty Oil Co.	Des Moines, Iowa	H-28	Collision	40.14
13	Mrs. Frances B. Kruse	Muscatine, Iowa	H-29	Collision	28.48
15	C. O. Wright	Des Moines, Iowa	H-31	Collision	15.50
16	Leland Miller	North English, Iowa	H-36	Collision	3.50
17	M. M. O'Bryon Estate	Marshalltown, Iowa	H-37	Collision	75.00
18	B. B. Anundsen	Decorah, Iowa	H-39	Collision	10.00
19	David Evans	Knoxville, Iowa	H-42	Collision	45.00
21	H. V. Jacobson	Greenfield, Iowa	H-44	Dead cow	30.00
22	Joe Mailander	Wiota, Iowa	H-48	Dead horse	60.00
23	E. I. Mason	Brooklyn, Iowa	H-52	Attorney fees	75.00
24	Bernard Imhoff	Hartley, Iowa	H-57	Auto damage	34.07
25	John Giesel, Jr.	Sibley, Iowa	H-58	Auto damage	11.51
26	W. S. Grove	Ames, Iowa	H-60	Collision	9.50
27	Eugene U. Christy	Bloomfield, Iowa	H-61	Injured horse	20.00
29	F. J. Breidert	Lidderdale, Iowa	H-63	Collision	28.26
30	Continental Can Co.	Chicago, Illinois	H-64	Collision	17.15
32	Theo. W. Hawkinson	Des Moines, Iowa	H-68	Collision	14.71
34	S. M. Peterson and A. E. Beason	Audubon, Iowa	H-70	Collision	29.21
37	W. J. Cooney	Marshalltown, Iowa	H-72	Collision	4.00
38	Alfred Bredeson	Decorah, Iowa	H-75	Auto damage	9.00
39	Alert Engen	Decorah, Iowa	H-78	Collision	6.00
40	L. A. Russell	Newton, Iowa	H-79	Auto damage	23.46

41	Virgil Boeker	Chicago, Illinois	H-83	Auto damage	88.60
42	Don Jay	Nevada, Iowa	H-84A	Collision	30.00
43	Dr. L. L. Bowie	Zearing, Iowa	H-84B	Collision	70.00
44	Mrs. W. G.				
45	MacMartin	Tama, Iowa	H-85	Collision	9.50
46	Earl Sandiland	Avoca, Iowa	H-100	Personal injuries	
47				to Billy Sandiland	423.15
48	Leo N. Hintgen	Council Bluffs, Iowa	H-108	Collision	24.84
49	Coughlin				
50	Sales Co.	Davenport, Iowa	H-111	Collision	36.65
51	Owen Mathes	Davenport, Iowa	H-118	Auto damage	7.50
52	Elmer Steele	Sioux City, Iowa	H-119	Collision	40.19
53	Kenneth				
54	Woodruff	Ft. Dodge, Iowa	H-120	Collision	9.85
55	Louis Rice	Kansas City, Mo.	H-123	Collision	50.00
56	A. Christiansen	New Sharon, Iowa	H-136	Property damage	10.75

1 SECTION 2. The State Comptroller is hereby authorized and directed
 2 to issue his warrants to above named parties for sums indicated, re-
 3 spectively, and the Treasurer of State is hereby authorized and di-
 4 rected to pay the same from the Primary Road Fund of the State of
 5 Iowa.

1 SECTION 3. Receipt of said sums by said parties, respectively, shall
 2 be in full settlement of all claims they may hold against the State of
 3 Iowa, the Iowa State Highway Commission, or employees of the Iowa
 4 State Highway Commission on account of damages as above indicated,
 5 claims for which were presented to the Joint Claims Committee of the
 6 Forty-eighth General Assembly.

Approved April 15, 1939.

CHAPTER 7

APPROPRIATIONS

S. F. 420

AN ACT to make appropriations to Brown & Son, Cedar Falls, Iowa; Foster's Funeral Home, Webster City, Iowa; Larkin-Knutson, New Hampton, Iowa; W. H. Longnecker, Eldora, Iowa; R. W. Mansfield, Malvern, Iowa; Frank H. Raynor, Glenwood, Iowa; Carl G. Schultz, Monona, Iowa; Thomas Funeral Service, Carlisle, Iowa; Joe Gantz, Sioux City, Iowa; P. E. Kehoe, Farley, Iowa; and Bessie K. Regel, Charles City, Iowa.

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

1 SECTION 1. There is hereby appropriated out of the old age assist-
 2 ance fund of the state of Iowa to Brown & Son, Cedar Falls, Iowa, the
 3 sum of one hundred dollars (\$100.00) in full payment of all claims
 4 they may have against the state of Iowa on account of funeral expenses
 5 for burial of Minnie Augutta, deceased recipient of old age assistance,
 6 rendered on or about August 4, 1936.

1 SEC. 2. There is hereby appropriated out of the old age assistance
 2 fund of the state of Iowa to Foster's Funeral Home, Webster City,

3 Iowa, the sum of forty-six dollars (\$46.00) in full payment of all
4 claims it may have against the state of Iowa, on account of funeral
5 expenses for burial of Susan Ann Butte, deceased recipient of old age
6 assistance, rendered on or about June 27, 1937.

1 SEC. 3. There is hereby appropriated out of the old age assistance
2 fund of the state of Iowa to Larkin-Knutson, New Hampton, Iowa, the
3 sum of one hundred dollars (\$100.00) in full payment of all claims
4 they may have against the state of Iowa on account of funeral expenses
5 for burial of William Porter, deceased recipient of old age assistance,
6 rendered on or about March 25, 1937.

1 SEC. 4. There is hereby appropriated out of the old age assistance
2 fund of the state of Iowa to W. H. Longnecker, Eldora, Iowa, the sum
3 of one hundred dollars (\$100.00) in full payment of all claims he may
4 have against the state of Iowa, on account of funeral expenses for
5 burial of Charles T. Caster, deceased recipient of old age assistance,
6 rendered on or about January 10, 1938.

1 SEC. 5. There is hereby appropriated out of the old age assistance
2 fund of the state of Iowa to R. W. Mansfield, Malvern, Iowa, the sum
3 of one hundred dollars (\$100.00) in full payment of all claims he may
4 have against the state of Iowa, on account of funeral expenses for
5 burial of William Shepard, cancelled deceased recipient of old age
6 assistance, rendered on or about January 15, 1937.

1 SEC. 6. There is hereby appropriated out of the old age assistance
2 fund of the state of Iowa to Frank H. Raynor, Glenwood, Iowa, the
3 sum of sixty dollars (\$60.00) in full payment of all claims he may
4 have against the state of Iowa, on account of funeral expenses for
5 burial of Ruth Caroline Young, deceased recipient of old age assist-
6 ance, rendered on or about November 7, 1937.

1 SEC. 7. There is hereby appropriated out of the old age assistance
2 fund of the state of Iowa to Carl G. Schultz, Monona, Iowa, the sum
3 of one hundred dollars (\$100.00) in full payment of all claims he may
4 have against the state of Iowa, on account of funeral expenses for
5 burial of William Pettit, deceased recipient of old age assistance,
6 rendered on or about June 1, 1937.

1 SEC. 8. There is hereby appropriated out of the old age assistance
2 fund of the state of Iowa to Carl G. Schultz, Monona, Iowa, the sum
3 of one hundred dollars (\$100.00) in full payment of all claims he
4 may have against the state of Iowa, on account of funeral expenses
5 for burial of Collista A. Perkins, deceased recipient of old age assist-
6 ance, rendered on or about February 19, 1938.

1 SEC. 9. There is hereby appropriated out of the old age assistance
2 fund of the state of Iowa to the Thomas Funeral Service, Carlisle,
3 Iowa, the sum of one hundred dollars (\$100.00) in full payment of
4 all claims it may have against the state of Iowa, on account of funeral
5 expenses for burial of Robert Green, deceased recipient of old age
6 assistance, rendered on or about September 22, 1937.

1 SEC. 10. There is hereby appropriated out of the old age assistance
2 fund of the state of Iowa to Joe Gantz, Sioux City, Iowa, the sum of

3 sixteen dollars, (\$16.00) in full payment of all claims he may have
4 against the state of Iowa, on account of having cashed an old age
5 assistance warrant in said amount, in the usual course of business,
6 upon which payment was stopped by order of the state board of social
7 welfare and the state comptroller.

1 SEC. 11. There is hereby appropriated out of the old age assistance
2 fund of the state of Iowa, to P. E. Kehoe, Farley, Iowa, the sum of
3 one hundred dollars (\$100.00) as a compromise settlement and in full
4 payment of all claims he may have against the state of Iowa for
5 services rendered as a part-time employee in the tax section, division
6 of old age assistance, of the state board of social welfare, and expenses
7 incurred, from September 8, 1936, to October 24, 1936, inclusive.

1 SEC. 12. There is hereby appropriated out of the old age assistance
2 fund of the state of Iowa to Bessie K. Regel, Charles City, Iowa, the
3 sum of forty-two dollars and ninety-one cents (\$42.91) in full settle-
4 ment of all claims she may have against the state of Iowa, for services
5 rendered as an investigator for the state board of social welfare, in
6 and for Floyd county, Iowa, from September 27, 1935, to October 15,
7 1935, inclusive.

1 SEC. 13. The state comptroller is hereby directed to issue his war-
2 rants to the above named parties in the amounts stated, and the state
3 treasurer is hereby directed to pay said warrants upon presentation
4 out of said fund.

1 SEC. 14. The acceptance of the said sums by the respective parties
2 shall be in full settlement of all claims against the state of Iowa grow-
3 ing out of said items specifically referred to in this act.

Approved March 31, 1939.

CHAPTER 8

INAUGURAL CEREMONIES

S. F. 80

AN ACT making appropriation to defray the expense of the inaugural ceremonies.

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

1 SECTION 1. There is hereby appropriated out of the funds of the
2 State Treasury, not otherwise appropriated, the sum of three hundred
3 seventy-three dollars and eighty-one cents (\$373.81), or so much
4 thereof as may be necessary, to pay the expenses incurred on account
5 of the inaugural ceremonies and reception. Warrants shall be drawn
6 upon the treasury for the sum herein appropriated in favor of the
7 Adjutant General upon the filing of vouchers therefor with the State
8 Comptroller.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its passage and publication in
3 the Ft. Madison Democrat, a newspaper published in the City of Ft.

4 Madison, Iowa, and the Daily Gate City, a newspaper published in the
5 City of Keokuk, Iowa.

Approved February 9, 1939.

I hereby certify that the foregoing act was published in the Ft. Madison Evening Democrat, February 13, 1939, and the Daily Gate City, February 11, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 9

NARCOTIC DRUG ACT

H. F. 54

AN ACT to provide an emergency appropriation for the enforcement of the uniform narcotic drug act from February 1st, 1939, to July 1st, 1939.

WHEREAS, the forty-seventh General Assembly passed an act commonly known and described as the uniform narcotic drug act which charges the board of pharmacy examiners with the duty of enforcing the law controlling the use of morphine, cocaine, marihuana and other narcotic drugs in the state of Iowa; and

WHEREAS, the said forty-seventh General Assembly failed to grant an appropriation for its enforcement and because of such failure the said board of pharmacy examiners has been obliged to rely upon an emergency grant by the committee of the interim in the sum of \$5000.00 a year for such work, said work being described as investigating and prohibiting the illegal use of the aforesaid drugs and the administration and checking of some 205 hospitals, 45 wholesale drug outlets and 1,333 retail drug stores, these being properly licensed outlets of such drugs; and

WHEREAS, the power to grant emergency appropriations having ceased at the commencement of the forty-eighth General Assembly, it is now necessary for the board of pharmacy examiners to request an appropriation for the remaining five months of the biennium, said funds now in the hands and available to the said board of pharmacy examiners becoming exhausted as of February 1st, 1939; now, therefore,

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

1 SECTION 1. There is hereby appropriated from the general funds
2 of the state not otherwise appropriated, the sum of twenty-one hun-
3 dred dollars (\$2100.00) to enforce the uniform narcotic drug act
4 from February 1, 1939, to July 1, 1939.

1 SECTION 2. This act being deemed of immediate importance shall
2 be in full force and effect after its passage and publication in the
3 Britt News Tribune, a newspaper published at Britt, Iowa, and the
4 Garner Leader & Signal, a newspaper published at Garner, Iowa.

Approved February 11, 1939.

I hereby certify that the foregoing act was published in the Britt News Tribune, February 16, 1939, and the Garner Leader & Signal, February 15, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 10

STATE HISTORICAL, MEMORIAL AND ART DEPARTMENT

H. F. 145

AN ACT to appropriate the sum of one thousand dollars (\$1000.00) to the state historical, memorial and art department for the payment of salaries for the two additional persons in the archives division of said department.

WHEREAS, the work in the archives division in the State Historical, Memorial and Art Department had increased so greatly in the vital statistics section of that division that the employment of two additional employees not provided for by the present biennial appropriation became necessary; and

WHEREAS, this additional work is due to the enactment of social security, pension acts and retirement acts of various kinds, which require people to procure birth certificates from the vital statistics section of the archives division of the State Historical, Memorial and Art Department; and

WHEREAS, on application to the interim committee for additional funds for the purpose of employing these two additional employees, the interim committee in session voted to the State Historical, Memorial and Art Department the sum of Six Hundred Dollars (\$600.00) with which to pay the salaries of these two new employees from November 1, 1938, to the close of January 31, 1939, thus leaving it to the Forty-eighth General Assembly to pass an emergency appropriation with which to continue the payment of these two additional employees from February 1, 1939, to the close of June 30, 1939; and

WHEREAS, the need for these two additional employees is as great now as it was November 1, 1938; therefore,

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

1 SECTION 1. That for the State Historical, Memorial and Art De-
2 partment there is hereby appropriated beginning February 1, 1939,
3 and ending June 30, 1939, the sum of One Thousand Dollars
4 (\$1,000.00) to be used in paying the salaries of these two additional
5 employees in the vital statistics section of the archives division of
6 said department.

1 SEC. 2. This act being of immediate importance shall become
2 effective upon publication in the Humboldt Republican, a newspaper
3 published in the town of Humboldt, Iowa, and the Merrill Record,
4 a newspaper published in the town of Merrill, Iowa.

Approved February 11, 1939.

I hereby certify that the foregoing act was published in the Humboldt Republican, February 17, 1939, and the Merrill Record, February 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 11

UNEMPLOYMENT COMPENSATION COMMISSION

H. F. 49

AN ACT to provide an emergency appropriation for the rental of accounting equipment, and for personnel to operate same in connection with the Iowa Unemployment Compensation Commission, and benefit payments to the unemployed from February 1, 1939, to June 30, 1939.

WHEREAS, the Forty-seventh General Assembly passed an act known as the Iowa Unemployment Compensation Act, the benefits therefrom to be paid to unemployed beginning July 1, 1938, on warrants issued by the state comptroller; and

WHEREAS, the Forty-seventh General Assembly failed to make an appropriation to pay the costs of this extra expense in the state comptroller's office, the state comptroller did present the problem to the retrenchment and reform committee, which committee did grant the sum of \$10,000.00 to the State Comptroller for wages and rental of equipment up to the organization of the Forty-eighth General Assembly; and

WHEREAS, the state comptroller's office has carefully considered the amount necessary to carry on this work to June 30, 1939, which we believe will require at least \$3,000.00 in addition to the remaining balance of the \$10,000.00 granted by the retrenchment and reform committee of the Forty-seventh General Assembly; now therefore,

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

1 SEC. 1. There is hereby appropriated from the general funds of
2 the state not otherwise appropriated, the sum of three thousand dollars
3 (\$3,000.00) to the state comptroller to pay cost of wages and rental
4 of equipment in connection with the unemployment compensation act
5 up to June 30, 1939.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect after its passage and publication in the Rolfe
3 Arrow, a newspaper publisher in Rolfe, Iowa, and in the Bell Enter-
4 prise, a newspaper published in Remsen, Iowa.

Approved February 17, 1939.

I hereby certify that the foregoing act was published in the Rolfe Arrow, February 23, 1939, and the Bell Enterprise, Remsen, Iowa, February 23, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 12

ALABAMA FLAG RETURN

S. F. 216

AN ACT to appropriate two hundred fifty (250) dollars to pay the expenses of the committee returning the flag of the republic of Alabama to the state of Alabama.

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

1 SECTION 1. There is hereby appropriated to a committee composed
2 of the chairman of the Senate Committee on Military Affairs, the

3 chairman of the House Committee on Military Affairs and a member
4 of the G. A. R. or a representative to be selected by the G. A. R., out
5 of any money not otherwise appropriated in the state treasury, the
6 sum of two hundred fifty (250) dollars or so much thereof as is needed
7 to pay the expenses of the committee returning the flag of the Republic
8 of Alabama to the State of Alabama.

9 It is hereby further authorized that such members of the Rainbow
10 Division, who so desire, be an official part of the Committee to return
11 said flag, and do so at their own expense.

1 SEC. 2. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the Waterloo Courier, a newspaper published at Waterloo, Iowa, and
4 the Boone News-Republican, a newspaper published at Boone, Iowa.

Approved February 27, 1939.

I hereby certify that the foregoing act was published in the Waterloo Courier, March 2, 1939, and the Boone News-Republican, March 2, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 13

DICKINSON COUNTY

S. F. 196

AN ACT to make an appropriation to the Iowa Conservation Commission to be used in cooperation with the W. P. A. funds, to complete the project known as the "sewer and sewage diversion works, Division A", Dickinson county, Iowa.

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

1 SECTION 1. There is hereby appropriated from the general fund
2 of the state of Iowa, not otherwise appropriated, to the Iowa Con-
3 servation Commission, eleven thousand four hundred seventy-three
4 dollars (\$11,473.00), or so much thereof as may be necessary to be
5 expended for the completion, in cooperation with the W.P.A., the
6 project known as the, "Sewer and Sewage Diversion Works, Division
7 A", Dickinson County, Iowa.

1 SEC. 2. Not any of the funds appropriated by this act, shall be used
2 for the erection of a care-taker's dwelling.

1 SEC. 3. This act, being of immediate importance, shall become
2 effective upon publication in the Little Rock Free Lance, a newspaper
3 published in Little Rock, Iowa, and the Thompson Courier, a news-
4 paper published in Thompson, Iowa.

Approved March 8, 1939.

I hereby certify that the foregoing act was published in the Little Rock Free Lance, March 16, 1939, and the Thompson Courier, March 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 14

DEPARTMENT OF JUSTICE

S. F. 265

AN ACT to provide an emergency appropriation to the department of justice for the purpose of law enforcement, and for the salaries, support, and maintenance of said department.

WHEREAS, the Forty-seventh General Assembly appropriated the sum of twenty-six thousand dollars (\$26,000.00) from the Iowa liquor control act fund to the department of justice for the purpose of law enforcement and for the salaries, support, and maintenance of said department, and

WHEREAS, such amount has been expended for such purposes and there are no funds to continue this service, and

WHEREAS, the investigation and apprehension of the violators of the Iowa liquor control act is necessary for its effectiveness and for the general regard for law and order in this state; now, therefore,

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

1 SECTION 1. The comptroller is hereby authorized to transfer eight
2 thousand dollars (\$8,000.00) from the Iowa liquor control act fund
3 to the department of justice for the purpose of law enforcement and
4 for the salaries, support and maintenance of said department.

1 SEC. 2. This act, being deemed of immediate importance shall be
2 in force and effect from and after its publication in the Manson
3 Journal, a newspaper published in Manson, Iowa, and in the Ogden
4 Reporter, a newspaper published in Ogden, Iowa.

Approved March 29, 1939.

I hereby certify that the foregoing act was published in the Manson Journal, April 6, 1939, and the Ogden Reporter, April 6, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 15

MINE EXAMINING BOARD HEARING

S. F. 408

AN ACT to make appropriations to Vern Logan, Frank Bunetta, George Cebuhar, Noah Murphy, Tony Briskey, Lester Haseltine, Elmer Banks, Dick Maiwald, Barney Battistone, Lester White, Wm. Kauzlarich, Dewey Fogelson, John Pernel, treasurer of United Mine Workers of America, No. 13, and W. Scott Reiniger, Des Moines, reporter of case.

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

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

4 Vern Logan	\$ 11.00
5 Frank Bunetta	11.70
6 George Cebuhar	1.70
7 Noah Murphy	9.00

8	Tony Briskey	10.20
9	Lester Haseltine	6.75
10	Elmer Banks	10.00
11	Dick Maiwald	4.00
12	Barney Battistone	10.20
13	Lester White	10.30
14	Wm. Kauzlarich	8.70
15	Dewey Fogelson	9.00
16	John Pernei	8.70
17	Treasurer of United Mine Workers of America, No. 13	37.25
18	W. Scott Reiniger, Des Moines, Reporter of case.....	30.00
		\$178.50
19		
20	for witness fees and mileage incurred in the Noah Murphy, et al vs.	
21	Maurice Bernard case before the Mine Examining Board, the ad-	
22	dresses of all of said claimants being Centerville, Iowa, except the last	
23	two, who are of Des Moines, Iowa.	

1 SEC. 2. The state comptroller is hereby authorized to issue his
2 warrants to the above named parties in the amounts stated, and the
3 state treasurer is hereby directed to pay the same from said general
4 fund.

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

Approved March 29, 1939.

CHAPTER 16

ELECTRIC EQUIPMENT COMPANY

S. F. 409

AN ACT to make an appropriation to the Electric Equipment Company, Des Moines, Iowa.

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

1 SECTION 1. There is hereby appropriated out of the fund appro-
2 priated to the State Juvenile Home, Toledo, Iowa, to the Electric
3 Equipment Company, Des Moines, Iowa, the sum of Two Hundred
4 Fifty Dollars (\$250.00) in full settlement of all claims it may have
5 against the State of Iowa for a rebuilt G. E. Motor, furnished to said
6 Juvenile Home.

1 SEC. 2. The State Comptroller is hereby authorized to issue his
2 warrant to the above named party in the amount stated, and the State
3 Treasurer is hereby directed to pay the same from the fund appro-
4 priated to the State Juvenile Home, Toledo, Iowa.

1 SEC. 3. The acceptance of said sum by the above named Company
2 shall be in full settlement of all claims against the State of Iowa grow-
3 ing out of the above described claim.

Approved March 29, 1939.

CHAPTER 17

MELVIN APEL

S. F. 410

AN ACT to make an appropriation to Melvin Apel, Rudd, Iowa.

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

1 SECTION 1. There is hereby appropriated out of the Gasoline Tax
2 Refund account to Melvin Apel, Rudd, Iowa, the sum of Twenty-one
3 and 66/100 Dollars (\$21.66) in full settlement of all claim he may
4 have against the State of Iowa on account of refund on motor vehicle
5 fuel used for agricultural purposes.

1 SEC. 2. The State Comptroller is hereby authorized to issue his
2 warrant to the above named party in the amount stated and the State
3 Treasurer is hereby directed to pay the same from the Gasoline Tax
4 Refund account of the State of Iowa.

1 SEC. 3. The acceptance of said sum by the above named party
2 shall be in full settlement of all claims against the State of Iowa grow-
3 ing out of above described claim.

Approved March 29, 1939.

CHAPTER 18

APPROPRIATIONS

S. F. 412

AN ACT to make appropriations to the Readlyn Savings Bank at Readlyn, Iowa, the Farmers' State Bank at Plainfield, Iowa, the American Savings Bank at Tripoli, Iowa.

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

1 SECTION 1. There is hereby appropriated out of the state sinking
2 fund to the Readlyn Savings Bank, Readlyn, Iowa, the sum of one
3 thousand seven hundred fifty-eight dollars and ninety-four cents
4 (\$1,758.94) in full settlement of all claims it may have against the
5 state of Iowa for reimbursement of sums erroneously paid by said
6 bank into the state sinking fund.

1 SEC. 2. There is hereby appropriated out of the state sinking fund
2 to the Farmers' State Bank, Plainfield, Iowa, the sum of nine hundred
3 nine dollars and seventy-three cents (\$909.73) in full settlement of
4 all claims it may have against the state of Iowa for reimbursement
5 of sums erroneously paid by said bank into the state sinking fund.

1 SEC. 3. There is hereby appropriated out of the state sinking fund
2 to the American Savings Bank, Tripoli, Iowa, the sum of one thousand
3 sixty-eight dollars and six cents (\$1,068.06) in full settlement of all
4 claims it may have against the state of Iowa for reimbursement of
5 sums erroneously paid by said bank into the state sinking fund.

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

1 SEC. 5. The acceptance of said sums by the above named parties,
 2 respectively, shall be in full settlement of all claims against the state
 3 of Iowa growing out of the above described claims.

Approved March 29, 1939.

CHAPTER 19
 DES MOINES COUNTY
 S. F. 416

AN ACT to make an appropriation to Des Moines County, Iowa.

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

1 SECTION 1. There is hereby appropriated to Des Moines County,
 2 Iowa, the sum of one hundred sixty-nine dollars and thirty cents
 3 (\$169.30), in payment of special assessments for drainage purposes
 4 imposed upon lands owned by the state of Iowa in Drainage District
 5 No. 7 of Des Moines County, Iowa.

1 SEC. 2. The state comptroller is hereby authorized and directed
 2 to issue his warrant to Des Moines County, Iowa, in the sum so appro-
 3 priated and above set out, in payment of said special assessments,
 4 and the treasurer of state is hereby authorized and directed to pay
 5 the same out of the general fund of the state.

Approved March 29, 1939.

CHAPTER 20
 VERA B. TRIPP
 S. F. 417

AN ACT to make an appropriation to Vera B. Tripp, Newton, Iowa.

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

1 SECTION 1. There is hereby appropriated out of the primary road
 2 fund of the state to Vera B. Tripp, Newton, Iowa, the sum of one
 3 thousand dollars (\$1,000.00) in full settlement of all claims she may
 4 have against the state of Iowa for the death of her husband, during
 5 his service as assistant attorney general to the Highway Commission,
 6 which occurred on primary road No. 20, in Hamilton County, Iowa,
 7 on May fifteenth, nineteen hundred thirty-six.

1 SEC. 2. The state comptroller is hereby authorized to issue his
 2 warrant to the above named party in the amount stated, and the state

3 treasurer is hereby directed to pay the same from the primary road
4 fund of the state.

1 SEC. 3. The acceptance of said sum by the above named party,
2 shall be in full settlement of all claims against the state of Iowa
3 growing out of the accident resulting in said death.

Approved March 29, 1939.

CHAPTER 21

MRS. OLIVE DAVIS

S. F. 418

AN ACT to make an appropriation to Mrs. Olive Davis, Newton, Iowa.

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

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the state to Mrs. Olive Davis, Newton, Iowa, the sum of thirty
3 dollars (\$30.00) per month for thirty-six (36) consecutive months
4 in full settlement of all claims she may have against the state of Iowa
5 for the death of her husband at the Mt. Pleasant State Hospital on
6 March twenty-fifth, nineteen hundred thirty-seven.

1 SEC. 2. The state comptroller is hereby authorized to issue his
2 warrant the first of each month, for thirty-six (36) consecutive
3 months, to the above named party in the amount stated, and the state
4 treasurer is hereby directed to pay the same from the general fund
5 of the state of Iowa.

1 SEC. 3. The acceptance of said aggregate sum by the above named
2 party shall be in full settlement of all claims against the state of
3 Iowa on account of the death of her said husband.

Approved March 29, 1939.

CHAPTER 22

EXPENSES OF DISTRICT JUDGES

S. F. 211

AN ACT to provide an emergency appropriation for traveling and hotel expenses of the judges of the district court to June 30, 1939.

WHEREAS the 47th General Assembly appropriated the sum of twenty-two thousand five hundred dollars (\$22,500.00) in Section ten (10) of House File four hundred seventy-seven (477) for each year of the biennium ending June 30, 1939, for traveling and hotel expenses of Judges of the District Court and

WHEREAS it appears that the appropriation will not be sufficient to pay all the traveling and hotel expenses of the various judges of the district court to June 30, 1939, now therefore

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

1 SECTION 1. That there is hereby appropriated from the general
2 fund of the state not otherwise appropriated the sum of five thousand
3 five hundred and no/100 dollars (\$5,500.00) or so much thereof as
4 may be necessary to pay the traveling and hotel expenses of the
5 Judges of the District Court of Iowa to June 30, 1939.

1 SECTION 2. This act being deemed of immediate importance shall
2 be in full force and effect from and after its publication in the Ogden
3 Reporter, a newspaper published in Ogden, Iowa, and in the Ames
4 Tribune, a newspaper published in Ames, Iowa.

Approved March 31, 1939.

I hereby certify that the foregoing act was published in the Ogden Reporter, April 6, 1939, and Ames Tribune, April 5, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 23

MOORE RADIO SHOP

H. F. 271

AN ACT to appropriate the sum of four hundred thirty dollars and seventy-five cents (\$430.75) to the Moore Radio Shop, Chariton, Iowa, in payment of the loud speaker system installed in the house of representatives.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 State Treasury not otherwise appropriated the sum of four hundred
3 thirty dollars and seventy-five cents (\$430.75) to the Moore Radio
4 Shop, Chariton, Iowa, in full payment of the loud speaker system
5 installed in the House of Representatives. The State Comptroller is
6 hereby authorized and directed to issue his warrant therefor.

1 SEC. 2. This act being deemed of immediate importance, shall be
2 in full force and effect from and after its publication in the Chariton
3 Herald-Patriot, a newspaper published in Chariton, Iowa, and in the
4 Indianola Record, a newspaper published in Indianola, Iowa.

Approved March 31, 1939.

I hereby certify that the foregoing act was published in the Chariton Herald-Patriot, Chariton, Iowa, April 13, 1939, and the Indianola Record, Indianola, Iowa, April 14, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 24

IOWA INDUSTRIAL COMMISSIONER

S. F. 419

AN ACT to make appropriation of state funds to the Iowa Industrial Commissioner for the payment of compensation benefits.

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

1 SECTION 1. Out of the general funds of the state, not otherwise
2 appropriated, there is hereby appropriated, to meet an emergency
3 of the department of the Iowa Industrial Commissioner, the sum of
4 eight thousand four hundred dollars (\$8400.00), or so much thereof
5 as may be required to pay workmen's compensation benefits, now
6 due or to become due on or before June 30, 1939, to and for those
7 entitled thereto.

1 SEC. 2. This act shall not apply to state highway and liquor com-
2 mission claims.

1 SEC. 3. The state comptroller is hereby authorized to issue war-
2 rants payable from this appropriation, in the manner provided by
3 law, not in excess of the sum named herein, and the treasurer of the
4 state is authorized and directed to pay said warrants out of any funds
5 in the state treasury not otherwise appropriated.

1 SEC. 4. This act being deemed of immediate importance to meet
2 obligations of the state, as employer, to its injured employees, within
3 the terms of the workmen's compensation law, shall be in force and
4 effect after its passage and publication in the Madrid News, a news-
5 paper published at Madrid, Iowa, and in the Ft. Dodge Messenger,
6 a newspaper published at Ft. Dodge, Iowa.

Approved April 15, 1939.

I hereby certify that the foregoing act was published in the Madrid News, April 27, 1939, and the Ft. Dodge Messenger, April 21, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 25

DES MOINES

H. F. 94

AN ACT to make an appropriation to the city of Des Moines, Iowa, to reimburse the city for expenditures made in paving and improving streets adjacent to state-owned property.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 State Treasury not otherwise appropriated the sum of three hundred
3 fifteen dollars and sixty cents (\$315.60) payable to the City of Des
4 Moines, Iowa, in full settlement of a claim held by said city against
5 the State Fair Grounds for expenditures made by it in paving and
6 improving University Avenue adjacent to the State Fair Grounds,

7 the claim of the City of Des Moines being based on the principal
8 assessment levied against said State property by said city for such
9 street improvements as shown by the records in the office of the
10 County Treasurer of Polk County, Iowa.

1 SEC. 2. The State Comptroller is hereby directed to issue his
2 warrant payable to the City of Des Moines, Iowa, in the sum of three
3 hundred fifteen dollars and sixty cents (\$315.60) and the Treasurer
4 of State is hereby authorized and directed to pay said warrant out
5 of any funds not otherwise appropriated.

1 SEC. 3. The receipt of said sum by the City of Des Moines, Iowa,
2 shall be in full settlement of Special assessment No. 23578 for Univer-
3 sity Avenue improvement abutting upon the Iowa State Fair Grounds,
4 which, under Section 4634, Code, 1935, would be chargeable against
5 the State of Iowa. This settlement is in full for special improvements
6 on University Avenue abutting upon said State Fair Ground property.

Approved April 17, 1939.

CHAPTER 26

CAMP DODGE

H. F. 462

AN ACT to make an appropriation to the Iowa National Guard for the reroofing of mess halls and headquarters buildings, installation of ice boxes, construction of ammunition magazines, construction of bath houses and latrines, addition to office, ceiling of garage building and stoker for heating plant, all at Camp Dodge.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, the sum of thirty thousand
3 dollars (\$30,000) or so much thereof as may be necessary, to the Iowa
4 National Guard for use at Camp Dodge, Iowa, for the following pur-
5 poses: Reroofing fifty (50) mess halls at a cost of not to exceed sev-
6 enty-one hundred dollars (\$7100.00); reroofing four (4) headquarters
7 buildings at a cost of not to exceed ten hundred fifty-two dollars
8 (\$1052.00); fifty (50) ice boxes at a cost of not to exceed seventy-
9 five hundred dollars (\$7500.00); three (3) ammunition magazines
10 at a cost of not to exceed fifteen hundred dollars (\$1500.00); six (6)
11 enlisted men's bath-houses and latrines at a cost of not to exceed fifty-
12 seven hundred dollars (\$5700.00); four (4) officers' bathhouses and
13 latrines at a cost of not to exceed thirty-two hundred dollars
14 (\$3200.00); addition to office at a cost of not to exceed two thousand
15 dollars (\$2000.00); ceiling garage at a cost of not to exceed ten hun-
16 dred forty-eight dollars (\$1048.00); stoker for heating plant at a
17 cost of not to exceed nine hundred dollars (\$900.00).

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Iowa

- 3 Legionaire, a newspaper published in Des Moines, Iowa, and in the
4 Gravity Independent, a newspaper published in Gravity, Iowa.

Approved April 17, 1939.

I hereby certify that the foregoing act was published in the Indianola Record, April 28, 1939 at my request after publication was refused by the Iowa Legionaire* and the Gravity Independent, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 27
APPROPRIATIONS

S. F. 411

AN ACT to make appropriations to Amana Society, Kathryn Boles, Chickasaw County, city of Cedar Falls, Walter Kneisel, Linn County, Otto J. Long, Muscatine County, Pure Ice Company, Jennie Edmunson Memorial Hospital, Sarah Starr, C. H. Stoner, and the city of Iowa City.

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

- 1 SECTION 1. There is hereby appropriated out of the general fund
2 of the state the following:
3 To the Amana Society, Amana, Iowa, the sum of two hundred fifty
4 dollars (\$250.00) in full settlement of all claims it may have against
5 the state of Iowa on account of error on part of secretary of state
6 in recording papers.
7 To Kathryn Boles, Glenwood, Iowa, the sum of forty-five hundred
8 dollars (\$4,500.00) in full settlement of all claims she may have
9 against the state of Iowa on account of the death of her husband at
10 Camp Dodge on August twenty-first, nineteen hundred thirty-eight.
11 To Chickasaw County the sum of three thousand three hundred
12 thirty-five dollars and eighty-eight cents (\$3,335.88) in full settle-
13 ment of all claims it may have against the state of Iowa on account
14 of refund for support of Lloyd Anderson.
15 To City of Cedar Falls, the sum of three thousand five hundred
16 ninety dollars and eighty-six cents (\$3,590.86) in full settlement of
17 all claims it may have against the state of Iowa on account of paving
18 adjacent to Iowa State Teachers College property.
19 To Walter Kneisel, Horton, Kansas, the sum of fifteen hundred
20 dollars (\$1,500.00) in full settlement of all claims he may have against
21 the state of Iowa on account of loss of leg.
22 To Linn County the sum of three thousand three hundred fifty-
23 two dollars and four cents (\$3,352.04) in full settlement of all claims
24 it may have against the state of Iowa for the care and support of
25 Katherine Virginia Courtney, William Thomas Courtney, and Donald
26 Courtney in the Iowa Soldiers' Orphan Home at Davenport, Iowa.
27 To Otto J. Long, Keosauqua, Iowa, the sum of two hundred fifty
28 dollars (\$250.00) in full settlement of all claims he may have against
29 the state of Iowa for furnishing rock to the state of Iowa for use in
30 building at the Lacey Keosauqua State Park in Van Buren County,
31 Iowa.

*Note: Designated under Sec. 55 of the Code.

32 To Muscatine County the sum of four hundred fifty-two dollars
33 and fifty-nine cents (\$452.59) in full settlement of all claims it may
34 have against the state of Iowa for drainage assessment on state lands.

35 To the Pure Ice Company, Mt. Ayr, Iowa, the sum of five dollars
36 and sixty-nine cents (\$5.69) in full settlement of all claims it may
37 have against the state of Iowa for damage of truck on October fifth,
38 nineteen hundred thirty-five.

39 To the Jennie Edmunson Memorial Hospital, Council Bluffs, Iowa,
40 the sum of ninety dollars and seventy cents (\$90.70) in full settle-
41 ment of all claims it may have against the state of Iowa for facilities
42 and services furnished Pvt. Elza A. Rowe.

43 To Sarah Starr, Council Bluffs, Iowa, the sum of five hundred
44 dollars (\$500.00) in full settlement of all claims she may have against
45 the state of Iowa for the death of her husband while at Ft. Madison
46 penitentiary on June fifteenth, nineteen hundred thirty-six.

47 To C. H. Stoner, of Hardin County, the sum of one hundred fifty
48 (\$150.00) in full settlement of all claims he may have against the
49 state of Iowa for damage to his land due to the dam constructed just
50 below his land.

51 To the city of Iowa City the sum of ten thousand fifty-three dollars
52 and forty-eight cents (\$10,053.48) in full settlement of all claims
53 it may have against the state of Iowa for paving adjacent State Uni-
54 versity property at Iowa City.

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

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

Approved April 19, 1939.

CHAPTER 28

APPROPRIATIONS

S. F. 483

AN ACT to make appropriations to Louisa County, Iowa, Floyd Brackney, Frank M. Burnell, the Independent School District of Stanton, Iowa, Fred Fredericks, George Howland, E. S. MacCartney, H. A. Reimer, and city of Bedford, Iowa.

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

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the state the following:

3 To Louisa County, Iowa, the sum of four hundred eighty-six dollars
4 and nine cents (\$486.09) in full settlement of all claims it may have
5 against the state of Iowa for drainage assessments upon lands owned
6 by the state in drainage district No. 13, Louisa County, Iowa.

7 To Floyd Brackney, Clemons, Iowa, the sum of one thousand dol-
8 lars (\$1,000.00) for a bill of sale to the corn painting exhibited at

9 the Panama Pacific International Exposition at San Francisco, Cali-
10 fornia, in 1915, and in full settlement of all claims he may have
11 against the state in connection with said painting.

12 To Frank M. Burnell, Grinnell, Iowa, the sum of one hundred fifty-
13 eight dollars and fifty cents (\$158.50) in full settlement of all claims
14 he may have against the state of Iowa for injuries to him and his
15 wife, Sarah M. Burnell, as the result of a collision on U. S. highway
16 No. 6 on March 16, 1935.

17 To the Independent School District of Stanton, Iowa, the sum of
18 six hundred twenty-one dollars (\$621.00) in full settlement of all
19 claims it may have against the state of Iowa for tuition for Arminda
20 Paul, Marcella Paul, George Paul, Arlene Bales, Merle Bales, Frank
21 Louder, Robert Lee, Helen Lee, Robert Hanson, Harold Wilkinson,
22 Billy Wilkinson, Richard Wilkinson and Bob Froah, wards of the
23 Iowa Lutheran Childrens Home at Stanton, Iowa.

24 To Fred Fredericks, Fort Madison, Iowa, the sum of one thousand
25 dollars (\$1,000.00) in full settlement of all claims he may have against
26 the state of Iowa for injuries received by him on August 30, 1938,
27 when thrown from a truck while at the state camp at Woodward,
28 Iowa.

29 To George Howland, Clinton, Iowa, the sum of five hundred dollars
30 (\$500.00) in full settlement of all claims he may have against the
31 state of Iowa as the result of having been shot and seriously wounded
32 by bandits while on duty as a member of the motorcycle patrol on
33 highway No. 61, near Dewitt, Iowa, on June 8, 1925.

34 To E. S. MacCartney, Mitchellville, Iowa, the sum of five hundred
35 dollars (\$500.00) in full settlement of all claims he may have against
36 the state of Iowa for damage to his orchard by fire which originated
37 on the grounds of the Iowa State Training School for Girls, Mitchell-
38 ville, Iowa, on October 29, 1937.

1 SEC. 2. There is hereby appropriated out of the old age assistance
2 burial account of the state the sum of one hundred dollars (\$100.00)
3 to H. A. Reimer, Grand Junction, Iowa, in full settlement of all claims
4 he may have against the state of Iowa for burial expense for Jacob
5 Johnson, Grand Junction, Iowa, an old age pensioner.

1 SEC. 3. There is hereby appropriated out of the state sinking fund
2 the sum of thirteen thousand six hundred fifty-two dollars and twenty-
3 seven cents (\$13,652.27) to the City of Bedford, Iowa, in full settle-
4 ment of the balance due on the amount on deposit in the Citizens State
5 Bank of Bedford, Iowa, when it closed September 27, 1929.

1 SEC. 4. The state comptroller is hereby authorized to issue war-
2 rants to the above named claimants in the amounts stated, and the
3 treasurer of state is hereby directed to pay the same from the funds
4 designated.

1 SEC. 5. The acceptance of the said sums by the respective parties
2 shall be in full settlement of all claims against the state of Iowa grow-
3 ing out of said claims specifically referred to in this act.

Approved April 20, 1939.

CHAPTER 29

ELECTION CONTEST EXPENSES

H. F. 645

AN ACT to make an appropriation for the expenses incurred in the election contests of Peter Bendixen vs. Howard P. Eckerman; J. Ray Pilcher vs. T. H. Brodersen; Raymond S. Hill vs. Mrs. Frank M. Elliott.

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

1	SECTION 1. There is hereby appropriated out of any moneys in the	
2	state treasury not otherwise appropriated, the sum of one thousand	
3	three dollars and forty-six cents (\$1003.46), or so much as may be	
4	necessary, to pay the expenses of the election contest wherein Peter	
5	Bendixen was the contestant and Howard P. Eckerman the incum-	
6	bent. Warrants shall be drawn for the sums herein appropriated in	
7	favor of the following persons in amounts as follows:	
8	Walter A. Newport, in full of all expenses and legal	
9	services	\$ 200.00
10	Charles E. Wittenmeyer, in full of all expenses and	
11	legal services	200.00
12	Paul Freeburn, in full of all expenses and legal	
13	services	200.00
14	Mathew W. Hart, in full of all expenses and legal	
15	services	175.00
16	A. C. Gustafson, chief clerk, for railroad fares,	
17	transportation, and expenses of members of con-	
18	test committee	47.40
19	Blackhawk Hotel, Davenport, Iowa:	
20	Rooms and meals	\$86.81 86.81
21	Mississippi Hotel, Davenport, Iowa, room and meals	18.25
22	D. E. Pain, Davenport, Iowa, 2½ days checking	
23	voting machine	25.00
24	Carl Voege, Davenport, Iowa, 2½ days checking	
25	voting machine	15.00
26	W. D. Alford, Davenport, Iowa, 2½ days checking	
27	voting machine	10.00
28	A. C. Gustafson, chief clerk, in payment of fees to	
29	witnesses	26.00
30	Total	<u>\$1,003.46</u>

1	SEC. 2. There is hereby appropriated out of any moneys in the	
2	state treasury not otherwise appropriated, the sum of two hundred	
3	eighty-four dollars and ten cents (\$284.10), or so much as may be	
4	necessary, to pay the expenses of the election contest wherein J. Ray	
5	Pilcher was the contestant and T. H. Brodersen the incumbent. War-	
6	rants shall be drawn for the sums herein appropriated in favor of	
7	the following persons in amounts as follows:	
8	E. D. Perry and Arthur L. Johnson in full of all expenses and legal	
9	services:	
10	Expenses	\$ 43.05

11	Legal services	100.00	\$143.05
12	Snell Bros. in full of all expenses and legal services:		
13	Expenses	43.55	
14	Legal services	97.50	141.05
15	Total		\$284.10

1 SEC. 3. There is hereby appropriated out of any moneys in the
 2 state treasury not otherwise appropriated, the sum of six hundred
 3 twenty-three dollars and thirty-one cents (\$623.31) or so much as
 4 may be necessary, to pay the expenses of the election contest wherein
 5 Raymond S. Hill was the contestant and Mrs. Frank M. Elliott the
 6 incumbent. Warrants shall be drawn for the sums herein appro-
 7 priated in favor of the following persons in amounts as follows:

8	H. C. Harper and G. A. Royal, in full of all legal		
9	services		\$175.00
10	Gill and Gill, in full of all legal services.....		275.00
11	Raymond S. Hill, contestant, expense of trip to Des		
12	Moines		23.00
13	A. C. Gustafson, chief clerk, transportation and ex-		
14	penses of incumbent and members of contest com-		
15	mittee		53.91
16	Warrior Hotel, Sioux City, Iowa, council room and		
17	guest rooms		75.10
18	A. C. Gustafson, chief clerk, in payment of fees for		
19	witnesses		21.30
20	Total		\$623.31

1 SEC. 4. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Evening
 3 Democrat, a newspaper published at Ft. Madison, Iowa, and in the
 4 Herald-Journal, a newspaper published at Clarinda, Iowa.

Approved April 20, 1939.

I hereby certify that the foregoing act was published in the Evening Democrat, Ft. Madison, Iowa, April 26, 1939, and the Herald-Journal, Clarinda, Iowa, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 30

APPROPRIATIONS

S. F. 451

AN ACT to make appropriations to the Davenport Oil and Supply Company, Davenport, Iowa; T. D. Johnson, Rodman, Iowa; Cal Johnston, Eldon, Iowa; city of Ames, Iowa; and real estate division in the office of the secretary of state.

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

1 SECTION 1. There is hereby appropriated out of the general fund
 2 of the state the following:

3 To the city of Ames, Iowa, the sum of thirty-six hundred thirty-
 4 eight dollars and thirty-nine cents (\$3638.39) in full settlement of all
 5 claims it may have against the state of Iowa for improvement taxes
 6 on property of the State College of Agriculture and Mechanic Arts.
 7 To the Real Estate Division in the office of the secretary of state
 8 the sum of three hundred sixty-six dollars and sixteen cents (\$366.16)
 9 in full payment of all claims it may have against the state of Iowa
 10 for loss from waived deposits of the Capital City State Bank of Des
 11 Moines, Iowa.
 12 To Cal Johnston, Eldon, Iowa, the sum of one hundred dollars
 13 (\$100.00) in full payment of all claims he may have against the state
 14 of Iowa for legal expenses in overruling of motion for dissolution of
 15 temporary injunction in the district court of the state of Iowa in and
 16 for Lee County at Fort Madison, Iowa, November term, 1938.

1 SEC. 2. There is hereby appropriated out of the gasoline tax re-
 2 fund account the following:

3 To the Davenport Oil and Supply Company, Davenport, Iowa, the
 4 sum of three thousand twenty dollars and eighty-eight cents
 5 (\$3020.88) in full payment of all claims it may have against the
 6 state of Iowa for refund of payment of motor fuel tax money.

7 To T. D. Johnson, Rodman, Iowa, the sum of thirty-five dollars
 8 and forty cents (\$35.40) in full payment of all claims he may have
 9 against the state of Iowa on account of gasoline tax refund.

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

1 SEC. 4. The acceptance of said amounts by the above-named claim-
 2 ants shall be in full settlement of all claims against the state of Iowa
 3 growing out of above-described claims.

Approved April 24, 1939.

CHAPTER 31

APPROPRIATIONS

S. F. 480

AN ACT to make appropriations to Hurwich Furniture Company, Monona County Achievement Show, Cass County Farm Improvement Association, C. B. Schager, M. W. Baier, Wm. M. Whisler, David Swanson, J. O. Westrum and Dr. R. W. Jackson.

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

1 SECTION 1. There is hereby appropriated out of the general fund
 2 of the state the following:

3 To Hurwich Furniture Company, Waterloo, Iowa, the sum of thirty-
 4 three dollars and forty-five cents (\$33.45) in full settlement of all
 5 claims it may have against the state of Iowa for furniture rented to
 6 the agricultural department of the state during the 1937 Dairy Cattle

7 Congress in Waterloo, Iowa, and which furniture was destroyed by
8 fire.

9 To the Monona County Achievement Show, Monona County, Iowa,
10 the sum of two hundred eighty-three dollars and sixty-eight cents
11 (\$283.68) in full settlement of all claims it may have against the
12 state of Iowa under section two thousand nine hundred twenty-three
13 (2923), code, 1935, for premiums paid at the Short Course held dur-
14 ing 1937 in Mapleton, Iowa.

15 To the Cass County Farm Improvement Association, Atlantic,
16 Iowa, the sum of four hundred ninety dollars (\$490.00) in full settle-
17 ment of all claims it may have against the state of Iowa for expenses
18 incurred by the Cass County 4-H Fair held in Atlantic, Iowa, from
19 August 17 to 20, 1938.

1 SEC. 2. There is hereby appropriated out of the animal industry
2 fund of the state the following:

3 To C. B. Schager, Dows, Iowa, the sum of one thousand eighty-five
4 dollars (\$1,085.00) in full settlement of all claims he may have against
5 the state of Iowa for the destruction of nine horses on August 19,
6 1937, two horses on October 12, 1937, and one horse on April 14, 1938,
7 all of which were infected with glanders.

8 To M. W. Baier, Chapin, Iowa, the sum of one hundred eighty-five
9 dollars (\$185.00) in full settlement of all claims he may have against
10 the state of Iowa for the destruction of two horses on November 13,
11 1937, which were infected with glanders.

12 To Wm. M. Whisler, Alden, Iowa, the sum of one hundred dollars
13 (\$100.00) in full settlement of all claims he may have against the
14 state of Iowa for the destruction of one horse on February 5, 1938,
15 which was infected with glanders.

16 To David Swanson, Stratford, Iowa, the sum of one hundred thirty-
17 five dollars (\$135.00) in full settlement of all claims he may have
18 against the state of Iowa for the destruction of two horses on October
19 18, 1937, which were infected with glanders.

20 To J. O. Westrum, Stratford, Iowa, the sum of seventy-five dollars
21 (\$75.00) in full settlement of all claims he may have against the state
22 of Iowa for the destruction of a horse on October 16, 1937, which was
23 infected with glanders.

24 To Dr. R. W. Jackson, Kellerton, Iowa, the sum of twenty-four
25 dollars and fifty cents (\$24.50) in full settlement of all claims he may
26 have against the state of Iowa for professional services and expenses
27 incident to a trip to the Anna Martin farm at Shannon City, Iowa, on
28 March 19, 1935, and to the Holland farm at Redding, Iowa, on March
29 19, 1937.

1 SEC. 3. The state comptroller is hereby authorized to issue his
2 warrants to the above named parties in the amounts stated, and the
3 treasurer of state is hereby directed to pay the same from the general
4 fund and from the animal industry fund of the state, respectively.

1 SEC. 4. The acceptance of the said amounts by the above named
2 claimants shall be in full settlement of all claims against the state of
3 Iowa growing out of the above described claims.

Approved April 24, 1939.

CHAPTER 32

HIGHWAY ACCIDENT APPROPRIATIONS

S. F. 481

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

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

1 SECTION 1. There is hereby appropriated out of the Primary Road
2 Fund of the State to the following named persons, the amounts set
3 opposite their respective names, to wit:

4	Claimant	Address	Claim No.	Nature of Claim	Amount
5	Frank E. Buck	Augusta, Ia.....	H-94	Property damage	\$250.00
6	Mrs. J. C. Mc-				
7	Elhinney	Iowa City, Ia.....	H-99	Collision	82.92
8	John Turley	Zwingle, Ia.....	H-148	Property damage	3.85
9	Mosher &				
10	Tiedeman	Parkersburg, Ia.....	H-149	Property damage	8.75
11	Lynnville Telephone				
12	Exchange	Lynnville, Ia.....	H-150	Property damage	33.79
13	A. H. Frye	South Omaha, Nebr..	H-161	Collision	450.00
14	James C. Burns	Iowa City, Ia.....	H-162	Property damage	30.00
15	M. C. Taylor	San Diego, Cal.....	H-165	Collision	25.00
16	Roy C. Flick-				
17	inger	Iowa City, Ia.....	H-169	Collision	8.95
18	J. F. Shallen-				
19	berger	Chicago, Ill.....	H-170	Collision	16.58
20	Earl Ray Reid	Center Point, Ia.....	H-171	Collision	7.95
21	Cecil Eye	Hurstville, Ia.....	H-173	Collision	35.00
22	Jake Van der				
23	Leest	Prairie City, Ia.....	H-41	Personal injury to son	20.00
24	Sam Monson	Lake Mills, Ia.....	H-67	Death of cow	40.00
25	F. A. Newell	Grundy Center, Ia.....	H-46	Death of five (5) lambs	17.50
26	Oliver Yaggy	Cedar Falls, Ia.....		Collision	49.50

1 SEC. 2. The State Comptroller is hereby authorized and directed
2 to issue his warrants to the above named persons in the amounts set
3 opposite their names respectively, and the Treasurer of State is
4 hereby authorized and directed to pay the same from the Primary
5 Road Fund of the State of Iowa.

1 SEC. 3. Receipt of said sums by said persons respectively, shall
2 be in full settlement of all claims they may hold against the State
3 of Iowa, the Iowa State Highway Commission, on account of damages
4 as above indicated, claims for which were presented to the Joint
5 Claims Committee of the Forty-eighth General Assembly.

Approved April 24, 1939.

CHAPTER 33

PAUL KORDICK

S. F. 484

AN ACT to appropriate the sum of one thousand two hundred fifty-eight dollars and twenty cents (\$1258.20) to Paul Kordick of the Western State Sales Company, in payment of the loud speaker system installed in the senate.

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

1 SECTION 1. There is hereby appropriated out of the funds in the
2 State Treasury not otherwise appropriated, the sum of One thousand
3 two hundred fifty-eight dollars and twenty cents (\$1258.20) to Paul
4 Kordick of the Western State Sales Company, in full payment for the
5 loud speaker system installed in the Senate. The State Comptroller
6 is hereby authorized and directed to issue his warrant therefor.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in The Evening
3 Journal, a newspaper published in Washington, Iowa, and in the Mt.
4 Pleasant Daily News, a newspaper published in Mt. Pleasant, Iowa.

Approved April 24, 1939.

I hereby certify that the foregoing act was published in the Evening Journal, Wash-
ington, Iowa, May 2, 1939, and the Mt. Pleasant Daily News, May 1, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 34

APPROPRIATION TO CONTROL CROP PESTS

S. F. 422

AN ACT to make an appropriation for the purchase, distribution, storage and applica-
tion of materials, and for other necessary, incidental, miscellaneous expenses con-
nected with the prevention and control of major epidemic outbreaks of grasshoppers,
chinch bugs, army worms, Japanese beetles, and other crop pests, and crop diseases.

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

1 SECTION 1. There is hereby appropriated for the period ending
2 June 30, 1941, from any funds in the state treasury not otherwise
3 appropriated, the sum of twenty-five thousand dollars (\$25,000.00)
4 or so much thereof as may be necessary for the purchase, transpor-
5 tation, distribution, storage and application of materials, and for
6 such other miscellaneous and incidental expenses deemed necessary,
7 for the purpose of controlling outbreaks of grasshoppers, chinch bugs,
8 army worms, Japanese beetles, and other crop pests, and crop diseases
9 causing epidemics affecting wide areas in the state. Said appropria-
10 tion shall be wholly available immediately upon the taking effect of
11 this Act and may be expended, if necessary, by and under the direc-
12 tion of the secretary of agriculture of this state with the approval
13 of the state comptroller.

1 SEC. 2. All moneys appropriated by this act, remaining unex-
2 pended or unobligated at the close of business on June 30, 1941, shall
3 revert to and become a part of the general fund in the state treasury.

Approved May 10, 1939.

CHAPTER 35
APPROPRIATIONS
S. F. 496

AN ACT to make appropriations to Fannie Aliber, Alta M. Hamaker and Alice M. O'Malley.

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

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the state the following:

3 To Fannie Aliber, Des Moines, Iowa the sum of five hundred dollars
4 (\$500.00) to be paid in installments of one hundred dollars (\$100.00)
5 per month for five months, in full settlement of all claims she may
6 have against the state of Iowa for salary as secretary to Hubert Utter-
7 back, judge of the Supreme Court of Iowa, from April 15, 1933, to
8 September 15, 1933.

9 To Alta M. Hamaker, Anamosa, Iowa, the sum of one thousand
10 eighty dollars (\$1,080.00) to be paid in installments of thirty dollars
11 (\$30.00) per month for thirty-six months, in full settlement of all
12 claims she may have against the state of Iowa for the death of her
13 husband, Allan Hamaker, as the result of a gun shot wound, inflicted
14 August 11, 1911, while the decedent was on duty as a guard at the
15 Men's Reformatory at Anamosa, Iowa.

16 To Alice M. O'Malley, Webster City, Iowa the sum of two thousand
17 five hundred dollars (\$2,500.00) in full settlement of all claims she
18 may have against the state of Iowa for the death of her husband,
19 James L. O'Malley, sheriff of Hamilton county, Iowa, as the result of
20 an automobile accident on Highway No. 60, in Boone county, Iowa,
21 on August 4, 1938.

1 SEC. 2. The state comptroller is hereby authorized and directed
2 to issue his warrant to the above named parties for the sums indicated,
3 and the treasurer of state is hereby authorized and directed to pay
4 the same from the general fund of the state.

1 SEC. 3. Acceptance of said sums by said parties shall be in full
2 settlement of all claims against the state of Iowa growing out of said
3 claims specifically referred to in this act.

Approved May 10, 1939.

CHAPTER 36
STATE PLANNING BOARD EXPENSES
H. F. 639

AN ACT to provide an emergency appropriation for salaries of assistants in the office of the state planning board in the discharge of their official duties, and for other expenses of said office, for the period from March 1, 1939, to May 1, 1939, both dates inclusive; and to repeal chapter two hundred thirty-five (235), Acts of the Forty-seventh General Assembly, relating to the state planning board.

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

1 SECTION 1. There is hereby appropriated from the general fund
2 of the state not otherwise appropriated the sum of four thousand

3 dollars (\$4000.00), or so much thereof as may be necessary, to pay
 4 the salaries of the assistants in the office of the state planning board
 5 in the discharge of their official duties for the period from March 1,
 6 1939, to May 1, 1939, both dates inclusive, plus any unpaid bills for
 7 rent, light, or telephone up to and including April 10, 1939.

1 SEC. 2. Chapter two hundred thirty-five (235), Acts of the Forty-
 2 seventh General Assembly, is hereby repealed, and the comptroller is
 3 hereby authorized to pay the just claims authorized by this act.

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 the Decorah Public Opinion, a newspaper published at Decorah, Iowa,
 4 and in The Mapleton Press, a newspaper published at Mapleton, Iowa.

Approved May 1, 1939.

I hereby certify that the foregoing act was published in the Decorah Public Opinion,
 May 9, 1939, and The Mapleton Press, May 11, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 37

DICKINSON COUNTY SEWER PROJECT

S. F. 371

AN ACT to make an appropriation to the Iowa conservation commission to be used in
 cooperation with the WPA funds, to complete the project known as the "Sewer and
 Sewage Diversion Works, Division B", Dickinson County, Iowa.

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

1 SECTION 1. There is hereby appropriated from the Iowa Emer-
 2 gency Relief Administration funds now available to the Iowa con-
 3 servation commission forty thousand two hundred fifty dollars
 4 (\$40,250.00), or so much thereof as may be necessary, to be expended
 5 for the completion, in cooperation with the WPA, the project known
 6 as the "Sewer and Sewage Diversion Works, Division B", Dickinson
 7 County, Iowa.

1 SEC. 2. This act, being deemed of immediate importance, shall be-
 2 come effective upon passage and publication in the Beacon, a news-
 3 paper published at Spirit Lake, Iowa, and in the Estherville Enter-
 4 prise, a newspaper published at Estherville, Iowa.

Approved May 3, 1939.

I hereby certify that the foregoing act was published in The Beacon, Spirit Lake, Iowa,
 May 11, 1939, and The Estherville Enterprise, May 11, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 38

STATE CONSERVATION COMMISSION

S. F. 486

AN ACT to make an appropriation for the use of the state conservation commission.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, for each year of the bien-
3 nium ending June 30, 1941, the sum of one hundred seventy-five
4 thousand dollars (\$175,000.00), or so much thereof as may be needed,
5 for the use of the state conservation commission, subject to the ap-
6 proval of the executive council, which sum is to be used to enable the
7 state of Iowa to participate in the program of the civilian conserva-
8 tion corps, the works progress administration, with federal and other
9 agencies, and in making available and/or improving conservation
10 areas.

1 SEC. 2. The appropriation made in the foregoing section is in addi-
2 tion to the regular biennial appropriations made for the operations of
3 the state conservation commission, and all expenditures therefrom are
4 subject to the approval of the state comptroller.

Approved May 25, 1939.

GENERAL LAWS

CHAPTER 39

COMMITTEE ON RETRENCHMENT AND REFORM

S. F. 509

AN ACT to amend section thirty-nine (39) of chapter two (2) of the Code of Iowa of 1935 and to provide the manner in which vacancies on the committee on retrenchment and reform shall be filled when the legislature is not in session.

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

1 SECTION 1. Section thirty-nine (39) of Chapter two (2) of the
2 Code of Iowa of 1935 is hereby amended by striking the word "chair-
3 men" from line one (1) and inserting in lieu thereof the words "chair-
4 man".

1 SEC. 2. Section thirty-nine (39) of Chapter two (2) of the Code
2 of Iowa of 1935 is further amended by adding thereto the following:
3 "In case there is more than one committee for judiciary, ways and
4 means, or appropriations, the speaker of the house or the president
5 of the senate shall designate the member to sit on the committee on
6 retrenchment and reform. Any vacancy occurring on the committee
7 while the legislature is not in session shall be filled by the presiding
8 officer of the House in the event the vacancy occurs in the membership
9 of said committee from the House and by the lieutenant governor in
10 the event the vacancy occurs in the membership of said committee from
11 the Senate."

1 SEC. 3. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its publication in the New Hamp-
 3 ton Tribune, a newspaper published at New Hampton, Iowa, and the
 4 Nashua Reporter, a newspaper published at Nashua, Iowa.

Approved May 3, 1939.

I hereby certify that the foregoing act was published in the Nashua Reporter May 10, 1939. I further certify that the New Hampton Tribune refused to make publication and that publication was made in the Indianola Record* June 9, 1939 at my request.

EARL G. MILLER, *Secretary of State.*

CHAPTER 40

STATE COMPTROLLER

H. F. 530

AN ACT to amend chapter eighty-seven (87), Acts of the Forty-seventh General Assembly, relating to the duties of the state comptroller.

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

1 SECTION 1. Amend section one (1), chapter eighty-seven (87),
 2 Acts of the Forty-seventh General Assembly, by changing the words
 3 "board of assessment and review" to "tax commission" in lines two
 4 (2) and three (3) thereof.

Approved April 3, 1939.

CHAPTER 41

THE BUDGET

S. F. 161

AN ACT to amend chapter seven-e one (7-E1), code, 1935, relating to the budget; fixing dates for the preparation thereof, and prescribing additional requirements for the budget report.

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

1 SECTION 1. Section eighty-four-e fourteen (84-e14), Code, 1935,
 2 is amended by substituting the word "first" for the word "fifteenth"
 3 in line two (2) thereof.

1 SEC. 2. Section eighty-four-e sixteen (84-e16), Code, 1935, is
 2 amended by substituting the word "September" for the word "Octo-
 3 ber" in line two (2) thereof.

1 SEC. 3. Section eighty-four-e eighteen (84-e18), Code, 1935, is
 2 amended by substituting the word "December" for the word "Novem-
 3 ber" in line five (5) thereof.

1 SEC. 4. Section eighty-four-e nineteen (84-e19), Code, 1935, is
 2 amended by striking the first word of said section and inserting in

*Note: Designated under Sec. 55 of the Code.

3 lieu thereof the following: "Immediately upon"; also by striking from
4 lines four (4) and five (5) thereof the following: "not later than the
5 ensuing month of December".

1 SEC. 5. Section eighty-four-e six (84-e6), Code, 1935, is amended
2 by striking therefrom subsection seventeen (17) and by inserting in
3 lieu thereof the following:

4 "17. The comptroller shall prepare and file in his office, on or before
5 the first day of December of each even-numbered year, a state budget
6 report, which shall show in detail the following:

7 a. Classified estimates in detail of the expenditures necessary, in
8 his judgment, for the support of each department and each institution
9 and department thereof for the ensuing biennium.

10 b. A schedule showing a comparison of such estimates with the
11 askings of the several departments for the current biennium and with
12 the expenditures of like character for the last two preceding bien-
13 niums.

14 c. A statement setting forth in detail his reasons for any recom-
15 mended increases or decreases in the estimated requirements of the
16 various departments, institutions and departments thereof.

17 d. Estimates of all receipts of the state other than from direct taxa-
18 tion and the sources thereof for the ensuing biennium.

19 e. A comparison of such estimates and askings with receipts of a
20 like character for the last two preceding bienniums.

21 f. The expenditures and receipts of the state for the last completed
22 fiscal year, and estimates of the expenditures and receipts of the state
23 for the current fiscal year.

24 g. A detailed statement of all appropriations made during the two
25 preceding bienniums, also of unexpended balances of appropriations at
26 the end of the last fiscal year and estimated balances at the end of
27 the current fiscal year.

28 h. Estimates in detail of the appropriations necessary to meet the
29 requirements of the several departments and institutions for the next
30 biennium.

31 i. Statements showing:

32 1. The condition of the treasury at the end of the last fiscal year.

33 2. The estimated condition of the treasury at the end of the cur-
34 rent fiscal year.

35 3. The estimated condition of the treasury at the end of the next
36 biennium, if his recommendations are adopted.

37 4. An estimate of the taxable value of all the property within the
38 state.

39 5. The estimated aggregate amount necessary to be raised by a state
40 levy.

41 6. The millage necessary to produce such amount.

42 7. Such other data or information as the comptroller may deem
43 advisable."

Approved February 25, 1939.

CHAPTER 42

EXAMINATIONS OF LOCAL GOVERNING BODIES

S. F. 2

AN ACT to repeal chapter eighty-nine (89), Acts of the Forty-seventh (47th) General Assembly of Iowa and to repeal section one hundred twenty-five (125), code, 1935, and to enact a substitute therefor, and to amend chapter ten (10), code, 1935, relating to the examination of the financial condition and transactions of counties, school districts, and municipal corporations including cities acting under special charter and to establish procedure therefor; relating to the approval of examiners' fees and expenses and to the method of procedure in case of disapproval thereof and manner of reimbursement to the local governing body in case of overpayment, and prescribing penalties for violation of certain provisions of this act by examiners and assistant examiners.

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

1 SECTION 1. Chapter eighty-nine (89), Acts of the 47th General
2 Assembly, is hereby repealed.

1 SEC. 2. Chapter ten (10), Code 1935, is hereby amended by add-
2 ing as section one hundred thirteen (113), the following:

3 "113. The financial condition and transactions of all counties shall
4 be examined once each year by the auditor of state."

1 SEC. 3. Chapter ten (10), Code 1935, is hereby amended by adding
2 as section one hundred twenty-four (124) the following:

3 "124. The financial condition and transactions of all cities and city
4 offices, including cities acting under special charter, and all school
5 offices, other than those in rural and village independent districts and
6 school townships and all consolidated school districts and independent
7 school districts in cities and towns of less than five thousand (5000)
8 population, shall be examined at least once each year and such exami-
9 nation may be made by the auditor of state, or in lieu of the exami-
10 nation by state accountants the local governing body whose accounts
11 are to be examined, in case it elects so to do, may contract with, or
12 employ, certified or registered public accountants, certified and reg-
13 istered in the State of Iowa, and pay the same from the proper public
14 funds.

15 "Any township or municipal corporation not embraced within the
16 foregoing provisions of this chapter and any school corporation in
17 which an annual examination is not required may, on application to
18 the auditor of state, secure an examination of its financial transactions
19 and condition of its funds, or a like examination shall be had on appli-
20 cation of one hundred (100) or more taxpayers, or if there are fewer
21 than five hundred (500) taxpayers, then by five per cent (5%) thereof.
22 The examination in any such school district may be had upon the
23 written request of the county superintendent of schools. In lieu of
24 such examination by state accountants, the local governing body may
25 contract with, or employ, certified or registered public accountants
26 and pay the same from the proper public funds."

1 SEC. 4. Chapter ten (10), Code 1935, is hereby amended by adding
2 the following: "Where an examination is made under contract with,
3 or employment of, certified or registered public accountants, the exam-
4 iner shall, in all matters pertaining to an authorized examination, have

5 all of the powers and be vested with all the authority of state examiners
 6 employed by the Auditor of State, and the cost and expense of the
 7 examination shall be paid by the city, town, school district, or town-
 8 ship procuring the examination. An itemized sworn statement of the
 9 per diem and expense of the examiner shall be filed with the clerk
 10 of the city, town, township, or school district, before payment thereof.
 11 Upon completion of such examination, a certified copy thereof shall
 12 forthwith be filed, by the accountant employed, with the Auditor of
 13 State.”

1 SEC. 5. Section one hundred twenty-five (125), Code, 1935, is
 2 hereby repealed and the following enacted in lieu thereof:*

3 “125. Where the examination is made by the State Auditor under
 4 the provisions of this chapter and this act, each examiner shall on the
 5 completion of any such examination file with the local governing body
 6 a detailed itemized and sworn voucher of his per diem and expense,
 7 which expense shall not exceed the sum of three dollars (\$3) per day
 8 for the time such examiner is actually engaged in such examination,
 9 which statement or voucher shall be subject to approval by such gov-
 10 erning body and when so approved, shall be forwarded to the Auditor
 11 of State, and when approved by the Auditor of State and State Comp-
 12 troller, shall be paid from any unappropriated fund in the State Treas-
 13 ury. Repayment to the State shall be made as provided by section one
 14 hundred twenty-six (126) of the Code.”

1 SEC. 6. Chapter ten (10), Code, 1935, is hereby amended by adding
 2 thereto the following:**

3 Upon payment by the state of the per diem and expenses aforesaid,
 4 the auditor of state shall at once file with the warrant-issuing officer
 5 of the county, school, or city, whose offices were examined, a copy of
 6 the vouchers so paid by the state. Upon audit and approval by the
 7 board of supervisors, city, county, or school board, the said warrant-
 8 issuing officer shall draw his warrant for said amount on the general
 9 fund of the county, school, or city in favor of the auditor of state, which
 10 warrant shall be placed to the credit of the general fund of the state.
 11 In the event of the disapproval of any items of said vouchers by the
 12 county, school, or city authorities, written objections shall be filed with
 13 the auditor of state and said disapproved items of said vouchers shall
 14 not be paid to the auditor of state until changed and final approval is
 15 given.

16 Whenever the county board of supervisors, the school board, or the
 17 council shall file written objections with the auditor of state, he or his
 18 representative may hold a public hearing in the city where the exami-
 19 nation was made, on the question of compensation and expenses, and
 20 shall give the complaining board notice of the time and place of hear-
 21 ing. After such hearing he shall have the power to reduce the com-
 22 pensation and expenses of the examiner and assistant examiner whose
 23 bills have been questioned. Any examiner or assistant examiner who
 24 shall be found guilty of padding his per diem or expense account shall
 25 be immediately discharged by the auditor of state and shall not be

*Note: Amended by Senate File 438 of the Acts of the Forty-eighth General Assem-
 bly, by striking all of Sec. 5 and inserting a new section in lieu thereof.

**Note: Amended by Senate File 438 of the Acts of the Forty-eighth General As-
 sembly.

26 eligible for reemployment in either position. Such examiner or assist-
 27 ant examiner must thereupon reimburse the auditor of state for all
 28 such compensation and expenses so found to have been overpaid to
 29 him and in the event of his failure so to do, the auditor of state may
 30 collect the same amount from the examiner's bondsman by suit, if
 31 necessary.

1 SEC. 7. Chapter ten (10), Code 1935, is hereby amended by adding
 2 thereto the following: "This chapter shall apply to special charter
 3 cities."

1 SEC. 8. This act being deemed of immediate importance shall be in
 2 force and effect from and after its passage and publication in the
 3 Indianola Herald, a newspaper published at Indianola, Iowa, and in
 4 the Knoxville Journal, a newspaper published at Knoxville, Iowa.

Approved March 23, 1939.

I hereby certify that the foregoing act was published in the Indianola Herald, March
 30, 1939, and the Knoxville Journal, April 6, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 43

EXAMINATIONS OF LOCAL GOVERNING BODIES

S. F. 438

AN ACT to amend Senate File No. two (2), Acts 48th General Assembly, relating to
 the audit of counties, cities and towns, and school districts and providing for the
 payment of expense of state auditors.

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

1 SECTION 1. Senate File No. two (2), Acts of the 48th General
 2 Assembly, now on file in the office of the Secretary of State is hereby
 3 amended as follows:

4 1. Strike lines one (1) and two (2) of section six (6) of the enrolled
 5 act and insert in lieu thereof the following:

6 "Sec. 6. Section one hundred twenty-six (126), Code 1935, is here-
 7 by repealed and the following enacted in lieu thereof:"

1 SEC. 2. Section five (5) of Senate File No. two (2), Acts of the
 2 Forty-eighth General Assembly of Iowa is hereby amended by strik-
 3 ing all of section five (5) and inserting in lieu thereof the following:

4 "Where the examination is made by the state auditor under the
 5 provisions of this chapter, each examiner shall file with the local gov-
 6 erning body and also with the Auditor of State a detailed, itemized
 7 and sworn voucher of his per diem and expense, which expense shall
 8 not exceed the sum of three dollars (\$3.00) per day for the time such
 9 examiner is actually engaged in such examination. The said statement
 10 or voucher shall be subject to approval by such governing body and
 11 when so approved shall be forwarded to the Auditor of State. If the
 12 local governing body fails to disapprove the said statement of expense
 13 within ten days from the filing thereof the Auditor of State and State
 14 Comptroller may approve the said claim and the same shall be paid

15 from any unappropriated funds in the state treasury. Repayment to
 16 the state shall be made as provided by section one hundred twenty-six
 17 (126), Code, 1935."

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in The New
 3 Hampton Tribune, a newspaper published at New Hampton, Iowa,
 4 and the Nashua Reporter, a newspaper published at Nashua, Iowa.

Approved April 19, 1939.

I hereby certify that the foregoing act was published in The New Hampton Tribune,
 April 27, 1939, and the Nashua Reporter, May 5, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 44

ATTORNEY GENERAL

S. F. 424

AN ACT providing that legal work of the state shall be under the direction of the attorney general.

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

1 SECTION 1. Section one hundred fifty-two (152), Code, 1935, is
 2 hereby amended by striking from lines five (5) and six (6) thereof
 3 the following: "except in cases specially authorized by law,".

1 SEC. 2. This act shall not affect the office of the commerce counsel.*

1 SEC. 3. The attorney general may appoint one assistant attorney
 2 general to perform and supervise the legal work of the state tax com-
 3 mission, and in such event the salary and necessary traveling expenses
 4 of such assistant attorney general shall be paid from the appropria-
 5 tion to said state tax commission, and upon request of the attorney
 6 general the state tax commission shall provide and equip a suitable
 7 office and the necessary secretarial assistance for such assistant attor-
 8 ney general.

1 SEC. 4. The attorney general may appoint one assistant attorney
 2 general to perform and supervise the legal work of the state board
 3 of social welfare, and in such event the salary and necessary traveling
 4 expenses of such assistant attorney general shall be paid from the
 5 appropriation to said state board of social welfare, and upon request
 6 of the attorney general the state board of social welfare shall provide
 7 and equip a suitable office and the necessary secretarial assistance for
 8 such assistant attorney general.

Approved April 19, 1939.

*Note: Amended by Senate File 508 of the 48th General Assembly.

CHAPTER 45
ATTORNEY GENERAL

S. F. 508

AN ACT to amend Senate File 424 of the Acts of the Forty-eighth General Assembly of Iowa, relating to the legal work of the state of Iowa under the direction of the attorney general.

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

- 1 SECTION 1. That Sec. 2 of Senate File 424, Acts of the Forty-eighth
- 2 General Assembly of Iowa be amended by striking the period (.) at
- 3 the end of said section and adding the following words: "nor legal
- 4 counsel of the Iowa Unemployment Compensation Commission."

Approved May 3, 1939.

CHAPTER 46
ADVANCE SHEETS OF SUPREME COURT REPORTS

S. F. 151

AN ACT to amend sections one hundred fifty-six (156) and one hundred seventy-seven (177), Code 1935, relating to certain legal publications.

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

- 1 SECTION 1. Section one hundred fifty-six (156), Code 1935, is
- 2 hereby amended by adding to subsection four (4) thereof, the fol-
- 3 lowing:
- 4 " , and he may publish advance sheets of said reports."

- 1 SEC. 2. Section one hundred seventy-seven (177), Code 1935, is
- 2 hereby amended by striking the word "act" in line five (5) and sub-
- 3 stituting in lieu thereof the word "chapter".

Approved March 31, 1939.

CHAPTER 47
LIBRARY BINDING

H. F. 233

AN ACT to amend section one hundred eighty-four (184), of the code, 1935, by excluding binding, rebinding and repairs of library collections from term "printing".

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

- 1 SECTION 1. The period at the end of section one hundred eighty-
- 2 four (184), code, 1935, be changed to a comma and the following be
- 3 added thereto: "but shall not include binding, rebinding or repairs
- 4 of books, journals, pamphlets, magazines and literary articles by any
- 5 library of the State or any of its offices, departments, boards and com-
- 6 missions held as a part of their library collection."

Approved May 10, 1939.

CHAPTER 48

SUPERINTENDENT OF PRINTING

H. F. 22

AN ACT to amend section two hundred fifteen (215), code, 1935, relating to the duties of the superintendent of printing.

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

1 SECTION 1. Section two hundred fifteen (215), Code, 1935, is here-
 2 by amended by adding thereto the following paragraph:
 3 "Annually, September first, cause to be printed in pamphlet form,
 4 to be paid for out of the general fund not otherwise appropriated,
 5 and gratuitously distributed upon request, the name, residence, official
 6 title, salary and traveling and subsistence expense of the personnel
 7 of each of the departments, boards, and commissions of the state gov-
 8 ernment. The head of each department, board, or commission shall,
 9 on request of said superintendent, furnish the latter with the data
 10 covering said particular department, board, or commission. Such
 11 report shall be mailed to each member of the general assembly within
 12 ten (10) days after the printing of such report."

1 SEC. 2. All employees who have drawn salaries, fees, or expense
 2 allowances from more than one department or subdivision shall be
 3 listed separately under the proper departmental heading.

Approved February 17, 1939.

CHAPTER 49

STATE HIGHWAY COMMISSION REPORT

S. F. 401

AN ACT to amend section two hundred fifty-two (252), code, 1935, relating to the report of the state highway commission.

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

1 SECTION 1. Section two hundred fifty-two (252), Code, 1935, is
 2 amended as follows:
 3 1. By striking from line three (3) the words "December thirty-
 4 first" and inserting in lieu thereof the words "June thirtieth".
 5 2. By striking from line four (4) the words "January fifteenth" and
 6 inserting in lieu thereof the words "September first".

Approved March 27, 1939.

CHAPTER 50

OFFICIAL REPORTS AND DOCUMENTS

H. F. 501

AN ACT to amend section two hundred sixty-four (264), code, 1935, relating to official reports and documents.

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

- 1 SECTION 1. Section two hundred sixty-four (264), Code, 1935, is
- 2 hereby amended by changing the words "board of assessment and
- 3 review" to "tax commission" in lines ten (10) and eleven (11) thereof.

Approved April 3, 1939.

CHAPTER 51

EXECUTIVE COUNCIL

S. F. 397

AN ACT to amend section three hundred (300), code, 1935, relating to the disposal of personal property by the executive council.

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

- 1 SECTION 1. Section three hundred (300), Code, 1935, is hereby
- 2 amended by inserting in line three (3) thereof after the word "become"
- 3 the following: "unnecessary or".

Approved April 15, 1939.

CHAPTER 52

OFFICE SUPPLIES

S. F. 403

AN ACT to amend section three hundred two (302), code, 1935, relating to officers entitled to supplies.

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

- 1 SECTION 1. Section three hundred two (302), Code, 1935, is
- 2 amended
- 3 1. By striking from line twenty-seven (27) :
- 4 "19. Banking department."
- 5 2. By striking from line twenty-nine (29) :
- 6 "21. Horticultural society."
- 7 3. By striking from line thirty-three (33) :
- 8 "25. Geological board and state geologist."
- 9 4. By renumbering the remaining subjects.

- 1 SEC. 2. This act shall become effective July 1, 1939, following its
- 2 publication in the Anthon Herald, a newspaper published at Anthon,

3 Iowa, and the Ottumwa Daily Courier, a newspaper published at
4 Ottumwa, Iowa.

Approved April 15, 1939.

I hereby certify that the foregoing act was published in the Anthon Herald, April 26, 1939, and the Ottumwa Daily Courier, April 21, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 53

EMERGENCY FUND TAX FOR FEDERAL WORK RELIEF PROJECTS

S. F. 442

AN ACT authorizing cities of the first class to levy, with the consent of the comptroller, the emergency fund tax, or any part thereof, authorized by section three hundred seventy-three (373), code, 1935, for the years 1939 to 1942, both years inclusive, and anticipate the same by issuing bonds; said bonds to be issued only in the years 1939 and 1940; the proceeds of said bonds to be used only to pay the city's share of the cost of federal work relief projects of a construction nature, excluding buildings and building repairs.

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

1 SECTION 1. With the consent of the Comptroller, cities of the first
2 class having a population in excess of one hundred twenty-five thou-
3 sand (125,000) may levy at one time the Emergency Fund Tax, or
4 any part thereof, authorized by section three hundred seventy-three
5 (373), Code, 1935, for the years 1939 to 1942, both years inclusive,
6 and may anticipate said tax by the issuance of bonds in accordance,
7 so far as applicable, with the provisions of chapter three hundred
8 twenty (320), Code, 1935. Said bonds may be issued only in the years
9 1939 and 1940. The proceeds of said bonds may be used only to pay
10 the city's share of the cost of federal work relief projects of a con-
11 struction nature, excluding buildings and building repairs. Before
12 any such levy is made, a completely itemized statement of expenditures
13 contemplated by such city shall be submitted to the state comptroller
14 for his approval, and no such levy shall be made unless so approved
15 by him.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Knoxville
3 Journal, a newspaper published in Knoxville, Iowa, and The Plain
4 Talk, a newspaper published in Des Moines, Iowa.

Approved April 20, 1939.

I hereby certify that the foregoing act was published in the Knoxville Journal, Knox-ville, Iowa, April 27, 1939, and the Plain Talk, Des Moines, Iowa, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 54

COMPENSATION OF OFFICERS AND MEN IN THE MILITARY SERVICE

H. F. 44

AN ACT to amend section four hundred sixty-seven-f twenty-one (467-f21), code, 1935, relative to compensation of officers and enlisted men while in active service of the state, and compensation to their dependents for death as a result of illness or disease contracted in line of duty while in such active service.

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

1 SECTION 1. Section four hundred sixty-seven-f twenty-one (467-
2 f21), Code, 1935, is hereby amended as follows:

3 1. By inserting after the word "States." in the fifth line of the first
4 paragraph the following sentence: "If the said active service is under
5 martial law or is aid to civil authorities, enlisted men shall receive an
6 additional sum of one dollar (\$1.00) per day; provided, however, that
7 no officer or enlisted man who is an employee of the state and receives
8 compensation from the state as such employee during said active serv-
9 ice shall receive the compensation herein provided."

1 SEC. 2. Any claim for the death or for illness or disease contracted
2 in the line of duty while in active service shall be filed with the adjutant
3 general within six months from the date of the death or the contrac-
4 tion of the illness or disease of any officer or enlisted man.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Ames Daily Tribune, a newspaper published at Ames, Iowa, and
4 in the Plain Talk, a newspaper published at Des Moines, Iowa.

Approved April 20, 1939.

I hereby certify that the foregoing act was published in the Ames Daily Tribune, April 26, 1939, and the Plain Talk, Des Moines, Iowa, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 55

MILITARY CODE

H. F. 45

AN ACT to amend the military code, chapter twenty-eight-F one (28-F1), code, 1935, by providing for the transfer of civil or criminal cases on file in any court of record within a county where a military district has been established under martial law, to any court of record outside the military district; and to provide for the establishment of a military court or commission within a military district, and to prescribe the powers and duties of such military court or commission.

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

1 The military code, chapter twenty-eight-F one (28-F1), Code, 1935,
2 is amended by adding thereto the following:

1 SECTION 1. When a military district is established under martial
2 law, the chief justice or an associate justice of the supreme court may,
3 upon written agreement of the parties or their attorneys, or good cause

4 being shown, order any civil or criminal case on file in the office of
 5 the clerk of any court of record within the military district transferred
 6 to any court of record outside of the military district. The said cause
 7 shall be docketed without fee and proceed in all respects with the same
 8 force and effect as though transferred on a change of venue. When
 9 the said military district is dissolved, the cause and all proceedings
 10 in connection therewith may be retransferred by the court to the origi-
 11 nal court, where it shall be redocketed without fee.

1 SEC. 2. The governor may establish within the military district a
 2 military court or commission to take jurisdiction and cognizance of
 3 all public offenses against the peace and dignity of the state, and the
 4 violation of ordinances and military rules and regulations which are
 5 now, or may hereafter be, promulgated or enacted for the preservation
 6 of law and order and the public safety.

7 The military court or commission may make such orders, judgments,
 8 and decrees in civil cases as may be agreed upon by the litigants or
 9 their attorneys, or as may be necessary because of an emergency or
 10 to prevent waste, with the same force and effect as though made and
 11 entered by a judge of the district court in regular term time. The
 12 said court or commission shall have full power and authority to issue
 13 all necessary process for the conduct of its proceedings, and like power
 14 to compel the attendance of witnesses therein as are exercised by civil
 15 courts of the state.

1 SEC. 3. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its publication in the Dallas County
 3 News, a newspaper published in the town of Adel, Iowa, and in the
 4 Altoona Herald, a newspaper published in the town of Altoona, Iowa.

Approved April 20, 1939.

I hereby certify that the foregoing act was published in the Dallas County News, Adel,
 Iowa, April 26, 1939, and the Altoona Herald, Altoona, Iowa, April 28, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 56

MILITARY CODE

H. F. 46

AN ACT to amend the military code, chapter twenty-eight-F one (28-F1), code, 1935, by providing that the judge advocate shall become an assistant attorney general during the period when the National Guard is in state service.

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

1 SECTION 1. Chapter twenty-eight-F one (28-F1), Code, 1935, is
 2 hereby amended by adding thereto the following:

3 "When troops are called into service of the state by the governor
 4 under martial law or as aid to the civil authorities, the judge advocate
 5 shall, in addition to his other duties, become an assistant attorney
 6 general for the duration of the emergency."

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

3 the Ames Daily Tribune, a newspaper published at Ames, Iowa, and
4 in the Plain Talk, a newspaper published at Des Moines, Iowa.

Approval March 16, 1939.

I hereby certify that the foregoing act was published in the Ames Daily Tribune, March 18, 1939, and the Plain Talk, Des Moines, Iowa, March 23, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 57

WORLD WAR EDUCATIONAL AID FUND

S. F. 243

AN ACT to amend chapter 88, Acts of the Forty-seventh General Assembly, relating to World War educational aid fund.

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

1 SECTION 1. That Chapter 88, Acts of the Forty-seventh General
2 Assembly be amended by striking therefrom Section three (3) and
3 Section four (4) and inserting in lieu thereof the following:

4 "Sec. 3. Said bonus board is authorized to expend not to exceed one
5 hundred fifty dollars (\$150.00) per year for any one child who shall
6 have lived in the State of Iowa for two (2) years preceding application
7 for aid hereunder, and who is the child of a man or woman who died
8 during the World War between the dates of April 6, 1917 and July 2,
9 1921, while serving in the army, navy, marine corps or nursing corps
10 of the United States, or as a result of such service, to defray the ex-
11 penses of tuition, matriculation, laboratory and similar fees, books
12 and supplies, board, lodging, and any other reasonably necessary ex-
13 pense for such child or children incident to attendance at any educa-
14 tional or training institution of college grade, or in any business college
15 or vocational training school of standards approved by said bonus
16 board, said educational institutions to be located within the State of
17 Iowa.

18 "Sec. 4. Eligibility for aid hereunder shall be determined upon ap-
19 plication to the Iowa bonus board, whose decision shall be final. The
20 eligibility of eligible applicants shall be certified by the Adjutant Gen-
21 eral of Iowa to the Comptroller of Iowa, and all amounts that may be
22 or may become due to any individual or any training institution under
23 this act shall be paid to the individual or institution by said Comp-
24 troller upon receipt by him of certification by the President or govern-
25 ing board of such educational or training institution as to accuracy
26 of charges made, and as to the attendance of the individual at such
27 educational or training institution. It shall be proper for the bonus
28 board to pay over said annual sum of one hundred fifty dollars
29 (\$150.00) to such educational or training institution in a lump sum,
30 or in such installments as the circumstances may warrant, upon receiv-
31 ing from such institution such written undertaking as the bonus board
32 may require to assure the use of said funds for such child for the
33 authorized purposes and for no other purpose. No person shall be
34 eligible for the benefits of this act until he shall have graduated from
35 a high school or educational institution offering a course of training
36 equivalent to high school training."

Approved May 10, 1939.

CHAPTER 58

COUNTY CONVENTION

H. F. 33

AN ACT to amend section six hundred sixteen (616), code, 1935, relating to county conventions by political parties.

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

- 1 SECTION 1. Section six hundred sixteen (616), Code, 1935, is here-
- 2 by amended by striking out of line five (5) thereof the word "eleven"
- 3 and by inserting in lieu thereof the word "ten".

Approved March 23, 1939.

CHAPTER 59

STATE CAPITOL NEWS STAND OPERATED BY A DISABLED VETERAN

H. F. 422

AN ACT to permit an honorably discharged disabled veteran of certain of the nation's wars to operate a news stand in the state capitol, and prescribing the duties of the executive council on application for such privilege.

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

- 1 SECTION 1. The executive council shall, on the application of any
- 2 disabled, honorably discharged soldier, sailor, marine, or nurse of the
- 3 army or navy of the United States in the late Civil War, Spanish-
- 4 American War, Philippine Insurrection, China Relief Expedition, or
- 5 War with Germany, cause to be reserved in the state capitol a reason-
- 6 able amount of space in the lobby of said state capitol to be used by
- 7 such applicant rent-free as a stand for the sale of news, tobaccos,
- 8 and candies and may in such application permit installation of mer-
- 9 chandise vending machines. Should there be more than one applicant
- 10 for such reserved space, the executive council shall award the same to
- 11 the person in their opinion most deserving of the same. The executive
- 12 council shall prescribe the regulations by which the stand shall be
- 13 operated.

Approved May 26, 1939.

CHAPTER 60

DOMESTIC COAL

S. F. 157

AN ACT to amend chapter ninety-three (93), Acts of the Forty-seventh (47th) General Assembly, relating to preference for domestic products and labor.

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

- 1 SECTION 1. Chapter ninety-three (93), Acts of the forty-seventh
- 2 (47th) General Assembly, is amended by striking therefrom Section

3 two (2) and substituting therefor the following:

4 "Sec. 2. Before any user of coal designated in the preceding sec-
 5 tion whose annual consumption of coal exceeds, in delivered value, the
 6 sum of three hundred dollars (\$300.00), shall purchase any coal, it
 7 shall make request for bids for such coal by advertising in an official
 8 paper published in the county in which the purchaser has its principal
 9 office, and such advertisement shall, among other things, state the
 10 date, time and place such bids shall be received, which date and time
 11 shall not be less than fifteen (15) days after publication, and the adver-
 12 tisement shall contain the approximate quantity and description of
 13 coal to be purchased, and the bids for such coal shall be opened in
 14 public at the time, date and place indicated in the said advertisement
 15 and, unless the purchasing body shall determine that the general good
 16 of the state, including the best interests of the taxpayer and the em-
 17 ployment of labor, the adaptability of the coal offered, or the efficiency
 18 and cost of operation of purchaser's plant makes it advisable to do
 19 otherwise, the contract shall be let to the lowest responsible bidder,
 20 but any and all bids may be rejected; however, if all bids are rejected,
 21 then an advertisement for bids shall again be made as hereinbefore
 22 provided. After any bid is accepted, a written contract shall be entered
 23 into and the successful bidder shall furnish a good and sufficient bond
 24 with qualified sureties for the faithful performance of the contract.
 25 Any contract for purchase of coal provided for in this act may con-
 26 tain the provision that the purchaser may, in the event of an emer-
 27 gency, purchase coal elsewhere without advertising for bids in any
 28 year, for not more than ten per cent (10%) of said purchaser's annual
 29 coal requirements."

Approved February 23, 1939.

CHAPTER 61

NOTARY PUBLIC

H. F. 623

AN ACT to authorize disinterested employees of a corporation to take acknowledgments on instruments running to the corporation.

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

1 SECTION 1. Any employee of a corporation who is a notary pub-
 2 lic and who is not a stockholder in said corporation, and who is
 3 not otherwise financially interested in the subject matter of said in-
 4 strument, is hereby authorized to take acknowledgments of any person
 5 on an instrument running to such corporation, regardless of the title
 6 or position that said notary shall hold as an employee of such cor-
 7 poration.

Approved April 15, 1939.

CHAPTER 62
ADMINISTRATION OF OATHS

H. F. 69

AN ACT to amend section twelve hundred sixteen (1216), code, 1935, giving certain employees of the board of assessment and review power to administer oaths.

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

1 SECTION 1. Section twelve hundred sixteen (1216), Code, 1935, is
2 amended by adding thereto the following:
3 "7. Fieldmen, auditors and other employees of the income, corpora-
4 tion and sales tax division of the board of assessment and review, as
5 set forth in chapter three hundred twenty-nine-F one (329-F1) of the
6 Code as amended."

Approved March 23, 1939.

CHAPTER 63
OIL AND GAS WELLS

S. F. 328

AN ACT relating to oil and gas wells; protection of underground fresh water strata; offset drilling; notice to be given state geologist; plugging dry and abandoned wells; log, potential and plugging record to be filed; duty to have forfeited lease released, affidavit of non-compliance to be recorded, notice to land owner, remedies; same, action to obtain release, damages, costs and attorney's fees, attachment; extension upon contingency, affidavit; liens for labor or materials and of contractor and sub-contractor, manner of perfecting liens, enforcement of liens; state or any municipality to have authority to execute leases; invalidation.

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

1 SECTION 1. Protection of underground fresh water strata. The
2 driller, owner, or operator, drilling well or wells for oil and gas pur-
3 poses, shall use such practical methods as pipe, cement, mud, or any
4 other scientific method, known or commonly used in the oil industry,
5 as will properly protect all contiguous underground fresh water strata
6 from pollution or contamination to a depth of three hundred (300)
7 feet. The provisions of this section shall not apply to hole or holes
8 core-drilled for geological purposes. It shall be the duty of any such
9 driller, owner, or operator to file with the state geologist a sworn re-
10 port, on blanks to be furnished by the state geologist, which report
11 shall contain a complete record of their compliance with this section.
12 Said report shall be filed within sixty (60) days after the completion
13 of said well.

1 SEC. 2. Offset Drilling. If oil or gas is discovered in paying quan-
2 tities on an adjoining leasehold, and the products therefrom are taken
3 out of the ground and marketed, and said well is within three hundred
4 thirty (330) feet of another lessor's property line, then within ninety
5 (90) days after written notice has been given lessee to the effect that
6 such oil or gas has commenced to be transported off and marketed from
7 the said adjoining premises, the lessee or lessees of the land lying
8 within three hundred thirty (330) feet of the said wells shall begin
9 to drill an offset well to each of such wells so located, so as to properly

10 protect the lessor from drainage from offsetting wells; and upon fail-
11 ure on his part to so commence said offset well, and complete same with
12 diligence, the said contract and lease shall automatically expire and
13 become null and void.

1 **SEC. 3. Notice to be given State Geologist.** Notice shall be given
2 to the State Geologist of the intention to drill, deepen, or plug any well
3 or wells drilled for oil or gas purposes, and of the exact location of
4 each and every such well. In case of drilling, notice shall be given in
5 writing at least five (5) days prior to the commencement of drilling
6 operations for oil and gas.

1 **SEC. 4. Plugging dry and abandoned wells.** Dry or abandoned
2 wells must be plugged by confining all oil, gas, or water in the strata
3 in which they occur by the use of mud-laden fluid and in addition to
4 mud-laden fluid, cement and plugs may be used, and all such wells
5 shall first be thoroughly cleaned out of the bottom of the hole and be-
6 fore the casing is removed from the hole, the hole shall be filled from
7 the bottom up to the top with mud-laden fluid of maximum density
8 and which shall weigh at least twenty-five per cent (25%) more than
9 equal volume of water; provided, the State Geologist may direct that
10 some other method shall be used. Before plugging dry and abandoned
11 wells, notice shall be given to the State Geologist and to all available
12 adjoining lease and property owners and they may be present to wit-
13 ness the plugging of these wells; but plugging shall not be delayed
14 because of the inability to deliver notices to adjoining lease and prop-
15 erty owners.

1 **SEC. 5. Log, potential and plugging record to be filed.** The owner
2 or operator shall, upon the completion of any well, drilled for oil or gas
3 purposes, file with the State Geologist a complete record or log of the
4 same, duly signed and sworn to, upon the blanks to be furnished by the
5 State Geologist; and upon plugging any well for any cause whatsoever,
6 a complete record of the plugging thereof shall be made out and fully
7 verified on blanks to be furnished by the State Geologist; and producers
8 shall also report in writing, separately, the potential of any producing
9 well, within ten (10) days from the completion of its initial potential
10 test.

1 **SEC. 6. Duty to have forfeited lease released; affidavit of non-com-**
2 **pliance to be recorded; notice to land owner; remedies.** When any oil
3 or gas lease, heretofore, or hereafter, given on land situated in Iowa
4 and recorded, shall become forfeited by failure of lessee to comply
5 with its provisions or of the Iowa law, it shall be the duty of lessee,
6 within sixty (60) days after date of forfeiture of any such lease, to
7 have such lease surrendered in writing, duly acknowledged and placed
8 on record in the county where the leased land is situated, or lease may
9 be released by a marginal release on margin of record thereof, without
10 cost to owner of land described therein. If said lessee shall fail to
11 execute and record a release of such recorded lease within the time pro-
12 vided for, then the owner of the land may execute and file with the
13 recorder of the county or counties in which such forfeited lease has
14 been recorded an affidavit of noncompliance in substantially the fol-
15 lowing form:

16 AFFIDAVIT OF NON-COMPLIANCE

17 STATE OF IOWA :

18 : SS.

19 COUNTY OF.....:

20, being first duly sworn, upon his oath
21 deposes and says that he is.....as referred to in an oil
22 and gas mining lease dated the.....day of, 19.....,
23 and which lease is recorded in Volume, Page, of
24 the County Records of.....County,,
25 and which said lease covers the following described lands:.....
26

27

28 And further, deponent says that on the.....day of.....
29, 19....., under the terms of said lease, there
30 should have been paid to him or deposited to his credit in the.....
31Bank of.....the sum of
32Dollars (\$.....), the
33 payment of which was necessary in order to keep the above described
34 lease in force and effect. Deponent hereby swears the above payment
35 has never been made to him or his representatives, in money or other-
36 wise, nor has same been deposited to his credit in the above bank.

37 And further, deponent says that there has been no drilling or devel-
38 opment of any nature or kind whatsoever done on the land covered by
39 the lease referred to herein, as called for under the terms of said lease.
40

41

42 Subscribed and sworn to before me, a Notary Public in and for.....
43County, Iowa, this.....day of
44, 19.....

45

46 My commission expires..... Notary Public

47 Affidavit of the Banker

48 STATE OF.....:

49 : SS.

50 COUNTY OF.....:

51 I,, (Cashier) (President) of the
52Bank of....., being first duly
53 sworn, upon my oath hereby declare that there has not been deposited
54 to the credit of.....in the.....
55Bank of....., by.....
56or any other party, any sum of money
57 whatsoever, in payment of rental under the terms of said oil and gas
58 mining lease herein referred to.

59 Witness my hand this.....day of....., 19.....
60

61 (Cashier) (President) of.....Bank
62 Subscribed and sworn to before me, a Notary Public in and for said
63 County and State on the.....day of....., 19.....

64

65 Notary Public

66 My commission expires.....
 67 If the lessee shall, within thirty (30) days after the filing of such
 68 affidavit, give notice in writing to the county recorder of the county
 69 where said land is located that said lease has not been forfeited and
 70 that said lessee still claims that said lease is in full force and effect,
 71 then the said affidavit shall not be recorded but the county recorder
 72 shall notify the owner of the land of the action of the lessee, and the
 73 owner of the land shall be entitled to the remedies provided by this Act
 74 for the cancellation of such disputed lease. If the lessee shall not notify
 75 the county recorder as above provided, then the county recorder shall
 76 record said affidavit, and thereafter the record of the said lease shall
 77 not be notice to the public of the existence of said lease or of any in-
 78 terest therein or rights thereunder, and said record shall not be
 79 received in evidence in any court of the State on behalf of the lessee
 80 against the lessor, and said lease shall stand forfeited.

1 **SEC. 7. Same; action to obtain release; damages, costs and at-**
 2 **torney's fees; attachment.** Should the owner of such lease neglect or
 3 refuse to execute a release as provided by this Act, or contend lease is
 4 in full force and effect, then the owner of the leased premises may sue
 5 in any court of competent jurisdiction to obtain such release, and he
 6 may also recover in such action the sum of one hundred dollars
 7 (\$100.00) as damages, and all costs, together with a reasonable at-
 8 torney's fee for preparing and prosecuting the suit, and he may also
 9 recover any additional damages that the evidence in the case will war-
 10 rant. In all such actions, writs of attachment may issue as in other
 11 cases.

1 **SEC. 8. Extension upon contingency, affidavit.** If a recorded lease
 2 contains the statement of any contingency upon the happening of which
 3 the term of any such lease may be extended, the owner of said lease may
 4 at any time before the expiration of the definite term of said lease file
 5 with said county recorder an affidavit setting forth the description of
 6 the lease, that the affiant is the owner thereof and the facts showing
 7 that the required contingency has happened, or the record of such
 8 lease shall not impart notice to the public of the continuance of said
 9 lease. This affidavit shall be recorded in full by the county recorder
 10 and such record together with that of the lease shall be due notice to
 11 the public of the existence and continuing validity of said lease, until
 12 the same shall be forfeited, cancelled, set aside, or surrendered accord-
 13 ing to law.

1 **SEC. 9. Liens for labor or materials and of contractor and subcon-**
 2 **tractor; manner of perfecting liens, enforcement of liens.** Provisions
 3 of Chapter four hundred fifty-one (451) of the Code, 1935, as to
 4 mechanic's liens and/or labor and materials furnished for improve-
 5 ments on real estate and of contractors and subcontractors, shall apply
 6 to labor and materials furnished for gas and/or oil wells, or pipe lines,
 7 and such liens shall not attach on the real estate, but shall attach to
 8 the whole of the lease held, and upon the gas and/or oil wells, buildings
 9 and appurtenances and pipe lines for which said labor or materials
 10 were furnished, and shall be perfected and enforced as provided by
 11 said chapter.

1 **SEC. 10. State or any municipality to have authority to execute**
 2 **leases.** The state or any municipality is hereby authorized to enter
 3 into a gas or oil lease upon such terms as may be agreed upon, subject
 4 to the approval of the district court of the county in which the land is
 5 located, upon filing an application in the district court of such county
 6 and by giving notice to the public by publishing a notice of the said
 7 application for four (4) weeks in the newspaper designated for legal
 8 publications in said county stating the time and place where said
 9 application will come on for hearing and that objections thereto will
 10 be heard at such time.

1 **SEC. 11. Invalidation.** If any section, subsection, paragraph or
 2 provision of this Act shall be held to be invalid by any court for any
 3 reason, it shall be presumed that this Act would have been passed by
 4 the legislature without such invalid section, subsection, paragraph or
 5 provision, and such finding shall not in any way affect the remainder
 6 of this Act.

Approved April 24, 1939.

CHAPTER 64

UNEMPLOYMENT COMPENSATION

S. F. 101

AN ACT to amend the law as it appears in chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to specify and define certain disqualifications for unemployment benefits; to designate and describe employees engaged in their respective customary self-employments; and to repeal all acts, or parts of acts, in conflict herewith.

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

1 **SECTION 1.** That the law as it appears in the first twenty-two (22)
 2 lines of section five (5), chapter one hundred two (102), Acts of the
 3 Forty-Seventh General Assembly of Iowa, be and the same is hereby
 4 repealed, and that the following lines be enacted in lieu thereof:

5 **"SEC. 5.** An individual shall be disqualified for benefits:
 6 5(a). If he has left his work voluntarily without good cause attrib-
 7 utable to his employer, if so found by the commission.
 8 5(b). If the commission shall find that he has been discharged for
 9 misconduct in connection with his employment, his weekly benefits
 10 shall then be paid by the commission into the Unemployment Compen-
 11 sation Fund for the week in which he was discharged and for not less
 12 than the two nor more than the nine (9) weeks which immediately fol-
 13 low such week (in addition to the waiting period), as determined by
 14 the commission in each case according to the circumstances and seri-
 15 ousness of the misconduct. The balance of such weekly benefit shall
 16 be paid to him.
 17 5(c). If the commission finds that he has failed, without good
 18 cause, either to apply for available, suitable work when so directed by
 19 the employment office or the commission or to accept suitable work
 20 when offered him, or to return to his customary self-employment, if
 21 any."

1 SEC. 2. That the law as it appears in section nineteen (19), chapter
2 one hundred two (102), Acts of the Forty-Seventh General Assembly
3 of Iowa, be and the same is hereby amended by adding thereto, at the
4 end thereof and as subsection 19(s), the following:

5 "19(s). An employee shall be deemed to be engaged in 'his custom-
6 ary self-employment', as said words are used in section five (5), during
7 the periods in which he customarily devotes the major portion of his
8 working time and efforts: (1) to his individual enterprises and inter-
9 ests; or (2) to her duties as housewife; or (3) to attending classes and
10 preparing his studies for any school or college."

1 SEC. 3. All Acts, or parts of Acts, in conflict herewith are hereby
2 repealed in so far as they are inconsistent with any of the provisions
3 of this Act.

Approved April 24, 1939.

CHAPTER 65

UNEMPLOYMENT COMPENSATION

S. F. 103

AN ACT to amend the law as it appears in chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to modify the law providing for appeal and judicial review of disputed claims; to clarify the definition of the term "employer" as used herein; to change the classes of employments included within the provisions hereof; and to repeal any acts, or parts of acts, in conflict herewith.

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

1 SECTION 1. That the law as it appears in section six (e), chapter
2 one hundred two (102), Acts of the Forty-Seventh General Assembly
3 of Iowa, be and the same is hereby amended by striking from the sev-
4 enth (7) line thereof the words: "which is not unanimous".

1 SEC. 2. That the law as it appears in section six (i), chapter one
2 hundred two (102), Acts of the Forty-Seventh General Assembly of
3 Iowa, be and the same is hereby amended by striking therefrom lines
4 nineteen (19) and twenty (20) and to the period in line twenty-one
5 (21), and substituting for the lines so stricken the following: "addi-
6 tional evidence shall be heard. In the absence of fraud any finding of
7 fact by the commission, after notice and hearing as herein provided,
8 shall be binding upon the court on appeal, when supported by substan-
9 tial and competent evidence. The commission may also, in its discre-
10 tion, certify to such."

1 SEC. 3. That the law as it appears in section nineteen (f), chapter
2 one hundred two (102), Acts of the Forty-Seventh General Assembly
3 of Iowa, be and the same is hereby amended by adding thereto, at the
4 end thereof, and as subsection seven (7), the following:

5 "(7). Any employing unit which has in its employ any employee
6 who is not covered by the Unemployment Compensation Law of any
7 other state and which employee is subject to the Title IX Federal Social
8 Security Act."

1 SEC. 4. That the law as it appears in section nineteen (e), chapter
2 one hundred two (102), Acts of the Forty-Seventh General Assembly
3 of Iowa, be and the same is hereby amended by substituting a comma
4 (,) for the period (.) at the end thereof and by adding thereto imme-
5 diately following such comma (,), the following: "and provided, fur-
6 ther, that such employment was for a total of not less than eight hours
7 in any one calendar week."

1 SEC. 5. That the law as it appears in subsection seven (7) of section
2 nineteen (g), chapter one hundred two (102), Acts of the Forty-
3 Seventh General Assembly of Iowa, be and the same is hereby amended
4 by adding thereto, at the end thereof and as subsection (i), the follow-
5 ing:

6 "(i) Services performed during school vacations or outside of
7 school hours by students who devote their time and efforts chiefly to
8 their studies, rather than to incidental employment."

1 SEC. 6. All Acts, or parts of Acts, in conflict herewith are hereby
2 repealed in so far as they are inconsistent with any of the provisions
3 of this Act.

Approved April 24, 1939.

CHAPTER 66

UNEMPLOYMENT COMPENSATION

S. F. 104

AN ACT to amend the law as it appears in chapter 102 of the Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation, and the methods of administration of such act.

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

1 SECTION 1. Amend Sec. 8(b) of Chapter 102 of the Acts of the
2 Forty-seventh General Assembly of Iowa by striking from line 4 of
3 said section the words: "5th day of January", and inserting in lieu
4 thereof the words: "15th day of February".

1 SEC. 2. Further amend Sec. 14(a) of said Chapter by striking from
2 lines 7 and 8 the following words: "for the calendar year 1936".

1 SEC. 3. Further amend said Chapter by striking therefrom Sec.
2 14(d), and inserting in lieu thereof the following:
3 "Sec. 14(d). **Refunds, compromises and settlements.** In any case
4 in which the Commission finds that an employer has paid contributions
5 or interest thereon, which have been erroneously paid, and who has
6 filed an application for adjustment thereof, the Commission shall make
7 such adjustment, compromise, settlement, and make such refund of
8 erroneous payments as it finds just and equitable in the premises.
9 Refunds so made shall be charged to the fund to which the erroneous
10 collections have been credited, and shall be paid to the claimant with-
11 out interest. Any claim for such refund shall be made within three
12 years from the date of payment. For like cause, adjustments, com-

13 promises or refunds may be made by the Commission on its own initia-
14 tive.”.

1 SEC. 4. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Ottumwa
3 Daily Courier, a newspaper published at Ottumwa, Iowa, and in the
4 Mason City Globe-Gazette, a newspaper published at Mason City, Iowa.

Approved April 20, 1939.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier,
April 26, 1939, and the Mason City Globe Gazette, April 25, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 67

UNEMPLOYMENT COMPENSATION

S. F. 319

AN ACT to amend Sec. 3 of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; to amend Sec. 4(e) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; to amend Sec. 5(e) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; to amend Sec. 7(c) of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; to amend Sec. 4 of Chapter one hundred two (102) of the Acts of the Forty-seventh General Assembly; relating to unemployment compensation and the methods of the administration of such act.

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

1 SECTION 1. That Sec. 3(e-1) of Chapter one hundred two (102)
2 of the Acts of the Forty-seventh General Assembly of Iowa be, and the
3 same is hereby repealed.

1 SEC. 2. That Sec. 4(e) of Chapter one hundred two (102) of the
2 Acts of the Forty-seventh General Assembly of Iowa be amended by
3 striking the comma (,) after the word “amount” in line 4 of said sub-
4 section, and inserting a period (.) in lieu thereof, and by striking the
5 remainder of said sub-section.

1 SEC. 3. That Sec. 5(e) of Chapter one hundred two (102) of the
2 Acts of the Forty-seventh General Assembly be amended by striking
3 from paragraph 2 of said sub-section the word “partial”.

1 SEC. 4. That Sec. 5(e) of Chapter one hundred two (102) of the
2 Acts of the Forty-seventh General Assembly of Iowa be amended by
3 changing the colon (:) following the word “congress” in the eighth
4 line of said Sec. 5(e) to a semicolon (;) and adding thereafter the
5 following:

6 “(4). Benefits paid as retirement pay or as private pension.”

1 SEC. 5. That Sec. 7(c) of Chapter one hundred two (102) of the
2 Acts of the Forty-seventh General Assembly be amended by inserting
3 after the word “employers” in the 9th line thereof the following words:
4 “in his base period”.

1 SEC. 6. That Sec. 4 of Chapter one hundred two (102) of the Acts
2 of the Forty-seventh General Assembly of Iowa be amended by adding

3 after the word "week" in line 9 of said section the following: ", in any
4 benefit year,".

5 Further amend said section by striking lines 20 to 25 inclusive.

1 Sec. 7. All Acts, or parts of Acts, in conflict herewith are hereby
2 repealed in so far as they are inconsistent with any of the provisions
3 of this Act.

1 SEC. 8. This Act being deemed of immediate importance, shall be
2 in force and effect from and after its passage and publication in the
3 Fredericksburg News, a newspaper published at Fredericksburg, Iowa,
4 and in the Nashua Reporter, a newspaper published at Nashua, Iowa.

Approved April 20, 1939.

I hereby certify that the foregoing act was published in the Fredericksburg News,
April 27, 1939, and the Nashua Reporter, May 3, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 68

UNEMPLOYMENT COMPENSATION

S. F. 320

AN ACT to amend the law as it appears in Chapter One hundred two (102) of the Acts of the Forty-seventh General Assembly, relating to unemployment compensation, so as to make the provisions thereof conform to the provisions of the Railroad Unemployment Insurance Act of the United States of America; providing for the transfer of the contributions collected under the provisions of Chapter One hundred two (102) of the Acts of the Forty-seventh General Assembly from employers, as the term employer is defined in section one-a (1-a) of the Railroad Unemployment Insurance Act, and credited to the Unemployment Compensation Fund, from the account of the state of Iowa in the Unemployment Trust Fund established and maintained pursuant to section nine hundred four (904) of the Social Security Act as amended, to the Railroad Unemployment Insurance Account established and maintained pursuant to section ten (10) of the Railroad Unemployment Insurance Act; providing for the furnishing of certain records by the Iowa Unemployment Compensation Commission to the Railroad Retirement Board; providing for cooperation between the Iowa Unemployment Compensation Commission and the Railroad Retirement Board with respect to the Iowa Employment office; granting to the Iowa Unemployment Compensation Commission authority to enter into reciprocal arrangements with the federal government as contemplated by section twelve-g (12-g) of the Railroad Unemployment Insurance Act; providing for the exclusion from the benefits of the Iowa Unemployment Compensation Law individuals eligible for benefits under the Railroad Unemployment Insurance Act; providing for the exclusion of individuals covered by the Railroad Unemployment Insurance Act from coverage under the Iowa Unemployment Compensation Law; and providing for the termination of benefit rights on July 1, 1939, under the Iowa Unemployment Compensation Law of individuals covered by the Railroad Unemployment Insurance Act.

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

1 SECTION 1. That Chapter One hundred two (102) of the Acts of
2 the Forty-seventh General Assembly be amended by adding to Sec. 9
3 a new sub-section as follows:

4 "Sec. 9(e). Notwithstanding any requirements of the foregoing
5 subsections of this section, the Commission shall, prior to July 1, 1939,
6 authorize and direct the Secretary of the Treasury of the United States
7 to transfer from this state's account in the Unemployment Trust Fund,

8 established and maintained pursuant to Section 904 of the Social
9 Security Act as amended, to the Railroad Unemployment Insurance
10 Account, established and maintained, pursuant to Section 10 of the
11 Railroad Unemployment Insurance Act, an amount hereinafter re-
12 ferred to as the preliminary amount; and shall, prior to January 1,
13 1940, authorize and direct the Secretary of the Treasury of the United
14 States to transfer from this state's account in said Unemployment
15 Trust Fund to said Railroad Unemployment Insurance Account an
16 additional amount, hereinafter referred to as the liquidating amount.
17 The Social Security Board shall determine both such amounts after
18 consultation with the Commission and the Railroad Retirement Board.
19 The preliminary amount shall consist of that proportion of the bal-
20 ance in the unemployment compensation fund as of June 30, 1939, as
21 the total amount of contributions collected from 'employers' as the
22 term 'employer' is defined in Section 1 (a) of the Railroad Unemploy-
23 ment Insurance Act, and credited to the unemployment compensation
24 fund bears to all contributions theretofore collected under this Act
25 and credited to the unemployment compensation fund. The liquidat-
26 ing amount shall consist of the total amount of contributions collected
27 from 'employers' as the term 'employer' is defined in Section 1 (a)
28 of the Railroad Unemployment Insurance Act pursuant to the provi-
29 sions of this Act during the period July 1, 1939 to December 31, 1939
30 inclusive."

1 SEC. 2. That Chapter One hundred two (102) of the Acts of the
2 Forty-seventh General Assembly be further amended by adding at the
3 end of Section 11(k) the following: "The Commission may make its
4 records relating to the administration of this Act available to the
5 Railroad Retirement Board, and may furnish the Railroad Retirement
6 Board such copies thereof as the Railroad Retirement Board deems
7 necessary for its purposes. The Commission may afford reasonable
8 cooperation with every agency of the United States charged with the
9 administration of any Unemployment Insurance Law. The Railroad
10 Retirement Board or any other agency requiring such services and
11 reports from the Commission shall pay the Commission such compen-
12 sation therefor as the Commission determines to be fair and reason-
13 able."

1 SEC. 3. That Chapter One hundred two (102) of the Acts of the
2 Forty-seventh General Assembly be further amended by adding at the
3 end of Section 12(a) the following: "The Commission may cooperate
4 with or enter into agreements with the Railroad Retirement Board
5 with respect to the establishment, maintenance, and use of Employ-
6 ment Service facilities. The Railroad Retirement Board shall compen-
7 sate the Commission for such services or facilities in the amount de-
8 termined by the Commission to be fair and reasonable."

1 SEC. 4. That Chapter One hundred two (102) of the Acts of the
2 Forty-seventh General Assembly be further amended by striking from
3 Section 12(b) the last sentence thereof, and substituting in lieu thereof
4 the following: "For the purpose of establishing and maintaining free
5 public employment offices, the Commission is authorized to enter into
6 agreements with the Railroad Retirement Board, or any other agency
7 of the United States charged with the administration of an Unemploy-

8 ment Compensation Law, with any political subdivision of this state,
9 or with any private, nonprofit organization, and as a part of any such
10 agreement the Commission may accept moneys, services, or quarters
11 as a contribution to the employment service account.”.

1 SEC. 5. That Chapter One hundred two (102) of the Acts of the
2 Forty-seventh General Assembly be further amended by inserting in
3 Section 13(a) line 10 after the word “Board” the following: “, the
4 Railroad Retirement Board,”; and by inserting after the period fol-
5 lowing the word “purpose” in line 11 a new sentence as follows:
6 “Moneys received from the Railroad Retirement Board, or any other
7 agency, as compensation for services or facilities supplied to said Board
8 or agency shall be paid to the Commission, and the Commission shall
9 allocate said moneys to the fund and the employment service account
10 thereof on the same basis as expenditures are made from such fund or
11 account for such services or facilities.”.

1 SEC. 6. That Chapter One hundred two (102) of the Acts of the
2 Forty-seventh General Assembly be further amended by adding to
3 Section 20 a new sub-section as follows:

4 “Sec. 20(b). The Commission may enter into arrangements with
5 the appropriate agencies of other states or of the Federal Government
6 (1) whereby wages or services, upon the basis of which an individual
7 may become entitled to benefits under the Unemployment Compensation
8 Law of another state or of the Federal Government, shall be
9 deemed to be wages for employment by employers for the purposes of
10 Section 3 and Section 4(e) of this Act, provided such other state
11 agency or agency of the Federal Government has agreed to reimburse
12 the fund for such portion of benefits paid under this Act upon the
13 basis of such wages or services as the Commission finds will be fair
14 and reasonable as to all affected interests, and (2) whereby the Com-
15 mission will reimburse other state or federal agencies charged with the
16 administration of Unemployment Compensation Laws with such reason-
17 able portion of benefits, paid under the law of any such other states
18 or of the Federal Government upon the basis of employment or wages
19 for employment by employers, as the Commission finds will be fair
20 and reasonable as to all affected interests. Reimbursements so payable
21 shall be deemed to be benefits for the purposes of Sections 3(e) and 9
22 of this Act, but no reimbursement so payable shall be charged against
23 any employer’s account for the purposes of Section 7 of this Act. The
24 Commission is hereby authorized to make to other state or Federal
25 Agencies and receive from such other state or Federal Agencies, reim-
26 bursements from or to the fund, in accordance with arrangements pur-
27 suant to this section.”

1 SEC. 7. That Chapter One hundred two (102) of the Acts of the
2 Forty-seventh General Assembly be further amended by adding to
3 Section 5 a new sub-section as follows:

4 “Sec. 5(f). For any week with respect to which or a part of which
5 he has received or is seeking unemployment benefits under an Unem-
6 ployment Compensation Law of another state or of the United States,
7 provided that if the appropriate agency of such other state or of the
8 United States finally determines that he is not entitled to such unem-
9 ployment benefits, this disqualification shall not apply.”

1 SEC. 8. That Chapter One hundred two (102) of the Acts of the
2 Forty-seventh General Assembly be further amended by striking
3 Section 3(a), and substituting in lieu thereof the following:

4 "Sec. 3(a). Payment of Benefits. Twenty-four months after the
5 date when contributions first accrue under this Act, benefits shall be-
6 come payable from the fund; provided, that wages earned for services
7 defined in Sec. 19(g)(7)(c) of this Act, irrespective of when per-
8 formed, shall not be included for purposes of determining eligibility,
9 under Sec. 4(e) or full time weekly wages, under sub-section (d) of
10 this section, for the purposes of any benefit year commencing on or
11 after July 1, 1939, nor shall any benefits with respect to unemployment
12 occurring on and after July 1, 1939, be payable under subsection (e)
13 of this section on the basis of such wages. All benefits shall be paid
14 through employment offices in accordance with such regulations as the
15 Commission may prescribe."

1 SEC. 9. All Acts, or parts of Acts, in conflict herewith are hereby
2 repealed in so far as they are inconsistent with any of the provisions
3 of this Act.

1 SEC. 10. This act being deemed of immediate importance shall be
2 in full force and effect after its publication in The New Hampton
3 Tribune, a newspaper published at New Hampton, Iowa, and the
4 Nashua Reporter, a newspaper published at Nashua, Iowa.

Approved April 19, 1939.

I hereby certify that the foregoing act was published in The New Hampton Tribune,
April 27, 1939, and the Nashua Reporter, May 3, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 69

UNEMPLOYMENT COMPENSATION

S. F. 321

AN ACT to amend Sec. 6(i) of Chapter one hundred two (102) of the Acts of the Forty-
seventh General Assembly relating to court review; also Sec. 10(b) of said act relat-
ing to the secretary of the commission; also Sec. 13(a) of said act relating to special
fund; also Sec. 19 of said act relating to benefit year and insured work; also Sec.
16(a) of said act relating to penalties for false statements; and also Sec. 14 of said
act relating to collection of contributions.

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

1 SECTION 1. That Sec. 6(i) of Chapter one hundred two (102) of the
2 Acts of the Forty-seventh General Assembly of Iowa be amended by
3 striking from lines 4 and 5 of said section the following words,
4 "aggrieved party was last employed or resides", and inserting in lieu
5 thereof the following, "claimant was last employed or resides, provided
6 that if the claimant does not reside in the state of Iowa the action shall
7 be brought in the district court of Polk county, Iowa".

1 SEC. 2. That Sec. 10(b) of Chapter one hundred two (102) of the
2 Acts of the Forty-seventh General Assembly be amended by striking

3 from line 4 of said section the word "excede" and inserting in lieu
4 thereof the word "exceed".

1 SEC. 3. That Sec. 13 (a) of Chapter one hundred two (102) of the
2 Acts of the Forty-seventh General Assembly be amended by striking
3 from line 23 the word "form" and inserting in lieu thereof the word
4 "from".

1 SEC. 4. That Sec. 19 of Chapter one hundred two (102) of the Acts
2 of the Forty-seventh General Assembly be amended by striking Sec.
3 19 (p) and inserting in lieu thereof the following:

4 "Sec. 19 (p). 'Benefit year' of a claimant means the fifty-two con-
5 secutive weeks period beginning with the day on which he filed a valid
6 claim for benefits and thereafter, the fifty-two consecutive weeks
7 period beginning with the day on which such claimant next files a valid
8 claim after the termination of his last preceding benefit year. Any
9 claim for benefits made in accordance with Sec. 6(a) of this Act shall
10 be deemed to be a valid claim for the purposes of this subsection if the
11 individual has earned the wages for insured work required under the
12 provisions of this Act."

1 SEC. 5. That Sec. 19 of Chapter one hundred two (102) of the Acts
2 of the Forty-seventh General Assembly be amended by adding the fol-
3 lowing:

4 "Sec. 19 (s). 'Insured work' means employment for employers."

1 SEC. 6. That the law as it appears in Sec. 16 (a) of Chapter one
2 hundred two (102) of the Acts of the Forty-seventh General Assembly
3 of Iowa be amended by changing the comma (,) following the word
4 "days" in line seven (7) to a period (.) and by striking from line
5 seven (7) the following words: "or by both such fine and imprison-
6 ment; and".

1 SEC. 7. That the law as it appears in Chapter one hundred two
2 (102) of the Acts of the Forty-seventh General Assembly of Iowa be
3 amended by adding two new sections to be known as Sec. 14(e) and
4 Sec. 14(f) as follows:

5 "Sec. 14(e). Nonresident employing units. Any employing unit
6 which is a nonresident of the state of Iowa and for which services are
7 performed in insured work within the state of Iowa by having such
8 services performed within the state of Iowa shall be deemed:

9 "(1). To agree that such employing unit shall be subject to the
10 jurisdiction of the district court of the state of Iowa over all civil
11 actions and proceedings against such employing unit for all purposes
12 of this Act, and

13 "(2). To appoint the secretary of state of this state as its lawful
14 attorney upon whom may be served all original notices of suit and other
15 legal processes pertaining to such actions and proceedings, and

16 "(3). To agree that any original notice of suit or any other legal
17 process so served upon such nonresident employing unit shall be of the
18 same legal force and validity as if personally served on it in this state.

19 "Sec. 14(f). Sections 5079-d13 to 5079-d22 inclusive, Chapter 251,
20 Code of Iowa, 1935, shall be applicable to all civil actions and proceed-
21 ings brought against any employing units under the provisions of Sec.
22 14(e)."

1 SEC. 8. All Acts or parts of Acts in conflict herewith are hereby
2 repealed in so far as they are inconsistent with any of the provisions
3 of this Act.

1 SEC. 9. This Act being deemed of immediate importance, shall be
2 in force and effect from and after its passage and publication in the
3 Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, and
4 in The Daily Hawkeye-Gazette, a newspaper published at Burlington,
5 Iowa.

Approved April 24, 1939.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier, Ottumwa, Iowa, May 2, 1939, and The Daily Hawkeye Gazette, Burlington, Iowa, May 1, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 70

UNEMPLOYMENT COMPENSATION

S. F. 510

AN ACT to amend Sec. 19(q) of Chapter One hundred two (102) of the Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation.

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

1 SECTION 1. That the law as it appears in Sec. 19(q) of Chapter
2 One hundred two (102) of the Acts of the Forty-seventh General
3 Assembly of Iowa be amended by striking from line 5 of said section
4 the following words: "any week with respect to which benefits are
5 payable", and inserting in lieu thereof the following: "the date on
6 which he filed a valid claim".

1 SEC. 2. This Act being deemed of immediate importance shall be in
2 force and effect from and after its publication in the Ottumwa Daily
3 Courier, a newspaper published at Ottumwa, Iowa, and in the Fair-
4 field Daily Ledger, a newspaper published at Fairfield, Iowa.

Approved May 1, 1939.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier, May 6, 1939, that the Fairfield Daily Ledger refused to make publication and at my request, pursuant to Code Section 55, The Sloan Star made publication May 18, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 71

EMPLOYMENT AGENCIES

H. F. 130

AN ACT to amend sections fifteen hundred forty-six-a one (1546-a1) and fifteen hundred forty-six (1546), code, 1935, relating to the limitation of fee to be charged or exacted by any person, firm, or corporation engaged in the furnishing or procurement of any situation or employment, including registration and other incidentals, and the conditions under which a fee may be charged for registration.

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

1 SECTION 1. Section fifteen hundred forty-six-a one (1546-a1), Code,
2 1935, is hereby amended by striking out all of the first paragraph
3 thereof and by inserting in lieu thereof the following:

4 "No such person, firm, or corporation shall charge a fee for the
5 furnishing or procurement of any situation or employment which shall
6 exceed ten per cent (10%) of the wages offered for the first month of
7 any such employment or situation furnished or procured."

1 SEC. 2. Section fifteen hundred forty-six (1546), Code, 1935, is
2 hereby amended by inserting at the end of said section the following:

3 "The provisions of this section, however, shall not apply to registra-
4 tion fees of one dollar (\$1.00) or less."

Approved May 10, 1939.

CHAPTER 72

CIGARETTES

S. F. 128

AN ACT to repeal all of chapter seventy-eight (78), code, 1935, except sections one thousand five hundred fifty-three (1553), to one thousand five hundred fifty-six (1556), inclusive, sections one thousand five hundred eighty-five (1585) and one thousand five hundred eighty-six (1586), code, 1935, all relating to the tax and restrictions upon the sale of cigarettes, cigarette papers and tubes, and to enact a substitute therefor relating to the same subject matter; to impose a stamp tax upon cigarettes, cigarette papers and tubes and provide for the collection of the tax by the affixation of stamps or impressing of indicia by means of a stamping machine upon individual packages of cigarettes, cigarette papers and tubes; to provide for the purchase of stamping machines; to require permits and bonds for dealers in cigarettes, cigarette papers and tubes; to provide for the enforcement and administration of said tax; to define certain unlawful acts relating to the manner of sale, distribution, and solicitation for the sale of cigarettes, cigarette papers and tubes; and to provide penalties for the violation of the provisions of this act.

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

1 SECTION 1. **Definition of words, terms and phrases.** The following
2 words, terms and phrases, when used in this chapter, shall, for the
3 purpose of this chapter, have the meanings respectively ascribed to
4 them.

5 (a) "Cigarette" shall mean and include any roll for smoking made
6 wholly or in part of tobacco, irrespective of size or shape and irre-
7 spective of tobacco being flavored, adulterated, or mixed with any
8 other ingredient, where such roll has a wrapper or cover made of
9 paper or any other material. Provided the definition herein shall not
10 be construed to include cigars. Excepting where the context clearly
11 shows that cigarettes alone are intended, the term "cigarettes" shall
12 mean and include cigarettes, cigarette papers or wrappers, and tubes
13 upon which a tax is imposed by section two hereof.

14 (b) "Individual packages of cigarettes" shall mean and include
15 every package of cigarettes ordinarily sold at retail, and shall include
16 any and every package of cigarettes upon which a federal stamp or

17 token is required. "Packages of cigarettes" shall also include books
18 and sets of papers, wrappers, or tubes.

19 (c) "Person" shall mean and include every individual, firm, asso-
20 ciation, joint stock company, syndicate, copartnership, corporation,
21 trustee, agency or receiver, or respective legal representative.

22 (d) "Place of business" is construed to mean and include any place
23 where cigarettes are sold or where cigarettes are stored or kept for
24 the purpose of sale or consumption; or if sold from any vehicle or
25 train, the vehicle or train on which or from which such cigarettes are
26 sold shall constitute a place of business.

27 (e) "Stamps" shall mean the stamp or stamps printed, manufac-
28 tured or made by authority of the treasurer, as hereinafter provided,
29 and issued, sold or circulated by him and by the use of which the tax
30 levied hereunder is paid. It shall also mean any impression, indicium,
31 or character fixed upon packages of cigarettes, cigarette papers, or
32 tubes by metered stamping machine or device which may be author-
33 ized by the treasurer to the holder of state or manufacturers' permits
34 and by the use of which the tax levied hereunder is paid.

35 (f) "Counterfeit stamp" shall mean any stamp, label, print, in-
36 ducium or character which evidences, or purports to evidence the pay-
37 ment of any tax levied by this act, and which stamp, label, print, in-
38 ducium or character has not been printed, manufactured or made by
39 authority of the treasurer as hereinafter provided, and issued, sold or
40 circulated by him.

41 (g) "Previously used stamp" shall mean and include any stamp
42 which is used, sold, or possessed for the purpose of sale or use, to
43 evidence the payment of the tax herein imposed on an individual
44 package of cigarettes after said stamp has, anterior to such use, sale
45 or possession, been used on a previous or separate individual package
46 of cigarettes to evidence the payment of tax as aforesaid.

47 (h) "First sale" shall mean and include the first sale or distribu-
48 tion of cigarettes in intrastate commerce, or the first use or consump-
49 tion of cigarettes within this state.

50 (i) "Drop-shipment" shall mean and include any delivery of cigar-
51 ettes received by any person within this state when payment for such
52 cigarettes is made to the shipper or seller by or through a person
53 other than the consignee.

54 (j) "Treasurer" shall mean the state treasurer of Iowa or his duly
55 authorized assistants and employees.*

56 (k) "Attorney General" shall mean the attorney general of the
57 state of Iowa or his duly authorized assistants and employees.

58 (l) "Distributor" shall mean and include every person in this
59 state who manufactures or produces cigarettes or who ships, trans-
60 ports, or imports into this state or in any manner acquires or pos-
61 sesses cigarettes without stamps affixed for the purpose of making
62 a "first sale" of the same within the state.

63 (m) "Wholesaler" shall mean and include every person other than
64 a distributor or distributing agent who engages in the business of
65 selling or distributing cigarettes within the state, for the purpose
66 of resale.

*Note: Amended by H. F. 502, 48th G.A. substituting "State Tax Commission" for "State Treasurer" or "Treasurer" wherever said words appear in this act.

67 (n) "Retailer" shall mean and include every person in this state
 68 who shall sell, distribute, or offer for sale for consumption or possess
 69 for the purpose of sale for consumption, cigarettes irrespective of
 70 quantity or amount or the number of sales.

71 (o) "Distributing agent" shall mean and include every person in
 72 this state who acts as an agent of any manufacturer outside of the
 73 state by storing cigarettes received in interstate commerce from
 74 such manufacturer subject to distribution or delivery to distributors
 75 upon orders received by said manufacturer in interstate commerce
 76 and transmitted to such distributing agent for fulfillment from such
 77 place of storage.

78 (p) "Manufacturer" shall mean and include every person who
 79 ships cigarettes into this state from outside the state.

80 (q) "State permit" shall mean and include permits issued by the
 81 treasurer to distributors, wholesalers, and retailers within the state.

82 (r) "Retail permit" shall mean and include permits issued to re-
 83 tailers.

84 (s) "Manufacturer's permit" shall mean and include permits is-
 85 sued by the treasurer to a manufacturer.

86 (t) "Distributing agent's permit" shall mean and include permits
 87 issued by the treasurer to distributing agents.

1 **SEC. 2. Tax imposed.**

2 1. There is hereby levied, assessed, and imposed, and shall be col-
 3 lected and paid to the treasurer the following taxes on all cigarettes
 4 used or otherwise disposed of in this state for any purpose what-
 5 soever:

6 Class A. On cigarettes weighing not more than three pounds per
 7 thousand, one mill on each such cigarette.

8 Class B. On cigarettes weighing more than three pounds per thou-
 9 sand, two mills on each such cigarette.

10 Class C. On cigarette papers or wrappers or any papers made
 11 or prepared for the purpose of making cigarettes, made up in pack-
 12 ages, books, or sets, on each such package, book, or set, containing:

13 a. Fifty (50) papers or less, one-half ($\frac{1}{2}$) cent.

14 b. More than fifty (50) papers but not more than one hundred
 15 (100) papers, one (1) cent.

16 c. More than one hundred (100) papers, one-half ($\frac{1}{2}$) cent for
 17 each fifty or fractional part thereof.

18 Class D. On tubes, one (1) cent for each fifty (50) tubes or frac-
 19 tional part thereof.

20 2. The said tax shall be paid only once by the person making the
 21 "first sale" in this state, and shall become due and payable as soon
 22 as such cigarettes are subject to a first sale in Iowa, it being intended
 23 to impose the tax as soon as such cigarettes are received by any
 24 person in Iowa for the purpose of making a "first sale" of same. If
 25 the person making the "first sale" did not pay such tax, it shall be
 26 paid by any person into whose possession such cigarettes come until
 27 said tax has been paid in full. No person, however, shall be required
 28 to pay a tax on cigarettes brought into this state on or about his
 29 person in quantities of forty (40) cigarettes or less, when such cigar-
 30 ettes have had the individual packages or seals thereof broken and

31 when such cigarettes are actually used by said person and not sold
32 or offered for sale.

33 3. Payment of such tax shall be evidenced by stamps purchased
34 from the treasurer and securely affixed to each individual package
35 of cigarettes in amounts equal to the tax thereon as imposed by this
36 act, or by the impressing of an indicium upon individual packages
37 of cigarettes, under regulations prescribed by the treasurer.

38 4. The tax imposed shall be in lieu of any other occupation or
39 excise tax imposed by the state or any political subdivision thereof
40 on cigarettes.

1 SEC. 3. **Printing and custody of stamps.** The state printing board
2 shall be and is hereby required to design and have printed or manu-
3 factured, cigarette tax stamps of such size, denomination, and type
4 and in such quantities as may be determined by the treasurer. The
5 stamps shall be so manufactured as to render them easy to be securely
6 attached to each individual package of cigarettes or cigarette papers.
7 Such stamps shall be in the possession of and under the control of
8 the comptroller.

9 Upon requisition of the treasurer, the comptroller shall deliver to
10 him the stamps designated in such requisition, and shall charge the
11 treasurer with the stamps so delivered, and shall keep an accurate
12 record of all stamps coming into and leaving his possession.

1 SEC. 4. **Sale and exchange of stamps.**

2 1. Stamps shall be sold by and purchased from the treasurer only.
3 The treasurer shall sell stamps to the holder of a state or manufac-
4 turer's permit which has not been revoked and to no other person.
5 Stamps shall be sold to such permit holders at a discount of not to
6 exceed five per cent from the face value. Stamps shall be sold in
7 unbroken sheets of one hundred (100) stamps only.

8 2. Orders for cigarette tax stamps shall be sent direct to the treas-
9 urer, and it shall be the duty of the treasurer to invoice the stamps
10 ordered to the purchaser upon a form of invoice to be prescribed by
11 the treasurer.

12 3. Stamps in unbroken sheets of one hundred (100) stamps may
13 be exchanged, with the treasurer, for stamps of a different denomi-
14 nation. The treasurer shall be authorized to make refunds on unused
15 stamps to the person who purchased said stamps at a price equal to
16 the amount paid for such stamps when proof satisfactory to said
17 treasurer is furnished that any stamps upon which a refund is re-
18 quested were properly purchased from said treasurer and paid for
19 by the person requesting such refund. In making such refund, the
20 treasurer shall prepare a voucher showing the amount of refund
21 due and to whom payable and the comptroller shall then issue a war-
22 rant on the treasurer for same.

23 The treasurer may promulgate rules and regulations providing
24 for refunds of the face value of stamps affixed to any cigarettes
25 which have become unfit for use and consumption, unsalable, or for
26 any other legitimate loss which may occur, upon proof of such loss.
27 Refund shall be made by issuing new stamps of an aggregate value
28 of the tax paid on the cigarettes adjudged to be unfit for use, con-
29 sumption, unsalable, or any other loss suffered.

30 4. The treasurer shall have the power and authority in the en-
31 forcement of this act to recall any stamps which have been sold by

32 him and which have not been used, and it shall be the duty of said
33 treasurer, upon receipt of such recalled stamps to issue stamps of
34 other serial numbers therefor. The purchaser of any stamps shall
35 be required to surrender any unused stamps for exchange upon de-
36 mand of the said treasurer.

37 5. The treasurer shall keep a record of all stamps sold by him or
38 under his direction, of all stamps exchanged by him, and of all
39 refunds made by him.

1 **SEC. 5. Change of design.**

2 1. The design of the stamps used may be changed as often as the
3 treasurer may deem necessary for the best enforcement of the provi-
4 sions of this act.

1 **SEC. 6. Affixing of stamps by distributors.** Except as provided in
2 section thirteen (13) hereof, every distributor in this state shall
3 cause to be affixed upon every individual package of cigarettes re-
4 ceived by him, upon which no sufficient tax stamp is already affixed,
5 a stamp or stamps of an amount equal to the tax due thereon. Such
6 stamps shall be affixed within forty-eight hours, exclusive of Sundays
7 and legal holidays, from the hour the cigarettes were received, and
8 shall be affixed before such distributor sells, offers for sale, consumes,
9 or otherwise distributes or transports the same. It shall be unlawful
10 for any person, other than a distributing agent or distributor, bonded
11 pursuant to section ten (10) hereof, or common carrier to receive
12 or accept delivery of any cigarettes without stamps affixed to evidence
13 the payment of the tax, or without having in his possession the
14 requisite amount or number of stamps necessary to stamp such
15 cigarettes, and the possession of any unstamped cigarettes, without
16 the possession of the requisite amount or number of stamps, shall
17 be prima facie evidence of the violation of this provision.

1 **SEC. 7. Cancellation of stamps.** No stamps affixed to a package of
2 cigarettes shall be cancelled by any letter, numeral or other mark
3 of identification or otherwise mutilated in any manner that will pre-
4 vent or hinder the treasurer in making an examination as to the
5 genuineness of said stamp; provided, however, that the treasurer may
6 direct and require such cancellation of the tax stamps affixed to
7 packages of cigarettes or cigarette papers which, in his judgment,
8 is necessary and essential to carry out properly the provisions of
9 this act.

1 **SEC. 8. Use of stamping machines.** The treasurer, with the con-
2 sent of the executive council, may purchase and supply suitable ma-
3 chines or devices to the holders of a state or manufacturer's permit,
4 or authorize the leasing by the permit holder of such machines or
5 the metering device or both, and provide under proper regulation and
6 direction for the impression of a distinctive imprint, indicium or
7 character upon individual packages of cigarettes, cigarette papers
8 and tubes as evidence of the payment of the tax imposed by this act,
9 in lieu of the purchase and affixation of stamps as provided herein.

10 In the event the treasurer and executive council decide to purchase
11 such machines they shall be paid for out of the revenue derived from
12 this act.

13 The machines or devices shall be so constructed as to record or
14 meter the number of impressions or indicia made and shall at all times
15 be open for inspection by the Treasurer.

16 All of the provisions of this act relating to the collection of the tax
17 by means of the sale and affixation of stamps shall apply in the use
18 of the stamping machines or devices, including the right of refund
19 as provided herein.

1 **SEC. 9. Distributor's, wholesaler's and retailer's permits.**

2 1. Every distributor, wholesaler, and retailer in this state, now
3 engaged or who desires to become engaged in the sale or use of
4 cigarettes, upon which a tax is required to be paid, shall obtain a
5 state and/or retail cigarette permit as a distributor, wholesaler, or
6 retailer, as the case may be, and all permits authorizing the sale of
7 cigarettes issued under the provisions of chapter seventy-eight (78),
8 Code, 1935, shall terminate as of June 30th, 1939.

9 2. The treasurer shall issue state permits to distributors, whole-
10 salers, and retailers subject to the conditions hereinafter provided.
11 Cities and towns, including special charter cities and cities operating
12 under a commission form of government, may issue retail permits
13 to dealers within their respective limits. County boards of super-
14 visors may issue retail permits to dealers in their respective counties,
15 outside of the corporate limits of cities and towns. Upon issuance
16 of a retail permit by a city or town council or board of supervisors,
17 such council or board shall forthwith certify to the treasurer the
18 action so taken.

19 3. All permits provided for in this chapter shall expire on June
20 30th of each year. No permit shall be granted or issued until the
21 applicant shall have paid for the period ending June 30th next, to
22 the treasurer of state or the city, town or county granting such per-
23 mit, the fees provided for in this act. The annual state permit fee
24 for a distributor and wholesaler shall be one hundred (100) dollars
25 when the permit is granted during the months of July, August, or
26 September, provided that whenever a state permit holder shall operate
27 more than one place of business, a duplicate state permit shall
28 be issued for each additional place of business on payment of five
29 (5) dollars for each such duplicate state permit, but refunds as pro-
30 vided in this act shall not apply to any duplicate permit issued.

31 The fee for retail permits to be issued under the provisions of this
32 act shall be as follows when the permit is granted during the months
33 of July, August, or September:

34 In towns and other places outside any city or town fifty (50) dol-
35 lars.

36 In cities of the second class seventy-five (75) dollars.

37 In cities of the first class one hundred (100) dollars.

38 If any permit is granted during the months of October, November,
39 or December, the said fee shall be three-fourths ($\frac{3}{4}$) of the above
40 maximum schedule; if granted during the months of January, Febru-
41 ary or March, one-half ($\frac{1}{2}$) of said maximum schedule, and if granted
42 during the months of April, May, or June, one fourth ($\frac{1}{4}$) of the said
43 maximum schedule.

44 4. An unrevoked permit for which the holder has paid the full an-
45 nual fee may be surrendered during the first nine months of said

46 year to the officer issuing it, and the treasurer, of state, or the city,
47 town, or county granting the permit shall make refunds to the said
48 holder as follows:

49 Three-fourths ($\frac{3}{4}$) of the annual fee if the surrender is made dur-
50 ing July, August, or September.

51 One-half ($\frac{1}{2}$) of the annual fee if the surrender is made during
52 October, November, or December.

53 One-fourth ($\frac{1}{4}$) of the annual fee if the surrender is made during
54 January, February, or March.

55 An unrevoked permit for which the holder has paid three-fourths
56 of a full annual fee may be so surrendered during the first six months
57 of the period covered by said payment and the said treasurer of state,
58 city, town, or county shall make refunds to the holder as follows:

59 A sum equal to one-half ($\frac{1}{2}$) of an annual fee if the surrender is
60 made during October, November, or December.

61 A sum equal to one fourth ($\frac{1}{4}$) of an annual fee if the surrender
62 is made during January, February, or March.

63 An unrevoked permit for which the holder has paid one-half ($\frac{1}{2}$)
64 of a full annual fee may be so surrendered during the first three
65 months of the period covered by said payment, and the said treasurer
66 of state, city, town or county, shall refund to the holder a sum equal
67 to one-fourth ($\frac{1}{4}$) of an annual fee.

68 5. Said permits shall be issued only upon applications accompanied
69 by the fee indicated above, and by an adequate bond as provided in
70 section ten (10) hereof, and upon forms furnished by the treasurer
71 upon written request. The failure to furnish such forms shall be no
72 excuse for the failure to file the same unless absolute refusal is shown.
73 Said forms shall set forth:

74 a. The manner under which such distributor, wholesaler, or re-
75 tailer, transacts or intends to transact such business as distributor,
76 wholesaler or retailer.

77 b. The principal office, residence, and place of business in Iowa,
78 for which the permit is to apply.

79 c. If the applicant is not an individual, the principal officers or
80 members thereof, not to exceed three (3), and their addresses.

81 d. Such other information as the treasurer shall by rules and reg-
82 ulations prescribe.

83 6. No distributor, wholesaler or retailer shall sell any cigarettes
84 until such application has been filed and the fee prescribed paid for
85 a permit and until such permit is obtained and only while such per-
86 mit is unrevoked and unexpired.

87 7. An application shall be filed and a permit obtained for each place
88 of business owned or operated by a distributor, wholesaler, or retailer,
89 excepting that no permit need be obtained for a delivery or sales
90 truck of a distributor or wholesaler holding a permit, provided that
91 the treasurer may by regulation require that said truck bear the dis-
92 tributor's or wholesaler's name, and that the permit number of the
93 place of business for and from which it operates be conspicuously
94 displayed on the outside of the body of the truck, immediately under
95 the name.

96 8. Any person who operates both as a distributor and wholesaler
97 in the same place of business shall only be required to obtain a state
98 permit for the particular place of business where such operation of

99 said business is conducted. A separate retail permit, however, shall
100 be required if any distributor or wholesaler sells cigarettes at both
101 retail and wholesale.

102 9. Each permit issued shall describe clearly the place of business
103 for which it is issued, shall be nonassignable, consecutively numbered,
104 designating the kind of permit, and shall authorize the sale of cigar-
105 ettes in this state subject to the limitations and restrictions herein
106 contained. The retail permits shall be upon forms furnished by the
107 treasurer.

108 10. The permit shall, at all times, be publicly displayed by the
109 distributor, wholesaler, or retailer, at his place of business, so as to be
110 easily seen by the public and the persons authorized to inspect the
111 same. The proprietor or keeper of any building or place wherein
112 cigarettes shall be kept for sale, or with intent to sell, shall upon
113 request of the treasurer or any peace officer exhibit his permit to so
114 keep and sell. His refusal or failure to so exhibit such permit shall
115 be prima facie evidence that such cigarettes are kept for sale or with
116 intent to sell in violation of the provisions of this chapter.

1 SEC. 10. **Bonds.** No retail permit, state permit, or manufactur-
2 er's permit shall be issued until the applicant therefor shall file a bond,
3 with good and sufficient surety, to be approved by the treasurer or
4 the body granting the permit, which bond shall be in favor of the
5 state of Iowa and for the benefit of the county, city, or town, as the
6 case may be, and conditioned upon the payment of taxes, damages,
7 fines, penalties, and costs adjudged against the permit holder for vio-
8 lation of any of the provisions of this act.

9 Said bonds shall be on forms prescribed by the treasurer and in the
10 following amounts:

- 11 a. Retail permit, not less than five hundred (500) dollars.
- 12 b. State permit, not less than five hundred (500) dollars.
- 13 c. Manufacturer's permit, not less than five thousand (5,000) dol-
14 lars.

15 No distributor or person shall engage in interstate business unless
16 he files a bond, with good and sufficient surety in an amount of not
17 less than one thousand (1,000) dollars. The amount of the bond
18 required of such distributor or other person shall be fixed by the
19 treasurer, subject to the minimum limitation herein provided. Said
20 bond shall be approved by the treasurer and payable to the State of
21 Iowa in Des Moines, Polk County, Iowa, and conditioned upon the
22 payment of taxes, damages, fines, penalties, and costs adjudged
23 against the permit holder for violation of any of the requirements
24 of this act affecting said distributor or other person, on a form pre-
25 scribed by the treasurer.

26 An additional bond or a new bond may be required by the treasurer
27 at any time an existing bond becomes insufficient or the surety thereon
28 becomes unsatisfactory, which additional bond, or new bond, shall
29 be supplied within ten days after demand. On failure to supply a
30 new bond or additional bond within ten days after demand, the treas-
31 urer shall have the power and the authority to cancel any existing
32 bond made and secured by and for said distributor or other person.
33 In the event said bond is cancelled, said distributor or other person
34 shall within forty-eight hours after receiving cigarettes or forty-eight

35 hours after said cancellation, excluding Sundays and legal holidays,
36 cause any cigarettes in his possession to have the requisite amount of
37 stamps affixed to represent the tax as herein provided.

1 **SEC. 11. Records and reports of permit holders.**

2 1. The treasurer is authorized to prescribe such forms as may be
3 necessary for the efficient administration of this act and is authorized
4 to require such uniform books and records to be used and kept by
5 each permit holder as he deems necessary. The treasurer may also
6 require each permit holder to keep and retain in his possession evi-
7 dence on prescribed forms of all transactions involving the purchase
8 and sale of cigarettes or the purchase and use of stamps as herein
9 provided. All of such evidence shall be kept for a period of two
10 years from the date of each transaction, for the inspection at all times
11 by the treasurer.

12 2. Where a state permit holder sells cigarettes at retail, he shall
13 be required to issue an invoice to his retail department for cigarettes
14 to be sold at retail and such cigarette invoices shall be kept separate
15 and apart.

16 3. The treasurer may by regulation require every holder of a manu-
17 facturer's or state permit to make and deliver to the treasurer on or
18 before the 10th day of each month a report or reports for the pre-
19 ceding calendar month, upon a form or forms prescribed by the treas-
20 urer, and may require that such reports shall be properly sworn to
21 and executed by the permit holder or his duly authorized represen-
22 tative.

23 4. Every permit holder shall, when requested by the treasurer,
24 make such additional reports as the treasurer deems necessary and
25 proper and shall at the request of the treasurer furnish full and com-
26 plete information pertaining to any transaction of the permit holder
27 involving the purchase or sale or use of cigarettes or purchase of
28 cigarette stamps.

29 5. Every person engaged in the business of selling cigarettes in
30 interstate commerce only, who has, by furnishing the bond required
31 in section ten (10) of this act, been permitted to set aside or store
32 cigarettes in this state for the conduct of such interstate business
33 without the stamps affixed thereto, shall be required to keep such
34 records and make such reports to the treasurer as are required by
35 him.

36 6. If any distributor or other person fails or refuses to pay any
37 tax, penalties, or cost of audit hereinafter provided, and it becomes
38 necessary to bring suit or to intervene in any manner for the estab-
39 lishment or collection of said claims, in any judicial proceedings, any
40 report filed in the office of the treasurer by such distributor or other
41 person, or his representative, or a copy thereof, certified to by the
42 treasurer, showing the number of cigarettes sold by such distributor
43 or his representative, upon which such tax, penalty or cost of audit
44 has not been paid, or any audit made by the treasurer or his repre-
45 sentative from the books or records of said distributor or other per-
46 son when signed and sworn to by such representative as being made
47 from the records of said distributor or persons from or to whom such
48 distributor or other person has bought, received, or delivered cigar-
49 ettes, whether from a transportation company or otherwise, such

50 report or audit shall be admissible in evidence in such proceedings
51 and shall be prima facie evidence of the contents thereof; provided,
52 however, that the incorrectness of said report or audit may be shown.

1 **SEC. 12. Manufacturer's permits.** The treasurer may, at his
2 discretion, and upon application of any manufacturer, issue without
3 charge to such manufacturer a manufacturer's permit. Such applica-
4 tion shall contain such information as the treasurer shall prescribe.
5 The holder of such manufacturer's permit shall be authorized to
6 purchase stamps from the treasurer, and to affix such stamps to
7 individual packages of cigarettes outside of this state, prior to their
8 shipment into the state.

1 **SEC. 13. Distributing agent's permits.**

2 1. Every distributing agent in the state, now engaged, or who de-
3 sires to become engaged, in the business of storing unstamped cigar-
4 ettes which are received in interstate commerce for distribution or
5 delivery only upon order received from without the state or to be
6 sold outside the state, shall file with the treasurer, an application for
7 a distributing agent's permit, on a form prescribed by the treasurer,
8 to be furnished upon written request, the failure to furnish shall be
9 no excuse for the failure to file the same unless an absolute refusal
10 is shown. Said form shall set forth the name under which such dis-
11 tributing agent transacts or intends to transact such business as a
12 distributing agent, the principal office and place of business in Iowa
13 to which the permit is to apply, and if other than an individual, the
14 principal officers or members thereof and their addresses. The treas-
15 urer may require any other information he may desire in said appli-
16 cation. No distributing agent shall engage in such business until
17 such application has been filed and fee in the sum of one hundred
18 (100) dollars paid for the permit and until the permit has been ob-
19 tained. Such permit shall expire on June 30th following the date of
20 issuance. All of the provisions of the last two (2) paragraphs of
21 section ten (10) hereof, relative to bonds, are incorporated herein
22 and by this reference made applicable to distributing agents. Upon
23 failure to furnish adequate bond as required, the permit shall be re-
24 voked without hearing. An application shall be filed and a permit
25 obtained for each place of business owned or operated by a distribu-
26 ting agent.

27 2. Upon receipt of the application and bond and the permit fee
28 herein provided for, the treasurer may issue to every distributing
29 agent for the place of business designated a nonassignable consecu-
30 tively numbered permit, authorizing the storing, and distribution of
31 unstamped cigarettes within this state when such distribution is made
32 upon interstate orders only. A distributing agent may also transport
33 unstamped cigarettes in his own conveyances to the state boundary
34 for distribution outside the state, and any nonresident customer
35 of such distributor may purchase and convey unstamped cigarettes
36 to the state line for distribution outside the state. Such nonresident
37 purchaser shall be required to have in his possession an invoice evi-
38 dencing the purchase of such unstamped cigarettes, which must be
39 exhibited upon request to any peace officer or agent charged with the
40 enforcement of this act.

41 3. Cigarettes set aside for interstate business must be kept separate
42 from intrastate stock and those not so kept shall be considered as
43 intrastate stock and subject to the same requirements as cigarettes
44 possessed for the purpose of a "first sale".

45 4. It shall be unlawful for any distributing agent to sell at retail
46 cigarettes, cigarette papers or tubes from automobiles, trucks, or
47 any similar conveyances.

1 SEC. 14. **Forms for records and reports.** The treasurer shall fur-
2 nish, without charge, to holders of the various permits, such forms
3 in sufficient quantities as will enable such permit holders to make the
4 reports required to be made under this act. The permit holders shall
5 furnish at their own expense such books, records, and invoices, as are
6 required to be used and kept, but such books, records, and invoices
7 shall be in exact conformity to the forms prescribed for that purpose
8 by the treasurer, and shall be kept and used in the manner prescribed
9 by the treasurer; provided that the treasurer may, in his discretion,
10 by express order in certain cases, authorize permit holders to keep
11 their records in a manner and upon forms other than those so pre-
12 scribed. Such authorization may be revoked at any time.

1 SEC. 15. **Examination of records and premises.**

2 1. For the purpose of enabling the treasurer to determine the tax
3 liability of permit holders or any other person dealing in cigarettes
4 or to determine whether a tax liability has been incurred, he shall
5 have the right to inspect any premises where cigarettes are manu-
6 factured, produced, made, stored, transported, sold, or offered for
7 sale or exchange, and to examine all of the records required to be kept
8 or any other records that may be kept incident to the conduct of the
9 cigarette business of said permit holder or any other person dealing
10 in cigarettes.

11 2. The said authorized officers shall also have the right as an inci-
12 dent to determining the said tax liability, or whether a tax liability
13 has been incurred, to examine all stocks of cigarettes and cigarette
14 stamps and for the foregoing purpose said authorized officers shall
15 also have the right to remain upon said premises for such length
16 of time as may be necessary to fully determine said tax liability, or
17 whether a tax liability has been incurred.

18 3. It shall be unlawful for any of the foregoing permit holders to
19 fail to produce upon demand of the treasurer any records required
20 herein to be kept or to hinder or prevent in any manner the inspection
21 of said records or the examination of said premises.

1 SEC. 16. **Subpoena for witnesses and papers.** For the purpose of
2 enforcing the provisions of this act and of detecting violations there-
3 of, the treasurer shall have the power to administer oaths and to
4 require by subpoena the attendance and testimony of witnesses and
5 the production of all relevant books, papers and records. Such at-
6 tendance and production may be required at the state house at Des
7 Moines, Iowa, or at any place convenient for such investigation. In
8 case any person fails or refuses to obey a subpoena so issued, the
9 treasurer may procure an order from the district court in the county
10 where such person resides, or where such person is found, requiring
11 such person to appear for examination and/or to produce such books,

12 papers, and records as are required in the subpoena. Failure to obey
13 such order shall be punished by such court as contempt thereof.

1 **SEC. 17. Cigarettes retailer may not sell.** Unless a retail permit
2 holder shall also hold a state permit, it shall be unlawful for a retailer
3 to sell or have in his possession, cigarettes, upon which the stamp
4 tax has not been affixed.

1 **SEC. 18. Revocation of permit.**

2 1. If any person holding a permit issued by the treasurer under
3 the provisions of this act, including a retailer permit for railway car,
4 has violated any provision of this act, or any rule or regulation pro-
5 mulgated hereunder, the treasurer may revoke the permit issued to
6 said person, after giving such permit holder an opportunity to be
7 heard upon five days written notice stating the reason for such con-
8 templated revocation and the time and place at which he may appear
9 and be heard. The said hearing shall be held in the county of the
10 permit holder's place of business, or in a county in or through which
11 it transacts business. Such notice shall be given by mailing a copy
12 thereof by registered mail to the permit holder's place of business
13 as the same appears on his application for a permit. If, upon such
14 hearing, the treasurer shall find that such violation has occurred,
15 he may revoke the permit or permits.

16 2. If any retailer has violated any of the provisions of this act, the
17 board of supervisors or the city or town council which issued the
18 permit may revoke his permit or permits upon the same hearing and
19 notice as is prescribed in the preceding paragraph.

20 3. If a permit is revoked no new permit shall be issued to the permit
21 holder for any place of business, or to any other person for the place
22 of business at which such violation occurred, until one year has
23 expired from the date of revocation, unless good cause to the con-
24 trary is shown to the issuing authority.

1 **SEC. 19. Retailer's permit for railway car.**

2 1. Subject to the provisions of this act, a retailer's permit may be
3 issued by the treasurer to any dining car company, sleeping car com-
4 pany, railroad or railway company. Such permit shall authorize
5 the holder thereof to keep for sale, and sell, cigarettes at retail on any
6 dining car, sleeping car or passenger car operated by such applicant
7 in, through or across the state of Iowa, subject to all of the restric-
8 tions imposed upon retailers under this act. The application for such
9 permit shall be in such form and contain such information as may
10 be required by the treasurer. Each such permit shall be good
11 throughout the state. Only one such permit shall be required for all
12 cars operated in this state by such applicant, but a duplicate of such
13 permit issued as herein provided, shall be posted in each car in which
14 such cigarettes are sold and no further permit shall be required or
15 tax levied for the privilege of selling cigarettes in such cars. No
16 cigarettes shall be sold in such cars without having affixed thereto
17 stamps evidencing the payment of the tax as provided in this act.

18 2. As a condition precedent to the issuing of a retailer's permit for
19 railway car, the applicant shall file with the treasurer a bond in favor
20 of the state of Iowa for the benefit of all parties interested in the
21 amount of five hundred (500) dollars conditioned upon the payment
22 of all taxes, fines and penalties and costs in this act provided.

23 3. The annual fee for a retailer's permit for railway car shall be
24 twenty-five (25) dollars and two (2) dollars for each duplicate
25 thereof, which fee shall be paid to the treasurer. The treasurer
26 shall issue duplicates of such permits from time to time as applied
27 for by such companies.

28 4. The provisions of subsections one and three of section eighteen
29 (18) shall apply to the revocation of such permit and the issuance
30 of a new one.

1 **SEC. 20. Carrier to permit access to records.** Every common
2 carrier in this state having custody of books or records showing the
3 transportation of cigarettes both interstate and intrastate shall give
4 and allow the treasurer free access to such books and records.

1 **SEC. 21. Administration.**

2 1. The treasurer shall administer the provisions of this act, and
3 it is hereby made the duty of the treasurer to collect, supervise and
4 enforce the collection of all taxes and penalties that may be due under
5 the provisions of this act.

6 2. Said treasurer also shall have the power and authority to make
7 and publish rules and regulations, not inconsistent with this act,
8 necessary and advisable for its detailed administration, to enforce
9 the provisions thereof, and to collect the taxes and fees herein im-
10 posed. The treasurer may promulgate rules and regulations here-
11 under providing for the refund on stamps which by reason of damage
12 become unfit for sale or use.

13 3. The state treasurer is hereby authorized to appoint an assistant,
14 whose sole duty it shall be to administer and enforce the provisions
15 of this chapter, including the collection of all taxes provided for
16 herein. In such enforcement the state treasurer may call to his aid
17 the attorney general, the special agents of the state, any county attor-
18 ney or any peace officer. The treasurer is authorized to appoint such
19 clerks and additional help as may be needed to carry out the provi-
20 sions of this chapter.

1 **SEC. 22. Liens and actions.** All of the provisions for the lien of
2 the tax, its collection, and all actions as provided in the sales tax act
3 shall apply to the tax imposed by this act, except that where the sales
4 tax and the cigarette tax may become conflicting liens, they shall be
5 of equal priority.

1 **SEC. 23. Venue of actions to collect.** Venue of any civil proceed-
2 ings filed under the provisions of this act to collect the taxes, fees
3 and penalties levied herein shall be in a court of competent juris-
4 diction in Polk County, Iowa, or in any court having jurisdiction.

1 **SEC. 24. Assessment of tax by treasurer.** If after any audit,
2 examination of records, or other investigation the treasurer finds
3 that any person has sold cigarettes, without stamps affixed thereto
4 as required by this act, or that any person has failed to pay any tax
5 herein imposed upon such person, the treasurer shall fix and deter-
6 mine the amount of tax due, and shall assess such tax against such
7 person, together with a penalty, which is hereby imposed, equal to
8 the amount of said tax. If any person fails to furnish evidence
9 satisfactory to the treasurer showing purchases of sufficient stamps

10 to stamp unstamped cigarettes purchased by him, the presumption
11 shall be that such cigarettes were sold without the proper stamps
12 affixed thereto.

1 **SEC. 25. Notice and appeal.** The treasurer shall notify any per-
2 son assessed pursuant to section twenty-four (24) by sending a
3 written notice of such determination and assessment by registered
4 mail to the principal place of business of such person as shown on his
5 application for permit, if any, and in case no such application was
6 filed by such person, to his last known address. Such person may
7 appeal from such determination and assessment to the district court
8 in the same manner and subject to the same procedure as is provided
9 in section six thousand nine hundred forty three-f twenty-five
10 (6943-f25), Code, 1935, as amended, in the case of appeals from deter-
11 mination by the state board of assessment and review.

1 **SEC. 26. Assessment of cost of audit.** The treasurer may employ
2 auditors or other persons to audit and examine the books and records
3 of any permit holder or other person dealing in cigarettes to ascertain
4 whether such permit holder or other person has paid the amount of
5 the taxes required to be paid by him under the provisions of this
6 act. If such taxes have not been paid, as required, the treasurer
7 shall assess against such permit holder or other person, as additional
8 penalty, the reasonable expenses and costs of such investigation and
9 audit.

1 **SEC. 27. Civil penalty for certain violations.** If a permit holder
2 shall (a) fail to keep any of the records required to be kept by the
3 provisions of this act, or (b) if a permit holder shall sell any cigar-
4 ettes upon which a tax is required to be paid by this act without
5 at the time having a valid permit, or (c) if any distributor, wholes-
6 aler, or distributing agent shall fail to make any reports to the treas-
7 urer required herein to be made, or (d) make a false or incomplete
8 report to said treasurer, or (e) if any distributing agent shall store
9 any unstamped cigarettes in the state or distribute or deliver any
10 unstamped cigarettes within this state without at the time of said
11 storage or delivery having a valid permit, or (f) if any person
12 affected by this act shall fail or refuse to abide by the provisions
13 hereof or the rules and regulations promulgated hereunder, or vio-
14 late the same, he shall be civilly liable to the state as a penalty in the
15 sum of fifty (50) dollars for each offense. Each violation shall con-
16 stitute a separate offense, and the same violation shall constitute a
17 separate offense for each day it continues.

1 **SEC. 28. Seizure and forfeiture; procedure.**
2 1. All cigarettes on which taxes are imposed by this act, which
3 shall be found in the possession or custody, or within the control of
4 any person, for the purpose of being sold or removed by him in viola-
5 tion of this act, and all cigarettes which are removed or are deposited
6 or concealed in any place with intent to avoid payment of taxes levied
7 thereon, and any automobile, truck, boat, conveyance or other vehicle
8 whatsoever, used in the removal or transportation of such cigarettes
9 for such purpose, and all equipment or other tangible personal prop-
10 erty incident to and used for such purpose, found in the place, build-
11 ing or vehicle where such cigarettes are found, may be seized by the

12 treasurer, with or without process and the same shall be from the
13 time of such seizure forfeited to the state of Iowa, and a proceeding
14 in the nature of a proceeding in rem shall be filed in a court of com-
15 petent jurisdiction in the county of seizure to maintain such seizure
16 and declare and perfect such forfeiture as hereinafter provided. All
17 such cigarettes, vehicles and property so seized as aforesaid, remain-
18 ing in the possession or custody of the treasurer, sheriff or other
19 officer for forfeiture or other disposition as provided by law, shall be
20 deemed to be in the custody of law and irremovable.

21 2. The treasurer, when taking the seizure aforesaid, shall imme-
22 diately make a written report thereof showing the name of the agent
23 or representative making the seizure, the place and person where and
24 from whom such property was seized and an inventory of same and
25 appraisement thereof at the reasonable value of the article seized,
26 which report shall be prepared in duplicate, signed by the agent or
27 representative so seizing, the original of which shall be given to the
28 person from whom said property is taken, and a duplicate copy of
29 which shall be filed in the office of the treasurer and shall be open
30 to public inspection.

31 3. The county attorney of the county of seizure, shall at the request
32 of the treasurer, file in the county and court aforesaid forfeiture pro-
33 ceeding in the name of the state of Iowa as plaintiff, and in the name
34 of the owner or person in possession as defendant, if known, and if
35 unknown, then in the name of said property seized and sought to be
36 forfeited. Upon the filing of said proceeding, the clerk of said court
37 shall issue notice to the owner or person in possession of such prop-
38 erty to appear before such court upon the date named therein, which
39 shall not be less than two (2) days from service of such notice, to
40 show cause why the forfeiture aforesaid should not be declared,
41 which notice shall be served by the sheriff of said county. In the
42 event the defendant in said proceeding is a nonresident of the state
43 or his residence is unknown, or in the event the name of such de-
44 fendant is unknown, upon affidavit by the treasurer to this effect,
45 notice shall be given as ordered by the court.

46 4. In the event final judgment is rendered in the forfeiture pro-
47 ceedings aforesaid, maintaining the seizure, and declaring and per-
48 fecting the forfeiture of said seized property, the court shall order
49 and decree the sale thereof to the highest bidder, by the sheriff at
50 public auction in the county of seizure after notice is given in the
51 manner provided in the case of the sale of personal property under
52 execution, and the proceeds of such sale, less expense of seizure and
53 court costs, shall be paid into the state treasury.

54 5. In the event the cigarettes seized hereunder and sought to be
55 sold upon forfeiture, shall be unstamped, the officers selling the same
56 shall be furnished by the treasurer, sufficient stamps which shall be
57 affixed to the cigarettes prior to the sale thereof.

1 **SEC. 29. Seizure not to affect criminal prosecution.** The seizure,
2 forfeiture and sale of cigarettes and other property under the terms
3 and conditions hereinabove set out, shall not constitute any defense
4 to the person owning or having control or possession of such property
5 from criminal prosecution for any act or omission made or offense

6 committed under this law or from liability to pay penalties provided
7 by this law.

1 **SEC. 30. Restrictions on injunction.**

2 1. Any person who shall invoke the power and remedies of injunc-
3 tion against the treasurer of the state of Iowa to restrain or enjoin
4 him from enforcement of the collection of the tax levied herein upon
5 any grounds for which an injunction may be issued shall file such
6 proceedings in a court of competent jurisdiction in Polk County, Iowa,
7 and venue for such injunction is hereby declared to be in Polk County,
8 Iowa.

1 **SEC. 31. Tax and fees paid to general fund.** The proceeds derived
2 from the sale of stamps and the payment of taxes, fees and penal-
3 ties provided for under this act, and the permit fees received by the
4 treasurer from all permits issued by him, shall be credited to the
5 general fund of the state of Iowa. All permit fees provided for in
6 this act and collected by cities and towns in the issuance of permits
7 granted by such municipalities shall be paid to the treasurer of the
8 city or town wherein the permit is effective and credited to the gen-
9 eral fund of said city or town. Permit fees so collected by counties
10 shall be paid to the county treasurer and credited to the general fund
11 of such county.

1 **SEC. 32. Certain unlawful acts enumerated.**

2 1. Except as otherwise provided in this act, it shall be unlawful
3 for any person to have in his possession for sale, distribution, or use,
4 or for any other purpose, in excess of forty cigarettes, or to sell, dis-
5 tribute, use, or present as a gift or prize cigarettes upon which a tax
6 is required to be paid by this act, without having affixed to each
7 individual package of cigarettes or cigarette papers, the proper stamp
8 evidencing the payment of such tax and the absence of said stamp
9 on said individual package of cigarettes shall be notice to all persons
10 that the tax has not been paid and shall be prima facie evidence of
11 the nonpayment of said tax.

12 2. No person, other than a common carrier and a distributor's
13 truck bearing the distributor's name and permit number in plain
14 view on the outside of such truck, shall transport within this state
15 cigarettes upon which a tax is required to be paid, without having
16 stamps affixed to each individual package of said cigarettes; and no
17 person shall fail or refuse, upon demand of the treasurer, or any peace
18 officer to stop any vehicle transporting cigarettes for a full and com-
19 plete inspection of the cargo carried.

20 3. No person shall use, sell, offer for sale, or possess for the pur-
21 pose of use or sale, within this state, any previously used stamp or
22 stamps, or attach any such previously used stamps to an individual
23 package of cigarettes, nor shall any person purchase stamps from any
24 person other than the treasurer of state or sell stamps purchased
25 from said treasurer.

26 4. No person shall knowingly use, consume, or smoke, within this
27 state, cigarettes upon which a tax is required to be paid, without said
28 tax having been paid.

29 5. No person, unless he be the holder of a permit, or his representa-
30 tive, shall solicit the sale of cigarettes, provided that this section shall

31 not prevent solicitation by a nonpermit holder for the sale of cigar-
32 ettes to any state permit holder.

33 6. It shall be unlawful to sell or vend cigarettes by means of a
34 device known as a vending machine.

35 It shall be unlawful for a person other than a holder of a retail
36 permit to sell cigarettes at retail. Violation of this section by the
37 holder of a distributor's, wholesaler's, or manufacturer's permit shall
38 be grounds for the revocation of such permit.

1 **SEC. 33. Certain offenses and penalties provided.** Whoever shall
2 violate any provision of this act for which a fine and/or imprisonment
3 is not elsewhere specifically provided, shall be punished by a fine of
4 not less than ten (10) dollars nor more than one hundred (100) dol-
5 lars or by imprisonment for not to exceed thirty (30) days or by
6 both such fine and imprisonment in the discretion of the court.

1 **SEC. 34. Counterfeiting and previously used stamps.** Any person
2 who shall print, engrave, make, issue, sell, or circulate, or shall
3 possess or have in his possession with intent to use, sell, circulate,
4 or pass, any counterfeit stamp or previously used stamp, or who shall
5 use, or consent to the use of, any counterfeit stamp or previously
6 used stamp in connection with the sale, or offering for sale, of any
7 cigarettes, or who shall place, or cause to be placed, on any individual
8 package of cigarettes, any counterfeit stamp or previously used
9 stamp, shall be guilty of a felony and upon conviction shall be fined
10 not less than one hundred (100) dollars nor more than one thousand
11 (1,000) dollars or by imprisonment not more than one year or both
12 such fine and imprisonment.

1 **SEC. 35. Manufacturer's samples.** The treasurer may, in his dis-
2 cretion, authorize a manufacturer to distribute in the state through
3 his factory representative, free sample packages of cigarettes con-
4 taining five cigarettes or less, when such individual packages bear a
5 stamp equal to the tax herein imposed. Such packages shall bear
6 the word "Sample" in letters easily read. Such authority may be
7 withdrawn at any time in the discretion of the treasurer.

1 **SEC. 36.** All of chapter seventy-eight (78), Code, 1935, excepting
2 sections one thousand five hundred fifty-three (1553) to one thousand
3 five hundred fifty-six (1556), inclusive, sections one thousand five
4 hundred eighty-five (1585) and one thousand five hundred eighty-six
5 (1586), Code, 1935, are hereby repealed. The sections expressly
6 named in this section are not repealed.

1 **SEC. 37. Reservations as to taxes and penalties under repealed**
2 **provisions.** All mulct tax, occupation or excise taxes, penalties, and
3 interest accruing to the state of Iowa, or to any city, town, or county,
4 by any of the repealed provisions before the effective date of this act
5 shall be and remain valid and binding obligations, and all such taxes,
6 penalties, and interest, now or hereafter becoming delinquent before
7 the effective date of this act, are hereby expressly preserved and
8 declared to be legal and valid obligations.

1 **SEC. 38. Prosecutions under repealed law.** The passage of this
2 act shall not affect offenses committed, or prosecutions begun under

3 any law repealed hereby and any such offenses or prosecutions may
4 be prosecuted under the law as it existed at the time of the com-
5 mission of the offense.

1 SEC. 39. If any section, subsection, clause, sentence, or phrase
2 of this act or the application thereof to any person or set of circum-
3 stances is for any reason held to be unconstitutional or invalid, such
4 decision shall not affect the validity of the remaining portions of this
5 act, or its application to any other person or circumstances. The
6 legislature hereby declares that the provisions of this act are sever-
7 able, and that it would have passed this act and each section, sub-
8 section, clause, sentence or phrase hereof, irrespective of whether
9 any one or more of the sections, subsections, clauses, sentences, or
10 phrases be declared unconstitutional, and irrespective of whether it
11 be declared unconstitutional or invalid as applied to any person or set
12 of circumstances.

Approved March 28, 1939.

CHAPTER 73

CIGARETTE AND TOBACCO TAX

H. F. 502

AN ACT to amend sections fifteen hundred sixty-six (1566), fifteen hundred seventy (1570), fifteen hundred seventy-b one (1570-b1), fifteen hundred seventy-b two (1570-b2), fifteen hundred seventy-one (1571), fifteen hundred seventy-four (1574), fifteen hundred seventy-four-a one (1574-a1), fifteen hundred seventy-five (1575), and fifteen hundred seventy-six (1576), chapter seventy-eight (78), code, 1935, relating to the tax on cigarettes and tobacco and the collection thereof.

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

1 SECTION 1. Section fifteen hundred sixty-six (1566), Code, 1935,
2 is hereby amended by changing the words "treasurer of state" to
3 "state tax commission" in line six (6) thereof.

1 SEC. 2. Section fifteen hundred seventy (1570), Code, 1935, is hereby
2 amended by changing the words "treasurer of state" to "state tax
3 commission" in line three (3) thereof.

1 SEC. 3. Section fifteen hundred seventy-b one (1570-b1), Code,
2 1935, is hereby amended by changing the words "treasurer of state"
3 to "state tax commission" in lines four (4) and five (5), and by chang-
4 ing the word "treasurer" to "commission" in lines eight (8) and ten
5 (10) and by changing the word "officer" to "commission" in line six
6 (6) thereof.

1 SEC. 4. Section fifteen hundred seventy-b two (1570-b2), Code,
2 1935, is hereby amended by changing the word "treasurer" to "com-
3 mission" in line seven (7) and by changing the word "his" to "its"
4 in line eight (8) thereof.

1 SEC. 5. Section fifteen hundred seventy-one (1571), Code, 1935, is
2 hereby amended by changing the word "treasurer of state" to "state
3 tax commission" in line thirteen (13) thereof.

1 SEC. 6. Section fifteen hundred seventy-four (1574), Code, 1935, is
 2 hereby amended by changing the words "treasurer of state" to "state
 3 tax commission" in line four (4) and in lines nine (9) and ten (10),
 4 and by changing the word "him" to "it" in line five (5), and by chang-
 5 ing the word "his" to "its" in line nine (9), and by changing the word
 6 "treasurer" to "commission" in line seven (7) thereof.

1 SEC. 7. Section fifteen hundred seventy-four-a one (1574-a1),
 2 Code, 1935, is hereby amended by changing the word "treasurer" to
 3 "commission" in lines three (3) and four (4) thereof.

1 SEC. 8. Section fifteen hundred seventy-five (1575), Code, 1935,
 2 is hereby amended by changing the words "treasurer of state" to "state
 3 tax commission" in line four (4) and by changing the word "treasurer"
 4 to "commission" in lines five (5) and six (6) thereof.

1 SEC. 9. Section fifteen hundred seventy-six (1576), Code, 1935, is
 2 hereby amended by changing the words "state treasurer" to "state
 3 tax commission" in lines one (1), two (2) and seven (7), and by
 4 changing the word "his" to "its" in line seven (7). Further amend
 5 by striking out the remainder of said section following the word "offi-
 6 cer" in line nine (9).

1 SEC. 10. Whenever the word "treasurer", "state treasurer" or
 2 "treasurer of state" appear in chapter seventy-eight (78), Code, 1935,
 3 or Senate File 128, Acts of the Forty-eighth General Assembly, and
 4 are intended to refer to the treasurer of state, and have not been
 5 specifically referred to in this act, the words "state treasurer" and
 6 "treasurer of state" are hereby changed to read "state tax commission"
 7 and the word "treasurer" is hereby changed to read "commission"
 8 and the code editor is hereby authorized to make said changes.

Approved April 12, 1939.

CHAPTER 74

CIGARETTES

S. F. 141

AN ACT to amend chapter seventy-eight (78), code, 1935, to provide that all cigarette permits in force and effect on July 1, 1939, are extended to July 5, 1939.

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

1 SECTION 1. All permits in force and effect on July 1, 1939, for the
 2 sale of cigarettes, as provided in Chapter seventy-eight (78), Code,
 3 1935, are hereby extended to the fifth day of July, 1939.

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in force and effect from and after its passage and publication in the
 3 Allerton News, a newspaper published at Allerton, Iowa, and the Cedar
 4 Falls Daily Record, a newspaper published at Cedar Falls, Iowa.

Approved March 13, 1939.

I hereby certify that the foregoing act was published in the Allerton News, March 16, 1939, and the Cedar Falls Daily Record, March 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 75

WILDLIFE RESTORATION PROJECTS

S. F. 448

AN ACT assenting to the provisions of the act of congress entitled, "An act to provide that the United States shall aid the states in wildlife restoration projects, and for other purposes," approved September 2, 1937.

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

1 SECTION 1. The state of Iowa hereby assents to the provisions of the
2 act of congress entitled "An act to provide that the United States shall
3 aid the states in wildlife restoration projects, and for other purposes,"
4 approved September 2, 1937 (Public No. 415, 75th Congress), and the
5 state conservation commission is hereby authorized and empowered
6 to perform such acts as may be necessary to the conduct and establish-
7 ment of cooperative wildlife-restoration projects, as defined in said act
8 of congress, in compliance with said act and with rules and regulations
9 promulgated by the secretary of agriculture thereunder; and no funds
10 accruing to the state of Iowa from license fees paid by hunters shall
11 be diverted for any other purpose than as set out in sections seven-
12 teen hundred three-g seventeen (1703-g17) and seventeen hundred
13 three-g nineteen (1703-g19), Code, 1935.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its passage and publication
3 in The Evening Journal, a newspaper published at Washington, Iowa,
4 and the Mount Pleasant Daily News, a newspaper published at Mount
5 Pleasant, Iowa.

Approved April 24, 1939.

I hereby certify that the foregoing act was published in The Evening Journal, Wash-
ington, Iowa, May 2, 1939, and the Mount Pleasant Daily News, May 1, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 76

FISH AND GAME

S. F. 450

AN ACT to amend section seventeen hundred ninety-four-e one (1794-e1), chapter eighty-
six-e one (86-e1), code of 1935, relating to fish and game licenses and setting the
amounts thereof and providing for certain new licenses; to amend section seventeen
hundred ninety-four-e six (1794-e6), chapter eighty-six-e one (86-E1), code of
1935, providing for the issuing of a duplicate license where the original has been
lost, destroyed or stolen and for the evidence necessary to secure such duplicate; to
amend section seventeen hundred ninety-four-e ten (1794-e10), chapter eighty-six-e
one (86-E1), code of 1935, as amended by section one hundred nine (109), chapter
ninety-nine (99), acts of the Forty-seventh General Assembly, providing for the
exhibition of said license to any officer and for punishment for violation thereof;
to amend section seventeen hundred ninety-nine (1799), chapter eighty-seven (87),
code of 1935, relating to the duties of the Conservation Commission as to parks and
their development; to repeal section eighteen hundred twenty-one-e one (1821-e1),
chapter eighty-seven (87), code of 1935, and substitute therefor a section relating
to the appointment of special officers for the enforcement of the provisions of laws
relating to conservation.

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

1 SECTION 1. Section seventeen hundred ninety-four-e one (1794-e1),
2 Chapter eighty-six-E one (86-E1), Code of 1935, is amended by strik-
3 ing the figure "1.00" from line twenty-three (23) and substituting
4 therefor the figure "1.50"; by striking lines thirty (30) and thirty-one
5 (31) of section seventeen hundred ninety-four-e one (1794-e1), chapter
6 eighty-six-E one (86-E1), Code, 1935, and inserting: "Trapping li-
7 cense for legal resident of state using more than fifteen (15) traps, per
8 trap including tax, 15¢"; by striking from line thirty-two (32), the
9 words and figure, "Trapping license for nonresident or alien, 25.00"
10 and inserting in lieu thereof the words and figures, "Trapping license
11 for nonresident or alien 25.00, and in addition thereto a fee, including
12 tag, per trap, 25¢"; by striking the words in lines thirty-four (34) and
13 thirty-five (35), and the figure "1.00", and inserting in lieu thereof
14 the words and figure, "Nonresident fur dealer's license, 50.00"; and
15 by adding the following to Section seventeen hundred ninety-four-e
16 one (1794-e1): "Private fish hatcheries, \$2.00; bait dealer's license,
17 \$5.00; each one hundred (100) feet of gill net or fraction thereof,
18 \$2.00."

1 SEC. 2. Section seventeen hundred ninety-four-e six (1794-e6),
2 Chapter eighty-six-E one (86-E1), Code of 1935, is amended by adding
3 a paragraph thereto as follows:

4 "Whenever any license, certificate or permit, for which a fee has
5 been set, has been lost, destroyed or stolen, the director or the county
6 recorder where the license was issued in the first instance, may issue
7 a certificate to replace said license, if written evidence is filed with
8 either director or recorder, in affidavit form, by the person to whom
9 the original was issued, setting forth the circumstances and accom-
10 panied by a fee of twenty-five cents (\$.25), said fee to be kept by the
11 county recorder for the use of the county, if issued by him, and placed
12 in the fish and game protection fund if issued by the director. If, on
13 examination of the evidence, the director or the recorder, as the case
14 may be, is satisfied that said license has been lost, destroyed or stolen,
15 he shall issue a duplicate license which shall be plainly marked 'duple-
16 cate' and said duplicate shall serve in lieu of the original license and it
17 shall contain the same information and signature as the original."

1 SEC. 3. Section seventeen hundred ninety-four-e ten (1794-e10),
2 Chapter eighty-six-E one (86-E1), Code of 1935, as amended by section
3 one hundred nine (109), Chapter ninety-nine (99), Acts of the Forty-
4 seventh General Assembly, is amended by adding thereto the following
5 paragraph:

6 "Every person shall, while fishing, hunting or trapping, show his
7 license, certificate or permit, to any conservation officer, constable,
8 sheriff, deputy sheriff, police officer, peace officer, or the owner or per-
9 son in lawful control of the land or water upon which licensee may be
10 hunting, fishing or trapping when requested by said persons to do so.
11 Any failure to so carry or refusal to show or so exhibit his license,
12 certificate or permit, shall be a violation of this act."

1 SEC. 4. Section seventeen hundred ninety-nine (1799), Chapter
2 eighty-seven (87), Code of 1935, is amended as follows: (1) by insert-
3 ing in line five (5) after the word "parks" the words "and preserves";

4 (2) by adding after the period (.) in line fourteen (14) thereof the
5 following: "The commission shall have the power to provide and
6 operate facilities for the proper public use of the areas above de-
7 scribed."

1 SEC. 5. Section eighteen hundred twenty-one-e one (1821-e1),
2 Chapter eighty-seven (87), Code of 1935, is repealed and the following
3 is enacted as a substitute therefor:

4 "Special Police. The commission in carrying out its duties may ap-
5 point the state conservation director, chief of division of lands and
6 waters, chief of division of fish and game, and four (4) assistants and
7 boat inspectors as special police. Such officers are hereby vested with
8 the powers and charged with the duties of peace officers while in the
9 performance of their official duties."

Approved May 3, 1939.

CHAPTER 77
CONSERVATION

H. F. 633

AN ACT to amend section seventeen hundred three-e two (1703-e2), code, 1935, relating to licensing of boats; to amend sections seventeen hundred fourteen (1714), seventeen hundred forty-one (1741), seventeen hundred forty-two (1742), seventeen hundred eighty-five (1785), and seventeen hundred eighty-nine (1789), code, 1935, and to repeal section seventeen hundred sixty-two (1762), code, 1935, and to enact a substitute therefor, relating to fish and game; to amend section seventeen hundred ninety-four-e fifteen (1794-e15), code, 1935, and to amend section seventeen hundred ninety-four-e sixteen (1794-e16) of the code of Iowa of 1935 as to what is a nuisance relating to fishing licenses; to amend chapter ninety-nine (99), acts of the Forty-seventh General Assembly, relating to fish and game and fur-bearing animals; and relating to game breeder's license.

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

1 SECTION 1. Section seventeen hundred fourteen (1714), Code, 1935,
2 is amended by adding after the comma (,) following the word "ship-
3 ment" in line nine (9) the words "or illegally transported in the state
4 or to a point beyond the borders thereof,".

1 SEC. 2. Section seventeen hundred forty-one (1741), Code, 1935,
2 is amended as follows:

3 1. By inserting in line ten (10), following the word "No", the word
4 "permanent".

5 2. In line twelve (12), following the comma (,) after the word "fish-
6 way", insert the words "except by written approval of the state con-
7 servation director" and following the word "director" insert a comma
8 (,).

9 3. Amend by adding after the word "operated" in line fifteen (15)
10 thereof, the following: "except by written approval of the state con-
11 servation director,".

1 SEC. 3. Section seventeen hundred forty-two (1742), Code, 1935,
2 is amended by striking the comma (,) after the word "level" in line
3 four (4) and the remaining portion of the section, and adding in lieu

4 thereof "without having received written approval from the state con-
5 servation director."

1 SEC. 4. Section seventeen hundred sixty-two (1762), Code, 1935, is
2 repealed and the following is enacted in lieu thereof:

3 "Any person licensed by the authorities of Illinois, Minnesota, Mis-
4 souri, Wisconsin, Nebraska, and South Dakota to take fish, game, mus-
5 sels, or fur-bearing animals from or in the waters forming the bound-
6 ary between such states and Iowa, may take them from that portion
7 of said waters lying within the territorial jurisdiction of this state,
8 without having procured a license therefor from the state conservation
9 director of this state, in the same manner that persons holding Iowa
10 licenses may do, if the laws of Illinois, Minnesota, Missouri, Wisconsin,
11 Nebraska, or South Dakota, respectively, extend a similar privilege to
12 persons so licensed under the laws of Iowa, but this section shall not
13 apply to commercial fishermen on the Mississippi river."

1 SEC. 5. Section seventeen hundred eighty-nine (1789), Code, 1935,
2 is amended by adding after the word "any" in line three (3) the follow-
3 ing: "frogs,".

1 SEC. 6. Section seventeen hundred three-e two (1703-e2), Code,
2 1935, is amended by adding thereto the following:

3 "Any boat licensed for hire under this chapter shall have the rights
4 and privileges incident to landing, mooring, and use of the state pier
5 located on West Okoboji lake at Arnolds Park, Dickinson County, Iowa,
6 upon payment to the conservation commission of an annual fee of
7 twenty-five dollars."

1 SEC. 7. Section seventeen hundred eighty-five (1785), Code, 1935,
2 is amended by adding thereto the following:

3 "Nothing in the foregoing sections seventeen hundred eighty (1780)
4 to seventeen hundred eighty-four (1784), inclusive, shall pertain to
5 rabbits."

1 SEC. 8. Section seventeen hundred ninety-four-e fifteen (1794-e15),
2 Code, 1935, is amended by striking all of lines six (6), seven (7), and
3 eight (8) and inserting in lieu thereof the following:

4 "No female resident of the state, except when fishing in state-owned
5 lakes, shall be required to have a fishing license, nor shall a resident
6 of the state under sixteen years of age".

1 SEC. 9. Section thirty-nine (39) of chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly, is hereby amended by striking
3 from lines ten (10) and eleven (11) thereof in the column headed
4 "Open Season" the following: "September 15—November 15" and
5 inserting in lieu thereof the following: "August 1—October 15".

1 SEC. 10. Amend section thirty-nine (39) of chapter ninety-nine
2 (99), Acts of the Forty-seventh General Assembly, by striking the
3 figures "20" in line twelve (12) thereof.

1 SEC. 11. Section forty-seven (47) of chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly, is hereby amended by adding
3 thereto the following paragraph:

4 "It shall be unlawful for any person to use a dog to hunt, molest, or

5 chase any raccoon thirty days before the opening of the season for the
6 hunting or trapping of raccoons."

1 SEC. 12. Amend section fifty-six (56) of chapter ninety-nine (99),
2 Acts of the Forty-seventh General Assembly, by adding after the word
3 "tables" in line three (3) the following: "; provided, however, that
4 within the meandering lines of the waters of the Mississippi and Mis-
5 sissippi rivers, and within the inland waters in Lee County, Iowa, con-
6 tinuous pole and line fishing, only, shall be permitted for all fish, except
7 that there shall be a closed season on pike during March and April and
8 a closed season on large and small mouth bass during March, April,
9 and May. Restrictions as to the daily catch limit, possession limit,
10 minimum length and weight shall remain as provided in said section
11 fifty-six (56)."

1 SEC. 13. Section fifty-six (56) of chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly, is amended by inserting in
3 Table A at the end thereof the following:
4 "The total catch limit of all fish under this division, excluding those
5 having a continuous open season on which there is no daily catch limit,
6 shall not exceed twenty-five per day."

1 SEC. 14. Section seventeen hundred four (1704), Code, 1935, is
2 amended:

3 (1) By inserting the words "land and" after the word "other" in
4 line four (4); and

5 (2) By inserting ", and all other wildlife" after the word "eggs" in
6 line seven (7).

1 SEC. 15. Section seventeen hundred five (1705), Code, 1935, is
2 amended:

3 (1) By inserting ", or other wildlife" after the word "eggs" in line
4 four (4).

1 SEC. 16. Section seventeen hundred forty-five (1745), Code, 1935,
2 is amended by adding after the period (.) in line twelve (12): "Unde-
3 sirable or injurious fish shall mean any species that in the judgment of
4 the commission exist in improper proportions to other aquatic life."

1 SEC. 17. Section seventeen hundred ninety-four-e sixteen (1794-
2 e16) of the Code of Iowa of 1935 is hereby amended by adding thereto
3 the following: "Provided, however, no gun, fishing rod, fishing tackle
4 or automobile shall be construed to be a public nuisance under this
5 section."

1 SEC. 18. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Mediapolis
3 New Era-News, a newspaper published at Mediapolis, Iowa, and in the
4 Vindicator and Republican, a newspaper published at Estherville,
5 Iowa.

Approved May 3, 1939.

I hereby certify that the foregoing act was published in the Mediapolis New Era-News,
May 12, 1939, and the Vindicator and Republican, Estherville, Iowa, May 9, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 78

CONSERVATION

S. F. 452

AN ACT to amend sections seven (7), eight (8), eleven (11), seventeen (17), thirty (30), thirty-two (32), thirty-eight (38), thirty-nine (39), forty-six (46), forty-seven (47), fifty-three (53), fifty-six (56), sixty-two (62), sixty-five (65), sixty-nine (69), seventy-three (73), seventy-seven (77), seventy-nine (79), eighty-one (81), ninety-six (96), ninety-seven (97), ninety-eight (98), one hundred two (102), and one hundred fifteen (115), of chapter ninety-nine (99), acts of the Forty-seventh General Assembly, relating to the powers, duties and jurisdiction of the State Conservation Commission with respect to the conservation, protection and preservation of the wildlife and parks, grounds and waters of the state.

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

1 SECTION 1. Section seven (7), Chapter ninety-nine (99), Acts of
2 the Forty-seventh General Assembly is amended:

3 (1) By striking from line twelve (12) the word and figure "five
4 (5)" and inserting in lieu thereof the words and figures "three and
5 one-half (3½)";

6 (2) By striking lines twenty-nine (29) and thirty (30) and insert-
7 ing in lieu thereof the following: "(d) All boats in class VII shall have
8 a white light on deck forward of the mast. Such light shall be so con-
9 structed as to be visible from any direction."

1 SEC. 2. Section eight (8), Chapter ninety-nine (99), Acts of the
2 Forty-seventh General Assembly is amended by adding thereto the
3 following:

4 "(d) It shall be unlawful for Class I, II, III, and IV boats to operate
5 on West Okoboji lake within the following named zones, which zones
6 shall be marked by the conservation commission with buoys not more
7 than six hundred (600) feet apart to separate from the main portion
8 of West Okoboji lake such zones, to wit:

9 "1. That portion of West Okoboji known as Browns Bay and lying
10 south of a direct line connecting the Lime Kiln Point and Pocahontas
11 Point.

12 "2. That portion of West Okoboji known as Emersons Bay, and the
13 area adjacent thereto and lying west of a line drawn from a point three
14 hundred (300) feet east of Gull Point, due south and intersecting the
15 north boundary of zone one.

16 "3. That portion of West Okoboji lying to the westward of a line
17 drawn from a point three hundred (300) feet east of Gull Point north-
18 west to the southwest corner of Babcock's property on the north shore
19 of Millers Bay.

20 "4. That portion of West Okoboji lying eastward of a line drawn
21 due south from Manhattan Point and intersecting the northeast bound-
22 ary of zone three.

23 "5. That portion of West Okoboji lying to the eastward of a line
24 drawn from Colcords Point southward to a point three hundred (300)
25 feet due southwest of Dixons Point.

26 "Except that all boats in said classes may operate in such zones at a
27 maximum speed of ten (10) miles per hour for the purpose of going to
28 or from landings."

1 SEC. 3 Section eleven (11), Chapter ninety-nine (99), Acts of the
2 Forty-seventh General Assembly is amended by adding thereto the fol-
3 lowing:

4 "(c) All privately owned row-boats used on or kept at the artificial
5 lakes under the jurisdiction of the commission shall be seaworthy for
6 the waters where they are kept or used. They shall not be loaded to
7 the extent that more than one-third of the height of the freeboard
8 is submerged. All such boats shall be removed from state property
9 whenever ordered by the commission, and, in any event, shall be re-
10 moved from such property not later than December first (1st) of
11 each year."

1 SEC. 4. Section seventeen (17), Chapter ninety-nine (99), Acts of
2 the Forty-seventh General Assembly is amended by inserting in line
3 three (3), after the word "therefor", the following: ", provided that
4 such craft comply with the provisions of this chapter relating to lights
5 and operation".

1 SEC. 5. Section thirty (30), Chapter ninety-nine (99), Acts of the
2 Forty-seventh General Assembly is amended by striking all of line nine
3 (9) after "main", and all of lines ten (10), and eleven (11), and the
4 first word "area" of line twelve (12) and inserting in lieu thereof the
5 following: "such as to assure the maintenance of an adequate supply
6 of such species. The commission is hereby designated the sole agency
7 to determine the facts as to whether such biological balance does or
8 does not exist."

1 SEC. 6. Section thirty-two (32), Chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly is amended by striking the
3 word "Hungarian" from lines ten (10) and eleven (11).

1 SEC. 7. Section thirty-eight (38), Chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly is amended by adding thereto
3 the following paragraph:

4 "Nothing in the above shall prohibit licensed game breeders from
5 securing native or exotic birds or animals from outside the state and
6 bringing them into the state and they shall not be required to have a
7 permit as provided above when such birds or animals are not released
8 to the wild but are held on the game breeder's premises as breeding
9 stock."

1 SEC. 8. Section thirty-nine (39), Chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly is amended:

3 (1) By inserting in line twenty (20) after the word "Muscatine"
4 the following: ", Wayne, Decatur, Clarke";

5 (2) By striking from line fifteen (15) the figure "1" and inserting
6 in lieu thereof the figure "15";

7 (3) By striking from line sixteen (16) the figure "1" and inserting
8 in lieu thereof the figure "15";

9 (4) By striking from line seventeen (17) the words "except Lee
10 county";

11 (5) By striking from lines eighteen (18) and nineteen (19) the
12 words and figures "November 15—December 15"; and

13 (6) By adding as line sixty-two (62):

14 "European starlings Continuous None None".

1 SEC. 9. Section forty-seven (47), Chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly is amended by striking there-
3 from lines three (3) and four (4) and inserting in lieu thereof the
4 following:

5 "A pistol or revolver shooting blank cartridges may be used while
6 training bird dogs during closed season. It shall be unlawful to train
7 any foxhound, raccoon hound or trailing dog on any fur-bearing ani-
8 mal between sunset and sunrise for thirty (30) days just prior to the
9 open season on raccoon."

1 SEC. 10. Section fifty-three (53), Chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly is amended by adding thereto
3 subdivisions as follows:

4 "Bait Dealers

5 "(a) Any person may be authorized to sell minnows, frogs, and
6 clams for fish bait upon the payment of a license fee of five dollars
7 (\$5.00) to the commission. Minnow and bait boxes and tanks shall be
8 open to inspection by the director and conservation officers at all times.
9 They shall have tanks and bait boxes of sufficient size, with proper
10 aeration to keep the bait alive and prevent heavy loss.

11 "Such license shall authorize the licensee to take from the lakes and
12 streams in the state that are not closed to the taking of minnows, frogs
13 and clams, sufficient minnows, frogs and clams to carry on and supply
14 his customers with bait for hook and line fishing.

15 "Such licensees shall comply with all state laws pertaining to posses-
16 sion, taking, selling of bait handled by them and any licensee upon con-
17 viction for violating any state conservation laws, shall forfeit his
18 license if demanded by the director.

19 "Holders of a bait dealer's license, when obtaining bait from lakes
20 and streams, shall take only such sized bait as can be used and shall
21 return all small minnows and frogs to the water immediately with as
22 little loss as possible."

23 "Private Fish Hatchery

24 "(b) It shall be unlawful for any person to operate a private fish
25 hatchery or engage in the business of propagating fish native to the
26 state of Iowa in private waters until such person has applied for and
27 has been issued a private fish hatchery license as provided by state
28 law. Such license shall be renewed each year.

29 "The term 'private fish hatchery' covering private fish hatcheries
30 shall include all private ponds, with or without buildings, used for the
31 purpose of propagating or holding fish for commercial purposes.

32 "No license shall be issued to operate private fish hatcheries on pri-
33 vately owned or nonmeandered lakes and streams or ponds that may
34 become stocked with fish from public waters by overflow or natural
35 migration.

36 "Holders of private fish hatchery licenses may, in said hatchery,
37 possess, propagate, buy, sell, deal in and transport the fish produced
38 from breeding stock lawfully acquired, but all fish sold for food pur-
39 poses must comply with the state law regarding size limits.

40 "They may sell fish for stocking purposes within or without the
41 state, but no fish shall be sold for stocking purposes within the state
42 that are not native to the state and to the waters where stocked.

43 "Each operator of a private fish hatchery shall make an annual
44 report of the number, kinds and sizes of the fish propagated and to

45 whom sold during the license year on forms supplied by the commis-
46 sion. Failure to make such report shall be grounds for refusal to renew
47 the license under which the hatchery operates.

48 "Operators of private fish hatcheries shall secure their breeding
49 stock from licensed private fish hatcheries in the state or from lawful
50 sources outside the state and it shall be unlawful for such hatcheries to
51 secure stock in any other way.

52 "Private fish hatchery operators who hold and feed carp, buffalo and
53 other fish lawfully taken by commercial fishermen, may hold, feed and
54 sell such fish under private fish hatchery licenses."

1 SEC. 11. Section fifty-six (56), Chapter ninety-nine (99), Acts of
2 the Forty-seventh General Assembly is amended:

3 (1) By striking from line eighteen (18) the word "April" and in-
4 serting in lieu thereof the word "May";

5 (2) By striking from line twenty (20) the figure "1" and inserting
6 in lieu thereof the figure "30";

7 (3) By striking from lines thirty-eight (38) and thirty-nine (39)
8 the words and figures "May 15 to November 30", and insert the word
9 "continuous";

10 (4) By striking all of lines forty (40) to forty-eight (48), inclusive,
11 and inserting in lieu thereof the following: "no catch or possession
12 limits";

13 (5) By inserting in line sixty (60) after the word "crappies":
14 ", calico bass";

15 (6) By striking from line seventy-eight (78) the figure "15" and
16 inserting in lieu thereof the figure "12";

17 (7) By adding to Table A the following:

18 "Frogs May 12-	Four (4) dozen	Eight (8) dozen	(Applies to
19 November 30	(Bait dealers	(Bait dealers	bait dealers
20 excepted)	excepted)	only")	

21 (8) By striking from lines ninety-nine (99) and one hundred (100)
22 the words and figures "June 15 to November 30" and inserting in lieu
23 thereof the words and figures "June 1 to March 1 next";

24 (9) By striking from lines one hundred two (102) and one hundred
25 three (103) the words and figures "May 15 to November 30" and in-
26 serting in lieu thereof the word "continuous";

27 (10) By striking from lines one hundred five (105) and one hun-
28 dred six (106) the words and figures "May 15 to November 30" and
29 inserting in lieu thereof the word "continuous";

30 (11) By striking from lines one hundred nine (109) and one hun-
31 dred ten (110) the words and figures "May 15 to November 30" and
32 inserting in lieu thereof the words and figures "May 1 to March 1
33 next";

34 (12) By striking from lines one hundred eleven (111) and one
35 hundred twelve (112) the words and figures "May 15 to November 30"
36 and inserting in lieu thereof the word "continuous"; and

37 (13) By adding to said section a paragraph as follows:

38 "It shall be unlawful for any person at any time to have in possession
39 more than thirty (30) fish of all kinds in the aggregate, except that this
40 aggregate possession limit shall not apply to the fish named in this
41 section on which there is no daily catch limit, or to the director and his
42 duly authorized representatives when carrying out duties imposed by

43 state law, or commercial fishermen, or wholesale fish markets, when
44 operating under proper license and dealing in commercial fish."

1 SEC. 12. Section sixty-two (62), Chapter ninety-nine (99), Acts of
2 the Forty-seventh General Assembly is amended by striking all of line
3 three (3) and inserting in lieu thereof the following: "five (5) throw
4 lines or trot lines and such lines shall not have in the aggregate more
5 than".

1 SEC. 13. Section sixty-five (65), Chapter ninety-nine (99), Acts of
2 the Forty-seventh General Assembly is amended by striking all of line
3 ten (10) and inserting in lieu thereof: "and in Cedar and Iowa rivers,
4 in Muscatine and Louisa counties."

1 SEC. 14. Section sixty-nine (69), Chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly is amended:

3 (1) By striking from line six (6) the words "boat liveries" and in-
4 serting in lieu thereof the words "licensed bait dealers"; and

5 (2) By adding to said section the following:

6 "Minnows

7 "'Minnows' shall be defined as chubs, shiners, suckers, dace, stone-
8 rollers, mud-minnows, redhorse, blunt-nose, fat-head, or other small
9 fish commonly used for fish bait that have only one dorsal fin.

10 "'Commercial purposes' shall be construed to mean selling, giving,
11 or furnishing to others.

12 "It shall be unlawful for any person:

13 "1. To take or attempt to take minnows for commercial purposes
14 from any of the waters of the state, or transport the same without first
15 procuring a bait dealer's license therefor as provided by state law;
16 provided, however, that no license other than a license to fish in the
17 waters of this state shall be required of persons taking minnows for
18 their individual use for bait.

19 "2. To seine, take, attempt to take, transport or carry away any
20 minnows from the waters of any stream inhabited or stocked with
21 trout, except that chubs, suckers and redhorse may be taken from
22 trout streams with pole and line during open trout season, and chubs
23 may be taken with pole and line only, at any time, from streams not
24 stocked with trout.

25 "3. To transport in any manner or for any purpose outside this
26 state any minnows, dead or alive, taken in the state except that the
27 director may transport for the purposes set out by state law.

28 "4. To use minnows except for bait in hook and line fishing.

29 "The commission shall have the power to designate the lakes and
30 streams and parts of same from which minnows shall not be taken
31 when investigation shows that the minnow population should be pro-
32 tected for the best management of the lake or stream and if such
33 investigation shows that lakes or streams or any portion of them
34 should be closed to taking minnows for such length of time as deemed
35 advisable by the commission. Then in that case the director is hereby
36 authorized to post such lakes and streams or portions of them with
37 notices or signs which clearly state that the lake or stream or portion
38 so posted is closed to the taking of minnows and it shall be unlawful
39 for any person to take in any manner, minnows from such posted
40 streams.

41 "Minnow traps not exceeding twenty-four (24) inches in length
42 may be used wherever the taking of minnows is allowed."

1 SEC. 15. Section seventy-three (73), Chapter ninety-nine (99),
2 Acts of the Forty-seventh General Assembly is amended by striking all
3 after the word "unlawful" in line one (1) and inserting in lieu thereof
4 the following: "to take, attempt to take, or kill in any manner whatso-
5 ever, or to sell, or have in possession, or to transport in any manner,
6 any species of frogs in the state except as follows:

7 "Frogs may be taken from May 12th to the following November 30th.

8 "Frogs may be taken by holders of a fishing license only and they
9 may be used for bait or food purposes, but no person shall take more
10 than four dozen frogs in any one day or have in possession at any one
11 time more than eight dozen frogs. Licensed bait dealers authorized by
12 law to sell bait may have in their possession to supply the bait needs of
13 their customers, not more than twenty (20) dozen frogs.

14 "No person shall use any device, net, barrier or fence of any kind
15 which prevents frogs from having free access to and egress from the
16 water.

17 "Transportation out of the state in any manner or for any purposes,
18 of frogs taken in Iowa, is prohibited.

19 "Nothing in this act shall be construed to prevent the purchase, sale
20 or possession of frogs or any portion of the carcasses of frogs that have
21 been legally taken and shipped in from without the state.

22 "Nothing herein shall prevent any person from catching frogs on his
23 own premises for his private use."

1 SEC. 16. Section seventy-seven (77), Chapter ninety-nine (99),
2 Acts of the Forty-seventh General Assembly is amended by inserting
3 in line two (2), after the word "ship"; ", transport,".

1 SEC. 17. Section seventy-nine (79), chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly is amended by inserting in line
3 two (2) after the word "skunk": ", mink,".

1 SEC. 18. Section eighty-one (81), Chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly is amended:

3 (1) By inserting in line four (4) after the word "animal" the words
4 "or fur-bearing animals";

5 (2) By adding thereto the following:

6 "It shall be unlawful for any person, except as otherwise provided,
7 to use any chemicals, explosives, smoking devices, mechanical ferrets,
8 wire, tool, instrument, or water to remove fur-bearing animals from
9 their dens.

10 "A license tag for each trap for which a license fee has been paid,
11 stamped with the year of issuance, shall be furnished by the commis-
12 sion without additional charge. All licensed traps, when in use, shall
13 have said tag attached to trap or chain and conservation officers
14 shall have authority to confiscate any trap when found in use without
15 such tag attached. Tags shall be renewed annually."

1 SEC. 19. Section ninety-six (96), Chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly is amended:

3 (1) By inserting in line two (2), after the first word "nets" the
4 words: "gill nets";

5 (2) By inserting in line seventeen (17), after the period (.) the
6 following: "Tags must at all times be attached to fishing tackle while in
7 use and conservation officers shall have authority to confiscate any net
8 or seine when found in use without such tag attached.";

9 (3) By adding after subsection "(b)" the following subsections:

10 "(c) It shall be unlawful for any person to fish with or use any
11 wooden fish basket or trap of any kind in the boundary or inland waters
12 of the state.

13 "(d) It shall be unlawful for fish peddlers, wholesale fish markets,
14 jobbing houses or other places for the wholesale or retail marketing
15 of fish to have in possession catfish under the legal thirteen (13) inch
16 commercial size limit provided in Iowa laws.";

17 (4) By relettering subsection "(c)": "(e)"; and

18 (5) By inserting in line thirty-four (34), after the word "begin-
19 ning" the following:

20 "; that part of the Mississippi River in Dubuque county, Iowa,
21 known as 'Zollicoffers Lake' in Sections ten (10), eleven (11), four-
22 teen (14), fifteen (15) and twenty-three (23), Township ninety (90)
23 North, Range two (2) West; that part of the Mississippi River in
24 Allamakee county, Iowa, known as 'Big Lake' in Sections four (4),
25 five (5), eight (8), nine (9), sixteen (16) and seventeen (17), Town-
26 ship ninety-nine (99) North, Range three (3) West; that part of Cass-
27 ville Slough, also known as "Twelve Mile Slough", below government
28 lock and dam No. 10 in Clayton county, Iowa; that part of the Missis-
29 sippi River in Allamakee county known as 'Mud Hen Lake' located
30 in Sections one (1) and two (2), Township ninety-six (96) North,
31 Range three (3) West; that part of the Mississippi River known as the
32 'Breaks and Coolegar Shute', located in Section twenty (20), twenty-
33 nine (29), and thirty-two (32), Township seventy-four (74) North,
34 Range two (2), West of the fifth (5th) P. M., Louisa county, Iowa;
35 that part of the Mississippi River known as 'Gun Lake' located in
36 Sections thirty-four (34) and thirty-five (35), Township ninety-seven
37 (97) North, Range three (3) West of the fifth (5th) P. M., Allamakee
38 county, Iowa."

1 SEC. 20. Section ninety-seven (97), Chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly is amended by inserting in line
3 five (5) after the word "measure" the following: ", or to fish with
4 or use a gill net having a mesh of less than three and three-quarters
5 ($3\frac{3}{4}$) inches square or bar measure".

1 SEC. 21. Section ninety-eight (98), Chapter ninety-nine (99), Acts
2 of the Forty-seventh General Assembly is amended:

3 (1) By inserting in line two (2), after the first word "nets": "gill
4 nets,";

5 (2) By adding after the period (.) in line three (3) the following:
6 "Provided a trot line license is procured for the sum of one dollar
7 (\$1.00); the holder of said license may use a trot line, with no more
8 than one hundred (100) hooks, in the waters of the Mississippi and
9 Missouri rivers. A tag as provided in section ninety-six (96), sub-
10 section 'b', shall be attached thereto."

1 SEC. 22. Section one hundred two (102), Chapter ninety-nine (99),
2 Acts of the Forty-seventh General Assembly is amended by striking

3 from line five (5) the words and figures "eight and one-half (8½)"
4 and inserting in lieu thereof the word and figure "nine (9)".

1 SEC. 23. Section one hundred fifteen (115), Chapter ninety-nine
2 (99), Acts of the Forty-seventh General Assembly is amended by in-
3 serting in line three (3) after the word "excessive" the following:
4 "will be made by the state conservation director or his representative
5 and".

1 SEC. 24. Chapter ninety-nine (99), Acts of the Forty-seventh Gen-
2 eral Assembly is amended by inserting immediately after section one
3 hundred thirty-five-a (135-a) a new section as follows:

4 "Words and phrases as used in Chapters eighty-five (85), eighty-
5 five-D one (85-D1), eighty-five-G one (85-G1), eighty-six (86), eighty-
6 six-E one (86-E1), eighty-seven (87), and eighty-seven-E one (87-E1),
7 Code, 1935, and Chapter ninety-nine (99), Acts of the Forty-seventh
8 General Assembly, and such other chapters as relate to the subject
9 matter of these chapters shall be construed as follows:

10 "'Closed season': That period of time during which hunting, fish-
11 ing, trapping or taking is prohibited.

12 "'Open season': That period of time during which hunting, fishing,
13 trapping or taking is permitted.

14 "'Measurement of fish': Length from end of nose to longest tip
15 of tail.

16 "'Person': Person shall mean any person, firm, partnership or
17 corporation.

18 "'Sell or sale': Selling, bartering, exchanging, offering or expos-
19 ing for sale.

20 "'Possession': Both active and constructive possession and any
21 control of things referred to.

22 "'Transport and transportation': All carrying or moving or caus-
23 ing to be carried or moved.

24 "'Take or taking or attempting to take or hunt': Any pursuing, or
25 any hunting, fishing, killing, trapping, snaring, netting, searching for
26 or shooting at, stalking or lying in wait for any game, animal, bird
27 or fish protected by the state laws or regulations adopted by the com-
28 mission whether or not such game be then subsequently captured,
29 killed or injured.

30 "'Bag limit or possession limit': The number of any kind of game,
31 fish, bird or animal or other wildlife form permitted to be taken or
32 held in a specified time.

33 "'Contraband': The term 'contraband' as used in the laws pertain-
34 ing to the work of the commission shall mean anything, the possession
35 of which was illegally procured, or the possession of which is unlawful.

36 "'Alien': Alien shall not be construed to mean any person who has
37 applied for naturalization papers.

38 "'Director': The term 'director' shall mean the regularly ap-
39 pointed director of the state conservation commission and wherever
40 such director is authorized or required to do an act, unless otherwise
41 provided, it shall be construed as authorizing performance by a regu-
42 lar assistant or duly authorized agent of such director."

1 SEC. 25. Section seventy-six (76), Chapter ninety-nine (99), Acts
2 of the 47th General Assembly is hereby amended by striking from

3 lines fourteen (14), fifteen (15) and sixteen (16) the following: "(in
4 all counties except Lucas, Wayne, Guthrie)".

1 SEC. 26. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Denison
3 Review, a newspaper published at Denison, Iowa, and in the Davis
4 County Republican, a newspaper published at Bloomfield, Iowa.

Approved May 3, 1939.

I hereby certify that the foregoing act was published in The Denison Review, May 11,
1939, and the Davis County Republican, Bloomfield, Iowa, May 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 79

IOWA LIQUOR CONTROL ACT

S. F. 472

AN ACT to amend section one thousand nine hundred twenty-one-f ninety-four (1921-f94), code, 1935, relating to enforcement of the Iowa liquor control act.

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

1 SECTION 1. Section one thousand nine hundred twenty-one-f ninety-
2 four (1921-f94), Code, 1935, is amended by striking the word "as" at
3 the end of the third line thereof, by changing to a capital "S" the small
4 "s" in the word "supplementary" in the fourth line thereof, and by
5 inserting after the word "attorney" in the fourth line thereof, the
6 words "shall be".

Approved April 24, 1939.

CHAPTER 80

BEER AND MALT LIQUORS

H. F. 503

AN ACT to amend sections nineteen hundred twenty-one-f ninety-seven (1921-f97), nineteen hundred twenty-one-f ninety-eight (1921-f98), nineteen hundred twenty-one-f ninety-nine (1921-f99), nineteen hundred twenty-one-f one hundred-two (1921-f102), nineteen hundred twenty-one-f one hundred three (1921-f103), nineteen hundred twenty-one-f one hundred four (1921-f104), nineteen hundred twenty-one-f one hundred five (1921-f105), nineteen hundred twenty-one-f one hundred eight (1921-f108), nineteen hundred twenty-one-f one hundred seventeen (1921-f117), nineteen hundred twenty-one-f one hundred nineteen (1921-f119), nineteen hundred twenty-one-f one hundred twenty (1921-f120), nineteen hundred twenty-one-f one hundred twenty-five (1921-f125), chapter ninety-three-f two (93-F2), code, 1935, relating to beer and malt liquors.

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

1 SECTION 1. Section nineteen hundred twenty-one-f ninety-seven
2 (1921-f97), Code, 1935, is hereby amended by changing the words
3 "treasurer of state" to "state tax commission" in line two (2) of
4 subsection f; and by changing the words "treasurer of state" to

5 "chairman of the state tax commission" in line two (2) of subsection b
6 thereof.

1 SEC. 2. Section nineteen hundred twenty-one-f ninety-eight (1921-
2 f98), Code, 1935, is hereby amended by striking out following the first
3 word "the" in line twenty (20) and ending with the word "thereof"
4 in line twenty-one (21) and substituting therefor the words "the
5 chairman of the state tax commision".

1 SEC. 3. Section nineteen hundred twenty-one-f ninety-nine (1921-
2 f99), Code, 1935, is hereby amended by changing the words "treasurer
3 of state" to "state tax commission" in line two (2) thereof.

1 SEC. 4. Section nineteen hundred twenty-one-f one hundred two
2 (1921-f102), Code, 1935, is hereby amended by changing the words
3 "treasurer of state" to "state tax commission" in lines two (2) and
4 four (4) of subsection three (3) thereof.

1 SEC. 5. Section nineteen hundred twenty-one-f one hundred three
2 (1921-f103), Code, 1935, is hereby amended by changing the words
3 "treasurer of state" to "state tax commission" in line two (2) of sub-
4 section three (3) thereof.

1 SEC. 6. Section nineteen hundred twenty-one-f one hundred four
2 (1921-f104), Code, 1935, is hereby amended by changing the words
3 "treasurer of state" to "state tax commission" in line two (2) of sub-
4 section three (3) thereof.

1 SEC. 7. Section nineteen hundred twenty-one-f one hundred five
2 (1921-f105), Code, 1935, is hereby amended by changing the words
3 "treasurer of state" to "state tax commission" in line two (2) thereof.

1 SEC. 8. Section nineteen hundred twenty-one-f one hundred eight
2 (1921-f108), Code, 1935, is hereby amended by changing the words
3 "treasurer of state" to "state tax commission" in lines five (5), six
4 (6), sixteen (16), seventeen (17), twenty-eight (28) and thirty (30)
5 thereof.

1 SEC. 9. Section nineteen hundred twenty-one-f one hundred seven-
2 teen (1921-f117), Code, 1935, is hereby amended by changing the
3 words "treasurer of state" to "state tax commission" in line thirty-
4 three (33) and by changing the word "treasury" to "tax commission"
5 in line thirty-two (32) thereof.

1 SEC. 10. Section nineteen hundred twenty-one-f one hundred nine-
2 teen (1921-f119), Code, 1935, is hereby amended by changing the
3 words "treasurer of state" to "state tax commission" in lines six (6),
4 thirteen (13), fifteen (15) and sixteen (16), and by changing the
5 word "him" to "its" in line seven (7) and by changing the word
6 "treasurer" to "commission" in line twenty (20) thereof.

1 SEC. 11. Section nineteen hundred twenty-one-f one hundred twenty
2 (1921-f120), Code, 1935, is hereby amended by changing the words
3 "treasurer of state" to "state tax commission" in lines five (5) and
4 six (6), thirteen (13) and fourteen (14), and by changing the word
5 "his" to "its" in line fourteen (14) thereof.

1 SEC. 12. Section nineteen hundred twenty-one-f one hundred twen-
2 ty-five (1921-f125), Code, 1935, is hereby amended by changing the

3 words "treasurer of state" to "state tax commission" in line two (2),
4 subsection b thereof.

1 SEC. 13. Wherever the words "treasurer", "state treasurer", or
2 "treasurer of state" appear in chapter ninety-three-F two (93-F2),
3 Code, 1935, and have not been specifically referred to in this act, the
4 words "state treasurer" and "treasurer of state" are hereby changed
5 to read "tax commission" and the word "treasurer" is hereby changed
6 to read "commission" and the code editor is hereby authorized to make
7 said changes.

Approved April 12, 1939.

CHAPTER 81

INTOXICATION

S. F. 468

AN ACT to amend section one thousand nine hundred thirty-one (1931), code, 1935, relating to the penalty for a person found in a state of intoxication.

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

1 SECTION 1. Section one thousand nine hundred thirty-one (1931),
2 Code, 1935, is amended by striking from the thirteenth line thereof
3 the word "imprisonment" and inserting in lieu thereof the word "im-
4 prisoned".

Approved April 24, 1939.

CHAPTER 82

VENEREAL DISEASES

H. F. 57

AN ACT to amend chapter one hundred nine (109), code, 1935, relating to venereal diseases, requiring licensed physicians or other authorized persons attending pregnant women to take a blood sample of each woman so attended within fourteen days of first examination, and, in certain instances, of the husband and father, other children by the same mother, or person responsible for pregnancy, submitting such sample for standard serological tests for syphilis to the state bacteriological laboratory of the State University of Iowa at Iowa City or such other laboratories cooperating with and approved by the state department of health; and further amending said chapter by exempting certain persons from the operation of said law.

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

1 SECTION 1. Chapter one hundred nine (109), Code, 1935, is hereby
2 amended by adding immediately after section twenty-two hundred
3 eighty-one (2281), the following sections:

4 (1) Each physician attending a pregnant woman in this state dur-
5 ing gestation shall, in the case of each woman so attended, take or
6 cause to be taken a sample of blood of such woman within fourteen
7 days of the first examination, and submit such sample for standard

8 serological tests for syphilis to the state bacteriological laboratory of
9 the state university of Iowa at Iowa City or such other laboratories co-
10 operating with and approved by the state department of health. Every
11 other person permitted by law to attend upon pregnant women in the
12 state but not permitted by law to take blood tests, shall cause a sample
13 of the blood of such pregnant woman to be taken by a duly licensed phy-
14 sician and submitted for standard serological tests for syphilis to the
15 state bacteriological laboratory of the state university of Iowa at Iowa
16 City or such other laboratories cooperating with and approved by the
17 state department of health. Such laboratory tests as are required by
18 this act shall be made on request without charge by the state depart-
19 ment of health. If such person reacts positively to such test, then the
20 husband and father, other children by the same mother, or person
21 responsible for pregnancy shall be subjected to same blood test as
22 herein provided. The result of all laboratory tests shall be reported
23 on standard forms prescribed by the commissioner of public health.

24 (2) In reporting every birth and stillbirth, physicians and others
25 permitted to attend pregnancy cases and required to report births
26 and stillbirths shall state on the birth certificate or stillbirth certi-
27 ficate, as the case may be, whether a blood test for syphilis has been
28 made during such pregnancy upon a specimen of blood taken from
29 the woman who bore the child for which a birth or stillbirth certificate
30 is filed, and if made, the date when such test was made, and if not
31 made, the reason why such test was not made. In no event shall the
32 birth certificate state the result of the test.

1 SEC. 2. Amend chapter one hundred nine (109), Code, 1935, by add-
2 ing to said chapter as section twenty-three hundred fifteen-i one
3 (2315-i1), the following:

4 2315-i1. No provision of chapter one hundred nine (109), Code,
5 1935, as it now is or as the same may be amended, shall be construed
6 to require or compel any person who is a member of a well-recognized
7 church or religious denomination, and whose religious convictions in
8 accordance with the tenets or principles of his or her church or reli-
9 gious denomination are opposed to medical treatment for disease, to
10 take or follow a course of medical treatment prescribed by law, or a
11 physician.

1 SEC. 3. In event that any phrase, clause, or section of this act be
2 found to be unconstitutional for any reason such unconstitutionality
3 shall not have the effect of invalidating those other portions of this
4 act which may be found to be constitutional but those other portions
5 which are found to be constitutional shall continue to remain and be
6 in full force and effect.

Approved May 17, 1939.

CHAPTER 83

VENEREAL DISEASES

H. F. 58

AN ACT to amend sections twenty-two hundred eighty-five (2285), twenty-three hundred five (2305), and twenty-two hundred eighty-seven (2287), code, 1935 relating to reports by the State Department of Health to local boards of health of those persons infected with venereal diseases who have failed to report for treatment; and to amend chapter one hundred nine (109), code, 1935, by exempting certain persons from the operation of said law; and to provide penalties for violation of the provisions of this act.

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

1 SECTION 1. Section twenty-two hundred eighty-five (2285), Code
2 1935, is hereby amended by adding thereto the following:

3 "It shall be the duty of the state department of health when such
4 reports are received to report the name of the infected person to the
5 local board of health of the jurisdiction wherein he resides."

1 SEC. 2. Section twenty-three hundred five (2305), Code, 1935, is
2 hereby amended by adding thereto the following: ", except as other-
3 wise herein provided, and the alleged infected person shall have access
4 to such records pertaining to himself without an order of court."

1 SEC. 3. Section twenty-two hundred eighty-seven (2287), Code,
2 1935, is hereby amended by striking from lines one (1) and two (2)
3 the following words: "When it shall appear to the local board", and
4 inserting in lieu thereof the following:

5 "When a local board of health has been officially notified by the
6 state department of health, as provided in section twenty-two hun-
7 dred eighty-five (2285) of the Code,".

1 SEC. 4. Any person who knowingly violates any of the provisions
2 of this act shall be punished by a fine of not to exceed one hundred
3 dollars (\$100), or by imprisonment in the county jail not to exceed
4 thirty (30) days.

1 SEC. 5. Amend chapter one hundred nine (109), Code, 1935, by
2 adding to such chapter as section 2315-11 the following:

3 No provision of chapter one hundred nine (109), Code, 1935, as it
4 now is or as the same may be amended, shall be construed to require
5 or compel any person who is a member of a well-recognized church or
6 religious denomination, and whose religious convictions in accordance
7 with the tenets or principles of his or her church or religious denomi-
8 nation are opposed to medical treatment for disease, to take or follow
9 a course of medical treatment prescribed by law, or a physician, pro-
10 viding such person shall submit to and comply with all rules and regu-
11 lations regarding quarantine, detention and confinement that may be
12 prescribed by the local board of health.

1 SEC. 6. In event that any phrase, clause, or section of this act be
2 found to be unconstitutional for any reason such unconstitutionality
3 shall not have the effect of invalidating those other portions of this
4 act which may be found to be constitutional but those other portions
5 which are found to be constitutional shall continue to remain and be
6 in full force and effect.

Approved May 10, 1939.

CHAPTER 84
SOCIAL WELFARE
S. F. 475

AN ACT to amend section six (6), chapter one hundred fifty-one (151), acts of the Forty-seventh General Assembly, relating to powers and duties of the State Board of Social Welfare; and to amend chapter one hundred eighteen (118), acts of the Forty-seventh General Assembly, relating to child welfare, section twelve (12) of chapter one hundred forty-four (144), acts of the Forty-seventh General Assembly, relating to aid to the blind, section one (1) of chapter one hundred eighty-six (186), acts of the Forty-seventh General Assembly, relating to suspension of taxes of persons receiving old-age assistance, and section eight (8) of chapter one hundred thirty-seven (137), acts of the Forty-seventh General Assembly, relating to old-age assistance.

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

1 SECTION 1. Section six (6), chapter one hundred fifty-one (151),
2 Acts of the Forty-seventh General Assembly, is amended by striking
3 therefrom lines one (1) to twelve (12), inclusive, and inserting in lieu
4 thereof the following:

5 "Powers and Duties of the State Board. The State Board shall be
6 vested with the authority to administer Old Age Assistance, Aid to
7 the Blind, Aid to Dependent Children, Child Welfare, and Emergency
8 Relief, and any other form of public welfare assistance that may here-
9 after be placed under its administration. It shall perform such duties,
10 formulate and make such rules and regulations as may be necessary;
11 shall outline such policies, dictate such procedure and delegate such
12 powers as may be necessary for competent and efficient administra-
13 tion. It shall have power to abolish, alter, consolidate or establish
14 divisions and may abolish or change offices created in connection there-
15 with. It may employ necessary personnel and fix their compensation.
16 It may allocate or reallocate functions and duties among any divisions
17 now existing or hereafter established by the State Board. It may
18 promulgate rules and regulations relating to the employment of inves-
19 tigators and the allocation of their functions and duties among the
20 various divisions as competent and efficient administration may re-
21 quire.

1 SEC. 2. Section two (2) of chapter one hundred eighteen (118),
2 Acts 47th General Assembly, is hereby amended by striking all of
3 lines five (5) to thirteen (13), inclusive.

1 SEC. 3. Section three (3) of chapter one hundred eighteen (118),
2 Acts 47th General Assembly, is hereby repealed.

1 SEC. 4. Section four (4) of chapter one hundred eighteen (118),
2 Acts 47th General Assembly, is hereby amended by striking lines
3 three (3) to five (5), inclusive, and inserting in lieu thereof the fol-
4 lowing:

5 "(1) Administer and enforce the provisions of this chapter."

1 SEC. 5. Section five (5) of chapter one hundred eighteen (118),
2 Acts 47th General Assembly, is hereby amended by striking all of
3 lines one (1) and two (2) and inserting in lieu thereof the word "The";
4 Further amend said section by striking from line fourteen (14) the
5 word "division" and inserting in lieu thereof the word "state board";

6 Further amend said section by striking all of lines forty-four (44)
7 and forty-five (45).

1 SEC. 6. Section six (6) of chapter one hundred eighteen (118),
2 Acts 47th General Assembly, is hereby amended by striking from
3 lines two (2) and three (3) the words, "subdivision of child welfare
4 and with"; by striking from line five (5) the words, "or subdivision
5 of child welfare"; by striking from lines seven (7) and eight (8)
6 the words, "or the subdivision of child welfare"; and by striking from
7 line thirteen (13) the words, "and the subdivision of child welfare".

1 SEC. 7. Sections seven (7), eight (8), nine (9), ten (10), and
2 eleven (11) of chapter one hundred eighteen (118), Acts 47th General
3 Assembly, are hereby amended by striking therefrom the words,
4 "subdivision of child welfare" where they appear and by inserting in
5 each case the words "state board of social welfare" or the words "state
6 board" when appropriately referring to the board of social welfare.

1 SEC. 8. Section twelve (12) of chapter one hundred eighteen (118),
2 Acts 47th General Assembly, is hereby amended by striking from line
3 six (6) the words, "subdivision of child welfare" and by inserting in
4 lieu thereof the words, "state board of social welfare";
5 Also by striking from line seven (7) the words, "subdivision or".

1 SEC. 9. Section twelve (12) of chapter one hundred forty-four
2 (144), Acts 47th General Assembly, is hereby amended by striking
3 from line two (2) the words, "or the state division".

1 SEC. 10. Section one (1) of chapter one hundred eighty-six (186),
2 Acts 47th General Assembly, is hereby amended by striking from line
3 seven (7) the words, "old age assistance commission" and by insert-
4 ing in lieu thereof the words, "state board of social welfare".

1 SEC. 11. Section eight (8) of chapter one hundred thirty-seven
2 (137), Acts 47th General Assembly, is hereby amended by striking
3 from lines four (4) and five (5) the words, "following the words" and
4 by inserting in lieu thereof the words, "the following words".

Approved April 26, 1939.

CHAPTER 85

STATE BOARD OF SOCIAL WELFARE

H. F. 209

AN ACT to amend chapter one hundred ninety-five (195), acts of the Forty-seventh General Assembly, relating to the Iowa emergency relief administration, transferring its functions, funds, and property to the State Board of Social Welfare.

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

1 SECTION 1. Section two (2) of chapter one hundred ninety-five
2 (195), Acts of the Forty-seventh General Assembly, is hereby
3 amended by striking therefrom the words "Iowa emergency relief
4 administration fund" wherever they appear in said section and by

5 inserting in lieu thereof the words "emergency relief fund"; also by
 6 striking therefrom the words "Iowa emergency relief administration"
 7 wherever they appear in said section and by inserting in lieu thereof
 8 the words "state board of social welfare"; also by striking from line
 9 thirteen (13) of said section the following: "by requisition of the
 10 governor,".

1 SEC. 2. All records, property, and funds in the possession of or
 2 allocated to the Iowa emergency relief administration shall be deliv-
 3 ered or transferred immediately to the state board of social welfare.

1 SEC. 3. This act, being deemed of immediate importance, shall be
 2 in full force and effect from and after its passage and publication in
 3 the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa,
 4 and in The Muscatine Journal and News-Tribune, a newspaper pub-
 5 lished at Muscatine, Iowa.

Approved February 20, 1939.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier,
 February 23, 1939, and The Muscatine Journal and News Tribune, February 23, 1939.
 EARL G. MILLER, *Secretary of State.*

CHAPTER 86

RELIEF

S. F. 476

AN ACT to provide for the administration of funds made available to the counties for emergency relief, and relating to relief labor and the powers and duties of the board of supervisors in connection therewith.

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

1 SECTION 1. Administration of emergency relief. The State De-
 2 partment of Social Welfare, in addition to all other powers and duties
 3 given it by law, shall be charged with the supervision and administra-
 4 tion of all funds coming into the hands of the state now or hereafter
 5 provided for emergency relief.

1 SEC. 2. Powers and duties. The state board shall have the power
 2 to:

3 1. Appoint such personnel as may be necessary for the efficient
 4 discharge of the duties imposed upon it in the administration of emer-
 5 gency relief, and to make such rules and regulations as it deems neces-
 6 sary or advisable covering its activities and those of the county boards.

7 2. Join and cooperate with the Government of the United States,
 8 or any of its appropriate agencies or instrumentalities, in any proper
 9 relief activity.

10 3. Make such reports of budget estimates to the Governor and to
 11 the General Assembly as is required by law, or are necessary and
 12 proper to obtain appropriations of funds necessary for relief pur-
 13 poses and for all the purposes of this act.

14 4. Determine the need for funds in the various counties of the state
 15 basing such determination upon the amount of money needed in the
 16 various counties to provide adequate relief, and upon the counties'

17 financial inability to provide such relief from county funds. The state
18 board may administer said funds belonging to the state within the
19 various counties of the state to supplement local funds as needed.

20 5. Make such reports, obtain and furnish such information from
21 time to time as may be required by the Governor, by the General
22 Assembly, or by any other proper office or agency, state or federal,
23 and make an annual report of its activities.

1 **SEC. 3. Grants from state funds to counties.** The state depart-
2 ment shall have the authority to require as a condition of making
3 available state assistance to counties for emergency relief purposes,
4 that the county boards of supervisors shall make maximum tax levies
5 for relief and establish such budgets as are needed in respect to the
6 relief situation in the counties. The state department shall also have
7 the authority to require as a condition of grants of state aid to the
8 counties that the county board of supervisors shall make no transfers
9 from the county poor fund or charges against the county poor fund
10 for purposes other than that for which the county poor fund is estab-
11 lished by law, and it is hereby made mandatory upon the county board
12 of supervisors, that taxes levied and collected for the county poor fund
13 shall be expended only for the purposes levied.

1 **SEC. 4. Duties of the county board of social welfare.** The county
2 board, in addition to all of the powers and duties given it by law, shall
3 have the following duties:

4 1. Cooperate with the county board of supervisors in all matters
5 pertaining to administration of relief.

6 2. At the request of the county board of supervisors, prepare re-
7 quests for grants of state funds.

8 3. At the request of the county board of supervisors, administer
9 county relief funds.

10 4. In counties receiving grants of state funds upon approval of the
11 comptroller, administer both state and county relief funds.

12 5. Perform such other duties as may be prescribed by the state
13 board and the county board of supervisors.

1 **SEC. 5.** The local county board of supervisors shall ascertain all
2 necessary details concerning those seeking relief, shall determine the
3 minimum amount of relief required for each such person or family,
4 and shall ascertain which of such persons are employable.

5 The board of supervisors may require that all employables con-
6 tribute as many hours of his or her labor as that employable's require-
7 ments, as estimated by the board, will buy at the prevailing rate of
8 compensation for that class of labor in that community.

9 The board of supervisors may determine on what projects of county-
10 wide or community-wide nature such relief labor may be used. It
11 may, however, delegate to its political subdivisions such authority as
12 it deems advisable for administrative expediency.

13 To the board of supervisors is reserved all authority not expressly
14 otherwise set out previously.

1 **SEC. 6. County directors to act as executive officers.** The county
2 director shall be the executive officer of the county board in all matters
3 pertaining to relief.

Approved May 1, 1939.

CHAPTER 87

CONTROL AND ERADICATION OF BANG'S DISEASE

S. F. 255

AN ACT to provide for control and eradication of Bang's disease in cattle; to provide for an appropriation for one year for the purpose of carrying out the provisions of this act; and to provide for the levy in each county of a tax to be placed in a fund to be known as the county Bang's disease eradication fund.

WHEREAS, for the period from January 1, 1934 to November, 1938 there has been expended by the Federal Government in the State of Iowa for the eradication of Bang's disease in cattle the sum of approximately two million and ninety-three thousand dollars (\$2,093,000.00); and

WHEREAS, Congress provided for such payments even though the State of Iowa has made no payment or has not equaled the Federal indemnity payments; and

WHEREAS, Congress has provided that on and after May 1, 1939, no further payments by the Federal Government on account of reactors to the Bang's test shall exceed the amount paid or to be paid by the State; and

WHEREAS, if the State of Iowa fails to appropriate moneys for indemnity payments on account of reactors to the Bang's test on or before May 1, 1939, no further Federal funds will be available to the State of Iowa for such purposes; and

WHEREAS, that in order to combat Bang's disease among cattle in the State of Iowa in cooperation with the Bureau of Animal Industry of the United States Department of Agriculture; now, therefore,

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

1 SECTION 1. Definitions.

2 As used in this chapter:

3 "Department" means the Department of Agriculture.

4 "Condemned" applies to cattle reacting to a test applied for Bang's
5 disease.6 "Official test" for Bang's disease includes all tests made under the
7 supervision of or authorization from the department.8 "Owner" includes any person, firm, co-partnership, association or
9 corporation owning or leasing from another any livestock.10 "Registered purebred" shall include cattle with a certificate from
11 herd books where registered.

1 SEC. 2. Rules and regulations.

2 The department may make rules and regulations respecting the
3 official testing of cattle, the disposal by segregation and quarantine
4 or slaughter of condemned livestock, the disinfection of the premises,
5 the introduction into the herd of other cattle, the control and eradica-
6 tion of Bang's disease, the prevention of the spread thereof to the
7 cattle of this State, and the proper enforcement of this Act.

1 SEC. 3. Inspection and tests at request of owner.

2 Whenever the owner of cattle shall request the department to make
3 an inspection of his cattle for Bang's disease, the department may
4 designate a veterinarian to make an inspection and, if authorized by
5 the department, conduct a test by the method or methods adopted and
6 approved by the department.

1 **SEC. 4. Expense of inspection and tests.**

2 If the owner shall agree to comply with and carry out the rules
3 and regulations made by the department under Section 2 of this Act,
4 the expense of such inspection and test shall be borne by the United
5 States department of agriculture, or by the department, or both.

1 **SEC. 5. Certificate showing freedom from disease.**

2 Whenever an official test of any cattle is made by a veterinarian
3 authorized by the department, and such cattle are found to be free
4 from Bang's disease, a certificate, setting forth this fact, shall be
5 issued by the department, providing all rules and regulations under
6 the plan adopted by the department for the control and eradication of
7 Bang's disease in cattle have been complied with.

1 **SEC. 6. Failure by owner to comply with regulations.**

2 Whenever, on proof or report of examining veterinarian, the de-
3 partment is satisfied that any owner has failed to comply with any
4 rule or regulation made by the department under the provisions of
5 this Act, the owner shall be so notified in writing by the department,
6 and such owner shall immediately lose all rights or interest acquired,
7 if any, under the provisions of Section 5 of this Act.

1 **SEC. 7. Retest.**

2 The department may order a retest of any dairy or breeding cattle
3 at any time, when in their opinion, it is necessary.

1 **SEC. 8. Report on tests.**

2 A report of such tests shall be made in writing to the chief of the
3 bureau within seven (7) days immediately following the completion
4 of the tests, upon blanks furnished by the department and signed by
5 the director of the laboratory or the person making the test.

1 **SEC. 9. Marking stock to be tested.**

2 All cattle subjected to an official test under the department shall be
3 plainly and permanently marked for identification in a manner author-
4 ized by the department.

1 **SEC. 10. Marking condemned cattle.**

2 All cattle condemned as a result of a test for Bang's disease shall
3 be plainly and permanently marked for identification by any qualified
4 veterinarian making test in a manner authorized by the department.

1 **SEC. 11. Quarantine of condemned cattle.**

2 Any cattle condemned as a result of an official test, shall be immedi-
3 ately segregated from the remaining cattle and held in quarantine at
4 the owner's expense until such time as the disposal of same can be
5 made, provided that the owner may at his option retain such cattle
6 for breeding purposes in accordance with the rules and regulations
7 of the department.

1 **SEC. 12. Exposure of stock to disease.**

2 No cattle shall be brought in contact with any condemned cattle
3 held in quarantine. If any untested cattle are added to the quaran-
4 tined lot, said cattle shall become a part of the lot and held subject to
5 the same rules and regulations.

1 **SEC. 13. Slaughter or removal of condemned stock without permis-**
2 **sion.**

3 No condemned cattle shall be slaughtered, have their location
4 changed, or be moved from quarantine except by official written per-
5 mit by the department.

1 **SEC. 14. Slaughter of condemned cattle.**

2 When a written order has been issued by the department or its
3 authorized representative for the removal of condemned cattle to
4 slaughter, such cattle within thirty (30) days shall be moved and
5 slaughtered under the direct supervision of a duly authorized agent
6 or representative of the United States department of agriculture at
7 a time and place designated by the department.

1 **SEC. 15. Purchase or sale of condemned cattle.**

2 No person shall sell, offer for sale, or purchase any cattle con-
3 demned as a result of an official test, except under regulations issued
4 by the department.

1 **SEC. 16. Issuance of quarantine orders.**

2 The department may issue any quarantine orders deemed necessary
3 for the control and eradication of Bang's disease and the proper en-
4 forcement of this Act.

1 **SEC. 17. Cooperation with local or federal authorities.**

2 The department may cooperate with any township or county for
3 the control and eradication of Bang's disease within the state or with
4 the United States department of agriculture for the prevention of the
5 spread and the control of Bang's disease in cattle and its eradication
6 in the United States.

1 **SEC. 18. Appraisal.**

2 Before being tested, such cattle shall be appraised at their cash
3 value for dairy and breeding purposes by the owner and a representa-
4 tive of the state department of agriculture, or a representative of the
5 United States department of agriculture, or by the owner and both
6 of such representatives. If these parties cannot agree as to the
7 amount of the appraisal, there shall be appointed three competent and
8 disinterested persons, one by the state department of agriculture, one
9 by the owner, and the third by the first two appointed, to appraise
10 such animals, which appraisal shall be final.

1 **SEC. 19. Amount of indemnity.**

2 The department shall, until May 1, 1940, pay the owner for each
3 animal slaughtered in accordance with this Act, and after May 1,
4 1940, shall certify a claim for the owner for each animal slaughtered
5 in accordance with this Act for not more than one-third of the differ-
6 ence between the appraised value of such animal and the salvage
7 value thereof, but in no case more than eight dollars (\$8.00) for a
8 grade animal or not more than twelve dollars and fifty cents (\$12.50)
9 for a registered purebred animal, but in no case shall the department
10 pay indemnity on cattle not eligible to receive a like amount from the
11 United States department of agriculture.

12 No indemnity shall be paid:

13 (a) On animals diseased at the time of arrival in this state.

- 14 (b) On animals which the owner or claimant knew to be diseased,
15 or had notice thereof at the time they came into his possession.
16 (c) Whenever the owner or agent in possession of said animal has
17 not complied with the rules and regulations of the department.
18 (d) When the condemned animals are not destroyed within thirty
19 (30) days after date of appraisal.

1 **SEC. 20. Appropriation.**

2 There is hereby appropriated from funds of the state not otherwise
3 appropriated the sum of one hundred thousand dollars (\$100,000.00)
4 for use by the department in carrying out the provisions of this Act
5 for the period beginning May 1, 1939 and ending May 1, 1940.

6 The department shall administer said fund in accordance with the
7 rules adopted by it. Any unexpended balance remaining in said fund
8 shall revert to the general fund of the state.

1 **SEC. 21. Eradication fund.**

2 In each county in the state, the board of supervisors shall each year
3 when it makes the levy for taxes, levy a tax sufficient to provide a
4 fund to pay the indemnity and other expenses provided in this chap-
5 ter, except as provided herein, but such levy shall not exceed one-half
6 mill in any year upon the taxable value of all the property in the
7 county.

1 **SEC. 22. Collection.**

2 Such levy shall be placed upon the tax list by the county auditor
3 and collected by the county treasurer in the same manner and at the
4 same time as other taxes of the county. The money derived from
5 such levy shall be placed in a fund to be known as the "County Bang's
6 Disease Eradication Fund", and the same shall only be used for the
7 payment of claims as provided in this chapter.

1 **SEC. 23. Report by auditor.**

2 The county auditor of each county shall, not later than July fifteenth
3 of each year, certify to the secretary of agriculture a report showing
4 the amount in the Bang's Disease Eradication Fund on July first of
5 each year.

1 **SEC. 24. Levy omitted.**

2 Should it appear to the secretary of agriculture that the balance in
3 such fund is sufficient, with the county's allotment of state and federal
4 funds available, to carry on the work in such county for the ensuing
5 year, he shall so certify to the county auditor, and, when such certifi-
6 cation has been made, the board shall make no levy for such Bang's
7 Disease Eradication Fund for such year.

1 **SEC. 25. Exhaustion of county fund.**

2 Whenever the balance of such fund becomes less than twenty-five
3 hundred dollars (\$2500.00), the county auditor shall notify the de-
4 partment in writing of such fact, and no expense shall be incurred
5 on such account in excess of the cash available in such fund.

1 **SEC. 26. Certification of claims.**

2 All claims presented under authority of this Act shall be certified
3 by the department and filed with the county auditor, who shall present

4 them to the board of supervisors, and such board shall allow and pay
5 the same as other claims against the county.

1 SEC. 27. The provisions of this act shall be in full force and effect
2 only from the effective date hereof to and including December 31, 1943.

1 SEC. 28. This Act, being deemed of immediate importance, shall be
2 in full force and effect after its passage and publication in the Hamp-
3 ton Chronicle, a newspaper in Hampton, Iowa, and in the Sheffield
4 Press, a newspaper in Sheffield, Iowa.

Approved May 1, 1939.

I hereby certify that the foregoing act was published in the Hampton Chronicle, May
4, 1939, and the Sheffield Press, May 4, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 88

BANG'S DISEASE

H. F. 52

AN ACT to amend section twenty-six hundred forty-four (2644), code, 1935, relating to the definition of infectious and contagious diseases of live stock, and providing for the inclusion of Bang's disease in this classification.

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

1 SECTION 1. Section twenty-six hundred forty-four (2644), Code,
2 1935, is hereby amended by inserting after the comma (,) following
3 the word "tuberculosis" in line five (5) thereof, the following: "Bang's
4 disease,".

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication as
3 provided by law.

Approved March 23, 1939.

I hereby certify that the foregoing act was published in The Danbury Review, April
6, 1939, and the Little Rock Free Lance, March 30, 1939.

EARL G. MILLER, *Secretary of State.**

CHAPTER 89

REFRIGERATED LOCKER PLANTS

H. F. 176

AN ACT to provide for the defining and licensing of refrigerated locker plants, and to provide a lien upon the food stored therein in favor of the lessor.

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

1 SECTION 1. **Definitions.** For the purpose of this chapter:
2 "Food" shall include any article used by man for food, drink, con-

*Note: Published under authority of section 55, code 1935.

3 fectionery or condiment, or which enters into the composition of the
4 same whether simple, blended, mixed or compounded.

5 "Refrigerated locker plant" shall mean a location in which space
6 in individual lockers is rented to individuals for the storage of food
7 and which is artificially cooled for the purpose of preserving such
8 food.

9 "Sharp frozen" shall mean the freezing of food in a room in which
10 the temperature is zero or below.

11 "Department" shall mean the department of agriculture.

1 **SEC. 2. License.** Every person engaged in the business of operat-
2 ing a refrigerated locker plant and who charges a fee for the service
3 rendered shall obtain a license from the department for each estab-
4 lishment at which said business is operated and conducted. Applica-
5 tion for such license or licenses shall be made upon forms furnished
6 by the department and shall conform to the prescribed rules of the
7 department.

1 **SEC. 3. Examination of plant.** Before issuing a license to operate
2 a refrigerated locker plant, the department shall make an examination
3 of the proposed plant to determine if sanitary conditions and equip-
4 ment which, in the judgment of the department, are necessary for the
5 proper operation of such refrigerator plant, have been provided.

1 **SEC. 4. License fee.** The license fee shall be \$10.00 per annum
2 for 200 or less individual cold storage lockers with an additional \$2.00
3 per annum for every additional 100 individual food lockers or major
4 fraction thereof.

1 **SEC. 5.** Individuals or corporations licensed exclusively under the
2 provisions of Chapter 134 of the Code, 1935 shall not be required
3 to pay the license fee provided herein.

1 **SEC. 6. Storing of impure food.** No article of food shall be stored
2 in any refrigerated locker unless it is in a proper condition for storage
3 and meets all the requirements of the pure food and food sanitation
4 laws and such rules as may be established by the department for the
5 sanitary preparation of food products which are to be stored.

1 **SEC. 7. Revocation of license.** Every refrigerated locker plant
2 shall be maintained in a sanitary condition and conducted with strict
3 regard to the influence of such conditions upon the food handled
4 therein and any licensee under this chapter who fails to comply there-
5 with shall suffer a revocation of his license.

1 **SEC. 8. Goods not intended for human consumption.** Goods not
2 intended for human consumption shall not be stored in a refrigerated
3 locker except such items of animal or vegetable matter which may
4 have been inspected and approved by the United States government.

1 **SEC. 9. Food must be sharp frozen before storage.** All food must
2 be sharp frozen before it shall be placed in a refrigerated locker, and
3 shall be kept at a temperature of 12° to 15° Fahrenheit during the
4 period it is kept therein.

1 **SEC. 10. Operators or owners not warehousemen.** Persons who
2 own or operate refrigerated locker plants shall not be construed to be

3 warehousemen, nor shall receipts or other instruments issued by such
4 persons in the ordinary conduct of their business be construed to be
5 negotiable warehouse receipts.

1 SEC. 11. **Storage lien.** Every lessor owning or operating a refrig-
2 erated locker plant or plants shall have a lien upon all property of
3 every kind in its possession for all reasonable charges and rents
4 thereon and for the handling, keeping, and caring for the same.

1 SEC. 12. **Enforcement of lien.** Said lien may be enforced by a suit
2 in equity or in the same manner as a common carrier, and all provi-
3 sions of chapter four hundred fifty-four (454) of the code shall gov-
4 ern such proceedings as far as applicable, except that notice shall be
5 given to the owner or lessee in lieu of the persons specified in said
6 chapter as entitled to notice.

Approved March 20, 1939.

CHAPTER 90

DAIRY INDUSTRY ACT

S. F. 186

AN ACT relating to the dairy industry, and to conserve and promote the prosperity and welfare of the Iowa dairy industry and of the state of Iowa by promoting the increased use and consumption of dairy products, whether processed or unprocessed, by providing for a research, educational, publicity advertising and sales promotion campaign; to levy and impose an excise tax on butterfat produced in this state and shipped during the period from May 1st to May 15th, inclusive, of each year, and to provide for the collection thereof for the purpose of creating a fund with which to conduct such research, educational, advertising publicity, and sales promotion campaign; to create the Iowa Dairy Industry Commission, and to vest the administration of this act in such commission; to provide for the particular duties and authority of said commission hereunder; and to provide penalties for violation of this act.

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

1 SEC. 1. As used in this Act:

2 (a) The term "commission" shall mean the Iowa Dairy Industry
3 Commission;

4 (b) The term "person" shall mean individuals, corporations, part-
5 nerships, trusts, associations, cooperatives, and any and all other
6 business units.

7 (c) "Shipment" and "shipped" shall be deemed to have taken place
8 when milk or cream has been delivered or consigned for transporta-
9 tion to any person, dealing in, processing, distributing or manufact-
10 uring dairy products for sale at wholesale or retail, for human con-
11 sumption, industrial or medicinal uses;

12 (d) The term "handler" shall mean or indicate any person who
13 purchases milk or cream for processing, manufacturing, sale or dis-
14 tribution, whether as owner, agent or otherwise;

15 (e) The term "dealer" shall mean and include any person who han-
16 dles, ships, buys or sells dairy products, or who acts as sales or pur-
17 chasing agent, broker, or factor of dairy products;

18 (f) The term "processor" or "processing plant" shall include every
19 person and every place to whom or to which milk or cream is delivered,

20 for the purpose of canning, drying, manufacturing, preparing or
21 packaging for market, or for use in producing or manufacturing a
22 product of milk or cream.

1 SEC. 2. There is hereby created and established a commission to
2 be known as the "Iowa Dairy Industry Commission" which shall be
3 composed of the Secretary of Agriculture of Iowa, the head of, or a
4 representative selected by him, of the Dairy Husbandry Department,
5 and the head of or a representative selected by him of the Dairy In-
6 dustry Department of Iowa State College at Ames, Iowa, and in addi-
7 tion thereto nine (9) members appointed by the Executive Committee
8 of the Iowa State Dairy Association from a list nominated by the
9 Board of Directors of said Iowa State Dairy Association as immedi-
10 ately hereinafter provided; the Board of Directors of the Iowa State
11 Dairy Association shall nominate for the office of Commissioners two
12 (2) persons from each congressional district within the State of Iowa,
13 both of whom shall be actual milk or cream producers and from this
14 list as nominated and certified to the Executive Committee of the Iowa
15 State Dairy Association, the said Executive Committee shall appoint
16 one (1) of said nominees from each of said districts. Said appointive
17 commissioners shall serve three (3) years each, excepting that the
18 terms of the first appointed members of the Commission shall be fixed
19 by said Executive Committee so that the terms of three (3) of the
20 members shall expire in one (1) year, three (3) in two (2) years,
21 and three (3) in three (3) years. Any vacancy occurring shall be
22 filled by the said Executive Committee from nominations made by the
23 Board of Directors of the Iowa State Dairy Association in the manner
24 heretofore provided. The appointive members of the Commission
25 shall receive the sum of Five Dollars (\$5.00) per day for each day spent
26 in actual attendance on meetings of the Commission not exceeding
27 One Hundred Dollars (\$100.00) per annum, together with subsistence
28 expenses not exceeding Four Dollars (\$4.00) per diem, and mileage
29 at the rate of three and one-half cents (3½c) per mile.

1 SEC. 3. The powers and duties of the Commission shall include the
2 following:

3 (1) To elect a chairman and from time to time such other officers
4 as it may deem advisable, and from time to time to adopt, rescind,
5 modify and amend all proper and necessary rules, regulations and
6 orders for the exercise of its power and the performance of its duties,
7 which such rules, regulations and orders shall have the force and
8 effect of law when not inconsistent with existing laws;

9 (2) To administer and enforce this Act, and do and perform all
10 acts and exercise all powers reasonably necessary to effectuate the
11 purpose of this Act;

12 (3) To establish offices and incur any and all expense, and to enter
13 into any and all contracts and agreements for the proper adminis-
14 tration and enforcement of this Act;

15 (4) To investigate and prosecute violations of this Act.*

16 (5) To conduct scientific research for the purpose of developing
17 and discovering the health, food, therapeutic, dietetic, and industrial
18 uses for products of milk or its derivatives;

*Note: In accordance with enrolled bill.

19 (6) To make in the name of the Commission such advertising con-
20 tracts and other agreements as may be necessary, to promote the sale
21 and consumption of dairy products on either a state or national basis;

22 (7) To keep accurate books, records, and accounts of all of its deal-
23 ings, which books, records and accounts shall be open to inspection
24 and audit by the Board of Directors of the Iowa State Dairy Associa-
25 tion or its representatives.

1 SEC. 4. The Commission shall plan and conduct a campaign for
2 commodity advertising, publicity and sales promotion, research and
3 educational campaigns to increase the consumption of dairy products,
4 and may contract for any advertising, publicity and sales promotion,
5 research and educational service. To accomplish such purpose the
6 Commission shall have power and it shall be the duty of the Commis-
7 sion to disseminate information as follows:

8 (a) Relating to dairy products and the importance thereof in pre-
9 serving the public health, the economy thereof in the diet of the people,
10 and the importance thereof in the nutrition of children;

11 (b) Relating to the manner, method and means used and employed
12 in the production, processing and marketing of dairy products in order
13 to comply with the laws of the state and nation regulating and safe-
14 guarding such production and marketing to insure a pure and whole-
15 some product;

16 (c) Relating to the method of the producer and dealer in producing
17 and handling dairy products in order to meet the high standards im-
18 posed by the state and the Federal Government to insure a pure and
19 nutritious product;

20 (d) Relating to the harmful effect on the public health that would
21 result from a breakdown of the dairy industry;

22 (e) Relating to the reasons why producers should receive a reason-
23 able return on their labor and investment;

24 (f) Relating to the problem of furnishing the consumer at all times
25 with an abundant supply of high quality dairy products at reasonable
26 prices;

27 (g) Relating to factors of instability peculiar to the dairy industry,
28 such as unbalanced production, influence of consumer purchasing
29 power, and price relative to the cost of other items of food in the
30 normal diet of people, all to the end that an intelligent and increasing
31 consumer demand may be stimulated;

32 (h) Relating to the possibilities of increasing consumption of dairy
33 products;

34 (i) Relating to such other, further and additional information as
35 shall tend to promote increased consumption of dairy products, and
36 as may foster a better understanding and more efficient cooperation
37 between producers, and the consuming public.

1 SEC. 5.

2 (a) There is hereby levied and imposed an excise tax of one cent
3 (1¢) per pound or fraction thereof upon all butter fat produced in
4 the State of Iowa and shipped during the period beginning May 1st
5 and terminating May 15th inclusive, 1939, and annually thereafter
6 during the same period; provided, however, that the provisions of
7 this Section shall not apply to butter fat in milk and cream produced
8 outside the State of Iowa, or to butter fat in milk and cream consumed

9 upon the farm where produced. For the purposes of computing the
10 tax in markets where butter fat tests are not available, or the butter
11 fat content not definitely known, the amount of butter fat in milk and
12 cream shall be computed on the basis of four per cent (4%) in the case
13 of milk, and thirty-two per cent (32%) in the case of cream.

14 (b) All taxes levied and imposed under this Act shall be collected
15 by the first handler, processor, manufacturer, dealer, distributor or
16 shipper of dairy products, the money so collected shall be deducted
17 from the amount due the producer of the butter fat, and all money
18 so collected shall be deposited with the treasurer of the Commission
19 on or before the 15th day of June for the use by the Commission for
20 the purposes of this Act, said treasurer shall give a bond in such sum
21 as shall be required by the Commission but not less than Twenty
22 Thousand Dollars (\$20,000.00).

1 SEC. 6. The Commission shall on or before the first day of March
2 of each year make a full and complete report of its doings for the
3 previous calendar year, to the Board of Directors of the Iowa State
4 Dairy Association, which report shall show the amount of money re-
5 ceived and the expenditures thereof, and shall be printed in the annual
6 Agricultural Year Book issued by the Secretary of Agriculture of
7 the State of Iowa.

1 SEC. 7. Every first handler, processor, manufacturer, dealer, dis-
2 tributor or shipper of dairy products shall keep a complete and accu-
3 rate record of all butter fat in milk or cream bottled, handled, pro-
4 cessed, manufactured, or distributed by him during the period of May
5 1st to May 15th, inclusive, of each year. Such records shall be in such
6 form and contain such information as the Commission shall by regu-
7 lation or rule prescribe. Such records shall be preserved by such
8 handler, processor, manufacturer, dealer, distributor or shipper for
9 a period of two (2) years and shall be offered and submitted for
10 inspection at any time upon written or oral request or demand by the
11 Commission or its duly authorized agent or employee.

1 SEC. 8. Every first dealer, handler, processor, manufacturer, dis-
2 tributor and shipper shall at such times as the Commission may by
3 rule or regulation require, file with the Commission a return on forms
4 to be prescribed and furnished by the Commission, stating the quantity
5 of dairy products, handled, processed, manufactured, distributed,
6 shipped and butter fat content of all milk or cream delivered to or
7 purchased by such person from the various producers of dairy prod-
8 ucts or their agents in the State of Iowa during the period of time
9 prescribed in above sub-section (a) Section 5. Such return shall con-
10 tain such other information as the Commission may require, and shall
11 be made in triplicate, one (1) copy of which shall be for the files of
12 the person making the return, and one (1) copy available at the office
13 of such person, for the use of his patrons, and the original filed with
14 the Commission.

1 SEC. 9. All assessments levied and imposed by this Act shall be due
2 and payable before any milk or cream is shipped out of this state,
3 excepting that the person, transportation company, carrier or con-
4 veyor may make such arrangements as are necessary with the Com-

5 mission to secure the payment of said tax within the time fixed by this
6 Act.

1 SEC. 10. The State of Iowa shall not be liable for the acts of said
2 Commission or its contracts. All persons dealing with the Commis-
3 sion shall be limited to the funds collected under the provisions of this
4 Act, and no member of the Commission or any employee or agent
5 thereof shall be liable on the contracts of the Commission. All sal-
6 aries, expenses, costs, obligations, and liabilities incurred by said
7 Commission shall be payable only from funds collected under the
8 provisions of this Act.

1 SEC. 11. The Commission through its authorized agents, shall have
2 the right to inspect the premises, books, records, documents, and all
3 other instruments of any carrier, railroad, truck boat, handler, dealer
4 manufacturer, processor or distributor of dairy products charged
5 with collection of this excise tax for the purpose of enforcing this
6 Act and the collection of the excise tax provided for in Section 5
7 hereof, provided, that the commission has reasonable ground to believe
8 that all of the tax herein levied has not been collected, or if it has
9 been collected, that it has not been fully accounted for as herein pro-
10 vided.

1 SEC. 12. This Act shall be liberally construed. If any section,
2 sentence, clause or part of this Act is for any reason held to be uncon-
3 stitutional or invalid, such decision shall not affect the remaining por-
4 tions of this Act.

1 SEC. 13. Any person who shall violate or aid in the violation of
2 any of the provisions of this Act upon conviction thereof shall be
3 deemed guilty of a misdemeanor and punished accordingly.

1 SEC. 14. The provisions of this act shall be in full force and effect
2 only from the effective date of this act to the thirty-first day of Decem-
3 ber, 1940, both dates inclusive.

1 SEC. 15. This Act being deemed of immediate importance shall
2 take effect from and after its passage and publication in the Waterloo
3 Courier, a newspaper published in Waterloo, Iowa, and in the Cascade
4 Pioneer, a newspaper published in Cascade, Iowa.

Approved March 23, 1939.

I hereby certify that the foregoing act was published in the Waterloo Courier, March 31, 1939, and the Cascade Pioneer, April 10, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 91

COMMERCIAL FEEDS

S. F. 404

AN ACT to repeal sections three thousand one hundred fourteen (3114) and three thousand one hundred eighteen (3118), code, 1935, and to enact substitutes therefor, and to amend sections three thousand one hundred fifteen (3115) and three thousand one hundred seventeen (3117), code, 1935, all relating to the registration and labeling of commercial feeds; and relating to the method of collection of inspection fees, and to repeal sections three thousand one hundred twenty-two (3122), three thousand one hundred twenty-three (3123) and three thousand one hundred twenty-five (3125), code, 1935.

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

1 SECTION 1. Section three thousand one hundred fourteen (3114)
 2 Code, 1935, is hereby repealed and there is enacted a substitute there-
 3 for as follows:
 4 "All manufacturers, importers, jobbers, firms, associations, cor-
 5 porations, or persons, before selling, offering or exposing for sale or
 6 distributing in this state any brand of commercial feed, shall have
 7 printed on, or attached to each bag, package, and/or carton, in a con-
 8 spicuous place, or delivered with each bulk lot, a label which shall
 9 contain a legible statement, printed in the English language, clearly
 10 and truly setting out:
 11 (a) The net weight of the contents of the package, bag, carton
 12 or bulk lot;
 13 (b) The brand or name of the feed;
 14 (c) The name and principal address of the manufacturer or person
 15 responsible for placing the commodity on the market;
 16 (d) The minimum percentage of crude protein;
 17 (e) The minimum percentage of crude fat;
 18 (f) The maximum percentage of crude fiber;
 19 (g) The name of each ingredient used in its manufacture; pro-
 20 vided that the official names of all materials which have been so defined
 21 by the Association of American Feed Control Officials, shall be used
 22 in the declaration of the names of ingredients;
 23 (h) The minimum percentage of phosphorus (P) and of iodine
 24 (I), and the maximum percentage of calcium (Ca) and of salt (NaCl),
 25 if the same be present in mixed feeds containing more than a total
 26 of five per cent (5%) of one or more mineral ingredients, or other
 27 unmixed materials used as mineral supplements, and in mineral
 28 feeds, mixed or unmixed, which are manufactured, represented and
 29 sold for the primary purpose of supplying mineral elements in
 30 rations for animals, birds, or poultry and containing mineral ele-
 31 ments generally regarded as dietary factors essential for normal
 32 nutrition; provided that if no nutritional properties other than those
 33 of a mineral nature be claimed for a mineral feed product, the per
 34 centums of crude protein, crude fat, and crude fiber may be omitted.
 35 The methods of analysis shall be those in effect at the time by the
 36 Association of official Agricultural Chemists of North America."

1 SEC. 2. Section three thousand one hundred fifteen (3115), Code,
 2 1935, is hereby amended by striking therefrom lines nine (9) to
 3 fourteen (14) inclusive.

1 SEC. 3. Section three thousand one hundred seventeen (3117),
2 Code, 1935, is hereby amended by striking therefrom the second sen-
3 tence and inserting in lieu thereof the following:

4 "Said affidavit shall comply with the latest uniform registration
5 form approved by the Association of American Feed Control Officials.
6 Upon request a sealed container holding not less than one pound of
7 said feed shall accompany the registration fee and affidavit."

1 SEC. 4. Section three thousand one hundred eighteen (3118), Code,
2 1935, is hereby repealed and there is enacted a substitute therefor as
3 follows:

4 "For the purpose of defraying the expenses connected with the
5 sampling, inspection and analysis of commercial feeds sold or offered
6 for sale within this State and for other items incident to carrying out
7 the provisions of this Act, all corporations, firms or persons engaged
8 in the manufacture of commercial feeds sold in this State shall on
9 or before the fifteenth (15th) day of January and the fifteenth (15th)
10 day of July of each year, make statement under oath, in due form of
11 law, which shall be filed with the department and which shall set forth
12 the number of net tons of such commercial feeds sold or distributed
13 in this State during the six (6) preceding calendar months; and upon
14 such statement shall pay to the department the sum of ten cents (10¢)
15 per net ton of two thousand (2,000) pounds. Each applicant for a
16 certificate of registration shall include in such application a permit
17 granting to the department permission to verify from applicant's
18 records such applicant's statement of tonnage."

1 SEC. 5. Sections three thousand one hundred twenty-two (3122),
2 three thousand one hundred twenty-three (3123) and three thousand
3 one hundred twenty-five (3125), Code, 1935, are hereby repealed.

Approved April 22, 1939.

CHAPTER 92

SOIL CONSERVATION DISTRICTS LAW

S. F. 166

AN ACT to declare the necessity of creating governmental subdivisions of the state to be known as "soil conservation districts," to engage in conserving soil resources and preventing and controlling soil erosion; to establish the state soil conservation committee, and to define its powers and duties; to provide for the creation of soil conservation districts; to define the powers and duties of soil conservation districts, and to provide for the exercise of such powers, including the power to acquire property by purchase, gift, and otherwise; to provide for discontinuance of such soil conservation districts; to provide for financial assistance to such soil conservation districts, and making an appropriation for that purpose, and providing for the administrative costs of such districts, and providing for the reimbursement to the state by the districts of such initial and administrative costs; and for otherwise effectuating the provisions of this act, and for other purposes.

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

1 SECTION 1. **Short Title.** This Act may be known and cited as the
2 soil conservation districts law.

1 SEC. 2. It is hereby declared to be the policy of the legislature to
2 provide for the restoration and conservation of the soil and soil
3 resources of this state and for the control and prevention of soil
4 erosion and thereby to preserve natural resources, control floods,
5 prevent impairment of dams and reservoirs, assist and maintain the
6 navigability of rivers and harbors, preserve wild life, protect the tax
7 base, protect public lands and promote the health, safety and public
8 welfare of the people of this state.

1 SEC. 3. **Definitions.** Wherever used or referred to in this Act,
2 unless a different meaning clearly appears from the context:

3 (1) "District" or "soil conservation district" means a govern-
4 mental subdivision of this State and a public body corporate and pol-
5 itic, organized in accordance with the provisions of this Act, for the
6 purposes, with the powers, and subject to the restrictions hereinafter
7 set forth.

8 (2) "Supervisor" means one of the members of the governing body
9 of a district, elected or appointed in accordance with the provisions
10 of this Act.

11 (3) "Committee" or "State soil conservation committee" means
12 the agency created in Section 4 of this Act.

13 (4) "Petition" means a petition filed under the provisions of sub-
14 section A of Section 5 of this Act for the creation of a district.

15 (5) "Nominating petition" means a petition filed under the provi-
16 sions of Section 6 of this Act to nominate candidates for the office
17 of supervisor of a soil conservation district.

18 (6) "State" means the State of Iowa.

19 (7) "Agency of this State" includes the government of this State
20 and any subdivision, agency, or instrumentality, corporate or other-
21 wise, of the government of this State.

22 (8) "United States" or "agencies of the United States" includes
23 the United States of America, the Soil Conservation Service of the
24 United States Department of Agriculture, and any other agency or
25 instrumentality, corporate or otherwise, of the United States of
26 America.

27 (9) "Government" or "governmental" includes the government of
28 this State, the Government of the United States, and any subdivision,
29 agency or instrumentality, corporate or otherwise, or either of them.

30 (10) "Land owner" includes any person, firm, or corporation who
31 shall hold title to any lands lying within a district organized under
32 the provisions of this act.

33 (11) "Qualified elector" shall mean any person who is a land
34 owner as defined herein.

35 (12) "Due notice" means notice published at least twice, with an
36 interval of at least six days between the two publication dates, in a
37 newspaper or other publication of general circulation within the
38 appropriate area; or, if no such publication of general circulation be
39 available, by posting at a reasonable number of conspicuous places
40 within the appropriate area, such posting to include, where possible,
41 posting at public places where it may be customary to post notices
42 concerning county or municipal affairs generally. At any hearing
43 held pursuant to such notice, at the time and place designated in such
44 notice, adjournment may be made from time to time without the
45 necessity of renewing such notice for such adjourned dates.

1 **SEC. 4. State Soil Conservation Committee.**

2 A. There is hereby established, to serve as an agency of the State
3 and to perform the functions conferred upon it in this Act (together
4 with such other functions as may be hereafter assigned to it from
5 time to time by act of the legislature), the State Soil Conservation
6 Committee. The committee shall consist of a chairman and four
7 members. The following shall serve as members of the committee:
8 The Director of the State Agricultural Extension Service, the Secre-
9 tary of Agriculture, or a member designated by him. Three members
10 shall be appointed by the Governor and confirmed by the Senate. The
11 three appointed members shall be bona fide farmers living on farms.
12 The committee may invite the Secretary of Agriculture of the United
13 States of America to appoint one person to serve with the above
14 mentioned members, but in an advisory capacity only. The com-
15 mittee shall adopt a seal, which seal shall be judicially noticed, and
16 may perform such acts, hold such public hearings, and promulgate
17 such rules and regulations as may be necessary for the execution of its
18 functions under this Act.

19 B. The State soil conservation committee may employ an admin-
20 istrative officer and such other agents and employees, permanent and
21 temporary, as it may require, and shall determine their qualifications,
22 duties and compensation. The committee may call upon the attorney
23 general of the State for such legal services as it may require. It shall
24 have authority to delegate to its chairman, to one or more of its
25 members, or to one or more agents or employees, such powers and
26 duties as it may deem proper. Upon request of the committee, for
27 the purpose of carrying out any of its functions, the supervising
28 officer of any State agency, or of any state institution of learning
29 shall, insofar as may be possible under available appropriations, and
30 having due regard to the needs of the agency to which the request is
31 directed, assign or detail to the committee members of the staff or
32 personnel of such agency or institution of learning, and make such
33 special reports, surveys, or studies as the committee may request.

34 C. The committee shall designate its chairman, and may, from
35 time to time, change such designation. The Director of the State
36 Agricultural Extension Service shall hold office so long as he shall
37 retain the office by virtue of which he shall be serving on the com-
38 mittee. The members appointed by the Governor shall serve for a
39 period of six years, except that those first appointed shall serve for
40 terms of two, four and six years respectively, one member being ap-
41 pointed every two years thereafter. The member representing the
42 Secretary of Agriculture shall serve until there is a change in the per-
43 sonnel* of the secretary of agriculture. A majority of the committee
44 shall constitute a quorum, and the concurrence of a majority in any
45 matter within their duties shall be required for its determination.
46 The chairman and members of the committee, not otherwise in the
47 employ of the State, shall receive ten dollars (\$10.00) per diem
48 as compensation for their services in the discharge of their duties
49 as members of the committee. Such per diem shall not exceed fifty
50 (50) days per year. They shall also be entitled to expenses, includ-
51 ing traveling expenses, necessarily incurred in the discharge of their

*Note: In accordance with enrolled bill.

52 duties as members of such committee. The committee shall provide
 53 for the execution of surety bonds for all employees and officers who
 54 shall be entrusted with funds or property, shall provide for the keep-
 55 ing of a full and accurate record of all proceedings and of all resolu-
 56 tions, regulations, and orders issued or adopted, and shall provide
 57 for an annual audit of the accounts of receipts and disbursements.

58 D. In addition to the duties and powers hereinafter conferred upon
 59 the State Soil Conservation Committee, it shall have the following
 60 duties and powers:

61 (1) To offer such assistance as may be appropriate to the super-
 62 visors of soil conservation districts, organized as provided hereinafter,
 63 in the carrying out of any of their powers and programs.

64 (2) To keep the supervisors of each of the several districts organ-
 65 ized under the provisions of this Act informed of the activities and
 66 experience of all other districts organized hereunder, and to facilitate
 67 an interchange of advice and experience between such districts and
 68 cooperation between them.

69 (3) To coordinate the programs of the several soil conservation
 70 districts organized hereunder so far as this may be done by advice
 71 and consultation.

72 (4) To secure the cooperation and assistance of the United States
 73 and any of its agencies, and of agencies of this State, in the work
 74 of such districts.

75 (5) To disseminate information throughout the State concerning
 76 the activities and program of the soil conservation districts organized
 77 hereunder, and to encourage the formation of such districts in areas
 78 where their organization is desirable.

1 SEC. 5. Creation of Soil Conservation Districts.

2 A. Any twenty-five (25) owners, but in no case less than twenty per
 3 cent (20%) of the owners of land lying within the limits of the terri-
 4 tory proposed to be organized into a district may file a petition with
 5 the State soil conservation committee, asking that a soil conservation
 6 district be organized to function in the territory described in the
 7 petition. Such petition shall set forth:

8 (1) The proposed name of said district;

9 (2) That there is need, in the interest of health, safety and public
 10 welfare, for a soil conservation district to function in the territory
 11 described in the petition;

12 (3) A description of the territory proposed to be organized as a
 13 district, which description shall not be required to be given by metes
 14 and bounds or by legal subdivisions, but shall be deemed sufficient if
 15 generally accurate;

16 (4) A request that the State soil conservation committee duly
 17 define the boundaries for such district; that a referendum be held
 18 within the territory so defined on the question of the creation of a
 19 soil conservation district in such territory; and that the committee
 20 determine that such a district be created.

21 Where more than one petition is filed covering parts of the same
 22 territory, the State soil conservation committee may consolidate all
 23 or any such petitions.

24 B. Within ninety (90) days after such petition has been formally
 25 accepted by the State soil conservation committee, it shall cause due

26 notice by publication to be given of a proposed hearing upon the
27 question of the desirability and necessity in the interest of health,
28 safety and public welfare, of the creation of such district, on the
29 question of the appropriate boundaries to be assigned to each district
30 upon the propriety of the petition and other proceedings taken under
31 this chapter and upon all questions relative to such inquiries.

32 All owners of land within the limits of the territory described in
33 the petition and of lands within any territory considered for addition
34 to such described territory and all other interested parties shall have
35 the right to attend such hearings and to be heard. If it shall appear
36 on the hearing that it shall be desirable to include within the pro-
37 posed district territory outside the area within which due notice of
38 the hearing has been given, the hearing shall be adjourned and due
39 notice of further hearing shall be given through the entire area con-
40 sidered for inclusion in the district, and such further hearing held.
41 After such hearing, if the committee shall determine, upon the facts
42 presented at such hearing and upon such other relevant facts and
43 information as may be available, that there is need in the interest
44 of health, safety and public welfare, for a soil conservation district to
45 function in the territory considered at the hearing, it shall make and
46 record such determination, and shall define the boundaries of such
47 district. In making such determination and in defining such bound-
48 aries, the committee shall give due weight and consideration to the
49 topography of the area considered and of the state, the character of
50 soils therein, the distribution of erosion, the prevailing land-use
51 practices, the desirability and necessity of including within the bound-
52 aries the particular lands under consideration and the benefits which
53 such lands may receive from being included within such boundaries,
54 the relation of the proposed area to existing watersheds and agricul-
55 tural regions, and to other soil conservation districts already organ-
56 ized or proposed for organization under the provisions of this Act,
57 and such other physical, geographical and economic factors as are
58 relevant, having due regard to the legislative determinations set
59 forth in Section 2 of this Act. If the committee shall determine after
60 such hearing, after due consideration of the said relevant facts, that
61 there is no need for a soil conservation district to function in the
62 territory considered at the hearing, it shall make and record such
63 determination and shall deny the petition.

64 C. After the committee has made and recorded a determination
65 that there is need, in the interest of health, safety, and public welfare,
66 for the organization of a district in a particular territory and has
67 defined the boundaries thereof, it shall consider the question whether
68 the operation of a district within such boundaries with the powers
69 conferred upon soil conservation districts in this Act is administra-
70 tively practicable and feasible. It shall be the duty of the committee
71 to hold a referendum within the proposed district upon the question
72 of the creation of the district, said referendum to be held within a
73 reasonable time after finding that there is need for the organization
74 of a district. The question shall be submitted by ballots upon which
75 the words "For creation of a soil conservation district of the lands
76 below described and lying in the county (ies) of,,
77 and," and "Against creation of a soil conservation district
78 of the lands below described and lying in the county (ies) of,,

79 and” shall be printed, with a square before each
80 proposition, and a direction to insert an X mark in the square before
81 one or the other of said propositions as the voter may favor or oppose
82 creation of such district. The ballot shall set forth the boundaries
83 of such proposed district as determined by the committee. Only
84 owners of land lying within the boundaries of the territory as deter-
85 mined by the State soil conservation committee shall be eligible to
86 vote in such referendum.

87 D. The committee shall pay all expenses for the issuance of such
88 notices and the conduct of such hearings and referenda, and shall
89 supervise and conduct such hearings and referenda. It shall issue
90 appropriate regulations governing the conduct of such hearings and
91 referenda, and providing for the registration prior to the date of the
92 referendum of all eligible voters, or prescribing some other appro-
93 priate procedure for the determination of those eligible as voters in
94 such referendum. No informalities in the conduct of such referen-
95 dum or in any matters relating thereto shall invalidate said referen-
96 dum or the result thereof if notice thereof shall have been given
97 substantially as herein provided and said referendum shall have been
98 fairly conducted.

99 E. The committee shall publish the result of such referendum and
100 shall thereafter consider and determine whether the operation of the
101 district within the defined boundaries is administratively practicable
102 and feasible. If the committee shall determine that the operation
103 of such district is not administratively practicable and feasible, it
104 shall record such determination and shall deny the petition. If the
105 committee shall determine that the operation of such district is ad-
106 ministratively practicable and feasible, it shall record such deter-
107 mination and shall proceed with the organization of the district in
108 the manner hereinafter provided. In making such determination the
109 committee shall give due regard and weight to the attitudes of the
110 owners of lands lying within the defined boundaries, and the number
111 of land owners eligible to vote in such referendum who shall have
112 voted, the proportion of the votes cast in such referendum in favor
113 of the creation of the district to the total number of votes cast, the
114 income of the land owners of the proposed district, the probable
115 expense of carrying on erosion-control operations within such dis-
116 trict, and such other economic and social factors as may be relevant
117 to such determination, having due regard to the legislative determina-
118 tions set forth in section 2 of this Act; provided, however, that the
119 committee shall not have authority to determine that the operation
120 of the proposed district within the defined boundaries is administra-
121 tively practicable and feasible unless at least sixty-five per cent
122 (65%) of the land owners of the district vote in favor of the creation
123 of such district.

124 F. If the committee shall determine that the operation of the pro-
125 posed district within the defined boundaries is administratively prac-
126 ticable and feasible, it shall appoint two temporary supervisors to
127 serve until such time as the three (3) regular supervisors have been
128 elected to act as the governing body of the district, as provided
129 hereinafter. Such district shall be a body corporate upon the taking
130 of the following proceedings:

131 The two temporary supervisors shall present to the Secretary of

132 State an application signed by them, which shall set forth (and such
133 application need contain no detail other than the mere recitals):
134 (1) that a petition for the creation of the district was approved by
135 the State soil conservation committee pursuant to the provisions of
136 this Act, and that the State soil conservation committee has appointed
137 them as supervisors; (2) the name and official residence of each of
138 the supervisors, together with a certified copy of the appointments
139 evidencing their right to office; (3) the name which is proposed for
140 the district; and (4) the location of the proposed office of the super-
141 visors of the district. The application shall be subscribed and sworn
142 to by each of said supervisors before an officer authorized by the laws
143 of this State to take and certify oaths. The application shall be
144 accompanied by a statement by the State soil conservation committee,
145 which shall certify that a petition was filed, notice issued, and hearing
146 held as aforesaid; that the committee did duly determine that there
147 is need, in the interest of health, safety, and public welfare, for a soil
148 conservation district to function in the proposed territory and did
149 define the boundaries thereof; that notice was given and a refer-
150 endum held on the question of the creation of such district, and that
151 the results of such referendum showed sixty-five per cent of the votes
152 cast in such referendum to be in favor of the creation of the district;
153 that thereafter the committee did duly determine that the operation
154 of the proposed district is administratively practicable and feasible.
155 The said statement shall set forth the boundaries of the district as
156 they have been defined by the committee.

157 The Secretary of State shall examine the Application and state-
158 ment and, if he finds that the name proposed for the district is not
159 identical with that of any other soil conservation district of this
160 State or so nearly similar as to lead to confusion or uncertainty, he
161 shall receive and file them and shall record them in an appropriate
162 book of record in his office. If the Secretary of State shall find that
163 the name proposed for the district is identical with that of any other
164 soil conservation district of this State, or so nearly similar as to lead
165 to confusion and uncertainty, he shall certify such fact to the State
166 soil conservation committee, which shall thereupon submit to the
167 Secretary of State a new name for the said district, which shall not
168 be subject to such defects. Upon receipt of such new name, free of
169 such defects, the Secretary of State shall record the application and
170 statement, with the name so modified, in an appropriate book of
171 record in his office. When the application and statement have been
172 made, filed and recorded, as herein provided, the district shall con-
173 stitute a body corporate. The Secretary of State shall make and
174 issue to the said supervisors a certificate, under the seal of the State,
175 of the due organization of the said district, and shall record such
176 certificate with the application and statement. The boundaries of
177 such district shall include the territory as determined by the State
178 soil conservation committee as aforesaid, but in no event shall they
179 include any area included within the boundaries of another soil con-
180 servation district organized under the provisions of this Act.

181 G. After eighteen (18) months shall have expired from the date
182 of entry of a determination by the State soil conservation committee
183 that operation of a proposed district is not administratively practica-
184 ble and feasible, and denial of a petition pursuant to such determina-

185 tion, subsequent petitions may be filed as aforesaid, and action taken
186 thereon in accordance with the provisions of this Act.

187 H. Petitions for including additional territory within an existing
188 district may be filed with the State soil conservation committee,
189 and the proceedings herein provided for in the case of petitions to
190 organize a district shall be observed in the case of petitions for such
191 inclusion. The committee shall prescribe the form for such petition,
192 which shall be as nearly as may be in the form prescribed in this Act
193 for petitions to organize a district. Where the total number of land
194 owners in the area proposed for inclusion shall be less than 25, the
195 petition may be filed when signed by seventy-five per cent of the
196 owners of such area, and in such case no referendum need be held.
197 In referenda upon petitions for such inclusion, all owners of land
198 within the proposed additional area shall be eligible to vote.

199 I. In any suit, action, or proceeding involving the validity or en-
200 forcement of, or relating to, any contract, proceeding, or action of
201 the district, the district shall be deemed to have been established in
202 accordance with the provisions of this Act upon proof of the issuance
203 of the aforesaid certificate by the Secretary of State. A copy of such
204 certificate duly certified by the Secretary of State shall be admissible
205 in evidence in any such suit, action or proceeding, and shall be proof
206 of the filing and contents thereof.

1 **SEC. 6. Election of Three Supervisors for Each District.** Within
2 thirty (30) days after the date of issuance by the Secretary of State
3 of a certificate of organization of a soil conservation district, nomi-
4 nating petitions may be filed with the State soil conservation com-
5 mittee to nominate candidates for supervisors, who shall be residents
6 of such district. The two supervisors appointed by the State soil
7 conservation committee shall be eligible for such nomination. The
8 committee shall have authority to extend the time within which
9 nominating petitions may be filed. No such nominating petition
10 shall be accepted by the committee unless it shall be subscribed by
11 twenty-five (25) or more qualified electors of such district. Such
12 qualified electors may sign more than one such nominating petition
13 to nominate more than one candidate for supervisors. The committee
14 shall give due notice of an election to be held for the election of three
15 supervisors for the district. The names of all nominees on behalf
16 of whom such nominating petitions have been filed within the time
17 herein designated, shall be printed, arranged in the alphabetical
18 order of the surnames, upon ballots, with a square before each name
19 and a direction to insert an X mark in the square before any three
20 names to indicate the voter's preference. All qualified electors of the
21 district shall be eligible to vote in such election. The three candidates
22 who shall receive the largest number, respectively, of the votes cast
23 in such election, shall be the elected supervisors for such district.
24 The committee shall pay all the expenses of such election, shall super-
25 vise the conduct thereof, shall prescribe regulations governing the
26 conduct of such election and the determination of the eligibility of
27 voters therein, and shall publish the results thereof.

1 **SEC. 7. Appointment, Qualifications and Tenure of Supervisors.**
2 The governing body of the district shall consist of three (3) super-
3 visors who shall be residents of the district.

4 The supervisors shall designate a chairman and may, from time
5 to time, change such designation. The term of office of each super-
6 visor shall be six years, except that the supervisors first elected shall
7 serve for terms of two (2), four (4) and six (6) years respectively.
8 A supervisor shall hold office until his successor has been elected and
9 qualified. Vacancies shall be filled for the unexpired term. The
10 selection of successors to fill an unexpired term or for a full term
11 shall be made in the same manner in which the retiring supervisors
12 shall respectively have been selected; or, at the discretion of the State
13 soil conservation committee, it may appoint a successor to fill the
14 unexpired term of a supervisor. A supervisor shall receive compen-
15 sation for his services at the rate of Five Dollars (\$5.00) per
16 day and expenses necessarily incurred in the discharge of his duties,
17 but not to exceed fifty (50) days to any one supervisor.

18 The supervisors may call upon the attorney general of the State
19 for such legal services as they may require. The supervisors may
20 delegate to their chairman, to one or more supervisors or to one or
21 more agents, or employees, such powers and duties as they may deem
22 proper. The supervisors shall furnish to the State soil conservation
23 committee, upon request, copies of such ordinances, rules, regula-
24 tions, orders, contracts, forms, and other documents as they shall
25 adopt or employ, and such other information concerning their activi-
26 ties as it may require in the performance of its duties under this Act.

27 The supervisors shall provide for the execution of surety bonds for
28 all employees and officers who shall be entrusted with funds or prop-
29 erty; shall provide for the keeping of a full and accurate record of
30 all proceedings and of all resolutions, regulations, and orders issued
31 or adopted; and shall provide for a biennial audit of the accounts of
32 receipts and disbursements.

33 The supervisors may invite the legislative body of any municipality
34 or county located near the territory comprised within the district to
35 designate a representative to advise and consult with the supervisors
36 of the district on all questions of program and policy which may
37 affect the property, water supply, or other interests of such munic-
38 ipality or county.

1 **SEC. 8. Powers of Districts and Supervisors.** A soil conservation
2 district organized under the provisions of this Act shall have the
3 following powers, in addition to others granted in other sections
4 of this Act:

5 (1) To conduct surveys, investigations, and research relating to
6 the character of soil erosion and the preventive and control measures
7 needed, to publish the results of such surveys, investigations or re-
8 search, and to disseminate information concerning such preventive
9 and control measures; provided, however, that in order to avoid
10 duplication of research activities, no district shall initiate any re-
11 search program except in cooperation with the Iowa Agricultural
12 Experiment Station located at Ames, Iowa, and pursuant to a co-
13 operative agreement entered into between the Iowa Agricultural
14 Experiment Station and such district;

15 (2) To conduct demonstrational projects within the district on
16 lands owned or controlled by this State or any of its agencies, with
17 the consent and cooperation of the agency administering and having

18 jurisdiction thereof, and on any other lands within the district upon
19 obtaining the consent of the owner of such lands or the necessary
20 rights or interests in such lands, in order to demonstrate by example
21 the means, methods, and measures by which soil and soil resources
22 may be conserved, and soil erosion in the form of soil blowing and
23 soil washing may be prevented and controlled; provided, however,
24 that in order to avoid duplication of agricultural extension activities,
25 no district shall initiate any demonstration projects, except in co-
26 operation with the Iowa Agricultural Extension Service whose offices
27 are located at Ames, Iowa, and pursuant to a cooperative agreement
28 entered into between the Iowa Agricultural Extension Service and
29 such district;

30 (3) To carry out preventive and central measures within the dis-
31 trict, including, but not limited to, crop rotations, engineering opera-
32 tions, methods of cultivation, the growing of vegetation, changes in
33 use of land, and the measures listed in subsection C of section 2 of
34 this Act, on lands owned or controlled by this State or any of its
35 agencies, with the consent and cooperation of the agency administer-
36 ing and having jurisdiction thereof, and on any other lands within
37 the district, upon obtaining the consent of the owner of such lands
38 or the necessary rights or interests in such lands;

39 (4) To cooperate, or enter into agreements with, and within the
40 limits of appropriations duly made available to it by law, to furnish
41 financial or other aid to any agency, governmental or otherwise, or
42 any owner of lands within the district, in the carrying on of erosion-
43 control and prevention operations within the district, subject to such
44 conditions as the supervisors may deem necessary to advance the
45 purposes of this Act;

46 (5) To obtain options upon and to acquire, by purchase, exchange,
47 lease, gift, grant, bequest, devise or otherwise, any property, real
48 or personal, or rights or interests therein; to maintain, administer,
49 and improve any properties acquired, to receive income from such
50 properties and to expend such income in carrying out the purposes
51 and provisions of this Act; and to sell, lease or otherwise dispose
52 of any of its property or interests therein in furtherance of the pur-
53 poses and provisions of this Act;

54 (6) To make available on such terms as it shall prescribe, to land
55 owners within the district, agricultural and engineering machinery
56 and equipment, fertilizer, lime, and such other material or equipment
57 as will assist such land owners to carry on operations upon their
58 lands for the conservation of soil resources and for the prevention
59 and control of soil erosion;

60 (7) To construct, improve, and maintain such structures as may
61 be necessary or convenient for the performance of any of the opera-
62 tions authorized in this Act;

63 (8) To develop comprehensive plans for the conservation of soil
64 resources and for the control and prevention of soil erosion within
65 the district, which plans shall specify in such detail as may be pos-
66 sible, the acts, procedures, performances, and avoidances which are
67 necessary or desirable for the effectuation of such plans, including
68 the specification of engineering operations, methods of cultivation,
69 the growing of vegetation, cropping programs, tillage practices, and
70 the changes in use of land; and to publish such plans and information

71 and bring them to the attention of owners of lands within the district;
 72 (9) To sue and be sued in the name of the district; to have a seal,
 73 which seal shall be judicially noticed; to have perpetual succession
 74 unless terminated as hereinafter provided; to make and execute con-
 75 tracts and other instruments, necessary or convenient to the exercise
 76 of its powers; to make, and from time to time amend and repeal, rules
 77 and regulations not inconsistent with this Act, to carry into effect
 78 its purposes and powers;

79 (10) To accept donations, gifts, and contributions in money, serv-
 80 ices, materials, or otherwise, from the United States or any of its
 81 agencies, or from this state or any of its agencies, and to use or ex-
 82 pend such moneys, services, materials, or other contributions in
 83 carrying on its operations;

84 (11) As a condition to the extending of any benefits under this Act
 85 to, or the performance of work upon, any lands not owned or con-
 86 trolled by this State or any of its agencies, the supervisors may re-
 87 quire contributions in money, services, materials, or otherwise to
 88 any operations conferring such benefits, and may require land owners
 89 to enter into and perform such agreements or covenants as to the
 90 permanent use of such lands as will tend to prevent or control
 91 erosion thereon;

92 (12) No provisions with respect to the acquisition, operation, or
 93 disposition of property by other public bodies shall be applicable
 94 to a district organized hereunder unless the legislature shall specific-
 95 ally so state.

96 (13) After the formation of any district under the provisions of
 97 this act, all participation hereunder shall be purely voluntary, any
 98 provision herein contained on the contrary notwithstanding.

1 **SEC. 9. Cooperation Between Districts.**

2 The supervisors of any two or more districts organized under the
 3 provisions of this Act may cooperate with one another in the exer-
 4 cise of any or all powers conferred in this Act.

1 **SEC. 10. State Agencies to Cooperate.**

2 Agencies of this State which shall have jurisdiction over, or be
 3 charged with the administration of, any State-owned lands, and of
 4 any county, or other governmental subdivision of the State, which
 5 shall have jurisdiction over, or be charged with the administration
 6 of, any county-owned or other publicly-owned lands, lying within
 7 the boundaries of any district organized hereunder, may cooperate
 8 to the fullest extent with the supervisors of such districts in the
 9 effectuation of programs and operations undertaken by the super-
 10 visors under the provisions of this Act.

1 **SEC. 11. Discontinuance of Districts.**

2 At any time after five (5) years after the organization of a dis-
 3 trict under the provisions of this Act, any twenty-five (25) owners of
 4 land lying within the boundaries of such district may file a petition
 5 with the State soil conservation committee praying that the opera-
 6 tions of the district be terminated and the existence of the district dis-
 7 continued. The committee may conduct such public meetings and
 8 public hearings upon such petition as may be necessary to assist in
 9 the consideration thereof. Within sixty (60) days after such a peti-

10 tion has been received by the committee, it shall give due notice of
11 the holding of a referendum, and shall supervise such referendum,
12 and issue appropriate regulations governing the conduct thereof,
13 the question to be submitted by ballots upon which the words "For
14 terminating the existence of the (name of the soil con-
15 servation district to be here inserted)" and "Against terminating
16 the existence of the (name of the soil conservation
17 district to be here inserted)" shall be printed, with a square before
18 each proposition and a direction to insert an X mark in the square
19 before one or the other of said propositions as the voter may favor
20 or oppose discontinuance of such district. All owners of lands lying
21 within the boundaries of the district shall be eligible to vote in such
22 referendum. Only such land owners shall be eligible to vote. No
23 informalities in the conduct of such referendum or in any matters
24 relating thereto shall invalidate said referendum or the result thereof
25 if notice thereof shall have been given substantially as herein pro-
26 vided and said referendum shall have been fairly conducted.

27 When sixty-five per cent (65%) of the land owners vote to termi-
28 nate the existence of such district, the State soil conservation com-
29 mittee shall advise the supervisors to terminate the affairs of the
30 district. The supervisors shall dispose of all property belonging to
31 the district at public auction and shall pay over the proceeds of such
32 sale to be covered into the State treasury. The supervisors shall
33 thereupon file an application, duly verified, with the Secretary of
34 State for the discontinuance of such district, and shall transmit with
35 such application the certificate of the State soil conservation com-
36 mittee setting forth the determination of the committee that the
37 continued operation of such district is not administratively practica-
38 ble and feasible. The application shall recite that the property of
39 the district has been disposed of and the proceeds paid over as in
40 this section provided, and shall set forth a full accounting of such
41 properties and proceeds of the sale. The Secretary of State shall
42 issue to the supervisors a certificate of dissolution and shall record
43 such certificate in an appropriate book of record in his office.

44 Upon issuance of a certificate of dissolution under the provisions
45 of this section, all ordinances and regulations theretofore adopted
46 and in force within such districts shall be of no further force and
47 effect. All contracts theretofore entered into, to which the district
48 or supervisors are parties, shall remain in force and effect for the
49 period provided in such contracts. The State soil conservation com-
50 mittee shall be substituted for the district or supervisors as party
51 to such contracts. The committee shall be entitled to all benefits
52 and subject to all liabilities under such contracts and shall have the
53 same right and liability to perform, to require performance, and
54 sue and be sued thereon, and to modify or terminate such contracts
55 by mutual consent or otherwise, as the supervisors of the district
56 would have had. Such dissolution shall not affect the lien of any
57 judgment entered under the provisions of section 11 of this Act, nor
58 the pendency of any action instituted under the provisions of such
59 section, and the committee shall succeed to all the rights and obliga-
60 tions of the district or supervisors as to such liens and actions.

61 The State soil conservation committee shall not entertain petitions
62 for the discontinuance of any district nor conduct referenda upon

63 such petitions nor make determinations pursuant to such petitions
 64 in accordance with the provisions of this Act, more often than once
 65 in five (5) years.

1 **SEC. 12. Appropriations.**

2 A. There is hereby appropriated to the State soil conservation com-
 3 mittee the sum of Five Thousand Dollars (\$5,000.00), two thousand
 4 five hundred dollars (\$2,500.00) in each year of the next biennium
 5 beginning July 1, 1939, or so much thereof as may be necessary for
 6 the purpose of administering the provisions of this Act, provided that
 7 the administrative costs of each soil conservation district hereunder
 8 shall be borne by said district and in addition thereto the adminis-
 9 trative costs of the state soil conservation committee, including the
 10 reimbursement to the state for the initial costs thereof, shall be borne
 11 proportionately by all of the districts established under this act, the
 12 proportionate share of each thereof to be based upon the assessed
 13 value of the real estate in said districts.

14 B. The committee shall submit to the Governor, no later than Janu-
 15 ary 1st, 1941, a report which shall state the following: The num-
 16 ber and acreage of districts in existence or in process of organization,
 17 together with an estimate of the number and probable acreage of
 18 the districts which may be organized during the ensuing biennial
 19 fiscal period; a statement of the balances of funds, if any, available to
 20 the committee as to the sums needed for its administrative and other
 21 expenses, and for allocation among the several districts during the
 22 ensuing biennial fiscal period.

1 **SEC. 13. Separability Clause.**

2 If any provision of this Act, or the application of any provision
 3 to any person or circumstance, is held invalid, the remainder of the
 4 Act, and the application of such provision to other persons or circum-
 5 stances, shall not be affected thereby.

1 **SEC. 14. Inconsistency With Other Acts.**

2 Insofar as any of the provisions of this Act are inconsistent with
 3 the provisions of any other law, the provisions of this Act shall be
 4 controlling.

Approved May 25, 1939.

CHAPTER 93

BOARD OF CONTROL INSTITUTIONS

S. F. 400

AN ACT to amend chapter one hundred seventy (170), and sections thirty-two hundred eighty-seven (3287), thirty-two hundred ninety-two (3292), thirty-two hundred ninety-three (3293), as amended by chapter one hundred sixteen (116), acts of the Forty-seventh General Assembly, thirty-three hundred (3300), thirty-three hundred thirty (3330), thirty-three hundred thirty-one (3331), thirty-three hundred thirty-two (3332), thirty-three hundred fifty-two (3352), thirty-three hundred fifty-six (3356), thirty-three hundred ninety-five (3395), thirty-three hundred ninety-six (3396), thirty-four hundred two (3402), thirty-four hundred six (3406), thirty-four hundred sixty-seven (3467), thirty-four hundred seventy-five (3475), thirty-four hundred seventy-six (3476), thirty-four hundred seventy-seven (3477), thirty-four

hundred ninety-nine (3499), and thirty-five hundred four (3504), code, 1935, all relating to the powers and duties of the superintendent of each of the institutions operated under the board of control; providing for the appointment of a business manager for such institutions, and prescribing his powers and duties; and to provide for the changing of the name of the institution for the feeble-minded at Glenwood to the Glenwood state school.

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

1 SECTION 1. Section thirty-two hundred ninety-two (3292), Code,
2 1935, is hereby amended by striking the period (.) at the end of the
3 first sentence of said section and inserting in lieu thereof a comma (,)
4 and the following words "except as provided in this act."

1 SEC. 2. Section thirty-two hundred ninety-three (3293), Code,
2 1935, as amended by Chapter one hundred sixteen, (116), acts of the
3 Forty-seventh General Assembly, is hereby amended by striking the
4 word "Such" from line three (3) thereof and inserting in lieu thereof
5 the following: "Subject to the provisions of this act, such"; and by
6 inserting before the period following the words "executive officer"
7 in line five (5) thereof the words "or business manager".

1 SEC. 3. Section thirty-three hundred (3300), Code, 1935, is
2 amended by inserting after the word "officer" in line three (3) thereof
3 the following: "or the business manager in charge of said officer or
4 employee, as the case may be,".

1 SEC. 4. Section thirty-three hundred thirty (3330), Code, 1935,
2 is hereby amended by inserting after the word "institution" and be-
3 fore the word "shall" in line two (2) of said section the following:
4 " , or business manager of institutions having the same,".

1 SEC. 5. Section thirty-three hundred thirty-one (3331), Code, 1935,
2 is hereby amended by inserting after the word "head" in line one (1)
3 and before the word "of" in line two (2) of said section the words
4 "or business manager".

1 SEC. 6. Section thirty-three hundred thirty-two (3332), Code,
2 1935, is hereby amended by inserting in line two (2) after the word
3 "head" and before the word "of" the following: " , which shall include
4 the business manager as provided in this act,".

1 SEC. 7. Section thirty-three hundred fifty-two (3352), Code, 1935,
2 is hereby amended by inserting after the word "officer" and before
3 the word "of" in line two (2) of said section the following: "or busi-
4 ness manager".

1 SEC. 8. Section thirty-three hundred fifty-six (3356), Code, 1935,
2 is hereby amended by inserting after the word "institution" and be-
3 fore the word "and" in line ten (10) thereof the words "or business
4 manager, as the case may be,".

1 SEC. 9. Sections thirty-three hundred ninety-five (3395), thirty-
2 three hundred ninety-six (3396), thirty-four hundred six (3406),
3 thirty-four hundred ninety-nine (3499), and thirty-five hundred four
4 (3504), Code, 1935, are hereby amended by striking from each of said
5 sections the word "superintendent" wherever it appears in said sec-
6 tions and inserting in lieu thereof in each of said sections the words
7 "business manager".

1 SEC. 10. Section thirty-four hundred sixty-seven, (3467), Code,
2 1935, is hereby amended by striking therefrom all of subsections four
3 (4) and five (5).

1 SEC. 11. Section thirty-two hundred eighty-seven (3287), Code,
2 1935, is hereby amended by striking therefrom line seven (7) and
3 inserting in lieu thereof the following: "2. Glenwood State School."

1 SEC. 12. Chapter one hundred seventy (170), Code, 1935, is hereby
2 amended by striking the title of said chapter and inserting in lieu
3 thereof the following: "GLENWOOD STATE SCHOOL"; and by
4 amending section thirty-four hundred two (3402) of said chapter by
5 striking the words "institution for the feeble-minded at Glenwood"
6 in lines one (1) and two (2) of said section and inserting in lieu
7 thereof the following: "Glenwood state school".

1 SEC. 13. Section thirty-four hundred seventy-five (3475), Code,
2 1935, is hereby amended by striking the words "institution for feeble-
3 minded at Glenwood" in lines five (5) and six (6) of said section
4 and inserting in lieu thereof the following: "Glenwood state school".

1 SEC. 14. Section thirty-four hundred seventy-six (3476), Code,
2 1935, is hereby amended by striking the words "institution for the
3 feeble-minded at Glenwood" from lines three (3) and four (4) of said
4 section and inserting in lieu thereof the following: "Glenwood state
5 school".

1 SEC. 15. Section thirty-four hundred seventy-seven (3477), Code,
2 1935, is hereby amended by striking the words "Feeble-minded in-
3 mates in the institution at Glenwood" in lines one (1) and two (2)
4 of said section and inserting in lieu thereof the following: "Inmates
5 of the Glenwood state school".

1 SEC. 16. The governor may appoint a business manager for each
2 of the institutions operating under the board of control and such ap-
3 pointed person shall hold no other office and shall act in no other
4 capacity at the institution to which he has been appointed, nor shall
5 he be eligible to any other lucrative office, elective or appointive, in
6 the state during his term of service but he shall devote his time entirely
7 to his duties as business manager of the institution to which he is
8 appointed. He shall receive such salary and compensation as shall
9 be designated by the board of control, which salary and compensation
10 shall not exceed the sum of eighteen hundred dollars (\$1800) in cash
11 and six hundred dollars (\$600) in value of support and maintenance
12 furnished, and shall hold such office for a term of four years or until
13 removed therefrom by the executive council for malfeasance or non-
14 feasance in office, or for any cause that renders him ineligible to
15 appointment, or incapable or unfit to discharge the duties of his office,
16 but such removal shall be made only after an opportunity is given
17 such person to be heard before the executive council, upon preferred
18 written charges. Such removal, when made, shall be final.

1 SEC. 17. The business manager shall be responsible to the board
2 of control and shall file such accounting and other statistical reports
3 and statements with the auditor of state, as the auditor may designate

4 by written request to the secretary of the board of control, at such
5 times and periods as the auditor might require.

1 SEC. 18. Subject to the orders and direction of the board of con-
2 trol and to the written requests of the auditor of state to the secretary
3 of the board of control, such business manager shall have the following
4 powers, duties and responsibilities:

5 1. He shall be the general business manager of the institution to
6 which he has been appointed and shall have complete charge and
7 supervision over all business matters and financial affairs relating to
8 such institution, including the general institution, farms and gardens
9 and all industries engaged in at such institution.

10 2. He shall replace the steward at the institution and shall have
11 all the powers and be charged with all the duties and responsibilities
12 vested in the steward as provided for in section thirty-three hundred
13 twenty-two (3322).

14 3. Under the direction and supervision of the secretary of the board
15 of control, he shall have complete charge of all of the accounting and
16 all other statistical records and keep same in a manner and as directed
17 by the secretary of the board of control which manner, method, sys-
18 tem and form shall be approved by the auditor of state.

19 4. He shall have complete control and be charged with the full ac-
20 countability of all property and moneys of the institution to which
21 he has been appointed.

22 5. He shall have complete charge and supervision over the condition
23 and repair of all buildings, improvements, equipment and/or property
24 of such institution to which he has been appointed, subject however,
25 to the approval of the superintendent in instances where such equip-
26 ment is used directly in the medical, mental, moral and/or therapeutic
27 treatment or care of the patients or inmates.

28 6. He shall have charge and be accountable for all of the live stock
29 at the institution to which he has been appointed, but he shall not be
30 permitted to exhibit any such livestock at state and county fairs or
31 live stock shows.

32 7. He shall have the power to appoint, direct and discharge all
33 employees excepting doctors, nurses, ward attendants, laboratory
34 technicians or assistants and all other personnel charged with the
35 medical, mental or therapeutical treatment and/or care of any patient
36 or inmate of said institution, which personnel shall be appointed,
37 directed, and discharged by the superintendent. However, he shall
38 be charged with the keeping of all records relating to the entire per-
39 sonnel of the institution as provided for in section thirty-two hundred
40 ninety-three (3293), Code, 1935, as amended by chapter one hundred
41 sixteen (116), Acts of the Forty-seventh General Assembly.

42 8. He shall exercise no control or direction whatsoever over the
43 medical, mental, moral or therapeutical care or treatment of any
44 patient or inmate of said institution, or over the doctors, orderlies,
45 nurses, ward attendants, laboratory technicians and all other person-
46 nel directly charged with the medical, mental or therapeutical care or
47 treatment of any patient or inmate, employed by the superintendent,
48 but will report all violations to the superintendent. Likewise, the
49 control and direction of employees, by the superintendent, is hereby
50 confined to the doctors, orderlies, nurses, ward attendants, laboratory

51 and all other personnel directly charged with the medical, mental,
 52 moral or therapeutical care or treatment of any patient or inmate of
 53 said institution.

Approved April 19, 1939.

CHAPTER 94

IOWA SOLDIERS' HOME

S. F. 390

AN ACT to repeal chapter one hundred sixty-eight (168) of the code, 1935, relating to the Iowa Soldiers Home, located at Marshalltown, and to enact a substitute therefor.

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

1 SECTION 1. Chapter one hundred sixty-eight (168), Code, 1935,
 2 is repealed and the following enacted in lieu thereof.

1 SEC. 2. The Iowa Soldiers' Home, located in Marshalltown, shall be
 2 maintained for honorably discharged soldiers, sailors, marines and
 3 nurses who have served the United States in any of its wars and who
 4 do not have sufficient means or ability to support themselves, and
 5 for the dependent widows and wives of such soldiers, sailors or
 6 marines.

1 SEC. 3. All persons named in section two (2) of this Chapter who
 2 do not have sufficient means for their own support, or who are dis-
 3 abled by disease, wounds, old age or otherwise, or who are unable
 4 to earn a livelihood, and who have been residents and citizens of the
 5 state of Iowa for the three years immediately preceding the date of
 6 the application and who are residents of the state of Iowa at the time
 7 of the application, may be admitted to the Home as members thereof
 8 under such rules and regulations as may be adopted by the Board
 9 of Control.

1 SEC. 4. The Board of Control shall have power to determine the eli-
 2 gibility of applicants for admission to the Home in accordance with
 3 the provision of this chapter, and shall adopt all the necessary rules
 4 and regulations for the preservation of order and enforcement of dis-
 5 cipline, the promotion of health and well being of all the members and
 6 for the management and control of the Home and the grounds thereof.

1 SEC. 5. When a married man is or becomes a member of the Home,
 2 his wife, if she has been married to him for ten years and is otherwise
 3 eligible under this Chapter, may be admitted as a member of the Home
 4 subject to all the rules and regulations of said Home. Husband and
 5 wife may be permitted to occupy, together, cottages or other quarters
 6 on the grounds of the Home.

1 SEC. 6. If any deceased soldier, sailor or marine, who would be en-
 2 titled to admission to the Home if he were living, has left a widow
 3 surviving him, such widow shall be entitled to admission to the Home
 4 with the same rights, privileges and benefits as though her soldier,
 5 sailor or marine husband were living and a member of the Home, pro-

6 vided, however, that such widow has reached the age of fifty years or
7 is found by the Commandant to be totally and permanently disabled
8 and she does not have sufficient means or is unable to support and
9 maintain herself, and provided further that she has been for the ten
10 years preceding the date of her application, a resident of the State of
11 Iowa, and that she has not married at any time since the death of her
12 veteran husband except to a member of the Home.

1 SEC. 7. Before admission, each applicant shall file with the Com-
2 mandant an affidavit signed by two members of the Soldiers' Relief
3 Commission of the county in which such person resides, stating that
4 such person to the best of their knowledge and belief is a resident of
5 such county as required under this Chapter and that such person is
6 unable to earn a livelihood and his income is less than six hundred dol-
7 lars (\$600.00) per annum exclusive of pension, compensation, and/or
8 War Risk Insurance payments. Such affidavit shall be conclusive evi-
9 dence of the residence of such persons and prima facie only in all other
10 matters affecting the eligibility of the applicant and the liability of
11 the county with respect to the expense of any such person for which
12 the county may be liable. All records of admission shall show the resi-
13 dence of the applicant.

1 SEC. 8. The Board of Control shall appoint a Commandant who
2 shall serve as the chief executive of the Home and who shall have the
3 immediate custody and control, subject to the orders of the Board, of
4 all property used in connection with the Home.

1 SEC. 9. The Commandant shall be a resident of the State of Iowa
2 who has an honorable discharge from the United States Army, Navy
3 or Marine Corps and who has served in the military or naval forces of
4 the United States in any war.

1 SEC. 10. The Commandant shall receive an annual salary of two
2 thousand eight hundred dollars (\$2,800.00). In addition to said sal-
3 ary, the Board of Control shall furnish said Commandant with a dwell-
4 ing house or with appropriate quarters in lieu thereof and such addi-
5 tional allowances as are provided in Section three thousand two hun-
6 dred ninety-seven (3297), Code, 1935, for executive heads of state
7 institutions.

1 SEC. 11. The Commandant, subject to the approval of the Board,
2 shall appoint an Adjutant, a Quartermaster, a Chief Surgeon, and a
3 Chaplain, each of whom shall have the same qualifications as the Com-
4 mandant.

1 SEC. 12. The Board shall determine the number and fix the com-
2 pensation of all subordinate officers and employees. The Employees
3 shall be appointed by the Commandant who shall keep in the record
4 of each officer and employee, the date of employment, the compensa-
5 tion, and the date of discharge and the reasons therefor. The Com-
6 mandant shall have the power to discharge any officer or employee for
7 insubordination or neglect of duty or other good cause and his acts
8 and decisions shall be reviewable only by the Board of Control whose
9 decision shall be final.

1 SEC. 13. The Adjutant, Quartermaster, Chief Surgeon and Chap-
2 lain shall be furnished, without charge, the use of the houses erected

3 by the State and now occupied by such officers, together with elec-
4 tricity, heat, fuel and water.

1 SEC. 14. No person shall be received or retained in the Home who
2 is insane, is an inebriate, or is addicted to the use of drugs. When a
3 member of the Home is discharged therefrom, or voluntarily leaves the
4 Home, or is adjudged insane after admittance, his or her residence
5 shall be that of the county in which he or she was residing at the time
6 of his or her admittance to the Home.

1 Sec. 15. Every member of the Home who receives pension, compen-
2 sation or gratuity from the United States Government, or income
3 from any source, shall contribute to his or her maintenance or sup-
4 port while a member of the Home. The amount of such contribution
5 shall be determined by the Board of Control but in no case to exceed
6 the actual cost of keeping and maintaining such person in said Home.
7 The Board may require every member of the Home to render such
8 assistance in the care of the Home and grounds as the physical condi-
9 tion of any such member will permit.

1 SEC. 16. Each member of the Home who receives a pension or compen-
2 sation and who has a dependent wife or minor children shall de-
3 posit with the Commandant forthwith on receipt of his pension or
4 compensation check one-half of the amount thereof, which shall be sent
5 at once to the wife if she be dependent upon her own labor or others
6 for support, or, if there be no wife, to the guardian of the minor chil-
7 dren if dependent upon others for support. The Commandant, if satis-
8 fied that the wife has deserted her husband, or is of bad character, or
9 is not dependent upon others for support, may pay the money deposited
10 as herein provided to the guardian of the dependent minor children.

1 SEC. 17. The Board may, if there is room for all dependent appli-
2 cants and members, admit and allow to remain in the Home, persons
3 who have sufficient means for their own support, but are otherwise eli-
4 gible to become members of the Home, on payment of the cost of their
5 support, which cost shall be fixed from time to time by the Board of
6 Control.

1 SEC. 18. All sums paid to and received by the Commandant, under
2 this Chapter, for the support of members in the Home, shall be paid
3 quarterly by him to the Treasurer of the State and credited to the Sup-
4 port Fund of the Home.

1 SEC. 19. The Commandant shall administer and enforce all rules
2 and regulations adopted by the Board of Control, including rules of
3 discipline, and shall have power to dismiss any member from the Home
4 for infraction of such rules and regulations subject to the approval
5 of the Board.

1 SEC. 20. Any person who, while a member of the Home, is twice
2 convicted of an offense against the statutes of the State, or twice found
3 guilty by the Commandant or a court martial of intoxication or other
4 infraction of the rules of the Home, shall be required to deposit all of
5 his pension money with the Commandant immediately upon receipt
6 of his pension check or warrant. In lieu of trial by the Commandant
7 the member may demand a court martial. Such pension money shall
8 be deposited by the Commandant in a separate account for and in be-
9 half of such pensioner and the Commandant shall, under such rules as

10 the Board of Control may provide, pay the same out with the consent
 11 of the pensioner in such manner and for such purposes as the Board of
 12 Control may approve. If, after a period of six months, the pensioner
 13 shall conduct himself in an orderly and sober manner, said deposit
 14 shall be returned to him. If the pensioner be discharged from the
 15 Home the balance of such deposit shall be paid to said pensioner with-
 16 in thirty days after his discharge.

1 SEC. 21. Pension money deposited with the Commandant shall not
 2 be assignable for any purpose except as provided in Section sixteen
 3 (16) and Section twenty (20) of this Act.

1 SEC. 22. The provisions of this Act relating to eligibility for ad-
 2 mission shall not apply to the present members of the Home.

1 SEC. 23. The Board of Control shall, biennially, on or before Octo-
 2 ber first, prior to the meeting of the General Assembly, make a full and
 3 detailed report to the Governor of the State showing the condition of
 4 the Home, the number of members in the Home, the order and disci-
 5 pline enforced, and the needs of the Home financially and otherwise,
 6 together with an itemized statement of all receipts and disbursements
 7 and any and all other matters of importance in the management and
 8 control of the Home.

1 SEC. 24. If any provision or part of this Act shall be held invalid,
 2 the remaining provisions shall be given full force and effect as if the
 3 part held invalid had not been included therein.

Approved March 27, 1939.

CHAPTER 95

HOSPITAL FOR EPILEPTICS AND SCHOOL FOR FEEBLE-MINDED

H. F. 541

AN ACT to amend chapter one hundred seventy-two (172) of the code, 1935, relating to the hospital for epileptics and the school for feeble minded; providing liability for, collection, and payment of the cost of supporting patients of said institution; and repealing section thirty-four hundred seventy-four (3474) of the code, 1935.

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

1 SECTION 1. Section thirty-four hundred seventy-four (3474) of the
 2 Code, 1935, is hereby repealed.

1 SEC. 2. Chapter one hundred seventy-two (172) of the Code is
 2 amended by adding thereto the following:

3 The superintendent shall supply all patients with clothing when not
 4 otherwise supplied. The actual cost thereof together with the neces-
 5 sary and legal costs and expenses attending the care, investigation,
 6 commitment, and support in the hospital shall be paid:

7 (1) By the county in which the patient has a legal settlement pro-
8 vided that for the purpose of this chapter a minor child must have
9 physically resided in the county at least one year for same to be deemed
10 the county of his settlement.

11 (2) By the state when such person has no legal settlement in the
12 state or when his settlement is unknown. The residence of any patient
13 shall be that existing at the time of admission.

1 SEC. 3. Voluntary commitments or admissions to the hospital must
2 be with the approval of the board of supervisors of the county of legal
3 settlement, except those private patients received under section thirty-
4 four hundred sixty-nine (3469) of the Code.

1 SEC. 4. Each county shall be liable to the state for the support of
2 all patients from that county in the hospital. The amounts due shall
3 be certified by the superintendent to the state comptroller who shall
4 collect the same from the counties liable, at the times and in the man-
5 ner required for the certification and collection of money from counties
6 for the support of inmates of hospitals for the insane.

1 SEC. 5. Sections thirty-six hundred one (3601) and thirty-six hun-
2 dred two (3602) of the code are hereby made applicable to this chapter
3 and shall apply to the payment of charges for the support of patients
4 in this hospital.

1 SEC. 6. All laws now existing, or hereafter made, creating liability,
2 providing for the collection of amounts paid by counties from patients
3 in the hospital for the insane and those legally bound for their sup-
4 port, and those defining persons legally bound for support, shall apply
5 to this chapter. A patient in this hospital and those legally bound for
6 his support shall be liable to the county to the same degree and in the
7 same manner as though such patient were an inmate of a hospital for
8 the insane.

1 SEC. 7. The board of supervisors is empowered to compromise any
2 liability to the county created hereby when such compromise is deemed
3 for the best interests of the county.

1 SEC. 8. Section thirty-six hundred three (3603) of the code shall
2 apply to this chapter and when making the levy therein provided the
3 board of supervisors shall include in their estimate the amount neces-
4 sary to meet the costs of commitment, transportation and support of
5 patients in this hospital. All such costs shall be paid from the fund
6 raised under section thirty-six hundred three (3603) of the code, or,
7 if such fund be not sufficient, then from the general county fund.

1 SEC. 9. This act shall not become effective until January 1, 1940.

Approved May 25, 1939.

CHAPTER 96

REMOVAL OF INSANE PATIENTS TO COUNTY HOME

H. F. 138

AN ACT to amend section thirty-five hundred twenty-seven (3527), code, 1935, to repeal section thirty-five hundred twenty-eight (3528), code, 1935, and to amend section thirty-six hundred four (3604), code, 1935, relating to the commitment, care, and support of insane persons.

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

1 SECTION 1. Section thirty-five hundred twenty-seven (3527), Code,
2 1935, is hereby amended by inserting after the period in line nine (9)
3 and before the word "In" the following: "A county shall remove to its
4 county home any patient in a state hospital for the insane upon a find-
5 ing by a commission, consisting of the superintendent of the state hos-
6 pital in which the patient is confined, the commissioners of insanity
7 and the chairman of the board of supervisors of the county of the
8 patient's residence, that such patient can be properly cared for in the
9 county home and the finding of the commission, after its approval by
10 the local Board of Supervisors, shall be complete authority for such
11 removal."

1 SEC. 2. Section thirty-five hundred twenty-eight (3528), Code,
2 1935, is hereby repealed.

1 SEC. 3. Section thirty-six hundred four (3604), Code, 1935, is
2 hereby amended by striking out the period at the end of said section
3 and adding thereto the following: "and for the purpose of making such
4 additions and improvements as may be necessary to properly care for
5 such patients as are ordered committed to the county home."

Approved May 10, 1939.

CHAPTER 97

WAR VETERANS

H. F. 382

AN ACT to amend chapter one hundred seventy-seven (177), code, 1935, to provide for the care and custody and the transfer of war veterans from a state hospital to any veterans' hospital maintained within the state of Iowa.

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

1 SECTION 1. Chapter one hundred seventy-seven (177), Code, 1935,
2 is hereby amended by adding thereto the following sections:
3 (1) A veteran of any war committed to any state hospital may,
4 with the approval of the board of control, be transferred to and placed
5 in the custody of any hospital maintained for war veterans within
6 the state of Iowa on being notified by the authorities of such veterans'
7 hospital that the veteran is acceptable for hospitalization, provided
8 no charge for his care and support is made against the state of Iowa
9 or the county from which committed.
10 (2) The transfer of a veteran from one hospital to another shall
11 in no way invalidate the original commitment and such commitment

12 together with all such laws and rules of the board of control pertaining
13 to parole or discharge shall remain in full force and effect as the
14 original commitment.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Manly Signal, a newspaper published at Manly, Iowa, and The
4 Pioneer-Republican, a newspaper published at Marengo, Iowa.

Approved March 16, 1939.

I hereby certify that the foregoing act was published in the Manly Signal, Manly, Iowa, March 23, 1939, and The Pioneer-Republican, Marengo, Iowa, March 23, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 98

SUPPORT OF INSANE

H. F. 540

AN ACT to amend chapter one hundred seventy-eight (178), code of Iowa, 1935, and to amend section three thousand five hundred ninety-five (3595), section three thousand five hundred ninety-eight (3598), code, 1935, and to repeal section three thousand five hundred ninety-seven (3597), code, 1935, and to enact a substitute therefor; relating to persons legally liable for the support of insane or idiotic persons; providing for the collection of sums advanced by the county for their support, and the power of the board of supervisors to compromise said liability; and creating a lien on real estate owned by any person receiving assistance under said chapter, or husband or wife of such person, and relating to the record of such lien, and the release or compromise of such lien, and relating to claims against estates of persons who have received such assistance.

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

1 SECTION 1. Section three thousand five hundred ninety-five (3595),
2 Code, 1935, is hereby amended by inserting after the period following
3 the word "insane" in line three (3) thereof the following: "Persons
4 legally liable for the support of an insane or idiotic person shall
5 include the spouse, father, mother, and adult children of such insane
6 or idiotic person, and any person, firm, or corporation bound by con-
7 tract hereafter made for support".

1 SEC. 2. Section three thousand five hundred ninety-seven (3597),
2 Code, of Iowa, 1935, is hereby repealed and the following enacted in
3 lieu thereof: "The board of supervisors is hereby empowered to com-
4 promise any and all liabilities to the county, created by this chapter,
5 when such compromise is deemed to be for the best interests of the
6 county."

1 SEC. 3. Section three thousand five hundred ninety-eight (3598),
2 Code of Iowa, 1935, is hereby amended by striking all that part of said
3 section following the word "support" in line six (6) thereof, and
4 inserting a period after the word "support" in place of the comma.

1 SEC. 4. Any assistance furnished under this chapter shall be and
2 constitute a lien on any real estate owned by the person committed to
3 such institution or owned by either the husband or the wife of such
4 person.

5 The auditor of each county shall keep an accurate account of the
6 cost of the maintenance of any patient kept in any institution as

7 provided for in this chapter and keep an index of the names of the
8 persons committed from such county and the indexing and the record
9 of the account of such patient in the office of the county auditor shall
10 constitute notice of such lien.

11 It shall be the duty of the board of supervisors to collect said claims
12 and direct the county attorney to proceed with the collection of said
13 claims as a part of the duties of his office.

14 In the case of the death of either the husband or wife the estate
15 of the deceased shall not be settled or the homestead sold until the
16 surviving spouse shall die or cease to occupy the homestead as such
17 or while it is occupied by the minor children of such persons. Provided
18 however no lien shall be enforced against any homestead so long as it
19 be occupied by such person, his or her spouse or minor children.

20 The board of supervisors of the county shall release liens accruing
21 under the provisions of this act when fully paid or when compromised
22 and settled by the board of supervisors or when the estate of which
23 the real estate affected by this act is a part has been probated and the
24 proceeds allowable have been applied on such liens.

25 On the death of a person receiving or who has received assistance
26 under the provisions of this act, the total amount paid for their care
27 shall be allowed as a claim of the second class against the estate of
28 such decedent.

1 SEC. 5. This act being deemed of immediate importance shall be-
2 come effective upon publication in the Williamsburg Journal Tribune,
3 a newspaper published at Williamsburg, Iowa, and the Taylor County
4 Herald, a newspaper published at Bedford, Iowa.

Approved May 25, 1939.

I hereby certify that the foregoing act was published in the Williamsburg Journal-
Tribune, June 1, 1939, and the Taylor County Herald, Bedford, Iowa, June 1, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 99 JUVENILE COURT

S. F. 44

AN ACT to amend the law which appears in section three thousand six hundred twenty-
one (3621), code of Iowa, 1935, relating to the filing of petitions in the juvenile
court, and who may file the same, and providing that no petition may be filed without
an investigation first having been made by the probation officer or county attorney,
except by order of the judge of the juvenile court.

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

1 SECTION 1. Section Three Thousand Six Hundred Twenty-one
2 (3621), Code of Iowa, 1935, is amended by striking the period at the
3 end of said section and by adding thereto the following words "pro-
4 vided, however, that prior to the filing of such petition, the probation
5 officer or the county attorney shall make such investigation as he may
6 deem necessary, and no petition shall be filed without the approval
7 of such probation officer, or county attorney, except by order of the
8 Judge of the Juvenile Court."

Approved April 10, 1939.

CHAPTER 100

WIDOWS WITH DEPENDENT CHILDREN

H. F. 84

AN ACT to amend section thirty-six hundred forty-one-B one (3641-B1), code, 1935, relating to levies in certain counties for aid to widows with dependent children.

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

1 SECTION 1. Section thirty-six hundred forty-one-b-one (3641-b1),
2 Code, 1935, is hereby amended by striking out of line four (4) thereof,
3 the word "one-fourth" and inserting in lieu thereof, the word "one-
4 half".

5 Before any such levy is made in excess of one-fourth mill a com-
6 pletely itemized statement of expenditures contemplated by such
7 county shall be submitted to the state comptroller for his approval, and
8 no levy in excess of one-fourth mill shall be made unless approved
9 by him, and then only for the years 1939 and 1940.

Approved May 3, 1939.

CHAPTER 101

DETENTION HOMES FOR DEPENDENT CHILDREN

S. F. 288

AN ACT to amend section three thousand six hundred fifty-three (3653), code, 1935, relating to the providing and maintaining of homes for dependent, neglected and delinquent children.

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

1 SECTION 1. Section three thousand six hundred fifty-three (3653),
2 Code, 1935, is amended by inserting after the word "shall" in line three
3 (3) the following: ", and in counties of over thirty thousand (30,000),
4 said board may".

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect after its publication in The New Hampton Trib-
3 une, a newspaper published at New Hampton, Iowa, and the Fred-
4 ericksburg News, a newspaper published at Fredericksburg, Iowa.

Approved April 19, 1939.

I hereby certify that the foregoing act was published in the New Hampton Tribune April 27, 1939, and the Fredericksburg News, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 102

LENGTH OF SCHOOL YEAR

H. F. 358

AN ACT to amend section forty-two hundred twenty-six (4226), code, 1935, relating to the length of the school year in the public schools.

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

1 SECTION 1. Section forty-two hundred twenty-six (4226), Code,
2 1935, is hereby amended by striking from line four (4) thereof the
3 word "thirty-two" and inserting in lieu thereof the word "thirty-six."

Approved May 25, 1939.

CHAPTER 103

TRANSPORTATION OF SCHOOL CHILDREN

S. F. 198

AN ACT to amend section four thousand two hundred thirty-three-e four (4233-e4), code, 1935, relating to transportation of school children, and providing for transportation of high school students in certain cases.

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

1 SECTION 1. Section forty-two hundred thirty-three-e four (4233-
2 e4), Code, 1935, is amended by adding thereto the following: "The
3 board of any school district maintaining a public high school within a
4 city having a population of 75,000 or more may provide transportation
5 for any pupil enrolled in said high school and residing more than three
6 (3) miles therefrom."

Approved April 24, 1939.

CHAPTER 104

HIGH SCHOOL ATTENDANCE

S. F. 59

AN ACT to amend section forty-two hundred seventy-five (4275), code, 1935, relating to public high school facilities for children cared for in a charitable institution.

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

1 SECTION 1. Section forty-two hundred seventy-five (4275), code,
2 1935, is amended by adding thereto the following:
3 "Children who are residents of a charitable institution organized
4 under the laws of this state and who have completed a course of
5 study for the eighth grade as required by section forty-two hundred
6 seventy-six (4276), code, 1935, shall be permitted to enter any ap-
7 proved public high school in Iowa that will receive them and the tui-
8 tion shall be paid by the treasurer of state from any money in his
9 hands not otherwise appropriated and upon warrants drawn and
10 signed by the state comptroller on requisition issued by the superin-
11 tendent of public instruction. The superintendent of public instruc-
12 tion is hereby empowered to require such reports, from such institu-
13 tion and from the high school such pupils attend, as are necessary
14 properly to carry out the provisions of this act."

1 SEC. 2. All acts or parts of acts in conflict herewith are hereby
2 repealed.

Approved March 17, 1939.

CHAPTER 105

HIGH SCHOOL TUITION OUTSIDE THE STATE

S. F. 153

AN ACT to amend section forty-two hundred seventy-five (4275), code, 1935, relating to public high school attendance.

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

- 1 SECTION 1. That Section forty-two hundred seventy-five (4275),
- 2 Code, 1935, be amended by adding at the close thereof the following:
- 3 "But no board shall pay tuition to a high school outside the state for
- 4 pupils whose actual residence is nearer to an approved high school
- 5 in Iowa when measured by the nearest traveled public road."

Approved March 14, 1939.

CHAPTER 106

SCHOOL DISTRICT TAX REIMBURSEMENT

H. F. 505

AN ACT to amend section forty-two hundred eighty-three-e seven (4283-e7), code, 1935, relating to reimbursement of school districts for loss of taxes.

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

- 1 SECTION 1. Section forty-two hundred eighty-three-e seven (4283-
- 2 e7), Code, 1935, is hereby amended by changing the words "board of
- 3 assessment and review" to "tax commission" in line four (4) thereof.

Approved April 3, 1939.

CHAPTER 107

DISTRIBUTION OF SCHOOL BOOKS

S. F. 43

AN ACT to amend section forty-three hundred twenty-three (4323), code 1935, relating to the distribution of books among school districts.

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

- 1 SECTION 1. Section forty-three hundred twenty-three (4323),
- 2 Code, 1935, is hereby amended by adding at the end thereof the fol-
- 3 lowing: "Directors of said school districts shall upon approval by the
- 4 County Superintendent be permitted to make temporary and perma-
- 5 nent exchanges of books between such school districts."

- 1 SEC. 2. The county board of education is hereby authorized and
- 2 empowered to expend any or all of the library fund created by section
- 3 forty-three hundred twenty-two (4322), Code, 1935, to be apportioned
- 4 to schools that have been or may be closed hereafter for library books
- 5 to be loaned to the schools of the county that remain open as directed

6 by the county board of education. The county superintendent of
7 schools shall be the custodian of such books and shall keep a record
8 of them in a book provided for that purpose.

Approved April 10, 1939.

CHAPTER 108

CONDEMNATION OF PRIVATE PROPERTY FOR PUBLIC SCHOOL PURPOSES

S. F. 16

AN ACT to provide the procedure under which private property may be taken for public school purposes under condemnation proceedings; to amend sections forty-three hundred sixty-four (4364) and seventy-eight hundred forty-five (7845) of the code of Iowa, 1935; and to repeal sections forty-three hundred sixty-five (4365) to forty-three hundred sixty-nine (4369) inclusive, of the code of Iowa, 1935.

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

1 SECTION 1. Section forty-three hundred sixty-four (4364) of the
2 Code of Iowa, 1935, is hereby amended by striking out lines nine (9),
3 ten (10), and eleven (11) and inserting in lieu thereof the following:
4 "may be taken under condemnation proceedings in accordance with
5 the provisions of chapter three hundred sixty-six (366) of the Code
6 of Iowa, 1935."

1 SEC. 2. Section seventy-eight hundred forty-five (7845) of the
2 Code of Iowa, 1935, is hereby amended by changing the period (.) at
3 the end of line seven (7) to a comma (,) and adding the following:
4 "or for public school purposes."

1 SEC. 3. Sections forty-three hundred sixty-five (4365) to forty-
2 three hundred sixty-nine (4369), inclusive, of the Code of Iowa, 1935,
3 are hereby repealed.

1 SEC. 4. Nothing herein provided shall in any manner affect pend-
2 ing litigation or proceedings.

1 SEC. 5. This Act, being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the Daily Times, a newspaper published at Davenport, Iowa, and the
4 Evening Journal, a newspaper published at Muscatine, Iowa.

Approved March 31, 1939.

I hereby certify that this act was published in the Daily Times, Davenport, on April 4, 1939, and in the Muscatine Journal, April 5, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 109

AGRICULTURAL LAND CREDIT FUND

S. F. 227

AN ACT to create an agricultural land credit fund; to provide for the appropriation of funds to apply as a credit on taxes on agricultural lands; prescribing the procedure whereby said funds are allocated by the state treasurer to the county treasurers of the several counties; and providing a method of allotting tax credits on agricultural lands in special charter cities; to prescribe the procedure for the making of such credit; to define agricultural lands and providing for the making of claims for credit as provided in this act; and to provide a method of appeal from the act of the boards of supervisors of the several counties relating to the said agricultural land credit.

WHEREAS, in the past few years the taxes upon property within independent school districts has been increased, and

WHEREAS, the amount of taxes levied upon agricultural land lying within independent school districts in the state is often in excess of the income of such agricultural land, and

WHEREAS, the school tax levied upon agricultural land lying in independent school districts is greatly in excess and is disproportionate to the school tax upon similar land outside of independent school districts, and

WHEREAS, the exorbitant school taxes levied upon agricultural land lying within independent school districts is confiscatory and often results in tax sales of such agricultural lands thereby dispossessing the tenant owner thereof, and

WHEREAS, the state of Iowa is vitally interested in equalizing the burden of taxation to be born by agricultural real estate, and

WHEREAS, the state of Iowa is concerned in the matter of education and the taxes levied for such purposes,

NOW THEREFORE, this Forty-eighth General Assembly of the state of Iowa does hereby declare that appropriating money for emergency relief of the owners of agricultural lands lying within independent school districts is the expenditure of public funds for a public purpose; therefore

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

1 SECTION 1. There is hereby set aside for the year 1940 an * annual-
2 ly thereafter from the general fund of this state an amount of five
3 hundred thousand dollars (\$500,000.00) or so much thereof as may
4 be necessary to be known as the agricultural land credit fund to be
5 used in the payment of agricultural land credits as herein specified.

1 SEC. 2. The agricultural land credit fund shall be apportioned each
2 year as hereinafter provided so as to give a credit against the tax in
3 each eligible tract of agricultural land within independent school dis-
4 tricts in the state, as defined herein; the amount of such credit to be
5 the amount the tax levied for the general school fund exceeds the
6 amount of tax which would be levied on such property were the school
7 tax levy for the general school fund fifteen (15) mills on all such agri-
8 cultural land over ten (10) acres belonging to one person and lying
9 within the independent school districts exclusive of consolidated dis-
10 tricts.

*Note: In accordance with enrolled bill.

11 The said fund shall be held by the treasurer of state and shall be
12 designated by him as the agricultural land credit fund and shall be dis-
13 tributed by the treasurer of the state on warrants drawn by the comp-
14 troller on September 1 of each year, beginning the year 1940 and there-
15 after, and payable to the county treasurers of the several counties of
16 the state in the amounts certified by them as provided in section six
17 (6) of this act.

1 SEC. 3. The county auditor shall enter the agricultural land credit
2 against the tax levied upon each eligible tract of agricultural land in
3 each county and payable during the ensuing years, designating on
4 the tax lists such credit as being from the agricultural land credits
5 funds, and credit shall then be given to the several taxing districts in
6 which such eligible agricultural lands are located in an amount equal
7 to the credit allowed on the taxes of such agricultural lands.

8 The amount of said credits shall be apportioned by each county treas-
9 urer to the several taxing districts as provided by law, in the same
10 manner as though the amount of the credit had been paid by the own-
11 ers of said agricultural land. Each county treasurer shall show on
12 each tax receipt the amount of credit received from the agricultural
13 land credit fund.

1 SEC. 4. In any county in which is located a special charter city,
2 which levies and collects its own taxes separately from the county, all
3 millage credits and the amount in dollars thereof on eligible agricul-
4 tural land situated in said city in excess of the consolidated state and
5 county levy by the state and said county for the taxing district in
6 which said city is located, but not in excess of the aggregate levy by
7 said city, shall be certified by the county auditor or county treasurer
8 to the treasurer of the said city who shall in turn credit on said city
9 tax lists against the taxes levied by said city on each eligible agricul-
10 tural land in said city, said excess millage credits so certified to him
11 in the same manner as herein required to be done by the county auditor
12 on the county tax lists. The county treasurer shall pay to the city
13 treasurer out of the funds apportioned to said county from the agricul-
14 tural land credit fund, the amount of said funds so apportioned in ex-
15 cess of the state and county consolidated levy, which shall be applied
16 upon the taxes on eligible agricultural land in said city as herein pro-
17 vided. The intention and purpose of this provision shall be to allot to
18 eligible agricultural land located in such city the same proportionate
19 credit received by eligible agricultural land in other cities and towns.

1 Sec. 5. Any person who desires to avail himself of the benefits pro-
2 vided hereunder shall each year commencing January 1, 1940, deliver
3 to the assessor, on blank forms to be furnished by the assessor, a veri-
4 fied statement and designation of agricultural land credit as claimed
5 by him, and the assessor shall return said statement and designation
6 with the assessment roll to the county auditor with his recommenda-
7 tion for allowance or disallowance endorsed thereon; provided, that if
8 the said verified statement and designation of agricultural land credit
9 is not delivered to the assessor, the person may on or before June 1st
10 of any year file with the county auditor such verified statement and
11 designation, together with the supporting affidavits of at least two dis-
12 interested freeholders of the taxing district in which the agricultural
13 land is located.

14 The county board of supervisors in each county shall forthwith ex-
15 amine all such claims, whether delivered to the assessor or filed with
16 the county auditor as herein provided, and shall either allow or dis-
17 allow said claims, and in the event of disallowance shall notify the
18 claimant of such action by mailing a written notice thereof addressed
19 to the claimant at his last known address.

1 SEC. 6. All claims which have been allowed by the board of super-
2 visors shall be certified on or before July 1 in each year by the county
3 auditor to the county treasurer, which certificate shall list the name of
4 each owner, legal description of the claimed agricultural land and the
5 assessed value thereof. The county treasurer shall forthwith certify
6 to the state treasurer the total valuation of all such agricultural lands
7 upon which a credit is claimed.

1 SEC. 7. If any person fails to make claim for the credits provided
2 for under this act as herein required, he shall be deemed to have
3 waived the agricultural land credit for the year in which he failed to
4 make claim.

1 SEC. 8. Any person whose claim is denied under the provisions of
2 this act may appeal from the action of the board of supervisors to the
3 district court of the county in which said claimed agricultural land
4 is situated by giving written notice of such appeal to the county audi-
5 tor of said county within twenty days from the date of mailing of no-
6 tice of such action by the board of supervisors.

1 SEC. 9. The agricultural land credit as provided in this act shall
2 not be made to any taxpayer on any portion of his property upon which
3 a homestead credit as provided by chapter one hundred ninety-five
4 (195), Acts of the 47th General Assembly, has been allowed for the
5 year in which the agricultural credit is claimed.

1 SEC. 10. "Agricultural lands" shall mean and include for the pur-
2 poses of this act real estate over ten (10) acres lying within an inde-
3 pendent school district which land is not platted into city or town lots
4 and which is used exclusively for farm and agricultural purposes and
5 is owned by an individual, person, firm, association, joint stock com-
6 pany, syndicate, co-partnership, corporation, trustee, agency receiver,
7 or respective legal representative, and the same shall mean and include
8 all land over ten (10) acres lying within an independent school dis-
9 trict owned by one entity, as aforesaid, irrespective of whether or not
10 such land or parcels of land are contiguous.

1 SEC. 11. None of the provisions of this act shall be construed to
2 apply in whole or in part to any agricultural land in consolidated dis-
3 tricts.

Approved May 26, 1939.

CHAPTER 110

INTEREST ON SCHOOL LAND PURCHASES

S. F. 303

AN ACT to amend section four thousand four hundred seventy-three (4473), code, 1935, relating to the interest rate which may be charged a purchaser of school lands.

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

1 SECTION 1. Section four thousand four hundred seventy-three
2 (4473), Code, 1935, is hereby amended by striking from line twenty-
3 one (21) of said section the word "six" and inserting in lieu thereof
4 the word "four".

Approved April 24, 1939.

CHAPTER 111

SCHOOL FUNDS

H. F. 602

AN ACT to amend section four thousand four hundred eighty-seven (4487), code, 1935, to authorize investment of permanent school fund moneys in bonds of the state of Iowa or any political subdivision thereof at prevailing interest rates and acceptance by state comptroller of interest thereon as whole amount of interest due on funds so invested.

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

1 SECTION 1. That section four thousand four hundred eighty-seven
2 (4487), Code, 1935, be and the same is hereby amended by adding
3 thereto the following, to-wit:
4 "When any county has on hand Permanent School Funds which in
5 the opinion of its Board of Supervisors can not be safely invested in
6 real estate mortgages as provided by law, its Board of Supervisors
7 may invest such funds in bonds of the State of Iowa or any political
8 subdivision thereof at the prevailing rate of interest, provided such
9 bonds are a general obligation of and to be paid by a general tax levy
10 of the state or political subdivision issuing the same, and said bonds
11 shall be registered in the name of the county purchasing said bonds.
12 "The interest chargeable to the county so investing any such funds
13 by the Comptroller shall not exceed on said funds the rate of interest
14 collected on the bonds purchased as herein provided, notwithstanding
15 the provisions of section four thousand five hundred seven (4507) of
16 the Code of 1935 of Iowa."

1 SEC. 2. This Act, being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the News Ad-
3 vertiser, a newspaper published at Creston, Iowa, and the Onawa Sen-
4 tinel, a newspaper published at Onawa, Iowa.

Approved April 20, 1939.

I hereby certify that the foregoing act was published in the News Advertiser, Creston, Iowa, April 25, 1939, and the Onawa Sentinel, Onawa, Iowa, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 112

SCHOOL FUNDS

H. F. 436

AN ACT to amend section forty-five hundred three (4503), code, 1935, to provide additional time for sale of lands acquired under permanent school fund, and to amend section forty-five hundred five (4505) of the code of Iowa of 1935 with reference to loss on sale of school lands.

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

1 SECTION 1. Section forty-five hundred three (4503), Code, 1935, is
2 hereby amended by striking out of lines three (3) and four (4) the
3 words: "six years from January 1, 1934" and substituting in lieu there-
4 of the words: "ten years from January 1, 1939".

1 SEC. 2. Section four thousand five hundred five (4505), Code, 1935,
2 is hereby amended by adding after the word "fund" in line eleven (11)
3 the words "or temporary school fund".

Approved April 20, 1939.

CHAPTER 113

STATE LIBRARIES AND DEPARTMENT OF HISTORY AND ARCHIVES

H. F. 174

AN ACT to repeal sections forty-five hundred twelve (4512) to forty-five hundred forty-one (4541), inclusive, code, 1935, all relating to the state library and the historical, memorial, and art department and the state library commission, and to enact a substitute therefor providing for a board of trustees of the libraries and museums, a state law library, a state traveling library, a state medical library, and a department of history and archives; and to provide for the extension of library service throughout the state, and for the establishment of regional libraries.

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

1 SECTION 1. The state library, the state historical, memorial, and
2 art department, and the state library commission are hereby
3 abolished, and there is established:

- 4 (1) The Iowa state traveling library
- 5 (2) The Iowa state department of history and archives
- 6 (3) The Iowa state law library
- 7 (4) The Iowa state medical library

1 SEC. 2. The Iowa state traveling library, the Iowa state depart-
2 ment of history and archives, the Iowa state law library, and the
3 Iowa state medical library shall be under the control of a board of
4 trustees consisting of the governor, a member of the supreme court
5 to be designated from time to time by the court, and the superintend-
6 ent of public instruction.

1 SEC. 3. Powers and duties of the board. The board of trustees
2 shall:

- 3 1. Make and enforce rules for the keeping of the records and for
4 the management and care of the property of the Iowa state travel-

- 5 ing library, the Iowa state department of history and archives, the
6 Iowa state law library, and the Iowa state medical library.
- 7 2. Appoint a qualified curator of the Iowa state department of
8 history and archives whose regular term of office shall be for six
9 years and who may be removed only for causes* by a two-thirds vote
10 of the board of trustees. Such appointment shall be made solely
11 upon merit and with no consideration given to the political affilia-
12 tions of the person appointed.
- 13 3. Appoint a state law librarian who shall be a graduate of an
14 approved law school and who shall have special competence in the
15 organization and administration of a law library and training in
16 the science of bill drafting. Such appointment shall be made for
17 a term of six years and the state law librarian shall be removed
18 only for cause by a two-thirds vote of the board of trustees. Such
19 appointment shall be made solely upon merit and with no consider-
20 ation given to the political affiliations of the person appointed.
- 21 4. Appoint a librarian of the state traveling library who shall be
22 a graduate of an accredited library school or an experienced librarian
23 who has had ten (10) years of successful library administration,
24 and who shall be appointed for a term of six years and who shall
25 be removed only for cause by a two-thirds vote of the board of
26 trustees. Such appointment shall be made solely upon merit and
27 with no consideration given to the political affiliations of the person
28 appointed.
- 29 5. Appoint a state medical librarian, who shall be a graduate
30 of a recognized school of medicine and who shall have special
31 competence in the organization and administration of a medical
32 library. Such appointment shall be made for a term of six years
33 and the state medical librarian shall be removed only for cause
34 upon a two-thirds vote of the board of trustees. Such appointment
35 shall be made solely upon merit and with no consideration given
36 to the political affiliations of the person appointed.
- 37 6. Appoint, after consultation with the curator, the librarian
38 of the state traveling library, the state law librarian, and the state
39 medical librarian, such qualified assistants as the board may deem
40 necessary to carry on the work of the department of history and
41 archives the state traveling library, the state law library, and the
42 state medical library.
- 43 7. Meet at least three times during the year at the call of the
44 chairman of the board of trustees, who shall be elected from among
45 their own number.
- 46 8. Have control of the historical building and assign space there-
47 in to be occupied by the department of history and archives, the
48 Iowa state traveling library, and the Iowa state medical library.
- 49 9. Adopt rules providing for the loaning of books in the Iowa
50 state law library, the Iowa state traveling library, and the Iowa
51 state medical library.
- 52 10. Adopt reasonable rules providing penalties for injuring,
53 defacing, destroying, or losing books in the Iowa state law library,
54 the Iowa state traveling library, and the Iowa state medical library.
55 All fines, penalties, and forfeitures imposed by the rules of the
56 board for any violation may be recovered in an action in the name of

*Note: In accordance with enrolled bill.

57 the state and applied to the use of the libraries, under the direction
58 of the board.

59 11. Ninety days after the effective date of this act arrange for
60 the transfer in the following manner of all books, periodicals,
61 equipment and supplies heretofore in the possession of the state
62 library and the Iowa library commission:

63 (1) All books, periodicals, equipment, and supplies heretofore
64 in the possession of the law section of the state library shall be
65 transferred to the Iowa state law library together with all documents
66 of the government of the United States heretofore in possession
67 of the economics and sociology department of the state library.

68 (2) All books, periodicals, equipment, and supplies heretofore
69 in the possession of the economics and sociology department of
70 the state library shall be transferred to the Iowa traveling library
71 with the exception of all documents of the government of the United
72 States.

73 (3) All books, periodicals, equipment, and supplies heretofore
74 in the possession of the general department of the state library
75 shall be transferred to the Iowa traveling library with the exception
76 of such books and periodicals which, in the judgment of the board,
77 would find greater usefulness if placed in the libraries of the state
78 university of Iowa or the libraries of the Iowa state college, or
79 the state department of history and archives.

80 (4) All books, periodicals, equipment, and supplies heretofore
81 in the possession of the medical department of the state library
82 shall be transferred to the Iowa state medical library.

83 (5) All books, periodicals, equipment, and supplies heretofore in
84 the possession of the Iowa library commission shall be transferred
85 to the Iowa traveling library.

86 (6) All books, periodicals, equipment, supplies, and property
87 heretofore in the possession of the historical, memorial and art
88 department shall be transferred to the Iowa state department of
89 history and archives.

90 12. It may develop and adopt plans to provide more adequate
91 library service for all residents of the state.

92 13. Operate traveling libraries and circulate books under their
93 control or subsequently acquired within the state to libraries, schools,
94 colleges, universities, library associations, farmers' institutes,
95 granges, study clubs, charitable and penal institutions, and individ-
96 uals, free of cost except for transportation.

97 14. Report in writing to the governor semiannually all matters
98 pertaining to the Iowa state law library, the Iowa state traveling
99 library, the Iowa state department of history and archives, and the
100 Iowa state medical library.

1 SEC. 4. The board of trustees is hereby authorized and empowered
2 to receive, accept, and administer any money or moneys appropriated
3 or granted to it, separate and apart from the general library fund,
4 for providing and equalizing public library service in Iowa:

5 (1) By the federal government, and

6 (2) By any other agencies, private and/or otherwise.

7 The fund herein provided for shall be administered by the board

8 of trustees, which body shall frame by-laws, rules, and regulations
9 for the allocation and administration of this fund.

10 The fund shall be used to increase, improve, stimulate, and
11 equalize library service to the people of the whole state, and for
12 adult education and shall be allocated among the cities, counties, and
13 regions of the state, taking into consideration local needs, area and
14 population to be served, local interest as evidenced by local appropria-
15 tions, and such other facts as may affect the state program of library
16 service.

17 Any gift or grant from the federal government or other sources
18 shall become a part of said fund, to be used as part of the state fund,
19 or may be invested in such securities in which the state sinking fund
20 may be invested as in the discretion of the board of trustees may be
21 deemed advisable, the income to be used for the promotion of libraries
22 aforesaid.

1 **SEC. 5. Duties of the state law librarian:** The state law librarian
2 shall:

3 1. Have general charge of the Iowa state law library, which
4 shall be maintained in the capitol or elsewhere in rooms convenient
5 to the supreme court and which shall always be available for free
6 use by the residents of Iowa under such reasonable rules as the board
7 may adopt.

8 2. Organize as an integral part of the Iowa state law library a
9 legislative reference bureau in which he shall provide the reports of
10 the various officers and boards of this state, and as far as may be, of
11 the other states, and such other material, periodicals, or books as
12 will furnish the fullest information practicable upon all matters
13 pertaining to current or proposed legislation and to legislative and
14 administrative problems, prepare and submit digests of such infor-
15 mation and material upon the request of any legislative committee,
16 member of the general assembly, or head of any department of state
17 government.

18 3. Arrange to make exchanges of all printed material published
19 by the several states and the government of the United States.

20 4. Report in writing to the board semiannually, or oftener if
21 required, all matters pertaining to the state law library.

22 5. Perform such other duties as may be imposed upon him by law
23 or by the rules of the board.

1 **SEC. 6. Duties of the curator of the department of history and
2 archives.** The curator shall:

3 1. **Custody of historical building.** Under the direction of the board,
4 be custodian of the historical building and collections therein, and
5 shall keep the rooms assigned to the department and the collections
6 open for inspection by the public during such hours of each day as the
7 board may direct, but the curator shall cause the same to be kept open
8 on Sunday afternoons during the sessions of the general assembly.

9 2. **Custody, display, and publication of material.** Under the di-
10 rection of the board, collect, preserve, organize, arrange, and
11 classify works of art, books, maps, charts, public documents, manu-
12 scripts, newspapers, and other objects and materials illustrative of the
13 natural and political history of the territory and state and of the
14 central west, and of the traditions and history of the Indian tribes

15 and prior occupants of the region, and publish such matter and display
16 such material as may be of value and interest to the public.

17 **3. Collection of memorials and mementoes.** With the approval of
18 the board, collect memorials and mementoes of the pioneers of Iowa and
19 the soldiers of all our wars, including portraits, specimens of arms,
20 clothing, army letters, commissions of officers, and other military
21 papers and documents.

22 **4. Ethnology and archaeology.** Receive and arrange in cases, ob-
23 jects illustrative of the ethnology and prehistoric archaeology of this
24 and surrounding states.

25 **5. Inventory of property.** As soon as practicable, prepare a classi-
26 fied index and inventory of all the property belonging to the museum
27 or in its custody, and determine through the aid of experts the
28 money value thereof, so far as practicable, and when done a summary
29 of the same shall be included in his report, and thereafter such reports
30 shall set forth all additions thereto with their money value, if any,
31 and give a list of items lost or dropped from the collections. His
32 report shall also contain a separate statement of materials obtained
33 by gift and by purchase during each biennium.

34 **6.** The curator shall subscribe for such newspapers as in his judg-
35 ment are necessary to preserve for historical purposes. The list of
36 papers so selected shall be submitted to the board of trustees for its
37 approval. The curator shall bind every two years such newspapers
38 as are received for historical purposes.

39 **7. Custodian of works of art.** Except as otherwise specifically
40 provided, be custodian of and care for and preserve the monuments,
41 memorials, and works of art on the grounds and in the buildings at the
42 seat of government, and report from time to time to the proper officer
43 or board the condition and his recommendations in respect thereto.

44 **8. Report to board.** Report to the board semiannually or oftener
45 as required, all matters pertaining to the condition of the Iowa state
46 memorial museum of art and history.

47 **9. Other duties.** Perform such other duties as may be imposed
48 upon him by law or prescribed by the rules of the board.

1 **SEC. 7. Gifts.** The curator is hereby authorized and empowered,
2 as trustee for the state, to accept gifts of property, real, personal, or
3 mixed, for the benefit or endowment of the Iowa state department of
4 history and archives, or for the commemoration of the lives of worthy
5 citizens, or for the purpose of perpetuating records of historic events,
6 or for scientific purposes. Any gift accepted shall be immediately
7 reported to the board of trustees; but any gift imposing unusual mone-
8 tary obligations on the department shall be approved by the board
9 before acceptance.

1 **SEC. 8. Investments.** The curator and the board of trustees shall
2 have authority and power to invest, in accordance with the provisions
3 of the trust, any such gifts or endowments, and establish and enforce
4 rules for the purpose of governing and maintaining such endowments
5 or memorials as may be created or established under and pursuant to
6 section seven

1 **SEC. 9. Archives.** The curator shall be the trustee and custodian
2 of the archives of Iowa and of such county and municipal archives as

3 are voluntarily deposited. The term "archives" shall mean those
4 manuscripts and materials originating under or passing through the
5 hands of public officials in the regular course and performance of their
6 duties, over ten years old, and not in current use; but the executive
7 council shall have power and authority to order the transfer of such
8 archives or any part thereof at any time prior to the expiration of
9 the ten years, or cause them to be retained in the respective offices
10 beyond such limit if in its judgment the public interests or convenience
11 shall require it.

1 **SEC. 10. Records delivered.** The several state, executive, and ad-
2 ministrative departments, officers or offices, councils, boards, bureaus,
3 and commissioners, are hereby authorized and directed to transfer
4 and deliver to the Iowa state department of history and archives such
5 of the public archives as are designed in section nine, except such as
6 in the judgment of the executive council should be retained longer in
7 the respective offices, and the curator is authorized to receive the same.

1 **SEC. 11. Removal of original.** After any public archives have been
2 received into the division of public archives by the curator, they shall
3 not be removed from his custody without his consent except in obedi-
4 ence to a subpoena of a court of record or a written order of the
5 officer from whose office they were received.

6 The curator shall annually submit to the trustees a list of papers
7 and documents which have no further value, and upon approval of
8 said trustees such items may be destroyed.

1 **SEC. 12. Certified copies—fees.** Upon request of any person, the
2 curator shall make a certified copy of any document contained in said
3 archives, and when such copy is properly authenticated by him it shall
4 have the same legal effect as though certified by the officer from whose
5 office it was obtained or by the secretary of state. Said curator shall
6 charge and collect from such copies the fees allowed by law to the
7 official in whose office the document originates for such certified copies,
8 and all such fees shall be turned into the state treasury.

1 **SEC. 13. Duties of the state medical librarian.**

2 The state medical librarian shall:

3 1. Have general charge of the state medical library which shall
4 always be available for free use by the residents of Iowa under such
5 reasonable rules as the board may adopt.

6 2. Report to the board in writing semiannually, or oftener if re-
7 quired, all matters pertaining to the state medical library.

8 3. Give no preference to any school of medicine and shall secure
9 books, periodicals, and pamphlets for every legally recognized school
10 without discrimination.

11 4. Perform such other duties as may be imposed upon him by law
12 or prescribed by the rules of the board.

1 **SEC. 14. Duties of the librarian of the state traveling library.**

2 The librarian of the state traveling library shall:

3 1. Give advice and counsel to all free and other public libraries, and
4 all communities which may propose to establish them, as to the best
5 means of establishing and maintaining such libraries.

6 2. Act under the direction of the board of trustees in supervising
7 the work.

8 3. Report in writing to the board semiannually, or oftener if re-
9 quired, all matters pertaining to the state traveling library.

10 4. Obtain from all free public libraries reports showing the condi-
11 tion, growth, development, and manner of conducting such libraries
12 and shall furnish annually to the superintendent of printing such in-
13 formation for publication in the Iowa official register as may be
14 deemed of public interest.

1 SEC. 15. **Repeals.** Sections forty-five hundred twelve (4512) to
2 forty-five hundred forty-one (4541), inclusive, Code, 1935, are hereby
3 repealed

1 SEC. 16. Nothing contained in this act shall be construed as repeal-
2 ing or superseding chapter two hundred ninety-nine (299) of the
3 Code, 1935, or any section of said chapter.

1 SEC. 17. This act being deemed of immediate importance, shall be
2 in full force and effect after its publication in The Evening Sentinel, a
3 newspaper published at Shenandoah, Iowa, and the Chariton Herald-
4 Patriot, a newspaper published at Chariton, Iowa.

Approved February 13, 1939.

I hereby certify that the foregoing act was published in the Evening Sentinel, Shenandoah, February 16, 1939, and the Chariton Herald-Patriot, February 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 114

REGULATION OF LIGHTS ON PRIMARY ROAD CROSSINGS

H. F. 246

AN ACT to amend section forty-six hundred twenty-six (4626), code, 1935, relating to the duties of the state highway commission in connection with removal or alteration of lights or light-reflecting devices adjacent to grade railway crossings, primary road intersections, or on or adjacent to primary roads.

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

1 SECTION 1. Section forty-six hundred twenty-six (4626), Code,
2 1935, is amended by adding thereto the following:

3 "10. Order the removal or alteration of any lights or light-reflecting
4 devices, whether on public or private property, other than railroad
5 signals or crossing lights, located adjacent to a primary road and with-
6 in three hundred (300) feet of a railroad crossing at grade, which in
7 any way interfere with the vision of or may be confusing to a person
8 operating a motor vehicle on such highway in observing the approach
9 of trains or in observing signs erected for the purpose of giving warn-
10 ing of such railroad crossing.

11 11. Order the removal or alteration of any lights or light-reflecting
12 devices, whether on public or private property, located adjacent to a
13 primary road and within three hundred (300) feet of an intersection
14 with another primary road, which in any way interfere with the vision
15 of or may be confusing to a person operating a motor vehicle on such
16 highway in observing the approach of other vehicles or signs erected
17 for the purpose of giving warning of such intersection."

Approved April 20, 1939.

CHAPTER 115

COUNTY PRIMARY ROAD BONDS

S. F. 97

AN ACT to authorize counties to expend any balance remaining from primary road bond issues authorized or sold for road purposes.

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

1 SECTION 1. Any county which, prior to January 1, 1926, and any
2 county which according to the 1930 federal census had a population in
3 excess of forty thousand (40,000) and which since January 1, 1929,
4 by an election authorized the issuance of primary road bonds for the
5 purpose of improving the primary roads of said county and has an
6 unissued portion of such bonds, is hereby authorized to issue such por-
7 tion of such bonds, with the consent of the Highway Commission, for
8 the purpose of improving any road in such county designated as a
9 primary road at the time of such issuance.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in full force upon publication in the Jefferson Bee, a
3 newspaper published in the city of Jefferson, Iowa, and in the Jeffer-
4 son Herald, a newspaper published in the city of Jefferson, Iowa.

Approved March 8, 1939.

I hereby certify that the foregoing act was published in the Jefferson Bee, March 21, 1939, and the Jefferson Herald, March 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 116

COUNTY PRIMARY ROAD BONDS

S. F. 436

AN ACT to prevent the voting of additional primary road bonds in any county which has previously authorized one or more such bond issues.

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

1 Section 1. Any county which, under the provisions of either chap-
2 ter two hundred forty-one (241) or chapter two hundred forty-two
3 (242) of the Code of Iowa, has or shall have, by a vote of the electors,
4 authorized the issuance of county primary road bonds, shall have no
5 authority prior to the year 1950, by a vote of its electors, to authorize
6 another or additional county primary road bond issue.

1 SEC. 2. Nothing in this act shall be so construed as to prevent or
2 affect the issuance and sale of county primary road bonds voted by any
3 county previous to the time when this act becomes effective, nor to
4 prevent or affect the voting of an initial county primary road bond is-
5 sue in any county which has not previously authorized such a bond
6 issue, nor in any way change, alter, limit, or modify any provision of
7 any law of this state relating to the payment of county primary road
8 bonds or the interest on such bonds.

Approved April 24, 1939.

CHAPTER 117
FARM-TO-MARKET ROAD SYSTEM

H. F. 114

AN ACT to designate a farm-to-market road system; to provide a comprehensive plan for the improvement of farm-to-market roads; to authorize the board of supervisors of any county to cooperate with the federal government and the state highway commission in the improvement of farm-to-market roads; to secure for the state of Iowa and the several counties thereof the benefit of all funds allotted or to be allotted to this state by the federal government in the aid of secondary roads; to provide for certain transfer of funds from the primary road fund to the farm-to-market road fund; to create a farm-to-market road fund and to provide for the disbursement of said fund in the improvement of farm-to-market roads; and to amend section forty-seven hundred fifty-five-b three (4755-b3), code, 1935.

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

1 SECTION 1. As used in this act, the following words, terms or
2 phrases shall be construed or defined as follows:

3 (a) "Secondary road" shall mean any public highway except
4 primary roads, state roads, and highways within cities and towns.

5 (b) "Farm-to-market roads" shall mean any secondary road desig-
6 nated for improvement under this act.

7 (c) "County's allotment of motor vehicle fuel license fees" or
8 "allotment of motor vehicle fuel license fees" shall mean that part or
9 portion of the motor vehicle fuel license fees which are or may be
10 allotted to any county under the provisions of section five thousand
11 ninety-three-f thirty-five (5093-f35), Code of 1935, or as said section
12 may be amended, to be credited to the secondary road fund of said
13 county.

14 (d) "Federal aid" or "federal aid secondary road fund" shall
15 mean funds allotted to the state of Iowa by the federal government
16 to aid in the construction of secondary roads and which funds must be
17 matched with funds under the control of the state highway commis-
18 sion.

1 Sec. 2. The county board of supervisors of any county is empow-
2 ered, on behalf of the county, to enter into any arrangement or
3 agreement with or required by the duly constituted federal or state
4 authorities in order to secure the full cooperation of the government
5 of the United States and of the state of Iowa, and the benefit of all
6 present and future federal or state allotments in aid of secondary road
7 construction, reconstruction or improvement.

1 Sec. 3. There is hereby created a fund which shall be known as the
2 farm-to-market road fund which shall be made up as follows:

3 1. All federal aid secondary road fund received by the state.

4 2. All other funds which may, under the provisions of this act or
5 any other law, be credited or appropriated for the use of the farm-to-
6 market road fund.

1 SEC. 4. Said farm-to-market road fund is hereby appropriated for
2 and shall be used in the establishment, construction, reconstruction or
3 improvement of the farm-to-market road system, including the drain-
4 age, grading, surfacing, construction of bridges and culverts, the
5 elimination, protection, or improvement of railroad crossings the
6 acquiring of additional right of way and all other expenses incurred in

7 the construction, reconstruction or improvement of said farm-to-
8 market road system under this act.

1 SEC. 5. The state highway commission shall allot among all the
2 counties of the state that portion of the farm-to-market road fund
3 which comes from any source except the counties' portion of the motor
4 vehicle fuel license fees. Said allotment to each county shall be in
5 the ratio that the area of the county bears to the total area of the
6 state. Each county's allotment of the farm-to-market road fund shall
7 be used, as in this act provided, for the construction, reconstruction
8 and improvement of the farm-to-market roads of that county.

1 SEC. 6. The state highway commission shall keep accounts in re-
2 lation to the farm-to-market road fund and each county's allotment
3 thereof, crediting each fund with all amounts by law creditable there-
4 to, and charging each with all duly and finally approved vouchers for
5 claims properly chargeable thereto.

1 SEC. 7. The account of the farm-to-market road fund, kept by the
2 state comptroller and the state treasurer, shall deal with said fund
3 as a single fund with all credits thereto and disbursements therefrom.
4 The treasurer of state shall, each month, certify to the state highway
5 commission the amount or amounts which he has received and credited
6 to the farm-to-market road fund from (a) the federal government as
7 federal secondary road aid, (b) the motor vehicle fuel tax fund al-
8 lotted to any county, and (c) any other source.

1 SEC. 8. The state highway commission shall, quarterly, advise
2 each county engineer of the condition of said county's allotment of
3 the farm-to-market road fund. Said statement shall show the balance
4 in said county's allotment at the beginning of said period, the amount
5 or amounts allotted to said county during said period, the amount
6 disbursed from said county's allotment during said period, and the
7 balance in said county's allotment at the end of said period. Said
8 statement shall also show the estimated outstanding obligations
9 against the said county's allotment at the date of said statement.

1 SEC. 9. Before any project shall be approved by the state highway
2 commission for farm-to-market road construction in any county under
3 this act, the commission shall satisfy itself that said county is finan-
4 cially able and suitably equipped and organized to properly maintain
5 said road, and that the county engineer's office in said county is suit-
6 ably organized, equipped and financed to discharge to the satisfaction
7 of the commission, the duties herein required; and said county,
8 through its board of supervisors, shall recommend a system of second-
9 ary roads (not exceeding ten per cent (10%) of the total highway
10 mileage of the county) on which projects constructed under this act
11 shall be located. Provided, that if in any county more than ten per
12 cent (10%) of the highway mileage has already been built to finished
13 grade, bridged and surfaced with gravel or other suitable surfacing,
14 then the board may recommend a secondary road mileage which in-
15 cludes any or all the secondary roads of said county which have been
16 built to finished grade, bridged and surfaced with gravel or other
17 suitable surfacing, plus an additional mileage which is not more than
18 ten per cent (10%) of the highway mileage of the county.

1 SEC. 10. The state highway commission shall have authority to
2 approve in whole or in part or to modify the system of secondary roads
3 recommended by the board of supervisors of any county. In con-
4 sidering said system the commission shall take into account the rela-
5 tive amount of the present traffic on the various secondary roads of
6 the county, and the probable future traffic on such roads.

7 The system of roads as finally designated shall be known as the
8 farm-to-market road system.

9 Said road system may, subject to the consent of the board of super-
10 visors, be changed or modified by the state highway commission from
11 time to time to meet unforeseen or better understood conditions.
12 Whenever it may appear that all the roads included in said farm-to-
13 market road system in any county have been built to proper grade,
14 drained, bridged and surfaced in a manner suited to the traffic on
15 said roads, additional roads may be added to said system in the manner
16 herein provided for the original designation of said road system.

1 SEC. 11. Any county having complied with the provisions of this
2 act and desiring to avail itself of the benefits thereof, may, by its
3 board of supervisors, submit to the state highway commission project
4 statements for the construction, reconstruction or improvement of
5 farm-to-market roads, in said county. Should the board of super-
6 visors of any county elect to submit no project statement to the state
7 highway commission under this act, then none of said county's allot-
8 ment of gasoline tax funds shall be taken or used under the provision
9 of this act.

1 SEC. 12. The state highway commission may approve projects sub-
2 mitted by the board of supervisors prior to the approval of the farm-
3 to-market road system herein provided for, if it may reasonably
4 anticipate that the roads on which such projects are located, will be-
5 come a part of such system.

1 SEC. 13. If the state highway commission approves a project sub-
2 mitted by the board of supervisors, the county engineer shall proceed
3 to make or cause to be made, the surveys, plans and estimates for said
4 project, and submit the same to the board of supervisors and the high-
5 way commission for approval. The construction work on said project
6 shall be done in accordance with said approved plans, except insofar
7 as the same may be modified to meet unforeseen or better understood
8 conditions, and no such modification shall be deemed an invalidating
9 matter.

1 SEC. 14. When the approved plans and specifications for any farm-
2 to-market road project are filed with the state highway commission,
3 it shall, if the estimated cost exceeds one thousand dollars, proceed to
4 advertise for bids and make recommended award of contract. Said
5 recommended award of contract shall be submitted to the board of
6 supervisors of the county in which said project is located for its con-
7 currence. Upon receiving the concurrence of the county board on said
8 recommended contract award, the state highway commission shall take
9 final action awarding said contract. No contract shall be let to any
10 state official, elective or appointive nor a member of the state highway
11 commission, nor to any partnership or corporation in which a member
12 of the state highway commission, or any other state officer or em-

13 ployee, is financially interested. The letting of a contract in violation
14 of the foregoing provisions shall invalidate the contract, and such
15 violation shall be a complete defense to any action to recover any con-
16 sideration due or earned under the contract, at the time of its termi-
17 nation.

1 SEC. 15. In the award of contracts, due consideration shall be given
2 not only to prices bid, but also the mechanical or other equipment
3 and the financial responsibility of the bidder, and his ability and ex-
4 perience in the performance of like or similar contracts. The com-
5 mission may reject any or all bids and may readvertise for bids, or
6 may let a private contract, at a cost not to exceed the lowest bid re-
7 ceived, or if the estimated cost of the work does not exceed the sum
8 of five thousand dollars, may proceed to the construction of the work
9 by day labor. All contracts shall be in writing and shall be secured
10 by a bond for the faithful performance thereof as provided by law.

1 SEC. 16. All claims for improving farm-to-market roads hereunder
2 shall be paid from the farm-to-market road fund and charged to the
3 allotment of said fund for the county in which said project is located.

1 SEC. 17. All claims shall be itemized on voucher forms prepared
2 for that purpose, sworn to by the claimants, certified to by the engineer
3 in charge, approved by the board of supervisors and then forwarded
4 to the state highway commission for final audit and approval. Upon
5 approval by the state highway commission, of vouchers which are
6 payable from the farm-to-market road fund, such vouchers shall be
7 forwarded to the state comptroller, who shall draw warrants therefor,
8 and said warrants shall be paid by the treasurer of state from the
9 farm-to-market road fund.

1 SEC. 18. Partial payments may be made on the work during the
2 progress thereof, but no such partial payment shall be deemed final
3 acceptance of the work nor a waiver of any defect therein. The ap-
4 proval of any claims by the board of supervisors or by the state high-
5 way commission may be evidenced by the signature of the chairman
6 of said board or commission, or a majority of the members of the
7 board or commission, on the individual claims or on the abstract of a
8 number of claims with the individual claims attached to said abstract.

1 SEC. 19. The county engineer is charged with the duty of super-
2 vision, inspection and direction of the work of construction of farm-
3 to-market road projects under this act. In such capacity, the county
4 engineer shall be under the supervision of the commission. The high-
5 way commission shall make general inspection of the work during the
6 progress thereof and may refuse to approve claims for any work
7 which does not conform to the plans and specifications.

1 SEC. 20. Any county may, in any year, by resolution of its board
2 of supervisors, make available for improvement or construction of
3 farm-to-market roads within the county an amount of not to exceed
4 twenty-five per cent (25%) of its allotment of motor fuel license fees.
5 Upon certification of such a resolution, the state treasurer shall place
6 in the county's allotment of the farm-to-market road fund the amount
7 authorized by such resolution.

1 SEC. 21. A farm-to-market road project under this act may, sub-
2 ject to the approval of the council, include the purchase or condemna-
3 tion of right-of-way therefor, and grading, draining, bridging, elimina-
4 tion of danger at railroad crossings, the graveling or hard surfacing
5 of any road or street which is a continuation of the farm-to-market
6 road system and which is (1) within any town, or (2) within any city,
7 including cities under special charter having a population of less
8 than twenty-five hundred, or (3) within that part of any city including
9 cities acting under special charter, where the houses or business houses
10 average not less than two hundred feet apart.

11 The phrase "subject to the approval of the council" as it appears
12 in this section, shall be construed as authorizing the council to con-
13 sider said proposed improvement only in its relationship to municipal
14 improvements such as sewers, water lines, establishing grades, change
15 of established street grades, sidewalks and other public improvements.
16 The locations of such farm-to-market road extensions shall be deter-
17 mined by the board of supervisors.

1 SEC. 22. Right-of-way for farm-to-market road projects under this
2 act may be acquired by the county. However, the county board may
3 request the state highway commission to acquire such right-of-way
4 and in such event such right-of-way shall be paid for out of the
5 county's allotment of the farm-to-market road fund.

1 SEC. 23. In the maintenance, relocation, establishment or improve-
2 ment of farm-to-market roads, including extension of secondary roads
3 within cities and towns, the state highway commission shall have
4 authority to purchase or to institute and maintain proceedings for the
5 condemnation of the necessary right-of-way therefor and for the
6 condemnation of land, including a sufficient roadway to such land by
7 the most reasonable route for the purpose of obtaining gravel or other
8 suitable material with which to improve such roads.

9 All the provisions of the law relating to the condemnation of land
10 for public state purposes, shall apply to the provisions hereof.

11 The provisions of chapter two hundred thirty-seven (237) of the
12 Code of 1935, shall not apply to the establishment, vacation, alteration
13 or improvement of secondary roads under this section.

14 No such roads shall be established through any cemetery or burying
15 ground without the consent of all the parties affected by the same.

1 SEC. 24. Upon the completion of a farm-to-market road project
2 under this act, the county engineer shall file with the auditor and with
3 the recorder of the county a complete right-of-way map of said project.
4 Said right-of-way maps shall be filed by the auditor and recorder and
5 shall become a part of the permanent record of such offices.

1 SEC. 25. Whenever any public highway located along the corporate
2 line of any town or any city, including cities under special charter,
3 is an extension of the farm-to-market road system, it may be included
4 in said farm-to-market road system and may be improved as a part
5 of the said road system under this act.

1 SEC. 26. Should the completed cost of any farm-to-market road
2 project under this act be greater than the estimate on which the
3 county's contribution to said project was based, the state treasurer

4 shall, on certificate of such excess cost by the state highway commis-
5 sion, credit one-half of excess amount to the farm-to-market road fund
6 from the said county's allotment of the motor vehicle fuel license fees.

7 Should the completed cost of any farm-to-market road project under
8 this act be less than the estimate on which the county's contribution
9 to the said project was based, the state highway commission shall
10 take said fact into account when computing the county's contribution
11 to the next project approved under this act for construction in said
12 county. Said county's contribution to the said succeeding project shall
13 be reduced in an amount equal to the unexpended portion of said
14 county's contribution to the former project.

1 SEC. 27. The farm-to-market road fund allotted to any county as
2 provided in this act, shall remain available for expenditure in said
3 county for one year after the close of the calendar year during which
4 said sums respectively were allocated. Any sum remaining unex-
5 pended at the end of the period during which it is available for expend-
6 iture, shall be reapportioned among all the counties as provided in
7 section five (5) of this act for original allocations.

8 For the purposes of this section, any sums of the farm-to-market
9 road fund allotted to any county shall be presumed to have been "ex-
10 pended" when a contract shall have been let by the state highway
11 commission obligating said sums.

1 SEC. 28. Engineering, inspection and administration expense in
2 connection with any farm-to-market road project may be paid from
3 said county's allotment of the farm-to-market road fund. Any such
4 expense incurred by the state highway commission may in the first
5 instance be advanced out of the commission's support fund or out of
6 the primary road fund, said amounts later being reimbursed to said
7 funds out of the farm-to-market road fund.

8 Provided, that no part of the salary or expense of the county engi-
9 neer, any member of the county board of supervisors, any member of
10 the state highway commission, the chief engineer, or any department
11 head or district engineer of the commission shall be paid out of the
12 farm-to-market road fund.

1 SEC. 29. Any farm-to-market road constructed under the provi-
2 sions of this act shall be maintained by the county in a manner satis-
3 factory to the federal authorities and to the state highway commission.
4 Should any county fail to so maintain any such road, the state high-
5 way commission shall give the board of supervisors notice of that
6 fact. If within sixty days after receipt of such notice the said high-
7 way has not been placed in proper condition of maintenance the com-
8 mission shall proceed immediately to have such highway placed in
9 proper condition of maintenance and charge the cost thereof against
10 said county's allotment of the farm-to-market road fund. The amount
11 so expended for maintenance work by the Highway Commission shall
12 be reimbursed to said county's allotment of the farm-to-market road
13 fund, from said county's secondary road maintenance fund, before
14 any more farm-to-market road projects in said county are approved
15 by the Commission.

1 SEC. 30. The use of any county's allotment of the motor vehicle
2 fuel license fees, or any portion thereof, for the purpose of this act,

3 shall, subject to the approval of the county board of supervisors, take
4 precedence over any other use of said funds specified by law.

1 SEC. 31. The highway commission shall transfer from the primary
2 road fund to the farm-to-market road fund the sum of six hundred
3 fifty-eight thousand two hundred sixty-four dollars (\$658,264), said
4 sum to be used to match the federal allotment for farm-to-market
5 roads for the fiscal year ending June 30, 1938.

6 They shall also transfer from the primary road fund to the farm-
7 to-market road fund on or before September 15, 1939, an additional
8 sum of five hundred ninety-one thousand seven hundred thirty-six
9 dollars (\$591,736.00), and on or before the 15th day of May, 1940,
10 they shall transfer from the primary road fund to the farm-to-market
11 road fund the additional sum of one million two hundred fifty thousand
12 dollars (\$1,250,000.00), and all funds transferred from the primary
13 road fund as herein provided shall be used to match the federal allot-
14 ment for farm-to-market roads.

15 The state highway commission also shall transfer from the primary
16 road fund to the farm-to-market road fund, on or before June 30,
17 1941, and on or before June 30 of each year thereafter, all moneys in
18 excess of the sum of sixteen million dollars (\$16,000,000.00) received
19 in the primary road fund from state sources, exclusive, however, of
20 funds received from the sale of primary road bonds.

1 SEC. 32. The highway commission shall not compel the widening
2 of any of the farm-to-market roads in any county over sixty-six (66)
3 feet without the consent of the county board of supervisors.

1 SEC. 33. That portion of the primary road fund going to the farm-
2 to-market road fund not required to match federal aid shall be allo-
3 cated to the secondary road construction fund of each county for
4 construction purposes only, in the same ratio as provided by section
5 five (5).

1 SEC. 34. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Davis
3 County Republican, a newspaper published at Bloomfield, Iowa, and
4 the Red Oak Express, a newspaper published at Red Oak, Iowa.

Approved April 14, 1939.

I hereby certify that the foregoing act was published in the Davis County Republican,
Bloomfield, Iowa, April 18, 1939, and the Red Oak Express, Red Oak, Iowa, April 20, 1939.
EARL G. MILLER, *Secretary of State.*

CHAPTER 118

HIGHWAY COMMISSION

S. F. 268

AN ACT to amend chapter two hundred forty-one-B one (241-B1), code, 1935, and requiring the highway commission to submit estimate for the support of the commission, engineering, inspection, administrative work, and maintenance of the primary road system, and providing that expenditures for such purposes shall only be made on authorization by the general assembly.

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

1 SECTION 1. Chapter two hundred forty-one-B one (241-B1), Code,
2 1935, is amended by inserting as a new section, after section forty-
3 seven hundred fifty-five-b four (4755-b4) of said chapter the fol-
4 lowing:

5 "After June 30, 1939, expenditures by the state highway commis-
6 sion under the preceding section for the support of the commission
7 and for engineering, inspection and administration of highway work
8 and maintenance of the primary road system shall be only on authori-
9 zation by the General Assembly.

10 "The highway commission shall biennially on or before September
11 first of even numbered years submit to the comptroller for transmis-
12 sion to the General Assembly a detailed estimate of the amount re-
13 quired by the highway commission during the succeeding biennium
14 for the support of the commission and for engineering, inspection,
15 and administration of highway work and maintenance of the primary
16 road system. Such estimate shall be in the same general form and
17 detail as may be required by law in estimates submitted by other state
18 departments.

19 "Any unexpended balance at the end of any year in the amount so
20 authorized for said year shall revert to the primary road fund. If
21 the amount authorized by the General Assembly for any year shall
22 prove to be not sufficient to meet the commission's needs during said
23 year, the executive council may on proper showing by the commission
24 authorize such additional amount for said year as may appear to the
25 council necessary to meet the commission's needs for the remainder
26 of said year."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect after its passage and publication in the Hardin
3 County Index, a newspaper published at Eldora, Iowa, and the Clinton
4 Herald, a newspaper published at Clinton, Iowa.

Approved February 25, 1939.

I hereby certify that the foregoing act was published in the Hardin County Index,
Eldora, Iowa, March 2, 1939, and the Clinton Herald, Clinton, Iowa, March 1, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 119

STATE HIGHWAY COMMISSION AUDITOR

S. F. 457

AN ACT to amend section forty-seven hundred fifty-five-b twenty (4755-b20), code, 1935,
and changing the method for removal of the auditor of the state highway commission.

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

1 SECTION 1. Section forty-seven hundred fifty-five-b twenty (4755-
2 b20), Code, 1935, is amended by striking the last sentence therefrom
3 and by inserting in lieu thereof the following: "The said auditor
4 may be removed by the state comptroller."

Approved April 15, 1939.

CHAPTER 120

DEPARTMENT OF PUBLIC SAFETY

S. F. 379

AN ACT to create a department of public safety, and to provide for the centralization of all state peace officers therein, and to provide centralization of state peace officers' activities, and relating to inspection and like services of the Iowa State Commerce Commission, and to repeal sections thirteen thousand four hundred seven (13407), thirteen thousand four hundred eight (13408), thirteen thousand four hundred nine (13409), thirteen thousand four hundred ten (13410), thirteen thousand four hundred twelve (13412), thirteen thousand four hundred thirteen (13413), thirteen thousand four hundred fourteen (13414), thirteen thousand four hundred fifteen (13415), thirteen thousand four hundred seventeen (13417), sixteen hundred twenty (1620), sixteen hundred twenty-one (1621), sixteen hundred twenty-two (1622), sixteen hundred twenty-three (1623), sixteen hundred twenty-three-c one (1623-c1), sixteen hundred fifty-five (1655), and sixteen hundred seventy-four (1674), code, 1935; and to repeal section sixteen hundred nineteen (1619), code, 1935, and to enact a substitute therefor; and to repeal the following sections of chapter one hundred thirty-four (134) of the Acts of the Forty-seventh General Assembly: Sections thirty (30) to forty-seven (47) inclusive; also to amend chapter eighty (80) and chapter six hundred twenty-one (621), code, 1935, and to amend sections two thousand eleven (2011), as amended by section five hundred twenty-nine (529) of chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, fifty-one hundred eighty-two (5182), fifty-one hundred eighty-two-d one (5182-d1), twelve thousand nine hundred forty-one-b one (12941-b1), thirteen thousand four hundred five (13405), thirteen thousand four hundred sixteen (13416), thirteen thousand four hundred seventeen-b one (13417-b1), thirteen thousand four hundred seventeen-d one (13417-d1), thirteen thousand four hundred seventeen-d two (13417-d2), thirteen thousand four hundred seventeen-d three (13417-d3), thirteen thousand four hundred seventeen-d four (13417-d4), thirteen thousand four hundred seventeen-d five (13417-d5), also to amend sections nineteen hundred twenty-one-f sixteen (1921-f16), nineteen hundred twenty-one-f ninety-four (1921-f94), fifteen hundred fourteen (1514), sixteen hundred twenty-four (1624), sixteen hundred twenty-eight (1628), sixteen hundred twenty-nine (1629), sixteen hundred thirty (1630), sixteen hundred thirty-one (1631), sixteen hundred thirty-two (1632), sixteen hundred thirty-three (1633), sixteen hundred forty-five (1645), sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred fifty (1650), sixteen hundred fifty-one (1651), sixteen hundred fifty-four (1654), sixteen hundred sixty-four (1664), sixteen hundred sixty-five (1665), sixteen hundred sixty-six (1666), sixteen hundred sixty-eight (1668), sixteen hundred sixty-nine (1669), sixteen hundred seventy (1670), sixteen hundred seventy-one (1671), sixteen hundred seventy-five (1675), sixteen hundred seventy-six (1676), sixteen hundred seventy-seven (1677), twenty-eight hundred fifty-three (2853), fifty-one hundred five-a two (5105-a2), fifty-one hundred five-a three (5105-a3), fifty-one hundred five-a eighteen (5105-a18), fifty-one hundred five-a twenty-nine (5105-a29), fifty-one hundred five-a thirty (5105-a30), fifty-one hundred five-a thirty-eight (5105-a38), fifty-one hundred five-c two (5105-c2), fifty-one hundred five-c three (5105-c3), fifty-one hundred five-c eight (5105-c8), fifty-one hundred five-c fifteen (5105-c15), fifty-one hundred five-c sixteen (5105-c16), fifty-one hundred five-c seventeen (5105-c17), as amended by section five hundred thirty-two (532) of chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly, fifty-one hundred five-c twenty-three (5105-c23), fifty-one hundred five-c twenty-five (5105-c25), code, 1935; also to amend sections one (1), fourteen (14), fifteen (15), sixteen (16), twenty (20), twenty-five (25), twenty-six (26), ninety-seven (97), one hundred eighteen (118), two hundred five (205), two hundred nineteen (219), two hundred twenty-three (223), two hundred seventy-two (272), two hundred seventy-six (276), and four hundred two (402), of chapter one hundred thirty-four (134), Acts of the Forty-seventh General Assembly.

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

- 1 SECTION 1. There is hereby created a department of the state
- 2 government which shall be known and designated as the department

3 of public safety, which shall consist of a commissioner of public safety
4 and of such officers and employees as may be required.

1 SEC. 2. The chief executive officer of the department of public
2 safety shall be the commissioner of public safety. The governor shall,
3 within sixty (60) days after this act shall have become effective,
4 and in every sixth* year after the year 1939, within sixty (60) days
5 following the organization of the regular session of the general assem-
6 bly in said year, appoint, with the approval of two-thirds of the
7 members of the senate in executive session, a commissioner of public
8 safety, who shall be a man of high moral character, of good standing
9 in the community in which he lives, of recognized executive and ad-
10 ministrative capacity, and who shall be selected solely with regard to
11 his qualifications and fitness to discharge the duties of his office. He
12 shall have been for a period of at least five (5) years, immediately
13 prior to his appointment, a resident of the state of Iowa. The com-
14 missioner of public safety shall devote his entire time to the duties of
15 his office and shall serve for a period of four (4) years from July first
16 of the year of his appointment at an annual salary of four thousand
17 dollars (\$4000.00). The governor, with the approval of the executive
18 council, may remove the commissioner of public safety for cause after
19 a public hearing before the executive council.

1 SEC. 3. A vacancy in the office of the commissioner of public safety
2 that may occur while the general assembly is not in session shall be
3 filed by appointment by the governor, which appointment shall expire
4 at the end of thirty (30) days from the time the general assembly
5 next convenes. Prior to the expiration of said thirty (30) days, the
6 governor shall transmit to the senate for its confirmation an appoint-
7 ment for the unexpired portion of the regular term. A vacancy oc-
8 ccurring during a session of the general assembly shall be filled as
9 regular appointments are made and before the end of said session,
10 and for the unexpired portion of the regular term.

1 SEC. 4. The commissioner shall succeed in the administration and
2 control of the Iowa highway safety patrol established under Chapter
3 one hundred thirty-four (134), Acts of the Forty-seventh General
4 Assembly. The commissioner is authorized to employ the members
5 of said patrol; however, not to exceed one hundred twenty-five (125)
6 men, and not more than sixty per cent (60%) of said patrol shall
7 at any time be members of the same political party. Provided, how-
8 ever, the present personnel of the highway patrol in good standing
9 are excepted from the provisions of this section.

1 SEC. 5. The commissioner is authorized to appoint a chief, a first
2 and second assistant and all other supervisory officers of said patrol.
3 All appointments and promotions shall be made on the basis of senior-
4 ity and merit examination. There shall not be more than twenty (20)
5 supervisory officers in the said patrol unless the membership thereof
6 is increased to such a number as to require the appointment of addi-
7 tional supervisory officers.

*Note: Amended by Senate File 498, Acts of the Forty-eighth General Assembly, substituting the word "four" in lieu of the word "six" in this line.

1 SEC. 6. The commissioner may appoint as special agent any per-
2 son who is regularly employed by a common carrier by rail to protect
3 the property of said common carrier, its patrons, and employees.
4 Such special agents shall not receive any compensation from the state.

1 SEC. 7. The commissioner, with the approval of the governor, shall
2 appoint such deputies, inspectors, officers, clerical workers and other
3 employees as may be required to properly discharge the duties of this
4 department, provided, however, that all members in good standing
5 of what is now* known as the Iowa highway safety patrol shall, upon
6 the enactment of this act, immediately become members of this depart-
7 ment without appointment and the rank and salary of all members
8 of the Iowa highway safety patrol shall remain the same as now*
9 fixed by statute, or as may be provided for in this act.

10 The commissioner may delegate to the members of the Iowa high-
11 way safety patrol such additional duties in the enforcement of this
12 act as he may deem proper and incidental to the duties now imposed
13 upon them by law.

14 The salaries of all members and employees of the department and
15 the expenses of the department shall be fixed by the legislative appro-
16 priation therefor.

1 SEC. 8. It shall be the duty of the department of public safety to
2 prevent crime, to detect and apprehend criminals and to enforce such
3 other laws as are hereinafter specified. The members of the depart-
4 ment of public safety, except clerical workers therein, shall have and
5 exercise all the powers of any peace officer of the state.

6 They shall not exercise their general powers within the limits of
7 any city or town, except

- 8 (a) When so ordered by the direction of the governor;
- 9 (b) When request is made by the mayor of any city or town, with
10 the approval of the commissioner;
- 11 (c) When request is made by the sheriff or county attorney of any
12 county with the approval of the commissioner;
- 13 (d) While in the pursuit of law violators or in investigating law vio-
14 lations;
- 15 (e) While making any inspection provided by this chapter, or any
16 additional inspection ordered by the commissioner;
- 17 (f) When engaged in the investigating and enforcing of fire and
18 arson laws.

19 When any member of the department shall be acting in cooperation
20 with any other local peace officer, or county attorney in general crimi-
21 nal investigation work, or when acting on a special assignment by the
22 commissioner, his jurisdiction shall be statewide.

23 However, the above limitations shall in no way be construed as a
24 limitation as to their power as officers when a public offense is being
25 committed in their presence. In more particular, their duties shall
26 be as follows:

- 27 1. To enforce all state laws.
- 28 2. To enforce all laws relating to traffic on the public highways of
29 the state, including those relating to the safe and legal operation of

*Note: Amended by Senate File 498, Acts of the Forty-eighth General Assembly, substituting the word "heretofore" for the word "now" in two places in this section.

30 passenger cars, motorcycles, motor trucks and busses; to issue opera-
 31 tors' and chauffeurs' licenses; to see that proper safety rules are ob-
 32 served and to give first aid to the injured.

33 3. To investigate all fires; to apprehend persons suspected of arson;
 34 to enforce all safety measures in connection with the prevention of
 35 fires; and to disseminate fire-prevention education.

36 4. To collect and classify, and keep at all times available, complete
 37 information useful for the detection of crime, and the identification
 38 and apprehension of criminals. Such information shall be available
 39 for all peace officers within the state, under such regulations as the
 40 commissioner may prescribe.

41 5. To operate such radio broadcasting stations as may be necessary
 42 in order to disseminate information which will make possible the
 43 speedy apprehension of law breakers, as well as such other informa-
 44 tion as may be necessary in connection with the duties of this office.

1 SEC. 9. Section fifty-one hundred eighty-two (5182), Code, 1935,
 2 is hereby amended by adding the following:

3 "The sheriffs may use the services of the state department of public
 4 safety in the apprehension of criminals and detection of crime."

1 SEC. 10. For the instruction of law-enforcement officers of this
 2 state, including members and prospective members of the department
 3 of public safety and peace officers of the several counties, townships,
 4 cities and towns, the commissioner of public safety is hereby author-
 5 ized and directed to utilize the existing peace officers' short course and
 6 the laboratories and facilities in connection therewith in the college
 7 of law of the State University of Iowa.

1 SEC. 11. The course or courses of instruction for peace officers
 2 shall include instruction in the following subjects and such others
 3 as shall be deemed advisable by the college of law and the commis-
 4 sioner of public safety:

- 5 (a) Criminal law.
- 6 (b) Identification of criminals and fingerprinting.
- 7 (c) Methods of criminal investigation.
- 8 (d) Rules of criminal evidence.
- 9 (e) Presentation of cases in court.
- 10 (f) Making of complaints and securing of criminal warrants.
- 11 (g) Securing and use of search warrants.
- 12 (h) How to secure extradition and return.
- 13 (i) Small arms instruction.
- 14 (j) Regulation of traffic.
- 15 (k) First aid.

1 SEC. 12. The commissioner of public safety is authorized to send
 2 members of the department of public safety to any course of instruc-
 3 tion for peace officers, not exceeding a total of six (6) weeks' length
 4 in any one (1) year, given by the college of law of the State University
 5 of Iowa, or the course of instruction in public safety education given
 6 at Iowa state college of agriculture and mechanic arts, and such mem-
 7 bers shall be considered on duty while in attendance upon such author-
 8 ity. The legislative body in any county, city, including cities under
 9 special charter, or town, may authorize the attendance at such course
 10 of any law-enforcing officer under the jurisdiction of such county, city

11 or town and may provide for the payment of the actual and necessary
12 expenses of such person while in attendance, which payment shall
13 be made out of the general fund of such county, city or town.

1 SEC. 13. The commissioner is authorized to hold a training school
2 for candidates for or members of the department of public safety, and
3 may send to recognized training schools such members as the com-
4 missioner may deem advisable, for periods not to exceed one month
5 in any calendar year. The expenses of such school of training shall
6 be paid in the same manner as other expenses of the patrol.

1 SEC. 14. To each person satisfactorily completing the course of
2 study prescribed, an appropriate certificate or diploma shall be issued.

1 SEC. 15. No applicant for membership in the department of public
2 safety, except clerical workers and special agents appointed under
3 Section 6, shall be appointed as a member until he has passed a satis-
4 factory physical and mental examination. In addition, such applicant
5 must have resided in the state of Iowa for at least the period of two
6 (2) years, immediately prior to making application, must be a citizen
7 of the United States, of good moral character, and be not less than
8 twenty-two (22) years of age. The mental examination shall be con-
9 ducted under the direction or supervision of the commissioner of pub-
10 lic safety and may be oral or written or both. Each applicant shall
11 take an oath on becoming a member of the force, to uphold the laws
12 and constitution of the United States and of the state of Iowa. During
13 the period of six months after appointment, any member of the de-
14 partment of public safety, except members of the present Iowa high-
15 way safety patrol who have served more than six (6) months, shall
16 be subject to dismissal at the will of the commissioner. After the
17 six months' service, no member of the department, who shall have
18 been appointed after having passed the before-mentioned examina-
19 tions, shall be subject to dismissal unless charges have been filed with
20 the secretary of the executive council and a hearing held before the
21 executive council, if requested by said member of the department, at
22 which he shall have an opportunity to present his defense to such
23 charges. The decision of the executive council by majority vote shall
24 be final. All rules and regulations regarding the enlistment, appoint-
25 ment, and employment affecting the personnel of the department shall
26 be established by the commissioner with the approval of the governor.

1 SEC. 16. All special agents appointed by the commissioner of pub-
2 lic safety and all members of the state department of public safety
3 excepting the members of the clerical force shall, upon appointment,
4 give bond, conditioned upon the faithful discharge of their duties, in
5 the sum of five thousand dollars (\$5,000), which bond shall be ap-
6 proved by the appointing officer. The premium on said bond shall be
7 paid from the funds of this department.

1 SEC. 17. In general, the allocation of duties of the department of
2 public safety shall be as follows:
3 (1) Commissioner's office.
4 (2) Division of statistics and records.
5 (3) Division of criminal investigation and bureau of identifica-
6 tion.

7 (4) Division of highway safety and uniformed force.

8 (5) Division of fire protection.

9 (6) Division of inspection.

10 Nothing in the aforesaid allocation of duties shall be interpreted to
11 prevent flexibility in inter-departmental operations or to forbid other
12 divisional allocations of duties in the discretion of the commissioner
13 of public safety.

1 SEC. 18. It shall be the duty of the commissioner of public safety
2 to provide for the members of the department when on duty, suitable
3 uniforms, subsistence, arms, equipment, quarters, and other necessary
4 supplies, and also the expense and means of travel and boarding the
5 members of the department, according to rules and regulations made
6 by the commissioner, as may be provided by appropriation.

1 SEC. 19. The commissioner may cooperate with any recognized
2 agency in the education of the public in highway safety and no money
3 shall be expended for such purpose except it be specifically appropri-
4 ated by the legislature for that purpose.

5 Any recognized agency receiving appropriations of state money for
6 public safety shall annually file with the auditor of state an itemized
7 statement of all its receipts and expenditures.

1 SEC. 20. The commissioner of public safety may, subject to the
2 approval of the governor, establish divisional headquarters at various
3 places in the state.

1 SEC. 21. No fees or rewards shall be retained personally by mem-
2 bers of the department in addition to their salaries, and any such fees
3 or rewards earned by any members of said department shall be cred-
4 ited to the fund as herein provided to pay the expenses of this depart-
5 ment. All salaries herein provided for and all expenses incurred
6 under the provisions of this act shall be allowed and audited in the
7 same manner as in other state offices, and shall be payable out of
8 moneys hereafter appropriated.

1 SEC. 22. Section thirteen thousand four hundred five (13405),
2 Code, 1935, is amended by striking out paragraph four (4) and sub-
3 stituting the following: "4. All special agents appointed by the com-
4 missioner of public safety and all members of the state department
5 of public safety excepting the members of the clerical force."

1 SEC. 23. Sections thirteen thousand four hundred seven (13407),
2 thirteen thousand four hundred eight (13408), thirteen thousand four
3 hundred nine (13409), thirteen thousand four hundred ten (13410),
4 thirteen thousand four hundred twelve (13412), thirteen thousand
5 four hundred thirteen (13413), thirteen thousand four hundred four-
6 teen (13414), thirteen thousand four hundred fifteen (13415), and
7 thirteen thousand four hundred seventeen (13417), Code, 1935, relat-
8 ing to special agents and the attorney general's connection with the
9 bureau of investigation are hereby repealed.

BUREAU OF CRIMINAL INVESTIGATION

1 SEC. 24. Section thirteen thousand four hundred sixteen (13416),
2 Code, 1935, is amended by striking out the words "attorney general"

3 in lines one (1) and two (2) and substituting therefor the words
 4 "commissioner of public safety"; further amend by striking out the
 5 words "attorney general" in line eight (8) and substituting therefor
 6 the words "commissioner of public safety"; further amend by strik-
 7 ing out the word "system" in line two (2) and substituting therefor
 8 the word "bureau."

1 SEC. 25. Section thirteen thousand four hundred seventeen-b one
 2 (13417-b1), Code, 1935, is amended by striking out the words "attor-
 3 ney general" in lines sixteen (16) and seventeen (17) and substitut-
 4 ing the words "commissioner of public safety".

1 SEC. 25a. Section two thousand eleven (2011), Code, 1935, as
 2 amended by section five hundred twenty-nine (529) of Chapter one
 3 hundred thirty-four (134), Acts of the Forty-seventh General Assem-
 4 bly, is amended:

5 1. By striking from lines one (1) and two (2) the words "motor
 6 vehicles" and by inserting in lieu thereof the words "public safety";

7 2. By striking from line seven (7) the words "bureau of investiga-
 8 tion" and by inserting in lieu thereof the words "commissioner of
 9 public safety".

1 SEC. 25b. Section fifty-one hundred eighty-two-d one (5182-d1),
 2 Code, 1935, is hereby amended by striking from line three (3) thereof
 3 the words "bureau of investigation" and inserting in lieu thereof
 4 the words "commissioner of public safety".

1 SEC. 25c. Section twelve thousand nine hundred forty-one-d one
 2 (12941-d1), Code, 1935, is amended by substituting the words "com-
 3 missioner of public safety" wherever the words "chief of the state
 4 bureau of investigation" appear therein; also by striking the word
 5 "chief" from line ten (10) and inserting in lieu thereof the word
 6 "commissioner".

1 SEC. 25d. Section one hundred eighteen (118) of chapter one hun-
 2 dred thirty-four (134), Acts of the Forty-seventh General Assembly,
 3 is hereby amended by striking from lines five (5) and six (6) thereof
 4 the words "state bureau of investigation" and inserting in lieu thereof
 5 the words "commissoner of public safety".

RADIO BROADCASTING STATIONS

1 SEC. 26. Section thirteen thousand four hundred seventeen-d one
 2 (13417-d1), Code, 1935, is amended by striking out the words "attor-
 3 ney general" in lines one (1) and two (2) and substituting the words
 4 "commissioner of public safety"; and said section is further amended
 5 by adding the following: "The said commissioner shall be empowered,
 6 subject to the approval of the governor and executive council, to equip
 7 divisional headquarters, cars and motorcycles in his department with
 8 radio sending and/or receiving apparatus."

1 SEC. 27. Section thirteen thousand four hundred seventeen-d two
 2 (13417-d2), Code, 1935, is amended by striking out the words "state
 3 bureau of investigation for the use of the department of justice" in
 4 lines five (5), six (6) and seven (7), and substituting therefor the
 5 words "department of public safety"; and by striking out the last
 6 sentence thereof.

1 SEC. 28. Section thirteen thousand four hundred seventeen-d three
2 (13417-d3), Code, 1935, is amended by striking out the words "attor-
3 ney general" in line two (2) and substituting therefor the words
4 "commissioner of public safety".

1 SEC. 29. Section thirteen thousand four hundred seventeen-d four
2 (13417-d4), Code, 1935, is amended by striking out the words "attor-
3 ney general" in line five (5) and substituting therefor the words
4 "commissioner of public safety".

1 SEC. 30. Section thirteen thousand four hundred seventeen-d five
2 (13417-d5), Code, 1935, is amended by striking out the words "attor-
3 ney general" in line five (5) and substituting therefor the words
4 "commissioner of public safety".

1 SEC. 31. Chapter six hundred twenty-one (621), Code, 1935, is
2 amended by adding the following section:

3 "The sheriff of any county shall accept for custody in the county
4 jail of his respective county any person handed over to him for safe
5 keeping and lodging by any member of the state department of public
6 safety."

TRAFFIC LAW ENFORCEMENT AND SAFETY PATROL

1 SEC. 32. Section one (1) of chapter one hundred thirty-four (134),
2 Acts of the Forty-seventh General Assembly, is hereby amended by
3 striking out paragraph thirty (30) thereof and substituting the fol-
4 lowing:*

5 "30. Commissioner means the commissioner of motor vehicles under
6 the secretary of state with respect to registering and licensing motor
7 vehicles under the provisions of this chapter, but it shall mean the
8 commissioner of public safety with respect to enforcement of traffic
9 laws, the reporting of accidents, the licensing of operators and chauff-
10 feurs, the enforcement of safety provisions relating to the operation
11 of motor vehicles, and other related provisions of this chapter."

1 SEC. 33. Section one (1) of chapter one hundred thirty-four (134),
2 Acts of the Forty-seventh General Assembly, is hereby amended by
3 striking out paragraph thirty-one (31) thereof and substituting the
4 following:**

5 "31. Department means the department of motor vehicles under the
6 secretary of state acting directly or through its duly authorized officers
7 and agents, with respect to registering and licensing motor vehicles
8 under the provisions of this chapter, but it shall mean the department
9 of public safety with respect to enforcement of traffic laws, the report-
10 ing of accidents, the licensing of operators and chauffeurs, the enforce-
11 ment of safety provisions relating to the operation of motor vehicles,
12 and other related provisions of this chapter."

*Note: Amended by Senate File 498, Acts of the Forty-eighth General Assembly, which strikes out that part of this section in quotation marks and substitutes: "30. Commissioner means the commissioner of public safety of the state."

**Note: Amended by Senate File 498, Acts of the Forty-eighth General Assembly, which strikes out that part of this section in quotation marks and substitutes: "31. Department means the motor vehicle department under the commissioner of public safety."

1 SEC. 34. Section fourteen (14) of chapter one hundred thirty-four
2 (134), Acts of the Forty-seventh General Assembly is amended by
3 striking out everything after the word "department" in line three (3)
4 and substituting a period for the comma.

1 SEC. 35. Section fifteen (15) of chapter one hundred thirty-four
2 (134), Acts of the Forty-seventh General Assembly, is amended by
3 striking all of the first sentence thereof after the word "chapter"
4 appearing in line four (4) and inserting in lieu thereof a period.

1 SEC. 36. Section sixteen (16) of chapter one hundred thirty-four
2 (134), Acts of the Forty-seventh General Assembly, is amended by
3 striking all of the first sentence thereof after the word "chapter" in
4 line four (4) and inserting in lieu thereof a period.

1 SEC. 37. Section twenty (20) of chapter one hundred thirty-four
2 (134), Acts of the Forty-seventh General Assembly, is amended by
3 striking from line three (3) thereof the following: ", operators' and
4 chauffeurs' licenses,".

1 SEC. 38. Section twenty-five (25) of chapter one hundred thirty-
2 four (134), Acts of the Forty-seventh General Assembly, is amended
3 by striking from lines three (3) and four (4) thereof the words "for
4 an operator's or chauffeur's license, and of any other application".

1 SEC. 39. Section twenty-six (26) of chapter one hundred thirty-
2 four (134), Acts of the Forty-seventh General Assembly, is amended
3 by striking the word "license," in line three (3).

1 SEC. 40. Sections thirty (30) to forty-seven (47), inclusive, of
2 chapter one hundred thirty-four (134), Acts of the Forty-seventh
3 General Assembly, are hereby repealed.

OPERATORS' AND CHAUFFEURS' LICENSES, ISSUANCE OF LICENSES, EXPIRATION, AND RENEWAL

1 SEC. 41. Section two hundred five (205) of chapter one hundred
2 thirty-four (134), Acts of the Forty-seventh General Assembly, is
3 amended by striking from line four (4) thereof after the word "chauf-
4 feur" the words "under the provisions of this chapter" and inserting
5 in lieu thereof the following: "issued by the department of public
6 safety".

1 SEC. 42. Section two hundred nineteen (219), Chapter one hundred
2 thirty-four (134), Acts of the 47th General Assembly is amended by
3 inserting after the word "patrol" in line two (2) thereof the words
4 "or may designate the county sheriff."

1 SEC. 43. Section two hundred twenty-three (223) of chapter one
2 hundred thirty-four (134), Acts of the Forty-seventh General As-
3 sembly, is amended by striking the remainder of the section beginning
4 with the word "maintenance" in line three (3) and substituting there-
5 for the following: "general fund of the state, provided that for each
6 operator's license issued by a county sheriff for which a license fee
7 is paid, the sheriff issuing the same shall be entitled to retain the sum
8 of fifteen (15) cents and for each chauffeur's license, the sum of fifty
9 (50) cents, which shall be credited to the county general fund."

1 SEC. 44. Section two hundred seventy-two (272) of chapter one
2 hundred thirty-four (134), Acts of the Forty-seventh General As-
3 sembly, is amended by striking out the words "state motor vehicle
4 department" in line one (1) and substituting the words "department
5 of public safety".

1 SEC. 45. Section two hundred seventy-six (276) of chapter one hun-
2 dred thirty-four (134), Acts of the Forty-seventh General Assembly,
3 is amended by striking the words "state motor vehicle department"
4 in lines one (1) and two (2) and substituting the words "department
5 of public safety"; further amend by striking the words "motor vehicle
6 department" in line five (5) and inserting in lieu thereof the follow-
7 ing words: "department of public safety".

1 SEC. 46. Section four hundred two (402) of chapter one hundred
2 thirty-four (134), Acts of the Forty-seventh General Assembly, is
3 amended by striking out the words "motor vehicles" in line three (3)
4 and substituting the words "public safety".

DUTIES OF FIRE MARSHAL

1 SEC. 47. Sections sixteen hundred twenty (1620), sixteen hundred
2 twenty-one (1621), sixteen hundred twenty-two (1622), sixteen hun-
3 dred twenty-three (1623), sixteen hundred twenty-three-c one (1623-
4 c1), and sixteen hundred fifty-five (1655), Code, 1935, are hereby re-
5 pealed.

1 SEC. 48. Section sixteen hundred nineteen (1619), Code, 1935, is
2 hereby repealed and the following enacted in lieu thereof:

3 "The chief officer of the division of fire protection in the department
4 of public safety shall be known as the state fire marshal."

1 SEC. 49. Section sixteen hundred twenty-four (1624), Code, 1935,
2 is amended by striking from line two (2) thereof the following: "
3 his deputy or inspectors," and by striking from line three (3) thereof
4 the words "immediately investigate" and substituting in lieu thereof
5 the words "cause immediate investigation to be made of".

1 SEC. 50. Section sixteen hundred twenty-eight (1628), Code, 1935,
2 is amended by striking from line two (2) thereof the words "deputy
3 or inspectors" and inserting in lieu thereof "designated subordinates".

1 SEC. 51. Section sixteen hundred twenty-nine (1629), Code, 1935,
2 is amended by striking from line two (2) thereof the words "deputy
3 or inspectors" and inserting in lieu thereof "designated subordinates".

1 SEC. 52. Section sixteen hundred thirty (1630), Code, 1935, is
2 amended by striking from line four (4) thereof the words "his deputy
3 or inspectors" and inserting in lieu thereof the words "or his desig-
4 nated subordinates".

1 SEC. 53. Section sixteen hundred thirty-one (1631), Code, 1935,
2 is amended by striking from line two (2) thereof the words "or his
3 deputy" and further amend by striking from line seven (7) thereof
4 the words "or they".

1 SEC. 54. Section sixteen hundred thirty-two (1632), Code, 1935, is
2 amended by striking from line two (2) thereof the words "his deputies

3 and inspectors" and inserting in lieu thereof the words "and his design-
4 nated subordinates".

1 SEC. 55. Section sixteen hundred thirty-three (1633), Code, 1935,
2 is amended by striking from line two (2) thereof the words "or his
3 deputy" and inserting in lieu thereof the words "acting in person or
4 through his designated subordinate".

1 SEC. 56. Section sixteen hundred forty-five (1645), Code, 1935, is
2 amended by striking from line three (3) thereof "or his deputy".

1 SEC. 57. Section sixteen hundred forty-seven (1647), Code, 1935,
2 is amended by striking from line three (3) thereof the words "or his
3 deputy".

1 SEC. 58. Section sixteen hundred forty-eight (1648), Code, 1935,
2 is amended by striking from line four (4) thereof the word "deputy"
3 and inserting in lieu thereof "designated subordinate".

1 SEC. 59. Section sixteen hundred fifty (1650), Code, 1935, is
2 amended by striking from line three (3) thereof the words "deputy
3 or inspectors" and inserting in lieu thereof the words "designated
4 subordinates".

1 SEC. 60. Section sixteen hundred fifty-one (1651), Code, 1935, is
2 amended by striking from line three (3) thereof the word "deputy"
3 and by substituting in lieu thereof the words "designated subordinate".

1 SEC. 61. Section sixteen hundred fifty-four (1654), Code, 1935, is
2 amended by inserting in line fourteen (14) after the word "marshal"
3 the following: " provided that such fees shall not be paid to any full-
4 time salaried public official who is paid for full time at such duties".

RELATING TO FIRE ESCAPES

1 SEC. 62. Section fifteen hundred fourteen (1514), Code, 1935, is
2 amended by striking therefrom paragraph numbered two (2) and re-
3 numbering the remaining paragraphs.

1 SEC. 63. Chapter eighty (80), Code, 1935, is amended by adding
2 thereto the following section:

3 "It shall be the duty of the fire marshal to enforce all laws relating
4 to fire escapes."

1 SEC. 64. Section sixteen hundred sixty-four (1664), Code, 1935,
2 is amended by striking from line seven (7) the words "labor com-
3 missioner" and substituting therefor the words "state fire marshal";
4 further amend by striking from line ten (10) the word "commis-
5 sioner" and inserting in lieu thereof the words "fire marshal".

1 SEC. 65. Section sixteen hundred sixty-five (1665), Code, 1935, is
2 amended by striking from line four (4) of paragraph two (2) the
3 word "commissioner" and inserting in lieu thereof the words "state
4 fire marshal"; and further amend by striking from line five (5) of
5 paragraph six (6) the word "commissioner" and inserting in lieu
6 thereof the words "state fire marshal".

1 SEC. 66. Section sixteen hundred sixty-six (1666), Code, 1935, is
2 amended by striking from line seven (7) of paragraph two (2) the
3 words "labor commissioner" and inserting in lieu thereof the words
4 "state fire marshal".

1 SEC. 67. Section sixteen hundred sixty-eight (1688), Code, 1935,
2 is amended by striking from lines two (2) and three (3) the word
3 "commissioner" and inserting in lieu thereof the words "state fire
4 marshal".

1 SEC. 68. Section sixteen hundred sixty-nine (1669), Code, 1935, is
2 amended by striking from lines one (1) and two (2) the words "labor
3 commissioner" and inserting in lieu thereof the words "state fire
4 marshal"; further amend by striking from lines eleven (11) and
5 twelve (12) the word "commissioner" and inserting in lieu thereof
6 the words "state fire marshal".

1 SEC. 69. Section sixteen hundred seventy (1670), Code, 1935, is
2 amended by striking from lines one (1) and two (2) the word "com-
3 missioner" and inserting in lieu thereof the words "state fire mar-
4 shal".

1 SEC. 70. Section sixteen hundred seventy-one (1671), Code, 1935,
2 is amended by striking from lines one (1) and two (2) the words
3 "labor commissioner" and inserting in lieu thereof the words "state
4 fire marshal"; further amend by striking from line thirteen (13) the
5 word "commissioner" and inserting in lieu thereof the words "state
6 fire marshal".

1 SEC. 71. Section sixteen hundred seventy-four (1674), Code, 1935,
2 is repealed.

1 SEC. 72. Section sixteen hundred seventy-five (1675), Code, 1935,
2 is amended by striking from line eighteen (18) the words "inspector
3 or commissioner" and inserting in lieu thereof the words "state fire
4 marshal"; further amend by striking from lines twenty (20) and
5 twenty-one (21) the words "labor commissioner" and inserting in lieu
6 thereof the words "state fire marshal".

1 SEC. 73. Section sixteen hundred seventy-six (1676), Code, 1935,
2 is amended by striking from line six (6) the word "commissioner" and
3 inserting in lieu thereof the words "state fire marshal"; further amend
4 by striking from line nine (9) the word "commissioner" and insert-
5 ing in lieu thereof the words "state fire marshal"; further amend by
6 striking from line thirteen (13) the word "commissioner" and insert-
7 ing in lieu thereof the words "state fire marshal".

1 SEC. 74. Section sixteen hundred seventy-seven (1677), Code,
2 1935, is amended by striking from lines eight (8) and nine (9) the
3 word "commissioner" and inserting in lieu thereof the words "state
4 fire marshal"; further amend by striking from lines ten (10) and
5 eleven (11) the words "inspector or the commissioner" and inserting
6 in lieu thereof the words "state fire marshal"; further amend by strik-
7 ing from line thirteen (13) the words "labor commissioner" and in-
8 serting in lieu thereof the words "state fire marshal".

1 SEC. 75. Section twenty-eight hundred fifty-three (2853), Code,
2 1935, is amended by striking from line four (4) the words "proper
3 state" and inserting in lieu thereof the words "state fire marshal".

REPORT CHANGES OF ENGINE NUMBERS

1 SEC. 76. Section ninety-seven (97) of Chapter one hundred thirty-
2 four (134), Acts of the Forty-seventh General Assembly, is amended
3 by inserting after the word "some" in line three (3) the words "mem-
4 ber of the state department of public safety or".

1 SEC. 77. There shall be reciprocal cooperation between the mem-
2 bers of the state department of public safety and local authorities in
3 the enforcing of local and state traffic laws and in making inspections,
4 although this shall not be construed to give the state department of
5 public safety any right to establish regular patrol beats inside municip-
6 al limits unless requested for a special occasion or emergency by the
7 mayor of such city or town or the sheriff of the county.

SAFETY MEASURES FOR MOTOR VEHICLE CARRIERS WITH TERMINI OR ROUTE

1 SEC. 78. Section fifty-one hundred five-a three (5105-a3), Code,
2 1935, is amended by adding thereto the following: "The state de-
3 partment of public safety is hereby authorized and empowered to pre-
4 scribe and enforce safety regulations in the operation of motor car-
5 riers, require a periodic inspection of the equipment of every motor
6 carrier from the standpoint of enforcement of safety regulations, and
7 such equipment shall be at all times subject to inspection by properly
8 authorized representatives of the department of public safety."

1 SEC. 79. Section fifty-one hundred five-a two (5105-a2), Code,
2 1935, is amended by striking therefrom paragraph numbered one (1);
3 striking numbered paragraph three (3) and inserting in lieu thereof
4 the following:
5 "Regulate and supervise the accounts, schedules, and service of each
6 motor carrier.";
7 and by renumbering the numbered paragraphs of said code section.

1 SEC. 80. Section fifty-one hundred five-a eighteen (5105-a18),
2 Code, 1935, is amended by adding thereto the following: "The actual
3 operation of such motor vehicles or vehicle shall not begin without a
4 written statement of approval from the department of public safety
5 to the effect that the safety provisions have been complied with."

1 SEC. 81. Section fifty-one hundred five-a twenty-nine (5105-a29),
2 Code, 1935, is amended by striking from lines four (4) and five (5)
3 the words "commission and its duly authorized representatives" and
4 inserting in lieu thereof the words "members of the department of
5 public safety".

1 SEC. 82. Section fifty-one hundred five-a thirty (5105-a30), Code,
2 1935, is amended by striking from line seven (7) the words "state
3 motor vehicle department" and inserting in lieu thereof the words "de-
4 partment of public safety".

1 SEC. 83. Section fifty-one hundred five-a thirty-eight (5105-a38),
2 Code, 1935, is amended by adding thereto the following: "In the event
3 of any flagrant and persistent violation of safety regulations by the
4 holder of a certificate or his agent, upon the request of the commis-
5 sioner of public safety the state commerce commission shall suspend
6 such certificate of necessity until the safety regulations prescribed by
7 the department of public safety are complied with or the commission
8 may revoke the certificate at its discretion.

MOTOR VEHICLE CARRIERS WITHOUT FIXED TERMINI

1 SEC. 84. Section fifty-one hundred five-c two (5105-c2), Code,
2 1935, is amended by striking from paragraph numbered three (3) the
3 following: "and safety of operation" and by inserting after the last
4 word thereof the following: ", provided that only the department of
5 public safety shall prescribe and enforce safety regulations which it
6 is hereby empowered to do."

1 SEC. 85. Section fifty-one hundred five-c two (5105-c2), Code,
2 1935, is amended by striking therefrom all of paragraph numbered
3 one (1) and renumbering the remaining paragraphs.

1 SEC. 86. Section fifty-one hundred five-c three (5105-c3), Code,
2 1935, is amended by inserting in line five (5) after the word "opera-
3 tors" the following: ", provided that only the department of public
4 safety shall prescribe and enforce safety regulations".

1 SEC. 87. Section fifty-one hundred five-c eight (5105-c8), Code,
2 1935, is amended by adding thereto the following: The actual oper-
3 ation of such motor vehicle or vehicles shall not begin without the
4 written approval of the state department of public safety, stating
5 that the applicant has complied with the prescribed safety regula-
6 tions."

1 SEC. 88. Section fifty-one hundred five-c fifteen (5105-c15), Code,
2 1935, is amended by adding thereto the following: "If the holder of
3 the permit or his agent persists in a violation of any safety regulation
4 prescribed by the department of public safety, the latter may recom-
5 mend to the commission revocation of said permit and such violation
6 shall be grounds for such revocation."

1 SEC. 89. Section fifty-one hundred five-c sixteen (5105-c16), Code,
2 1935, is amended by striking from line five (5) and six (6) the words
3 "commission and its duly authorized representatives" and inserting
4 in lieu thereof the words "department of public safety".

1 SEC. 90. Section fifty-one hundred five-c seventeen (5105-c17),
2 Code, 1935, as amended by section five hundred thirty-two (532),
3 Chapter one hundred thirty-four (134) Acts of the Forty-seventh Gen-
4 eral Assembly, is amended by striking from lines eight (8) and nine
5 (9) the words "state motor vehicle department" and inserting in lieu
6 thereof the words "department of public safety".

1 SEC. 91. Section fifty-one hundred five-c twenty-three (5105-c23),
2 Code, 1935, is amended by striking from lines one (1) and two (2) the
3 word "commission" and inserting in lieu thereof the words "commis-
4 sioner of public safety".

1 SEC. 92. Section fifty-one hundred five-c twenty-five (5105-c25),
 2 Code, 1935, is amended by inserting in line nine (9) after the word
 3 "commission" the words "or the commissioner of public safety".

LIQUOR CONTROL ENFORCEMENT

1 SEC. 93. Section nineteen hundred twenty-one-f sixteen (1921-
 2 f16), Code, 1935, is amended by adding at the end thereof as an un-
 3 numbered paragraph the following:

4 "The commission shall refer all alleged violations of the liquor con-
 5 trol act to the 'state department of public safety'."

1 SEC. 94. Section nineteen hundred twenty-one-f ninety-four (1921-
 2 f94), Code, 1935, is amended by striking therefrom the second sen-
 3 tence: "As supplementary aids to such attorney the sheriff and his
 4 deputy, or deputies, and the police department of every city, this to
 5 include the day and night marshal of every incorporated town." and
 6 inserting in lieu thereof the following: "The state department of pub-
 7 lic safety, the sheriff and his deputy or deputies, and the police de-
 8 partment of every city, including the day and night marshal of any
 9 incorporated town, shall be supplementary aids to such county at-
 10 torney."

DUPLICATION IN POLICE OFFICERS PROHIBITED

1 SEC. 95. All other departments and bureaus of the state are here-
 2 by prohibited from employing special peace officers or conferring upon
 3 regular employees, any police powers to enforce provisions of the stat-
 4 utes, which are specifically reserved by this act to this department.*

1 SEC. 96. Whenever mention is made, in the Code, of "special state
 2 agents" in connection with law enforcement, the same shall be con-
 3 strued to mean members of the state department of public safety.

1 SEC. 97. **Industrial Disputes.** The police employees of the depart-
 2 ment shall not be used or called upon for service within any municipi-
 3 pality in any industrial dispute unless actual violence has occurred
 4 therein, and then only either by order of the governor or on the re-
 5 quest of the chief executive officer of the municipality or the sheriff
 6 of the county wherein the dispute has occurred if such request is ap-
 7 proved by the governor.

1 SEC. 98. Members of the departments consolidated under this act
 2 may be regarded as eligible for appointment in this department with-
 3 out further examination at the discretion of the commissioner. How-
 4 ever, this shall not affect members of the highway safety patrol as
 5 hereinbefore provided.

1 SEC. 99. The liquor control commission shall pay to the general
 2 fund for services received by it, at the hands of this department, the
 3 sum of twenty-five hundred dollars (\$2,500.00) per month.

1 SEC. 100. **Constitutionality.** If any section, subsection, clause, sen-
 2 tence, or phrase of this act is for any reason held to be unconstitu-

*Note: Amended by Senate File 498, Acts of the Forty-eighth General Assembly, by adding to the section. See chapter 121, Sec. 4.

3 tional or invalid, such decision shall not affect the validity of the re-
 4 maining portions of this act. The legislature hereby declares that it
 5 would have passed this act and each section, subsection, clause, sen-
 6 tence, or phrase hereof, irrespective of whether any one or more of
 7 the sections, subsections, clauses, sentences or phrases be declared un-
 8 constitutional or invalid.

1 SEC. 101. This act being of immediate importance shall become ef-
 2 fective upon publication in the Hardin County Index, a newspaper
 3 published at Eldora, Iowa, and the Allison Tribune, a newspaper pub-
 4 lished at Allison, Iowa.*

Approved April 12, 1939.

I hereby certify that the foregoing act was published in the Hardin County Index,
 Eldora, Iowa, April 20, 1939, and the Allison Tribune, Allison, Iowa, April 19, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 121 MOTOR VEHICLES

S. F. 498

AN ACT to amend senate file three hundred seventy-nine (379), acts of the 48th General Assembly, relating to the department of public safety of the state of Iowa, transferring the supervision of registration of motor vehicles and the enforcement of motor vehicle law to said department, and providing that the funds heretofore appropriated be made available to the department of public safety on the effective date of this act, and to designate the commissioner of public safety as the process agent of nonresident motorists; and to amend section two thousand eleven (2011), code, 1935, and chapter one hundred thirty-four (134), and chapter one hundred thirty-five (135), acts of the 47th General Assembly, relating to the motor vehicle law.

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

1 SECTION 1. Section two (2) of Senate File three hundred seventy-
 2 nine (379), Acts of the 48th General Assembly, is hereby amended by
 3 striking the word "sixth" appearing in line three (3) of said section in
 4 the enrolled act, and substituting in lieu thereof the word "fourth".

1 SEC. 2. Section thirty-two (32) of Senate File three hundred seven-
 2 ty-nine (379), Acts of the 48th General Assembly, is hereby amended
 3 by striking all of lines four (4) to ten (10) inclusive of said section in
 4 the enrolled act and inserting in lieu thereof the following:

5 "30. Commissioner means the commissioner of public safety of the
 6 state."

1 SEC. 3. Section thirty-three (33), of Senate File three hundred
 2 seventy-nine (379), Acts of the 48th General Assembly, is hereby
 3 amended by striking all of lines four (4) to ten (10), inclusive, of said
 4 section in the enrolled act, and inserting in lieu thereof the following:

5 "31. Department means the motor vehicle department under the
 6 commissioner of public safety."

1 SEC. 4. Section ninety-five (95) of Senate File three hundred sev-
 2 enty-nine (379), Acts of the 48th General Assembly, is hereby amended

*Note: Amended by Senate File 498, Acts of the Forty-eighth General Assembly, by inserting changes herein and adding new sections hereto. See chapter 121.

3 by adding after the period (.) in the last line of said section the fol-
4 lowing:

5 "But the Commissioner of public safety shall, upon the requisition
6 of the attorney general, from time to time assign for service in the
7 department of justice such of its officers, not to exceed six in number,
8 as may be requisitioned by the attorney general for special service
9 in the department of justice, and when so assigned such officers shall
10 be under the exclusive direction and control of the attorney general."

1 SEC. 5. Senate File three hundred seventy-nine (379), Acts of the
2 48th General Assembly, is hereby amended by adding thereto the fol-
3 lowing section:

4 "The unexpired balance in the three per cent maintenance fund for
5 the motor vehicle department provided for in section one hundred
6 seventy-five (175) of chapter one hundred thirty-four (134), Acts of
7 the 47th General Assembly, and the unexpended balance in the main-
8 tenance fund from operator's and chauffeur's licenses, provided for in
9 section two hundred twenty-three (223) of said act, are hereby trans-
10 ferred to the general fund of the state."

1 SEC. 6. Senate File three hundred seventy-nine (379), Acts of the
2 48th General Assembly, is hereby amended by adding thereto the fol-
3 lowing section:

4 "The unused portion of the appropriations allocated to the various
5 departments consolidated by this act shall be, upon the effective date
6 of this act, transferred to the department of safety for the purpose of
7 maintaining said department until June 30, 1939, and for the trust
8 department so transferred there is hereby appropriated from any
9 money in the state treasury not otherwise appropriated, an amount
10 sufficient to pay salaries and other administration expenses to June
11 30, 1939."

1 SEC. 7. Senate File three hundred seventy-nine (379), Acts of the
2 48th General Assembly, is hereby amended by inserting the following:

3 "Sections two (2) to fifteen (15), inclusive, of chapter one hundred
4 thirty-four (134), Acts of the 47th General Assembly, are hereby
5 repealed and the following enacted in lieu thereof:

6 "The department of public safety, under the commissioner thereof,
7 shall constitute the motor vehicle department for the administration
8 and enforcement of this chapter'."

1 SEC. 8. Senate File three hundred seventy-nine (379), Acts of the
2 48th General Assembly, is hereby amended by inserting the following:

3 "Section sixteen (16) of chapter one hundred thirty-four (134), Acts
4 of the 47th General Assembly, is hereby amended by striking from
5 lines one (1) to two (2) the words, 'Subject to the approval of the
6 secretary of state'."

1 SEC. 9. Senate File three hundred seventy-nine (379), Acts of the
2 48th General Assembly, is hereby amended by inserting the following:

3 "Section seventeen (17) of chapter one hundred thirty-four (134),
4 Acts of the 47th General Assembly, is hereby amended by striking
5 from lines one (1) and two (2) the words, 'Subject to the approval of
6 the secretary of state'."

1 SEC. 10. Senate File three hundred seventy-nine (379), Acts of the
2 48th General Assembly, is hereby amended by inserting the following:
3 "Section nineteen (19) of chapter one hundred thirty-four (134),
4 Acts of the 47th General Assembly, is repealed and the following
5 enacted in lieu thereof:

6 '19. The department may adopt an official seal.'

1 SEC. 11. Section one hundred seven (107) of chapter one hundred
2 thirty-four (134), Acts of the 47th General Assembly, is hereby re-
3 pealed.

1 SEC. 12. Section one hundred eighteen (118) of chapter one hundred
2 thirty-four (134), Acts of the 47th General Assembly, as amended by
3 Senate File 379, Acts of the 48th General Assembly, is amended by
4 striking all of said section after the second word "county" in line five
5 (5).

1 SEC. 13. Section one hundred twenty-seven (127) of chapter one
2 hundred thirty-four (134), Acts of the 47th General Assembly is
3 amended by striking the words "motor vehicle" in line two (2).

1 SEC. 14. Section one hundred fifty-five (155) of chapter one hun-
2 dred thirty-four (134), Acts of the 47th General Assembly, is amended
3 by striking the words "motor vehicle" in line eight (8).

1 SEC. 15. Section one hundred fifty-eight (158) of chapter one hun-
2 dred thirty-four (134), Acts of the 47th General Assembly, is amend-
3 ed by striking the words "motor vehicle" in lines six (6) and seven (7).

1 SEC. 16. Section one hundred eighty-four (184) of chapter one
2 hundred thirty-four (134), Acts of the 47th General Assembly, is
3 amended by striking all of said section after the word "report" in line
4 six (6).

1 SEC. 17. Section one hundred ninety-one (191) of chapter one hun-
2 dred thirty-four (134), Acts of the 47th General Assembly, is amended
3 by striking all of said section after the word "state" in line fifteen
4 (15).

• 1 SEC. 18. Section five hundred thirteen (513) of chapter one hundred
2 thirty-four (134), Acts of the 47th General Assembly, is amended
3 by striking the words "motor vehicle" in line nine (9) and inserting
4 in lieu thereof the words "public safety".

1 SEC. 19. Section five hundred fifteen (515) of chapter one hundred
2 thirty-four (134), Acts of the 47th General Assembly, is amended by
3 striking the words "motor vehicle" in line nine (9) and inserting in
4 lieu thereof the words "public safety".

1 SEC. 20. Section five hundred seventeen (517) of chapter one hun-
2 dred thirty-four (134), Acts of the 47th General Assembly, is amend-
3 ed by striking the words "motor vehicle" in line nine (9) and inserting
4 in lieu thereof the words "public safety".

1 SEC. 21. Section five hundred twenty-eight (528) of chapter one
2 hundred thirty-four (134), Acts of the 47th General Assembly, is
3 amended by striking the words "motor vehicles" in line four (4) and
4 inserting in lieu thereof the words "public safety".

1 SEC. 22. Section two thousand eleven (2011), Code, 1935, is amend-
2 ed by striking all of said section after the word "county" in line seven
3 (7), as amended.

1 SEC. 23. Section seven (7) of Senate File 379, Acts of the 48th Gen-
2 eral Assembly, is amended by striking the word "now" where it appears
3 in lines four (4) and seven (7) and inserting in lieu thereof in each
4 case the word "heretofore".

1 SEC. 24. Section one (1) of chapter one hundred thirty-five (135),
2 Acts of the 47th General Assembly, is hereby repealed and the follow-
3 ing enacted in lieu thereof:

4 "The administration of this act shall be vested in the commissioner
5 of public safety. The commissioner may employ such employees as are
6 necessary for the administration of this act, provided the amount ex-
7 pended in any one year shall not exceed the revenue derived from the
8 provisions of this act."

1 SEC. 25. Section two (2) of chapter one hundred thirty-five (135),
2 Acts of the 47th General Assembly, is amended by striking from line
3 six (6) the words "secretary of state" and inserting in lieu thereof
4 the word "department of public safety".

1 SEC. 26. Section one (1) of chapter one hundred thirty-four (134),
2 Acts of the 47th General Assembly, is amended by inserting in line
3 one hundred sixty-two (162), subsection forty (40), after the word
4 "owner" the following: "or operator".

1 SEC. 27. Section two hundred eight (208) of chapter one hundred
2 thirty-four (134), Acts of the 47th General Assembly, is amended by
3 striking subsection three (3) thereof and inserting in lieu thereof the
4 following:

5 To any person, as an operator or chauffeur whose license or driving
6 privilege has been suspended during such suspension or to any person
7 whose license, or driving privilege, has been revoked, until the expira-
8 tion of one year after such revocation.

1 SEC. 28. Section two hundred nine (209) of chapter one hundred
2 thirty-four (134), Acts of the 47th General Assembly, is repealed and
3 the following is enacted in lieu thereof:

4 No person who is under the age of twenty-one years shall drive any
5 motor vehicle while in use as a carrier of flammables or combustibles,
6 or as a public or common carrier of persons, except a school bus.

1 SEC. 29. Section two hundred eighteen (218) of chapter one hun-
2 dred thirty-four (134), Acts of the 47th General Assembly, is repealed
3 and the following is enacted in lieu thereof:

4 The department may examine every new applicant for an operator's
5 or chauffeur's license or any person holding a valid operator's or
6 chauffeur's license when the department has reason to believe that
7 such person may be physically or mentally incompetent to operate a
8 motor vehicle. Such examinations shall be held in every county within
9 periods not to exceed fifteen days. It shall include a test of the appli-
10 cant's eyesight, his ability to read and understand highway signs regu-
11 lating, warning, and directing traffic, his knowledge of the traffic laws

12 of this state, and shall include an actual demonstration of ability to
 13 exercise ordinary and reasonable control in the operation of a motor
 14 vehicle and such further physical and mental examinations as the de-
 15 partment finds necessary to determine the applicant's fitness to oper-
 16 ate a motor vehicle safely upon the highways.

1 SEC. 30. Section two hundred twenty-four (224) of chapter one
 2 hundred thirty-four (134), Acts of the 47th General Assembly, is
 3 amended by inserting in line four (4) after the words "type of" the
 4 word "vehicle".

1 SEC. 31. Section two hundred forty (240) of chapter one hundred
 2 thirty-four (134), Acts of the 47th General Assembly, is amended by
 3 striking the first four (4) lines thereof and inserting in lieu thereof
 4 the following:

5 The department shall forthwith revoke the license of any operator or
 6 chauffeur, or driving privilege, upon receiving a record of such oper-
 7 ator's or chauffeur's conviction of any of the following offenses, when
 8 such conviction has become final:".

1 SEC. 32. Section two hundred forty-five (245) of chapter one hun-
 2 dred thirty-four (134), Acts of the 47th General Assembly, is amended
 3 by striking from line two (2) thereof the words "or right".

1 SEC. 33. Section three hundred ten (310) of chapter one hundred
 2 thirty-four (134), Acts of the 47th General Assembly, is amended by
 3 striking from line three (3) the word "right" and inserting in lieu
 4 thereof the word "privilege".

1 SEC. 34. Chapter one hundred thirty-four (134), Acts of the 47th
 2 General Assembly, is further amended by adding thereto, after sec-
 3 tion four hundred forty-nine (449), the following;

4 No person shall have for sale, sell or offer for sale any motor vehicle,
 5 trailer, or semi-trailer which is in such unsafe condition as to endanger
 6 any person or which does not contain those parts or is not at all times
 7 equipped with such lamps and brakes and other equipment in proper
 8 condition and adjustment as required in this chapter, or which is
 9 equipped in any manner in violation of this chapter.

1 SEC. 35. Section four hundred sixty-two (462) of chapter one hun-
 2 dred thirty-four (134), Acts of the 47th General Assembly, is repealed
 3 and the following is enacted in lieu thereof:

4 No person shall drive any motor vehicle equipped with a windshield
 5 which does not permit clear vision, or with any sign, poster or other
 6 nontransparent material upon the front windshield of such vehicle
 7 other than a certificate or other paper required to be so displayed by
 8 law, which shall be displayed in the upper right-hand corner.

1 SEC. 36. This act being deemed of immediate importance shall be
 2 in full force and effect after its publication in The Movable Mail, a
 3 newspaper published at Movable, Iowa, and the Clinton Herald, a news-
 4 paper published at Clinton, Iowa.

Approved May 1, 1939.

I hereby certify that the foregoing act was published in The Movable Mail, May 4, 1939,
 and the Clinton Herald, May 4, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 122
MOTOR VEHICLES

H. F. 66

AN ACT to amend chapter one hundred thirty-four (134), acts of the Forty-seventh General Assembly, by repealing section three hundred forty-six (346) of said chapter, and by repealing section four hundred twenty-nine (429) of said chapter and enacting substitutes therefor, relating to signal devices and signal lamps on motor vehicles.

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

1 SECTION 1. Section three hundred forty-six (346) of Chapter one
2 hundred thirty-four (134) of the Acts of the 47th General Assembly
3 is hereby repealed and the following enacted in lieu thereof:

4 "The signals herein required may be given either by means of the
5 hand and arm or other proper signal or signal device of a type ap-
6 proved by the department, provided, however, that no motor vehicle
7 complying with the laws of the State of Iowa shall be required to dis-
8 play an electrically operated directional signal lamp."

1 SEC. 2. Section four hundred twenty-nine (429) of Chapter one
2 hundred thirty-four (134) of the Acts of the 47th General Assembly
3 is hereby repealed and the following enacted in lieu thereof:

4 "Every motor vehicle shall be equipped with a signal lamp or signal
5 device which is so constructed and located on the vehicle as to give a
6 signal of intention to stop, which shall be red or yellow in color, which
7 signal shall be plainly visible and understandable in normal sunlight
8 and at night from a distance of one hundred (100) feet to the rear
9 but shall not project a glaring or dazzling light."

1 SEC. 3 This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Oelwein Daily
3 Register, a newspaper published at Oelwein, Iowa, and in the Muscatine
4 Journal, a newspaper published at Muscatine, Iowa.

Approved April 20, 1939.

I hereby certify that the foregoing act was published in the Oelwein Daily Register, April 25, 1939, and the Muscatine Journal, April 25, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 123
MOTOR VEHICLES

H. F. 119

AN ACT to amend sections sixty-two (62) and three hundred two (302) of chapter one hundred thirty-four (134) of the laws of the Forty-seventh General Assembly of the state of Iowa, relating to motor vehicles.

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

1 SECTION 1. Section Sixty-two (62) of Chapter One hundred thirty-
2 four (134) of the Laws of the Forty-seventh General Assembly of the
3 State of Iowa, is hereby amended by striking from line two (2) the
4 words: ", an alphabetical,".

1 SEC. 2. Section three hundred two (302) of Chapter one hundred
 2 thirty-four (134), Acts of the Forty-seventh (47th) General Assembly
 3 of Iowa, is hereby repealed and the following is inserted in lieu there-
 4 of: "All accident reports shall be in writing and the written report
 5 shall be without prejudice to the individual so reporting and shall be
 6 for the confidential use of the department, except that upon the request
 7 of any person involved in an accident, or the attorney for such person,
 8 the department shall disclose the identity of the person involved in the
 9 accident and his address. A written report filed with the department
 10 shall not be admissible in or used in evidence in any civil case arising
 11 out of the facts on which the report is based."

Approved April 15, 1939.

CHAPTER 124

MOTOR VEHICLES

H. F. 166

AN ACT to amend section one hundred sixty (160) of chapter one hundred thirty-four (134), acts of Forty-seventh General Assembly, so as to provide that motor vehicles registered under said chapter shall not be subject to a personal property tax except when in storage as unregistered motor vehicle during preceding registration year.

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

1 SECTION 1. Section One Hundred Sixty (160) of Chapter One Hun-
 2 dred Thirty-four (134) of Acts of the Forty-Seventh General As-
 3 sembly is hereby amended by striking from lines two (2) and three
 4 (3) of said Section the following: ", other than those of manufacturers
 5 and dealers," and by further striking everything after the word "sub-
 6 ject" appearing in line four (4) of said Section and inserting in lieu
 7 thereof the following: ", and if a motor vehicle shall have been regis-
 8 tered at any time under this act it shall not thereafter be subject to a
 9 personal property tax unless such motor vehicle shall have been in
 10 storage continuously as an unregistered motor vehicle during the
 11 preceding registration year."

Approved April 20, 1939.

CHAPTER 125

MOTOR VEHICLES

H. F. 340

AN ACT to amend section fifty (50) of chapter one hundred thirty-four (134), acts of the Forty-seventh General Assembly, relating to registration plates for motor vehicles.

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

1 SECTION 1. Section fifty (50) of chapter one hundred thirty-four
 2 (134), Acts of the Forty-seventh General Assembly, is hereby
 3 amended by striking out all of line thirteen (13) after the word "ex-

4 emptied" and inserting in lieu thereof the following: "which plates
5 shall bear the word 'official', and the department shall keep a separate
6 record thereof. Provided that the executive council may order the
7 issuance of regular registration plates, for any such exempted vehicle,
8 upon a showing of need and necessity therefor."

1 SEC. 2. This act, being deemed of immediate importance, shall be
2 in full force and effect after its passage and publication in the Clarence
3 Sun, a newspaper published at Clarence, Iowa, and in the Afton Star
4 Enterprise, a newspaper published at Afton, Iowa.

Approved April 20, 1939.

I hereby certify that the foregoing act was published in the Clarence Sun, April 27,
1939, and the Afton Star Enterprise, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 126

MOTOR VEHICLES

S. F. 137

AN ACT to amend section forty-nine (49) of chapter one hundred thirty-four (134), acts of the Forty-seventh General Assembly, by adding thereto an additional exemption to certain types of motor vehicles.

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

1 SECTION 1. Section forty-nine (49) of chapter one hundred thirty-
2 four (134) of the Acts of the Forty-seventh (47th) General Assembly
3 of the State of Iowa is hereby amended by adding thereto the follow-
4 ing:

5 "5. Any vehicle which is used exclusively for interplant purposes,
6 in the operation of an industrial or manufacturing plant, consisting of
7 a single unit comprising a group of buildings separated by streets,
8 alleys, or railroad tracks, and which vehicle is used solely to transport
9 materials from one part of the plant to another or from an adjacent
10 railroad track to the plant and in so doing incidentally using said
11 streets or alleys for not more than one thousand feet."

Approved March 28, 1939.

CHAPTER 127

MOTOR VEHICLES

S. F. 218

AN ACT to amend section one (1) and section three hundred sixteen (316) of chapter one hundred thirty-four (134), acts of the Forty-seventh General Assembly, defining residence and suburban districts in cities and towns and for the purpose of regulating motor vehicle traffic therein.

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

1 SECTION 1. Section one (1) of Chapter one hundred thirty-four
2 (134), Acts of the Forty-seventh General Assembly is hereby amended

3 as follows:

4 1. Strike lines two hundred fifteen (215), two hundred sixteen
5 (216) and two hundred seventeen (217) of said section and insert
6 the following in lieu thereof:

7 "55. Residence district means the territory within a city or town
8 contiguous to and including a highway, not comprising a business,
9 suburban or school district, where forty per cent or more of the front-
10 age on such highway for a distance of three hundred (300) feet or more
11 is occupied by dwellings or by dwellings and buildings in use for
12 business."

13 2. Insert the following after sub-paragraph fifty-six (56):

14 "56-a. Suburban district means all other parts of a city or town
15 not included in the business, school or residence districts."

16 3. Insert the following after sub-paragraph fifty-six (56):

17 "56-b. The linear measure of the plot of ground upon which the
18 building is located abutting upon the highway shall be deemed 'front-
19 age occupied by the building', and the phrase 'frontage on such high-
20 way for a distance of three hundred (300) feet or more' shall mean the
21 total frontage on both sides of the highway for such distance."

1 SEC. 2. Section three hundred sixteen (316) of Chapter one hun-
2 dred thirty-four (134), Acts of the Forty-seventh General Assembly
3 is hereby amended by adding thereto the following:

4 "4. Forty-five (45) miles per hour in any suburban district."

Approved April 15, 1939.

CHAPTER 128

MOTOR VEHICLES

H. F. 122

AN ACT to amend subsection fifteen (15) of section one (1), chapter one hundred thirty-four (134), acts of the Forty-seventh General Assembly, relating to the definition of special mobile equipment; and to amend section one hundred forty-nine (149), chapter one hundred thirty-four (134), acts of the Forty-seventh General Assembly, relating to the annual registration fee on certain trucks.

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

1 SECTION 1. Subsection fifteen (15) of section one (1), chapter
2 one hundred thirty-four (134), Acts of the Forty-seventh General As-
3 sembly, is hereby amended by adding thereto the following: "; pro-
4 vided that nothing contained in this section shall be construed to in-
5 clude portable mills or cornshellers mounted upon a motor vehicle or
6 semitrailer.

1 SEC. 2. Section one hundred forty-nine (149), chapter one hundred
2 thirty-four (134), Acts of the Forty-seventh General Assembly, is
3 hereby amended by adding at the end thereof the following paragraph:

4 "For trucks on which a cornsheller is mounted the annual registra-
5 tion fee shall be fifteen dollars (\$15.00). For trucks on which a port-
6 able mill is mounted the annual registration fee shall be twenty-five
7 dollars (\$25.00). The payment of the registration fee herein shall
8 exempt the trucks from property tax."

Approved May 10, 1939.

CHAPTER 129

MOTOR VEHICLES

S. F. 219

AN ACT to amend section four hundred ninety-one (491), chapter one hundred thirty-four (134), acts of the Forty-seventh General Assembly, relative to operating and moving certain vehicles and road construction machinery and equipment upon the highways and providing conditions under which permits may be issued for said purpose.

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

1 SECTION 1. Section four hundred ninety-one (491), chapter one
2 hundred thirty-four (134), Acts of the Forty-seventh General As-
3 sembly, is hereby amended by inserting after the word "move" in line
4 six (6) thereof the words "for a distance not exceeding twenty-five
5 (25) miles", and by striking the period at the end of said section and
6 adding thereto the following: ", provided, however, that the state high-
7 way commission or such local authorities may in their discretion is-
8 sue a special permit for the movement of road construction machinery
9 and equipment for a distance exceeding twenty-five (25) miles if such
10 machinery and equipment is to be used upon construction projects
11 within the state of Iowa, or is manufactured within the state of Iowa,
12 and the weight of such machinery and equipment so moved, exclusive
13 of vehicle, does not exceed forty thousand (40,000) pounds.

Approved March 28, 1939.

CHAPTER 130

MOTOR VEHICLE DEALERS

H. F. 121

AN ACT to amend sections two (2), three (3), four (4), six (6), nine (9) and fourteen (14) of chapter one hundred thirty-five (135), acts of the Forty-seventh General Assembly, all relating to the licensing and regulation of persons engaged in the business of, at retail, selling, bartering, or otherwise dealing in new and used motor vehicles within this state; to define the place of business of such persons; to exempt retail sales made for the purpose of realizing on security; to provide for the withholding of motor vehicle dealer's license for a period not exceeding thirty days; to provide additional grounds for the denial of such license; and to change the penalties prescribed in such chapter for the violation of section three (3) thereof.

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

1 SECTION 1. Section two (2) of chapter one hundred thirty-five
2 (135), Acts of the Forty-seventh General Assembly, is hereby
3 amended by adding thereto the following:
4 "5. 'Place of business' means a designated location wherein proper
5 and adequate facilities shall be maintained for displaying either new
6 or used cars."

1 SEC. 2. Section three (3) of chapter one hundred thirty-five (135),
2 Acts of the Forty-seventh General Assembly, is hereby amended by
3 striking out the word "engaged" in line one (1) of said section and in-
4 serting in lieu thereof the word "engage".

5 Section three (3) of said chapter is further amended by adding
6 thereto an additional subsection as follows:

7 "6. Nothing contained herein shall be construed to require the li-
8 censing of persons selling motor vehicles at retail solely for the pur-
9 pose of disposing of motor vehicles acquired or repossessed by them
10 in exercise of powers or rights granted by lien or title-retention in-
11 struments or contracts given as security for loans or purchase money
12 obligations, provided such persons are otherwise authorized to do
13 business in this state."

1 SEC. 3. Section four (4) of chapter one hundred thirty-five (135),
2 Acts of the Forty-seventh General Assembly, is hereby amended by
3 adding thereto an additional paragraph as follows:

4 "For the purpose of investigating the matters contained in such
5 application the department may withhold the granting of a license for
6 a period not exceeding thirty days."

1 SEC. 4. Section six (6) of chapter one hundred thirty-five (135),
2 Acts of the Forty-seventh General Assembly is hereby amended by
3 adding thereto two additional grounds for the denial of a license, as
4 follows:

5 "8. does not have a place of business within the meaning of this
6 act.

7 "9. has violated any of the following provisions of chapter one
8 hundred thirty-four (134), Acts of the Forty-seventh General Assem-
9 bly: Sections one hundred nine (109), one hundred ten (110), one
10 hundred twelve (112), one hundred thirteen (113), one hundred
11 twenty-four (124), one hundred twenty-nine (129), one hundred thirty
12 (130), one hundred thirty-one (131), and one hundred thirty-two
13 (132)."

1 SEC. 5. Section nine (9) of chapter one hundred thirty-five (135),
2 Acts of the Forty-seventh General Assembly, is hereby amended by
3 striking the numeral "7" from line five (5) of said section and in-
4 serting in lieu thereof the numeral "6".

1 SEC. 6. Section fourteen (14) of chapter one hundred thirty-five
2 (135), Acts of the Forty-seventh General Assembly, is hereby
3 amended by striking from lines seven (7) and eight (8) of said sec-
4 tion the following:

5 "five hundred dollars (\$500.00)", and inserting in lieu thereof the
6 following: "one hundred dollars (\$100.00)", and by further striking
7 from lines eight (8) and nine (9) of said section the words "any
8 determinate period not exceeding six months", and inserting in lieu
9 thereof the following: "thirty (30) days".

Approved May 17, 1939.

CHAPTER 131

STATE CAR DISPATCHER

H. F. 327

AN ACT to transfer to and vest in the governor the authority to assign all motor vehicle units owned by the state of Iowa, to the state officers and employees, and state departments, commissions, bureaus, and offices; to create the positions of state car dispatcher and assistants to carry out the provisions of this act; to provide for periodical inspection of all state-owned motor vehicles and for keeping a record of their mileage and costs; to provide for making rules for their purchase and operation; to grant allowances to state officers and employees for the use of their own personal motor vehicles operated on state business, and to provide a penalty for violations thereof, and related matters.

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

1 SECTION 1. Upon the taking effect of this act, the authority to as-
2 sign all state-owned motor vehicles to state officers and employees, or
3 to state offices, departments, bureaus, and commissions, shall be trans-
4 ferred and vested in the governor. Until an assignment of such ve-
5 hicles is made by the governor, each of these state motor vehicles shall
6 continue to be operated by the state officer, department, bureau, or
7 commission which now uses them.

1 SEC. 2. The upkeep and maintenance of said motor vehicles shall
2 be paid out of the budgets of the state office departments, bureaus and
3 commissions to which they may be assigned.

1 SEC. 3. In order to carry out the powers vested in him by this act,
2 the governor shall appoint a state car dispatcher and such other em-
3 ployees as may be necessary and which are provided for in the biennial
4 state appropriation act, to carry out the provisions of this act. The
5 secretary of the executive council may be appointed by the governor
6 as the state car dispatcher, without additional compensation. Subject
7 to the approval of the governor, the said state car dispatcher shall
8 have the following duties;

9 (a) He shall assign to a state officer or employee or to a state office,
10 department, bureau, or commission, one or more motor vehicles which
11 may be required by said officer or department, after said officer or de-
12 partment has shown the necessity for such transportation. The state
13 car dispatcher shall have the power to assign said motor vehicle either
14 for part-time or full-time. He shall have the right to revoke said as-
15 signment at any time.

16 (b) The state car dispatcher may cause all state-owned motor ve-
17 hicles to be inspected periodically. Whenever such inspection reveals
18 that repairs have been improperly made on said motor vehicle or that
19 the operator of same is not giving it the proper care, he shall report
20 such fact to the head of the department to which such motor vehicle
21 has been assigned, together with recommendation for improvement.

22 (c) The state car dispatcher may install a system of keeping a
23 record of the total and per mile cost of each motor vehicle, which shall
24 be substantially as follows: In each motor vehicle, shall be placed two
25 record books containing numbered sheets. In one such book shall be
26 entered the purchases of gasoline, lubricating oil and grease, giving
27 the quantity and price paid. In the other book, shall be entered the
28 cost and nature of repairs and new parts. One copy of each such order

29 shall be sent to the state car dispatcher at such times as he may desig-
30 nate. Each operator of a state-owned motor vehicle shall make a
31 quarterly report to the state car dispatcher, in such manner as he may
32 prescribe, as to the number of miles traveled during the past three
33 months by said motor vehicle. He shall cause these costs and mile-
34 ages to be entered quarterly in a cost history card for each state-
35 owned motor vehicle and said costs shall be reduced to a cost-per-mile
36 for each such motor vehicle. It shall be his duty to call to the atten-
37 tion of the head of the department to which such motor vehicle has
38 been assigned, any evidence of mishandling of the motor vehicle as
39 revealed by the cost history card, periodical inspections, and other in-
40 formation obtained by the state car dispatcher.

41 (d) The state car dispatcher shall purchase all new motor vehicles
42 for all branches of the state government, and the cost of the same shall
43 be paid out of the budgets of the department, bureau, commission, or
44 state office to which they may be assigned. Before purchasing any
45 motor vehicle he shall make requests for public bids by advertise-
46 ment and he shall purchase the vehicles from the lowest responsible
47 bidder for the type and make of car designated. No passenger motor
48 vehicle except ambulances, buses or trucks shall be purchased for an
49 amount in excess of the sum of one thousand dollars (\$1000.00) retail
50 delivered price.

51 (e) In the event that it shall be deemed necessary for a state of-
52 ficer or employee to use his own motor vehicle on state business, the
53 state car dispatcher may authorize such use and allowance for same.
54 This shall not apply to single emergency trips when it may be neces-
55 sary for state officers and employees to take a bus.

56 (f) The state car dispatcher may authorize the establishment of
57 motor pools consisting of a number of state-owned cars under his sup-
58 ervision and which he may cause to be stored in a public or private
59 garage. In the event that such pool is established by the state car dis-
60 patcher, any state officer or employee shall not use state-owned cars
61 except when he shall find it necessary to use a state-owned motor
62 vehicle to make a trip outside of the city of Des Moines on state busi-
63 ness, and he shall notify the state car dispatcher of such intention, if
64 possible, within a reasonable length of time before the said trip is to
65 be made. The said state car dispatcher may assign one of the motor
66 vehicles from the motor pool to said state officer or employee for such
67 trip. If two or more state officers or employees are required to make
68 a trip to the same destination and return to Des Moines at the same
69 time, the state car dispatcher may assign one car to these state officers
70 or employees to make such trip.

71 Upon request of the governor, the state comptroller is authorized to
72 set up a revolving fund of one thousand dollars (\$1,000) against which
73 he may charge the expenditures for the motor vehicles in said motor
74 pool. The state car dispatcher shall cause to be charged to the budgets
75 of the different departments the expense of said trips, and the payment
76 of same shall be credited to the motor pool revolving fund.

77 (g) The state car dispatcher shall cause to be marked on every
78 state-owned motor vehicle a sign in a conspicuous place which indi-
79 cates its ownership by the state except cars necessary for use in police
80 work. All state-owned motor vehicles shall display registration plates
81 bearing the word "official" except cars assigned for use in police work

82 for which ordinary plates may be used when necessary but only upon
83 order of the state car dispatcher who shall keep an accurate record
84 of the registration plates used on all state cars.

85 (h) The state car dispatcher shall have the authority to make such
86 other rules regarding the operation of state-owned motor vehicles,
87 with the approval of the governor, as may be necessary to carry out
88 the purpose of this act.

1 SEC. 4. If any state officer or employee violates any of the provisions
2 of this act, the state car dispatcher shall have the authority to with-
3 draw the assignment of any state-owned motor vehicle or revoke the
4 allowance for the use of his privately owned motor vehicle, to any such
5 state officer or employee. An appeal from such order by the state car
6 dispatcher may be taken to the governor whose decision shall be final.

1 SEC. 5. No state officer or employee shall use any state-owned car
2 for his own personal private use, nor shall he be compensated for
3 driving his own motor vehicle except if such is done on state busi-
4 ness and in such case he shall not receive more than four cents (4¢)
5 per mile.

1 SEC. 6. Any state officer or employee found guilty of using any
2 state-owned motor vehicle for his own private business or pleasure
3 shall, upon conviction, be fined not to exceed one hundred dollars
4 (\$100.00) or imprisoned not to exceed thirty (30) days in the county
5 jail.

1 SEC. 7. All acts and parts of acts in conflict herewith are hereby
2 repealed.

1 SEC. 8. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Waterloo
3 Daily Courier, a newspaper published at Waterloo, Iowa, and in the
4 Clarksville Star, a newspaper published at Clarksville, Iowa.

Approved May 10, 1939.

I hereby certify that the foregoing act was published in the Waterloo Daily Courier,
May 16, 1939, and the Clarksville Star, May 18, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 132

SCHOOL BUSES

H. F. 256

AN ACT to amend section three hundred ninety-nine (399), chapter one hundred thirty-four (134), acts of the Forty-seventh General Assembly, and to repeal section three hundred ninety-eight (398) of said chapter and to enact a substitute therefor, all relating to construction and equipment of school buses.

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

1 SECTION 1. Paragraph three (3), section three hundred ninety-
2 nine (399), chapter one hundred thirty-four (134), Acts of the Forty-
3 seventh General Assembly, is hereby amended by striking from line

4 seven (7) of said section the word "thirty" and inserting in lieu there-
5 of the word "twenty-four."

1 SEC. 2. Section three hundred ninety-eight (398) of chapter one
2 hundred thirty-four (134), Acts of the Forty-seventh General As-
3 sembly, is hereby repealed and the following enacted in lieu thereof
4 and numbered twelve (12) under section three hundred ninety-nine
5 (399) of said chapter:

6 "Every school bus shall bear thereon, both front and rear, a sign
7 with the words 'School Bus' in black letters at least six (6) inches
8 high, on a lemon-yellow background. After Setember 1, 1941, all
9 school buses shall be equipped with an additional stop signal with the
10 word 'Stop' printed on both sides in black letters at least five (5)
11 inches high on a lemon-yellow background. Such signal shall be at
12 least twenty (20) inches long and shall be manually controlled by the
13 operator of the school bus so as to be clearly visible from both front
14 and rear when extended from the left of the body of the bus and shall
15 be displayed only when passengers are being received or discharged
16 from the bus. When such vehicle is not in use as a school bus, the
17 signs with the words 'School Bus' shall be removed or covered.

18 When passenger cars are used as school buses, the same will apply
19 except that it is not necessary for them to be equipped with the man-
20 ually controlled 'Stop' signal."

1 SEC. 3. The time for going into effect of section three hundred
2 ninety-nine (399) of chapter one hundred thirty-four (134), Acts of
3 the Forty-seventh General Assembly, relating to the construction of
4 school buses is hereby extended from Sepember 1, 1939, to September
5 1, 1941, provided that one-half or more of the buses used by any school
6 district for the transportation of children to and from school on Sep-
7 tember 1, 1939, are constructed and equipped as required by said sec-
8 tion three hundred ninety-nine (399), Acts of the Forty-seventh Gen-
9 eral Assembly.

Approved April 24, 1939.

CHAPTER 133

MOTOR VEHICLE FUEL TAX

S. F. 427

AN ACT to amend sections five thousand ninety-three-f two (5093-f2), five thousand
ninety-three-f four (5093-f4), five thousand ninety-three-f nine (5093-f9) and
five thousand ninety-three-f twenty-nine (5093-f29) as amended, code, 1935,
relating to the motor vehicle fuel tax.

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

1 SECTION 1. Section five thousand ninety-three-f two (5093-f2),
2 Code, 1935, is hereby amended by striking therefrom paragraphs "d",
3 "e" and "f" and by substituting in lieu thereof the following:

4 "d. The term 'motor vehicle fuel' shall mean any petroleum product
5 or other substance which alone or in combination with any other pe-
6 troleum product or other substance is capable of being used to operate

7 by combustion any internal combustion engine of the type used in
8 automobiles, trucks, airplanes, motor boats, tractors, or other me-
9 chanical contrivances which are propelled by their own power and
10 which is practicable for use for such purpose, including the products
11 commonly known as gasoline, kerosene, naphtha, distillate, gas oil,
12 tractor fuel, benzine and benzol.

13 "e. The term 'motor fuel' shall mean those motor vehicle fuels which
14 alone and without being combined with other petroleum products or
15 other substances are capable of successfully operating by combustion
16 an internal combustion engine of the type used in automobiles and
17 trucks such as gasoline or other petroleum products or other substances
18 having similar qualities, which have a flash point less than one hun-
19 dred (100) degrees Fahrenheit as determined by the Tagliabue Closed
20 Cup Test, or has an initial boiling point of less than three hundred
21 (300) degrees Fahrenheit as determined by the Method of the Ameri-
22 can Society of Testing Materials or has a ninety-five per cent (95%)
23 distillation point at less than four hundred sixty-four (464) degrees
24 Fahrenheit as determined by the Method of the American Society of
25 Testing Materials.

26 "f. The term 'fuel oil' shall mean those motor vehicle fuels not
27 within the above specification for motor fuel which either alone or
28 when combined with other petroleum products or other substances are
29 capable of being used as a fuel to propel motor vehicles upon the public
30 highways such as ordinary kerosene, distillate, Diesel fuel and gas
31 oil or other petroleum products or other substances having similar
32 qualities."

1 SEC. 2. Section five thousand ninety-three-f four (5093-f4), Code,
2 1935, is hereby amended by striking therefrom the first paragraph
3 and substituting therefor the following:

4 "Said tax shall be paid to the state of Iowa by the distributor, or
5 other person who imports or first receives said motor vehicle fuel in
6 this state, or who manufactures, compounds, or blends motor vehicle
7 fuel in this state, at the times and in the manner hereinafter pro-
8 vided, except that no tax need be paid with respect to motor vehicle
9 fuel refined at a refinery in this state and stored thereat, nor with
10 respect to motor vehicle fuel imported into this state by boat, barge
11 or pipe line and stored at a marine or pipe line terminal, so long as the
12 same remains in storage at such refinery, marine or pipe line termi-
13 nal, but except as hereinafter provided as to fuel oil, such tax shall
14 be paid by such distributor or other person, with respect to all motor
15 vehicle fuel taken from such refinery, marine or pipe line terminal
16 storage for sale or use in this state or for transportation or shipment
17 to points within this state; and provided further that the operator of
18 such refinery, marine or pipe line terminal shall be required to keep,
19 subject to inspection at any time by the state treasurer, such records,
20 and to render to the state treasurer monthly such reports as the state
21 treasurer may require to insure proper enforcement of the provisions
22 of this act. Such distributor or other person having paid said tax, or
23 being liable for its payment shall collect the amount thereof from any
24 person to whom said motor vehicle fuel is sold in this state along with
25 the selling price thereof."

1 SEC. 3. Section five thousand ninety-three-f nine (5093-f9), Code,
2 1935, is hereby amended as follows:

3 1. By inserting in the last line of the paragraph numbered one (1)
4 after the word "load" the following:

5 " , and (a) the total number of gallons thereof imported by boat,
6 barge or pipe line and stored at a marine or pipe line terminal and (b)
7 the total number of gallons thereof taken from such marine or pipe
8 line terminal storage during the preceding calendar month for sale or
9 use in this state or for transportation or shipment to points within
10 this state".

11 2. By inserting in the last line of the paragraph numbered two (2)
12 after the word "obtained" the following:

13 " , and (a) the total number of gallons thereof refined at a refinery
14 in this state and stored at such refinery and (b) the total number of
15 gallons thereof taken from such refinery storage for sale or use in this
16 state or for transportation or shipment to points within this state".

1 SEC. 4. Section five thousand ninety-three-f twenty-nine (5093-
2 f29), Code, 1935, as amended by section twenty-five (25), chapter one
3 hundred ninety-eight (198), Acts of the Forty-seventh General As-
4 sembly, is hereby amended by inserting in the last line of the next to
5 the last paragraph thereof, after the word "funds" the following:

6 " , but this provision shall not be construed as requiring payment of
7 the tax herein imposed with respect to the sale or use of fuel oil so used
8 unless the same is used as a fuel to propel motor vehicles operated
9 upon the public highways for purposes of transportation".

Approved April 24, 1939.

CHAPTER 134

MOTOR VEHICLE FUEL TAX REFUNDS

S. F. 202

AN ACT to amend section five thousand ninety-three-f thirty-one (5093-f31), code, 1935, relating to refund of taxes paid upon purchases of motor vehicle fuel.

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

1 SECTION 1. Section five thousand ninety-three-f thirty-one (5093-
2 f31), Code, 1935, is hereby amended by inserting therein as subsection
3 ten (10) the following:

4 "10. For any person employed or engaged in the sale or distribu-
5 tion of motor vehicle fuel, either directly or indirectly, to prepare or
6 notarize, for or on behalf of purchasers of motor vehicle fuel, any
7 application for a permit for refunds, as provided in section five thou-
8 sand ninety-three-f thirty (5093-f30), or for any claim for refund of
9 motor vehicle fuel tax, as provided in section five thousand ninety-
10 three-f twenty-nine (5093-f29)."

1 SEC. 2. This act, being deemed of immediate importance, shall be
2 in force and effect from and after its publication in the Milo Motor. a

3 newspaper published in Milo, Iowa, and The Malvern Leader, a news-
4 paper published in Malvern, Iowa.

Approved April 15, 1939.

I hereby certify that the foregoing act was published in the Milo Motor, April 27, 1939,
and The Malvern Leader, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 135
MOTOR VEHICLES

H. F. 601

AN ACT to amend section one (1), one hundred sixty-four (164), and one hundred
ninety-seven (197), and to amend, revise and codify sections one hundred fifty (150),
one hundred fifty-one (151), one hundred fifty-two (152), one hundred fifty-three
(153), one hundred fifty-four (154) and four hundred ninety (490) of chapter 134
of the acts of the Forty-seventh General Assembly relating to the registration fees
for motor trucks, truck tractors, road tractors, semitrailers and trailers, providing
for the registration of such vehicles on a gross weight basis, fixing the maximum
gross weight with which such vehicles may be operated, providing for the semi-
annual payment of registration fees, and providing specifications for number plates,
and to amend chapter 252-A2 of the code, 1935, relating to the taxation of motor
carriers operating motor vehicles between fixed termini and over a regular route,
fixing penalties for delinquency in payment of such tax, providing for the issuance
of distinguishing plates for such motor vehicles, providing for the collection and
enforcement of such tax and providing for the distribution of the proceeds thereof.

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

DIVISION I

1 SECTION 1. That section one (1) of chapter one hundred thirty-
2 four (134), Acts of the 47th General Assembly, be amended by strik-
3 ing subsection twenty-two (22) and inserting in lieu thereof the
4 following:

5 "22. 'Gross Weight' shall mean the empty weight of a vehicle plus
6 the maximum load to be carried thereon. The maximum load to be
7 carried by a passenger carrying vehicle shall be determined by multi-
8 plying one hundred fifty (150) pounds by the number of passenger
9 seats carried by such vehicle.

10 "22-a. 'Combined gross weight' shall mean the gross weight of a
11 motor vehicle plus the gross weight of a trailer or semitrailer to be
12 drawn thereby."

1 SEC. 2. That section one hundred fifty (150) of chapter one hun-
2 dred thirty-four (134), Acts of the 47th General Assembly, be repealed
3 and the following enacted in lieu thereof:

4 "Sec. 150. Trucks with pneumatic tires. For motor trucks equipped
5 with all pneumatic tires, the annual registration fee shall be:
6 For a gross weight of 3 tons or less.....\$ 15.00 per annum
7 For gross weights exceeding 3 and not
8 exceeding 5 tons..... 25.00 per annum
9 For gross weights exceeding 5 and not
10 exceeding 6 tons..... 60.00 per annum
11 For gross weights exceeding 6 and not

12	exceeding 7 tons.....	80.00 per annum
13	For gross weights exceeding 7 and not	
14	exceeding 8 tons.....	100.00 per annum
15	For gross weights exceeding 8 and not	
16	exceeding 9 tons.....	130.00 per annum
17	For gross weights exceeding 9 and not	
18	exceeding 10 tons.....	160.00 per annum
19	For gross weights exceeding 10 and not	
20	exceeding 11 tons.....	190.00 per annum
21	For gross weights exceeding 11 and not	
22	exceeding 12 tons.....	225.00 per annum

1 SEC. 3. That section one hundred fifty-one (151) of chapter one
2 hundred thirty-four (134), Acts of the 47th General Assembly, be
3 repealed and the following enacted in lieu thereof:

4 "Sec. 151. Trucks with solid rubber tires. For motor trucks
5 equipped with two or more solid rubber tires, the annual registration
6 fee shall be the fee provided in section one hundred fifty (150) of this
7 chapter plus twenty-five per cent (25%) thereof."

1 SEC. 4. That section one hundred fifty-two (152) of chapter one
2 hundred thirty-four (134), Acts of the 47th General Assembly, be
3 repealed and the following enacted in lieu thereof:

4 "Sec. 152. Trucks exceeding twelve (12) tons gross weight. The
5 registration fee on all trucks of gross weight in excess of twelve (12)
6 tons shall be the fee for twelve (12) tons and in addition thereto
7 twenty dollars for each ton over twelve (12) tons."

1 SEC. 5. That section one hundred fifty-three (153) of chapter one
2 hundred thirty-four (134), Acts of the 47th General Assembly be
3 repealed and the following enacted in lieu thereof:

4 "Sec. 153. Truck tractors, road tractors, and semitrailers.

5 (a) For a truck tractor or for a road tractor the annual registration
6 fee shall be:

7 For each truck tractor or road tractor drawing a trailer having a
8 combined gross weight of six tons or less, thirty dollars per annum.

9 For each truck tractor or road tractor drawing a trailer having a
10 combined gross weight exceeding six tons and not exceeding eight
11 tons, seventy dollars per annum.

12 For each truck tractor or road tractor drawing a trailer having a
13 combined gross weight exceeding eight tons and not exceeding ten
14 tons, one hundred thirty dollars per annum.

15 For each truck tractor or road tractor drawing a trailer having a
16 combined gross weight exceeding ten tons and not exceeding twelve
17 tons, one hundred ninety-five dollars per annum.

18 The registration fee for a truck tractor or road tractor drawing a
19 trailer with a combined gross weight of exceeding twelve (12) tons
20 shall be the fee for twelve (12) tons and in addition thereto twenty
21 dollars for each ton over twelve (12) tons.

22 Nothing herein shall be construed to require a license for the opera-
23 tion of a rubber-tired farm tractor not for hire upon the public high-
24 ways.

25 (b) For semitrailers the annual registration fee shall be:

26 For each semitrailer drawn by a truck, road tractor or truck tractor,

27 with a combined gross weight of twelve tons or less.....\$30.00
 28 per annum.
 29 For each seimtrailer drawn by a truck, road tractor or truck tractor,
 30 with a combined gross weight exceeding twelve tons.....\$60.00
 31 per annum.”

1 SEC. 6. That section one hundred fifty-four (154) of chapter one
 2 hundred thirty-four (134), Acts of the 47th General Assembly, be
 3 repealed and the following enacted in lieu thereof:
 4 “Sec. 154. Trailers. All trailers except those defined as semi-
 5 trailers shall be subject to a registration fee to be fixed in accordance
 6 with the following schedule:
 7 When equipped with penumatic tires:
 8 Wagon box trailers used by a farmer in connection
 9 with the operation of his farm.....\$ 1.00
 10 Trailers with a gross weight of one thousand (1000)
 11 pounds or less..... 1.00
 12 Trailers with a gross weight exceeding one thousand (1000)
 13 pounds and not exceeding two thousand (2000) pounds..... 3.00
 14 Trailers with a gross weight exceeding one ton and
 15 not exceeding two tons..... 10.00
 16 Trailers with a gross weight exceeding two tons and
 17 not exceeding four tons..... 25.00
 18 Trailers with a gross weight exceeding four tons
 19 and not exceeding six tons..... 30.00
 20 Trailers with a gross weight exceeding six tons and
 21 not exceeding eight tons..... 35.00
 22 Trailers with a gross weight exceeding eight tons
 23 and not exceeding ten tons..... 40.00
 24 Trailers with a gross weight exceeding ten tons and
 25 not exceeding twelve tons..... 50.00
 26 Trailers with a gross weight exceeding twelve tons
 27 and not exceeding fourteen tons..... 60.00
 28 When equipped with two or more solid rubber tires:
 29 Trailers with a gross weight exceeding one ton and not
 30 exceeding two tons..... 20.00
 31 Trailers with a gross weight exceeding two tons and
 32 not exceeding four tons..... 30.00
 33 Trailers with a gross weight exceeding four tons and
 34 not exceeding six tons..... 35.00
 35 Trailers with a gross weight exceeding six tons and
 36 not exceeding eight tons..... 50.00
 37 Trailers with a gross weight exceeding eight tons
 38 and not exceeding ten tons..... 60.00
 39 Trailers with a gross weight exceeding ten tons and
 40 not exceeding twelve tons..... 70.00
 41 Trailers with a gross weight exceeding twelve tons
 42 and not exceeding fourteen tons..... 80.00”

1 SEC. 7. That section four hundred ninety (490) of chapter one
 2 hundred thirty-four (134), Acts of the 47th General Assembly, be
 3 repealed and the following enacted in lieu thereof:
 4 “Sec. 490. Loading capacity. An increased gross weight regis-
 5 tration may be obtained for any vehicle by payment of the difference

6 between the annual fee for the higher gross weight and the amount
 7 of the fee for the gross weight at which it is registered. It shall be
 8 unlawful for any person to operate a motor truck, trailer, truck tractor,
 9 road tractor, semitrailer or combination thereof, on the public
 10 highways with a gross weight exceeding that for which it is registered
 11 by more than five per cent (5%) of the gross weight for which it is
 12 registered, provided, however, that any vehicle or vehicle combination
 13 referred to herein, while carrying a load of raw farm products, soil
 14 fertilizers, including ground limestone, raw dairy products or live-
 15 stock, live poultry, eggs, may be operated with a gross weight of
 16 twenty-five per cent (25%) in excess of the gross weight for which
 17 it is registered."

1 SEC. 8. That section one hundred sixty-four (164), of chapter one
 2 hundred thirty-four (134), Acts of the 47th General Assembly, be
 3 amended by adding thereto the following:

4 "Provided, however, that the annual registration fee for trucks,
 5 truck tractors, road tractors, trailers and semitrailers, as provided in
 6 sections one hundred fifty (150), one hundred fifty-one (151), one
 7 hundred fifty-two (152), one hundred fifty-three (153), and one hun-
 8 dred fifty-four (154) of this chapter, may be payable in two equal
 9 semi-annual installments. The penalties provided in the preceding
 10 paragraph shall be computed on the amount of the first installment
 11 only, and on August 1st of each year and on the first day of each
 12 month thereafter the same rate of penalty shall be added to the
 13 amount of the second installment, until the same is paid."

1 SEC. 9. That section one hundred ninety-seven (197), of chapter
 2 one hundred thirty-four (134), Acts of the 47th General Assembly,
 3 be amended by inserting a new paragraph after the word "depart-
 4 ment" in line seven (7) to read as follows:

5 "Number plates for vehicles on which the annual registration fee
 6 is payable in two installments shall prior to the payment of the second
 7 installment be of a distinctively different color than the plates used
 8 for other motor vehicles during the same year."

1 SEC. 9a. That paragraph two (2), section one (1), of Chapter
 2 134 of the Acts of the Forty-seventh General Assembly be amended
 3 by striking from lines one (1) and two (2) thereof the words "and
 4 every vehicle which is" and inserting in lieu thereof the words "but
 5 not including vehicles known as trackless trolleys which are".

DIVISION II

1 SEC. 9b. Sections fifty-one hundred five-a forty-one (5105-a41) to
 2 fifty-one hundred five-a fifty-seven (5105-a57), inclusive, Code, 1935,
 3 are hereby repealed and sections ten (10) to twenty-one (21), in-
 4 clusive, of this division enacted in lieu thereof.

1 SEC. 10. In addition to the regular license fees or taxes imposed
 2 upon motor vehicles, there shall be assessed against and collected from
 3 every motor carrier the following tax as compensation for the use
 4 of the highways to carry on business and for the repair and mainte-
 5 nance of the highways:

6 For each motor vehicle or combination of tractor and semitrailer
7 or trailer with a gross weight in excess of sixteen (16) tons, \$250.00.

8 For each motor vehicle or combination of tractor and semitrailer
9 or trailer with a gross weight in excess of twelve (12) tons and not to
10 exceed sixteen (16) tons \$200.00.

11 For each motor vehicle or combination of tractor and semitrailer
12 or trailer with a gross weight in excess of eight (8) tons and not to
13 exceed twelve (12) tons, \$150.00.

14 For each motor vehicle or combination of tractor and semitrailer
15 or trailer with a gross weight of eight (8) tons or less, \$75.00.

16 "Gross weight" shall mean the registered weight of a vehicle or
17 combination of trailer and semitrailer or trailer except in the case of
18 motor vehicles registered outside of this state. The gross weight shall
19 mean the empty weight of the vehicle plus the actual weight of the
20 load carried thereon."

1 SEC. 11. **Payment of tax.** The annual compensation tax shall be
2 paid on or before the first day of January in each year; provided, how-
3 ever, the same may be paid in equal quarterly installments which shall
4 be due on the first day of January, April, July and October of each
5 year.

1 SEC. 12. **Penalties.** If payment of compensation tax is not made
2 within thirty (30) days after the date upon which it is due, it shall
3 become delinquent and there shall be added as a penalty a sum equal
4 to one-tenth of the amount of the original tax for each month or frac-
5 tion thereof that the tax remains delinquent.

1 SEC. 13. **Rebate.** If during any year a motor vehicle ceases to be
2 used for compensation the operator thereof, upon satisfactory proof
3 to the commission of cessation of such use, shall be exempted from the
4 payment of the quarterly installments of the annual tax thereafter
5 and shall be entitled to a refund of any subsequent quarterly install-
6 ments previously paid. The tax to be assessed on any motor vehicle
7 placed in service for compensation after February first shall be com-
8 puted on the basis of one-twelfth of the annual tax multiplied by the
9 number of unexpired months in the current quarter, and in succeeding
10 quarters shall be computed on the basis of the regular quarterly pay-
11 ment as provided in section eleven (11) of this act.

1 SEC. 14. **Plates.** The commission shall issue distinguishing identi-
2 fication plates for each motor vehicle upon the payment of the taxes
3 herejn assessed, which plates shall be affixed to each such vehicle in a
4 conspicuous place.

1 SEC. 15. **Lien.** Taxes and penalties imposed by this division shall
2 be a first lien upon all property of the carrier.

1 SEC. 16. **Sale of property.** If payment is not made on or before
2 sixty (60) days after the date when the tax became delinquent, the
3 property of the motor vehicle carrier, or so much thereof as may be
4 necessary, may be sold to satisfy the said taxes and penalties, interest
5 and costs of sale.

1 SEC. 17. **Duty to collect—procedure.** All taxes and penalties im-
2 posed by this division shall be paid to the commission, and it shall be

3 the duty of the commission to enforce the collection of all taxes and
 4 penalties, and notice of sale, and procedure thereunder shall, so far
 5 as may be, accord with the provisions of the law for the collection of
 6 taxes upon general property.

1 **SEC. 18. Travel orders.** Nonresident owners and resident owners
 2 of motor vehicles registered outside of this state, subject to tax under
 3 section ten (10) of this act, and operated within this state only occa-
 4 sionally or on specified trips into or across the state for the interstate
 5 transportation of persons or property for compensation shall be
 6 exempt from the annual compensation tax imposed by this division
 7 upon obtaining from the commission an order for each such trip any
 8 such vehicle is so operated into or across the state. The commission
 9 shall issue such orders upon application therefor, giving a description
 10 of such vehicle, and upon the payment to the commission of the sum
 11 of five dollars (\$5.00) for each order for motor vehicles with a gross
 12 weight in excess of 34,000 pounds and three dollars (\$3.00) for each
 13 order for motor vehicles with a gross weight of 34,000 pounds or less.
 14 Such order shall be conspicuously displayed on such vehicle at all times
 15 while such vehicle is being operated upon the highways of this state
 16 in the manner prescribed by the commission.

1 **SEC. 19. Accounting by commission.** The commission shall remit
 2 to the Treasurer of State all moneys collected under this division.

1 **SEC. 20. Distribution of proceeds.** All of the moneys received
 2 under the provisions of this division shall be distributed as follows:
 3 (1) One-half shall be allocated by the commission to the various
 4 counties in the proportion that the area of the respective county bears
 5 to the total area of the state, to be used by the county board of super-
 6 visors for the maintenance of secondary roads.

7 (2) One-half shall be placed in the primary road fund of the state.

1 **SEC. 21. Payment to counties.** The commission shall certify the
 2 amount due to each county to the state comptroller, who shall draw
 3 warrants upon the treasurer of state to be transmitted to the respec-
 4 tive county treasurers.

1 **SEC. 22.** The provisions of this act shall become effective on De-
 2 cember 31, 1939.

Approved May 25, 1939.

CHAPTER 136

MOTOR TRUCKS

S. F. 48

AN ACT to amend section fifty-one hundred five-c nine (5105-c9), code, 1935, relating to motor trucks operated upon the highways of Iowa in interstate commerce and providing an exemption therefor.

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

1 **SECTION 1.** Section fifty-one hundred five-c nine (5105-c9), Code,
 2 1935, is amended by adding thereto the following: "The Iowa State

3 Commerce Commission shall be empowered to waive the fee provided
 4 for in this section, provided said motor truck is owned by a nonresi-
 5 dent of this State and is operated upon the highways thereof only in
 6 the conduct of business in interstate commerce and provided further
 7 that the owner of said motor truck has complied with the registration
 8 requirements of the State of his or its residence, and said Commission
 9 shall do all things necessary or required to negotiate and perfect re-
 10 ciprocal agreements between the various States and the State of Iowa,
 11 waiving the fee provided for in this section for the purpose of securing
 12 exemptions and privileges for citizens of this State operating motor
 13 vehicles in other States."

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Traer
 3 Star-Clipper, a newspaper published at Traer, Iowa, and the Dayton
 4 Review, a newspaper published at Dayton, Iowa.

Approved March 9, 1939.

I hereby certify that the foregoing act was published in the Traer Star-Clipper,
 March 17, 1939, and the Dayton Review, March 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 137
 COUNTY TREASURER
 H. F. 506

AN ACT to amend section fifty-one hundred sixty-nine-a seven (5169-a7), code, 1935,
 relating to the duties of county treasurer.

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

1 SECTION 1. Section fifty-one hundred sixty-nine-a seven (5169-a7),
 2 Code, 1935, is hereby amended by changing the words "board of assess-
 3 ment and review" to "tax commission" in lines four (4) and five (5)
 4 and by changing the word "board" to "commission" in line five (5)
 5 thereof.

Approved April 3, 1939.

CHAPTER 138
 COUNTY BONDS
 H. F. 507

AN ACT to amend sections fifty-two hundred ninety (5290) and fifty-two hundred
 ninety-one (5291), code, 1935, relating to county bonds.

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

1 SECTION 1. Section fifty-two hundred ninety (5290), Code, 1935,
 2 is hereby amended by changing the words "board of assessment and
 3 review" to "tax commission" in lines nine (9) and ten (10), and by

4 changing the word "board" to "commission" in line twelve (12)
5 thereof.

1 SEC. 2. Section fifty-two hundred ninety-one (5291), Code, 1935,
2 is hereby amended by changing the words "board of assessment and
3 review" to "tax commission" in line two (2) and the word "board" to
4 "commission" in line fifteen (15) thereof.

Approved April 3, 1939.

CHAPTER 139

STATE BOARD OF SOCIAL WELFARE

H. F. 204

AN ACT to amend chapter one hundred fifty-one (151), acts of the Forty-seventh General Assembly, relating to membership, salary, and terms of the members of the state board of social welfare and providing for the manner of removal of members of the state board of social welfare.

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

1 SECTION 1. Chapter one hundred fifty-one (151), Acts of the Forty-
2 seventh General Assembly, is hereby amended by striking therefrom
3 all of sections three (3) and five (5) and by inserting in lieu thereof
4 the following:

5 "The state board of social welfare shall consist of three (3) mem-
6 bers, one of whom shall be a woman, not more than two of whom
7 shall be from the same political party, to be appointed by the governor
8 with the approval of a two-thirds vote of the members of the senate
9 in executive session."

10 "The members of the board shall devote their full time to the board's
11 work and shall hold no other private or public position or office."

12 "Each member shall serve for a term of six (6) years, or until his
13 successor is appointed and qualifies, except that the terms of the mem-
14 bers first appointed shall expire, as designated by the governor, on
15 June 30, 1941, June 30, 1943, and June 30, 1945. Within sixty (60)
16 days after the convening of the general assembly, the governor shall
17 appoint a successor to the member whose term expires on the follow-
18 ing June thirtieth."

19 "Members of the board may be removed by the governor with the
20 approval of the Executive Council and shall receive as compensation
21 the sum of four thousand dollars (\$4,000.00) per annum, payable
22 monthly."

23 "No member shall be removed without cause being assigned for
24 removal and without a public hearing before the executive council."

1 SEC. 2. Chapter one hundred fifty-one (151), Acts of the Forty-
2 seventh General Assembly, is further amended by striking therefrom
3 all of section nine (9).

1 SEC. 3. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in

3 the Cedar Rapids Gazette, a newspaper published at Cedar Rapids,
 4 Iowa, and in the Cedar Valley Times, a newspaper published at Vinton,
 5 Iowa.

Approved February 16, 1939.

I hereby certify that the foregoing act was published in the Cedar Rapids Gazette, February 20, 1939, and the Cedar Valley Times, Vinton, Iowa, February 20, 1939.
 EARL G. MILLER, *Secretary of State*.

CHAPTER 140

OLD AGE ASSISTANCE

H. F. 628

AN ACT to repeal section fifty-two hundred ninety-six-f ten (5296-f10), code, 1935, as amended by section seven (7) of chapter one hundred thirty-seven (137), acts of the Forty-seventh General Assembly, and to enact a substitute in lieu thereof; to amend sections fifty-two hundred ninety-six-f twelve (5296-f12), fifty-two hundred ninety-six-f fifteen (5296-f15), as amended by chapter one hundred thirty-seven, (137), acts of the Forty-seventh General Assembly, fifty-two hundred ninety-six-f nineteen (5296-f19), fifty-two hundred ninety-six-f twenty-three (5296-f23), fifty-two hundred ninety-six-f twenty-seven (5296-f27), fifty-two hundred ninety-six-f thirty-four (5296-f34), fifty-two hundred ninety-six-f forty (5296-f40), fifty-two hundred ninety-six-g two (5296-g2), as amended by chapter one hundred thirty-seven, acts of the Forty-seventh General Assembly, code, 1935; to amend sections one (1), three (3), eight (8), nine (9), twelve (12), fourteen a (14a), fifteen (15), twenty-five (25), twenty-eight (28), thirty-three (33), and thirty-seven (37) of chapter one hundred thirty-seven (137), acts of the Forty-seventh General Assembly; to amend section one (1) of chapter one hundred ninety-five (195), acts of the Forty-seventh General Assembly; and to further amend chapter two hundred sixty-six-f one (266-f1), code, 1935, as amended by chapter one hundred thirty-seven (137), acts of the Forty-seventh General Assembly, by adding thereto new sections; all relating to old age assistance, the amount thereof, and to whom granted; the liability of certain persons for the support of a claimant or recipient of old age assistance; to the power and duty of the court in determining the responsibility of a child for support; to the review by the court of the decisions of the state board of social welfare; to costs incurred in connection with hearings; to the deduction from the estate of a recipient and providing for a lien against said estate; to the right of the state board to cancel a certificate of assistance; to the construction of the law governing old age assistance payments; to unredeemed warrants; to marking endorsements by use of fingerprints; to the powers and duties of the state board of social welfare and the duties of the county attorney; and to the amount of funds allocated to the payment of old age assistance.

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

1 SECTION 1. Strike all of section fifty-two hundred ninety-six-f ten
 2 (5296-f10), Code, 1935, as amended by Chapter one hundred thirty-
 3 seven (137), Acts of the Forty-seventh General Assembly and insert
 4 in lieu thereof the following:

5 "The amount of assistance shall be fixed with due regard to the
 6 condition of the individual, household situation and community in
 7 each instance, subject to the rules, regulations and standards adopted
 8 by the state board, but in no instance shall it be an amount which,
 9 when added to the income of the applicant from all other sources, ex-
 10 clusive of the exemptions hereinafter provided, shall exceed a total
 11 of twenty-five dollars (\$25.00) a month. However, a further allow-
 12 ance not to exceed five dollars (\$5.00) per month may be allowed, when

13 essential, to meet additional expenses due to the individual's mental
14 and/or physical condition."

1 SEC. 2. Amend section fifty-two hundred ninety-six-f twelve
2 (5296-f12), Code, 1935, by striking from lines thirty-three (33) and
3 thirty-four (34) the words "application or of receiving aid" and in-
4 serting in lieu thereof the words "making claim or receiving assist-
5 ance"; by striking from line thirty-five (35) the word and punctuation
6 "workhouse,"; and by striking all of lines forty-five (45), forty-six
7 (46) and forty-seven (47).

1 SEC. 3. Amend section fifty-two hundred ninety-six-f twenty-three
2 (5296-f23), code, 1935, as amended by chapter one hundred thirty-
3 seven (137), acts of the Forty-seventh General Assembly, by inserting
4 in line two (2), after the word "old" the word "age".

1 SEC. 4. Amend section fifty-two hundred ninety-six-f twenty-seven
2 (5296-f27), code, 1935, by striking from line ten (10) the words and
3 punctuation "other forms of aid," and by striking from line fourteen
4 (14) the words "other forms of".

1 SEC. 5. Amend section fifty-two hundred ninety-six-f thirty-four
2 (5296-f34), Code, 1935, by striking from line seventy-one (71) the
3 words "for said aid".

1 SEC. 6. Amend section fifty-two hundred ninety-six-f forty (5296-
2 f40), code, 1935, by striking therefrom all of lines one (1), two (2),
3 three (3), four (4), five (5), six (6) and seven (7), and by renum-
4 bering the subsections.

1 SEC. 7. Amend section one (1), Chapter one hundred thirty-seven
2 (137), Acts of the Forty-seventh General Assembly, by inserting in
3 line twenty-seven (27), following the word "gain" a comma (,).

4 Further amend said section by inserting in line thirty (30), follow-
5 ing the word "person", the punctuation and word ", trustee".

6 Further amend said section by inserting in line thirty (30), follow-
7 ing the word and punctuation "entity," the words and punctuation "or
8 gratuity received from whatever source,".

1 SEC. 8. Amend chapter one hundred thirty-seven (137), section
2 three (3), Acts of the Forty-seventh General Assembly by striking
3 the last sentence therefrom.

1 SEC. 9. Amend section eight (8) of chapter one hundred thirty-
2 seven (137), Acts of the Forty-seventh General Assembly, by strik-
3 ing all of lines four (4) to six (6), inclusive, and inserting in lieu
4 thereof the following:

5 "Further amend said section by striking all of lines ten (10), eleven
6 (11), twelve (12), thirteen (13), and fourteen (14), and inserting in
7 lieu thereof the following: 'in calculating the income of the claimant,
8 occasional gifts, or earnings through personal labor, not to exceed
9 one hundred twenty dollars in the aforesaid twelve-month period may
10 be disregarded.'"

1 SEC. 10. Amend chapter one hundred thirty-seven (137), section
2 nine (9), Acts of the Forty-seventh General Assembly, by striking

3 from line twelve (12), the words and punctuation “, and in”, and
 4 by striking all of lines thirteen (13) and fourteen (14) and inserting
 5 in lieu thereof a period”.

1 SEC. 11. Amend chapter one hundred thirty-seven (137), Acts of
 2 the Forty-seventh General Assembly, section fourteen-a (14-a), by
 3 striking from line six (6), the word “commission” and inserting the
 4 words “state board and division”, and by striking from line nine (9)
 5 the word “commission” and inserting the words “state board and
 6 division”.

1 SEC. 12. Amend chapter one hundred thirty-seven (137), section
 2 twenty-five (25), Acts of the Forty-seventh General Assembly, by
 3 inserting in line thirteen (13), after the syllable “mission” the words
 4 “or its successors”.

1 SEC. 13. Amend chapter one hundred thirty-seven (137), section
 2 twenty-eight (28), Acts of the Forty-seventh General Assembly, by
 3 striking from line eight (8) the word, punctuation and figure “nine
 4 (9)” and inserting in lieu thereof the word, punctuation and figure
 5 “seven (7)”.

1 SEC. 14. Amend chapter one hundred thirty-seven (137), Acts of
 2 the Forty-seventh General Assembly, section thirty-three (33), by
 3 striking from lines twelve (12) and thirteen (13) the words and punc-
 4 tuation”, including warrants one written and subsequently returned
 5 to the comptroller uncashed”.

1 SEC. 15. Amend section thirty-seven (37), chapter one hundred
 2 thirty-seven (137), Acts of the Forty-seventh General Assembly, by
 3 striking lines seven (7), eight (8), and nine (9) and inserting in lieu
 4 thereof the following: “on and issue duplicates of all old age assistance
 5 warrants or checks which have been outstanding and unredeemed by
 6 the state treasurer for six months or longer. No bond of indemnity
 7 shall be required for the issuance of such duplicate warrants which
 8 shall be cancelled immediately by the state comptroller. Should the
 9 original warrants subsequently be presented for payment, warrants
 10 in lieu thereof shall be issued by the state comptroller at the discretion
 11 of and certification by the division.”

1 SEC. 16. Amend chapter two hundred sixty-six-F1 (266-F1), Code,
 2 1935, as amended by chapter one hundred thirty-seven (137), Acts of
 3 the Forty-seventh General Assembly, by adding as a new section the
 4 following:

5 “The state board and division, when considering a compromise set-
 6 tlement of the state’s interest in any property or the estate of a recip-
 7 ient and/or recipient’s spouse, may recognize such equitable interest
 8 as may be established by another person or legal entity.”

1 SEC. 17. Amend Chapter two hundred sixty-six-F one (266-F1),
 2 Code, 1935, as amended by Chapter one hundred thirty-seven (137),
 3 Acts of the Forty-seventh General Assembly, by adding thereto as a
 4 new section the following:

5 “The state board or the court in determining the responsibility of
 6 a child for the support of a claimant or recipient, shall deem liability
 7 to begin when said child is receiving a net income from whatever

8 source, commensurate with that upon which he would make an income
9 tax payment to this state. In no event shall assistance be granted
10 when the contribution made by or required of responsible relatives
11 attains the equivalent of the maximum assistance payable under this
12 chapter."

1 SEC. 18. Amend chapter two hundred sixty-six-F one (266-F1),
2 Code, 1935, as amended by chapter one hundred thirty-seven (137),
3 Acts of the Forty-seventh General Assembly, by adding thereto as a
4 new section, the following:

5 "It shall be the duty of the county attorney of each and every
6 county, upon application of the state board of social welfare, to insti-
7 tute and conduct the prosecution of any suit for the support of an appli-
8 cant for or recipient of assistance by any person or legal entity legally
9 or contractually liable therefor, and any action brought for the vio-
10 lation of any of the provisions of this chapter, within the county.

11 "In the event that a child or other responsible relative neglects or
12 refuses to contribute to the support of a claimant or recipient, an
13 action in equity may be commenced in the district court of the county
14 in which a responsible relative resides and there may be joined as
15 defendants in said action any or all other responsible relatives. The
16 court may decree the amount of contribution, if any, to be made by
17 each child or other responsible relative with due regard to their sep-
18 arate incomes, financial ability and obligations."

1 SEC. 19. Amend section fifteen (15) of chapter one hundred thirty-
2 seven (137) of the Acts of the Forty-seventh General Assembly by
3 striking the period and quotation marks at the end of line sixty (60)
4 and adding the following:

5 " , except for good cause shown by said applicant which good cause
6 shall be determined by the county board."

1 SEC. 20. Amend chapter two hundred sixty-six-F one (266-F1),
2 Code, 1935, as amended by chapter one hundred thirty-seven (137),
3 Acts of the Forty-seventh General Assembly, by adding as a new
4 section the following:

5 "Whenever the payee of an old age assistance warrant is unable to
6 endorse said warrant in writing as his name appears on the face of
7 said warrant, the endorsement shall be made by the payee's finger-
8 print, which act shall be witnessed by at least two persons who shall
9 sign as witnesses, also giving their address."

1 SEC. 21. Amend section one (1) of chapter one hundred ninety-
2 five (195) of the Acts of the Forty-seventh General Assembly by
3 striking from lines six (6) and seven (7) the following: "pension
4 fund, from time to time as available, the next five million five hundred
5 thousand dollars (\$5,500,000.00) collected each year" and inserting in
6 lieu thereof the words and punctuation, "assistance fund, from time
7 to time as available, the first seven million dollars (\$7,000,000.00)
8 collected each year".

1 SEC. 22. Amend section fifty-two hundred ninety-six-f nineteen
2 (5296-f19), Chapter two hundred sixty-six-F one (266-F1), Code,
3 1935, as amended by Chapter one hundred thirty-seven (137), Acts

4 of the Forty-seventh General Assembly, by adding to said section the
5 following:

6 "The costs incurred in connection with any such hearing or exami-
7 nation shall be paid by the state board or county board, whichever
8 issues the subpoenas; and the witnesses shall be entitled to claim a
9 two-dollar (\$2.00) fee and mileage expense at a rate of five cents (5¢)
10 per mile, except that responsible relatives as defined in sections fifty-
11 two hundred ninety-eight (5298), fifty-three hundred one (5301) and
12 ten thousand five hundred one-b six (10501-b6), Code, 1935, shall not
13 be entitled to claim witness fees and mileage expense."

1 SEC. 23. Amend section fifty-two hundred ninety-six-g two (5296-
2 g2), Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as
3 amended by Chapter one hundred thirty-seven (137), Acts of the
4 Forty-seventh General Assembly, by adding thereto the following:

5 "When proceeds are received from any insurance policy which was
6 not assigned to the state board and which states the beneficiary to be
7 the administrator, or legal representatives or estate of the insured,
8 such proceeds shall be subject to the claim against said estate for any
9 old age assistance payments to or on behalf of such insured person
10 or for any funeral claims paid and said claim shall be prior to the
11 claim of the heirs thereto."

1 SEC. 24. Amend Chapter one hundred thirty-seven (137), Acts of
2 the Forty-seventh General Assembly, by striking all of section twelve
3 (12).

1 SEC. 25. Amend section five thousand two hundred ninety-six-f
2 fifteen (5296-f15), Chapter two hundred sixty-six-F one (266-F1),
3 Code, 1935, as amended by Chapter one hundred thirty-seven (137),
4 Acts of the Forty-seventh General Assembly, by striking lines one (1)
5 to eighteen (18), inclusive, and inserting in lieu thereof, the following:

6 "On the death of a person receiving or who has received assistance
7 under this chapter or of the survivor of a married couple, either or
8 both of whom were so assisted, the total amount paid as assistance,
9 shall be allowed as a lien against the real estate in the estate of the
10 decedent and as a claim of the second class against the personal estate
11 of such decedent, in the event the estate is admitted to probate. Neither
12 the homestead nor the proceeds therefrom of such decedent or his
13 survivor, shall be exempt from the payment of said lien or claim, any
14 act or statute to the contrary notwithstanding. The filing of its claim
15 against the estate shall not constitute a waiver of the right of the
16 state board, in behalf of the state, to maintain an action by equitable
17 proceedings to foreclose upon its lien against a homestead left by
18 the deceased as well as any other real estate situated within the state
19 of Iowa, and belonging to the estate of the deceased. The proceeds
20 of such claim shall be paid into the old age assistance revolving fund.
21 In case of the death of either husband or wife, either or both of whom
22 have been receiving or have received assistance under this chapter, the
23 estate of deceased shall not be settled or the homestead sold until
24 the surviving spouse shall die or cease to occupy the homestead as".

1 SEC. 26. Amend section fifteen (15), Chapter one hundred thirty-
2 seven (137), Acts of the Forty-seventh General Assembly, by striking
3 all of lines fifty-three (53), fifty-four (54), fifty-five (55), fifty-six

4 (56), and fifty-seven (57) and inserting in lieu thereof the following:
 5 "The district court shall act as an appellate court to review the
 6 decision of the state board to determine whether or not it has therein
 7 committed fraud or abused its discretion. The costs may be taxed
 8 to appellant where the appeal is affirmed or may be remitted."

1 SEC. 27. Amend Chapter two hundred sixty-six-F one (266-F1),
 2 Code, 1935, as amended by Chapter one hundred thirty-seven (137),
 3 Acts of the Forty-seventh General Assembly, by adding thereto as
 4 a new section, the following:

5 "The state board may cancel the certificate of any recipient who
 6 is found by the state board to be acting in agreement with the authori-
 7 ties of any county charged with the duty of providing for the support
 8 of the poor if it shall appear to the state board that such agreement
 9 is with the intent to shift or would have the effect of shifting the
 10 responsibility of any such county or to evade the provisions of sections
 11 fifty-two hundred ninety-six-f twenty-seven (5296-f27) and fifty-two
 12 hundred ninety-six-f twenty-nine (5296-f29), Code, 1935."

1 SEC. 28. **Constitutionality.** If any portion of this act shall be de-
 2 clared unconstitutional, such declaration shall not affect the validity
 3 of the remaining portions of the act but they shall remain in force as
 4 though such declaration had not been made.

1 SEC. 29. This act, being deemed of importance, shall be in full force
 2 and effect on July 1, 1939, after its passage and publication in the
 3 Hopkinton Leader, a newspaper published at Hopkinton, Iowa, and
 4 in the Earlville Review, a newspaper published at Earlville, Iowa.

Approved May 3, 1939.

I hereby certify that the foregoing act was published in the Hopkinton Leader, May
 11, 1939, and the Earlville Review, May 11, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 141

OLD AGE ASSISTANCE

S. F. 402

AN ACT to amend section five thousand two hundred ninety-six-f twenty (5296-f20),
 code, 1935, as amended by sections sixteen (16) and thirty-eight (38) of chapter
 one hundred thirty-seven (137), acts of the Forty-seventh General Assembly, relat-
 ing to old age assistance.

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

1 SECTION 1. Section five thousand two hundred ninety-six-f twenty
 2 (5296-f20), Code, 1935, as amended by sections sixteen (16) and
 3 thirty-eight (38) of Chapter one hundred thirty-seven (137), Acts of
 4 the Forty-seventh General Assembly, is amended by striking from
 5 lines seven (7) and eight (8) the words "and forward" and inserting
 6 in lieu thereof the word "his", and inserting after the word "check"
 7 in line eight (8) of said section the words "to be forwarded by the
 8 Division of Old Age Assistance."

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 The Muscatine Journal & News-Tribune, a newspaper published at
 4 Muscatine, Iowa, and the Wright County Monitor, a newspaper pub-
 5 lished at Clarion, Iowa.

Approved March 28, 1939.

I hereby certify that the foregoing act was published in The Muscatine Journal & News-Tribune, April 5, 1939, and the Wright County Monitor, April 6, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 142

OLD AGE ASSISTANCE

H. F. 235

AN ACT to repeal section fifty-two hundred ninety-six-f twenty-five (5296-f25), code, 1935, as amended by chapter one hundred thirty-seven (137), acts of the Forty-seventh General Assembly, and to enact a substitute therefor, relating to funeral expenses for persons receiving old age assistance.

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

1 SECTION 1. Section fifty-two hundred ninety-six-f twenty-five
 2 (5296-f25), Code, 1935, as amended by chapter one hundred thirty-
 3 seven (137), Acts of the Forty-seventh General Assembly, is hereby
 4 repealed and the following is enacted in lieu thereof:

5 "On the death of any person to whom a certificate of old age assist-
 6 ance has been issued and has not been cancelled, such reasonable
 7 funeral expenses shall be paid from the old age assistance fund to such
 8 person as the county board directs, in an amount of not to exceed
 9 one hundred dollars (\$100); provided:

10 1. That the total expense of such funeral does not exceed two hun-
 11 dred dollars (\$200).

12 2. That the decedent does not leave an estate which may be pro-
 13 bated, subject to the provisions of section fifty-two hundred ninety-
 14 six-f fifteen (5296-f15), Code, 1935, as amended by section twelve
 15 (12), chapter one hundred thirty-seven (137), acts of the Forty-sev-
 16 enth General Assembly, with sufficient proceeds to allow a funeral
 17 claim of at least two hundred dollars (\$200), as provided by section
 18 eleven thousand nine hundred sixty-nine (11,969), Code, 1935.

19 3. That no payment in an amount equal to two hundred dollars
 20 (\$200) is due the decedent's estate, spouse, children, father, mother,
 21 brother or sister, by reason of the liability of any life insurance or
 22 death or funeral benefit company, association, or society, to be made
 23 in the event of the death of such decedent who is a recipient of old
 24 age assistance.

25 4. That in the event the total funeral expenses for a recipient of
 26 old age assistance exceed the division's liability of one hundred dollars
 27 (\$100), as provided under one (1), two (2) and three (3) above, the
 28 additional expenses shall accrue only when made necessary by the
 29 transportation of the body for a distance of more than twenty miles
 30 from the place of death, when the purchase price of the burial lot

31 exceeds twenty dollars (\$20), when it is necessary to secure a non-
 32 standard casket because of the excess size or deformity of the body
 33 of the decedent, or when the family or next best friend of the decedent
 34 specify the use of a steel or concrete, outside, burial vault.

35 Any funeral expenses thus paid by the division shall become a part
 36 of the claim for assistance paid the individual recipient of old age
 37 assistance and shall be collectible under the provisions of sections
 38 fifty-two hundred ninety-six-fifteen (5296-f15) and fifty-two hundred
 39 ninety-six-fifteen (5296-f16), Code, 1935, both sections as amended
 40 by chapter one hundred thirty-seven (137), acts of the Forty-seventh
 41 General Assembly.

42 When no claim is filed, or whenever a claim is filed and disallowed,
 43 for the payment of funeral expenses, as provided for by this chapter
 44 and section, and the person furnishing such services and merchan-
 45 dise, in connection with the funeral of a deceased recipient of old age
 46 assistance, files a claim against the decedent's estate, as provided for
 47 by chapter five hundred seven (507), Code, 1935, such claim shall not
 48 be allowed in an amount exceeding two hundred dollars (\$200)."

Approved April 24, 1939.

CHAPTER 143

COUNTY PUBLIC HOSPITALS

S. F. 75

AN ACT to amend chapters 269 and 269-A1 of the code, 1935, and all amendments thereto, and to provide for the financing of the erection of the hospital buildings and additions thereto, by the issuance of county public hospital bonds, and to provide for an increase in the tax rate for the improvement and maintenance of county public hospitals, in counties having a population of one hundred thirty-five thousand inhabitants or over.

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

1 SECTION 1. Chapter 269 of the Code, 1935, is amended by adding
 2 thereto after section five thousand three hundred forty-eight (5348)
 3 the following section:

4 "The Board of Supervisors of any county having a population of one
 5 hundred thirty-five thousand inhabitants or more in which there is
 6 already an established county public hospital, when requested by a
 7 petition therefor signed by qualified electors of the county equal in
 8 number to five per cent of the votes cast at the last general election,
 9 and which petition shall have been approved by the Board of Hospital
 10 Trustees, shall submit to the voters at the next general election or
 11 at a special election called therefor, the proposition of issuing county
 12 public hospital bonds for the purpose of erecting and equipping hospi-
 13 tal buildings and additions thereto, which proposition shall state the
 14 maximum amount of bonds to be issued and the annual rate of tax
 15 to be levied for the payment of said bonds. Should the proposition
 16 carry at such election by a majority equal to at least sixty per cent
 17 of all the votes cast for or against such proposition, the Board of Super-
 18 visors shall proceed to issue the bonds in the form provided in section

19 five thousand three hundred fifty-one (5351), in such an amount within
 20 the total amount voted, and at such time, as the Board of Hospital
 21 Trustees shall request, and upon the issue of such bonds the Board
 22 of Supervisors shall make provision for the payment of the principal
 23 and interest of the bonds out of the county public hospital fund by the
 24 levy of a tax within the limitations provided for in section five thousand
 25 three hundred fifty-three (5353), as amended."

1 SEC. 2. Section five thousand three hundred fifty-three (5353),
 2 Code, 1935, as amended, is hereby amended by striking the words
 3 "one and one-fourth" from line thirteen (13) of said section and
 4 inserting in lieu thereof the word "two".

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 the Clarence Sun, a newspaper published at Clarence, Iowa, and Plain
 4 Talk, a newspaper published at Des Moines, Iowa.

Approved April 10, 1939.

I hereby certify that the foregoing act was published in the Clarence Sun, Clarence,
 Iowa, April 14, 1939, and the Plain Talk, Des Moines, April 13, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 144

BLIND PERSONS

S. F. 305

AN ACT to amend section four (4), chapter one hundred forty-four (144), acts of the
 Forty-seventh General Assembly, to provide an exemption of personal earnings of
 blind persons eligible to assistance under the provisions of said act and to qualify
 the State of Iowa for full federal participation.

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

1 SECTION 1. Section four (4), chapter one hundred forty-four
 2 (144), Acts of the Forty-seventh General Assembly, is hereby amended
 3 by adding to said section the following:

4 "In determining the amount of said assistance, the personal earn-
 5 ings of any blind person to the amount of thirty dollars (\$30.00) per
 6 month shall be disregarded.

7 "In the event federal participation shall be granted in excess of
 8 fifteen dollars (\$15.00) per month per recipient, the state maximum
 9 may be increased to such amount as will qualify the state for full
 10 federal participation."

Approved April 19, 1939.

CHAPTER 145

MAINTENANCE OF VETERANS GRAVES

H. F. 376

AN ACT to amend section fifty-three hundred ninety-six-a one, (5396-a1), code, 1935, relating to payment for care and maintenance of veterans graves.

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

- 1 SECTION 1. Section fifty-three hundred ninety-six-a one (5396-a1),
- 2 Code, 1935, is hereby amended by striking from line four (4) of said
- 3 section the following: "or soldiers' relief fund".

Approved May 3, 1939.

CHAPTER 146

OFFICIAL NEWSPAPERS

S. F. 385

AN ACT to amend section one (1), chapter one hundred forty-five (145), acts of the Forty-seventh General Assembly, defining bona fide subscribers of official newspapers.

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

- 1 SECTION 1. That Section one (1), Chapter one hundred forty-five
- 2 (145), Acts of the Forty-seventh General Assembly, be hereby
- 3 amended by striking lines six (6), seven (7), and eight (8) and in-
- 4 serting in lieu thereof the following:
- 5 "1. Those subscribers listed by the publisher whose papers are de-
- 6 livered, by or for him, by mail or otherwise, upon an order or sub-
- 7 scription for same by the subscriber, and in accordance with the postal
- 8 laws and regulations, and who have been subscribers at least six
- 9 consecutive months prior to date of application.
- 10 "2. Those subscribers, defined as in paragraph one (1), whose
- 11 papers are delivered by carrier regularly, or purchased from the pub-
- 12 lisher for resale and delivery by independent carriers, said independ-
- 13 ent carriers having filed with the publisher a list of their subscribers."

Approved March 28, 1939.

CHAPTER 147

PUBLICATION OF BOARD OF SUPERVISORS PROCEEDINGS

S. F. 327

AN ACT to amend section five thousand four hundred twelve (5412), code, 1935, relating to official publications of boards of supervisors.

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

- 1 SECTION 1. Section five thousand four hundred twelve (5412),
- 2 Code, 1935, is amended by striking from the last line thereof the

3 compound word "six-point" and inserting in lieu thereof the compound
4 word "five-point".

Approved May 10, 1939.

CHAPTER 148

BOUNTIES ON WILD ANIMALS

H. F. 8

AN ACT to repeal chapter one hundred forty-six (146), acts of the Forty-seventh General Assembly; to repeal section fifty-four hundred fourteen (5414), code, 1935, as amended by said chapter one hundred forty-six (146), and to enact a substitute therefor, all relating to bounties on certain animals and birds.

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

1 SECTION 1. Chapter one hundred forty-six (146), Acts of the
2 Forty-seventh General Assembly, is hereby repealed.

1 SEC. 2. Section fifty-four hundred fourteen (5414), Code, 1935, as
2 amended by said chapter one hundred forty-six (146), Acts of the
3 Forty-seventh General Assembly, is hereby repealed and the following
4 is enacted in lieu thereof:

5 "5414. The board may by resolution adopted and entered of record
6 authorize the payment of bounties as follows:
7 For each crow, ten cents.
8 For each groundhog, twenty-five cents.
9 For each rattlesnake, fifty cents.
10 For each European starling, five cents.
11 For each pocket gopher, an additional bounty of five cents."

Approved April 10, 1939.

CHAPTER 149

TOWNSHIP FIRE EQUIPMENT

H. F. 71

AN ACT to repeal sections fifty-five hundred seventy-c one (5570-c1), fifty-five hundred seventy-c two (5570-c2), and fifty-five hundred seventy-c three (5570-c3), code, 1935, and to enact a substitute therefor, authorizing township trustees to purchase, own, or rent and maintain fire apparatus and equipment and provide housing therefor, independently or jointly with another township or townships or with any city or town; and providing for levy of taxes therefor, and authorizing anticipation of the collection of said taxes by the issuance of bonds.

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

1 SECTION 1. Sections fifty-five hundred seventy-c one (5570-c1),
2 fifty-five hundred seventy-c two (5570-c2), fifty-five hundred seventy-c
3 three (5570-c3), Code, 1935, are hereby repealed and the following
4 sections are hereby enacted in lieu thereof:

5 (1) The township trustees of any township may purchase, own, rent,
6 or maintain fire apparatus or equipment and provide housing for same

7 and furnish services in the extinguishing of fires in said township,
8 independently or jointly with any adjoining township or townships,
9 likewise authorized as herein provided, or with any city or town.

10 (2) The township trustees may levy an annual tax not exceeding
11 one mill on the taxable property in the township for the purpose of
12 exercising the powers granted in paragraph one (1) hereof, when so
13 authorized by an affirmative vote equal to at least sixty per cent
14 (60%) of the total vote cast in the township at the last preceding
15 general election.

16 (3) Such proposal to levy the tax provided for in paragraph two
17 (2) hereof may be submitted by the township trustees at any regular
18 election held in the township, or at a special election called for the
19 purpose, and such township trustees shall submit the proposition when
20 petitioned therefor by twenty-five (25) per cent of the qualified elec-
21 tors of said township. Notice of said election shall be given by post-
22 ing in three public places in said township, not less than ten days
23 before the time of such election.

24 (4) Townships may anticipate the collection of taxes authorized
25 by paragraphs two (2) and three (3) hereof, and for such purposes
26 may issue bonds payable in not more than ten equal annual install-
27 ments and at a rate of interest not exceeding five (5) per cent per
28 annum and payable at such place and be in such form as the board
29 of trustees shall designate by resolution. Sections three hundred
30 sixty-three (363) to three hundred sixty-seven (367), inclusive of the
31 Code, and Chapter three hundred twenty (320) of the Code, 1935, so
32 far as applicable, shall apply to such bonds.

1 SEC. 2. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its publication in The Marion
3 Sentinel, a newspaper published at Marion, Iowa, and in The Mount
4 Vernon Hawkeye-Record, a newspaper published at Mount Vernon,
5 Iowa

Approved March 16, 1939.

I hereby certify that the foregoing act was published in The Marion Sentinel, March 23, 1939, and The Mount Vernon Hawkeye-Record, March 23, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 150

TOWNSHIP CEMETERIES

S. F. 89

AN ACT to amend section fifty-five hundred sixty-one (5561), code, 1935, relating to power and control of township trustees over township cemeteries, and to provide authority to township trustees to establish a perpetual maintenance fund for township cemeteries.

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

1 SECTION 1. Section fifty-five hundred sixty-one (5561), Code, 1935,
2 is amended by adding thereto the following:

3 "They shall have authority to provide for the sale of lots or portions
4 thereof, in any cemetery under their control, and make rules and regu-

5 lations in regard thereto, and may provide for perpetual upkeep by
6 the establishment of a perpetual upkeep fund from the proceeds of
7 sale of lots, and may accept gifts, devise or bequest, made to them
8 for that purpose."

Approved April 24, 1939.

CHAPTER 151
TOWNSHIP HALLS

S. F. 471

AN ACT to amend section five thousand five hundred seventy-four (5574), code, 1935, relating to submission to the electors of a township the question of erecting a public hall.

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

1 SECTION 1. Section five thousand five hundred seventy-four (5574),
2 Code, 1935, is amended by inserting after the word "submit" in line
3 three thereof the following: "the question of building a public hall".
Approved April 24, 1939.

CHAPTER 152
CITY ELECTED OFFICIALS

H. F. 236

AN ACT amending section fifty-six hundred thirty-two (5632), code, 1935, relating to officers in cities and towns.

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

1 SECTION 1. Section fifty-six hundred thirty-two (5632), Code, 1935,
2 is hereby amended by adding thereto the following:
3 "The mayor, treasurer, and other elected officials except assessors
4 shall take office at twelve o'clock noon on the first Monday after their
5 election."

Approved May 3, 1939.

CHAPTER 153
USE OF FIRE EQUIPMENT OUTSIDE OF CITIES AND TOWNS

S. F. 368

AN ACT to provide that fire equipment of cities and towns, regardless of the type of government, may be used outside of the corporate limits of such cities and towns under regulations prescribed by the council; and to provide that firemen operating equipment outside the corporate limits of cities and towns shall have the rights and privileges provided by chapter three hundred twenty-two (322) and three hundred twenty-two-F one (322-F1), code, 1935.

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

1 SECTION 1. On petition of a corporation, organization, institution,
2 or other municipality, situated without the corporate limits of a city

3 or town to such city or town council, and the acceptance of the petition
 4 by such council on terms and conditions prescribed by it, the juris-
 5 diction of the city or town for fire purposes shall thereby be extended
 6 to such corporation, organization, institution or other municipality.
 7 Firemen operating equipment used on fires without the corporate
 8 limits of a city or town shall be entitled to all the rights and privileges
 9 as provided by chapter three hundred twenty-two (322) and three
 10 hundred twenty-two-F one (322-F1), Code, 1935.

Approved April 24, 1939.

CHAPTER 154

PURCHASE OF FIRE EQUIPMENT

S. F. 381

AN ACT to amend section five thousand seven hundred sixty-seven (5767), code, 1935, relating to the levy of a tax by cities and towns to pay for certain property and equipment on the installment plan.

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

1 SECTION 1. Section five thousand seven hundred sixty-seven
 2 (5767), Code, 1935, is amended by striking from line twelve thereof
 3 the words "county auditor" and inserting in lieu thereof the words
 4 "auditor of the county".

Approved April 24, 1939.

CHAPTER 155

PARK COMMISSIONERS

S. F. 162

AN ACT amending section five thousand seven hundred eighty-nine (5789) of the code, relating to bonds for park commissioners.

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

1 SECTION 1. Section five thousand seven hundred eighty-nine (5789)
 2 of the Code of Iowa, 1935, is amended by adding thereto the following
 3 words: "Park commissioners in cities of the second class and towns
 4 shall not be required to give bond."

Approved March 23, 1939.

CHAPTER 156

TAX LEVY FOR PARK PURPOSES

S. F. 88

AN ACT to amend section fifty-seven hundred ninety-two (5792), code, 1935, to authorize the levy of an additional tax not to exceed three-eighths of a mill by certain cities for general park purposes.

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

1 SECTION 1. Section fifty-seven hundred ninety-two (5792), Code,
2 1935, is hereby amended by striking the period (.) at the end of line
3 thirteen (13) thereof and inserting in lieu thereof a semi-colon (;)
4 and by adding after such semicolon, the following: "provided how-
5 ever that in cities of the second class and having a population in
6 excess of seven thousand, having two hundred or more acres devoted
7 to and set apart for park purposes, said board may in the manner
8 herein provided, determine and fix an additional amount or rate for
9 general park purposes not exceeding three-eighths of a mill on the dol-
10 lar to be levied, collected, and appropriated for the ensuing year for
11 general park purposes and the said city council, upon certification
12 thereto by said board, may levy such additional tax or so much thereof
13 as it may deem necessary to promote park interests and certify the
14 total per cent thereof as herein before provided."

Approved April 4, 1939.

CHAPTER 157

HEARING ON ADOPTION OF A CITY PLAN

S. F. 469

AN ACT to amend section five thousand eight hundred twenty-nine-b two (5829-b2), code, 1935, relating to hearings prior to the adoption of a comprehensive city plan.

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

1 SECTION 1. Section five thousand eight hundred twenty-nine-b two
2 (5829-b2), Code, 1935, is amended by inserting after the word "time"
3 in line five thereof the word "of".

Approved April 24, 1939.

CHAPTER 158

GRADE CROSSING SEPARATIONS IN CITIES AND TOWNS

H. F. 77

AN ACT to amend sections fifty-eight hundred seventy-four (5874), fifty-eight hundred seventy-five (5875), fifty-eight hundred seventy-six (5876), and fifty-eight hundred eighty (5880), code, 1935, relating to bridges, viaducts and grade crossing separations.

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

1 SECTION 1. That section fifty-eight hundred seventy-four (5874),
2 code, 1935, be amended by inserting after the word "culverts" in the

3 third line of said section, the following: “, viaducts, underpasses,
4 grade crossing separations and approaches thereto, not constructed or
5 maintained by any railroad company under the provisions of Chapter
6 three hundred five (305), code, 1935”.

1 SEC. 2. That section fifty-eight hundred seventy-five (5875), code,
2 1935, be amended by adding thereto the following: “They may use
3 the bridge fund for the construction, reconstruction, maintenance or
4 repair of viaducts, underpasses or grade crossing separations, and
5 approaches thereto, except those constructed and wholly maintained
6 by any railroad company under the provisions of chapter three hun-
7 dred five (305), code, 1935.

1 SEC. 3. That section fifty-eight hundred seventy-six (5876), code,
2 1935, be amended by inserting after the word “bridge” in line 3
3 thereof, the following: “, viaducts, underpasses, grade crossing sep-
4 arations and approaches thereto, except those constructed or recon-
5 structed under the provisions of chapter three hundred five (305),
6 code, 1935”, and by eliminating from line 5 thereof the following:
7 “after the completion of the work,”.

1 SEC. 4. That section fifty-eight hundred eighty (5880), code, 1935,
2 be amended by substituting a comma (,) for the period (.) following
3 the word “bridges” in line 8 thereof, and inserting thereafter the fol-
4 lowing: “viaducts, underpasses, grade crossing separations and ap-
5 proaches thereto, but not including those constructed under the pro-
6 visions of chapter three hundred five (305), code, 1935.”

Approved May 3, 1939.

CHAPTER 159

STREET IMPROVEMENTS

H. F. 76

AN ACT to amend section six thousand three (6003), code, 1935, relating to the construction and repair of street improvements and sewers, and contracts therefor, in cases where cost of material only is to be assessed and where materials and improvements when completed must be approved and accepted by the city.

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

1 SECTION 1. That section six thousand three (6003), code, 1935, be
2 amended by adding at the end of said section the following:

3 “Provided, that in any contract for the construction or repair of any
4 street improvements or sewers where the cost of materials only is to be
5 assessed and the materials to be used and the improvements when
6 completed are to be approved and accepted by a representative of the
7 city, such provision for keeping such improvement in good repair shall
8 not be required.”

1 SEC. 2. This act being deemed of immediate importance, the same
2 shall take effect upon its publication in The Iowa Unionist, a news-

3 paper published in Des Moines, Iowa, and The Iowa Bystander, a
4 newspaper published in Des Moines, Iowa.

Approved April 10, 1939.

I hereby certify that the foregoing act was published in the Iowa Unionist, Des Moines, Iowa, April 26, 1939, and the Iowa Bystander, Des Moines, Iowa, April 13, 1939.
EARL G. MILLER, *Secretary of State.*

CHAPTER 160

TRACKLESS-TROLLEY AND MOTOR-DRIVEN CITY PASSENGER BUSES

H. F. 391

AN ACT to amend section six thousand fifty-one-c one (6051-c1), code, 1935, relating to paving, repaving, constructing, reconstructing, resurfacing, repairing, or maintaining streets or thoroughfares over which street railways or passenger carriers operate trackless-trolley passenger busses or self-propelled motor-driven passenger busses over fixed routes wholly within cities under the commission form of government having a population of one hundred twenty-five thousand or over; imposing license fees or taxes therefor on said street railways or passenger carriers so operated; providing for the payment of such license fees or taxes for the paving, repaving, constructing, reconstructing, resurfacing, repairing, or maintaining the streets and roadways over which any such street railways or passenger carriers shall operate such trackless-trolley passenger busses or self-propelled motor-driven passenger busses, and for the reconstruction, repair, servicing, and maintenance of sewers and catch basins serving said streets and roadways; providing that the license fees or taxes so imposed shall be in lieu of all other taxes or license fees, general, special or local, except motor vehicle fuel license fees and motor vehicle fees on self-propelled motor-driven passenger busses levied by the state, to which such motor driven passenger busses or trackless-trolley passenger busses may be subject, and shall also be in lieu of all special assessment taxes for the paving, repaving, constructing, reconstructing, resurfacing, repairing, or maintaining the streets and roadways over which said busses are operated or for the construction, reconstruction, repair, or maintenance of sewers serving said streets or roadways; and repealing all laws or parts of laws in conflict herewith.

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

1 SECTION 1. Section Six Thousand Fifty-one-c one (6051-c1), Code,
2 1935, is hereby amended by adding thereto the following:
3 (1) Every street railway or passenger carrier operating trackless-
4 trolley passenger busses over fixed routes wholly within cities under
5 the commission form of government having a population of one hun-
6 dred twenty-five thousand or over shall pay into the city treasury an
7 annual license fee or tax in quarterly installments beginning April 1,
8 1940, for the purpose of paving, repaving, constructing, reconstruct-
9 ing, resurfacing, repairing, or maintaining the streets and roadways
10 over which said busses are operated, and for the reconstruction, re-
11 pair, servicing and maintenance of sewers and catch basins serving
12 said streets and roadways as follows:
13 For each trackless-trolley passenger bus having
14 forty-five (45) or less passenger seats.....\$65.00 per annum
15 For each trackless-trolley passenger bus having
16 more than forty-five (45) passenger seats.....\$85.00 per annum
17 The proceeds of collection of said tax or license fee and of the
18 further license fee or tax provided for by paragraph two (2) hereof
19 shall be used for no other purpose than for the paving, repaving, con-

20 structing, reconstructing, resurfacing, repairing, or maintaining the
21 streets and roadways over which said busses are operated and for the
22 reconstruction, repair, servicing, and maintenance of sewers and
23 catch basins serving said streets and roadways.

24 (2) In addition to the license fee or tax provided for by the fore-
25 going, from and after July 4, 1939, every street railway or passenger
26 carrier operating trackless-trolley passenger busses and self-propelled
27 motor-driven passenger busses over fixed routes wholly within such
28 cities as are defined in paragraph one (1) of this act shall pay into the
29 city treasury an additional annual license fee or tax in an amount
30 equivalent to one and one-half per cent ($1\frac{1}{2}\%$) of the gross passenger
31 revenue from all motor-driven passenger busses and trackless-trolley
32 passenger busses. The said gross passenger-revenue tax or license fee
33 shall be payable in semiannual installments and within thirty days
34 after the expiration of each six months' period.

35 (3) The license fees or taxes hereby imposed upon street railways
36 or passenger carriers operating trackless-trolley passenger busses and
37 motor-driven passenger busses over fixed routes shall be in lieu of all
38 general property taxes and property assessments upon such busses and
39 of all special assessment taxes for the paving, repaving, constructing,
40 reconstructing, resurfacing, repairing, or maintaining the streets and
41 roadways over which said busses are operated or for the construction,
42 reconstruction, repair, or maintenance of sewers servicing said streets
43 and roadways, and of all other license fees and taxes, general or local,
44 except motor vehicle fuel license fees and motor vehicle license fees
45 on self-propelled motor-driven passenger busses levied by the state, to
46 which such motor vehicles or trackless-trolley busses may be subject.

47 (4) The money collected pursuant to the provisions hereof shall
48 be paid into the special improvement fund of any such city and shall be
49 used only for the purposes herein contemplated, notwithstanding the
50 provisions of section fifty-one hundred five-a forty-one of the Code,
51 1935, and sections one hundred thirty-seven (137), one hundred forty-
52 one (141), one hundred forty-eight (148), one hundred fifty (150),
53 one hundred fifty-one (151), one hundred fifty-two (152) and one hun-
54 dred seventy-five (175) of chapter one hundred thirty-four (134),
55 Acts of the forty-seventh General Assembly.

56 (5) The term "passenger carrier" or "carriers" shall include any
57 railway operated as a street railway, person, firm, corporation, or as-
58 sociation operating a line of busses between fixed termini within any
59 such city.

60 (6) Any such city shall have the power and authority to issue cer-
61 tificates and bonds in anticipation of the collection of any such taxes
62 or license fees, in accordance with the provisions of chapter three
63 hundred eleven (311), Code, 1935.

1 SEC. 2. All laws or parts of laws in conflict with the provisions of
2 this Act are hereby repealed.

Approved April 22, 1939.

CHAPTER 161

SELF LIQUIDATING IMPROVEMENTS

S. F. 33

AN ACT to amend sections sixty hundred sixty-six-f one (6066-f1), sixty hundred sixty-six-f two (6066-f2), sixty hundred sixty-six-f six (6066-f6), and sixty hundred sixty-six-f eight (6066-f8), of chapter three hundred eight-F one (308-F1), code, 1935, relating to self liquidating improvements and the financing thereof, and relating to the sinking fund for certain improvements.

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

1 SECTION 1. That section sixty hundred sixty-six-f one (6066-f1)
2 Code, 1935, is amended by striking all of said section following the
3 word "pay" in line 16 thereof and substituting therefor "all or any
4 part of the costs of such improvement."

1 SEC. 2. That section sixty hundred sixty-six-f two (6066-f2) Code,
2 1935, is amended by striking all of said section following the word
3 "pay" in line 19 thereof and substituting therefor "all or any part of
4 the costs of such improvement."

1 SEC. 3. That section sixty hundred sixty-six-f six (6066-f6) Code,
2 1935, is amended by striking the first sentence thereof and also by
3 striking the period following the word "chapter" in line 10 thereof
4 and adding the following: "or such cities and towns may borrow
5 money by issuing revenue bonds, payable as hereinafter provided, and
6 to deliver such bonds to the contractor or contractors in payment for
7 the construction of any improvements referred to in this chapter;
8 or such cities and towns may sell such bonds at a public sale upon the
9 same conditions provided by chapter sixty-three (63), Code, 1935, and
10 may use the proceeds from the sale of such bonds to pay all or any
11 part of the cost of construction of said improvements."

1 SEC. 4. That the provisions of chapter three hundred eight-F1,
2 (308-F1), Code, 1935, as hereinbefore amended, shall be deemed to
3 apply to all proceedings heretofore taken by cities and towns for the
4 construction of any improvement provided for herein, notwithstand-
5 ing that a portion of the funds for the construction of any such im-
6 provement shall have been derived from sources other than the issu-
7 ance of bonds hereunder.

1 SEC. 5. Section sixty hundred sixty-six-f eight (6066-f8), Code,
2 1935, is amended by inserting after the word "charges" in line twenty-
3 one (21) the following: ", except rates or charges for the use of swim-
4 ming pools and golf courses,".

1 SEC. 6. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Times Repub-
3 lican, a newspaper published at Marshalltown, Iowa, and in the State
4 Center Enterprise, a newspaper published at State Center, Iowa.

Approved February 13, 1939.

I hereby certify the foregoing act was published in the Times-Republican, February 14, 1939, and the State Center Enterprise, February 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 162

CITY BRIDGE FUNDS

H. F. 159

AN ACT to amend section sixty-two hundred nine (6209), code, 1935, relating to the levy of an annual tax for bridge purposes.

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

1 SECTION 1. That section sixty-two hundred nine (6209), code,
2 1935, be amended by adding after the comma (,) following the word
3 "purposes" in the third line of said section, the following: "and for
4 the construction, reconstruction, maintenance and repair of viaducts,
5 underpasses, grade crossing separations and approaches thereto, ex-
6 cept those constructed or maintained by any railroad company under
7 the provisions of chapter three hundred five (305), code, 1935".

Approved May 3, 1939.

CHAPTER 163

CITY POLICE MAINTENANCE FUND

H. F. 90

AN ACT to amend section sixty-two hundred eleven (6211), code, 1935, relating to the annual levy of a special tax for police maintenance fund in cities having a population of twelve thousand (12,000) or more, regardless of the form of government, and relating to the total millage levy in such cities.

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

1 SECTION 1. That section sixty-two hundred eleven (6211), code,
2 1935, be and the same is hereby amended by adding after paragraph
3 thirty (30) at the end of said section, the following as paragraph
4 thirty-one (31):
5 "31. Police Department Maintenance Fund. Any city having
6 a population of twelve thousand (12,000) or over, regardless of the
7 form of government, not exceeding three and one-half mills. The
8 foregoing levy shall be used only to maintain a police department."

1 SEC. 2. Any city establishing a police department maintenance
2 fund as herein provided shall reduce the millage levied for the general
3 fund or the millage levied for any other fund for the city out of which
4 the cost of the maintenance of the police department has heretofore
5 been paid in an amount equal to the millage levied for the police de-
6 partment maintenance fund herein provided for. This act shall not be
7 construed to permit any city establishing a police department main-
8 tenance fund to increase the total millage which any city may levy.

Approved May 25, 1939.

CHAPTER 164

SURPLUS OF TAX TO PAY JUDGMENT

H. F. 508

AN ACT to amend section sixty-two hundred twenty-two (6222), code, 1935, relating to the general subject of taxation.

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

1 SECTION 1. Section sixty-two hundred twenty-two (6222), Code,
2 1935, is hereby amended by changing the words "board of assessment
3 and review" to "tax commission" in lines four (4) and five (5) there-
4 of.

Approved April 3, 1939.

CHAPTER 165

ANTICIPATION OF SPECIAL TAXES

S. F. 356

AN ACT to amend sections sixty-two hundred sixty-one (6261), code, 1935, relating to the anticipation of special taxes and the issuance of certificates or bonds, authorized in said sections, and providing for a vote of the people thereon.

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

1 SECTION 1. That Section sixty-two hundred sixty-one (6261),
2 Code, 1935, is hereby amended by adding thereto as subsections one
3 (1) and two (2) the following:
4 "1. No certificates or bonds for such improvements shall be issued
5 unless such city or town shall have given fifteen (15) days notice by
6 publication of a fixed time for the hearing upon such proposed issuing
7 of bonds or certificates, at which hearing the taxpayers of the city or
8 town and any other interested persons for or against such proposal
9 may be given an opportunity to be heard.
10 "2. Within fifteen (15) days after the decision of the city or town
11 council, or board of commissioners, if such decision is in favor of the
12 issuance of such bonds or certificates as provided for in this Chapter,
13 then an appeal may be taken by a number of persons in such munici-
14 pality equal to one-fourth ($\frac{1}{4}$) of one (1) per cent of those voting for
15 the office of governor at the last general election in such municipality,
16 but in no event less than ten (10) persons who are affected by the pro-
17 posed issuance of such bonds or certificates; such appeal to be per-
18 fected by filing the same with the Clerk of the city, town, or municipal
19 government which is proposing to authorize the issuance of such bonds
20 or certificates, on a written protest setting forth their objections to
21 the issuance of such bonds or certificates and the grounds for such
22 objections; provided that at least three (3) of such persons shall have
23 appeared at such hearing and made objection, either general or spe-
24 cific, to the issuance of such bonds or certificates.
25 Upon the filing of any such protest the said Clerk shall immediately
26 prepare a true and complete copy of said written protest, together
27 with a full statement describing the proposed improvement, and bonds

28 or certificates to be issued in anticipation of taxes therefor, and to
 29 which objections are made, and shall transmit the same forthwith
 30 to the state appeal board; and all the provisions applicable thereto, as
 31 contained in Chapter ninety-one (91) Acts of the Forty-seventh
 32 (47th) General Assembly of Iowa, shall thereafter govern the proceed-
 33 ings with reference to said appeal. Such appeal shall be heard and
 34 determined within twenty (20) days from the receipt by the state
 35 appeal board of such protest, and at least three (3) of the number of
 36 persons signing such protest and the proper officers of the munic-
 37 ipality shall be given five (5) days notice of the time and place set
 38 for the hearing on said appeal; that the state appeal board is and shall
 39 be required to render its decision upon said protest within ten (10)
 40 days after such hearing is held."

1 SEC. 2. Subsection two (2) of section one (1) hereof shall not be
 2 applicable if the question of the proposed improvement and the issu-
 3 ance of such bonds and certificates, has been approved by a vote of the
 4 people at an election called and held in the manner provided by Chap-
 5 ter three hundred nineteen (319), Code, 1935, so far as applicable,
 6 and which election has been carried by such percentage of the total
 7 vote cast at said election as provided for in section one thousand one
 8 hundred seventy-one-d four (1171-d4), Code, 1935.

Approved April 26, 1939.

CHAPTER 166

RETIREMENT SYSTEM FOR POLICEMEN AND FIREMEN

S. F. 330

AN ACT to make the provisions of chapter three hundred twenty-two-F1 (322-F1), relating to retirement systems for policemen and firemen, applicable to special charter cities.

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

1 SECTION 1. The provisions of chapter three hundred twenty-two-
 2 F1 (322-F1), Code, 1935, are hereby made applicable to special char-
 3 ter cities.

Approved April 15, 1939.

CHAPTER 167

RESTRICTED RESIDENCE DISTRICTS

H. F. 544

AN ACT to amend sections sixty-four hundred seventy-four (6474), sixty-four hundred seventy-five (6475), and sixty-four hundred seventy-six (6476), code, 1935, relating to restricted residence districts.

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

1 SECTION 1. Section sixty-four hundred seventy-four (6474), Code,
 2 1935, is hereby amended by inserting in line three (3) after the word

3 "government" the following: ", and towns"; also by inserting after
4 the word "city" in line six (6) thereof the words: "or town".

1 SEC. 2. Section sixty-four hundred seventy-five (6475), Code,
2 1935, is hereby amended by inserting the words "or town" after the
3 word "city" in lines three (3) and thirteen (13) thereof.

1 SEC. 3. Section sixty-four hundred seventy-six (6476), Code, 1935,
2 is hereby amended by inserting the words "or town" after the word
3 "city" in lines five (5), ten (10), and eleven (11) thereof.

Approved May 17, 1939.

CHAPTER 168

CITIES UNDER COMMISSION FORM OF GOVERNMENT

H. F. 245

AN ACT to amend section sixty-five hundred nineteen (6519), code, 1935, relating to salaries of minor officers, assistants, and other employees of cities under the commission form of government.

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

1 SECTION 1. Section sixty-five hundred nineteen (6519), Code,
2 1935, is hereby amended by inserting after the word "assistant" in
3 line two (2) the following: ", and members of the fire department and
4 police department,"; and by inserting after the word "monthly" in
5 line four (4) the words "or semimonthly".

Approved April 26, 1939.

CHAPTER 169

LEASING CITY PROPERTY

S. F. 214

AN ACT to amend section six thousand five hundred eighty (6580), code, 1935, relating to the leasing of city property.

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

1 SECTION 1. That section six thousand five hundred eighty (6580),
2 Code, 1935, as amended by Chapter one hundred seventy-seven (177)
3 of the Acts of the Forty-seventh General Assembly, is hereby amended
4 by striking from line fifteen (15) thereof the word "industrial".

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

Approved March 31, 1939.

I hereby certify that the foregoing act was published in the Cedar Rapids Gazette April 5, 1939 and the Daily Freeman Journal, Webster City, April 4, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 170

PARK EXHIBITION HALLS IN COMMISSION CITIES

S. F. 213

AN ACT to amend sections six thousand six hundred six (6606) and six thousand six hundred seven (6607), code, 1935, to give certain cities the power to establish and maintain exhibition halls in city parks, and to levy a tax therefor.

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

1 SECTION 1. Section six thousand six hundred six (6606), Code,
2 1935, is hereby amended by inserting after the comma following the
3 word "bathhouses" in line six (6) of said section the following: "ex-
4 hibition halls,".

1 SEC. 2. Section six thousand six hundred seven (6607), Code, 1935,
2 is hereby amended by inserting after the comma following the word
3 "houses" in line nine (9) of said section the following: "exhibition
4 halls,".

1 SEC. 3. This act being deemed of immediate importance, shall be
2 in full force and effect from and after its publication in The Cedar
3 Rapids Gazette, a newspaper published at Cedar Rapids, Iowa, and
4 Waterloo Courier, a newspaper published at Waterloo, Iowa.

Approved March 31, 1939.

I hereby certify that the foregoing act was published in The Cedar Rapids Gazette, April 7, 1939, and the Waterloo Courier, April 11, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 171

CITY MANAGER PLAN CITIES

H. F. 564

AN ACT to amend section sixty-six hundred fifty-two (6652), code, 1935, relating to the powers, compensation, and duties of officers of cities under the city manager plan.

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

1 SECTION 1. Section sixty-six hundred fifty-two (6652), Code, 1935,
2 is hereby amended by adding thereto the following:

3 "In addition to the compensation provided for under section fifty-
4 six hundred sixty-nine (5669) of the Code, 1935, the city council may
5 allow and pay to the city assessor and to full-time deputy assessors
6 additional compensation for extra or special services performed by
7 them."

1 SEC. 2. This act, being deemed of immediate importance, shall be
2 in full force and take effect from and after its publication in the
3 Dubuque Telegraph-Herald a newspaper published at Dubuque, Iowa,
4 and in the Mason City Globe Gazette, a newspaper published at Mason
5 City, Iowa.

Approved May 25, 1939.

I hereby certify that the foregoing act was published in the Dubuque Telegraph-Herald, May 29, 1939, and the Mason City Globe-Gazette, May 29, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 172

RIVER FRONT IMPROVEMENT

S. F. 129

AN ACT to amend section sixty-eight hundred twenty-three (6823) of the code, 1935, relating to powers of cities acting under special charter which are bounded in part or divided by a river, and to grant such cities power to acquire, by purchase or gift, lands, and interests, and riparian rights therein, which lands lie along or near any such river, and to condemn the same, and to manage and lease any such lands, and to sell and convey the same.

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

1 SECTION 1. Section sixty-eight hundred twenty-three (6823) of
2 the Code of 1935 is hereby amended as follows:

3 Insert immediately after the words "the same" in line six (6) there-
4 of, the following: "and may improve and beautify its water front and
5 the river bank and nearby uplands and made and reclaimed lands in
6 such city".

1 SEC. 2. Any city acting under special charter shall have power to
2 acquire, by purchase or gift, and to condemn, enter upon, and take in
3 the manner provided by law for the taking of private property for
4 public use, lands and interests therein, which lands lie along or near
5 any river dividing, or in part bounding, such city, for the purpose of
6 regularizing or rectifying the boundaries of other lands to which such
7 city may have, or may acquire, title, which other lands lie along or
8 near such river or on the banks or in the bed thereof, or for the pur-
9 pose of making more advantageous use of any such other lands, or
10 for the purpose of exercising any power granted by section sixty-
11 eight hundred twenty-three (6823) of the Code of 1935, as amended by
12 this Act, and further shall have power so to acquire and condemn,
13 enter upon and take, for any of the purposes aforesaid, all riparian
14 rights incident to ownership of any lands which lie along or near any
15 such river and thus to bar such rights in respect to any other lands to
16 which such city may have, or may acquire, title. Payment for any
17 lands, interests, or rights acquired or condemned hereunder may be
18 made out of the levee improvement fund of such city.

1 SEC. 3. Any such city which has established, or may establish, a
2 Levee Improvement Commission may, by ordinance, authorize said
3 commission to manage all, or any part, of the lands owned by such
4 city which lie along or near any such river or on the banks or in the
5 bed thereof. If, at any time, in the judgment of said commission,
6 any parts or parcels of the lands under its management may not ad-
7 vantageously be put to public use, said commission may lease the
8 same upon such terms and conditions as it may deem to be in the public
9 interest. If, in the judgment of said commission, any parts or parcels
10 of the lands under its management may, at any time, be sold with
11 greater public advantage than would result from retaining the same
12 for public use, it may certify its recommendations for disposition
13 thereof to the City Council of any such city, and such parts or parcels
14 may thereafter be disposed of, sold and conveyed by the city by a
15 three-fourths vote of all members of the council thereof.

1 SEC. 4. All moneys realized out of the lease or sale of any lands
2 hereunder shall be paid into the levee improvement fund of such city.

Approved March 31, 1939.

CHAPTER 173

SPECIAL CHARTER CITIES

H. F. 509

AN ACT to amend section sixty-eight hundred sixty-six (6866), code, 1935, relating to the valuation and assessment of property in cities under special charter.

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

- 1 SECTION 1. Section sixty-eight hundred sixty-six (6866), Code,
- 2 1935, is hereby amended by changing the words "board of assessment
- 3 and review" to "tax commission" in lines two (2) and three (3) and
- 4 in line six (6) thereof.

Approved April 3, 1939.

CHAPTER 174

STATE TAX COMMISSION

S. F. 380

AN ACT to amend section sixty-nine hundred forty-three-c eleven (6943-c11), sixty-nine hundred forty-three-c twelve (6943-c12), sixty-nine hundred forty-three-c thirteen (6943-c13), sixty-nine hundred forty-three-c fourteen (6943-c14), sixty-nine hundred forty-three-c sixteen (6943-c16), sixty-nine hundred forty-three-c eighteen (6943-c18), sixty-nine hundred forty-three-c nineteen (6943-c19), sixty-nine hundred forty-three-c twenty (6943-c20), sixty-nine hundred forty-three-c twenty-one (6943-c21), sixty-nine hundred forty-three-c twenty-two (6943-c22), sixty-nine hundred forty-three-c twenty-three (6943-c23), sixty-nine hundred forty-three-c twenty-four (6943-c24), sixty-nine hundred forty-three-c twenty-five (6943-c25), sixty-nine hundred forty-three-c twenty-six (6943-c26), sixty-nine hundred forty-three-c twenty-seven (6943-c27), sixty-nine hundred forty-three-c twenty-eight (6943-c28), sixty-nine hundred forty-three-c twenty-nine (6943-c29), sixty-nine hundred forty-three-c thirty (6943-c30), sixty-nine hundred forty-three-c thirty-one (6943-c31), sixty-nine hundred forty-three-c thirty-three (6943-c33), all of chapter three hundred twenty-nine-C two (329-C2), code, 1935; to change the name of the Board of Assessment and Review to "State Tax Commission", and enlarging the powers and duties thereof.

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

- 1 SECTION 1. Amend section sixty-nine hundred forty-three-c eleven
- 2 (6943-c11), Code, 1935, by changing the word "board" to "commis-
- 3 sion" in line 2 thereof.

- 4 Further amend by changing the words "board of assessment and
- 5 review" to "tax commission" in lines 3 and 4 thereof.

- 1 SEC. 2. Amend section sixty-nine hundred forty-three-c twelve
- 2 (6943-c12), Code, 1935, by changing the word "board" to "commis-
- 3 sion" in line 2 thereof.

- 1 SEC. 3. Amend section sixty-nine hundred forty-three-c thirteen
- 2 (6943-c13), Code, 1935, by changing the word "board" to "commis-
- 3 sion" in lines 2 and 5 thereof.

- 1 SEC. 4. Amend section sixty-nine hundred forty-three-c fourteen
- 2 (6943-c14), Code, 1935, by changing the word "board" to "commis-
- 3 sion" in lines 2 and 5 thereof.

1 SEC. 5. Amend section sixty-nine hundred forty-three-c sixteen
2 (6943-c16), Code, 1935, by changing the word "board" to "commis-
3 sion" in line 6 thereof.

1 SEC. 6. Amend section sixty-nine hundred forty-three-c eighteen
2 (6943-c18), Code, 1935, by changing the word "board" to "com-
3 mission" in line 2 thereof.

1 SEC. 7. Amend section sixty-nine hundred forty-three-c nineteen
2 (6943-c19), Code, 1935, by changing the word "board" to the word
3 "commission" in lines 1, 3, 4, and 6 thereof.

1 SEC. 8. Amend section sixty-nine hundred forty-three-c twenty
2 (6943-c20), Code, 1935, by changing the word "board" to the word
3 "commission" in lines 2, 3, 5, and 8 thereof.

1 SEC. 9. Amend section sixty-nine hundred forty-three-c twenty-
2 one (6943-c21), Code, 1935, by changing the word "board" to "com-
3 mission" in lines 1 and 8 thereof.

1 SEC. 10. Amend section sixty-nine hundred forty-three-c twenty-
2 two (6943-c22), Code, 1935, by changing the word "board" to "com-
3 mission" in line 1 thereof; and strike out beginning with word "at"
4 in line 2 and ending with "annum" in line 3.

5 Further amend section by striking out all of said section following
6 the word "assistants" in line 4, and adding thereto the following: "and
7 employees as may be included in the budget submitted by said com-
8 mission to the comptroller for the payment of the compensation for
9 which money has been provided by appropriation."

1 SEC. 11. Amend section sixty-nine forty-three-c twenty-three
2 (6943-c23), Code, 1935, by changing the word "board" to "commis-
3 sion" in line 3, paragraph 1; line 4, paragraph 2; line 3, paragraph 3;
4 line 1, paragraph 4; line 2, paragraph 5; line 2, paragraph 7, and line
5 2, paragraph 8.

6 Further amend said section by changing the words "board of as-
7 sessment and review" to "tax commission" in line 4, paragraph 5
8 thereof.

9 Further amend by striking from said section all of subdivision c,
10 paragraph 6.

1 SEC. 12. Amend section sixty-nine hundred forty-three-c twenty-
2 four (6943-c24), Code, 1935, by changing the word "board" to "com-
3 mission" in lines 1 and 7 thereof.

1 SEC. 13. Amend section sixty-nine hundred forty-three-c twenty-
2 five (6943-c25), Code, 1935, by changing the word "board" to "com-
3 mission" in line 1 thereof.

1 SEC. 14. Amend section sixty-nine hundred forty-three-c twenty-
2 six (6943-c26), Code, 1935, by changing the word "board" to "com-
3 mission" in lines 2, 5, 7, and 11 thereof.

1 SEC. 15. Amend section sixty-nine hundred forty-three-c twenty-
2 seven (6943-c27), Code, 1935, by changing the words "board of as-
3 sessment and review" to "tax commission" in lines 2 and 3; and in
4 lines 3 and 4 of paragraph 9 thereof.

5 Further amend by changing the word "board" to "commission" in
6 line 3 of said section; in lines 6 and 7, paragraph 5, of said section,
7 and in line 5, paragraph 7; in line 5, paragraph 8, and in line 16, par-
8 agraph 9, and in line 1, paragraph 14.

1 SEC. 16. Amend section sixty-nine hundred forty-three-c twenty-
2 eight (6943-c28), Code, 1935, by changing the word "board" to "com-
3 mission" in lines 3, 5 and 6 thereof.

1 SEC. 17. Amend section sixty-nine hundred forty-three-c twenty-
2 nine (6943-c29), Code, 1935, by changing the word "board" to "com-
3 mission" in lines 5 and 6 thereof.

1 SEC. 18. Amend section sixty-nine hundred forty-three-c thirty
2 (6943-c30), Code, 1935, by changing the word "board" to "commission"
3 in lines 1, 5 and 8 thereof.

1 SEC. 19. Amend section sixty-nine hundred forty-three-c thirty-
2 one (6943-c31), Code, 1935, by changing the word "board" to "com-
3 mission" in lines 2 and 3 thereof.

1 SEC. 20. Amend section sixty-nine hundred forty-three-c thirty-
2 three (6943-c33), Code, 1935, by changing the word "board" to "com-
3 mission" in line 3 thereof.

1 SEC. 21. Wherever the words "board of assessment and review"
2 or the word "board", referring to the board of assessment and review,
3 appear in said chapter and have not been specifically referred to in
4 this act, the words "board of assessment and review" are hereby
5 changed to "tax commission" and the word "board" is hereby changed
6 to "tax commission" and the code editor is hereby authorized to make
7 said changes.

1 SEC. 22. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Sioux County Capital, a newspaper published at Orange City,
4 Iowa, and in the News-Telegraph, a newspaper published at Atlantic,
5 Iowa.

Approved March 28, 1939.

I hereby certify that the foregoing act was published in the Sioux County Capital,
Orange City, Iowa, April 6, 1939, and the News-Telegraph, Atlantic, Iowa, April 4, 1939.
EARL G. MILLER, *Secretary of State.*

CHAPTER 175

USE TAX

H. F. 535

AN ACT to amend sections one (1), two (2), five (5), six (6), seven (7), eight (8), nine (9), ten (10), twelve (12), thirteen (13), fourteen (14), fifteen (15), seventeen (17), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-three (23), and twenty-five (25) of chapter one hundred ninety-eight (198), acts of the Forty-seventh General Assembly, relating to use tax and the collection thereof, and providing for the making of certain changes as authorized in this act.

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

1 Chapter one hundred ninety-eight (198), Acts of the Forty-seventh
2 General Assembly, is hereby amended as follows:

1 SECTION 1. Section one (1) of said chapter is hereby amended by
2 changing the word "board" to "commission" in line one (1) of sub-
3 section eight (8) thereof.

1 SEC. 2. Section two (2) of said chapter is hereby amended by
2 changing the word "board" to "commission" in line six (6).

1 SEC. 3. Section five (5) of said chapter is hereby amended by
2 changing the word "board" to "commission" in lines four (4) and
3 five (5) of subsection two (2), and in line two (2) of subsection three
4 (3) thereof.

1 SEC. 4. Section six (6) of said chapter is hereby amended by
2 changing the word "board" to "commission" in lines eight (8), twelve
3 (12), fourteen (14), and seventeen (17) thereof.

1 SEC. 5. Section seven (7) of said chapter is hereby amended by
2 changing the word "board" to "commission" in lines two (2) and
3 eight (8) thereof.

1 SEC. 6. Section eight (8) of said chapter is hereby amended by
2 changing the word "board" to "commission" in lines seven (7), eight
3 (8), and nine (9) thereof.

1 SEC. 7. Section nine (9) of said chapter is hereby amended by
2 changing the word "board" to "commission" in lines one (1), four
3 (4), seven (7), and twelve (12) thereof.

1 SEC. 8. Section ten (10) of said chapter is hereby amended by
2 changing the word "board" to "commission" in line six (6) thereof.

1 SEC. 9. Section twelve (12) of said chapter is hereby amended by
2 changing the word "board" to "commission" in lines three (3), seven
3 (7), eight (8), twelve (12), twenty-one (21), and twenty-four (24)
4 thereof.

1 SEC. 10. Section thirteen (13) of said chapter is hereby amended
2 by changing the word "board" to "commission" in lines three (3) and
3 seven (7) thereof.

1 SEC. 11. Section fourteen (14) of said chapter is hereby amended
2 by changing the word "board" to "commission" in lines one (1),
3 eight (8), eleven (11) and twelve (12) thereof.

1 SEC. 12. Section fifteen (15) of said chapter is hereby amended
2 by changing the word "board" to "commission" in lines four (4), five
3 (5), and six (6) thereof.

1 SEC. 13. Section seventeen (17) of said chapter is hereby amended
2 by changing the word "board" to "commission" in lines seven (7),
3 nine (9), and eleven (11) thereof.

1 SEC. 14. Section nineteen (19) of said chapter is hereby amended
2 by changing the word "board" to "commission" in line three (3)
3 thereof.

1 SEC. 15. Section twenty (20) of said chapter is hereby amended
2 by changing the word "board" to "commission" in lines four (4), five
3 (5), and fourteen (14) thereof.

1 SEC. 16. Section twenty-one (21) of said chapter is hereby
2 amended by changing the word "board" to "commission" in lines four
3 (4), five (5), sixteen (16), and twenty-one (21) thereof.

1 SEC. 17. Section twenty-two (22) of said chapter is hereby
2 amended by changing the word "board" to "commission" in lines one
3 (1) and two (2) thereof.

1 SEC. 18. Section twenty-three (23) of said chapter is hereby
2 amended by striking the words ", less cost of collection and adminis-
3 tration," in lines one (1) and two (2) thereof.

1 SEC. 19. Section twenty-five (25) of said chapter is hereby
2 amended by changing the word "treasurer" to "commission" in line
3 ten (10) thereof.

1 SEC. 20. Wherever in the Code, 1935, and amendments thereto,
2 the words, "board of assessment and review" or "board" when refer-
3 ring to the state board of assessment and review are used and not
4 specifically changed by the Acts of the Forty-eighth General Assem-
5 bly, the same are hereby changed to "tax commission" or "commis-
6 sion", as the case may be, and the code editor is authorized to make
7 said changes.

Approved April 12, 1939.

CHAPTER 176

INCOME CORPORATION AND SALES TAX ADMINISTRATION

H. F. 510

AN ACT to amend sections sixty-nine hundred forty-three-f three (6943-f3), sixty-nine hundred forty-three-f nine (6943-f9), sixty-nine hundred forty-three-f fourteen (6943-f14), sixty-nine hundred forty-three-f fifteen (6943-f15), sixty-nine hundred forty-three-f sixteen (6943-f16), sixty-nine hundred forty-three-f seventeen (6943-f17), sixty-nine hundred forty-three f-eighteen (6943-f18), sixty-nine hundred forty-three-f twenty-one (6943-f21), sixty-nine hundred forty-three-f twenty-two (6943-f22), sixty-nine hundred forty-three-f twenty-three (6943-f23), sixty-nine hundred forty-three-f twenty-four (6943-f24), sixty-nine hundred forty-three-f twenty-five (6943-f25), sixty-nine hundred forty-three-f twenty-six (6943-f26), sixty-nine hundred forty-three-f twenty-nine (6943-f29), sixty-nine hundred forty-three-f thirty-two (6943-f32), sixty-nine hundred forty-three-f thirty-three (6943-f33), sixty-nine hundred forty-three-f thirty-six (6943-f36), sixty-nine hundred forty-three-f forty-two (6943-f42), sixty-nine hundred forty-three-f forty-three (6943-f43), sixty-nine hundred forty-three-f forty-five (6943-f45), sixty-nine hundred forty-three-f forty-six (6943-f46), sixty-nine hundred forty-three-f forty-seven (6943-f47), sixty-nine hundred forty-three-f forty-eight (6943-f48), sixty-nine hundred forty-three-f forty-nine (6943-f49), sixty-nine hundred forty-three-f fifty (6943-f50), sixty-nine hundred forty-three-f fifty-three (6943-f53), sixty-nine hundred forty-three-f fifty-four (6943-f54), sixty-nine hundred forty-three-f fifty-five (6943-f55), sixty-nine hundred forty-three-f fifty-six (6943-f56), sixty-nine hundred forty-three-f fifty-seven (6943-f57), sixty-nine hundred forty-three-f fifty-eight (6943-f58), sixty-nine hundred forty-three-f fifty-nine (6943-f59), sixty-nine hundred forty-three-f sixty (6943-f60), sixty-nine hundred forty-three-f sixty-one (6943-f61), sixty-nine hundred forty-

three-f sixty-two (6943-f62), sixty-nine hundred forty-three-f sixty-three (6943-f 63), as amended by section ten (10), chapter one hundred eighty-four (184), and section one (1), chapter one hundred ninety-five (195), acts of the 47th General Assembly, chapter three hundred twenty-nine-F one (329-F1), code, 1935, and to amend section one (1), chapter one hundred eighty-five (185), acts of the 47th General Assembly, relating to the collection of income, corporation, and sales tax.

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

1 SECTION 1. Amend section sixty-nine hundred forty-three-f three
2 (6943-f3), Code, 1935, by changing the word "board" to "commission"
3 in line four (4) thereof.

4 Further amend said section by changing the words "board of assess-
5 ment and review" to "tax commission" in lines four (4) and five (5)
6 thereof.

1 SEC. 2. Amend section sixty-nine hundred forty-three-f nine
2 (6943-f9), Code, 1935, by changing the word "board" to "commission"
3 in line eighteen (18), subsection five (5) thereof.

1 SEC. 3. Amend section one (1) of chapter one hundred eighty-five
2 (185), Acts of the 47th General Assembly, by changing the word
3 "board" to "commission" in line seventeen (17) thereof.

1 SEC. 4. Amend section sixty-nine hundred forty-three-f fourteen
2 (6943-f14), Code, 1935, by changing the word "board" to "commis-
3 sion" in lines four (4) and five (5) of subsection two (2) thereof.

1 SEC. 5. Amend section sixty-nine hundred forty-three-f fifteen
2 (6943-f15), Code, 1935, by changing the word "board" to "commis-
3 sion" in line sixteen (16) thereof.

1 SEC. 6. Amend section sixty-nine hundred forty-three-f sixteen
2 (6943-f16), Code, 1935, by changing the word "board" to "commis-
3 sion" in lines four (4) and nine (9) of subsection one (1); and in
4 line two (2) of subsection two (2) thereof.

1 SEC. 7. Amend section sixty-nine hundred forty-three-f seventeen
2 (6943-f17), Code, 1935, by changing the word "board" to "commis-
3 sion" in lines two (2), four (4), seven (7) and nine (9) thereof.

1 SEC. 8. Amend section sixty-nine hundred forty-three-f eighteen
2 (6943-f18), Code, 1935, by changing the word "board" to "commis-
3 sion" in lines two (2), thirteen (13), and twenty-one (21) thereof.

1 SEC. 9. Amend section sixty-nine hundred forty-three-f twenty-
2 one (6943-f21), Code, 1935, by changing the word "board" to "com-
3 mission" in lines three (3), five (5), and ten (10) of subsection one
4 (1); and in lines one (1) and ten (10) of subsection two (2); and
5 in line two (2) of subsection three (3); and in lines two (2) and
6 seven (7) of subsection four (4); and in line one (1) of subsection
7 six (6); and in line nine (9) of subsection seven (7); and in line one
8 (1) of subsection (9) thereof.

1 SEC. 10. Amend section sixty-nine hundred forty-three-f twenty-
2 two (6943-f22), Code, 1935, by changing the word "board" to "com-
3 mission" in lines seventeen (17), forty (40), forty-four (44), forty-
4 five (45), fifty (50), fifty-seven (57) and sixty-five (65) thereof.

1 SEC. 11. Amend section sixty-nine hundred forty-three-f twenty-
2 three (6943-f23), Code, 1935, by changing the word "board" to "com-
3 mission" in line eight (8) of subsection one (1); and in line three (3)
4 of subsection two (2) thereof.

1 SEC. 12. Amend section sixty-nine hundred forty-three-f twenty-
2 four (6943-f24), Code, 1935, by changing the word "board" to "com-
3 mission" in lines two (2), six (6) and thirteen (13) thereof.

1 SEC. 13. Amend section sixty-nine hundred forty-three-f twenty-
2 five (6943-f25), Code, 1935, by changing the word "board" to "com-
3 mission" in line five (5) of subsection one (1); and in lines two (2)
4 and seven (7) of subsection two (2); and in lines three (3), six (6)
5 and eight (8) of subsection three (3) thereof.

1 SEC. 14. Amend section sixty-nine hundred forty-three-f twenty-
2 six (6943-f26), Code, 1935, by changing the word "board" to "com-
3 mission" in lines one (1), three (3), eleven (11), and seventeen (17)
4 thereof.

1 SEC. 15. Amend section sixty-nine hundred forty-three-f twenty-
2 nine (6943-f29), Code, 1935, by changing the word "board" to "com-
3 mission" in line eleven (11) of subsection two (2); and in lines three
4 (3), eight (8), twelve (12), and thirteen (13) of subdivision b of
5 subsection two (2) thereof.

1 SEC. 16. Amend section sixty-nine hundred forty-three-f thirty-
2 two (6943-f32), Code, 1935, by changing the word "board" to "com-
3 mission" in line twenty-two (22) of subsection two (2); and in lines
4 one (1) and fifteen (15) of subsection three (3) thereof.

1 SEC. 17. Amend section sixty-nine hundred forty-three-f thirty-
2 three (6943-f33), Code, 1935, by changing the word "board" to "com-
3 mission" in lines seven (7), eight (8), twelve (12), and thirteen (13)
4 of subsection one (1); and in lines one (1) and fourteen (14) of sub-
5 section two (2); and in lines one (1) and five (5) of subsection three
6 (3); and in lines sixteen (16) and twenty-three (23) of subsection
7 four (4) thereof.

1 SEC. 18. Amend section sixty-nine hundred forty-three-f thirty-
2 six (6943-f36), Code, 1935, by changing the word "board" to "com-
3 mission" in line twelve (12) of subsection one (1); in line nine (9)
4 of subsection two (2); in line eight (8) of subsection three (3); and
5 in lines five (5) and fourteen (14) of subsection four (4) thereof.

1 SEC. 19. Amend section sixty-nine hundred forty-three-f forty-two
2 (6943-f42), Code, 1935, by changing the word "board" to "commis-
3 sion" in lines one (1), nine (9), twelve (12), twenty-three (23) and
4 twenty-nine (29) thereof.

1 SEC. 20. Amend section sixty-nine hundred forty-three-f forty-
2 three (6943-f43), Code, 1935, by changing the word "board" to "com-
3 mission" in line eighteen (18) thereof.

1 SEC. 21. Amend section sixty-nine hundred forty-three-f forty-
2 five (6943-f45), Code, 1935, by changing the word "board" to "com-
3 mission" in lines five (5) and eleven (11) thereof.

1 SEC. 22. Amend section sixty-nine hundred forty-three-f forty-six
2 (6943-f46), Code, 1935, by changing the word "board" to "commis-
3 sion" in lines eight (8), eleven (11), fourteen (14) and twenty-two
4 (22) thereof.

1 SEC. 23. Amend section sixty-nine hundred forty-three-f forty-
2 seven (6943-f47), Code, 1935, by changing the word "board" to
3 "commission" in line three (3) of subsection two (2); and in lines
4 one (1), nine (9), twelve (12), and fifteen (15) of subsection three
5 (3); and by changing the word "treasurer" to "tax commission" in
6 line four (4) of subsection four (4) thereof.

1 SEC. 24. Amend section sixty-nine hundred forty-three-f forty-
2 eight (6943-f48), Code, 1935, by changing the word "board" to "com-
3 mission" in lines eight (8), eleven (11), fifteen (15) of subsection
4 one (1); and in line two (2) of subsection two (2); and in line two
5 (2) of subsection three (3); and in line four (4) of subsection four
6 (4); and in lines three (3), five (5), and eight (8) of subsection five
7 (5); and in line one (1) of subsection six (6) thereof.

1 SEC. 25. Amend section sixty-nine hundred forty-three-f forty-
2 nine (6943-f49), Code, 1935, by changing the word "board" to "com-
3 mission" in lines six (6), twelve (12), eighteen (18), nineteen (19)
4 and twenty-two (22) thereof.

1 SEC. 26. Amend section sixty-nine hundred forty-three-f fifty
2 (6943-f50), Code, 1935, by changing the word "board" to "commis-
3 sion" in line five (5) of subsection one (1); and in lines two (2) and
4 seven (7) of subsection two (2); and in lines four (4), six (6) and
5 nine (9) of subsection three (3) thereof.

1 SEC. 27. Amend section sixty-nine hundred forty-three-f fifty-
2 three (6943-f53), Code, 1935, by changing the word "board" to "com-
3 mission" in lines eight (8) and eleven (11) of subsection one (1); and
4 in line one (1) of subsection four (4) thereof.

1 SEC. 28. Amend section sixty-nine hundred forty-three-f fifty-four
2 (6943-f54), Code, 1935, by changing the word "board" to "commis-
3 sion" in lines two (2) and three (3) thereof.

1 SEC. 29. Amend section sixty-nine hundred forty-three-f fifty-five
2 (6943-f55), Code, 1935, by changing the word "board" to "commis-
3 sion" in lines one (1) and six (6) thereof.

1 SEC. 30. Amend section sixty-nine hundred forty-three-f fifty-
2 six (6943-f56), Code, 1935, by changing the word "board" to "com-
3 mission" in lines three (3) and five (5) thereof.

1 SEC. 31. Amend section sixty-nine hundred forty-three-f fifty-
2 seven (6943-f57), Code, 1935, by changing the word "board" to "com-
3 mission" in line one (1) of subsection one (1); and in line one (1)
4 of subsection two (2); and in line eleven (11) of subsection three (3);
5 and in lines two (2) and seven (7) of subsection four (4); and in line
6 one (1) of subsection five (5) thereof.

1 SEC. 32. Amend section sixty-nine hundred forty-three-f fifty-
2 eight (6943-f58), Code, 1935, by changing the word "board" to "com-

3 mission" in lines one (1) and four (4) of subsection one (1); in line
4 one (1) of subsection four (4); and in line one (1) of subsection five
5 (5) thereof.

6 Further amend said section by striking out subsection two (2) and
7 substituting in lieu thereof the following:

8 "The salaries of all assistants, agents, and employes shall be fixed
9 by the commission in a budget to be submitted to the comptroller and
10 approved by the legislature."

1 SEC. 33. Amend section sixty-nine hundred forty-three-f fifty-nine
2 (6943-f59), Code, 1935, by changing the word "board" to "commis-
3 sion" in lines one (1) and fifteen (15) thereof.

1 SEC. 34. Amend section sixty-nine hundred forty-three-f sixty
2 (6943-f60), Code, 1935, by changing the word "board" to "commis-
3 sion" in line nine (9) thereof.

1 SEC. 35. Amend section sixty-nine hundred forty-three-f sixty-one
2 (6943-f61), Code, 1935, by changing the word "board" to "commis-
3 sion" in lines three (3) and six (6) thereof.

1 SEC. 36. Amend section sixty-nine hundred forty-three-f sixty-
2 two (6943-f62), Code, 1935, by changing the word "board" to "com-
3 mission" in line two (2) thereof.

1 SEC. 37. Amend section sixty-nine hundred forty-three-f sixty-
2 three (6943-f63), Code, 1935, as amended by section ten (10), chap-
3 ter one hundred eighty-four (184), Acts of the 47th General As-
4 sembly, by striking out all of subsection one (1) as amended.

5 Further amend said section as amended by section one (1), chapter
6 one hundred ninety-five (195), Acts of the 47th General Assembly, by
7 changing the word "board" to "commission" in line five (5) of said
8 section one (1) of chapter one hundred ninety-five (195).

1 SEC. 38. Wherever the words "board of assessment and review"
2 or the word "board", referring to the board of assessment and re-
3 view, appear in chapter three hundred twenty-nine-F one (329-F1),
4 Code, 1935, and have not been specifically referred to in this act,
5 the words "board of assessment and review" are hereby changed to
6 "tax commission" and the word "board" is hereby changed to "com-
7 mission" and the code editor is hereby authorized to make said
8 changes.

Approved April 12, 1939.

CHAPTER 177

INCOME TAX OF NONRESIDENTS

H. F. 532

AN ACT to amend sections three (3), four (4), and five (5) of chapter one hundred eighty-four (184), acts of the Forty-seventh (47th) General Assembly, relating to income tax of nonresidents and the collection thereof.

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

1 Chapter one hundred eighty-four (184), Acts of the Forty-seventh
2 General Assembly, is hereby amended as follows:

1 SECTION 1. Amend section three (3) of said chapter by changing
2 the word "board" to "commission" in line twenty-one (21) thereof.

1 SEC. 2. Amend section four (4) of said chapter by changing the
2 word "board" to "commission" in line twelve (12) thereof.

1 SEC. 3. Amend section five (5) of said chapter by changing the
2 word "board" to "commission" in lines ten (10), eleven (11), fourteen
3 (14), twenty-three (23), twenty-four (24), twenty-seven (27), thirty
4 (30), thirty-four (34), thirty-five (35), forty-two (42), forty-seven
5 (47), fifty-two (52), sixty-six (66), sixty-nine (69), seventy-three
6 (73), eighty-nine (89), ninety-eight (98), one hundred three (103),
7 one hundred six (106), one hundred seven (107), one hundred eight
8 (108), one hundred twelve (112), one hundred nineteen (119), one
9 hundred twenty-one (121), one hundred twenty-two (122), one hun-
10 dred twenty-six (126), one hundred twenty-eight (128), and one hun-
11 dred thirty-six (136) thereof.

1 SEC. 4. Wherever the word "board", referring to the board of
2 assessment and review, appears in said chapter and has not been
3 specifically referred to in this act, the word "board" is hereby changed
4 to "commission", and the code editor is hereby authorized to make
5 said change.

Approved April 3, 1939.

CHAPTER 178
INCOME TAX ON FEDERAL SALARIES

S. F. 467

AN ACT to amend section six thousand nine hundred forty-three-f eight (6943-f8), code, 1935, as amended by section three (3) of chapter one hundred eighty-four (184), acts of the Forty-seventh General Assembly, to provide that the salaries, wages, and other compensation received by United States officials or employees shall be subject to state income tax and to provide that the interest upon obligations of the United States and its possessions, agencies or instrumentalities shall be subject to state income tax.

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

1 SECTION 1. Section six thousand nine hundred forty-three-f eight
2 (6943-f8), Code, 1935, as amended by section three (3) of Chapter
3 one hundred eighty-four (184), Acts of the Forty-seventh General
4 Assembly, is hereby amended by striking therefrom paragraph "e."
5 of subsection two (2) and inserting in lieu thereof the following:
6 "Pensions of all kinds received by veterans from the United States
7 Government by reason of service in the military forces of the United
8 States, including disability or dependency compensation paid to vet-
9 erans, their widows, orphans, or parents, and the retirement pay of
10 persons retired from the military forces of the United States under the
11 laws of the United States."

1 SEC. 2. Section six thousand nine hundred forty-three-f eight
2 (6943-f8), Code, 1935, as amended by section three (3) of Chapter

3 one hundred eighty-four (184), Acts of the Forty-seventh General
4 Assembly, is hereby amended by striking all of paragraph "d" of
5 subsection two (2).

1 SEC. 3. The provisions of this act shall apply to all salaries re-
2 ceived by federal officials or employees of the United States govern-
3 ment as provided for herein from and after January 1, 1939.

1 SEC. 4. In event that any phrase, clause or section of this act is
2 found to be unconstitutional for any reason, such unconstitutionality
3 shall not have the effect of invalidating those other portions of this
4 act which may be found to be constitutional but those other portions
5 which are found to be constitutional shall remain in full force and
6 effect.

1 SEC. 5. This act being deemed of immediate importance shall be
2 in full force and effect after its publication in the Eagle Grove Eagle,
3 a newspaper published in Eagle Grove, Iowa, and in the Cedar Rapids
4 Gazette, a newspaper published at Cedar Rapids, Iowa.

Approved April 24, 1939.

I hereby certify that the foregoing act was published in the Eagle Grove Eagle, May
4, 1939, and the Cedar Rapids Gazette, May 2, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 179

INCOME TAX RETURN

S. F. 60

AN ACT to amend subsection three (3) of section six thousand nine hundred forty-three-
f twenty-one (6943-f21), code, 1935, removing the penalties and changing the inter-
est charged for failure to report income in the income tax return in certain cases.

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

1 SECTION 1. Subsection three (3) of section six thousand nine hun-
2 dred forty-three-f twenty-one (6943-f21) is hereby amended to read
3 as follows:

4 "In addition to the tax or additional tax as determined by the board
5 under the provisions of subsections one (1) and two (2) of this sec-
6 tion, the taxpayer shall pay interest on such tax or additional tax
7 so determined at the rate of six per cent per annum, computed from
8 the date the return was required by law to be filed; provided that in
9 case the return was not filed within the time required by law, or in
10 case the failure to report any income was due to an attempt to avoid
11 and evade the tax, rather than a mistake in interpreting or applying
12 the law, there shall be added to and made a part of such tax or addi-
13 tional tax, an additional amount by way of penalty, equal to five per
14 cent of such tax and additional tax, but in no case less than one dol-
15 lar, and interest upon the entire amount shall be paid at the rate of one
16 per cent per month for each month, or fraction of a month, the tax
17 remains unpaid, instead of the interest hereinbefore provided."

1 SEC. 2. This amendment shall apply only to taxes due on returns
2 required to be filed on or after April 1, 1939.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 The Review, a newspaper published at Villisca, Iowa, and The Mal-
4 vern Leader, a newspaper published at Malvern, Iowa.

Approved February 25, 1939.

I hereby certify that the foregoing act was published in The Review, Villisca, Iowa,
March 2, 1939, and the Malvern Leader, March 2, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 180

SALES TAX

H. F. 534

AN ACT to amend sections one (1), two (2), five (5), six (6), eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), sixteen (16), and seventeen (17), chapter one hundred ninety-six (196), acts of the Forty-seventh General Assembly, relating to sales tax and the collection thereof.

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

1 Chapter one hundred ninety-six (196), Acts of the Forty-seventh
2 General Assembly, is hereby amended as follows:

1 SECTION 1. Section one (1) of said chapter is hereby amended by
2 changing the word "board" to "commission" in lines twenty-nine (29),
3 thirty-six (36), and fifty-four (54); and by changing the words
4 "board of assessment and review" to "tax commission" in lines fifty-
5 four (54) and fifty-five (55) thereof.

1 SEC. 2. Section two (2) of said chapter is hereby amended by
2 changing the word "board" to "commission" in line twenty-four (24)
3 thereof.

1 SEC. 3. Section five (5) of said chapter is hereby amended by chang-
2 ing the word "board" to "commission" in lines one (1), eight (8),
3 nine (9), ten (10), sixteen (16), and twenty-one (21) thereof.

1 SEC. 4. Section six (6) of said chapter is hereby amended by chang-
2 ing the word "board" to "commission" in lines thirteen (13) and
3 fifteen (15) thereof.

1 SEC. 5. Section eight (8) of said chapter is hereby amended by
2 changing the word "board" to "commission" in lines three (3), seven
3 (7), and nine (9) thereof.

1 SEC. 6. Section nine (9) of said chapter is hereby amended by
2 changing the word "board" to "commission" in lines seven (7), nine
3 (9), eleven (11), and seventeen (17) thereof.

1 SEC. 7. Section ten (10) of said chapter is hereby amended by
2 changing the word "board" to "commission" in lines eight (8), ten
3 (10), fifteen (15), seventeen (17), and nineteen (19) thereof.

1 SEC. 8. Section eleven (11) of said chapter is hereby amended by
 2 changing the word "board" to "commission" in lines seven (7), eight
 3 (8), eleven (11), eighteen (18), twenty-one (21), twenty-eight (28),
 4 thirty (30), thirty-one (31), thirty-four (34), thirty-six (36), and
 5 forty-two (42) thereof.

1 SEC. 9. Section twelve (12) of said chapter is hereby amended by
 2 changing the word "board" to "commission" in lines four (4), five
 3 (5), nine (9), thirteen (13), and sixteen (16) thereof.

1 SEC. 10. Section thirteen (13) of said chapter is hereby amended
 2 by changing the word "board" to "commission" in lines five (5),
 3 eight (8), eleven (11), twenty (20), and twenty-two (22) thereof.

1 SEC. 11. Section fourteen (14) of said chapter is hereby amended
 2 by changing the word "board" to "commission" in line thirteen (13)
 3 thereof.

1 SEC. 12. Section sixteen (16) of said chapter is hereby amended
 2 by changing the word "board" to "commission" in lines seven (7),
 3 nine (9), and twenty-nine (29) thereof.

1 SEC. 13. Section seventeen (17) of said chapter is hereby amended
 2 by changing the word "board" to "commission" in line one (1) thereof.

1 SEC. 14. Wherever the words "board of assessment and review"
 2 or "board" appear in said chapter and have not been specifically re-
 3 ferred to in this act, the words "board of assessment and review" are
 4 hereby changed to read "tax commission", and the word "board" is
 5 hereby changed to read "commission", and the code editor is hereby
 6 authorized to make said changes.

Approved April 3, 1939.

CHAPTER 181

SALES TAX

S. F. 113

AN ACT to amend the law as it appears in chapter one hundred ninety-six (196), acts of the Forty-seventh General Assembly of Iowa, relating to the imposition of a tax on the gross receipts from retail sales as therein defined; to modify the definition of retail sale or sale at retail, as set forth therein; and to repeal any acts, or parts of acts, in conflict herewith.

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

1 SECTION 1. That the law as it appears in section one (1), chapter
 2 one hundred ninety-six (196), Acts of the Forty-seventh General As-
 3 sembly of Iowa, be and the same is hereby amended by substituting
 4 a comma (,) for the period (.) at the end of the fifteenth line thereof,
 5 and by adding thereto, immediately following such comma (,), the
 6 following: "or electricity or steam when purchased and used in the
 7 processing of tangible personal property intended to be sold ultimately
 8 at retail."

9 Amend Section one (1), Chapter one hundred ninety-six (196),
10 Acts of the Forty-seventh (47) General Assembly, by adding after
11 the word "creating" at the end of line twenty of said section, the word
12 "heat" followed by a "comma" (,).

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

Approved March 22, 1939.

I hereby certify that the foregoing act was published in the Waterloo Courier, March 24, 1939, and the Daily Tribune, Dubuque, Iowa, March 25, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 182

TRADE-IN RECEIPTS EXEMPT FROM SALES AND USE TAX

H. F. 217

AN ACT to amend section three (3) of chapter one hundred ninety-six (196), acts of the Forty-seventh General Assembly, and section three (3) of chapter one hundred ninety-eight (198), acts of the Forty-seventh General Assembly, so as to exempt certain trade-in property and the gross receipts from the sale thereof from retail sales tax and use tax.

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

1 SECTION 1. Section three (3) of chapter one hundred ninety-six
2 (196), Acts of the Forty-seventh General Assembly, is hereby amended
3 by adding thereto after subsection "d" a new subsection as follows:
4 "e. That part of the gross receipts from sales of tangible personal
5 property accepted as part consideration in the sale in Iowa of other
6 property which is not in excess of the original trade-in valuation,
7 provided the seller keeps an accurate record of the identity of such
8 tangible personal property so as to show the name and address of
9 the persons from whom acquired and to whom sold and the exact
10 trade-in and sale price."

1 SEC. 2. Section three (3) of chapter one hundred ninety-eight
2 (198), Acts of the Forty-seventh General Assembly, is hereby amended
3 by adding thereto after subsection "5" a new subsection as follows:
4 "6. Tangible personal property, the gross receipts from the sale of
5 which are exempted from the retail sales tax by the terms of section
6 three (3) of chapter one hundred ninety-six (196), Acts of the Forty-
7 seventh General Assembly, as amended."

1 SEC. 3. This act, being deemed of immediate importance, shall be
2 in full force and effect after its publication in the Muscatine Journal,
3 a newspaper published at Muscatine, Iowa, and in The Wapello Re-
4 publican, a newspaper published at Wapello, Iowa.

Approved April 12, 1939.

I hereby certify that the foregoing act was published in the Muscatine Journal, April 15, 1939, and The Wapello Republican, April 20, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 183

STANDING APPROPRIATION PROVISIONS

H. F. 384

AN ACT repealing standing-appropriation provisions in sections of the code, 1935, and acts of the Forty-seventh General Assembly, and for the respective state departments as follows: Section sixty-nine hundred forty-three-f sixty-five (6943-f65), as amended by section eleven (11), chapter one hundred eighty-four (184), section eighteen (18), chapter one hundred ninety-six (196), and section twenty-four (24), chapter one hundred ninety-eight (198), acts of the Forty-seventh General Assembly, relating to the board of assessment and review; sections forty-seven hundred fifty-five-b thirty-one (4755-b31) and forty-six hundred thirty-c one (4630-c1), relating to motor vehicle fees and the state highway commission; section one hundred seventy-seven (177), relating to the reporter of the supreme court and code editor; sections one hundred seventy-five (175), one hundred seventy-six (176), one hundred seventy-six-a one (176-a1) and one hundred seventy-seven (177) of chapter one hundred thirty-four (134), acts of the Forty-seventh General Assembly, relating to maintenance funds of the motor vehicle department and the state highway commission; and section fifty-one hundred five-a fifty-four (5105-a54), relating to fees from motor vehicle carriers, and section forty-seven hundred fifty-five-b four (4755-b4) relating to the state highway commission.

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

1 SECTION 1. Section sixty-nine hundred forty-three-f sixty-five
2 (6943-f65), Code, 1935, as amended by section eleven (11) of chapter
3 one hundred eighty-four (184), section eighteen (18) of chapter one
4 hundred ninety-six (196) and section twenty-four (24) of chapter
5 one hundred ninety-eight (198), Acts of the Forty-seventh General
6 Assembly, is hereby repealed.

1 SEC. 2. Section forty-seven hundred fifty-five-b thirty-one (4755-
2 b31), Code, 1935, is hereby repealed.

1 SEC. 3. Section forty-six hundred thirty-c one (4630-c1) of the
2 code of 1935, is hereby amended by striking from lines eleven (11),
3 twelve (12) and thirteen (13) thereof the following:
4 "support fund of the highway commission created by section 4755-
5 b31" and substituting in lieu thereof "primary road fund".

1 SEC. 4. Section one hundred seventy-five (175) of chapter one
2 hundred thirty-four (134), Acts of the Forty-seventh General Assem-
3 bly, is hereby amended by striking therefrom subsection one (1) and
4 two (2) and inserting in lieu thereof the following:
5 "1. Three per cent of the gross fees and penalties thereon, to the
6 general fund of the state."

7 Said section is further amended by renumbering the remaining sub-
8 section.

1 SEC. 5. Sections one hundred seventy-six (176) and one hundred
2 seventy-six-a one (176-a1) of chapter one hundred thirty-four (134),
3 Acts of the Forty-seventh General Assembly, are hereby repealed.

1 SEC. 6. Section one hundred seventy-seven (177) of chapter one
2 hundred thirty-four (134), Acts of the Forty-seventh General Assem-
3 bly, is hereby amended so as to read as follows:

4 "The treasurer of state shall at the end of said fiscal year ascertain
5 the cost of maintenance of the motor vehicle department and transfer
6 to the primary road fund the ascertained difference between the

7 amount retained in the general fund under the provision of this act
8 and the maintenance cost of said department, together with any unex-
9 pended balance in the reimbursement fund."

1 SEC. 7. Section forty-seven hundred fifty-five-b four (4755-b4),
2 Code, 1935, is hereby amended by inserting the words "the mainte-
3 nance and housing of the State Highway Commission," after the
4 comma (,) and preceding the word "and" in line fifteen (15) of said
5 section.

1 SEC. 8. Section fifty-one hundred five-a fifty-four (5105-a54),
2 Code, 1935, is hereby amended by striking therefrom subsection one
3 (1) and inserting in lieu thereof the following:
4 "1. One-fifth thereof to the treasurer of state to the credit of the
5 general fund."

1 SEC. 9. Section one hundred seventy-seven (177), Code, 1935, is
2 hereby repealed.

Approved March 11, 1939.

CHAPTER 184
CHAIN STORE TAX
H. F. 511

AN ACT to amend sections sixty-nine hundred forty-three-g two (6943-g2), sixty-nine hundred forty-three-g five (6943-g5), sixty-nine hundred forty-three-g six (6943-g6), sixty-nine hundred forty-three-g seven (6943-g7), sixty-nine hundred forty-three-g eight (6943-g8), sixty-nine hundred forty-three-g eleven (6943-g11), sixty-nine hundred forty-three-g twelve (6943-g12), sixty-nine hundred forty-three-g fourteen (6943-g14), sixty-nine hundred forty-three-g fifteen (6943-g15), and to repeal section sixty-nine hundred forty-three-g thirteen (6943-g13), chapter three hundred twenty-nine-G one (329-G1), code, 1935, relating to chain-store tax and the collection thereof.

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

1 SECTION 1. Section sixty-nine hundred forty-three-g two (6943-
2 g2), Code, 1935, is hereby amended by changing the word "board" to
3 "commission" in line six (6), and by changing the words "board of
4 assessment and review" to "tax commission" in lines six (6) and seven
5 seven (7) thereof.

1 SEC. 2. Section sixty-nine hundred forty-three-g five (6943-g5),
2 Code, 1935, is hereby amended by changing the word "board" to "com-
3 mission" in lines six (6), seven (7), ten (10) and thirteen (13)
4 thereof.

1 SEC. 3. Section sixty-nine hundred forty-three-g six (6943-g6),
2 Code, 1935, is hereby amended by changing the word "board" to "com-
3 mission" in lines six (6), twelve (12), eighteen (18), nineteen (19)
4 and twenty-three (23) thereof.

1 SEC. 4. Section sixty-nine hundred forty-three-g seven (6943-g7),
2 Code, 1935, is hereby amended by changing the word "board" to "com-
3 mission" in line five (5) of subsection one (1), and in lines two (2)

4 and seven (7) of subsection two (2), and in lines four (4), seven (7)
5 and nine (9) of subsection three (3) thereof.

1 SEC. 5. Section sixty-nine hundred forty-three-g eight (6943-g8),
2 Code, 1935, is hereby amended by changing the word "board" to "com-
3 mission" in lines seventeen (17), forty (40), forty-four (44), forty-
4 five (45), fifty-one (51), sixty-six (66), sixty-eight (68) and seventy-
5 six (76) thereof.

1 SEC. 6. Section sixty-nine hundred forty-three-g eleven (6943-
2 g11), Code, 1935, is hereby amended by changing the words "board
3 of assessment and review" to "tax commission" in line two (2) thereof.

1 SEC. 7. Section sixty-nine hundred forty-three-g twelve (6943-
2 g12), Code, 1935, is hereby amended by changing the words "board
3 of assessment and review" to "tax commission" in lines five (5),
4 eighteen (18) and nineteen (19), and twenty-two (22), and by chang-
5 ing the word "board" to "commission" in line twenty-seven (27)
6 thereof.

1 SEC. 8. Section sixty-nine hundred forty-three-g fourteen (6943-
2 g14), Code, 1935, is hereby amended by changing the word "board"
3 to "commission" in lines three (3) and five (5) thereof.

1 SEC. 9. Section sixty-nine hundred forty-three-g fifteen (6943-
2 g15), Code, 1935, is hereby amended by changing the word "board"
3 to "commission" in lines eight (8) and eleven (11) of subsection one
4 (1), and in line one (1) of subsection three (3) thereof.

1 SEC. 10. Section sixty-nine hundred forty-three-g thirteen (6943-
2 g13), Code, 1935, is hereby repealed.

1 SEC. 11. Wherever the words "board of assessment and review"
2 or "board" appear in chapter three hundred twenty-nine-G one (329-
3 G1), Code, 1935, and have not been specifically referred to in this act,
4 the words "board of assessment and review" are hereby changed to
5 read "tax commission", and the word "board" is hereby changed to
6 read "commission", and the code editor is hereby authorized to make
7 said changes.

Approved April 12, 1939.

CHAPTER 185

GARNISHMENT TO COLLECT CERTAIN TAXES

S. F. 443

AN ACT to authorize the collection, by garnishment proceedings, by the Iowa state board of assessment and review of any income tax, sales tax, or use tax owed to the state, and to prescribe the procedure therefor.

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

1 SECTION 1. In the service of a distress warrant issued by the Iowa
2 state board of assessment and review* for the collection of income

*Note: State Board of Assessment and Review superseded by State Tax Commission under Senate File 380 of the Acts of the 48th General Assembly, and the State Tax Commission administers the income and sales tax instead of the State Board of Assessment and Review under House File 510 of the Acts of the 48th General Assembly, and the use tax under House File 535 of the Acts of the 48th General Assembly. Other Acts of the 48th General Assembly also deal with details of the transfer.

3 tax, sales tax, and/or use tax, the property of the taxpayer in the
4 possession of another, or debts due him, may be reached by garnish-
5 ment.

1 SEC. 2. Proceedings by garnishment under a distress warrant is-
2 sued by the Iowa state board of assessment and review shall not be
3 affected by its expiration or its return.

1 SEC. 3. Where parties have been garnished under a distress war-
2 rant issued by the Iowa state board of assessment and review, the officer
3 shall make return thereof to the next term of court in the county where
4 the garnishee lives, if he lives in Iowa, otherwise in the county where
5 the taxpayer resides, if he lives in Iowa; and if neither the garnishee
6 nor the taxpayer lives in Iowa, then to the next term of the district
7 court in Polk county, Iowa; the officer shall make return in the same
8 manner as a return is made on a garnishment made under a writ of
9 execution so far as they relate to garnishments, and the clerk of the
10 district court shall docket an action thereon without fee the same as
11 if a judgment had been recovered against the tax payer in the county
12 where the return is made, an execution issued thereon, and garnish-
13 ment made thereunder, and thereafter the proceedings shall conform to
14 proceedings in garnishment under attachments as nearly as may be.

Approved May 3, 1939.

CHAPTER 186

EXEMPTIONS FROM TAXATION

S. F. 15

AN ACT to amend section sixty-nine hundred forty-four (6944) of the code of Iowa, 1935, relating to exemptions from taxation.

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

1 SECTION 1. Section sixty-nine hundred forty-four (6944) of the
2 Code of Iowa, 1935, is hereby amended by striking subsection two (2)
3 and by inserting in lieu thereof the following:

4 2. (a) The property of a county, township, city, town, school dis-
5 trict or military company of the State of Iowa, when devoted to public
6 use and not held for pecuniary profit.

Approved April 24, 1939.

CHAPTER 187

HOMESTEAD TAX EXEMPTION

H. F. 533

AN ACT to amend chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, relating to homestead tax exemption.

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

Chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, is hereby amended as follows:

1 SECTION 1. Amend section one (1) of said chapter by changing the
2 word "board" to "commission" in line five (5) thereof.

1 SEC. 2. Amend section two (2) of said chapter by changing the
2 word "board" to "commission" in line four (4) thereof.

1 SEC. 3. Amend section three (3) of said chapter by changing the
2 word "board" to "commission" in line six (6) thereof.

1 SEC. 4. Amend section four (4) of said chapter by changing the
2 word "board" to "commission" in lines seventeen (17) and twenty-
3 one (21); and by changing the words "board of assessment and re-
4 view" to "tax commission" in line sixty (60) thereof.

1 SEC. 5. Amend section seven (7) of said chapter by changing the
2 words "board of assessment and review" to "tax commission" in lines
3 seven (7) and eight (8) thereof.

1 SEC. 6. Amend section ten (10) of said chapter by changing the
2 words "board of assessment and review" to "tax commission" in line
3 eight (8) thereof.

1 SEC. 7. Amend section twelve (12) of said chapter by changing
2 the words "board of assessment and review" to "tax commission" in
3 line five (5) thereof.

1 SEC. 8. Amend section sixteen (16) of said chapter by changing
2 the word "board" to "commission" in lines one (1), six (6), and
3 eleven (11) thereof.

1 SEC. 9. Amend section seventeen (17) of said chapter by changing
2 the words "board of assessment and review" to "tax commission" in
3 lines five (5) and thirteen (13) and fourteen (14); and by changing
4 the word "board" to "commission" in line six (6) thereof.

1 SEC. 10. Amend section eighteen (18) of said chapter by changing
2 the words "board of assessment and review" to "tax commission" in
3 line four (4) thereof.

Approved April 3, 1939.

CHAPTER 188
HOMESTEAD TAX EXEMPTION
S. F. 182

AN ACT to amend chapter one hundred ninety-five (195) of the laws of the Forty-seventh (47) General Assembly by adding to section nineteen (19) a new subsection defining the words "assessed valuation".

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

1 SECTION 1. Chapter one hundred ninety-five (195) of the Laws of
2 the Forty-seventh (47) General Assembly is hereby amended by add-
3 ing to section nineteen (19) thereof a new subsection as follows:
4 "3. The words 'assessed valuation' shall mean the valuation of the
5 homestead as fixed by the assessor, or by the board of review, without
6 deducting therefrom the exemptions authorized in section six thousand
7 nine hundred forty-six (6946), Code, 1935."

Approved February 21, 1939.

CHAPTER 189
HOMESTEAD TAX CREDIT ON INDIAN LANDS
H. F. 238

AN ACT to amend chapter one hundred ninety-five (195), Acts of the Forty-seventh General Assembly, by providing for a homestead tax credit for certain Indian lands held in trust.

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

1 SECTION 1. Chapter one hundred ninety-five (195), Acts of the
2 Forty-seventh General Assembly, is hereby amended by adding thereto
3 the following:
4 "Each forty (40) acres of land, or fraction thereof, occupied by a
5 member or members of the Sac and Fox Indians in Tama County,
6 which land is held in trust by the Secretary of the Interior of the
7 United States for said Indians, shall be given a homestead tax credit
8 within the meaning and under the provisions of chapter one hundred
9 ninety-five (195), Acts of the Forty-seventh General Assembly. Ap-
10 plication for such homestead tax credit shall be made to the county
11 auditor of Tama County and may be made by a representative of the
12 tribal council."

Approved April 12, 1939.

CHAPTER 190
HOMESTEAD CREDIT
H. F. 229

AN ACT to amend section twenty-three (23), chapter one hundred ninety-eight (198), acts of the 47th General Assembly, to provide for the apportionment of taxes collected under this chapter to be used toward payment of homestead credit.

WHEREAS the 47th General Assembly passed an act commonly known as the use tax act wherein the revenue derived therefrom after the deduction of administrative costs was placed in the general fund of the state of Iowa; and,

WHEREAS prior to the enactment of the use tax act the revenue now derived therefrom was a part of what is commonly known as the three point tax (sales, income and corporation tax) and said three point tax is a fund from which the homestead credit is derived; and,

WHEREAS it now appears that there is a possibility that there will be insufficient funds in said three point tax fund to pay in full the twenty-five mill (25) credit on all homesteads within the state of Iowa,

Now, Therefore,

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

1 SECTION 1. Amend Section 23, Chapter 198, Acts of the 47th Gen-
2 eral Assembly of the State of Iowa, by adding to Section 23 the fol-
3 lowing:

4 On March 1st and August 1st of each year the state board of assess-
5 ment and review* shall certify to the state comptroller the amount in
6 the homestead credit fund, the total amount that is then apportionable
7 to the various counties for homestead credit and the shortage in the
8 homestead credit fund, if any.

9 The State Comptroller is hereby authorized and shall transfer to
10 the homestead credit fund established by Chapter 195, Acts of the
11 47th General Assembly, the amount of the shortage in said homestead
12 credit fund as certified by the state board of assessment and review,
13 from funds received in the general fund under the provisions of this
14 Chapter.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect after its passage and publication in the Eagle
3 Grove Eagle, a newspaper in Eagle Grove, Iowa, and in the Waterloo
4 Courier, a newspaper in Waterloo, Iowa.

Approved February 20, 1939.

I hereby certify that the foregoing act was published in the Eagle Grove Eagle,
March 2, 1939, and the Waterloo Courier, February 23, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 191

VETERANS TAX EXEMPTION

S. F. 183

AN ACT to amend section six thousand nine hundred forty-nine (6949), code, 1935, and to repeal section six thousand nine hundred forty-seven (6947), code, 1935, all relating to exemption from taxation of property belonging to veterans of military service, and to enact a substitute therefor permitting such veterans to select such property to which the said exemption shall apply.

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

1 SECTION 1. Section six thousand nine hundred forty-nine (6949),
2 Code, 1935, is amended by striking from line two (2) the word "may",
3 and inserting in lieu thereof the word "shall".

*Note: State board of assessment and review superseded by state tax commission under Senate File 380 of the Acts of the 48th General Assembly. See also H. F. 533 Acts of the 48th General Assembly.

1 SEC. 2. Section six thousand nine hundred forty-seven (6947),
2 Code, 1935, is repealed, and there is enacted in lieu thereof the fol-
3 lowing:

4 "6947. All persons named in section six thousand nine hundred
5 forty-six (6946) shall receive a reduction equal to their exemption,
6 to be made from any property owned by such persons and designated
7 by them. Such designation shall be made to and noted by the assessor
8 at the time of making the assessment, or in lieu thereof, shall be made
9 in writing and filed with the county auditor of the county in which
10 such property is located. If no designation is filed or made as herein
11 provided, then such exemption shall apply to the homestead, if any.
12 Such exemption shall extend only for the period during which said
13 persons remain the owners of such property."

Approved February 21, 1939.

CHAPTER 192

LISTING OF PROPERTY FOR TAXATION

H. F. 512

AN ACT to amend sections sixty-nine hundred seventy-nine (6979), sixty-nine hundred eighty (6980), sixty-nine hundred eighty-one (6981), sixty-nine hundred eighty-two-d one (6982-d1), sixty-nine hundred eighty-two-d two (6982-d2), sixty-nine hundred eighty-two-d three (6982-d3), sixty-nine hundred eighty-two-d four (6982-d4), sixty-nine hundred eighty-two-d five (6982-d5), sixty-nine hundred eighty-two-d six (6982-d6), chapter three hundred thirty-one (331), code, 1935, relating in general to the listing of property for taxation.

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

1 SECTION 1. Section sixty-nine hundred seventy-nine (6979), Code,
2 1935, is hereby amended by changing the words "board of assessment
3 and review" to "tax commission" in line fifteen (15) thereof.

1 SEC. 2. Section sixty-nine hundred eighty (6980), Code, 1935, is
2 hereby amended by changing the words "board of assessment and
3 review" to "tax commission" in line nine (9) thereof.

1 SEC. 3. Section sixty-nine hundred eighty-one (6981), Code, 1935,
2 is hereby amended by changing the words "board of assessment and
3 review" to "tax commission" in line eleven (11) thereof.

1 SEC. 4. Section sixty-nine hundred eighty-two-d one (6982-d1),
2 Code, 1935, is hereby amended by changing the word "board" to
3 "commission" in lines nine (9) and thirteen (13) thereof.

1 SEC. 5. Section sixty-nine hundred eighty-two-d two (6982-d2),
2 Code, 1935, is hereby amended by changing the word "board" to
3 "commission" in lines two (2) and fourteen (14) thereof.

1 SEC. 6. Section sixty-nine hundred eighty-two-d three (6982-d3),
2 Code, 1935, is hereby amended by changing the word "board" to
3 "commission" in line four (4) thereof.

1 SEC. 7. Section sixty-nine hundred eighty-two-d four (6982-d4),
2 Code, 1935, is hereby amended by changing the word "board" to
3 "commission" in lines two (2) and five (5) thereof.

1 SEC. 8. Section sixty-nine hundred eighty-two-d five (6982-d5),
2 Code, 1935, is hereby amended by changing the word "board" to
3 "commission" in lines three (3), six (6), and nine (9) thereof.

1 SEC. 9. Section sixty-nine hundred eighty-two-d six (6982-d6),
2 Code, 1935, is hereby amended by changing the word "board" to
3 "commission" in line two (2) thereof.

1 SEC. 10. Wherever the words "board of assessment and review"
2 or "board" or "state board of review" appear in chapter three hundred
3 thirty-one (331), Code, 1935, and have not been specifically referred
4 to in this act, the words "board of assessment and review" and "state
5 board of review" are hereby changed to read "tax commission" and
6 the code editor is hereby authorized to make said changes.

Approved April 12, 1939.

CHAPTER 193

MONEYS AND CREDITS

H. F. 513

AN ACT to amend section sixty-nine hundred eighty-seven (6987), chapter three hundred thirty-two (332), code, 1935, relating to assessment of moneys and credits.

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

1 SECTION 1. Section sixty-nine hundred eighty-seven (6987), Code,
2 1935, is hereby amended by changing the words "board of assessment
3 and review" to "tax commission" in line twelve (12) thereof.

1 SEC. 2. Wherever the words "board of assessment and review" or
2 "board" or "state board of review" appear in chapter three hundred
3 thirty-two (332), Code, 1935, and have not been specifically referred
4 to in this act, the words "board of assessment and review" and "state
5 board of review" are hereby changed to read "tax commission", and
6 the word "board" is hereby changed to read "commission" and the
7 code editor is hereby authorized to make said changes.

Approved April 12, 1939.

CHAPTER 194

COLLECTION OF TAXES FROM INSURANCE COMPANIES

H. F. 514

AN ACT to amend sections seven thousand twenty-one (7021), seven thousand twenty-two (7022), seven thousand twenty-five (7025), chapter three hundred thirty-five (335), code, 1935, relating to the collection of taxes from insurance companies.

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

1 SECTION 1. Amend section seven thousand twenty-one (7021),
2 Code, 1935, by inserting after the comma in line eleven (11) the fol-

3 lowing: "make such statements in duplicate and furnish one copy
4 thereof to the state tax commission and upon computation and tax
5 statement from the state tax commission,".

1 SEC. 2. Amend section seven thousand twenty-two (7022), Code,
2 1935, by inserting after the comma in line eight (8) the following:
3 "make such tax statements in duplicate and furnish one copy thereof
4 to the state tax commission and upon computation and tax statement
5 from the state tax commission,".

1 SEC. 3. Amend section seven thousand twenty-five (7025), Code,
2 1935, by adding after the comma in line eight (8) the following: "make
3 a statement to the state tax commission of its gross receipts with
4 deductions as hereinafter in this section provided, and upon computa-
5 tion and tax statement from the state tax commission,".

1 SEC. 4. Wherever the words "board of assessment and review" or
2 "board", referring to the board of assessment and review, appear in
3 chapter three hundred thirty-five (335), Code, 1935, and have not
4 been specifically referred to in this act, the words "board of assess-
5 ment and review" are hereby changed to read "tax commission", and
6 the word "board" is hereby changed to "commission", and the code
7 editor is hereby authorized to make said changes.

Approved April 12, 1939.

CHAPTER 195

TELEGRAPH AND TELEPHONE COMPANIES TAXES

H. F. 515

AN ACT to amend sections seven thousand thirty-one (7031), seven thousand thirty-two (7032), seven thousand thirty-three (7033), seven thousand thirty-four (7034), seven thousand thirty-five (7035), seven thousand thirty-seven (7037), seven thousand thirty-eight (7038), and seven thousand thirty-nine (7039), chapter three hundred thirty-six (336), code, 1935, relating to the collection of taxes from telephone and telegraph companies.

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

1 SECTION 1. Amend section seven thousand thirty-one (7031), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in lines four (4) and five (5) thereof.

1 SEC. 2. Amend section seven thousand thirty-two (7032), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in line three (3) thereof.

1 SEC. 3. Amend section seven thousand thirty-three (7033), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in lines three (3) and four (4) and ten (10) thereof.

1 SEC. 4. Amend section seven thousand thirty-four (7034), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in lines one (1) and two (2) thereof.

1 SEC. 5. Amend section seven thousand thirty-five (7035), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in lines one (1) and two (2) thereof.

1 SEC. 6. Amend section seven thousand thirty-seven (7037), Code,
2 1935, by changing the words "board of assessment and review" to "tax
3 commission" in lines three (3) and four (4) thereof.

1 SEC. 7. Amend section seven thousand thirty-eight (7038), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in lines one (1) and two (2) thereof.

4 Further amend said section by changing the word "board" to "com-
5 mission" in line nine (9) thereof.

1 SEC. 8. Amend section seven thousand thirty-nine (7039), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in lines ten (10) and eleven (11) thereof.

1 SEC. 9. Wherever the words "board of assessment and review" or
2 "board", referring to the board of assessment and review, appear in
3 chapter three hundred thirty-six (336), Code, 1935, and have not been
4 specifically referred to in this act, the words "board of assessment
5 and review" are hereby changed to "tax commission" and the word
6 "board" is hereby changed to "commission", and the code editor is
7 hereby authorized to make said changes.

Approved April 12, 1939.

CHAPTER 196

COLLECTION OF TAXES FROM RAILROAD COMPANIES

H. F. 516

AN ACT to amend sections seventy hundred forty-six (7046), seventy hundred forty-seven (7047), seventy hundred forty-eight (7048), seventy hundred forty-nine (7049), seventy hundred fifty (7050), seventy hundred fifty-two (7052), seventy hundred fifty-three (7053), seventy hundred fifty-four (7054), seventy hundred fifty-six (7056), seventy hundred fifty-seven (7057), seventy hundred fifty-nine (7059), seventy hundred sixty (7060), seventy hundred sixty-one (7061), seventy hundred sixty-two (7062), and seventy hundred sixty-seven (7067), chapter three hundred thirty-seven (337), code, 1935, relating to the collection of taxes from railroad companies.

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

1 SECTION 1. Amend section seventy hundred forty-six (7046), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in line two (2) thereof.

4 Further amend said section by changing the word "board" to
5 "commission" in line twelve (12) thereof.

6 Further amend said section by changing the word "board" to
7 "commission" in line four (4), paragraph eight (8), thereof.

1 SEC. 2. Amend section seventy hundred forty-seven (7047), Code,
2 1935, by changing the words "board of assessment and review" to

3 "tax commission" in lines two (2) and three (3), in line six (6), and
4 in lines seventeen (17) and eighteen (18) thereof.

1 SEC. 3. Amend section seventy hundred forty-eight (7048), Code,
2 1935, by changing the word "board" to "commission" in line three (3)
3 thereof.

4 Further amend said section by changing the words "board of assess-
5 ment and review" to "tax commission" in lines seven (7) and eight (8)
6 thereof.

1 SEC. 4. Amend section seventy hundred forty-nine (7049), Code,
2 1935, by changing the word "board" to "commission" in line nine (9)
3 thereof.

1 SEC. 5. Amend section seventy hundred fifty (7050), Code, 1935,
2 by changing the words "board of assessment and review" to "tax com-
3 mission" in line two (2) thereof.

1 SEC. 6. Amend section seventy hundred fifty-two (7052), Code,
2 1935, by changing the words "board of assessment and review" to "tax
3 commission" in lines two (2) and three (3) thereof.

1 SEC. 7. Amend section seventy hundred fifty-three (7053), Code,
2 1935, by changing the words "board of assessment and review" to "tax
3 commission" in line two (2), and lines eight (8) and nine (9) thereof.

1 SEC. 8. Amend section seventy hundred fifty-four (7054), Code,
2 1935, by changing the words "board of assessment and review" to "tax
3 commission" in lines one (1) and two (2) thereof.

1 SEC. 9. Amend section seventy hundred fifty-six (7056), Code,
2 1935, by changing the words "board of assessment and review" to "tax
3 commission" in lines three (3) and four (4), and lines nine (9) and
4 ten (10) thereof.

1 SEC. 10. Amend section seventy hundred fifty-seven (7057), Code,
2 1935, by changing the words "board of assessment and review" to "tax
3 commission" in lines four (4) and five (5), and lines seven (7) and
4 eight (8) thereof.

1 SEC. 11. Amend section seventy hundred fifty-nine (7059), Code,
2 1935, by changing the word "board" to "commission" in lines one (1)
3 and eleven (11) thereof.

1 SEC. 12. Amend section seventy hundred sixty (7060), Code, 1935,
2 by changing the word "board" to "commission" in line eleven (11)
3 and line fifteen (15) thereof.

1 SEC. 13. Amend section seventy hundred sixty-one (7061), Code,
2 1935, by changing the word "board" to "commission" in line one (1)
3 thereof.

1 SEC. 14. Amend section seventy hundred sixty-two (7062), Code,
2 1935, by changing the word "board" to "commission" in line three (3)
3 thereof.

1 SEC. 15. Amend section seventy hundred sixty-seven (7067),
2 Code, 1935, by changing the words "board of assessment and review"
3 to "tax commission" in lines ten (10) and eleven (11) thereof.

1 SEC. 16. Wherever the words "board of assessment and review" or
 2 "board", referring to the board of assessment and review, appear in
 3 chapter three hundred thirty-seven (337), Code, 1935, and have not
 4 been specifically referred to in this act, the words "board of assess-
 5 ment and review" are hereby changed to "tax commission" and the
 6 word "board" is hereby changed to "commision", and the code editor
 7 is hereby authorized to make said changes.

Approved April 12, 1939.

CHAPTER 197

PAYMENT OF TAXES BY FREIGHT LINE AND EQUIPMENT COMPANIES

H. F. 517

AN ACT to amend sections seven thousand seventy-two (7072), seven thousand seventy-three (7073), seven thousand seventy-four (7074), seven thousand seventy-five (7075), and seven thousand seventy-six (7076), chapter three hundred thirty-eight (338), code, 1935, in relation to the payment of taxes by freight line and equipment companies.

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

1 SECTION 1. Amend section seven thousand seventy-two (7072),
 2 Code, 1935, by changing the words "board of assessment and review"
 3 to the words "tax commission" in lines seven (7) and eight (8), and
 4 in lines twelve (12) and thirteen (13), subsection seven (7) thereof.

1 SEC. 2. Amend section seven thousand seventy-three (7073), Code,
 2 1935, by changing the words "board of assessment and review" to "tax
 3 commission" in lines two (2) and three (3) thereof.

1 SEC. 3. Amend section seven thousand seventy-four (7074), Code,
 2 1935, by changing the words "board of assessment and review" to "tax
 3 commission" in lines three (3) and four (4) thereof.

1 SEC. 4. Amend section seven thousand seventy-five (7075), Code,
 2 1935, by changing the words "board of assessment and review" to
 3 "tax commission" in lines two (2), thirteen (13) and fourteen (14),
 4 lines twenty-six (26) and twenty-seven (27) thereof.

5 Further amend said section by changing the word "board" to "com-
 6 mission" in lines fifteen (15), seventeen (17), nineteen (19), and
 7 twenty-three (23) thereof.

1 SEC. 5. Amend section seven thousand seventy-six (7076), Code,
 2 1935, by changing the word "board" to "commission" in line one (1)
 3 thereof.

4 Further amend said section by changing the words "board of assess-
 5 ment and review" to the words "tax commission" in lines eighteen
 6 (18) and nineteen (19) thereof.

1 SEC. 6. Wherever the words "board of assessment and review" or
 2 the word "board", referring to the board of assessment and review,
 3 appear in chapter three hundred thirty-eight (338), Code, 1935, and
 4 have not been specifically referred to in this act, the words "board of

5 assessment and review" are hereby changed to "tax commission" and
 6 the word "board" is hereby changed to "commission", and the code
 7 editor is hereby authorized to make said changes.

Approved April 12, 1939.

CHAPTER 198

COLLECTION OF TAXES FROM EXPRESS COMPANIES

H. F. 518

AN ACT to amend sections seven thousand seventy-nine (7079), seven thousand eighty (7080), seven thousand eighty-one (7081), seven thousand eighty-two (7082), seven thousand eighty-three (7083), seven thousand eighty-four (7084), and seven thousand eighty-five (7085), chapter three hundred thirty-nine (339), code, 1935, relating to collection of taxes from express companies.

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

1 SECTION 1. Amend section seven thousand seventy-nine (7079),
 2 Code, 1935, by changing the words "board of assessment and review"
 3 to the words "tax commission" in lines four (4) and five (5) thereof.

1 SEC. 2. Amend section seven thousand eighty (7080), Code, 1935,
 2 by changing the words "board of assessment and review" to the words
 3 "tax commission" in lines two (2) and three (3) and lines seven (7)
 4 and eight (8) thereof.

1 SEC. 3. Amend section seven thousand eighty-one (7081), Code,
 2 1935, by changing the words "board of assessment and review" to
 3 the words "tax commission" in lines three (3) and four (4) and
 4 eleven (11) thereof.

1 SEC. 4. Amend section seven thousand eighty-two (7082), Code,
 2 1935, by changing the words "board of assessment and review" to
 3 the words "tax commission" in lines one (1) and two (2), and in lines
 4 ten (10) and twenty (20) thereof.

5 Further amend said section by changing the word "board" to "com-
 6 mission" in lines twelve (12), thirteen (13), and sixteen (16) thereof.

1 SEC. 5. Amend section seven thousand eighty-three (7083), Code,
 2 1935, by changing the words "board of assessment and review" to the
 3 words "tax commission" in line two (2), lines twenty-two (22) and
 4 twenty-three (23), line thirty-six (36), and in lines forty-six (46)
 5 and forty-seven (47) thereof.

6 Further amend by changing the word "board" to the word "com-
 7 mission" in line fifteen (15) and sixty-five (65) thereof.

1 SEC. 6. Amend section seven thousand eighty-four (7084), Code,
 2 1935, by changing the words "board of assessment and review" to "tax
 3 commission" in line one (1) thereof.

1 SEC. 7. Amend section seven thousand eighty-five (7085), Code,
 2 1935, by changing the words "board of assessment and review" to "tax
 3 commission" in lines one (1) and two (2) thereof.

4 Further amend said section by changing the word "board" to "com-
5 mission" in line eleven (11) thereof.

1 SEC. 8. Wherever the words "board of assessment and review" or
2 "board", referring to the board of assessment and review, appear in
3 chapter three hundred thirty-nine (339), Code, 1935, and have not
4 been specifically referred to in this act, the words "board of assess-
5 ment and review" are hereby changed to "tax commission" and the
6 word "board" is hereby changed to "commission" and the code editor
7 is hereby authorized to make said changes.

Approved April 12, 1939.

CHAPTER 199

COLLECTION OF TAXES FROM ELECTRIC TRANSMISSION LINES

H. F. 519

AN ACT to amend sections seventy hundred ninety (7090), seventy hundred ninety-two (7092), seventy hundred ninety-three (7093), seventy hundred ninety-four (7094), seventy hundred ninety-five (7095), seventy-hundred ninety-six (7096), seventy hundred ninety-seven (7097), seventy hundred ninety-eight (7098), and seventy-one hundred (7100), chapter three hundred forty (340), code, 1935, relating to the collection of taxes from electric transmission lines.

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

1 SECTION 1. Amend section seventy hundred ninety (7090), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in line eight (8) thereof.

1 SEC. 2. Amend section seventy hundred ninety-two (7092), Code,
2 1935, by changing the words "board of assessment and review" to "tax
3 commission" in line three (3) thereof.

1 SEC. 3. Amend section seventy hundred ninety-three (7093), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in lines eight (8) and nine (9), lines fifteen (15)
4 and sixteen (16) and lines twenty-one (21) and twenty-two (22)
5 thereof.

1 SEC. 4. Amend section seventy hundred ninety-four (7094), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in lines one (1) and two (2), and lines eighteen (18)
4 and nineteen (19) thereof.

1 SEC. 5. Amend section seventy hundred ninety-five (7095), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in lines two (2) and three (3) thereof.

1 SEC. 6. Amend section seventy hundred ninety-six (7096), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in line four (4) thereof.

1 SEC. 7. Amend section seventy- hundred ninety-seven (7097), Code,
2 1935, by changing the words "board of assessment and review" to "tax
3 commission in line two (2) thereof.

4 Further amend said section by striking from line eleven (11) the
5 word "board" and substituting therefor the word "commission".

1 SEC. 8. Amend section seventy hundred ninety-eight (7098), Code,
2 1935, by changing the words "board of assessment and review" to
3 "tax commission" in lines ten (10) and eleven (11) thereof.

1 SEC. 9. Amend section seventy-one hundred (7100), Code, 1935,
2 by changing the words "board of assessment and review" to "tax com-
3 mission" in line three (3) thereof.

1 SEC. 10. Whenever the words "board of assessment and review" or
2 the word "board", referring to the board of assessment and review,
3 appear in chapter three hundred forty (340), Code, 1935, and have
4 not been specifically referred to in this act, the words "board of assess-
5 ment and review" are hereby changed to "tax commission" and the
6 word "board" is hereby changed to "commission", and the code editor
7 is hereby authorized to make said changes.

Approved April 12, 1939.

CHAPTER 200

COLLECTION OF TAXES FROM PIPE LINE COMPANIES

H. F. 521

AN ACT to amend sections seventy-one hundred three-d two (7103-d2), seventy-one hundred three-d three (7103-d3), seventy-one hundred three-d four (7103-d4), seventy-one hundred three-d five (7103-d5), seventy-one hundred three-d six (7103-d6), seventy-one hundred three-d seven (7103-d7), seventy-one hundred three-d eight (7103-d8), seventy-one hundred three-d nine (7103-d9), seventy-one hundred three-d ten (7103-d10), seventy-one hundred three-d eleven (7103-d11), seventy-one hundred three-d twelve (7103-d12), seventy-one hundred three-d thirteen (7103-d13), seventy one hundred three-d fourteen (7103-d14), seventy-one hundred three-d fifteen (7103-d15), of chapter three hundred forty-D one (340-D1), code, 1935, relating to collection of taxes from pipe line companies.

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

1 SECTION 1. Amend section seventy-one hundred three-d two (7103-
2 d2), Code, 1935, by changing the word "board" to "commission" in
3 line eight (8) thereof.

4 Further amend said section by changing the words "board of assess-
5 ment and review" to the words "tax commission" in lines nine (9)
6 and ten (10) thereof.

1 SEC. 2. Amend section seventy-one hundred three-d three (7103-
2 d3), Code, 1935, by changing the words "board of assessment and
3 review" to the words "tax commission" in line five (5) thereof.

4 Further amend said section by changing the word "board" to "com-
5 mission" in line four (4) of subsection nine (9) thereof.

1 SEC. 3. Amend section seventy-one hundred three-d four (7103-d4),
2 Code, 1935, by changing the words "board of assessment and review"
3 to the words "tax commission" in lines three (3) and six (6) thereof.

4 Further amend said section by changing the word "board" to the
5 word "commission" in line fifteen (15) thereof.

1 SEC. 4. Amend section seventy-one hundred three-d five (7103-d5),
2 Code, 1935, by changing the word "board" to the word "commission"
3 in lines four (4) and seven (7) thereof.

1 SEC. 5. Amend section seventy-one hundred three-d six (7103-d6),
2 Code, 1935, by changing the word "board" to the word "commission"
3 in line eight (8) thereof.

1 SEC. 6. Amend section seventy-one hundred three-d seven (7103-
2 d7), Code, 1935, by changing the word "board" to the word "commis-
3 sion" in line two (2) thereof.

1 SEC. 7. Amend section seventy-one hundred three-d eight (7103-
2 d8), Code, 1935, by changing the words "board of assessment and
3 review" to the words "tax commission" in lines two (2) and three (3)
4 thereof.

5 Further amend said section by striking from line seven (7) the
6 word "board" and substituting therefor the word "commission."

1 SEC. 8. Amend section seventy-one hundred three-d nine (7103-d9),
2 Code, 1935, by changing the words "board of assessment and review"
3 to the words "tax commission" in line two (2) thereof.

4 Further amend said section by changing the word "board" to the
5 word "commission" in line nine (9) thereof.

1 SEC. 9. Amend section seventy-one hundred three-d ten (7103-d10),
2 Code, 1935, by changing the words "board of assessment and review"
3 to the words "tax commission" in line three (3) thereof.

4 Further amend said section by changing the word "board" to the
5 word "commission" in line eight (8) thereof.

1 SEC. 10. Amend section seventy-one hundred three-d eleven (7103-
2 d11), Code, 1935, by changing the words "board of assessment and
3 review" to the words "tax commission" in lines five (5) and six (6)
4 thereof.

5 Further amend said section by changing the word "board" to "com-
6 mission" in line seven (7) thereof.

1 SEC. 11. Amend section seventy-one hundred three-d twelve (7103-
2 d12), Code, 1935, by changing the word "board" to the word "com-
3 mission" in lines one (1) and ten (10) thereof.

1 SEC. 12. Amend section seventy-one hundred three-d thirteen
2 (7103-d13), Code, 1935, by changing the word "board" to the word
3 "commission" in lines ten (10) and fifteen (15) thereof.

1 SEC. 13. Amend section seventy-one hundred three-d fourteen
2 (7103-d14), Code, 1935, by changing the words "board of assessment
3 and review" to the words "tax commission" in line one (1) thereof.

1 SEC. 14. Amend section seventy-one hundred three-d fifteen (7103-
2 d15), Code, 1935, by changing the words "board of assessment and
3 review" to the words "tax commission" in lines nine (9) and ten (10)
4 thereof.

1 SEC. 15. Wherever the words "board of assessment and review"
2 or the word "board", referring to the board of assessment and review,

3 appear in chapter three hundred forty-D one (340-D1), Code, 1935,
 4 and have not been specifically referred to in this act, the words "board
 5 of assessment and review" are hereby changed to "tax commission"
 6 and the word "board" is hereby changed to "commission", and the code
 7 editor is hereby authorized to make said changes.

Approved April 12, 1939.

CHAPTER 201

REASSESSMENT AND RELEVY OF TAXES

H. F. 522

AN ACT to amend sections seventy-one hundred four (7104) and seventy-one hundred five (7105) of chapter three hundred forty-one (341), code, 1935, relating to re-assessment and relevy of taxes.

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

1 SECTION 1. Amend section seventy-one hundred four (7104), Code,
 2 1935, by changing the words "board of assessment and review" to
 3 the words "tax commission" in lines seven (7), eight (8), and nine
 4 (9) thereof.

1 SEC. 2. Amend section seventy-one hundred five (7105), Code,
 2 1935, by changing the words "board of assessment and review" to the
 3 words "tax commission" in lines four (4) and five (5) and lines seven
 4 (7) and eight (8) thereof.

1 SEC. 3. Wherever the words "board of assessment and review" or
 2 the word "board", referring to the board of assessment and review,
 3 appear in chapter three hundred forty-one (341), Code, 1935, and have
 4 not been specifically referred to in this act, the words "board of assess-
 5 ment and review" are hereby changed to "tax commission" and the
 6 word "board" is hereby changed to "commission", and the code editor
 7 is hereby authorized to make said changes.

Approved April 12, 1939.

CHAPTER 202

ASSESSMENT OF TAXES ON OMITTED PROPERTY

H. F. 520

AN ACT to amend sections seventy-one hundred five-a one (7105-a1), seventy-one hundred five-a four (7105-a4), seventy-one hundred five-a five (7105-a5), seventy-one hundred five-a six (7105-a6), and seventy-one hundred five-a seven (7105-a7), chapter three hundred forty-one-a one (341-a1), code, 1935, relating to the assessment of omitted property.

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

1 SECTION 1. Amend section seventy-one hundred five-a one (7105-
 2 a1), Code, 1935, by changing the words "board of assessment and
 3 review" to the words "tax commission" in line one (1) thereof.

4 Further amend said section by changing the word "board" to the
5 word "commission" in line four (4) thereof.

1 SEC. 2. Amend section seventy-one hundred five-a four (7105-a4),
2 Code, 1935, by changing the word "board" to the word "commission"
3 in line three (3) thereof.

1 SEC. 3. Amend section seventy-one hundred five-a five (7105-a5),
2 Code, 1935, by changing the word "board" to the word "commission"
3 in lines three (3) and four (4) thereof.

1 SEC. 4. Amend section seventy-one hundred five-a six (7105-a6),
2 Code, 1935, by changing the word "board" to the word "commission"
3 in line two (2) thereof.

1 SEC. 5. Amend section seventy-one hundred five-a seven (7105-a7),
2 Code, 1935, by changing the word "board" to the word "commission"
3 in lines three (3) and five (5) thereof.

1 SEC. 6. Wherever the words "board of assessment and review"
2 or the word "board", referring to the board of assessment and review,
3 appear in chapter three hundred forty-one-A one (341-A1), Code,
4 1935, and have not been specifically referred to in this act, the words
5 "board of assessment and review" are hereby changed to "tax com-
6 mission" and the word "board" is hereby changed to "commission",
7 and the code editor is hereby authorized to make said changes.

Approved April 12, 1939.

CHAPTER 203

LOCAL ASSESSORS

H. F. 523

AN ACT to amend sections seventy-one hundred twelve (7112) and seventy-one hundred nineteen (7119), chapter three hundred forty-two (342), code, 1935, relating to local assessors and assessment of property for taxation.

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

1 SECTION 1. Section seventy-one hundred twelve (7112), Code,
2 1935, is hereby amended by changing the words "board of assessment
3 and review" to "tax commission" in lines five (5) and six (6) thereof.

1 SEC. 2. Section seventy-one hundred nineteen (7119), Code, 1935,
2 is hereby amended by changing the words "board of review" to "tax
3 commission" in line two (2) thereof.

1 SEC. 3. Whenever the words "board of assessment and review"
2 or "board" or "state board of review" appear in chapter three hun-
3 dred forty-two (342), Code, 1935, and have not been specifically re-
4 ferred to in this act, the words "board of assessment and review" and
5 "state board of review" are hereby changed to read "tax commission"
6 and the code editor is hereby authorized to make said changes.

Approved April 12, 1939.

CHAPTER 204

COSTS ON APPEAL FROM BOARD OF REVIEW

H. F. 78

AN ACT to amend the law as it appears in section seventy-one hundred thirty-four (7134), code, 1935, relating to trials on appeals from the local board of review and the fixing of assessments and collection of court costs, fees and expenses on appeals from the local board of review, and the distribution thereof among the various taxing bodies affected by said appeals, and to provide that the city solicitor shall represent the local board of review, and that the other taxing bodies may appear by attorneys in such appeals.

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

1 SECTION 1. That section seventy-one hundred thirty-four (7134),
2 code, 1935, be amended by adding thereto the following:
3 "The clerk of the court shall likewise certify to the county treasurer
4 the costs assessed by the court on any appeal from a local board of
5 review to the district court, in all cases where said costs are taxed
6 against the local board of review or any taxing body. Thereupon the
7 county treasurer shall compute and apportion the said costs between
8 the various taxing bodies participating in the proceeds of the collec-
9 tion of the taxes involved in any such appeal, and said treasurer shall
10 so compute and apportion the various amounts which said taxing
11 bodies are required to pay in proportion to the amount of taxes each
12 of said taxing bodies is entitled to receive from the whole amount of
13 taxes involved in each of such appeals. The said county treasurer
14 shall deduct from the proceeds of all general taxes collected the amount
15 of costs so computed and apportioned by him from the moneys due
16 to each taxing body from general taxes collected. The amount so de-
17 ducted shall be certified to each taxing body in lieu of moneys collected.
18 Said county treasurer shall pay to the clerk of the district court the
19 amount of said costs so computed, apportioned and collected by him
20 in all cases now on file or hereafter filed in which said costs have not
21 been paid upon the date this act becomes effective, including all cases
22 in decree."

1 SEC. 2. The city solicitor shall represent the city assessor and
2 local board of review in all litigation dealing with the assessments
3 made by such city assessor. The county, school district or any other
4 taxing body interested in the taxes derived from such assessments
5 may be represented by an attorney and may be required to appear by
6 attorney upon written request of the city solicitor to the presiding
7 officer of any such taxing body.

Approved April 15, 1939.

CHAPTER 205
BOARDS OF REVIEW

H. F. 524

AN ACT to amend sections seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-nine (7139), seventy-one hundred forty (7140), seventy-one hundred forty-two (7142), and seventy-one hundred forty-three (7143), chapter three hundred forty-three (343), code, 1935, relating to boards of review.

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

1 SECTION 1. Section seventy-one hundred thirty-seven (7137), Code,
2 1935, is hereby amended by changing the word "board" to "commis-
3 sion" in line seven (7) thereof.

1 SEC. 2. Section seventy-one hundred thirty-nine (7139), Code,
2 1935, is hereby amended by changing the words "board of assessment
3 and review" to "commission" in lines three (3) and four (4) and by
4 changing the words "board of review" to "tax commission" in line
5 six (6), subsection four (4) thereof.

1 SEC. 3. Section seventy-one hundred forty (7140), Code, 1935, is
2 hereby amended by changing the words "board of assessment and re-
3 view" to "tax commission" in lines one (1) and two (2) thereof.

1 SEC. 4. Section seventy-one hundred forty-two (7142), Code, 1935,
2 is hereby amended by changing the words "board of assessment and
3 review" to "tax commission" in line two (2) thereof.

1 SEC. 5. Section seventy-one hundred forty-three (7143), Code,
2 1935, is hereby amended by changing the word "board" to "commis-
3 sion" in line two (2) thereof.

1 SEC. 6. Wherever the words "board of assessment and review" or
2 "board" or "state board of review" appear in chapter three hundred
3 forty-three (343), Code, 1935, and have not been specifically referred
4 to in this act, the words "board of assessment and review" and "board
5 of review" are hereby changed to read "tax commission" and the code
6 editor is hereby authorized to make changes.

Approved April 12, 1939.

CHAPTER 206

TAX LIST

H. F. 525

AN ACT to amend section seventy-one hundred forty-eight (7148), code, 1935, relating to the listing of property for taxation.

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

1 SECTION 1. Section seventy-one hundred forty-eight (7148), Code,
2 1935, is hereby amended by changing the words "board of assessment
3 and review" to "tax commission" in lines three (3) and four (4)
4 thereof.

Approved April 3, 1939.

CHAPTER 207
COUNTY TAX LEVIES
S. F. 37

AN ACT to amend section seven thousand one hundred seventy-one (7171), code, 1935, relative to annual levies.

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

1 SECTION 1. That section seven thousand one hundred seventy-one
2 (7171), Code, 1935, be amended by adding to sub-section two (2)
3 the following:

4 "In all counties where a levy of one and one-half (1½) mills on a
5 dollar of assessed valuation will not produce revenue sufficient to equal
6 the budget requirements against the general county fund of such
7 county, such county for the years 1939 and 1940 only is hereby auth-
8 orized to levy for ordinary county revenue a tax not in excess of three
9 (3) mills on a dollar of assessed valuation, or as much thereof as may
10 be required to meet said budget requirements. Before any such levy
11 is made in excess of one and one-half (1½) mills, a completely item-
12 ized statement of expenditures contemplated by such county shall be
13 submitted to the state comptroller for his approval, and no levy in
14 excess of one and one-half (1½) mills shall be made unless so ap-
15 proved by him, and unless the total tax levy for all county purposes
16 will not exceed the average tax levy for all county purposes for the
17 preceding two years."

18 The provisions of this act shall not be applicable to any county
19 having an assessed valuation of twenty-two million dollars (\$22,000,-
20 000.00) or more.

Approved April 18, 1939.

CHAPTER 208
TAX LEVIES
H. F. 526

AN ACT to amend sections seventy-one hundred seventy-one (7171), seventy-one hundred eighty-one (7181), seventy-one hundred eighty-two (7182), seventy-one hundred eighty-three (7183), seventy-one hundred eighty-three-a two (7183-a2), and seventy-one hundred eighty-three-a three (7183-a3), chapter three hundred forty-five (345), code, 1935, relating to tax levies and certification of taxes.

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

1 SECTION 1. Section seventy-one hundred seventy-one (7171), Code,
2 1935, is hereby amended by changing the words "board of assessment
3 and review" to "tax commission" in lines seven (7) and eight (8)
4 thereof.

1 SEC. 2. Section seventy-one hundred eighty-one (7181), Code,
2 1935, is hereby amended by changing the words "board of assessment
3 and review" to "tax commission" in lines eight (8) and nine (9) and
4 in lines ten (10) and eleven (11) thereof.

1 SEC. 3. Section seventy-one hundred eighty-two (7182), Code,
2 1935, is hereby amended by changing the words "board of assessment
3 and review" to "tax commission" in line two (2) thereof.

1 SEC. 4. Section seventy-one hundred eighty-three (7183), Code,
2 1935, is hereby amended by changing the words "board of assessment
3 and review" to "tax commission" in line two (2) thereof.

1 SEC. 5. Section seventy-one hundred eighty-three-a two (7183-a2),
2 Code, 1935, is hereby amended by changing the words "board of as-
3 sessment and review" to "tax commission" in line three (3) thereof.

1 SEC. 6. Section seventy-one hundred eighty-three-a three (7183-
2 a3), Code, 1935, is hereby amended by changing the words "board of
3 assessment and review" to "tax commission" in line one (1) and two
4 (2) thereof.

Approved April 3, 1939.

CHAPTER 209

LICENSING AND TAXING ITINERANT MERCHANTS

H. F. 155

AN ACT to define, regulate, license, and tax itinerant merchants; to provide for the administration and enforcement of this act by the motor vehicle department of the state and by peace officers and magistrates; to provide for the disposition of the revenues derived from said license fees and taxes; to require itinerant merchants to obtain and carry motor vehicle liability and property damage insurance, and bonds conditioned to pay damages for civil liability incurred and conditioned to pay taxes; to provide for exemptions from this act; to provide criminal penalties and civil liabilities for violation of this act; to provide for restraining by injunction violation of this act; and to provide that this act shall take effect upon publication.

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

1 SECTION 1. Definition of the included class.
2 (a) When used in this act:
3 (1) "Motor vehicle" shall have the same meaning as when used in
4 any statutes regulating the use and operation of motor vehicles; pro-
5 vided, that in this act the term shall always include as one vehicle a
6 tractor-semitrailer or tractor-trailer combination.
7 (2) "Highway" shall mean any thoroughfare defined by any statute
8 or ordinance as a public highway or street.
9 (3) "Person" shall mean a natural person, firm, partnership, asso-
10 ciation, corporation, trust, trustee, lessee, or receiver, as the context
11 may require, regardless of the gender of the pronoun used in conjunc-
12 tion therewith.
13 (4) "Department" shall mean the motor vehicle department of the
14 state.
15 (5) "Established place of business" shall mean any permanent ware-
16 house, building, or structure, at which a permanent business is carried
17 on throughout the year or usual production or marketing season in
18 good faith, and at which stocks of the property being transported are
19 produced, stored, or kept in quantities reasonably adequate for, and

20 usually carried for the requirements of such business, and which is
21 recognized as a permanent place of business. It shall not mean tents,
22 temporary stands or other temporary quarters.

23 (5a) "Insurance company" shall mean any insurance company,
24 insurance association, reciprocal or interinsurance exchange authorized
25 to do business in the state of Iowa.

26 (6) "Itinerant merchant" shall mean any person who transports
27 personal property for sale by him within this state, by use of a motor
28 vehicle, except as herein otherwise provided.

29 (b) The term "itinerant merchant" shall not mean or include the
30 following:

31 (1) A person using a motor vehicle operated by him or his agent,
32 for the transportation of milk, dairy products, grain, fruits, vegetables,
33 livestock, poultry, or other agricultural products, produced or fed by
34 him on a farm operated by him, including those instances in which an
35 entire crop or field is purchased from a producer, or any person using
36 a motor vehicle, for the transportation of newspapers, magazines, or
37 books.

38 (2) A person transporting property when such transportation is
39 incident to a business conducted by him at an established place of
40 business operated by him, either within or without this state, and when
41 said property is being transported to or from said established place of
42 business, and when the entire course of such transportation extends
43 not more than three hundred and fifty miles from said established
44 place of business; provided, however, that when the entire course of
45 said transportation is for the purpose of delivery of said property
46 subsequent to sale thereof said three hundred and fifty miles restriction
47 shall not apply.

48 (3) A person licensed under the provisions of sections 3148 or 3149,
49 of the Code, 1935.

50 (4) A person operating in the manner of an itinerant merchant
51 within a radius of fifty (50) miles from his residence, provided he has
52 secured a permit to be issued him without charge on application to the
53 county auditor or the department, said permit to set forth the city,
54 town or township of his residence and the Iowa motor vehicle license
55 number of the vehicle used by him. The permit shall be carried by
56 such operator at all times.

57 (5) A salesman selling manufactured articles produced by his em-
58 ployer who sells the same to retail dealers for the purpose of resale.

1 SEC. 2. No person shall engage in business or use any motor vehicle
2 in this state as an itinerant merchant, as defined and fixed in section
3 one (1) of this act, without complying with the act and without obtain-
4 ing from the department the license required by this act.

1 SEC. 3. An applicant for a license to engage in business as an itiner-
2 ant merchant shall be made to the department or county auditor upon
3 forms to be prepared by the department. A separate application and
4 license shall be required for each motor vehicle to be operated. In
5 addition to any other essential information required by the depart-
6 ment, said application shall state the following: Name and legal status
7 of the applicant; his business address; if a natural person his resi-
8 dence address; if not a natural person the names and business and
9 residence addresses of the principal and managing officers, agents or

10 partners; a general description of the business to be conducted and
11 the area in this state in which it will be conducted; an exact descrip-
12 tion of the motor vehicle to be used including the make, type, manufac-
13 turer's rated loading capacity, motor number, serial number, place
14 where registered, and registration or license number; such application
15 shall be sworn to.

16 Upon payment of the license fee as hereinafter determined, the de-
17 partment shall issue a license which shall entitle the applicant to be
18 an itinerant merchant. The fee shall be based upon the maximum
19 weight of the load which said merchant may transport at any one time
20 and shall be as follows: On not to exceed one thousand (1000) pounds
21 at one time, ten dollars (\$10.00); on not to exceed three thousand
22 (3000) pounds at one time, twenty-five dollars (\$25.00); on a load in
23 excess of three thousand (3000) pounds at one time, forty dollars
24 (\$40.00). Provided however that the license fee of an itinerant mer-
25 chant for transportation of property in a motor vehicle which is
26 licensed under Chapter 134, Acts of the Forty-seventh General Assem-
27 bly shall be the sum of two dollars (\$2.00) regardless of the weight of
28 the load. The fee shall be reduced twenty-five (25) per cent if the
29 license is obtained after March 31st and before July 1st in any year;
30 fifty (50) per cent if after June 30th and before October 1st; and
31 seventy-five (75) per cent if after September 30th. Each license
32 shall expire at the end of the calendar year.

1 SEC. 4. (a) **Insurance policies and bonds required.** No license
2 shall be issued by the department until the applicant shall have filed
3 with each application, and the same have been approved by the depart-
4 ment, an insurance policy and a bond issued by a company as herein
5 defined authorized to do business within the state of Iowa as follows:

6 (1) An indemnity bond in the penal sum of two hundred and fifty
7 dollars (\$250.00) for an itinerant merchant operating with more than
8 twenty-five hundred (2500) pounds actual load. Such bond shall be in
9 such form as may be prescribed by the department for the purpose of
10 protecting the public against fraud, conditioned upon the use of honest
11 weights, measures, and grades, if the commodities to be handled by
12 the itinerant merchant are those customarily sold by weight, measure
13 and grade; accurate representation as to quality or class of such com-
14 modities, and the actual payment of checks, drafts, debentures or other
15 securities delivered by such itinerant merchant in exchange for the
16 purchase of commodities to be handled by him. The surety on such
17 bond shall be a surety company authorized to engage in the surety
18 business in this state. In such bond the surety shall appoint the head
19 of motor vehicle department the agent of the surety for the service
20 of process in the event that personal service cannot be had upon it
21 within the state and shall designate the post office address to which
22 process against said surety in any suit on said bond may be sent or
23 served. Whenever the bond provided for in this section shall be ex-
24 hausted, the department shall forthwith cancel the license. Said license
25 so cancelled shall be renewed for the balance of the period for which
26 issued by filing an additional bond with corporate surety in like amount
27 conditioned as required in the previous bond.

28 Nothing in this section shall be construed to impose upon the surety
29 on any such bond a greater liability than the total amount thereof or

30 the amount remaining unextinguished by any prior recovery or re-
31 coveries as the case may be.

32 No suit or action against the surety on any such bond shall be
33 brought later than one year from the accrual of the cause of action
34 thereon.

35 (2) A liability insurance policy which shall bind the obligors to pay
36 damages for injuries to persons and damage to property resulting from
37 the negligent operation of the motor vehicle operated under authority
38 of the itinerant merchant's license, said policy or bond to be conditioned
39 to pay any sum up to five thousand dollars (\$5000.00) for personal
40 injury to or death of one individual, and up to ten thousand dollars
41 (\$10,000.00) for personal injuries or deaths resulting from any single
42 accident, and up to one thousand dollars (\$1000.00) for damage to
43 property in any single accident.

44 (b) Every insurance policy and bond filed with the department
45 under the provisions of this act shall contain an endorsement or provi-
46 sion that the same shall not be cancelled by the obligor, shall not expire,
47 and shall not become reduced in amount, until ten days after notice
48 thereof by registered United States mail has been sent to the depart-
49 ment. Upon receipt of such notice the department shall immediately
50 send the itinerant merchant at his last known address by registered
51 United States mail, return receipt requested, a notice advising him that
52 unless a new insurance policy or bond is filed prior to the time such can-
53 cellation, expiration or reduction becomes effective, the license of such
54 itinerant merchant shall be revoked at the time such cancellation, ex-
55 piration or reduction becomes effective. If a new policy or bond is not
56 filed in accordance with such notice the department must revoke said
57 license at said time.

58 (c) Any person having a cause of action against the itinerant mer-
59 chant arising out of the matters described in paragraph one (1) of
60 subsection (a) of this section may join said itinerant merchant and
61 the surety on his bond in the same action, or may sue said surety with-
62 out joining said itinerant merchant in the action if the itinerant mer-
63 chant is deceased or if it is impossible to obtain jurisdiction of his
64 person within the state.

1 SEC. 5. Before a license shall issue, the applicant shall sign and
2 file with the department an irrevocable power of attorney appointing
3 the department his agent to accept service of original notice, in the
4 event that personal service cannot be had upon the applicant in this
5 state, for all causes of action against him arising out of the conduct of
6 his business as an itinerant merchant and the operation of the motor
7 vehicle described in the application.

1 SEC. 6. Whenever service of original notice in any cause of action
2 described in section five (5) of this act cannot be made upon the itiner-
3 ant merchant and/or the bonding company within the state of Iowa,
4 such service may be made upon either or both by sending sufficient
5 copies of such original notice to the department by registered United
6 States mail. The department shall immediately upon receipt thereof
7 indorse upon each copy the date and hour received and shall file one
8 copy, whereupon service of said original notice shall be deemed to be
9 completed upon said itinerant merchant and/or said bonding company
10 as of the date of said filing. The department shall immediately send

11 one copy of said original notice to said itinerant merchant and/or one
12 copy to said bonding company at the last known address of each, return
13 receipt requested. The venue of any such action may be laid in any
14 county of this state in which said cause of action arose, or in any
15 other place authorized by law.

1 SEC. 7. Upon the approval of the application and upon compliance
2 with the terms of this act, the department shall issue to the applicant
3 a license as an itinerant merchant. Such license shall be numbered,
4 shall specifically describe the itinerant merchant and the motor vehicle
5 as they are described in the application, and shall at all times be carried
6 in the cab of the motor vehicle described and be subject to inspection
7 by any proper person. The department shall also issue to the itinerant
8 merchant a license plate containing the same number as the license,
9 of distinctive color and size, which shall at all times be displayed on
10 the rear of the motor vehicle described in the license.

1 SEC. 8. No license or license plate issued pursuant to this act may
2 be sold or transferred, and no license or license plate may be trans-
3 ferred from one vehicle to another.

1 SEC. 9. The department may revoke any license or permit issued
2 under the provisions of this act after proper hearing before it, by the
3 sending of due notice thereof by registered letter, to the itinerant mer-
4 chant at his last known address, return receipt requested, not less than
5 twenty days before the date of said hearing, for any of the following
6 causes:

7 (a) Failure to comply with the provisions of this act or to pay the
8 sales tax as provided by law or misrepresentation of the source, condi-
9 tion, quality, weight or measure of the products sold by the itinerant
10 merchant.

11 (b) If any judgment recovered against any itinerant merchant with
12 reference to the operation of his business remains unpaid for a period
13 of six months, provided such judgment be not stayed under a super-
14 sedeas bond upon appeal from such judgment.

15 The department shall give immediate notice of the revocation of any
16 license issued under the provisions of this act, to the surety or insur-
17 ance company issuing the bond or policy to the licensee as provided in
18 section four (4) hereof.

1 SEC. 10. The department shall make and enforce such rules for the
2 administration of this act as may be necessary and proper.

1 SEC. 11. All fees received by the department from the issuance of
2 licenses shall be deposited monthly with the treasurer of state.

1 SEC. 12. Nothing in this act shall be construed to repeal or amend
2 any statute delegating authority to any county or municipal corpora-
3 tion to license, tax, or regulate peddlers or itinerant merchants; pro-
4 vided that any person licensed under the provisions of this act shall not
5 be required to obtain the license required by section 7174 of the Code,
6 1935.

1 SEC. 13. Any person violating any provision of this act shall be
2 guilty of a misdemeanor, except as herein otherwise provided, and shall
3 upon conviction thereof be punished by a fine of not more than one

4 hundred dollars (\$100.00) or by imprisonment in the county jail not
5 exceeding thirty days.

1 SEC. 14. Any county attorney, may commence an action in any
2 court of competent jurisdiction, in the name of the state as plaintiff
3 on the relation of such county attorney, to enjoin any person from vio-
4 lating any of the provisions of this act. Such action may be main-
5 tained upon due showing that the defendant has violated any of the
6 provisions of this act.

1 SEC. 15. It is hereby declared the intention of the legislature that
2 no section, paragraph, sentence, clause, phrase, or word of this act is
3 an inducement to the enactment of any other part or portion of the
4 same; and if any part or portion of this act should be held by any court
5 of competent jurisdiction to be unconstitutional, such decision shall
6 not affect the validity of the remainder of this act.

1 SEC. 16. This act, being deemed of immediate importance, shall
2 become effective from and after May 15, 1939, after its previous pub-
3 lication in the Waterloo Daily Courier, a newspaper published at Wa-
4 terloo, Iowa, and in the Cedar Falls Record, a newspaper published at
5 Cedar Falls, Iowa.

Approved May 16, 1939.

I hereby certify that the foregoing act was published in the Waterloo Daily Courier,
May 18, 1939, and the Cedar Falls Record, May 20, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 210

TAX SALE CERTIFICATES

H. F. 317

AN ACT to amend section seventy-two hundred sixty-five (7265), code, 1935, relating to
assignments and compromise of certificates of purchase by the board of supervisors.

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

1 SECTION 1. Section seventy-two hundred sixty-five (7265), Code,
2 1935, is hereby amended by inserting after the period in line ten (10)
3 the following:

4 When the county acquires a certificate of purchase and has the same
5 in its possession for one year, or more, the board of supervisors may
6 compromise and assign the said certificate of purchase, with the writ-
7 ten approval of all tax-levying and tax certifying bodies having any
8 interest in said general taxes. All money received from assignment of
9 said certificates shall be apportioned to the tax-levying and certifying
10 bodies in proportion to their interests in the taxes for which said
11 real estate was sold.

Approved April 15, 1939.

CHAPTER 211
TAX REDEMPTION

S. F. 366

AN ACT to amend chapter three hundred forty-eight (348), code, 1935, by adding certain sections and to provide for the payment of certain taxes in installments upon the filing of an agreement with the county auditor where property has been sold to the county and not assigned by said county and on which a tax deed has not been issued to said county; and to provide for the suspension of the running of the limitation imposed by section seventy-two hundred seventy-one (7271), code, 1935, on any tax sale certificate effected by any such agreement, and to legalize the assignment of any tax sale certificate heretofore made by any county for the full amount of the purchase price of such tax sale certificate at the time of said sale.

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

1 Amend chapter three hundred forty-eight (348), code, 1935, by add-
2 ing the following sections:

1 SECTION 1. Delinquent taxes upon any parcel of real estate which,
2 prior to the adoption of this act, have been bid in for and held by the
3 county and not assigned by it and on which a tax deed has not been
4 issued to said county, including subsequent taxes added to the tax
5 sale record in the office of the county auditor, may be composed into
6 one item or amount for the entire amount of all such taxes and costs,
7 excluding penalties and interest, as hereinafter provided.

8 The owner of any such property sold to the county and not assigned
9 by it and on which a tax deed has not been issued to said county, or any
10 person to whom the right to pay taxes has been given by statute, mort-
11 gage or other agreement, may upon paying all delinquent installments
12 of special assessments make and file with the county auditor of the
13 county wherein said property is located within six (6) months from
14 the effective date of this act, a written offer to pay the current taxes
15 subsequently maturing installments of special assessments, if any each
16 year before they become delinquent, and to pay the amount of all
17 such delinquent general taxes and costs included in said sale, including
18 all subsequent taxes added effecting the particular property sold ap-
19 pearing on the tax sale record in the office of the county auditor, but
20 excluding penalties and interest, as certified by the county auditor,
21 and shall thereby waive all irregularities in connection with the tax
22 proceedings effecting such property and any defense or objection
23 which he may have thereto, and shall thereby waive the requirement
24 of any notice of default in the payment of any installment or interest
25 to become due, and shall tender therewith one-tenth (1/10) of the
26 amount of all such delinquent taxes and costs, and agree therein to
27 pay the balance in nine (9) equal annual installments, with interest
28 at the rate of six per cent (6%) per annum payable annually, on the
29 installments unpaid from time to time, on or before the anniversary
30 date of such agreement, which offer shall be substantially as follows:

31 "To the county auditor of.....county: I,.....
32 owner of the following described real estate situated in.....
33 county, Iowa, to-wit:

34upon which there are delin-
35 quent taxes for the year..... and prior years, which said taxes
36 have been bid in by the county and not assigned by it and on which a
37 tax deed has not been issued to said county, including subsequent

38 taxes added to the tax sale record by the county auditor, as follows:
 39 (here insert year or years of delinquency and the total amount of
 40 delinquent taxes and costs, exclusive of penalties and interest); do
 41 hereby offer to pay the sum of \$..... including taxes for the
 42 year....., which on the.....day of.....month in.....,
 43 was sold to the county for taxes for prior years, and including sub-
 44 sequent taxes for the year..... added to the tax sale records, and
 45 hereby waive all irregularities in the tax proceedings effecting such
 46 taxes and any defense or objections which I may have thereto and do
 47 hereby tender the sum of \$....., being one-ten (1/10) of the
 48 amount of said taxes and costs.

49 I agree to pay the balance of said principal amount in nine (9) equal
 50 annual installments, with interest at the rate of six per cent (6%)
 51 per annum from date of filing of said agreement, payable annually, on
 52 the installments remaining unpaid from time to time, said install-
 53 ments and interest to be paid on or before the respective anniversary
 54 dates of said agreement and current taxes together with subsequent-
 55 ly maturing installments of special assessments, if any each year be-
 56 fore they become delinquent, all installment payments to be made to
 57 the county auditor.

58 Dated this..... in

59 day month year

60 (Signature)"

61 At the time of filing such offer he shall pay any subsequent delin-
 62 quent taxes not already entered on the tax sale record in the office
 63 of the county auditor, with accrued interest, penalties and costs, and
 64 current taxes due, but not delinquent.

1 SEC. 2. Upon the filing of said agreement, all the accrued penalties
 2 and interest on the taxes embraced within said agreement shall be
 3 waived and further proceedings shall be suspended as long as no de-
 4 fault exists. Upon the payment in full of the amounts required to
 5 be paid under the said agreement, the county auditor shall issue the
 6 certificate of redemption provided for in section seventy-two hundred
 7 seventy-six (7276), code, 1935.

1 SEC. 3. The county auditor's receipt issued for payment of a de-
 2 ferred installment, as herein provided for, shall not read for any
 3 specific year's taxes, but shall read for partial or full release of said
 4 agreement as the case may be and shall show the year that such agree-
 5 ment was entered into.

1 SEC. 4. In the event of default occurring in the payments to be
 2 made, under any agreement entered pursuant hereto, the penalties and
 3 interest waived under the terms of section two (2) of this act shall
 4 be reinstated and the lands described in such agreement shall there-
 5 upon be subject to such action as might have been had thereon before
 6 the filing of said agreement, and if payment of the installment due is
 7 not made within sixty (60) days after default, the county auditor
 8 shall forthwith serve notice of the termination of the right of redemp-
 9 tion.

1 SEC. 5. The filing of an agreement as described in section one (1)
 2 of this act shall suspend the running of the limitation imposed by

3 section seventy-two hundred seventy-one (7271), code, 1935, as to the
4 particular tax sales certificate involved in said agreement and such
5 suspension shall continue so long as no default exists in the payments
6 set forth in said agreement. Where payments are made during the
7 sixty (60) day grace period provided for in section four (4) of this
8 act, such a delinquency shall not be deemed a default within the terms
9 of this section.

1 SEC. 6. In event that the owner or owners fail to enter into a con-
2 tract with the county as herein provided within six (6) months fol-
3 lowing the effective date of this act, or if said owner or owners shall
4 fail to pay any installment or installments provided for in any con-
5 tract entered into with the county under the provisions hereof, the
6 county at any time after the expiration of ninety (90) days after the
7 service of notice of the termination of the right of redemption as pro-
8 vided herein may sell for cash and assign such certificate of sale for
9 not less than the full amount of the purchase price of such certificate.
10 Any assignment of a tax sale certificate heretofore made by any county
11 for the full amount of the purchase price of such tax certificate at the
12 time of the sale is hereby legalized and is hereby declared to be valid
13 and a legal transfer.

1 SEC. 7. In the event that the owner of any such property or any
2 person to whom the right to pay taxes has been given by statute, mort-
3 gage or other agreement do not exercise the right given them in sec-
4 tion one (1) of this act to make and file a written offer and agreement
5 as in said section one (1) provided and within six (6) months from
6 the effective date of this act, then in such case, any holder of any spe-
7 cial assessment certificate against any such property shall have the
8 right and be entitled to purchase from the county to which such
9 property has been sold and not assigned by it and on which a tax deed
10 has not been issued to said county, the tax sale certificate thereunder,
11 by payment in cash to county auditor, wherein said real property is
12 located, the amount of all delinquent general taxes and costs included
13 in said sale, including all subsequent taxes added effecting the par-
14 ticular property sold appearing on the tax sale record in the office of
15 said county auditor, but excluding penalties and interest, and upon
16 the payment of such amount said tax sale certificate shall be assigned
17 by said county to such holder of said special assessment certificate,
18 the right herein given to such holders of special assessment certifi-
19 cates shall terminate after nine (9) months from the effective date
20 of this act.

1 SEC. 8. This act being deemed of immediate importance shall be in
2 full force and effect after its passage and publication in the Union
3 Tribune, a newspaper published at Russell, Iowa, and in the Allerton
4 News, a newspaper published at Allerton, Iowa.

Approved April 15, 1939.

I hereby certify that the foregoing act was published in the Union Tribune, Russell,
Iowa, April 27, 1939, and the Allerton News, Allerton, Iowa, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 212

TAX SALE REDEMPTION

S. F. 133

AN ACT to amend section seven thousand two hundred seventy-nine (7279) and section seven thousand two hundred eighty (7280), code of Iowa, 1935, relating to notice of expiration of right of redemption from tax sale and providing for service of such notice on mortgages and record holders of mortgages, and on the state of Iowa in case of an old age assistance lien.

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

1 SECTION 1. Section seven thousand two hundred seventy-nine
2 (7279), Code, 1935, is amended as follows:

3 1. By inserting after the period at the end of said Section, the fol-
4 lowing: "Service of such notice shall also be made by registered mail
5 on any mortgagee, or his assignee, of record, whether resident or non-
6 resident of the County, if his address is disclosed by the recorded in-
7 strument or by a certificate showing the address of the mortgagee or
8 assignee duly filed with the recorder, or the state of Iowa in case of
9 an old age assistance lien by service upon the superintendent of the
10 division of old age assistance."

1 SEC. 2. Section seven thousand two hundred eighty (7280), Code,
2 1935, is repealed and the following enacted in lieu thereof:

3 "Service may be made upon non-residents of the county, except
4 mortgagees or their assignees of record, by publishing the same once
5 each week, for three (3) consecutive weeks, in some newspaper in said
6 county, or by personal service thereof elsewhere in the same manner
7 as original notices may be served."

Approved April 26, 1939.

CHAPTER 213

TAX SALES AND DEEDS

S. F. 124

AN ACT to amend section seven thousand one hundred ninety-three (7193), code of Iowa, 1935, as to the lien of taxes when the tax sale is held under section seven thousand two hundred fifty-nine (7259) or section seven thousand two hundred sixty-two (7262), both of the code of Iowa, 1935, and to amend section seven thousand two hundred ninety-five (7295), code of Iowa, 1935, as to the time in which certain actions can be brought as to tax sales and deeds.

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

1 SECTION 1. Section seven thousand two hundred ninety-five
2 (7295), Code of Iowa, 1935, is amended by adding thereto the follow-
3 ing:

4 "From and after November 1, 1939, no action shall be brought or
5 defense made attacking the validity of a tax sale or a deed issued pur-
6 suant thereto which said tax sale was held prior to January 1, 1936,
7 and in accordance with section seven thousand two hundred fifty-nine
8 (7259), or section seven thousand two hundred sixty-two (7262), both

9 of the Code of Iowa, 1935, on the grounds of the failure of the County
 10 Treasurer to comply with section seven thousand one hundred ninety-
 11 three (7193) or section seven thousand two hundred fifty-nine (7259),
 12 both of the Code of Iowa, 1935, unless the owner thereof was at the
 13 time of the said sale of a minor, insane person or convict in the pen-
 14 itentiary; in which case such action must be brought within six
 15 months after such disability is removed. Provided, however, that
 16 nothing herein contained shall be applicable to actions brought or
 17 defenses made by a holder of a special assessment, if the same con-
 18 tinues to remain a lien notwithstanding a tax deed now or hereafter
 19 issued pursuant to such tax sale.

1 SEC. 2. Section seven thousand one hundred ninety-three (7193),
 2 Code of Iowa, 1935, is hereby amended by adding thereto the follow-
 3 ing:

4 "Nothing contained in this section shall be held to require that in
 5 order to preserve the lien of such tax and make such tax sale valid,
 6 delinquent taxes must be brought forward upon the current tax list
 7 if said tax list is received by the County Treasurer less than six (6)
 8 months preceding the date of conducting the said tax sale as pro-
 9 vided in section seven thousand two hundred fifty-nine (7259) or sec-
 10 tion seven thousand two hundred sixty-two (7262), both of the Code of
 11 Iowa, 1935."

1 SEC. 3. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its passage and publication in the
 3 Oskaloosa Tribune, a newspaper published at Oskaloosa, Iowa, and
 4 in the Iowa Bystander, a newspaper published at Des Moines, Iowa.

Approved April 10, 1939.

I hereby certify that the foregoing act was published in the Oskaloosa Tribune, Oskaloosa, Iowa, April 14, 1939, and the Iowa Bystander, Des Moines, Iowa, April 13, 1939.
 EARL G. MILLER, *Secretary of State.*

CHAPTER 214

INHERITANCE TAX

H. F. 527

AN ACT to amend sections seventy-three hundred five (7305), seventy-three hundred ten (7310), seventy-three hundred seventeen (7317), seventy-three hundred twenty (7320), seventy-three hundred twenty-one (7321), seventy-three hundred twenty-five (7325), seventy-three hundred twenty-six (7326), seventy-three hundred twenty-seven (7327), seventy-three hundred thirty-two (7332), seventy-three hundred thirty-three (7333), seventy-three hundred thirty-five (7335), seventy-three hundred thirty-seven (7337), seventy-three hundred thirty-eight (7338), seventy-three hundred forty-three (7343), seventy-three hundred forty-six (7346), seventy-three hundred forty-seven (7347), seventy-three hundred fifty-two (7352), seventy-three hundred fifty-four (7354), seventy-three hundred fifty-five (7355), seventy-three hundred fifty-eight (7358), seventy-three hundred fifty-nine (7359), seventy-three hundred sixty (7360), seventy-three hundred sixty-two (7362), seventy-three hundred sixty-three (7363), seventy-three hundred sixty-five (7365), seventy-three hundred sixty-seven (7367), seventy-three hundred sixty-eight (7368), seventy-three hundred sixty-nine (7369), seventy-three hundred seventy (7370), seventy-three hundred seventy-one (7371), seventy-three hundred seventy-two (7372), seventy-three hundred seventy-three (7373), seventy-

three hundred seventy-four (7374), seventy-three hundred seventy-five (7375), seventy-three hundred seventy-six (7376), seventy-three hundred seventy-nine (7379), seventy-three hundred eighty-one (7381), seventy-three hundred eighty-four (7384), seventy-three hundred eighty-five (7385), seventy-three hundred eighty-six (7386), seventy-three hundred eighty-seven (7387), seventy-three hundred eighty-eight (7388), seventy-three hundred eighty-nine (7389), seventy-three hundred ninety (7390), seventy-three hundred ninety-one (7391), seventy-three hundred ninety-two (7392), seventy-three hundred ninety-four (7394), seventy-three hundred ninety-five (7395), seventy-three hundred ninety-six (7396), chapter three hundred fifty-one (351), code, 1935, relating to inheritance tax and the collection thereof.

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

1 SECTION 1. Amend section seventy-three hundred five (7305),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line seven (7) thereof.

1 SEC. 2. Amend section seventy-three hundred ten (7310), Code,
2 1935, by changing the words "treasurer of state" to the words "state
3 tax commission" in lines four (4) and seven (7), and by changing
4 the word "treasurer" to the word "commission" in line nine (9) there-
5 of.

1 SEC. 3. Amend section seventy-three hundred seventeen (7317),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines thirty-five (35), forty-nine (49) and
4 fifty (50) thereof, and by changing the word "treasurer" to "com-
5 mission" in line forty-three (43) thereof.

1 SEC. 4. Amend section seventy-three hundred twenty (7320),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines one (1) and two (2) thereof.

1 SEC. 5. Amend section seventy-three hundred twenty-one (7321),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in the line eight (8) thereof.

1 SEC. 6. Amend section seventy-three hundred twenty-five (7325),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line two (2), by changing the word "his"
4 to the word "its" in line three (3), and by changing "him" to "it" in
5 line four (4) thereof.

1 SEC. 7. Amend section seventy-three hundred twenty-six (7326),
2 Code, 1935, by changing the word "He" to the word "It" in line one
3 (1) thereof.

1 SEC. 8. Amend section seventy-three hundred twenty-seven
2 (7327), Code, 1935, by changing the words "treasurer of state" to
3 the words "state tax commission" in lines six (6) and seven (7) there-
4 of.

1 SEC. 9. Amend section seventy-three hundred thirty-two (7332),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line five (5) thereof.

1 SEC. 10. Amend section seventy-three hundred thirty-three (7333),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line six (6) thereof.

1 SEC. 11. Amend section seventy-three hundred thirty-five (7335),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line one (1) thereof.

1 SEC. 12. Amend section seventy-three hundred thirty-seven
2 (7337), Code, 1935, by changing the words "treasurer of state" to
3 the words "state tax commission" in lines one (1) and two (2) thereof.

1 SEC. 13. Amend section seventy-three hundred thirty-eight (7338),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line two (2) thereof.

1 SEC. 14. Amend section seventy-three hundred forty-three (7343),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line twelve (12) thereof.

1 SEC. 15. Amend section seventy-three hundred forty-six (7346),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines five (5) and thirteen (13) thereof.

1 SEC. 16. Amend section seventy-three hundred forty-seven (7347),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines nine (9) and ten (10) thereof.

1 SEC. 17. Amend section seventy-three hundred fifty-two (7352),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line thirteen (13) thereof.

1 SEC. 18. Amend section seventy-three hundred fifty-four (7354),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line three (3) thereof.

1 SEC. 19. Amend section seventy-three hundred fifty-five (7355),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line five (5) thereof.

1 SEC. 20. Amend section seventy-three hundred fifty-eight (7358),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines six (6) and eleven (11) thereof.

1 SEC. 21. Amend section seventy-three hundred fifty-nine (7359),
2 Code, 1935, by changing the words "state treasurer" to the words
3 "state tax commission" in line two (2) thereof.

1 SEC. 22. Amend section seventy-three hundred sixty (7360),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines one (1) and two (2) thereof, and the
4 word "his" to "its" in line two (2) thereof.

1 SEC. 23. Amend section seventy-three hundred sixty-two (7362),
2 Code, 1935, by changing the words "treasurer of state" to "state tax
3 commission" in line seven (7) thereof.

1 SEC. 24. Amend section seventy-three hundred sixty-three (7363),
2 Code, 1935, by changing the words "treasurer of state" to "state tax
3 commission" in line ten (10) thereof.

1 SEC. 25. Amend section seventy-three hundred sixty-five (7365),
2 Code, 1935, by changing the words "treasurer of state" to the words

3 "state tax commission" in line two (2), and changing the word "his"
4 to the word "its" in line two (2) thereof.

1 SEC. 26. Amend section seventy-three hundred sixty-seven (7367),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines five (5) and six (6), and lines nine
4 (9) and ten (10) thereof.

5 Further amend said section by inserting after the word "his" in
6 line ten (10) the words "or its".

1 SEC. 27. Amend section seventy-three hundred sixty-eight (7368),
2 Code, 1935, by changing the words "treasurer of state" to "state tax
3 commission" in line three (3) thereof.

1 SEC. 28. Amend section seventy-three hundred sixty-nine (7369),
2 Code, 1935, by changing the words "treasurer of state" to "state tax
3 commission" in lines one (1) and two (2) thereof.

1 SEC. 29. Amend section seventy-three hundred seventy (7370),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line two (2) thereof.

1 SEC. 30. Amend section seventy-three hundred seventy-one (7371),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines one (1) and two (2) and line twenty
4 (20), and by changing the word "he" to the word "it" in lines three
5 (3) and six (6), and the word "have" to the word "has" in line four
6 (4), and by changing the word "him" to the word "it" in lines eleven
7 (11) and twelve (12) thereof.

1 SEC. 31. Amend section seventy-three hundred seventy-two (7372),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line two (2), and the word "him" to the
4 word "it" in line seven (7) thereof.

1 SEC. 32. Amend section seventy-three hundred seventy-three
2 (7373), Code, 1935, by changing the words "treasurer of state" to the
3 words "state tax commission" in line two (2), and the word "him"
4 to the word "it" in lines five (5) and six (6) thereof.

1 SEC. 33. Amend section seventy-three hundred seventy-four
2 (7374), Code, 1935, by changing the words "treasurer of state" to
3 the words "state tax commission" in lines two (2), six (6) and seven
4 (7) and eight (8) thereof.

1 SEC. 34. Amend section seventy-three hundred seventy-five (7375),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines two (2) and six (6) thereof.

1 SEC. 35. Amend section seventy-three hundred seventy-six (7376),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines two (2) and three (3) and line twelve
4 (12), and the word "treasurer" to the word "commission" in line
5 eight (8), and the word "he" to the word "it" in line ten (10) thereof.

1 SEC. 36. Amend section seventy-three hundred seventy-nine
2 (7379), Code, 1935, by changing the words "treasurer of state" to

3 the words "state tax commission" in lines six (6) and seven (7)
4 thereof.

1 SEC. 37. Amend section seventy-three hundred eighty-one (7381),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines twenty-three (23) and twenty-four
4 (24) thereof.

1 SEC. 38. Amend section seventy-three hundred eighty-four (7384),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line three (3), and the word "he" to the
4 word "it" in line three (3), and the word "his" to the word "its" in
5 line four (4) thereof.

1 SEC. 39. Amend section seventy-three hundred eighty-five (7385),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line eight (8) thereof.

1 SEC. 40. Amend section seventy-three hundred eighty-six (7386),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines four (4) and eight (8) thereof.

1 SEC. 41. Amend section seventy-three hundred eighty-seven
2 (7387), Code, 1935, by changing the words "treasurer of state" to
3 the words "state tax commission" in lines fifteen (15) and sixteen
4 (16) and line thirty-two (32) thereof.

1 SEC. 42. Amend section seventy-three hundred eighty-eight
2 (7388), Code, 1935, by changing the words "treasurer of state" to the
3 words "state tax commission" in line fourteen (14) thereof.

1 SEC. 43. Amend section seventy-three hundred eighty-nine (7389),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines ten (10) and eleven (11) and in line
4 fifteen (15) thereof, and changing the word "him" to "it" in line
5 eleven (11) thereof.

1 SEC. 44. Amend section seventy-three hundred ninety (7390),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines six (6) and seven (7) and in line
4 eleven (11) thereof.

1 SEC. 45. Amend section seventy-three hundred ninety-one (7391),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in lines four (4), twenty-eight (28) and
4 twenty-nine (29) thereof.

1 SEC. 46. Amend section seventy-three hundred ninety-two (7392),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line eleven (11) thereof.

1 SEC. 47. Amend section seventy-three hundred ninety-four (7394),
2 Code, 1935, by changing the words "treasurer of state" to the words
3 "state tax commission" in line seven (7) thereof.

1 SEC. 48. Amend section seventy-three hundred ninety-five (7395),
2 Code, 1935, by changing the word "treasurer" to "commission" in line
3 six (6) thereof.

1 Sec. 49. Amend section seventy-three hundred ninety-six (7396),
 2 Code, 1935, by changing the words "treasurer of state" to the words
 3 "state tax commission" in lines eight (8) and twenty-one (21) thereof.
 4 Further amend said section by changing the words "executive
 5 council" to the words "tax commission" in lines fourteen (14) and
 6 fifteen (15) thereof.

1 SEC. 50. Wherever the words "treasurer of state" or the word
 2 "treasurer" appear in chapter three hundred fifty-one (351), Code,
 3 1935, and have not been specifically referred to in this act, the words
 4 "treasurer of state" are hereby changed to the words "state tax
 5 commission", and the word "treasurer" is hereby changed to "com-
 6 mission"; also, wherever the words "him" or "he" appear in said
 7 chapter and have not been specifically referred to in this act, and
 8 which words refer to the treasurer of state, said words are hereby
 9 changed to the word "it", and the code editor is hereby authorized
 10 to make said changes.

Approved April 12, 1939.

CHAPTER 215

IOWA ESTATE TAX

H. F. 528

AN ACT to amend sections seventy-three hundred ninety-seven-c five (7397-c5), seventy-three hundred ninety-seven-c six (7397-c6), seventy-three hundred ninety-seven-c nine (7397-c9), seventy-three hundred ninety-seven-c eleven (7397-c11), and seventy-three hundred ninety-seven-c twelve (7397-c12), chapter three hundred fifty-one-C one (351-C1), code, 1935, relating to Iowa estate tax and the collection thereof.

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

1 SECTION 1. Amend section seventy-three hundred ninety-seven-c
 2 five (7397-c5), Code, 1935, by changing the word "treasurer" to the
 3 words "tax commission" in line four (4) thereof.

1 SEC. 2. Amend section seventy-three hundred ninety-seven-c six
 2 (7397-c6), Code, 1935, by changing the word "treasurer" to the words
 3 "tax commission" in line three (3) thereof.

1 SEC. 3. Amend section seventy-three hundred ninety-seven-c nine
 2 (7397-c9), Code, 1935, by changing the word "treasurer" to the words
 3 "tax commission" in lines four (4) and thirteen (13) thereof.

1 SEC. 4. Amend section seventy-three hundred ninety-seven-c eleven
 2 (7397-c11), Code, 1935, by changing the word "treasurer" to the words
 3 "tax commission" in lines eight (8), ten (10) and eleven (11) thereof.

1 SEC. 5. Amend section seventy-three hundred ninety-seven-c
 2 twelve (7397-c12), Code, 1935, by changing the word "treasurer" to
 3 "tax commission" in line nine (9) thereof.

Approved April 3, 1939.

CHAPTER 216

DEPOSIT OF FUNDS

S. F. 67

AN ACT to amend sections seven thousand four hundred twenty-d one (7420-d1) and seven thousand four hundred twenty-d eight (7420-d8), code of Iowa, 1935, relating to deposits.

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

1 SECTION 1. Section seven thousand four hundred twenty-d one
2 (7420-d1), Code, 1935, is amended by striking from line seven (7) the
3 word "public".

4 Section seven thousand four hundred twenty-d eight (7420-d8),
5 Code, 1935, is amended by striking from line three (3) the word
6 "public".

1 SEC. 2. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its publication in the Fairfield
3 Daily Ledger, a newspaper published at Fairfield, Iowa, and in the Van
4 Buren Record, a newspaper published at Bonaparte, Iowa.

Approved April 4, 1939.

I hereby certify that the foregoing act was published in the Danbury Review, Danbury, Iowa, April 20, 1939, upon the refusal of the Fairfield Daily Ledger to make publication* and the Van Buren Record, Bonaparte, Iowa, April 13, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 217

DRAINAGE

S. F. 470

AN ACT to amend sections seven thousand six hundred forty-three (7643), seven thousand six hundred forty-six (7646), seven thousand seven hundred fourteen-f three (7714-f3), seven thousand seven hundred fourteen-f five (7714-f5), and seven thousand seven hundred twenty-one (7721), code, 1935, relating to drainage.

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

1 SECTION 1. Section seven thousand six hundred forty-three (7643),
2 Code, 1935, is amended by striking from line two thereof the word
3 "classifying" and inserting in lieu thereof the words "classification
4 of".

1 SEC. 2. Section seven thousand six hundred forty-six (7646), Code,
2 1935, is amended by inserting after the words "of the" at the begin-
3 ning of the fourth line thereof the words "fund of the".

1 SEC. 3. Section seven thousand seven hundred fourteen-f three
2 (7714-f3), Code, 1935, is amended by striking the comma after the
3 word "presented" in line seventeen thereof.

1 SEC. 4. Section seven thousand seven hundred fourteen-f five
2 (7714-f5), Code, 1935, is amended by striking from line ten thereof the

*Note: Designated under section 55 of the code.

3 semicolon following the word "office" and inserting in lieu thereof a
 4 comma and the word "upon"; by adding after the word "and" in line
 5 twelve, the word "upon"; by striking the word "to" in line fourteen
 6 thereof and inserting in lieu thereof the word "upon"; by striking the
 7 word "to" in line fifteen thereof; and by inserting immediately before
 8 the word "shall" in line twenty-five thereof the word "it".

1 SEC. 5. Section seven thousand seven hundred twenty-one (7721),
 2 Code, 1935, is amended by striking from line twelve thereof the word
 3 "or" immediately following the word "property" and inserting in lieu
 4 thereof the word "for".

Approved April 24, 1939.

CHAPTER 218

BOARD OF RAILROAD COMMISSIONERS

H. F. 247

AN ACT to amend chapter three hundred sixty-eight (368) of the code, 1935, relating to authority of the Iowa State Commerce Commission to order removal or alteration of lights used for illuminating purposes which interfere with observation of railroad signals.

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

1 SECTION 1. Chapter three hundred sixty-eight (368) of the Code,
 2 1935, is amended by inserting a new section immediately following
 3 section seventy-eight hundred seventy-four (7874), as follows:
 4 "7874-i1. The board is hereby vested with authority to order the
 5 removal or alteration of any lights erected for illuminating purposes,
 6 whether on public or private property, when such lights interfere with
 7 the easy observation of railroad signals by those engaged in the opera-
 8 tion of railroad trains or equipment."

Approved April 20, 1939.

CHAPTER 219

RAILROADS

H. F. 95

AN ACT to amend section seventy-nine hundred seventy-two (7972), code, 1935, relating to the construction and equipment of cabooses.

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

1 SECTION 1. Section seventy-nine hundred seventy-two (7972),
 2 Code, 1935, is hereby amended by inserting in line twenty (20) after
 3 the word "cupola" the following: "or side bay windows".

Approved February 20, 1939.

CHAPTER 220

IOWA STATE COMMERCE COMMISSION

S. F. 378

AN ACT to amend chapter three hundred eighty-three (383), code 1935, relating to the change in name of the board of railroad commissioners to Iowa State Commerce Commission.

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

1 SECTION 1. Chapter three hundred eighty-three (383), Code, 1935,
2 is hereby amended by inserting the words, "or commission" after the
3 word "board" in every case where said word occurs in sections eighty-
4 three hundred twelve (8312), lines two (2) and seventeen (17); eighty-
5 three hundred thirteen (8313), lines seven (7), eight (8), and eleven
6 (11); eighty-three hundred fourteen (8314), line ten (10); eighty-
7 three hundred seventeen (8317), line twelve (12); eighty-three hun-
8 dred eighteen (8318), lines one (1) and eight (8); eighty-three hun-
9 dred twenty (8320), line five (5); eighty-three hundred twenty-two
10 (8322), line six (6); eighty-three hundred twenty-nine (8329), line
11 five (5); and eighty-three hundred thirty (8330), line seven (7), all
12 of said chapter.

Approved March 27, 1939.

CHAPTER 221

COMMISSIONER OF INSURANCE

S. F. 445

AN ACT to amend chapters three hundred ninety-two (392), three hundred ninety-three-C one (393-C1), and three hundred ninety-three-E one (393-E1), and section eighty-six hundred five (8605), all of the code, 1935, and chapters two hundred eight (208) and two hundred nine (209), acts of the Forty-seventh General Assembly so as (1) to transfer to the commissioner of insurance the duties heretofore conferred upon the auditor of state in the administration and enforcement of said chapter three hundred ninety-two (392), relating to "sale of stock on installment plan"; (2) to transfer to the commissioner of insurance the duties heretofore conferred upon the secretary of state in the administration and enforcement of said chapter three hundred ninety-three-C one (393-C1), relating to the "Iowa securities act;" (3) to transfer to the commissioner of insurance the duties heretofore conferred upon the secretary of state in the administration and enforcement of said chapter three hundred ninety-three-E one (393-E1), relating to "membership sales"; and (4) to provide the method for the removal of the commissioner of insurance.

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

1 SECTION 1. Section eighty-five hundred eighty-one-c four (8581-
2 c4), Code, 1935, is amended by striking from line thirty-five (35)
3 thereof the words "secretary of state" and by inserting in lieu thereof
4 "head of the securities department".

1 SEC. 2. Except as provided in the preceding section, Chapter three
2 hundred ninety-three-C one (393-C1), Code, 1935, is amended by strik-
3 ing the words "secretary of state" wherever they appear in said chap-
4 ter, and by inserting in lieu thereof the words "commissioner of in-
5 surance".

1 SEC. 3. Section eighty-five hundred eighty-one-c two (8581-c2),
2 Code, 1935, is amended by striking from said section all following the
3 period (.) in line twenty-four (24) thereof.

1 SEC. 4. Chapter two hundred eight (208), Acts of the Forty-sev-
2 enth General Assembly is amended by striking therefrom the words
3 "secretary of state" and by inserting in lieu thereof the words "com-
4 missioner of insurance".

1 SEC. 5. Chapter two hundred nine (209), Acts of the Forty-seventh
2 General Assembly is amended by striking therefrom the words "secre-
3 tary of state" and by inserting in lieu thereof the words "commissioner
4 of insurance".

1 SEC. 6. Chapter three hundred ninety-two (392), Code, 1935, is
2 amended by striking wherever they appear in said chapter the words
3 "auditor of state" and by inserting in lieu thereof the words "commis-
4 sioner of insurance".

1 SEC. 7. Chapter three hundred ninety-three-E one (393-E1), Code,
2 1935, is amended by striking wherever they appear in said chapter the
3 words "secretary of state" and by inserting in lieu thereof the words
4 "commissioner of insurance".

1 SEC. 8. Section eighty-six hundred five (8605), Code, 1935, is
2 amended by adding after the period (.) in the last line thereof the fol-
3 lowing: "The governor with the approval of the executive council may
4 remove said commissioner for malfeasance in office, or for any cause
5 that renders him ineligible, incapable, or unfit to discharge the duties
6 of his office."

1 SEC. 9. Section eighty-five hundred eighteen (8518), Code, 1935,
2 is amended by striking the last sentence thereof.

1 SEC. 10. Section eighty-five hundred nineteen (8519), Code, 1935,
2 is repealed and the following enacted as a substitute therefor:

3 "If the commissioner of insurance is satisfied that the business is
4 not in violation of law or of public policy, and is safe, reliable, and en-
5 titled to public confidence, and shall approve the form of certificate of
6 stock or contract, he shall issue to such association a certificate of
7 authority authorizing it to transact business within this state until
8 the first day of March next succeeding the date of such authorization."

1 SEC. 11. Section eighty-five hundred twenty-one (8521), Code,
2 1935, is amended by striking the words "executive council" wherever
3 they appear in said section, and by inserting in lieu thereof the words
4 "commissioner of insurance".

1 SEC. 12. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in the
3 Clinton Herald, a newspaper published at Clinton, Iowa, and the At-
4 lantic News-Telegraph, a newspaper published at Atlantic, Iowa.

Approved April 24, 1939.

I hereby certify that the foregoing act was published in the Clinton Herald, May 2,
1939, and the Atlantic News-Telegraph, May 2, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 222

NONPROFIT HOSPITAL SERVICE PLAN

H. F. 307

AN ACT to authorize nonprofit corporations to contract to furnish hospital service to subscribers and to contract with hospitals to furnish hospital service; to provide for the regulation and supervision thereof; to fix and declare their rights, powers and duties; to declare such corporation to be a charitable and benevolent institution; to prescribe the powers and duties of the commissioner of insurance with reference thereto.

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

1 SECTION 1. Any corporation hereafter organized under the pro-
2 visions of chapter three hundred ninety-four (394), Code, 1935, for the
3 purpose of establishing, maintaining, and operating a nonprofit hospital
4 service plan, whereby hospital service may be provided by the said
5 corporation or by a hospital with which it has a contract for such serv-
6 ice, to such of the public who become subscribers to said plan under a
7 contract which entitles each subscriber to hospital service, shall be
8 governed by the provisions of this chapter and shall be exempt from all
9 other provisions of the insurance laws of this state, unless specifically
10 designated herein, not only in governmental relations with the state
11 but for every other purpose, and no additions hereafter enacted shall
12 apply to such corporations unless they be expressly designated therein.

1 SEC. 2. Persons desiring to form a nonprofit hospital service cor-
2 poration shall incorporate under the provisions of chapter three hun-
3 dred ninety-four (394) of the Code, 1935, as supplemented and amended
4 herein and any acts amendatory thereof.

1 SEC. 3. The articles of incorporation, and any subsequent amend-
2 ments, of such corporation shall have endorsed thereon or annexed
3 thereto the approval of the commissioner of insurance before the same
4 shall be filed for record.

1 SEC. 4. At least a majority of the directors of such corporation
2 must be at all times administrators, or directors, or trustees, or mem-
3 bers of the clinical staff of hospitals which have contracted or may con-
4 tract with such corporation to render to its subscribers hospital serv-
5 ice. The board of directors of such corporation shall consist of at least
6 nine members and not more than one shall be from any one hospital.

1 SEC. 5. Any corporation organized under the provisions of said
2 chapter may enter into contracts for the rendering of hospital service
3 to any of its subscribers with hospitals maintained and operated by the
4 state or any of its political subdivisions, or by any corporation, associa-
5 tion, or individual. Hospital service is meant to include bed and board,
6 general nursing care, use of the operating room, use of the delivery
7 room, ordinary medications and dressings and other customary routine
8 care.

1 SEC. 6. The rates charged by such corporation to the subscribers
2 for hospital service shall at all times be subject to the approval of the
3 commissioner of insurance.

1 SEC. 7. The contracts by such corporation with the subscribers for
2 hospital service shall at all times be subject to the approval of the com-
3 missioner of insurance.

1 SEC. 8. The contracts by such corporation with participating hos-
2 pitals for hospital service shall at all times be subject to the approval of
3 the commissioner of insurance.

1 SEC. 9. Every such corporation shall annually, on or before the
2 first day of March, file in the office of the commissioner of insurance
3 a statement verified by at least two of the principal officers of said
4 corporation showing its condition on the thirty-first day of December
5 then next preceding, which shall be in such form and shall contain such
6 matters as the commissioner of insurance shall prescribe.

1 SEC. 10. Every such corporation shall be subject to examination
2 under the provisions of chapter three hundred ninety-seven (397) of
3 the Code, 1935, and any acts amendatory thereto, so far as the chapter
4 may be applicable.

1 SEC. 11. All acquisition costs in connection with the solicitation
2 of subscribers to such hospital service plan and administration costs
3 including salaries paid its officers, if any, shall at all times be subject
4 to the approval of the commissioner of insurance.

1 SEC. 12. The funds of any corporation subject to the provisions of
2 this act shall be invested only in securities permitted by the laws of
3 this state for the investment of funds of life insurance companies.

1 SEC. 13. Any dispute arising between a corporation organized un-
2 der said chapter and any hospital with which such corporation has a
3 contract for hospital service, as provided for herein, may be submitted
4 to the commissioner of insurance for his decision. All decisions and
5 findings of the commissioner of insurance may be reviewed by proper
6 proceedings in a court of competent jurisdiction.

1 SEC. 14. Any dissolution, merger, or liquidation of a corporation
2 organized under the provisions of said chapter shall be under the super-
3 vision of the commissioner of insurance who shall have all powers with
4 respect thereto granted to him under the insurance laws of this state.

1 SEC. 15. Every corporation organized under the provisions of this
2 act is hereby declared to be a charitable and benevolent institution but
3 its property and funds, including subscribers' contracts, shall not be
4 exempt from taxation.

Approved April 12, 1939.

CHAPTER 223

HEALTH AND DISABILITY INSURANCE

H. F. 136

AN ACT to amend section eighty-seven hundred seventy-six (8776), code, 1935, relating to the exemption from execution of the proceeds of certain insurance policies.

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

1 SECTION 1. That section eighty-seven hundred seventy-six (8776),
 2 Code, 1935, be amended by inserting after the word "accident" in line
 3 eleven of said section the words ", health or disability"; by striking
 4 the word "or" from line fourteen of said section and inserting in its
 5 place a comma; and by inserting after the word "accident" in line four-
 6 teen of said section the words ", health or disability".

Approved April 20, 1939.

CHAPTER 224

FRATERNAL INSURANCE

S. F. 334

AN ACT to repeal sections eighty-seven hundred eighty-five (8785), eighty-seven hundred eighty-six (8786), eighty-seven hundred eighty-seven (8787), eighty-seven hundred eighty-eight (8788), eighty-seven hundred eighty-nine (8789), and eighty-eight hundred twenty-one (8821), code, 1935, and to combine the provisions of the repealed sections in new sections providing for membership requirements and beneficiaries and to enact substitutes therefor, which provide for and limit entry age, medical examination, social membership and beneficiaries; to repeal sections eighty-eight hundred forty-three (8843), eighty-eight hundred forty-six (8846) and eighty-eight hundred forty-seven (8847), code, 1935, relating to the segregation of funds from juvenile certificates.

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

1 SECTION 1. Sections eighty-seven hundred eighty-five (8785),
 2 eighty-seven hundred eighty-six (8786), eighty-seven hundred eighty-
 3 seven (8787), eighty-seven hundred eighty-eight (8788), eighty-seven
 4 hundred eighty-nine (8789), and eighty-eight hundred twenty-one
 5 (8821), Code, 1935, are hereby repealed and the following enacted in
 6 lieu thereof:
 7 "Qualifications for Membership. Any fraternal beneficiary society
 8 or association authorized to do business as such in this state may admit
 9 to beneficial membership any person not less than fifteen (15) and
 10 not more than sixty-five (65) years of age at nearest birthday, who
 11 has been examined by a legally qualified physician, and whose exami-
 12 nation has been supervised and approved in accordance with the laws
 13 of the society, or who has made declaration of insurability acceptable
 14 to the society, and any person so admitted prior to attaining the full
 15 age of twenty-one (21) years shall be bound by the terms of his or
 16 her application and certificate, and by all the laws, rules, and regula-
 17 tions of the society, and shall be entitled to all the rights and privi-
 18 leges of membership therein, as fully and to the same extent as though
 19 he or she were not a minor at the time of applying for such beneficial

20 membership; provided, that any beneficial member of a society who
 21 shall apply for additional benefits more than six months after becom-
 22 ing a beneficial member shall pass an additional medical examination
 23 or make an additional declaration of insurability, as required by the
 24 society, provided, however, that a declaration of insurability may be
 25 accepted only in cases

26 (a) of an applicant under forty-five (45) years of age and for in-
 27 surance not to exceed two thousand dollars (\$2000.00), and,

28 (b) of insurance on the lives of children under fifteen (15) years of
 29 age. Nothing herein contained shall prevent such society from ac-
 30 cepting general or social members to whom no certificates of insur-
 31 ance in any form shall be issued and who shall have no voice or vote
 32 in the management of the insurance affairs of the society, nor from
 33 issuing juvenile certificates on the lives of children under the age
 34 of fifteen (15) years.

35 **"Beneficiaries.** No beneficiary shall have or obtain any vested in-
 36 terest in the proceeds of any certificate until such certificate has be-
 37 come due and payable in conformity with the provisions of the in-
 38 surance contract. The insured member shall have the right at all
 39 times to change the beneficiary or beneficiaries in accordance with the
 40 constitution, by-laws, rules or regulations of the society. Every so-
 41 ciety may, by its constitution, by-laws, rules or regulations, limit the
 42 scope of beneficiaries."

1 SEC. 2. Sections eighty-eight hundred forty-three (8843), eighty-
 2 eight hundred forty-six (8846), and eighty-eight hundred forty-seven
 3 (8847), Code, 1935, are hereby repealed.

Approved April 20, 1939.

CHAPTER 225

FRATERNAL BENEFICIARY SOCIETIES

S. F. 335

AN ACT to amend section eighty-eight hundred twenty-nine (8829), code, 1935, relating to the investment of funds of fraternal beneficiary societies, orders, or associations organized under the laws of this state.

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

1 SECTION 1. That subsection one (1) of section eighty-eight hun-
 2 dred twenty-nine (8829) as the same now appears in the Code of
 3 1935, is hereby repealed and the following enacted in lieu thereof.

4 1. **Federal, territorial and Dominion obligations.** Bonds or other
 5 evidence of indebtedness issued or guaranteed by the United States or
 6 any insular or territorial possession of the United States, Federal
 7 farm loan bonds, Federal home loan bank bonds, Home Owners' Loan
 8 Corporation bonds, bonds, notes or obligations representing loans and
 9 advances of credit which are eligible for insurance by the Federal
 10 Housing Administrator, and bonds, notes or obligations secured by
 11 real property or leasehold which the Federal Housing Administrator
 12 has insured or has committed himself to insure or debentures issued

13 by such administrator and bonds issued by or guaranteed by the Do-
14 minion of Canada.

1 SECTION 2. Subsection six (6) of section eighty-eight hundred
2 twenty-nine (8829) is amended by striking all of the first sentence fol-
3 lowing the word "state" in the fourth line thereof and substituting
4 the following in lieu thereof:

5 "provided that the total indebtedness secured by such lien shall not
6 exceed sixty per cent (60%) of the value of the property upon which
7 it is a lien, provided, however, that such sixty per cent (60%) limita-
8 tion shall not apply to bonds and notes described in subsection one (1)
9 of this section."

1 SECTION 3. Subsection eight (8) of section eighty-eight hundred
2 twenty-nine (8829) is amended by striking from said subsection after
3 the comma following the word "company" in the thirty-third line
4 thereof, the words, "and in any event shall be so reconveyed at the
5 end of ten years from the date of the conveyance to the Commission-
6 er", and enacting the following in lieu thereof:

7 "and shall be so reconveyed at the end of ten years from the date
8 of conveyance to the Commissioner unless for good cause shown, the
9 Commissioner may extend the time for reconveyance."

1 SECTION 4. Section eighty-eight hundred twenty-nine (8829), sub-
2 section eight (8), is amended by striking from lines 49 and 50, the
3 words "contracts of sale,". Also strike the word "twenty" in line
4 51 and insert in lieu thereof the word "thirty".

1 SECTION 5. Section eighty-eight hundred twenty-nine (8829) is
2 amended by adding thereto the following subsection, to be numbered
3 subsection nine (9).

4 **9. Substitution of contracts of sale and purchase money mortgages**
5 **or purchase money deeds of trust.** Companies or associations may sub-
6 stitute for securities deposited contracts of sale, purchase money
7 mortgages or purchase money deeds of trust obtained through fore-
8 closure, settlement or satisfaction of other securities but only for an
9 amount approved by the commissioner of insurance.

Approved April 26, 1939.

CHAPTER 226

INVESTMENTS OF INSURANCE COMPANIES

S. F. 57

AN ACT to amend subsection six (6) of section eight thousand nine hundred twenty-seven (8927), code, 1935, relating to investments by insurance companies formed for the purpose of insurance other than life insurance to permit investment of the capital and funds of such insurance companies in the corporate stock of such company in furtherance of a general savings and investment plan for employees.

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

1 SECTION 1. Subsection six (6) of section eight thousand nine hun-
2 dred twenty-seven, Code, 1935, is hereby amended by inserting after

3 the word "corporation" in line ten (10) the following:
 4 " , and provided further that any such company may purchase or
 5 acquire its own stock in furtherance of a general savings and invest-
 6 ment plan for employees of such company with the approval of the
 7 Iowa State Insurance Commissioner."

Approved April 24, 1939.

CHAPTER 227

INVESTMENTS OF INSURANCE COMPANIES

S. F. 423

AN ACT to repeal subdivisions one (1), two (2) and three (3) of section eighty-nine hundred twenty-seven (8927), code, 1935, and to enact substitutes therefor relating to investments of insurance companies other than life.

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

1 SECTION 1. Subdivisions one (1), two (2) and three (3) of Sec-
 2 tion eighty-nine hundred twenty-seven (8927), Code, 1935, are here-
 3 by repealed and the following enacted in lieu thereof:

4 1. **Federal and territorial obligations.** Bonds or other evidences
 5 of indebtedness issued or guaranteed by the United States, Federal
 6 farm loan bonds, Federal home loan bank bonds, Home Owners' Loan
 7 Corporation bonds, bonds, notes or obligations representing loans and
 8 advances of credit which are eligible for insurance by the Federal
 9 housing administrator, and bonds, notes or obligations secured by
 10 real property or leasehold which the Federal housing administrator
 11 has insured or has committed himself to insure or debentures issued
 12 by such administrator.

13 2. **State and municipal obligations.** Bonds or other evidence of in-
 14 debtedness issued or guaranteed by the state of Iowa or any other
 15 state, or any county, city, town, school, road, drainage, or other dis-
 16 trict, or any civil subdivision or governmental authority of such state
 17 or states, or any instrumentality of any such authorized by statute
 18 to borrow money and issue securities, provided that the obligations
 19 are:

20 a. General or full faith and credit obligations of the issuing or
 21 guaranteeing unit, or

22 b. Payable from assessments levied for improvement purposes and
 23 secured by a lien upon real estate, or

24 c. Payable from especially designated revenues which are specific-
 25 ally pledged to the payment of principal and interest on such obli-
 26 gations.

27 3. **Canadian government and municipal obligations.** Bonds or other
 28 evidences of indebtedness issued or guaranteed by the Dominion of
 29 Canada, or any province thereof, or any municipality or district there-
 30 in with a population in excess of ten thousand (10,000) according to
 31 the last dominion or provincial census taken prior to the date of such
 32 investment, which are general or full faith and credit obligations of
 33 the issuing or guaranteeing unit.

Approved April 22, 1939.

CHAPTER 228

INSURANCE

S. F. 164

AN ACT to repeal section eight thousand nine hundred forty-three-e 1 (8943-e1) and section eight thousand nine hundred forty-three e-2 (8943 e-2) of the 1935 code of Iowa, contained in chapter four hundred four (404) entitled "Insurance Other Than Life" under title twenty (XX) entitled "Insurance", and to provide a substitute therefor, requiring the countersignature of insurance policies by resident agents of commission paying insurance companies; limiting right of countersignature to insurance agents whose earnings are derived from the insurance business by way of commission; providing for a minimum commission which shall be payable to resident countersigning agents on risks located in Iowa that the policies for which originate without the state; providing for liability of the insurance carrier to the resident countersigning agent for such commission; prescribing the duty of insurance carriers and resident agents to keep records of policies so originating without the state that the commissioner of insurance may verify premium tax; providing for retaliation in the event larger commissions are retained by non-resident agents on foreign risks originating in the state of Iowa; providing that this act shall not be applicable to associations doing business under chapter four hundred six (406) of the code, domestic companies, life insurance companies, and companies soliciting business exclusively by salaried representatives; and providing penalties for the violation of this act.

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

1 SECTION 1. Section eight thousand nine hundred forty-three e-1
2 (8943 e-1) and section eight thousand nine hundred forty-three e-2
3 (8943 e-2) of the 1935 Code are hereby repealed.

1 SEC. 2. No insurance company shall write, issue, or place, or cause
2 to be written, issued, or placed any policy or contract of insurance or
3 endorsement thereto, covering risks on any property, insurable busi-
4 ness activity, or interest, located within, or transacted within this state,
5 including any contract of indemnity or suretyship, except through or
6 by a duly licensed agent of such company, residing within this state,
7 who shall before delivery, countersign said policy or contract of insur-
8 ance or endorsement thereto. No such resident agent shall countersign
9 such policies, contracts of insurance or endorsements in blank.

1 SEC. 3. Only resident agents within this state, whose compensation
2 for soliciting and writing insurance is by way of commission figured
3 as a percentage of the premium or membership fee for each policy or
4 contract of insurance written, may countersign policies, contracts of
5 insurance or endorsements thereto within this state. No branch man-
6 ager, state agent, special agent, or other supervisory agent, or any
7 other representative of an insurance company whose compensation in
8 the insurance business is derived either in whole or in part by salary
9 may countersign policies, contracts of insurance or endorsements
10 thereto on risks located in this state within the purview of section two
11 (2) foregoing.

1 SEC. 4. In the event policies, contracts of insurance or endorse-
2 ments thereto on risks located within this state as defined in section
3 two (2) foregoing are contracted for or otherwise originate without the
4 State of Iowa, then in that event, there shall be payable to the counter-
5 signing agent, resident of the State of Iowa, a commission which shall
6 be not less than five per cent (5%) of the premium charged for such

7 policy, or contract of insurance or endorsement thereto, provided, how-
8 ever, said countersigning commission shall not exceed one-half of the
9 total commission on any line, form, or type of insurance. Nothing
10 herein shall prevent the payment of a larger commission to the resident
11 countersigning agent if agreed to by the interested parties, as here-
12 inafter provided.

1 SEC. 5. In the event that any insurance company is furnished with
2 a written signed agreement, duly executed by and between a forward-
3 ing non-resident agent or broker and a resident countersigning agent,
4 providing for a commission in excess of that provided in the preceding
5 section, then and in that event until notice is received by the company
6 to the contrary, the commission due and payable to the resident coun-
7 tersigning agent shall be as contained in said agreement, and the rights
8 of such resident countersigning agent to enforce payment thereof shall
9 be the same as are applicable to the commission provided for in the
10 preceding section.

1 SEC. 6. The resident countersigning agent shall have a direct claim
2 against the insurance company issuing such policy, or contract of in-
3 surance or endorsement thereto for his commission in accordance with
4 the two preceding sections. The liability of such company for such
5 commission may be enforced in an action at law or equity as the case
6 may be.

1 SEC. 7. It shall be the duty of every resident countersigning agent
2 for business originating without this state but covering property or
3 business transactions within this state, and the insurance companies
4 issuing such policies, to keep a written record of each such transaction
5 which shall contain the name of the company issuing the policy, the
6 name of the assured, the number of the policy, the expiration date
7 thereof and the amount of the premium payable thereunder, and such
8 record shall be subject to the inspection of the Commissioner of Insur-
9 ance for the purpose of verifying the amount of premium tax payable
10 by such company under the provisions of chapter three hundred thirty-
11 five (335) of the Code.

1 SEC. 8. The provisions of the seven preceding sections shall be ap-
2 plicable to all companies doing business under this chapter and inter-
3 insurance exchanges engaged in business under the provisions of chap-
4 ter four hundred eight (408) of the Code, when such companies or
5 exchanges are engaged in business on the commission basis, and the
6 agents thereof, but shall not have application to life insurance com-
7 panies, associations doing business under chapter four hundred six
8 (406) of the Code, domestic insurance companies or exchanges, or com-
9 panies or exchanges who solicit insurance exclusively by salaried rep-
10 resentatives who are paid no commission on business written, or to the
11 business of mutual insurance companies obtained through salaried
12 representatives and upon which no commission is paid; nor shall such
13 sections apply to insurance on rolling stock of railroad corporations
14 operating between states, or property in transit from one state to an-
15 other while in possession of railroads or other common carriers; or to
16 insurance upon ocean marine risks or property in transportation.

1 SEC. 9. The Commissioner of Insurance may revoke or suspend the
2 certificate of authority of any insurance company or exchange violat-

3 ing the provisions of any of the eight preceding sections or the license
4 of any agent violating any of such sections.

1 SEC. 10. Any employee, representative, or agent of an insurance
2 company violating any of the provisions of the nine preceding sections
3 shall be guilty of a misdemeanor, and upon conviction shall be liable to
4 imprisonment for a term of not to exceed thirty (30) days or for a fine
5 not to exceed one hundred and no/100 (\$100.00) dollars or for both
6 such fine and imprisonment.

1 SEC. 11. If, by the existing or future laws of any state, a higher
2 commission is payable to agents resident of such state on risks located
3 in such state, the policies or contracts of insurance for which originate
4 in this state, then and in that event the resident countersigning agent
5 under the ten preceding sections shall be entitled to a like commission
6 on risks located in this state as defined in section two (2) foregoing
7 and which are contracted for or otherwise originate in such other state.

Approved March 23, 1939.

CHAPTER 229

MUTUAL INSURANCE ASSOCIATIONS

S. F. 289

AN ACT to amend section nine thousand twenty-nine (9029), code, 1935, so as to add to the forms of insurance that may be written by mutual insurance associations, and allow the insurance of property of minors by them; permitting such associations to insure against loss or damage from injury, sickness or death of animals and the cost of furnishing veterinary service; and against loss or damage from smoke, explosion, aircraft, vehicles and riot (including riot attending a strike); and permitting insurance of property of minors on application of an adult parent, friend or guardian who consents to become a member as representing such minor.

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

1 SECTION 1. That section nine thousand twenty-nine (9029), Code,
2 1935, be and is hereby amended in each of the following respects, viz:

3 A. By adding to the six numbered kinds of insurance stated therein
4 two additional kinds, as follows:

5 "7. Injury, sickness or death of animals, and the furnishing of vet-
6 erinary service.

7 8. Smoke, explosion, aircraft, vehicles, and riot (including riot at-
8 tending a strike)."

9 B. By adding at the end of the section the following:

10 "Insurance on the property of one or more minors may be granted
11 on application of an adult parent, friend or guardian who consents to
12 become a member as representing such minor."

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Ft. Dodge
3 Messenger and Chronicle, a newspaper published at Ft. Dodge, Iowa,
4 and in the Centerville Daily Iowegian & Citizen, a newspaper published
5 at Centerville, Iowa.

Approved April 15, 1939.

I hereby certify that the foregoing act was published in the Ft. Dodge Messenger and Chronicle, April 21, 1939, and the Centerville Daily Iowegian & Citizen, April 21, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 230

RECIPROCAL OR INTERINSURANCE CONTRACTS

S. F. 293

AN ACT to amend and revise the law as it appears in section nine thousand eighty-seven (9087), code, 1935, relating to the bringing of actions against certain insurance exchanges.

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

1 SECTION 1. Section nine thousand eighty-seven (9087), Code, 1935,
2 is hereby amended and revised to read as follows:
3 "Concurrently with the filing of the declaration provided for by the
4 terms of section nine thousand eighty-six (9086), the attorney shall
5 file with the Commissioner of Insurance, an instrument in writing ex-
6 ecuted by him for said subscribers, conditioned that, upon the issuance
7 of certificate of authority provided for in this chapter, action may be
8 brought in the county in which the property or person insured there-
9 under is located, and that service of process shall be had upon the
10 Commissioner of Insurance or upon the attorney in fact in all suits in
11 this state, whether arising out of such policies, contracts, agreements
12 or otherwise, which service shall be valid and binding upon all sub-
13 scribers exchanging at any time reciprocal or inter-insurance contracts
14 through such attorney. All suits of every kind and description brought
15 against such reciprocal exchange or the subscribers thereto on account
16 of their connection therewith, must be brought against the attorney
17 in fact therefor or the exchange as such, and shall not be brought
18 against any of the subscribers thereto individually on account of their
19 connection with or membership in such reciprocal exchange, and must
20 be brought in the manner and method above provided."

Approved March 23, 1939.

CHAPTER 231

BUILDING AND LOAN ASSOCIATIONS

S. F. 147

AN ACT to repeal sections ninety-three hundred six (9306), ninety-three hundred thirty (9330) as amended by chapter two hundred twenty-one (221), acts of the Forty-seventh General Assembly, ninety-three hundred fifty-four (9354), ninety-three hundred fifty-four-f one (9354-f1), ninety-three hundred sixty (9360), code, 1935, and to enact substitutes therefor; to amend sections ninety-three hundred eleven (9311), ninety-three hundred fifteen (9315) as amended by section ten (10) of chapter two hundred twenty (220), acts of the Forty-seventh General Assembly, ninety-three hundred forty-b one (9340-b1), ninety-three hundred fifty (9350) as amended by section eleven (11) of chapter two hundred twenty (220), acts of the Forty-seventh General Assembly, ninety-three hundred fifty-seven (9357), ninety-three hundred sixty-three (9363), ninety-three hundred thirty-e one (9330-e1), ninety-three hundred forty-four (9344), and ninety-three hundred nineteen (9319) as amended by section six (6) of chapter two hundred twenty (220), acts of the Forty-seventh General Assembly, and chapter four hundred seventeen (417), code, 1935; and to repeal sections ninety-three hundred fifty-five (9355), and ninety-three hundred sixty-one (9361), code, 1935, all relating to building and loan associations; and

to amend sections eighty-three hundred eighty-four (8384), eighty-three hundred eighty-five (8385), and eighty-three hundred ninety-four (8394), code, 1935, relating to corporations for pecuniary profit.

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

1 SECTION 1. Section ninety-three hundred six (9306), Code, 1935,
2 is hereby repealed and in lieu thereof there is enacted the following:

3 (a) Corporations organized under the provisions of this chapter
4 to promote thrift and home ownership by providing for their members
5 a cooperative plan for saving money, and investing money so saved
6 in loans to their members, shall be known as building and loan asso-
7 ciations or savings and loan associations.

8 (b) The word "supervisor" as used in this chapter shall mean the
9 supervisor of savings and loan associations provided for in this
10 chapter.

11 (c) "Insurance corporation" as used in this chapter shall mean
12 Federal Savings and Loan Insurance Corporation, or its successor,
13 organized under the laws of the United States.

1 SEC. 2. Section ninety-three hundred eleven (9311), Code, 1935,
2 is hereby amended by adding thereto the following:

3 The incorporators shall appoint an incorporators' committee and a
4 treasurer thereof. The subscribers to the capital stock shall pay in
5 cash to such treasurer on their subscriptions, before a certificate of
6 incorporation is issued, an aggregate amount to be determined in
7 relation to the population of the city in which the home office of the
8 association is to be located, on the following basis: (1) in cities having
9 not to exceed ten thousand (10,000) population the minimum paid-in
10 capital shall be five thousand dollars; (2) in cities having more than
11 ten thousand (10,000) but less than fifty thousand (50,000) popula-
12 tion, the minimum paid-in capital shall be ten thousand dollars; (3)
13 in cities having more than fifty thousand (50,000) population and
14 less than one hundred thousand (100,000) population, the minimum
15 paid-in capital shall be twenty-five thousand dollars; (4) and in cities
16 having more than one hundred thousand (100,000) population, the
17 minimum paid-in capital shall be thirty-five thousand dollars. The
18 population of any such city shall be determined by the said super-
19 visor in accordance with the latest federal census.

20 The treasurer of the incorporators' committee shall file with the said
21 supervisor a fidelity bond, signed by himself and an authorized surety
22 company acceptable to the supervisor, in a penal sum at least equal
23 to the required paid-in capital and expense fund as hereinafter re-
24 quired, payable to the supervisor of building and loan associations.
25 Such bond shall assure the safe-keeping and delivery to the associa-
26 tion, after issuance of a certificate of incorporation, and after the as-
27 sociation's authorized officers have filed the required bonds of all of
28 such required paid-in capital and expense fund, or in the event of fail-
29 ure to complete organization, such bond shall assure the return to the
30 persons providing such paid-in capital and expense fund of the
31 amounts contributed thereto by them, less any necessary costs and
32 expenses.

1 SEC. 3. Section ninety-three hundred fifteen (9315), Code, 1935,
2 as amended by section ten (10) of chapter two hundred twenty (220),

3 Acts of the Forty-seventh General Assembly, is hereby amended by
4 adding thereto the following subsections:

5 (c) Before a certificate of authority to do business shall be issued
6 to any such new association, the incorporators shall pay to the treas-
7 urer of the incorporators' committee, in cash, an amount equal to not
8 less than ten per cent of the required minimum capital, which fund
9 shall be in addition to the required minimum paid-in capital and shall,
10 upon issuance of a certificate of incorporation, be paid to the associa-
11 tion and shall be set up as a special reserve to be designated "reserve
12 for operating expenses". Such special reserve shall be used only for the
13 purpose of paying the costs and expenses of organization and for pay-
14 ing or contributing toward payment of the operating expenses of such
15 new association during any period or periods during which the associa-
16 tion's earning shall not be sufficient to pay all its expenses in addition to
17 paying dividends to its members at such reasonable rate as shall be ap-
18 proved by the supervisor. Such "reserve for operating expenses" shall
19 be used only for the purposes herein specified and shall be subject to be
20 refunded in full or in part to the contributors as hereinafter provided.

21 (d) After five years from the date of incorporation, the amounts
22 contributed by the incorporators to such reserve for operating ex-
23 penses may be refunded to the contributors thereto, but the amounts
24 refunded shall at no time be in excess of accumulated net earnings
25 remaining after paying all expenses and paying or making allowance
26 for payment of reasonable dividends to shareholders since the date
27 of incorporation, and crediting at least the minimum amount required
28 to general reserve. In addition to refunding the amounts contributed
29 to such "reserve for operating expenses", the association may also
30 pay to such contributors interest on the amounts contributed, at rates
31 not in excess of the dividend rates paid members since date of in-
32 corporation. No such refund shall be made, or interest paid, without
33 first obtaining written approval of the supervisor.

34 (e) In case of dissolution or liquidation of an association before
35 such contributions to such "reserve for operating expenses" have been
36 refunded, the contributors thereto shall be entitled to such refunds
37 out of moneys or assets remaining, if any, after payment of all debts,
38 expenses, costs, and other liabilities, including refund to all members
39 of the amounts paid in and credited on their share accounts.

1 SEC. 4. Section ninety-three hundred thirty (9330), Code, 1935,
2 as amended by chapter two hundred twenty-one (221), Acts of the
3 Forty-seventh General Assembly, is hereby repealed and in lieu there-
4 of there is enacted the following:

5 Associations having assets of five hundred thousand dollars (\$500,-
6 000.00) or less shall not issue to any one member shares of more than
7 ten thousand dollars (\$10,000.00) par value. Associations having as-
8 sets in excess of five hundred thousand dollars (\$500,000.00) shall not
9 issue to any one member shares of par value in excess of two per cent of
10 its assets. These limitations shall not apply to shares issued to the
11 United States government, to Home Owners' Loan Corporation, or to
12 any other federal government agency or instrumentality.

1 SEC. 5. Section ninety-three hundred forty-b one, (9340-b1) Code
2 1935, is hereby amended by striking out the last sentence thereof
3 and enacting in lieu thereof the following:

4 Such associations may also invest in consolidated bonds and debentures of the Federal Home Loan Bank System and in obligations of the Federal Savings and Loan Insurance Corporation issued pursuant to Title IV of the National Housing Act. Such investments shall not at any time exceed twenty-five per cent of the assets of the association.

9 Such associations may also invest in shares of other savings and loan associations organized under the laws of this state or of the United States, subject to the limitations as to amounts of investments by members in such associations.

1 SEC. 6. Section ninety-three hundred fifty (9350), Code, 1935, as amended by section eleven (11) of chapter two hundred twenty (220), Acts of the Forty-seventh General Assembly, is amended by adding thereto the following:

5 As of June thirtieth (30th) and December thirty-first (31st) of each year, before declaring any dividends, the board of directors shall transfer and credit to a general reserve account an amount equivalent to not less than two per cent of the net earnings of the association for the preceding six months, called the "accounting period", such transfers to be made at the end of each six months' accounting period, until such general reserve account is equal to at least five per cent of the total amount paid in by members and credited on shares. If at any time thereafter such general reserve account shall on account of losses be reduced to less than five per cent of the amount paid in and credited on shares, such transfers and credits thereto shall be resumed and continued until such reserve is again equal to at least five per cent of the total amount paid in and credited on shares of members. The reserve account so established shall at all times be maintained and used for the sole purpose of absorbing losses incurred by the association and for no other purposes. An association may establish such other and additional special reserves as may be ordered by its board of directors.

1 SEC. 7. Section ninety-three hundred fifty-four (9354), Code, 1935, is hereby repealed and in lieu thereof there is enacted the following:

3 (a) The supervisor shall, at least once in each year, without previous notice, examine or cause examination to be made, into the affairs of every association subject to this act. If an association is insured under the provisions of Title IV of the National Housing Act, as now or hereafter amended, the supervisor may, in lieu of such examination, accept any examination made by the Federal Savings and Loan Insurance Corporation. Any such association may, in lieu of such examination by the supervisor, at its option, be examined by a certified public accountant, or by a public accountant qualified and licensed to practice accountancy under the provisions of the Code of Iowa, such examination to be made and reported upon the uniform forms and instructions to be provided by the supervisor. At least two copies of each examination report, signed and verified by the accountant making it, shall promptly be filed with the supervisor. Whenever, in the judgment of the supervisor, the condition of any association renders it necessary or expedient to make an extra examination or to devote any extraordinary attention to its affairs, the supervisor shall cause such work to be done. A copy of every examination report shall be fur-

21 nished to the association examined, exclusive of confidential com-
 22 ments made by the examiner, and a copy of every report and com-
 23 ments and any other information pertaining to an association may be
 24 furnished to the Federal Home Loan Bank Board, Federal Home Loan
 25 Bank, and Federal Savings and Loan Insurance Corporation. A copy
 26 of such examination report shall be presented to the board of directors
 27 at its next regular or special meeting, and their action thereon shall
 28 be recorded in the minutes, and two certified copies of such minutes
 29 shall be transmitted to the supervisor.

30 (b) The supervisor and examiners shall have full access to all books
 31 and papers of an association which relate to its business, and to books,
 32 records, and papers kept by any officer, director, agent, or employee
 33 relating to, or upon which any record of its business is kept, and may
 34 summon witnesses and administer oaths or affirmations, in the exam-
 35 ination of the directors, officers, agents, or employees of any such as-
 36 sociation, or any other person, in relation to its affairs, transactions
 37 and condition, and may require and compel the production of records,
 38 books, papers, contracts, or other documents by court order, if not
 39 voluntarily produced.

1 SEC. 8. Section ninety-three hundred fifty-four-f one (9354-f1),
 2 Code, 1935, is hereby repealed and in lieu thereof there is enacted the
 3 following:

4 (a) The auditor of state shall appoint as a deputy, to be known as
 5 "supervisor of savings and loan associations", a person who shall be
 6 required to have had at least three years of actual experience as active
 7 officer or employee in the office of a savings and loan association. Such
 8 supervisor shall be appointed and shall assume the duties of his office
 9 July 1, 1939, and shall hold his office until July 1, 1941, and thereafter
 10 appointments shall be for terms of two years, subject to removal by the
 11 executive council for good cause, after due hearing. Such supervisor's
 12 salary shall be at the rate of twenty-five hundred dollars (\$2500.00)
 13 per annum. In addition thereto he shall receive his necessary traveling
 14 expenses.

15 (b) The supervisor of savings and loan associations shall have gen-
 16 eral supervision of all savings and loan associations doing busines in
 17 this state. He may, with the approval of the auditor of state, appoint
 18 examiners and assistants necessary to properly execute the duties of
 19 his office. Any examiner so appointed shall have had at least one year
 20 of actual experience as examiner, officer, or employee, of a savings and
 21 loan association.

22 (c) Before entering upon their duties, the supervisor of savings and
 23 loan associations and each examiner appointed by him shall take an
 24 oath of office and shall each give bond to the state, signed by a respon-
 25 sible surety company, in the penal sum of two thousand dollars
 26 (\$2,000.00), conditioned upon faithful and impartial discharge of his
 27 duty and on proper accounting for all funds and other valuables which
 28 may come into his hands. Such bonds shall be approved by and filed
 29 with the auditor of state, together with oaths of office of such officers.

1 SEC. 9. Section ninety-three hundred fifty-seven (9357), Code,
 2 1935, is hereby amended by adding thereto the following:

3 Such examinations and reports, and other information connected
 4 therewith, shall be kept confidential in the office of the auditor of state

5 and the supervisor of savings and loan associations, and shall not be
6 subject to publication or disclosure to others except as in this chapter
7 provided. Members of such associations, other than their officers and
8 directors, shall not be entitled to inspection of any such records or in-
9 formation, and shall not be entitled to any information relative to the
10 names of the members of any association, or the amounts invested by
11 them, as disclosed in the auditor's office, or in the records of any such
12 association.

1 SEC. 10. Section ninety-three hundred sixty (9360), Code, 1935, is
2 hereby repealed, and in lieu thereof there is enacted the following:
3 The supervisor of savings and loan associations shall, as of Decem-
4 ber thirty-first (31st) of each year, prepare and publish a report show-
5 ing in general terms the condition of all savings and loan associations
6 doing business in this state, and containing such other general infor-
7 mation as in his judgment shall seem desirable. Such reports shall also
8 list the names of all examiners and other assistants employed by him,
9 together with the respective salaries and expenses, and shall list all
10 receipts from savings and loan associations, and shall show all expendi-
11 tures made on account of the supervision and examinations of such
12 associations.

1 SEC. 11. **Conservatorship.** If the supervisor, as a result of any ex-
2 amination or from any report made to him, shall find that any savings
3 and loan association is violating the provisions of its certificate of in-
4 corporation, or by-laws, or the laws of this state, or of the United
5 States, or any lawful order of the supervisor, or is conducting its busi-
6 ness in an unsafe manner, he may, by an order, direct discontinuance
7 of such violation or unsafe practice, and conformance with all require-
8 ments of law. If any such association shall refuse or neglect to comply
9 with such order within the time specified therein, or if it shall appear
10 to the supervisor that any such association is in an unsafe condition
11 or is conducting its business in an unsafe manner, or if he shall find
12 that an impairment of capital exists to such extent that it threatens
13 loss to the members, or if any association refuses to submit its books,
14 papers, and accounts to the inspection of the supervisor or his repre-
15 sentatives, he, by written order signed by himself and the auditor of
16 state, may appoint a conservator to take charge of the association and
17 manage its business until the supervisor shall permit the board of di-
18 rectors to resume management of the business or shall reorganize the
19 association, or until a receiver shall be appointed to liquidate its affairs.
20 Any conservator so appointed shall, subject to approval of the super-
21 visor and auditor of state, have all the rights, powers and privileges
22 possessed by the officers, board of directors, and members of the asso-
23 ciation. The conservator shall not retain special counsel or other ex-
24 perts or incur any expense other than normal operating expenses, or
25 liquidate assets, except in the ordinary course of operations. The
26 directors and officers shall remain in office and the employees shall re-
27 main in their respective positions, but the supervisor may remove any
28 director, officer, or employee. While the association is in charge of a
29 conservator, members of such association shall continue to make pay-
30 ments to the association in accordance with the terms and conditions
31 of their contracts, and the conservator, in his discretion, may permit
32 holders of shares, or share accounts, to repurchase such shares, or

33 share accounts, from the association as in the ordinary course of busi-
34 ness, or under, and subject to, such rules and regulations as the super-
35 visor may prescribe, and the conservator shall have power to accept
36 payments on shares, or share accounts, but any such payments thereon
37 received by the conservator may be segregated if the supervisor shall
38 so order in writing, and if so ordered, such payments shall not be sub-
39 ject to offset, and shall not be used to liquidate any indebtedness of
40 such association existing at the time the conservator was appointed
41 for it, or any subsequent indebtedness incurred for the purpose of
42 liquidating the indebtedness of such association existing at the same
43 such conservator was appointed. All expenses of the association dur-
44 ing such conservatorship shall be paid by the association. The ap-
45 pointment of a conservator shall be evidenced by the supervisor issuing
46 a certificate, signed by himself and by the auditor of state, delivered
47 to the president, or the vice president, or to at least three members of
48 the board of directors of the association, certifying that a conservator
49 has been appointed pursuant to this act. Within six months from the
50 date upon which the conservator shall take charge of an association,
51 the supervisor shall determine whether or not he shall restore the
52 management of the association to the board of directors. Such deter-
53 mination shall be evidenced by the supervisor's certificate under the
54 seal of his office, delivered to the president, or vice president, or to
55 the board of directors of the association, that the conservator forth-
56 with is redelivering the management of the association to the board
57 of directors of the association then in office. After the management
58 of the association shall have been redelivered to the board of directors
59 of an association, the association shall thenceforth be managed and
60 operated as though no conservator had been appointed. At any time
61 prior to the redelivery of the management to the board of directors,
62 the supervisor shall determine whether such association shall be re-
63 quired to reorganize. Such determination shall be evidenced by a
64 certificate, signed by the supervisor, and by the auditor of state, under
65 the seal of his office, delivered to an executive officer of the association
66 stating that unless the association reorganize under the laws of this
67 state within a period of sixty days from the date of such certificate,
68 or within such further time as the supervisor shall approve, the super-
69 visor will proceed to liquidate the association. If the association has
70 the insurance protection provided by Title IV of the National Housing
71 Act, as now or hereafter amended, a signed and sealed copy of each
72 order and certificate mentioned in this section shall be promptly sent
73 by the supervisor by registered mail to the Federal Savings and Loan
74 Insurance Corporation, Washington, D. C.

1 SEC. 12. Section Ninety-three hundred sixty-three (9363), Code.
2 1935, is hereby amended by adding thereto the following:

3 During the period of voluntary liquidation of any such association,
4 the supervisor shall have substantially the same powers and duties
5 as to supervision as before such liquidation, and the persons in charge
6 of such voluntary liquidation shall furnish and deposit with the super-
7 visor such bonds as he shall require and approve, and shall semi-
8 annually, or oftener if required by the supervisor, report to him fully
9 as to their doings and progress, and as to the financial condition of the
10 association. Upon completion of such liquidation they shall file with

11 the supervisor a verified final report of such liquidation and disburse-
12 ment of proceeds and upon approval of such report the supervisor
13 shall issue a written order discharging the liquidators, and their duties
14 shall thereupon cease.

1 SEC. 13. Chapter four hundred seventeen (417), Code, 1935, is
2 amended by adding thereto the following sections:

3 Section 1. No public officer qualified to take acknowledgments or
4 proofs of execution of written instruments shall by reason of his
5 membership in or being an officer of or employment by a savings and
6 loan association interested in such instrument be disqualified from
7 taking and certifying to the acknowledgment or proof of execution
8 of any written instrument in which such association is interested, and
9 any such acknowledgment or proof heretofore taken or certified is
10 hereby legalized and declared valid.

11 Sec. 2. Administrators, executors, guardians, guardians of veter-
12 ans, trustees, receivers and fiduciaries of all kinds, banking institu-
13 tions, trust companies, life insurance companies, assessment life insur-
14 ance associations, fraternal beneficiary societies, orders and associa-
15 tions, mutual benefit societies, mutual insurance companies, nonmutual
16 and mutual life, fire, tornado, hail, windstorm and other assessment
17 insurance associations, cooperative associations, credit unions, trust-
18 ees of cemetery funds, financial institutions of every kind and char-
19 acter, public officials having the custody of public funds, political sub-
20 divisions of the state having control of sinking funds, teachers, firemen
21 and other pension and retirement funds and eleemosynary institutions
22 are authorized without any order of court to invest in the shares of this state
23 savings and loan associations organized under the laws of this state
24 and under the laws of the United States, subject to the limitations as
25 to the amount of shares which may be issued to any one member.

26 Sec. 3. Every federal savings and loan association incorporated
27 under the provisions of Home Owners' Loan Act of 1933, as now or
28 hereafter amended, and the holders of shares or accounts issued by
29 any such association shall have all the rights, powers, and privileges,
30 and shall be entitled to the same exemptions and immunities, as sav-
31 ings and loan associations organized under the laws of this state and
32 holders of the shares of such associations, respectively, are entitled to.

33 Sec. 4. Any savings and loan association, including one in receiver-
34 ship, may reorganize upon any plan approved by its board of directors
35 and by the supervisor. Such reorganization may include reduction
36 of share credits of its members, not pledged as security for real estate
37 loans, and may also include segregation of assets of uncertain or
38 doubtful value by transfer thereof to trustees for management and
39 liquidation or by transfer to a separate fund within the association,
40 to be managed and liquidated by the association for the benefit of
41 the members whose share credits have been reduced in connection with
42 such segregation.

1 SEC. 14. Section ninety-three hundred thirty-e one (9330-e1),
2 Code, 1935, is amended by inserting after the word "association" in
3 the second line thereof the following:

4 and any federal savings and loan association.

1 SEC. 15. Section Ninety-three hundred forty-four (9344), Code,
2 1935, is amended by adding after the word "members" in the second
3 line thereof the following:

4 of state and federal savings and loan associations.

1 SEC. 16. Section ninety-three hundred nineteen (9319), Code, 1935,
2 as amended by section six (6) of chapter two hundred twenty (220),
3 Acts of the Forty-seventh General Assembly, is amended by adding
4 thereto the following:

5 No such bond shall be terminated or cancelled because of failure to
6 pay premium or for any other cause until after ten days' written
7 notice to the supervisor of intention to cancel such bond.

1 SEC. 17. Sections ninety-three hundred fifty-five (9355), and
2 ninety-three hundred sixty-one (9361) Code, 1935, are hereby re-
3 pealed.

1 SEC. 18. Section eighty-three hundred eighty-four (8384), Code,
2 1935, is hereby amended by adding thereto the following:

3 The foregoing provisions shall not apply to building and loan asso-
4 ciations, and savings and loan associations.

1 SEC. 19. Section eighty-three hundred eighty-five (8385), Code,
2 1935, is hereby amended by adding thereto the following:

3 The foregoing provisions shall not apply to building and loan asso-
4 ciations, and savings and loan associations.

1 SEC. 20. Section eighty-three hundred ninety-four (8394), Code,
2 1935, is hereby amended by adding thereto the following:

3 The foregoing provisions shall not apply to building and loan asso-
4 ciations, and savings and loan associations.

1 SEC. 21. All laws and parts of laws in conflict with this act are
2 hereby repealed.

1 SEC. 22. If any section, subsection, clause, sentence or phrase of
2 this act is for any reason held to be unconstitutional and invalid, such
3 decision shall not affect the validity of the remaining portions of this
4 act.

1 SEC. 23. This act being deemed of immediate importance shall be
2 in full force and effect after its passage and publication in The Red Oak
3 Express, a newspaper published at Red Oak, Iowa, and The Cedar
4 Rapids Gazette, a newspaper published at Cedar Rapids, Iowa.

Approved March 13, 1939.

I hereby certify that the foregoing act was published in the Red Oak Express, March 16, 1939, and The Cedar Rapids Gazette, March 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 232

BONDED WAREHOUSES FOR AGRICULTURAL PRODUCTS

H. F. 575

AN ACT to amend chapter four hundred twenty-six (426), code, 1935, relating to bonded warehouses for agricultural products; providing for a broadening of the permissible storage commodities to include items used in the production of agricultural products; providing rules and regulations by which grain elevators may conform to the requirements of the United States government and its various departments and agencies in the storage of grain; and to provide penalties for noncompliance with and for violation of the provisions of this act.

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

1 SECTION 1. Section ninety-seven hundred fifty-one-g one (9751-
2 g1), Code, 1935, is hereby amended as follows:

3 (1) By striking subsection two (2) of said section and inserting
4 in lieu thereof the following:

5 "Warehouse" shall be deemed to mean every building, structure, or
6 other protected inclosure in which any agricultural product, or prod-
7 ucts, the consumption of which is specially related to agricultural
8 activities, is or may be stored within the state. Auxiliary buildings
9 to a key building, for the administrative purposes of this chapter, shall
10 be construed to be a part of such key building.

11 (2) By striking subsection four (4) of said section and inserting
12 in lieu thereof the following:

13 "Agricultural product" means any unprocessed product of agricul-
14 ture found by the commission to be suitable for keeping in storage,
15 which shall include cotton, wool, grain, tobacco, flax seed, forage,
16 and meadow plant seed, and shall include sugar and all canned goods
17 made from agricultural products.

18 (3) By striking subsection seven (7) of said section and inserting
19 in lieu thereof the following:

20 "Warehouseman" means a person lawfully engaged in the business
21 of storing warehouseable products as defined in this section.

22 (4) By striking subsection eight (8) of said section and inserting
23 in lieu thereof the following:

24 "Receipt" means a warehouse receipt drawn under authority of a
25 warehouse license or permit issued by the commission.

26 (5) By adding to said section a new subsection which shall read
27 as follows:

28 12. "Warehouseable products" shall include all agricultural products
29 as defined in subsection four (4) of this section and shall also include
30 such products generally consumed in the production of agricultural
31 products, as binding twine, stock salt, bran, cracked corn, soybean
32 meal, cotton seed meal, and the commercial feeds labeled as required
33 in section thirty-one hundred fourteen (3114), of the Code, when
34 such products are designated by the commission.

35 (6) By adding to said section a new subsection which shall read
36 as follows:

37 13. "Grain elevator operating unit" means a grain elevator or ele-
38 vators including auxiliary buildings thereto for which a common and
39 distinct primary record of grain accounts is kept.

1 SEC. 2. Section ninety-seven hundred fifty-one-g two (9751-g2),
2 Code, 1935, is hereby amended as follows:

3 (1) By inserting after the word "storage" in line three (3) of said
4 section the following: "as defined in this chapter,".

5 (2) By striking from line five (5) of said section the following:
6 "board of railroad commissioners" and inserting in lieu thereof the
7 word "commission".

8 (3) By striking the balance of said section beginning in line nine
9 (9) thereof with words "Any grain elevator" and inserting in lieu
10 thereof the following: "No unlicensed elevator shall receive grain,
11 other than that which is the property of its operator, except for the
12 purpose that such grain is to be sold to the elevator at a price to be
13 determined within ten days or is to be processed, cleaned, and/or re-
14 turned to the depositor within ten days, or except that such grain is
15 to be shipped by the elevator for account of the depositor within ten
16 days; provided, however, that in the case of grain owned by the United
17 States government or subdivisions thereof, the period of leniency shall
18 be thirty days instead of ten. No grain elevators in this state shall
19 receive grain for purchase, nor under agreement to purchase, at a
20 price left for determination later than ten days after the receipt of
21 the grain, except that this shall not be construed to prohibit licensed
22 or permit warehouses from purchasing grain for which lawful re-
23 cepts have been issued."

1 SEC. 3. Section ninety-seven hundred fifty-one-g three (9751-g3),
2 Code, 1935, is hereby amended as follows:

3 (1) By striking from lines one (1) and two (2) of said section the
4 word "commissioners" and inserting in lieu thereof the word "com-
5 mission".

6 (2) By striking from line five (5) of said section the period after
7 the word "chapter" and adding thereto the following:

8 "and may at its discretion designate an employee or officer of the
9 commission to act for the commission in any details connected with
10 the administration of this chapter, including the issuance of licenses
11 and approval of warehouse bonds in the name of the commission,
12 but not to include matters requiring a public hearing or suspension
13 or revocation of licenses."

1 SEC. 4. Section ninety-seven hundred fifty-one-g six (9751-g6),
2 Code, 1935, is hereby amended as follows:

3 (1) By striking from line one (1) of said section the words "Said
4 bond" and inserting in lieu thereof the following: "Bonds required
5 under the preceding section".

6 (2) By striking from lines two (2) and three (3) of said section
7 the word "commissioners" and inserting in lieu thereof the word "com-
8 mission".

9 (3) By striking from line eight (8) of said section the word
10 "twenty" and inserting in lieu thereof the word "twelve".

11 (4) By striking from line nine (9) of said section the word "five"
12 and inserting in lieu thereof the word "three".

13 (5) By striking from line eleven (11) of said section the word
14 "twenty" and inserting in lieu thereof the word "twelve".

15 (6) By striking beginning in line twenty-three (23) of said sec-

16 tion with the words "shall be five" the balance of said section and
 17 inserting in lieu thereof the following: "for storage products of a
 18 value up to six thousand dollars at the time of storage shall be three
 19 thousand dollars, the minimum for storage products of a value above
 20 six thousand dollars shall be increased at the rate of one thousand
 21 dollars for each two thousand dollars value or fraction thereof up to
 22 twenty thousand dollars value, and shall be increased at the rate of one
 23 thousand dollars for each additional three thousand dollars value of
 24 products or fraction thereof up to fifty thousand dollars value, and
 25 shall be increased at the rate of one thousand dollars for each addi-
 26 tional five thousand dollars value of products or fraction thereof above
 27 fifty thousand dollars value. One bond cumulative as to minimum re-
 28 quirements may be accepted from a warehouseman operating ware-
 29 houses of the same kind in two or more cities or towns, when the
 30 licenses to operate the several warehouses are issued under one appli-
 31 cation."

1 SEC. 5. Section ninety-seven hundred fifty-one-g seven (9751-g7),
 2 Code, 1935, is hereby amended by adding after the period in line thir-
 3 teen (13) of said section the following:

4 "Holders of licensed warehouse receipts shall have first claim against
 5 such insurance as their interest may appear, and owners other than
 6 the warehouseman of products not covered by licensed warehouse
 7 receipts shall have second claim against such insurance as their inter-
 8 est may appear."

1 SEC. 6. Section ninety-seven hundred fifty-one-g eight (9751-g8),
 2 Code, 1935, is hereby repealed and the following is enacted in lieu
 3 thereof:

4 "Tenure of license—renewal. Each license issued under section
 5 ninety-seven hundred fifty-one-g four (9751-g4), of the Code, 1935,
 6 shall terminate on the thirtieth day of June next after the date of
 7 issuance, except that upon a showing satisfactory to the commission
 8 that the minimum storage of certain products usually occurs at some
 9 other season of the year, the commission may set some other date
 10 for termination of licenses relating to the storage of such products.
 11 Licenses may from time to time be renewed or extended by a written
 12 instrument, which shall likewise terminate on the next anniversary
 13 of the terminal date of the original license after the effective date
 14 of such renewal or extension."

1 SEC. 7. Section ninety-seven hundred fifty-one-g nine (9751-g9),
 2 Code, 1935, is hereby amended as follows:

3 (1) By striking from line one (1) of said section the word "com-
 4 missioners" and inserting in lieu thereof the word "commission".

5 (2) By inserting after the word "a" and before the word "license"
 6 in line six (6) of said section the word "warehouse".

7 (3) By striking the balance of said section following the words
 8 "term of each" in line eight (8) and inserting in lieu thereof the fol-
 9 lowing: "original warehouse license, and a fee of twelve dollars for
 10 each renewal or extension of warehouse license issued under this chap-
 11 ter. All such fees shall be deposited with the treasurer of state as
 12 miscellaneous receipts."

1 SEC. 8. Section ninety-seven hundred fifty-one-g ten (9751-g10),
2 Code, 1935, is hereby amended as follows:

3 By striking the word "commissioners" in lines one (1) and two (2)
4 of said section and inserting in lieu thereof the word "commission".

1 SEC. 9. Section ninety-seven hundred fifty-one-g eleven (9751-g11),
2 Code, 1935, is hereby amended as follows:

3 (1) By striking from line four (4) thereof after the comma following
4 the word "permits" the following: "any agricultural product of the
5 kind customarily stored therein by him" and insert in lieu thereof
6 the following: "any product of the kind covered by his license".

7 (2) By striking the period following the word "facilities" at the
8 end of said section and inserting in lieu thereof a comma and the fol-
9 lowing: "except that the provisions of this section do not apply to
10 storage rates to be paid by the United States government or any sub-
11 divisions thereof."

1 SEC. 10. Section ninety-seven hundred fifty-one-g thirteen (9751-
2 g13), Code, 1935, is hereby amended by striking the balance of said
3 section after the comma following the word "separate" in line seven-
4 teen (17) and inserting in lieu thereof the following: "except that
5 as to grain for which nonnegotiable receipts are issued the ware-
6 houseman may deliver like kinds of grain of higher grade in such
7 quantity as will equal in value at the warehouse the grade and quantity
8 of grain described in the receipt."

1 SEC. 11. Section ninety-seven hundred fifty-one-g fifteen (9751-
2 g15), Code, 1935, is hereby amended by adding after the period at the
3 end of said section the following:

4 "It shall be construed that any person licensed under the United
5 States grain standards act to grade grain is automatically licensed
6 under the provisions of this section to render such service, and con-
7 senting to render the service will be assumed to be an agreement to
8 abide by the terms of this chapter so far as they relate to him. In
9 cities and towns where public weighing is prohibited by ordinance ex-
10 cept by persons licensed or otherwise authorized by such city or town,
11 any person so authorized and is subject to regulations by the city or
12 town will be construed to be automatically licensed under the provi-
13 sions of this section, and consenting to render the service will be as-
14 sumed to be an agreement to abide by the terms of this chapter so
15 far as they relate to him."

1 SEC. 12. Section ninety-seven hundred fifty-one-g seventeen (9751-
2 g17), Code, 1935, is hereby amended by adding after the period in
3 line seven (7) of said section the following: "Receipts that do not
4 specifically show to be nonnegotiable shall be construed to be
5 negotiable."

1 SEC. 13. Subsection five (5) of section ninety-seven hundred fifty-
2 one-g eighteen (9751-g18), Code, 1935, is hereby repealed and the
3 following is enacted in lieu thereof:

4 "The rate of storage and delivery charges. In the case of grain
5 stored in grain elevators, the storage rate shall not be less than one
6 thirtieth cent per day per bushel, after the date of warehouse receipt

7 which must be not later than ten days after the date of deposit of
8 the first consignment of any lot, except that a warehouseman upon
9 filing a copy of the contract with the commission, may make a special
10 contract for a reduced rate of storage for grain owned by the United
11 States government or its subdivisions, and may delay issuing receipts
12 for such government grain for thirty days instead of ten. The deliv-
13 ery charge shall be two (2) cents per bushel. No delivery charge
14 shall be made for products sold to the warehouseman whether such
15 product has been in storage or not. The specific delivery charge herein
16 provided shall not be mandatory as to grain received into grain ele-
17 vators from railroad cars nor as to grain sold by a warehouseman
18 and carried as storage for the purchaser. The commission may, after
19 public hearing, change such minimum storage rates and delivery
20 charges, and may provide different rates for different kinds of grain."

1 SEC. 14. Section ninety-seven hundred fifty-one-g twenty-one
2 (9751-g21), Code, 1935, is hereby amended as follows:

3 (1) By striking from lines three (3) and four (4) of said section
4 the following: "June thirtieth, next after date of contract", and in-
5 serting in lieu thereof the following: "the expiration date of the
6 license under which it is issued."

7 (2) By striking the period at the end of the section and inserting
8 the words: ", except as otherwise provided in subsection three (3) of
9 section ninety-seven hundred fifty-one-g twenty-six (9751-g26), of the
10 Code."

1 SEC. 15. Section ninety-seven hundred fifty-one-g twenty-nine
2 (9751-g29), Code, 1935, is hereby amended as follows:

3 By striking from lines one (1) and ten (10) thereof the word "com-
4 missioners" and inserting in lieu thereof the word "commission".

1 SEC. 16. Section ninety-seven hundred fifty-one-g thirty-three
2 (9751-g33), Code, 1935, is hereby repealed and the following is enacted
3 in lieu thereof:

4 "Penalties. Every person who shall violate or fail to comply with
5 any of the provisions of Section 9751-g2, 9751-g7, and 9751-g10 of
6 this chapter shall be deemed guilty of a misdemeanor and upon con-
7 viction thereof shall be punished by a fine of not more than one hun-
8 dred dollars or by imprisonment in the county jail not more than
9 thirty days. Every person who shall without proper authority use or
10 shall falsely represent, forge, alter, counterfeit or simulate any license
11 issued under this chapter, or who shall issue or utter a false or fraudu-
12 lent receipt or certificate, shall be deemed guilty of a misdemeanor and
13 upon conviction thereof shall be punished by a fine of not more than
14 five hundred dollars or by imprisonment in the county jail not more
15 than ninety days, or both, in the discretion of the court."

Approved May 17, 1939.

CHAPTER 233

SEALING GRAIN

S. F. 439

AN ACT to amend section ninety-seven hundred fifty-two (9752), code 1935, to authorize guardians to mortgage or encumber personal property and to obtain benefits under chapter four hundred twenty-seven (427) of the code of 1935 by sealing grain.

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

- 1 SECTION 1. Section ninety-seven hundred fifty-two (9752), Code
- 2 1935, is amended by inserting before the word "trustee" in line twenty-
- 3 one (21) the following, "guardian,".

Approved April 20, 1939.

CHAPTER 234

CONDITIONAL SALES

S. F. 66

AN ACT to amend chapter four hundred thirty-seven (437) of the code of 1935, relating to indexing of conditional sales of personal property.

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

- 1 SECTION 1. Chapter four hundred thirty-seven (437) of the Code
- 2 of 1935, is amended by adding thereto the following section:
- 3 1. "10021-a 1. A sale or contract recorded or filed under the provi-
- 4 sions of section 10016 need only be indexed under the name of the
- 5 vendee or purchaser".

Approved March 17, 1939.

CHAPTER 235

TERMINATION OF AGRICULTURAL LEASES

S. F. 203

AN ACT to amend section ten thousand one hundred sixty-one (10161), code, 1935, relating to the termination of agricultural leases.

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

- 1 SECTION 1. Amend Section ten thousand one hundred sixty-one
- 2 (10161), Code, 1935, by adding at the end thereof the following:
- 3 "In the case of farm tenants, except mere croppers, occupying and
- 4 cultivating an acreage of forty acres or more, the tenancy shall con-
- 5 tinue for the following crop year upon the same terms and conditions
- 6 as the original lease unless written notice for termination is given
- 7 by either party to the other not later than November first, whereupon
- 8 the tenancy shall terminate March first following; provided further,
- 9 the tenancy shall not continue because of absence of notice in case
- 10 there be default in the performance of the existing rental agreement."

Approved May 3, 1939.

CHAPTER 236

CEMETERIES

S. F. 208

AN ACT to amend sections ten thousand two hundred eleven (10211), ten thousand two hundred twelve (10212), and ten thousand two hundred thirteen (10213), code, 1935, relating to the management of cemeteries by municipalities and boards of trustees of cities and towns to whom the management of municipal cemeteries has been transferred by ordinance.

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

1 SECTION 1. Section ten thousand two hundred eleven (10211),
2 Code, 1935, is amended as follows:

3 1. By inserting after the comma (,) following the word "towns"
4 in line two (2) of said section the following: "boards of trustees of
5 cities or towns to whom the management of municipal cemeteries
6 has been transferred by ordinance,".

7 2. By inserting after the comma (,) following the word "bequest"
8 in line seven (7) of said section the following: "and that portion of
9 cemetery lot sales or permanent charges made against cemetery lots
10 which has been set aside in a perpetual care fund,".

11 3. By inserting in line eight (8) after the word "donor" the fol-
12 lowing: ", or lot owner who by purchase or otherwise has provided
13 for the perpetual care of a cemetery lot".

14 4. By striking from line ten (10) the word "or" after the word
15 "donation" and inserting in lieu thereof a comma (,).

16 5. By inserting in line ten (10) after the word "bequest" the fol-
17 lowing: ", or agreement for sale and purchase of a cemetery lot".

1 SEC. 2. Section ten thousand two hundred twelve (10212), Code,
2 1935, is amended as follows:

3 1. By striking from lines two (2) and three (3) the words "and
4 trustees" and inserting in lieu thereof the following: ", or board of
5 trustees,".

6 2. By striking all of the first sentence after the word "bequeathed"
7 in line five (5) and inserting in lieu thereof the following: ", and that
8 portion of cemetery lot sales and permanent charges made against
9 cemetery lots which has been set aside in a perpetual care fund in
10 such authorized investments as are now set forth in chapter two hun-
11 dred thirteen (213), Acts of the Forty-seventh General Assembly,
12 except subsections nine (9), ten (10), eleven (11), twelve (12) and
13 thirteen (13), or as the same may be hereafter amended."

14 3. By inserting in line thirteen (13) after the word "donations"
15 the following: "or agreement for sale and purchase of a cemetery lot".

1 SEC. 3. Section ten thousand two hundred thirteen (10213), Code,
2 1935, is amended as follows:

3 1. By inserting in line three (3) after the word "town" the follow-
4 ing: ", board of trustees of cities and towns to whom the manage-
5 ment of municipal cemeteries has been transferred by ordinance".

6 2. By inserting in line five (5) after the word "bequest" the fol-
7 lowing: ", and that portion of cemetery lot sales or permanent charges
8 made against cemetery lots which is to be used for perpetual care of
9 cemetery lots".

- 10 3. By striking from lines seven (7) and eight (8) the following:
 11 "at the rate of not less than two per cent per annum".
 12 4. By inserting in line nine (9) between the words "cemetery fund"
 13 the word "general".
 14 5. By inserting in line thirteen (13) after the word "cemetery" the
 15 following: ", or lots which have been sold where, in said sale, provi-
 16 sion was made for the perpetual care thereof".
 17 6. By inserting in line fourteen (14) after the word "bequest" the
 18 following: ", or the terms of the sale or purchase of a cemetery lot".
 19 7. By inserting in line nineteen (19) after the word "bequest" the
 20 following: ", or the terms of the sale or purchase of a cemetery lot".

Approved April 4, 1939.

CHAPTER 237

THRESHERMAN'S LIEN

H. F. 24

AN ACT to repeal section ten thousand two hundred sixty-nine-e one (10269-e1) of the code, 1935, relating to thresherman's or cornsheller's lien and to enact a substitute therefor providing for thresherman's, cornsheller's, combiner's, and cornhusker's liens against the grain for those operating threshing machines, cornshellers, combines and mechanical huskers.

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

- 1 SECTION 1. Section ten thousand two hundred sixty-nine-e one
 2 (10269-e1), Code, 1935, is hereby repealed and the following enacted
 3 in lieu thereof:
 4 "Any person, firm, corporation or association engaged in operating
 5 a machine for the threshing or combining of any kind of grain or seed
 6 or for the mechanical husking or shelling of corn, and doing custom
 7 threshing, combining, mechanical husking, or corn shelling for hire
 8 shall have a first lien on grain and seed threshed or corn shelled or
 9 husked for the reasonable value of such services."

Approved March 20, 1939.

CHAPTER 238

MARRIAGE

S. F. 96

AN ACT to repeal paragraph four (4) of section ten thousand four hundred thirty-six (10436), code, 1935, relating to the solemnizing of marriages.

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

- 1 SECTION 1. Paragraph four (4) of section ten thousand four hun-
 2 dred thirty-six (10436), Code, 1935, is hereby repealed.

Approved March 17, 1939.

CHAPTER 239

MUNICIPAL COURT

S. F. 389

AN ACT to amend section ten thousand six hundred sixty-one (10661), code, 1935, relating to the transfer of records from superior, police, and mayor's courts to the municipal court.

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

1 SECTION 1. Section ten thousand six hundred sixty-one (10661),
2 Code, 1935, is amended by inserting after the word "towns" in line
3 four thereof the words "other than that".

Approved April 24, 1939.

CHAPTER 240

LIMITATIONS OF ACTIONS

S. F. 322

AN ACT to amend subsection four (4) of section eleven thousand seven (11007), code, 1935, relating to limitations of actions.

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

1 SECTION 1. Subsection four (4) of section eleven thousand seven
2 (11007), Code, 1935, is amended by striking the period at the end
3 thereof and inserting in lieu thereof a comma (,) and the following:
4 "provided that actions against a sheriff, deputy sheriff or other
5 peace officer founded on false arrest shall be brought within six months
6 after the exoneration or discharge of the person arrested."

Approved April 24, 1939.

CHAPTER 241

LEGAL NEWSPAPER

H. F. 613

AN ACT to repeal section eleven thousand ninety-nine-e one (11099-e1), code, 1935, and to enact a substitute therefor, relating to the definition of a legal newspaper.

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

1 SECTION 1. Section eleven thousand ninety-nine-e one (11099-e1),
2 Code, 1935, is hereby repealed and the following is enacted in lieu
3 thereof:
4 (1) "Newspaper" defined. For the purpose of establishing and
5 giving assured circulation to all notices and/or reports of proceedings
6 required by statute to be published within the state, where newspapers
7 are required to be used, newspapers of general circulation that have
8 been established, published regularly and mailed through the post

9 office of current entry for more than two years and which have a bona
 10 fide paid circulation recognized by the postal laws of the United
 11 States shall be designated for the publication of notices and/or reports
 12 of proceedings as required by law.

13 The rights of newspapers now legally entitled to publish said notices,
 14 or those newspapers of general circulation that are established prior
 15 to January 1, 1940, shall not be affected by failure to have completed
 16 two years of regular publication at the time this act is passed.

Approved April 24, 1939.

CHAPTER 242

SALE OF PERSONAL PROPERTY

S. F. 42

AN ACT to amend section eleven thousand nine hundred thirty-two (11932) and section nine thousand seven hundred fifty-two (9752) of the 1935 code, and to authorize administrators, executors, or trustees to mortgage or encumber personal property and to obtain the benefits provided under chapter four hundred twenty-seven (427) of the 1935 code by sealing grain.

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

1 SECTION 1. Section eleven thousand nine hundred thirty-two
 2 (11932) of the Code of 1935 is hereby amended by adding thereto the
 3 following: "Upon application by the administrator, executor or
 4 trustee the court or judge may, on such notice as shall be prescribed
 5 by the court to be given to all heirs in the estate, authorize the admin-
 6 istrator, executor or trustee to mortgage or encumber the personal
 7 property of the estate as would be to the best interests thereof, either
 8 to pay debts or to preserve assets or enhance the value thereof."

1 SEC. 1a. Section eleven thousand nine hundred thirty-two (11932),
 2 Code, 1935, is amended by inserting after the word "administrator"
 3 and before the comma in line three (3) the words "or trustee", and
 4 by striking the word "or" before the word "administrator" in line
 5 two (2) and inserting in lieu thereof a comma (,).

1 SEC. 2. Amend section nine thousand seven hundred fifty-two
 2 (9752) of the Code of Iowa by adding after the word "trustee" in line
 3 twenty-one (21) thereof, the following: ", administrator or executor,".

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect after its passage and publication in the Alden
 3 Times, a newspaper published at Alden, Iowa, and the Eagle Grove
 4 Eagle, a newspaper published at Eagle Grove, Iowa.

Approved February 6, 1939.

I hereby certify that the foregoing act was published in the Alden Times, February 16, 1939, and the Eagle Grove Eagle, February 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 243

PAYMENT OF PERSONAL TAXES BY FIDUCIARY

H. F. 395

AN ACT providing for the payment by fiduciaries of personal taxes to the county providing for the compromising of taxes by the county treasurer with the consent of the board of supervisors and providing for a certificate of payment of taxes by the county treasurer.

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

1 SECTION 1. No final report of a fiduciary shall be approved by any
2 court unless there is attached thereto and made a part thereof, the
3 certificate of the county treasurer of a county in which the estate is
4 held by the fiduciary that all personal taxes due and to become due the
5 county in such estate matter have been fully paid and satisfied.

1 SEC. 2. For the purpose of facilitating the speedy settlement and
2 distribution of estates, the county treasurer of such county, by and
3 with the consent of the board of supervisors may compromise and
4 agree upon the amount of personal taxes at any time due or to become
5 due the county from such estate and payment in accordance with
6 such compromise or agreement shall be for the satisfaction of all taxes
7 in such estate matter, and no compensation shall be allowed any person
8 because of such compromise or agreement. Provided, however, where
9 an estate is insolvent the board of supervisors may by proper order
10 certified to the court cancel all unpaid personal property taxes.

Approved April 20, 1939.

CHAPTER 244

DISTRIBUTION OF TRUST FUNDS OF MINORS

S. F. 132

AN ACT to amend chapter five hundred nine (509) of the code of Iowa, 1935, authorizing executors, administrators and trustees, under order of court to pay legacies, bequests, distributive shares or interest in trust funds belonging to minors, where the value of such legacy, bequest, share or interest does not exceed two hundred dollars, to the parents or natural guardian of such minor or to the person with whom such minor resides, and to accept the receipt of such person therefor, where no legal guardian has been appointed for such minor.

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

1 SECTION 1. Chapter five hundred nine (509) of the Code of Iowa,
2 1935, is hereby amended by adding at the end thereof the following
3 section:
4 "Whenever a minor shall become entitled under the terms of a will
5 to a bequest or legacy, or to a distributive share of the estate of an
6 intestate, or to a beneficial interest in a trust fund upon the distribu-
7 tion thereof, and the value of such bequest, legacy, distributive share
8 or interest shall not exceed the sum of two hundred dollars, and no
9 legal guardian of the person or property of such minor has been here-
10 tofore appointed, the district court having jurisdiction of the distribu-

11 tion of such funds may in its discretion, upon the application of the
 12 executor, administrator or trustee, as the case may be, enter an order
 13 authorizing such executor, administrator or trustee to pay such be-
 14 quest, legacy, share or interest to the parents or natural guardian of
 15 such minor, or to the person with whom such minor resides, for the
 16 use of such minor, and the receipt of such person or persons therefor,
 17 when presented to the court or filed with the report of distribution of
 18 any such executor, administrator or trustee, shall have the same force
 19 and effect as though such payment had been made to a duly appointed
 20 and qualified legal guardian of the person or property of such minor."

Approved April 10, 1939.

CHAPTER 245

REAL ESTATE MORTGAGE FORECLOSURE CONTINUANCES

S. F. 489

AN ACT to amend chapter five hundred twenty-five (525) code, 1935, and to grant additional power to courts of equity, to extend the time for entering judgments or decrees of foreclosure under certain conditions enumerated in this act, providing for continuance, and for appointment of a receiver, prescribing the powers and duties of the receiver, providing for the distribution of funds coming into the hands of the receiver and providing for other incidental and related matters.

WHEREAS, whenever a real estate mortgage or deed of trust or contract for sale of real estate is foreclosed due to default in payment or inability to pay on the part of the owner of such real estate by reason of drought, flood, heat, hail, storm or other climatic conditions or by reason of the infestation of pests, which affect the land in controversy, the safety and future welfare of the people of Iowa is endangered thereby, and acting under the police power reserved by the people of Iowa* does hereby provide that the following procedure shall be used by the Courts of this State, now, therefore:—

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

1 SECTION 1. That in all actions for the foreclosure of real estate
 2 mortgages, deeds of trust of real property and contracts for the pur-
 3 chase of real estate, when the owner or owners enter appearance and
 4 file answer admitting some indebtedness and breach of the terms of
 5 the above designated instrument (which admissions cannot after a
 6 continuance is granted hereunder, be withdrawn or denied) such
 7 owner or owners may apply for a continuance of the foreclosure
 8 action when and where the default or inability of such party or par-
 9 ties to pay or perform is mainly due or brought about by reason of
 10 drought, flood, heat, hail, storm or other climatic conditions or by
 11 reason of the infestation of pests which affect the land in controversy,
 12 or when the governor of the state of Iowa by reason of a depression
 13 shall have by proclamation declared a state of emergency to exist
 14 within this state. Said applications must be in writing and filed at or
 15 before final decree. Upon the filing of such application the court shall

*Note: In accordance with enrolled bill.

16 set a day for hearing of the same and provide by order for notice,
 17 to be given to plaintiff, of the time fixed for said hearing. If the court
 18 shall on said hearing find that the application is made in good faith,
 19 and the same is supported by competent evidence showing that default
 20 in payment or inability to pay is due to drought, flood, heat, hail, storm
 21 or other climatic conditions or due to infestation of pests or when the
 22 governor of the state of Iowa by reason of a depression shall have by
 23 proclamation declared a state of emergency to exist within this state,
 24 the court may in its descretion* continue said foreclosure proceeding
 25 or proceedings as follows:

26 a. If the default or breach of terms of the written instrument or
 27 instruments on which the action is based occur on or before the first
 28 day of March of any year by reason of any of the causes herein before
 29 specified, causing the loss and failure of crops on the land involved
 30 in the previous year, then the continuance shall end on the first day
 31 of March of the succeeding year.

32 b. If the default or breach of terms of said written instrument
 33 occur after the first day of March, but during that crop year and that
 34 year's crop fails by reason of any of the causes hereinbefore set out,
 35 then the continuance shall end on the first day of March of the second
 36 succeeding year.

37 c. Only one such continuance shall be granted, except upon a show-
 38 ing of extraordinary circumstances in which event the court may in
 39 its discretion grant a second continuance for such further period as
 40 to the court may seem just and equitable, not to exceed one year.

41 d. The order shall provide for the appointment of a receiver to take
 42 charge of the property and to rent the same and the owner or party
 43 in possession shall be given preference in the occupancy thereof and
 44 the receiver shall collect the rents and income and distribute the pro-
 45 ceeds as follows:

- 46 1. For the payment of the costs of receivership.
- 47 2. For the payment of taxes due or becoming due during the
- 48 period of receivership.
- 49 3. For the payment of insurance on the buildings on the premises.
- 50 4. The balance remaining shall be paid to the owner of the written
- 51 instrument upon which the foreclosure is based, to be credited
- 52 thereon.

1 SEC. 2. If any section, subsection, clause, sentence, or phrase of
 2 this act is for any reason held to be unconstitutional and invalid such
 3 decision shall not affect the validity of the remaining portions of this
 4 act.

1 SEC. 3. This act, being deemed of immediate importance, shall
 2 become effective from and after its publication in the Hawarden In-
 3 dependent, a newspaper published at Hawarden, Iowa, and in the St.
 4 Charles News, a newspaper published at St. Charles, Iowa.

Approved April 26, 1939.

I hereby certify that the foregoing act was published in the Hawarden Independent,
 May 4, 1939, and the St. Charles News, May 4, 1939.

EARL G. MILLER, *Secretary of State.*

*Note: In accordance with enrolled bill.

CHAPTER 246

PATERNITY OF AN ILLEGITIMATE CHILD

S. F. 241

AN ACT to amend chapter five hundred forty-four-A one (544-A1), code 1935, so as to delete the unconstitutional criminal features of a civil action to establish paternity of an illegitimate child and for judgment for its support.

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

1 SECTION 1. Sections twelve thousand six hundred sixty-seven-a
2 fifteen (12667-a15), twelve thousand six hundred sixty-seven-a nine-
3 teen (12667-a19) to twelve thousand six hundred sixty-seven-a
4 twenty-six (12667-a26), inclusive, twelve thousand six hundred sixty-
5 seven-a thirty (12667-a30), twelve thousand six hundred sixty-seven-a
6 thirty-four (12667-a34), twelve thousand six hundred sixty-seven-a
7 forty (12667-a40) to twelve thousand six hundred sixty-seven-a forty-
8 four (12667-a44), inclusive, twelve thousand six hundred sixty-seven-a
9 forty-eight (12667-a48) and twelve thousand six hundred sixty-
10 seven-a fifty-four (12667-a54), all of the Code 1935, are hereby re-
11 pealed.

1 SEC. 2. Section twelve thousand six hundred sixty-seven-a ten
2 (12667-a10), Code 1935, is hereby amended by striking from lines
3 one (1) and two (2) the words, "The proceedings shall be entitled
4 in the name of the state" and substituting in lieu thereof the words,
5 "The action shall be by ordinary proceedings entitled in the name of
6 the complainant".

1 SEC. 3. Section twelve thousand six hundred sixty-seven-a twelve
2 (12667-a12), Code 1935, is hereby amended by striking from lines two
3 (2) and three (3), the words, "any judge or magistrate having power
4 to commit for trial." and substituting in lieu thereof the words "the
5 county attorney."

1 SEC. 4. Section twelve thousand six hundred sixty-seven-a thirteen
2 (12667-a13), Code 1935, is hereby amended by striking from lines
3 three (3) and four (4) the words, "judge or magistrate or the clerk
4 of the court." and substituting in lieu thereof the words, "prosecuting
5 attorney."

1 SEC. 5. Section twelve thousand six hundred sixty-seven-a fourteen
2 (12667-a14), Code 1935, is hereby amended by striking all of said
3 section after the word "child" in line three (3).

1 SEC. 6. Section twelve thousand six hundred sixty-seven-a sixteen
2 (12667-a16), Code 1935, is hereby repealed and the following enacted
3 in lieu thereof:
4 "An original notice shall be issued as in other civil cases, which
5 notice shall be served as in ordinary actions."

1 SEC. 7. Section twelve thousand six hundred sixty-seven-a thirty-
2 one (12667-a31), Code 1935, is hereby amended by striking from lines
3 six (6) and seven (7) the words, "at the preliminary hearing, and her
4 deposition taken" and substituting in lieu thereof the words, "by
5 deposition".

1 SEC. 8. Section twelve thousand six hundred sixty-seven-a thirty-
2 two (12667-a32), Code 1935, is hereby amended by striking from lines
3 two (2) and three (3) the words, “, after the preliminary hearing,”;

4 Also by striking all of said section beginning with the word “ex-
5 cept” in line seven (7).

1 SEC. 9. Section twelve thousand six hundred sixty-seven-a forty-
2 nine (12667-a49), Code 1935, is hereby amended by striking from
3 lines four (4) and five (5) the following, “under the provisions of
4 section 12667-a48”.

Approved March 31, 1939.

CHAPTER 247

INVESTMENT OF TRUST FUNDS

H. F. 286

AN ACT to amend section twelve thousand seven hundred seventy-two (12772), code, 1935, as amended, to permit a trustee, executor, administrator, or guardian as such to invest funds coming into his hands in a savings account or time certificate of deposit of a banking institution located in this state and when first approved by the court.

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

1 SECTION 1. That section twelve thousand seven hundred seventy-
2 two (12,772), Code, 1935, as amended, be and the same is hereby
3 amended by adding at the end thereof the following subsection:

4 “13. Nothing in this section shall be construed as prohibiting in-
5 vestment of such funds in a savings account or time certificate of
6 deposit of a banking institution located in this state and when first
7 approved by the court.”

Approved April 20, 1939.

CHAPTER 248

DANGEROUS AND CONCEALED WEAPONS

S. F. 248

AN ACT to amend chapter one hundred twenty-two (122), acts of the 46th general assembly, relating to dangerous and concealed weapons.

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

1 SECTION 1. Section four (4) of chapter one hundred twenty-two
2 (122), Acts of the 46th General Assembly, is hereby amended by strik-
3 ing from line four (4) the number “12936-g1” and inserting in lieu
4 thereof the number “12936”.

1 SEC. 2. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in

3 the Council Bluffs Nonpareil, a newspaper published at Council Bluffs,
4 Iowa, and in the Wright County Monitor, a newspaper published at
5 Clarion, Iowa.

Approved April 24, 1939.

I hereby certify that the foregoing act was published in the Council Bluffs Nonpareil,
May 1, 1939, and the Wright County Monitor, Clarion, Iowa, May 4, 1939.
EARL G. MILLER, *Secretary of State.*

CHAPTER 249

EXHIBITING PRIZE FIGHT PICTURES

H. F. 32

AN ACT to repeal sections thirteen thousand one hundred eighty-six (13186), thirteen thousand one hundred eighty-seven (13187), and thirteen thousand one hundred eight-eight (13188), code, 1935, relating to the showing of prize-fight pictures.

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

1 SECTION 1. Sections thirteen thousand one hundred eighty-six
2 (13186), thirteen thousand one hundred eighty-seven (13187), and
3 thirteen thousand one hundred eighty-eight (13188), Code, 1935, are
4 hereby repealed.

Approved April 12, 1939.

LEGALIZING ACTS

CHAPTER 250

TAX LEVIES

H. F. 85

AN ACT to legalize any and all tax levies, assessments, or collections during the years 1934, 1935, 1936, and 1937 wherein the county auditor of any county in computing the tax rate failed to deduct from the total budget requirements the tax to be derived from moneys and credits and other moneyed capital, pursuant to the provisions of law as contained in section seventy-one hundred sixty-four (7164) of the code.

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

1 SECTION 1. All taxes levied, assessed, or collected wherein the
2 county auditor in computing the tax rate failed to deduct from the
3 total budget requirements the tax to be derived from moneys and
4 credits and other moneyed capital during the years 1934, 1935, 1936,
5 and 1937, as defined by section seventy-one hundred sixty-four (7164)
6 of the Code, are hereby declared legal and valid.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in force and effect from and after its passage and publication in the
3 Northwood Anchor, a newspaper published at Northwood, Iowa, and
4 in The Daily Hawk-Eye Gazette, a newspaper published at Burlington,
5 Iowa.

Approved February 13, 1939.

I hereby certify that the foregoing act was published in the Daily Hawk-Eye Gazette, February 15, 1939, and the Northwood Anchor, February 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 251

TAX SALES

S. F. 125

AN ACT to legalize certain tax sales held and conducted in accordance with section seven thousand two hundred fifty-nine (7259) or section seven thousand two hundred sixty-two (7262), code of Iowa, 1935, and corresponding sections of earlier codes and all laws pertaining thereto as to the matter of bringing forward of delinquent taxes under section seven thousand one hundred ninety-three (7193), code of Iowa, 1935, and all laws pertaining thereto.

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

1 SECTION 1. In all instances where a county treasurer heretofore
2 conducted a tax sale at the time provided in section seven thousand
3 two hundred fifty-nine (7259) or section seven thousand two hundred
4 sixty-two (7262), both of the Code of Iowa, 1935, sales made at such
5 tax sale or any adjournment thereof shall not be held invalid by reason
6 of the failure of the county treasurer to have brought forward the
7 delinquent tax of prior years upon the current tax list in use by the

8 said county treasurer at the time of conducting the sale, or by reason
 9 of the failure of the county treasurer to have offered all the property
 10 unsold before each adjournment of said sale and said tax sales are
 11 hereby legalized and declared valid notwithstanding the provisions of
 12 section seven thousand one hundred ninety-three (7193) and section
 13 seven thousand two hundred fifty-nine (7259), both of the Code of
 14 Iowa, 1935, provided the delinquent taxes for which the said real
 15 estate was sold had been brought forward upon the current tax list
 16 of the year preceding the year in which the said tax sale was conducted.
 17 Provided, however, that no tax sale so legalized and validated shall
 18 affect a special assessment if the same continues to remain a lien
 19 notwithstanding a tax deed now or hereafter issued pursuant to such
 20 tax sale.

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and take effect from and after its passage and publication
 3 in the Cascade Pioneer, a newspaper published at Cascade, Iowa, and
 4 in the Plain Talk, a newspaper published at Des Moines, Iowa.

Approved April 18, 1939.

I hereby certify that the foregoing act was published in the Cascade Pioneer, Cascade,
 Iowa, April 27, 1939, and the Plain Talk, Des Moines, Iowa, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 252

ORIGINAL NOTICES

S. F. 45

AN ACT to legalize default judgments and decrees in actions and suits wherein the
 original notices as served on the defendant or defendants in default did not name
 the term at which defendant or defendants was or were required to appear.

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

1 SECTION 1. That all judgments and decrees heretofore entered by
 2 default in causes wherein the original notices set out the date when
 3 and the place where the court would convene, are hereby declared
 4 legal and binding, notwithstanding the fact that said original notices
 5 fail to name the term at which defendant or defendants was or were
 6 required to appear.

1 SEC. 2. Nothing herein contained in this act shall affect pending
 2 litigation.

Approved March 23, 1939.

CHAPTER 253

ACKNOWLEDGMENTS

H. F. 412

AN ACT to legalize acknowledgments of instruments in writing heretofore taken by notaries public, additional to section ten thousand eight-five (10085) of the code.

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

1 SECTION 1. **Acknowledgments legalized.** The acknowledgments of
2 all deeds, mortgages, or other instruments in writing heretofore taken
3 or certified, and which instruments have been recorded in the record-
4 er's office of any county of this state, including acknowledgments of
5 instruments made by any private or other corporation, or to which
6 such corporation was a party, or under which such corporation was
7 a beneficiary, and which have been acknowledged before or certified
8 by any notary public who was at the time of such acknowledgment
9 or certifying a stockholder or officer in such corporation, are hereby
10 declared to be legal and valid official acts of such notaries public, and
11 to entitle such instruments to be recorded, anything in the laws of the
12 state of Iowa in regard to acknowledgments to the contrary not-
13 withstanding.

1 SEC. 2. **Pending litigation.** This act shall not affect pending litigation.
2

Approved March 20, 1939.

CHAPTER 254

APPOINTMENTS TO PUBLIC OFFICE BY THE GOVERNOR

S. F. 512

AN ACT to legalize the appointments of certain public officials by the governor of Iowa which have been confirmed by the senate.

WHEREAS, the laws of Iowa provide that the Governor of Iowa shall appoint certain public officials subject to confirmation by the Senate, and

WHEREAS, the time within which such appointments are directed to be made varies in certain of these Statutes, and

WHEREAS, due largely to the consolidation of State Departments by the 48th General Assembly, such appointments to be made by the Governor, have been delayed and same were made after the expiration of the time prescribed therefor, and

WHEREAS, it is the desire of the Legislature to remove any doubt as to the timeliness of such appointments and the legality of same; therefore,

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

1 SECTION 1. All appointments to public office made by the Governor
2 of Iowa during the session of the 48th General Assembly which have
3 been confirmed by the Senate during said session, are hereby declared
4 to be legal and valid for the offices and terms included in said appoint-
5 ments, and to be of the same force and effect as if such appointments

6 had been made by the Governor within the time prescribed by law and
7 thereafter confirmed by the Senate during said session.

1 SEC. 2. Nothing herein contained shall affect any provision of law
2 relative to the filling of vacancies between sessions of the General As-
3 sembly.

1 SEC. 3. This act being deemed of immediate importance, shall be in
2 full force and effect from and after its passage and publication in the
3 Cedar Rapids Tribune, a newspaper published at Cedar Rapids, Iowa,
4 and in The Taylor County Herald, a newspaper published at Bedford,
5 Iowa.

Approved May 1st, 1939.

I hereby certify that the foregoing act was published in the Cedar Rapids Tribune,
May 12, 1939, and the Taylor County Herald, Bedford, Iowa, May 11, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 255

CITY OF CLINTON

H. F. 224

AN ACT to legalize proceedings heretofore taken for the orderly levy and collection of taxes to pay the interest on and the principal of outstanding bonds and certificates of the board of park commissioners of the city of Clinton, Iowa.

WHEREAS, the board of park commissioners of the city of Clinton, in the county of Clinton and state of Iowa, did heretofore by resolution shown by its records to have been adopted on January 24, 1939, provide for the orderly levy and collection of taxes on all of the taxable property in the city of Clinton, Iowa, for the purpose of paying the interest on and the principal of the outstanding indebtedness of said board of park commissioners issued under date of April 1, 1937, and prior thereto; and

WHEREAS, doubts have arisen as to the validity and legal sufficiency of the proceedings as aforesaid, and it is deemed advisable to put said doubts and all others that might arise forever at rest; now therefore,

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

1 SECTION 1. The proceedings heretofore taken by the board of park
2 commissioners of the city of Clinton, in the county of Clinton, and
3 state of Iowa, as referred to in the preamble hereof, making provision
4 for the orderly levy and collection of taxes on all of the taxable prop-
5 erty in the city of Clinton, Iowa, for the purpose of paying the interest
6 on and principal of the bonds and certificates of said board issued
7 under date of April 1, 1937, and prior thereto, are hereby validated
8 and confirmed and are hereby declared to be legally sufficient.

1 SEC. 2. Nothing in this act shall affect pending litigation.

1 SEC. 3. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Clinton
3 Daily Herald, a newspaper published at Clinton, Iowa, and in the

4 Oxford Junction Mirror, a newspaper published in the city of Oxford
5 Junction, Iowa, all without expense to the state.

Approved February 10, 1939.

I hereby certify that the foregoing act was published in the Clinton Daily Herald, February 13, 1939, and the Oxford Junction Mirror, February 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 256

CITY OF CLINTON

H. F. 225

AN ACT to legalize warrants issued by the board of park commissioners of the city of Clinton, Iowa, proceedings taken authorizing the issuance of bonds to retire said warrants, and provisions made for the levy of taxes to pay said bonds.

WHEREAS, the board of park commissioners of the city of Clinton, in the county of Clinton and state of Iowa, did heretofore issue warrants of said board of park commissioners which are now outstanding, due and payable in an amount including interest thereon aggregating more than \$63,500; and

WHEREAS, said warrants represent expenditures for proper corporate purposes and said board of park commissioners is now enjoying the use and benefit thereof, and the amount of said warrants, together with all other indebtedness, does not exceed any constitutional limitation; and

WHEREAS, said board of park commissioners by resolution adopted on January 24, 1939, authorized the issuance of its funding bonds in the sum of \$63,500 for the purpose of retiring said warrants, and in and by said resolution provided for the levy of taxes to pay the principal of and interest upon said bonds; and

WHEREAS, doubts have arisen as to the validity of said warrants and as to the proceedings had for the issuance of said bonds and the provisions made for the levy of taxes to pay said bonds, and it is deemed advisable to put said doubts and all others that might arise, forever at rest; now, therefore,

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

1 SECTION 1. That the action of the board of park commissioners of
2 the city of Clinton, in the county of Clinton and state of Iowa, making
3 the expenditures and issuing the warrants hereinbefore referred to,
4 are hereby legalized and validated, and said warrants are hereby de-
5 clared to constitute legal, valid and binding obligations and indebted-
6 ness of said board.

1 SEC. 2. That the proceedings heretofore taken by said board of
2 park commissioners for the issuance of its funding bonds in the
3 amount of \$63,500 and for the levy of taxes to pay the principal and
4 interest of said bonds are hereby validated and confirmed, and funding
5 bonds issued pursuant to and in accordance with said proceedings are
6 hereby declared to be legal and to constitute valid and binding obliga-
7 tions and indebtedness of said board.

1 SEC. 3. Nothing in this act shall affect pending litigation.

1 SEC. 4. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Clinton
3 Daily Herald, a newspaper published at Clinton, Iowa, and in the Ox-
4 ford Junction Mirror, a newspaper published at Oxford Junction,
5 Iowa, all without expense to the state.

Approved February 10, 1939.

I hereby certify that the foregoing act was published in the Clinton Daily Herald,
February 13, 1939, and the Oxford Junction Mirror, February 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 257

FARMERS ELEVATOR AND EXCHANGE, WAPELLO, IOWA

S. F. 84

AN ACT to legalize the corporate acts and the renewal of the charter of the Farmers Elevator and Exchange, Wapello, Iowa.

WHEREAS, at the expiration of the corporate existence of The Farmers Elevator and Exchange of Wapello, Iowa, a corporation organized under the laws of Iowa, renewal articles were not adopted and filed with the secretary of state in full compliance with the statutes relating to renewals, specifically, within the time limitation prescribed for adoption and filing of such renewal; and

WHEREAS, the said corporation has now filed such renewal articles and has paid the statutory fees therefor and otherwise complied with the law, except as to the time of adopting and filing; now, therefore

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

1 SECTION 1. All proceedings had with respect to the renewal of the
2 corporate existence of The Farmers Elevator and Exchange of Wapello,
3 Iowa, and all corporate acts of said corporation, its officers and direc-
4 tors, since the expiration of the corporate existence of said corporation,
5 are hereby legalized and are hereby declared of the same force and
6 effect as though the said proceedings had been adopted pursuant to
7 law and within the period prescribed by the statute, and all corporate
8 acts and proceedings of the said corporation and its officers and direc-
9 tors, including the proceedings in connection with the renewal Articles
10 of Incorporation, are hereby declared to be valid and legal.

1 SEC. 2. The secretary of state is hereby authorized and directed to
2 issue to said The Farmers Elevator and Exchange of Wapello, Iowa, a
3 certificate of renewal which shall have the same effect as though issued
4 upon proper application by said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
2 pending litigation, if any, involving said corporation.

1 SEC. 4. This act, being deemed of immediate importance, shall take
2 effect and be in force from and after its publication as provided by law

3 in the Wapello Republican, a weekly newspaper published in the town
4 of Wapello, Iowa, and the West Liberty Index, a weekly newspaper pub-
5 lished at West Liberty, Iowa, without expense to the state.

Approved February 20, 1939.

I hereby certify that the foregoing act was published in the Wapello Republican,
March 2, 1939, and the West Liberty Index, March 2, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 258

WAPELLO COUNTY

S. F. 46

AN ACT to legalize the action of the county board of supervisors of Wapello county, Iowa, in making expenditures and approving claims against the secondary road maintenance fund and construction fund of said county; to make the expenditures and the approving of the claims by the board of supervisors legal, valid and binding obligations of said county; to authorize the county auditor of said county to issue anticipatory warrants in 1939 against the maintenance fund and the construction fund, and to authorize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1939 and belonging to the secondary road maintenance fund and the construction fund.

WHEREAS, the Board of Supervisors of Wapello County, Iowa, in the year 1938 incurred indebtedness for items payable from the maintenance fund and the construction fund of said county, and in 1939 allowed and authorized the payment of these claims against the maintenance and construction funds and authorized the County Auditor of said county to issue anticipatory warrants against the maintenance and construction funds of said county in payment of said claims, and

WHEREAS, said expenditures were for the purpose of maintaining roads, bridges, culverts, repairs of machinery and to carry on with the sponsor's share that the county had to pay in order to keep W. P. A. work in progress in Wapello County, Iowa, and

WHEREAS, the Board of Supervisors in 1939 authorized the county auditor to pay the expenditures incurred in 1938, and

WHEREAS, said claims so allowed were bona fide claims against said county and should be paid, and

WHEREAS, at the time of the incurring of the indebtedness there was no money in the secondary road maintenance fund and the construction fund of said county adequate to pay said indebtedness, and

WHEREAS, a question has been raised as to the right and authority of the county auditor of said county to write said warrants, and

WHEREAS, a question has been raised as to the right and authority of the county treasurer of said county to pay said claims out of funds received and paid into the secondary road maintenance fund of said county and the construction fund of said county in the year 1939, and

WHEREAS, there is no authority for the board of supervisors to incur said indebtedness or to approve said claims, nor is there any authority for

the county auditor to issue the warrants in payment of said claims or for the county treasurer to cash said warrants.

Now, therefore

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

1 SECTION 1. That the action of the County Board of Supervisors of
2 Wapello County, Iowa, in making expenditures and allowing claims
3 against the secondary road maintenance fund in a sum not to exceed
4 twenty-one thousand dollars (\$21,000) and against the construction
5 fund in a sum not to exceed fifteen thousand dollars (\$15,000) is hereby
6 legalized and validated, and said claims are hereby declared to consti-
7 tute legal, valid and binding obligations and indebtedness of said
8 county.

1 SEC. 2. That the proceedings heretofore taken by said county board
2 of supervisors for the incurring of the expenditures in 1938 in the ap-
3 proving of the claims in the year 1939 are hereby validated and con-
4 firmed.

1 SEC. 3. The county auditor of Wapello County, Iowa, is hereby
2 authorized to issue anticipatory warrants out of the secondary road
3 maintenance fund and secondary road construction fund of said county.

1 SEC. 4. The county treasurer of Wapello County, Iowa, is hereby
2 authorized to pay said anticipatory warrants out of any funds coming
3 into his hands in 1939 and belonging to the secondary road maintenance
4 fund of said county and the construction fund of said county.

1 SEC. 5. Nothing in this act shall affect pending litigation.

1 SEC. 6. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its passage and publication in
3 Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, and
4 Blakesburg Excelsior, a newspaper published at Blakesburg, Iowa,
5 without expense to the state of Iowa.

Approved February 21, 1939.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier,
February 25, 1939, and the Blakesburg Excelsior, March 2, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 259
TOWN OF ALTA VISTA
S. F. 62

AN ACT to legalize the proceedings relating to the sale and authorization of the issuance of sewer bonds by the incorporated town of Alta Vista, Iowa and the proceedings establishing a sewer district and for the levying of an annual tax for the payment of bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of the incorporated town of Alta Vista, Iowa.

WHEREAS, on or about the 4th day of March, 1938 a resolution was passed and adopted by the Town Council of the Incorporated Town of Alta Vista, Iowa authorizing the establishing of a sanitary sewer district within

the corporate limits of the Incorporated Town of Alta Vista, Iowa and authorizing the installation of a sanitary sewer system in the said Incorporated Town of Alta Vista, Iowa and also the construction of sewerage disposal plant, and,

WHEREAS, it appears that pursuant to the authority granted by the said resolution the Town Council of the Incorporated Town of Alta Vista, Iowa directed that there be issued sewer bonds of the Incorporated Town of Alta Vista, Iowa in the amount of \$7500.00 for building the said sanitary sewer system and disposal plant and providing for the payment of said bonds by direct property levy on all property located within the Incorporated Town of Alta Vista, Iowa, and,

WHEREAS, the Town Council of the Incorporated Town of Alta Vista, Iowa, pursuant to the said resolution, entered into a contract and installed the said sanitary sewer system and also the sewerage disposal plant, and,

WHEREAS, doubts have arisen as to the legal sufficiency of said resolution and proceedings as to the authority to issue and sell the said sewer bonds and to levy and collect taxes, to pay the principal and interest of said bonds as the same will become due and it is deemed advisable to put said doubts and all others which may arise forever at rest; Now, therefore:

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

1 SECTION 1. That the election and all proceedings taken by the
2 Town Council of the Incorporated Town of Alta Vista, Iowa relating
3 to the issuance of sewer bonds of the Incorporated Town of Alta Vista,
4 Iowa in the sum of \$7500.00 and all proceedings providing for the levy
5 of taxes to pay the principal and interest of said bonds as the same will
6 become due, be, and the same are, hereby declared to be legal and valid,
7 notwithstanding any irregularity, omission or defect in connection
8 therewith and that the bonds issued pursuant to said proceedings in
9 the amount aforesaid are hereby declared to be valid and binding
10 obligations of the Incorporated Town of Alta Vista, Iowa.

1 SEC. 2. This act being deemed of immediate importance shall be-
2 come effective upon its publication in The New Hampton Tribune, a
3 newspaper published in New Hampton, Iowa, and the Fredericksburg
4 News, a newspaper published at Fredericksburg, Iowa, both of said
5 publications to be without expense to the state.

Approved February 21, 1939.

I hereby certify that the foregoing act was published in the New Hampton Tribune, March 2, 1939, and the Fredericksburg News, April 6, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 260

NEW HAMPTON INDEPENDENT SCHOOL DISTRICT

S. F. 63

AN ACT to legalize the election and proceedings relating to the sale and authorizing the issuance of bonds by the Independent School District of New Hampton, in the county of Chickasaw, state of Iowa, and the proceedings providing for the levying of an annual tax for the payment of bonds, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, at an election on the 28th day of September, 1938, there was submitted to the qualified electors of The Independent School District of New Hampton, in the County of Chickasaw, State of Iowa, the following proposition:

"Shall the Independent School District of New Hampton, in Chickasaw County, State of Iowa, issue bonds of said District in an amount not exceeding Eighty-two Thousand Dollars (\$82,000.00) and levy a tax annually upon the taxable property in said District, for the payment of such bonds and interest thereon? The bonds when issued, or the proceeds thereof, to be used for the purpose of paying for the purchase price of part or all of the ground necessary for a school house site in said District and the purpose of paying part of the cost of erecting and equipping a public school house in said District and also for the remodeling of the present school building." and

WHEREAS, it appears that as a result of said election, the qualified voters of said Independent School District cast nine hundred ninety-three (993) votes in favor of said proposition, and two hundred fifty-eight (258) votes against the same and that said proposition was declared duly carried by more than 60% of all votes cast at said election; and

WHEREAS, it appears that pursuant to the authority granted by said election the Board of Directors of said Independent School District directed that there be issued school building bonds of The Independent School District of New Hampton, in the County of Chickasaw, State of Iowa, in the amount of Eighty-two Thousand Dollars (\$82,000.00) for school building purposes in and for said School District, and that bonds in said amount and for said purposes have been sold; and

WHEREAS, it appears that the Board of Directors of said Independent School District have entered into a written contract as by law provided for the construction of the proposed improvements; and

WHEREAS, doubts have arisen as to the legal sufficiency of said election and proceedings and as to the authority to issue and sell bonds and to levy and collect taxes to pay the principal and interest of said bonds as the same will become due; and it is deemed advisable to put said doubts, and all others that may arise, forever at rest; Now, therefore:

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

- 1 SECTION 1. That the election and all proceedings taken by the
- 2 Board of Directors of The Independent School District of New Hamp-
- 3 ton, in the County of Chickasaw, State of Iowa, relating to the issuance
- 4 of school building bonds of said school district, in the sum of Eighty-
- 5 two Thousand Dollars (\$82,000.00) and all proceedings providing for
- 6 the levy of taxes to pay the principal and interest of said bonds as the
- 7 same will become due, be, and the same are hereby declared to be legal

8 and valid notwithstanding any irregularity, omission or defect in con-
 9 nection therewith, and that bonds issued pursuant to said proceedings
 10 in the amount aforesaid are hereby declared to be valid and binding
 11 obligations of said Independent School District.

1 SEC. 2. This Act being deemed of immediate importance shall be-
 2 come effective upon publication in the New Hampton Tribune, a news-
 3 paper published at New Hampton, Iowa, and the Nashua Reporter, a
 4 newspaper published at Nashua, Iowa, both of said publications to be
 5 without expense to the State.

Approved February 21, 1939.

I hereby certify that the foregoing act was published in the New Hampton Tribune,
 March 2, 1939, and the Nashua Reporter, March 1, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 261

INDEPENDENT SCHOOL DISTRICT OF NEW HAMPTON

H. F. 457

AN ACT to legalize warrants issued by the Independent School District of New Hampton in the county of Chickasaw, state of Iowa, for the construction of a new school building and remodeling the present building and to legalize the expenditure of certain funds for the payment of the school building and remodeling of the present building in excess of the amount stated in the ballot used at the special election and to authorize the school district to levy taxes for the payment of said warrants.

WHEREAS, at a special election held on the 28th day of September, 1938, the electors of the Independent School District of New Hampton in the County of Chickasaw, State of Iowa, authorized the issuance of bonds of such school district in the sum of eighty-two thousand dollars (\$82,000.00) to be used with other funds for the purchasing of the necessary ground for school house site, for the building and equipping of a new school building and for remodeling the present school building: and,

WHEREAS, plans and specifications were prepared by the architect employed by the said school district and the plans and specifications were adopted and a public letting was advertised and had for the letting of contracts for the building of a new school house and remodeling the present school house and at the said letting the lowest bids received would necessitate an expenditure of twenty-six thousand eight hundred eighty-eight dollars and eighty-eight cents (\$26,888.88) in excess of the sums derived from the sale of bonds and the amount available from a grant from the federal government; and,

WHEREAS, at the time of the letting it was necessary for the said school district to withdraw from the plans and specifications a sufficient number of alternates in order to let the contracts to the lowest bidders without such alternates in order that the district have sufficient funds to pay for the said work; and,

WHEREAS, subsequent to the letting of said contract, the board of directors of said school district considered it inadvisable to complete said school with the alternate eliminated and considered that the best interests of the district would be served by following the original plans and specifications adopted by the district; and,

WHEREAS, there is still available from the original grant authorized by the federal government the additional sum of twelve thousand one hundred dollars (\$12,100.00), providing the said district immediately provided an additional sum of fourteen thousand seven hundred eighty-eight dollars and eighty-eight cents (\$14,788.88); and,

WHEREAS, the federal government has notified the Independent School District of New Hampton that it will withdraw the grant remaining in the sum of twelve thousand one hundred dollars (\$12,100.00) unless the school district immediately matches the said fund with funds of the said school district in the sum of fourteen thousand seven hundred eighty-eight dollars and eighty-eight cents (\$14,788.88) and it will be impossible for the school district to call a special election within the time required by the federal government; and,

WHEREAS, the board of directors of said school district passed a resolution authorizing the issuance of warrants and issued warrants in the sum of fourteen thousand seven hundred eighty-eight dollars and eighty-eight (\$14,788.88) and sold the same and placed the proceeds thereof in the construction fund; and,

WHEREAS, doubt has arisen as to the validity of said warrants and as to the sale of the same and as to the validity of the acts of said school board in issuing the same and using the proceeds thereof to construct and pay for the said school building at a cost greater than the amount authorized at the said school election and also as to the validity of the issuance of said warrants in excess of the anticipated revenue for the fiscal year; therefore,

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

1 SECTION 1. That the acts of the board of directors of the Independ-
2 ent School District of New Hampton in the County of Chickasaw,
3 State of Iowa, in issuing warrants in the aggregate amount of four-
4 teen thousand seven hundred eighty-eight dollars and eighty-eight
5 cents (\$14,788.88) and the sale of said warrants for the construction
6 of a new school building and equipping the same and for repairing
7 and remodeling the present school building and in purchasing a school
8 house site and other incidental expense and the payment of said funds
9 for the above enumerated purposes all are hereby legalized and vali-
10 dated and the said warrants are hereby declared to constitute legal,
11 valid and binding obligations and indebtedness of said Independent
12 School District of New Hampton in the County of Chickasaw, State
13 of Iowa.

1 SEC. 2. The board of directors of the Independent School District
2 of New Hampton in the County of Chickasaw, State of Iowa, is hereby
3 authorized to make a levy each year for the payment of said war-
4 rants and the taxes raised from the said levy are to be paid into the
5 general school fund and are to be used for the sole purpose of retiring
6 said warrants.

1 SEC. 3. Nothing in this act shall be construed to affect pending
2 litigation.

1 SEC. 4. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication,
3 without expense to the state, in The New Hampton Tribune, a news-

4 paper published at New Hampton, Iowa, and the Nashua Reporter,
5 a newspaper published at Nashua, Iowa.

Approved March 20, 1939.

I hereby certify that the foregoing act was published in the New Hampton Tribune,
May 4, 1939, and the Nashua Reporter, May 3, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 262

TOWN OF THORNTON

H. F. 222

AN ACT to legalize a special election held in the incorporated town of Thornton, Cerro Gordo county, Iowa, on the 27th day of October, 1938, relating to the issuance of bonds of said town, and declaring bonds issued pursuant to said election to be enforceable obligations of said town.

WHEREAS, a special election was held in the incorporated town of Thornton, in the county of Cerro Gordo, state of Iowa, on the 27th day of October, 1938, at which there was submitted to the voters of said town the proposition of whether or not the town should erect a public waterworks plant and distribution system at a total cost of not to exceed \$22,713.65, and contract indebtedness for such purpose not exceeding \$12,500, and issue bonds for such purpose in an amount not exceeding \$12,500, and levy a tax annually upon the taxable property in the town for payment thereof; and

WHEREAS, it appears that at said special election more than sixty per cent of the total votes cast were in favor of said proposition; and

WHEREAS, doubts have arisen as to the legal sufficiency of said election, the sufficiency of the notice of election, the authority to erect said public waterworks plant and distribution system, to contract the indebtedness and to issue bonds in connection therewith, which doubts and all others that might arise should be forever put at rest; therefore,

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

1 SECTION 1. The special election, notice thereof, and all proceed-
2 ings in connection therewith held in the incorporated town of Thorn-
3 ton, Iowa, on the 27th day of October, 1938, at which there was sub-
4 mitted to the voters of said town the proposition of whether or not
5 the town should erect a public waterworks plant and distribution sys-
6 tem at a total cost of not to exceed \$22,713.65 and contract indebted-
7 ness for such purpose not exceeding \$12,500, and issue bonds for
8 such purpose in an amount not exceeding \$12,500, and levy a tax an-
9 nually upon the taxable property in the town for payment thereof,
10 are hereby declared to be legal and valid, notwithstanding any irregu-
11 larity, omission, or defect in the notice of said special election or other
12 proceedings in connection therewith; and said election shall constitute
13 legal and sufficient authority for the erection of said waterworks plant
14 and distribution system by said town, and the bonds issued pursuant
15 to said election in the amount aforesaid are hereby declared to be valid
16 and binding obligations of said town.

1 SEC. 2. This act, being deemed of immediate importance, shall be
 2 in full force and effect from and after its publication in the Thornton
 3 Enterprise, a newspaper published at Thornton, Iowa, and in the Clear
 4 Lake Mirror, a newspaper published at Clear Lake, Iowa, all without
 5 expense to the state.

Approved February 23, 1939.

I hereby certify that the foregoing act was published in the Thornton Enterprise,
 March 3, 1939, and the Clear Lake Mirror, March 2, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 263

CITY OF DECORAH

H. F. 191

AN ACT to authorize and legalize issuance of warrants by the city of Decorah in Winneshiek county, Iowa, to be drawn against the bridge fund of the city of Decorah, Iowa, for the purpose of purchasing right of way and assisting in federal project in the diversion of flood waters from dry run to the Upper Iowa river within and adjacent to the city of Decorah, Iowa.

WHEREAS, there runs through the city of Decorah, Iowa, a certain stream known as Dry Run over which have been erected and maintained a large number of bridges; and

WHEREAS, a certain Federal project is contemplated for the diversion of the flood waters heretofore following the channel of said Dry Run, which project when completed will in large measure do away with the necessity of such bridges and their maintenance and in substitution for which certain culverts will be constructed and maintained; and

WHEREAS, the said project will be of great benefit to the city of Decorah, Iowa, in eliminating the cost of maintenance, repair, and reconstruction of said bridges; and

WHEREAS, as a part of said Federal project the city of Decorah, Iowa, must agree to contribute the necessary right of way required to accomplish the diversion of the flood waters from Dry Run to the Upper Iowa River and no fund now exists which the city is authorized to use for said purpose; and

WHEREAS, the funds now available in the bridge fund, together with the anticipated revenue for the coming two years allocated to said bridge fund, will be sufficient to provide the necessary funds for the purchase of said right of way and no additional taxes are contemplated or will be required; therefore,

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

1 SECTION 1. The city council of the city of Decorah, Iowa, is hereby
 2 authorized to order and direct the issuance of warrants drawn against
 3 the bridge fund of the city of Decorah, Iowa, in an amount not in ex-
 4 cess of fifteen thousand dollars (\$15,000.00) to be used for the pur-
 5 chase of right of way and to the expense required under the Federal
 6 Flood Waters Diversion Project for the diversion of flood waters from
 7 Dry Run to the Upper Iowa River in and adjacent to the city of De-

8 corah, Iowa, as fixed by the plans and specifications heretofore sub-
 9 mitted to the city council of Decorah, Iowa, by the United States Corps
 10 of Engineers in connection with said project. The authority herein
 11 given for the expenditure of such moneys is intended to cover the sum
 12 of approximately ten thousand dollars (\$10,000.00) now available in
 13 the bridge fund of the city of Decorah, Iowa, and the further sum of
 14 five thousand dollars (\$5,000.00) to be raised under the normal bridge
 15 tax to be levied and collected in the two years next ensuing and not in
 16 excess of a total of fifteen thousand dollars (\$15,000.00).

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 the Decorah Public Opinion and in the Decorah Journal, newspapers
 4 published in the city of Decorah, Iowa, without expense to the state.

Approved February 25, 1939.

I hereby certify that the foregoing act was published in the Decorah Public Opinion,
 March 7, 1939, and the Decorah Journal, March 3, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 264

ARION INDEPENDENT SCHOOL DISTRICT

S. F. 154

AN ACT to legalize a special school election held in the Independent School District of Arion, Crawford county, Iowa, on the first day of October, 1938, relating to the issuance of bonds of said school district and declaring bonds issued pursuant to said election to be enforceable obligations of said school district.

WHEREAS, a special school election was held in the Independent School District of Arion, Crawford County, Iowa, on October 1, 1938, at which election there was submitted to the qualified voters of said Independent School District the proposition of issuing bonds of said Independent School District in the amount of Seven Thousand Dollars (\$7,000) for the purpose of erecting a new brick school building in said Independent School District; and

WHEREAS, it appears that at said election over sixty per cent of the total votes cast on said proposition were cast in favor thereof; and

WHEREAS, doubts have arisen as to the legal sufficiency of said election and the proceedings taken in connection therewith and as to the authority to erect said school building and to issue bonds for said purpose, and it is deemed advisable to put said doubts, and all others that may arise, forever at rest; therefore,

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

1 SECTION 1. That the election and all proceedings taken by the
 2 Board of Directors of the Independent School District of Arion, Craw-
 3 ford County, Iowa, in connection with the election referred to in the
 4 preamble hereto are hereby declared to be legal and valid notwith-
 5 standing any irregularity, omission or defect in connection therewith,
 6 and bonds issued pursuant thereto for the purpose aforesaid are hereby

7 declared to be valid and binding obligations of said Independent School
8 District.

1 SEC. 2. This Act, being deemed of immediate importance, shall
2 become effective upon publication in the Denison Review, a newspaper
3 published at Denison, Iowa, and The Daily Times, a newspaper pub-
4 lished at Missouri Valley, Iowa.

Approved February 25, 1939.

I hereby certify that the foregoing act was published in the Denison Review, March 2, 1939, and the Daily Times, Missouri Valley, March 3, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 265

CLIMBING HILL CONSOLIDATED SCHOOL DISTRICT

S. F. 145

AN ACT to legalize the election and proceedings relating to the sale and authorizing the issuance of bonds by the Consolidated School District of Climbing Hill, in the county of Woodbury, state of Iowa, and the proceedings providing for the levying of an annual tax for the payment of bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, at an election on the 12th day of September, 1938, there was submitted to the qualified electors of The Consolidated School District of Climbing Hill, in the County of Woodbury, State of Iowa, the following proposition: "Shall The Consolidated School District of Climbing Hill, in the County of Woodbury, State of Iowa, issue school bonds in the sum of \$20,350.00 for the purpose of assisting in financing the building of an addition to and remodeling of the public school building in The Consolidated School District of Climbing Hill, in the County of Woodbury, State of Iowa?" and

WHEREAS, it appears that as a result of said election, the qualified voters of said Consolidated School District cast seventy-eight (78) votes in favor of said proposition, and nineteen (19) votes against the same and that said proposition was declared duly carried by more than 60% of all votes cast at said election; and

WHEREAS, it appears that pursuant to the authority granted by said election the Board of Directors of said Consolidated School District directed that there be issued school building bonds of The Consolidated School District of Climbing Hill, in the County of Woodbury, State of Iowa, in the amount of Twenty Thousand Three Hundred and Fifty Dollars (\$20,350.00) for school building purposes in and for said School District, and that bonds in said amount and for said purposes have been sold; and

WHEREAS, it appears that the Board of Directors of said Consolidated School District have entered into a written contract as by law provided for the construction of an addition to and remodeling of the public school building in said School District, and have accepted a grant from the United States of America to aid in financing the same; and

WHEREAS, doubts have arisen as to the legal sufficiency of said election and proceedings and as to the authority to issue and sell bonds and to levy

and collect taxes to pay the principal and interest of said bonds as the same will become due, and it is deemed advisable to put said doubts, and all others that may arise, forever at rest; Now, therefore:

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

1 SECTION 1. That the election and all proceedings taken by the
2 Board of Directors of the Consolidated School District of Climbing Hill,
3 in the County of Woodbury, State of Iowa, relating to the issuance
4 of school building bonds of said School District in the sum of Twenty
5 Thousand Three Hundred and Fifty Dollars (\$20,350.00) and all pro-
6 ceedings providing for the levy of taxes to pay the principal and in-
7 terest of said bonds as the same will become due, be, and the same are
8 hereby declared to be legal and valid notwithstanding any irregularity,
9 omission or defect in connection therewith, and that bonds issued pur-
10 suant to said proceedings in the amount aforesaid are hereby declared
11 to be valid and binding obligations of said Consolidated School District.

1 SEC. 2. Nothing in this act shall be construed to affect pending
2 litigation.

1 SEC. 3. This Act, being deemed of immediate importance shall
2 become effective upon publication in the Sioux City Journal, a news-
3 paper published at Sioux City, Iowa, and the Anthon Herald, a news-
4 paper published at Anthon, Iowa, both of said publications to be with-
5 out expense to the State.

Approved March 7, 1939.

I hereby certify that the foregoing act was published in the *Sioux City Journal*, March 21, 1939, and the *Anthon Herald*, March 15, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 266

CHICKASAW COUNTY EQUITY COOPERATIVE ASSOCIATION

S. F. 159

AN ACT to legalize the acts and proceedings of the Chickasaw County Equity Cooperative Association of New Hampton, Iowa, since the date of the expiration of its articles of incorporation, and to provide for the renewal of the articles of incorporation of said Chickasaw County Equity Cooperative Association.

WHEREAS, the period of the corporate existence of the Chickasaw County Equity Cooperative Association, organized under the laws of the State of Iowa, with its principal place of business in the City of New Hampton, Iowa, expired on the 23d day of September, 1936, and through inadvertence the same was not renewed within the period prescribed by statute, and,

WHEREAS, the Chickasaw County Equity Cooperative Association has continued thereafter to conduct its business and affairs as a corporation, and,

WHEREAS, on the first day of February, 1939, a special meeting of the stockholders of said corporation was called for the purpose of renewing and extending the said corporation for a period of twenty years from Septem-

ber 23, 1936, and adopting amended and substituted Articles of Incorporation, and,

WHEREAS, the Chickasaw County Equity Cooperative Association has filed the said Amended and Substituted Articles of Incorporation with the Secretary of the State of Iowa and has paid the proper renewal fees and recording fees as provided by law; Now, therefore:

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

1 SECTION 1. All proceedings had with respect to the renewal of the
2 corporate existence of the Chickasaw County Equity Cooperative Asso-
3 ciation and all corporate acts of said corporation, its officers and direc-
4 tors since the expiration of the corporate existence of said corporation
5 on the 23d day of September, 1936, hereby are legalized and shall have
6 the same force and effect as though the said proceedings had been
7 adopted pursuant to law and within the period prescribed by the statute
8 and shall be held and considered as a renewal and extension of the
9 period of the corporate existence of said corporation, which expired
10 on September 23, 1936, and all corporate acts and proceedings of said
11 corporation, including the proceedings in connection with the renewal
12 and extension of said corporation and the adoption of the renewal
13 Amended and Substituted Articles of Incorporation, hereby are de-
14 clared to be valid and legal.

1 SEC. 2. The Secretary of the State of Iowa is hereby authorized and
2 directed to issue a certificate of renewal to the Chickasaw County
3 Equity Cooperative Association, said renewal to extend the corporate
4 existence of said corporation for a period of twenty years from Septem-
5 ber 23, 1936.

1 SEC. 3. Nothing in this act shall be construed to affect pending liti-
2 gation involving said Chickasaw County Equity Cooperative Associa-
3 tion.

1 SEC. 4. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The New Hamp-
3 ton Tribune, a newspaper published at New Hampton, Iowa, and the
4 Nashua Reporter, a newspaper published at Nashua, Iowa, without ex-
5 pense to the State of Iowa.

Approved March 7, 1939.

I hereby certify that the foregoing act was published in The New Hampton Tribune, March 23, 1939, and the Nashua Reporter, March 22, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 267

LE MARS PARK BOARD

S. F. 170

AN ACT to legalize and validate the acts done and proceedings taken by the board of park commissioners of the city of Le Mars, in Plymouth county, Iowa, in expending funds of said city for park purposes, in authorizing and providing for the issuance and delivery of park bonds of said board, and in making provisions for the levy and collection of taxes to pay the principal of said bonds and the interest thereon.

WHEREAS, the Board of Park Commissioners of the City of LeMars, Iowa, has authorized and issued Park Bonds of said Board known as Series #1 on which there is a balance unpaid of Twenty-five hundred dollars, (\$2500.00) and interest thereon and has provided for the levy and collection of taxes to take care of the same; and

WHEREAS, the Board of Park Commissioners has authorized and issued Park Bonds of said Board known as Series #2 in the sum of Fifteen thousand dollars (\$15,000.00) and has provided for the levy and collection of taxes to take care of the same all in accordance with and strict compliance to Section 5793 et seq of the 1935 Code of Iowa; and

WHEREAS, the Board of Park Commissioners has authorized and issued Park Bonds of said Board in the sum of Eight thousand dollars (\$8,000.00) and has provided for the levy and collection of taxes to take care of the same, all in accordance with and in strict compliance to Chapter 293 of the 1935 Code of Iowa; and

WHEREAS, the Board of Park Commissioners of the City of Le Mars has issued warrants in the sum of Four thousand eight hundred dollars (\$4,800.00) and which have been stamped "Unpaid for lack of funds" and which are now held by the First National Bank in Le Mars; and

WHEREAS, the Board of Park Commissioners of the City of Le Mars has authorized and issued Park Bonds of said Board known as Series #4 of said Board in the sum of Twenty-three thousand dollars (\$23,000.00) for the purpose of providing funds in the sum of One thousand dollars (\$1,000.00) to permanently improve the New Municipal Park in Le Mars comprising approximately one hundred and thirty acres, for the purpose of refunding the balance of the bonds in Bond Series #2 of said Board in the sum of Eleven thousand two hundred dollars (\$11,200.00) after giving consideration to Three thousand eight hundred dollars (\$3,800.00) in the sinking fund of said Series #2 and refunding Six thousand dollars (\$6,000) Bond series #3 of said Board, and for the purpose of funding outstanding warrants of said Board of Park Commissioners now held by the First National Bank in the sum of Four thousand eight hundred dollars (\$4,800.00). and has provided for the levy and collection of an additional tax to pay the principal of the remaining bonds in Bond Series #1, Bond Series #3 and Bond Series #4, and the interest as it falls due on all of said Bonds in said series, all in accordance with and in strict compliance to Chapter 293 of the 1935 Code of Iowa; and

WHEREAS, the Board of Park Commissioners of the City of LeMars, has obligated itself and agreed to furnish not to exceed Four thousand dollars (\$4,000.00) as a sponsor's share of a W.P.A. project for the purpose of permanently improving real estate now owned by said Board comprising about 130 acres and known as the New Municipal Park; and

WHEREAS, doubts have arisen as to the legal sufficiency of the proceedings expenditures and acts of said Board in connection therewith, and their authority to issue said bonds and to provide and collect the additional levy for the purpose of paying the principal of the Bonds and the interest thereon and it is deemed advisable to put said doubts and all others that may arise, forever at rest; now therefore

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

1 SECTION 1. That the actions of the Board of Park Commissioners
2 of the City of Le Mars, Plymouth County, Iowa, and the proceedings
3 taken by said Board in the incurring of an indebtedness of \$4800.00,
4 and in the issuance of warrants for said indebtedness, and in funding
5 the same through Bond Series #4 of said Board, and in obtaining
6 \$1,000.00 of funds to carry on a W.P.A. project for the permanent
7 betterment and improvement of the new municipal park of said City,
8 through the issuance of a bond in the sum of \$1,000 in Bond Series
9 #4 of said Board, and in refunding Bond Series #2 of said Board in
10 the sum of \$11,200.00, and in refunding \$6,000.00 of Bond Series
11 #3 of said Board, all by the issuance of Bond Series #4 of said
12 Board, in the aggregate sum of \$23,000.00, and in providing for the
13 levy and collection of an additional tax against all of the taxable
14 property in the city of Le Mars, Iowa, to pay the principal and in-
15 terest of said Bond Series #4, and the outstanding bonds in Bond
16 Series #1, in the sum of \$2500.00, and the outstanding bonds in
17 Bond Series #3, in the sum of \$2,000.00, be, and all of the same,
18 are hereby legalized and validated; and all of said bonds in Bond
19 Series #4, in the aggregate sum of \$23,000.00, and the outstanding
20 bonds in Bond Series #1, in the sum of \$2500, and the outstanding
21 bonds in Bond Series #3, in the sum of \$2,000, be, and each of them,
22 are hereby declared to constitute a legal, valid and binding indebted-
23 ness and obligation of said Board of Park Commissioners; and the
24 levy made by said Board of Park Commissioners of the City of Le
25 Mars, Iowa, for the purpose of retiring all of said bonded indebtedness
26 is hereby declared to be a valid, legal and binding additional levy of
27 said Board of Park Commissioners.

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in the
3 Le Mars Semi-Weekly Sentinel and Le Mars Globe-Post, newspapers
4 published in the City of Le Mars, Iowa, all without expense to the
5 state.

Approved March 7, 1939.

I hereby certify that the foregoing act was published in the Le Mars Semi-Weekly Sentinel, March 15, 1939, and the Le Mars Globe-Post, March 13, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 268

PRIMGHAR HOTEL COMPANY

H. F. 281

AN ACT to legalize the corporate acts and the renewal of the charter of the Primghar Hotel Company, Primghar, Iowa.

WHEREAS, at the expiration of the corporate existence of the Primghar Hotel Company, Primghar, Iowa, a corporation organized under the laws of Iowa, renewal articles were not filed with the secretary of state in full compliance with the statutes relating to renewals, specifically, within the time limitation prescribed for such renewal; and

WHEREAS, the said Primghar Hotel Company, although its corporate existence expired on the fifteenth day of March, 1931, has continued to and still is operating in the town of Primghar, Iowa, and is desirous of re-financing its obligations to avoid the loss of its property; and

WHEREAS, the said corporation has now filed such renewal articles and tendered the statutory fees therefor and otherwise complied with the law, except as to the time of filing; now, therefore,

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

1 SECTION 1. The proceedings of the Primghar Hotel Company,
2 Primghar, Iowa, with respect to renewal of said corporation are here-
3 by legalized and declared of the same force and effect as though they
4 were had in full compliance with the laws of Iowa relating to renewals.

1 SEC. 2. The secretary of state is hereby authorized and directed to
2 issue to the said Primghar Hotel Company, Primghar, Iowa, a certifi-
3 cate of renewal which shall have the same effect as though issued
4 upon proper application by said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
2 pending litigation, if any, involving said corporation.

1 SEC. 4. This act, being deemed of immediate importance, shall take
2 effect and be in force from and after its publication in the O'Brien
3 County Bell, a newspaper published at Primghar, Iowa, and the Suther-
4 land Courier, a newspaper published at Sutherland, Iowa, and without
5 expense to the state.

Approved March 7, 1939.

I hereby certify that the foregoing act was published in the O'Brien County Bell, Primghar, Iowa, March 15, 1939, and the Sutherland Courier, Sutherland, Iowa, March 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 269
CITY OF DES MOINES

H. F. 61

AN ACT to legalize and validate ordinance forty-two hundred twenty-seven (4227) of the city of Des Moines, Iowa, passed June 25, 1934, relating to and providing for fire limits and regulations covering the construction, alteration, equipment, occupancy, repair, use and removal of buildings and other structures, regulating the installation of heating apparatus and providing for the regulation of inflammable liquids, partition fences, fire escapes and standpipes, providing for the inspection of the same and the issuance of permits and fees to be charged therefor, and providing a penalty for the violation thereof, and to legalize all the acts and proceedings connected with said ordinance by the city council of said city and its officers in the passage, publication and adoption of the form of said ordinance.

WHEREAS, the city of Des Moines, Iowa, prepared, filed and passed ordinance forty-two hundred twenty-seven (4227) and published the same in book or pamphlet form, consisting of four hundred forty-three (443) sections and subdivisions of said sections, interspersed with advertisements through the pages of said ordinance book, publication or pamphlet; and,

WHEREAS, it is impractical and too expensive to publish said ordinance in a newspaper; and,

WHEREAS, certain objections have been raised as to the legality of said ordinance growing out of its form, manner of publication and passage; and,

WHEREAS, said ordinance was so passed and published and has been in force since June 25, 1934, and has received general distribution and publicity throughout the city, and particularly to those interested in the subject matter thereof; now, therefore,

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

1 SECTION 1. That all proceedings and acts taken by the city council
2 of the city of Des Moines, Iowa, and its officers, in the filing, form, con-
3 sideration, passage, signing and publication of said ordinance forty-
4 two hundred twenty-seven (4227), passed by the city council on June
5 25, 1934, are hereby legalized, validated and confirmed as set forth
6 in said ordinance as passed and in pamphlet or book form, as herein
7 referred to, and said ordinance as so published is hereby declared to
8 be legal and to constitute a valid ordinance in all respects.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Iowa
3 Legionaire, a newspaper published in the city of Des Moines, Iowa,
4 and in the Plain Talk, a newspaper also published in the city of Des
5 Moines, Iowa, all without expense to the state.

Approved March 8, 1939.

I hereby certify that the foregoing act was published in the Plain Talk, Des Moines, Iowa, March 16, 1939. I further certify that the Iowa Legionaire, Des Moines, Iowa, refused to publish this act and that at my request publication was made in the Ankeny Times, Ankeny, Iowa, March 31, 1939.*

EARL G. MILLER, *Secretary of State.*

*Note: Designated under authority of section 55, code, 1935.

CHAPTER 270

CITY OF DES MOINES

H. F. 62

AN ACT to legalize and validate ordinance thirty-six hundred nineteen (3619), and amendments thereof, of the city of Des Moines, Iowa, relating to regulating the location and use of buildings, structures and land for trade, industry, commerce, residence or other purposes, regulating and restricting the height of buildings, determining the area of yards, and other open spaces, regulating and determining the density of use of land and lot areas and dividing the city into districts, providing for the enforcement thereof, and a board of adjustment, and prescribing penalties for the violation thereof, and to legalize and validate all the acts and proceedings taken by the city council and its officers in the passage, publication and adoption of the form of said ordinance, and to legalize and validate the sufficiency of public hearings in relation thereto and the publicity and notice of the time and place of such hearings.

WHEREAS, the city of Des Moines, Iowa, prepared, filed and passed ordinance thirty-six hundred nineteen (3619) and published the same in its book of Des Moines Revised Ordinances, 1932, including a height and area district map as a part thereof, as authorized by the zoning commission of the city of Des Moines and Harland Bartholomew, city plan engineer, St. Louis, Missouri, with height and area districts, use districts and rear and side yard and setback provisions, with lot area per family and maximum height of buildings; and,

WHEREAS, section sixty-four hundred fifty-five (6455) of the Code of Iowa, 1924, provided and the law now provides for public hearings in relation thereto, an opportunity to citizens to be heard, and provides for the publication of a fifteen-day notice of the time and place of such hearing; and,

WHEREAS, the zoning commission of the city of Des Moines held many hearings upon notice and heard protests of many citizens upon many occasions, and the city council of said city held several hearings in accordance with newspaper items published fifteen days or more in advance of said hearings; now, therefore,

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

1 SECTION 1. That the proceedings and acts of the zoning commis-
2 sion of the city of Des Moines and the city council of said city and the
3 notices given of said hearings and the publicity appearing in papers of
4 general circulation in said city are hereby legalized and validated and
5 said notices and publicity are hereby approved and confirmed as ade-
6 quate and sufficient notice of all hearings required by section sixty-
7 four hundred fifty-five (6455), Code of Iowa, 1935, and said ordinance
8 is hereby legalized, validated and confirmed and all regulations,
9 restrictions and boundaries therein contained are hereby declared
10 effective and valid in all respects.

1 SEC. 2. The provisions of this act shall not affect or apply to any
2 use to which any real estate was lawfully devoted prior to the ef-
3 fective date hereof and such use may be continued hereafter.

1 SEC. 3. The provisions of this act shall not apply to rights involved
2 in pending litigation.

1 SEC. 4. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Iowa
 3 Legionaire, a newspaper published in the city of Des Moines, Iowa,
 4 and in the Plain Talk, a newspaper also published in the city of Des
 5 Moines, Iowa, all without expense to the state.

Approved March 23, 1939.

I hereby certify that the foregoing act was published in the Ankeny Times, April 14, 1939, and the Plain Talk, Des Moines, Iowa, April 13, 1939. I further certify that the Iowa Legionaire refused to publish this act and that publication was made in the Ankeny Times at my request.*

EARL G. MILLER, *Secretary of State.*

CHAPTER 271

STORY COUNTY

H. F. 221

AN ACT to legalize the action of the board of supervisors of Story county, Iowa, in making expenditures from the Story county insane fund for the purpose of paying the expenses and maintenance of the Story county home.

WHEREAS, the board of supervisors of Story county, Iowa, has for the past two years paid the total cost of maintaining the Story County Home from the insane fund of Story county, Iowa; and

WHEREAS, doubts have arisen as to the legality of such proceedings and expenditures and it is deemed advisable to put such doubts forever at rest; now, therefore,

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

1 SECTION 1. The action of the board of supervisors of Story county,
 2 Iowa, in making expenditures for the expenses and maintenance of
 3 Story County Home in the year 1936, in the sum of eighteen thousand
 4 seven hundred ninety-six dollars forty cents (\$18,796.40) from the
 5 county insane fund, is hereby declared to be legal, valid and binding.

1 SEC. 2. The action of the board of supervisors of Story county,
 2 Iowa, in making expenditures for the year 1937 for the maintenance
 3 and expenses of the Story County Home from the Story county insane
 4 fund in the sum of twenty-one thousand two hundred thirty-four dol-
 5 lars seventy-seven cents (\$21,234.77), is hereby declared to be legal,
 6 valid and binding.

1 SEC. 3. Nothing in this act shall affect pending litigation.

1 SEC. 4. This act, being deemed of immediate importance shall take
 2 effect and be in force from and after its passage and publication in the
 3 Nevada Evening Journal, a newspaper published in Nevada, Iowa, and
 4 in The Milepost, a newspaper published in Ames, Iowa, without ex-
 5 pense to the state.

Approved March 9, 1939.

I hereby certify that the foregoing act was published in the Nevada Evening Journal, April 20, 1939, and The Milepost, Ames, Iowa, April 20, 1939.

EARL G. MILLER, *Secretary of State.*

*Note: Designated under section 55 of the code.

CHAPTER 272

LEE COUNTY

H. F. 242

AN ACT to legalize action of the Board of Supervisors of Lee County, Iowa, in transferring funds in the amount of \$680.72 from the county general fund of Lee county to the Green Bay levy fund of the Green Bay Drainage District of said county in 1939.

WHEREAS, an overdraft has existed in the Green Bay levy fund of the Green Bay drainage district of Lee County, Iowa, in the amount of \$680.72 prior to 1921; and

WHEREAS, there is no legal remedy to correct the said overdraft in the said fund, and the said overdraft should be corrected from the general fund of the said County; and

WHEREAS, this transfer should be directed, approved and legalized; now therefore,

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

1 SECTION 1. That the transfer during the year 1939 of the sum of
2 \$680.72 from the general fund of Lee County, Iowa, to the Green Bay
3 levy fund of the Green Bay drainage district of said Lee County, Iowa,
4 be made to correct an overdraft in the latter fund in the same amount.

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in The
3 Evening Democrat, a newspaper published at Fort Madison, Iowa, and
4 in the Donnellson Review, a newspaper published at Donnellson, Iowa,
5 without expense to the state.

Approved March 9, 1939.

I hereby certify that the foregoing act was published in The Evening Democrat, Ft. Madison, Iowa, March 24, 1939, and the Donnellson Review, Donnellson, Iowa, March 30, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 273

FARMERS COOPERATIVE EXCHANGE OF KENT

H. F. 262

AN ACT to legalize the corporate acts and the renewal of the charter of the Farmers' Cooperative Exchange, Kent, Iowa.

WHEREAS, at the expiration of the corporate existence of the Farmers' Cooperative Exchange, Kent, Iowa, a corporation organized under the laws of Iowa, renewal articles were not adopted and filed with the secretary of state in full compliance with the statutes relating to renewals, specifically, within the time limitation prescribed for adoption and filing of such articles of renewal; and

WHEREAS, the said corporation has now filed such renewal articles and tendered the statutory fees therefor and otherwise complied with the law, except as to the time of adopting and filing; now, therefore,

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

1 SECTION 1. The proceedings of the Farmers' Cooperative Ex-
2 change, Kent, Iowa, with respect to the renewal of said corporation are
3 hereby legalized and declared to be of the same force and effect as
4 though they were had in full compliance with the laws of Iowa relating
5 to renewals.

1 SEC. 2. The secretary of state is hereby authorized and directed to
2 issue to the said Farmers' Cooperative Exchange a certificate of re-
3 newal which shall have the same effect as though issued upon proper
4 application by said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
2 pending litigation, if any, involving said corporation.

1 SEC. 4. This act, being deemed of immediate importance, shall take
2 effect and be in force from and after its publication as provided by law,
3 and without expense to the state.

Approved March 9, 1939.

I hereby certify that the foregoing act was published in the Afton Star-Enterprise,
March 30, 1939, and the Lorimor Journal, April 6, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 274

TOWN OF BODE

H. F. 272

AN ACT to legalize and validate proceedings taken by the town council and the officials of the town of Bode, Iowa, in calling and holding a special election held in the town of Bode, Iowa, on the 4th day of November, 1938, and the election itself on the proposition of purchasing a town hall and constructing alterations thereto and contracting indebtedness and issuing bonds for such purpose not exceeding \$3,500.00 and levying an annual tax of two and one-half mills.

WHEREAS, a special election was held in and for the town of Bode, Iowa, on the 4th day of November, 1938, under the provisions of chapter three hundred nineteen (319) of the code, 1935; and

WHEREAS, said election was for the purpose of authorizing the purchase of a town hall and constructing alterations thereto and contracting indebtedness for such purpose not exceeding \$3,500.00 and issuing bonds for such purpose not exceeding \$3,500.00 and the levy of a tax annually upon the taxable property in the town of Bode, Iowa, not exceeding two and one-half mills per annum for the payment of such bonds and interest thereon; and

WHEREAS, at said election the proposition voted on carried by approximately 90% of the vote cast thereon; and

WHEREAS, a question has arisen as to the legality of such election and the authority to purchase a town hall and to construct alterations thereto and

to contract indebtedness and issue bonds and to levy a tax, which question should be put forever at rest; now, therefore,

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

1 SECTION 1. That the actions and proceedings of the town council
2 of the town of Bode, Iowa, and of the officials of said town, in calling
3 and holding the special election held in the town of Bode, Iowa, on
4 the 4th day of November, 1938, and the election itself on the proposi-
5 tion of purchasing a town hall and constructing alterations thereto
6 and contracting indebtedness for such purpose not exceeding \$3,500.00
7 and issuing bonds for such purpose not exceeding \$3,500.00 and levy-
8 ing a tax annually upon the taxable property in the town of Bode,
9 Iowa, not exceeding two and one-half mills per annum for the pay-
10 ment of such bonds and the interest thereon are hereby validated and
11 legalized notwithstanding any irregularity or omission in connection
12 therewith and shall constitute full authority for the contracting of
13 indebtedness and issuing bonds and levying a tax in the amounts and
14 for the purposes provided in said proposition.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in force and effect from and after its publication without expense to
3 the state in The Bode Bugle, a newspaper published at Bode, Iowa,
4 and in The Humboldt Republican, a newspaper published at Humboldt,
5 Iowa.

Approved March 9, 1939.

I hereby certify that the foregoing act was published in The Bode Bugle, March 17, 1939, and The Humboldt Republican, March 17, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 275

CITY OF ROCK RAPIDS

H. F. 294

AN ACT to legalize and validate proceedings of the council of the city of Rock Rapids, Iowa, authorizing the issuance of warrants for operation and maintenance of its electric light and power plant and system, the warrants issued pursuant thereto, proceedings authorizing the issuance and delivery of revenue bonds in exchange for and to retire a like amount of said warrants and pledging net earnings of the electric light and power plant and system of said city to the payment of said bonds and interest thereon.

WHEREAS, the payment of warrants issued to defray a portion of the cost of improvements and extensions to the Municipal Electric Light and Power System of the City of Rock Rapids, Iowa, depleted the revenue derived from the operation and maintenance of said plant, and warrants were thereafter authorized for the operation and maintenance thereof and issued during the period beginning April 5, 1938, and ending January 19, 1939, both dates inclusive, and were outstanding in an aggregate amount, including interest to February 1, 1939, of \$36,551.78; and

WHEREAS, the City of Rock Rapids, Iowa, by resolution adopted on the first day of February, 1939, authorized and provided for the issuance and

delivery of Electric Light and Power Plant Revenue Bonds of said City in the amount of Thirty-six Thousand Five Hundred Dollars (\$36,500) for the purpose of retiring a like amount of said warrants, including interest thereon, issued for the purpose of operating and maintaining the Municipal Electric Light and Power Plant of said City and in and by said resolution and in and by the bonds authorized to be issued thereunder has pledged the net earnings of said Plant and System to the payment of the interest on and principal of said bonds; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and concerning the provisions made pledging the future net earnings of said Plant and System of said City to the payment of the interest on and principal of said bonds and it is deemed advisable to put said doubts and all others that might arise forever at rest; now therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the City
2 Council of the City of Rock Rapids, Iowa, authorizing and providing
3 for the issuance of warrants for the operation and maintenance of the
4 Electric Light and Power Plant and System of said City and the war-
5 rants issued pursuant thereto during the period beginning April 5,
6 1938, and ending January 19, 1939, both dates inclusive, and pro-
7 ceedings authorizing and providing for the issuance and delivery of
8 Electric Light and Power Plant Revenue Bonds of said City in the
9 amount of Thirty-six Thousand Five Hundred Dollars (\$36,500) in
10 exchange for a like amount of said outstanding warrants, including
11 interest thereon, of said City and pledging the future net revenues
12 to be derived from the operation of said Plant and System to the
13 payment of the interest on and principal of said bonds are hereby
14 legalized and validated and the said bonds when issued and delivered
15 pursuant to and in accordance with said proceedings are hereby de-
16 clared to be valid and binding obligations of said City according to
17 their prescribed tenor, payable solely and only out of the future net
18 earnings of the Municipal Electric Light and Power Plant and System
19 of said City.

1 SEC. 2. This act, being deemed of immediate importance, shall take
2 effect and be in force from and after its publication in the Lyon County
3 Reporter, a newspaper published in the City of Rock Rapids, Iowa
4 and in the George News, a newspaper published in the City of Goerge,
5 Iowa, all without expense to the State.

Approved March 9, 1939.

I hereby certify that the foregoing act was published in the Lyon County Reporter, Rock Rapids, Iowa, March 16, 1939. I further certify that there is no such paper as the George News and that the foregoing act was published at my request in The Lyon County News, George, Iowa, March 16, 1939.*

EARL G. MILLER, *Secretary of State.*

*Note: Designated under authority of section 55, code 1935.

CHAPTER 276

DENNIS BROTHERS COMPANY OF DUBUQUE

H. F. 305

AN ACT to legalize the corporate acts and renewal of the charter of the Dennis Brothers Company, of Dubuque, Iowa.

WHEREAS, at the expiration of the corporate existence of the Dennis Brothers Company, Dubuque, Iowa, a corporation organized under the laws of Iowa, renewal articles were not filed with the secretary of state in full compliance with the statutes relating to renewals, specifically within the time limitation prescribed for such renewal; and

WHEREAS, the said corporation has now filed such renewal articles and tendered the statutory fees therefor and otherwise complied with the law, except as to the time of filing; now, therefore,

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

1 SECTION 1. The proceedings of the Dennis Brothers Company, of
2 Dubuque, Iowa, with respect to renewal of said corporation are hereby
3 legalized and declared of the same force and effect as though they were
4 had in full compliance with the laws of Iowa relating to renewals.

1 SEC. 2. The secretary of state is hereby authorized and directed to
2 issue to the said Dennis Brothers Company a certificate of renewal
3 which shall have the same effect as though issued upon proper applica-
4 tion by said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
2 pending litigation, if any, involving said corporation.

1 SEC. 4. This act, being deemed of immediate importance, shall take
2 effect and be in force from and after its publication in the Telegraph
3 Herald, published in Dubuque, Iowa, and in the Dyersville Commercial,
4 published in Dyersville, Iowa, and without expense to the state.

Approved March 9, 1939.

I hereby certify that the foregoing act was published in the Telegraph-Herald, Dubuque, Iowa, March 29, 1939, and the Dyersville Commercial, March 30, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 277

FARMERS MERCANTILE COMPANY OF RED OAK

H. F. 377

AN ACT to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted articles of incorporation of the Farmers Mercantile Company, of Red Oak, Iowa, and to provide for the renewal of the charter of said Farmers Mercantile Company.

WHEREAS, the period of the corporate existence of the Farmers Mercantile Company organized under the laws of the state of Iowa, with its principal place of business in the city of Red Oak, Iowa, expired on the 13th day of February, 1938, and through inadvertence the same was not renewed within the period prescribed by statute; and

WHEREAS, the Farmers Mercantile Company has continued thereafter to conduct its business and affairs as a corporation; and

WHEREAS, on the 7th day of February, 1939, a special meeting of the stockholders of said corporation was called for the purpose of renewing and extending the said corporation for a period of twenty years from February 13, 1938, and adopting amended and substituted articles of incorporation; and

WHEREAS, the Farmers Mecantile Company has filed the said amended and substituted articles of incorporation with the secretary of state of Iowa and has paid the proper renewal fees and recording fees as provided by law; now, therefore,

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

1 SECTION 1. All proceedings had with respect to the renewal of the
2 corporate existence of the Farmers Mercantile Company, Red Oak,
3 Iowa, and all corporate acts of said corporation, its officers and direc-
4 tors, since the expiration of the corporate existence of said corporation
5 on the 13th day of February, 1938, hereby are legalized and shall have
6 the same force and effect as though the said proceedings had been
7 adopted pursuant to law and within the period prescribed by the statute
8 and shall be held and considered as a renewal and extensions of the
9 period of the corporate existence of said corporation which expired on
10 February 13, 1938, and all corporate acts and proceedings of said cor-
11 poration, including the proceeding in connection with the renewal and
12 extension of said corporation and the adoption of the renewal, amended
13 and substituted articles of incorporation, hereby are declared to be
14 valid and legal.

1 SEC. 2. The secretary of state is hereby authorized and directed to
2 issue a certificate of renewal to the Farmers Mercantile Company of
3 Red Oak, Iowa, said renewal to extend the corporate existence of said
4 corporation for a period of twenty years from February 13, 1938.

1 SEC. 3. Nothing in this act shall be construed to affect pending liti-
2 gation involving said Farmers Mercantile Company.

1 SEC. 4. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Villisca
3 Review, a newspaper published at Villisca, Iowa, and The Red Oak
4 Express, a newspaper published in Red Oak, Iowa, without expense to
5 the state of Iowa.

Approved March 9, 1939.

I hereby certify that the foregoing act was published in The Villisca Review, March 23, 1939, and The Red Oak Express, March 16, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 278

MONROE COUNTY

S. F. 175

AN ACT to make permanent certain temporary transfers of certain funds of Monroe county, Iowa, made by authority of the state comptroller.

WHEREAS, on application of the board of supervisors of Monroe County, Iowa, the state comptroller, on the third (3rd) day of March, 1938, authorized and approved a temporary transfer of fifteen thousand dollars (\$15,000.00) from the county bond fund of said county, to the county fund of said county, which transfer was duly made, and

WHEREAS, on application of the board of supervisors of Monroe County, Iowa, the state comptroller, did on the tenth (10th) day of February, A. D. 1937, authorize and approve a temporary transfer of four thousand dollars (\$4,000.00), from the tuberculosis bovine eradication fund of said county, to the county fund of said county, which transfer was duly made, and

WHEREAS, the maximum tax levy for the county fund of said county has been insufficient to raise sufficient funds to return the above sums transferred to each of said funds, and

WHEREAS, each the bond fund of said county and the tuberculosis bovine eradication fund of said county have not required the sum so transferred, and it now appears that said sums will not be required by either of said funds; therefore,

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

1 SECTION 1. The temporary transfer of fifteen thousand dollars
2 (\$15,000.00) from the county bond fund of Monroe County, Iowa, to
3 the county fund of said county, approved by the state comptroller, of
4 date March 3, 1938, and duly made, is hereby made a permanent trans-
5 fer.

1 SEC. 2. The temporary transfer of four thousand dollars
2 (\$4,000.00) from the tuberculosis bovine eradication fund of Monroe
3 County, Iowa, to the county fund of said county, approved by the state
4 comptroller, of date February 10, 1937, and duly made, is hereby made
5 a permanent transfer.

1 SEC. 3. This act, being deemed of immediate importance, shall take
2 effect, and be in full force from and after its publication in the Union
3 Republican, a newspaper published at Albia, Iowa, and in the Lovilia
4 Press, a newspaper published at Lovilia, Iowa, both of said publications
5 to be without expense to the State.

Approved March 16, 1939.

I hereby certify that the foregoing act was published in the Union Republican, Albia, Iowa, April 20, 1939, and the Lovilia Press, Lovilia, Iowa, April 20, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 279

EAST WATERLOO HOTEL COMPANY

H. F. 154

AN ACT to legalize the corporate acts and renewal of the charter of the East Waterloo Hotel Company, of Waterloo, Iowa.

WHEREAS, at the expiration of the corporate existence of the East Waterloo Hotel Company, Waterloo, Iowa, a corporation organized under the laws of Iowa, renewal articles were not filed with the secretary of state in full compliance with the statutes relating to renewals, specifically within the time limitation prescribed for such renewal; and

WHEREAS, the said corporation has now filed such renewal articles and tendered the statutory fees therefor and otherwise complied with the law, except as to the time of filing; now, therefore,

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

1 SECTION 1. The proceedings of the East Waterloo Hotel Company,
2 of Waterloo, Iowa, with respect to renewal of said corporation are
3 hereby legalized and declared of the same force and effect as though
4 they were had in full compliance with the laws of Iowa relating to
5 renewals.

1 SEC. 2. The secretary of state is hereby authorized and directed
2 to issue to the said East Waterloo Hotel Company a certificate of re-
3 newal which shall have the same effect as though issued upon proper
4 application by said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
2 pending litigation, if any, involving said corporation.

1 SEC. 4. This act, being deemed of immediate importance, shall take
2 effect and be in force from and after its publication in the Waterloo
3 Daily Courier, published in Waterloo, Iowa, and in the Cedar Falls
4 Record, published in Cedar Falls, Iowa, and without expense to the
5 state.

Approved March 20, 1939.

I hereby certify that the foregoing act was published in the Waterloo Daily Courier, April 25, 1939, and the Cedar Falls Record, April 26, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 280

MARSHALL COUNTY

H. F. 210

AN ACT to legalize the action of the board of supervisors of Marshall county, Iowa, in making transfer of funds in the years 1934, 1935, 1936, 1937 and 1938, from the Marshall county insane fund to the Marshall county poor fund.

WHEREAS, the board of supervisors of Marshall County, Iowa, has transferred the funds remaining to the credit of the County insane fund to the

county poor fund in the years hereinafter set out and for the amounts set out opposite thereafter, to wit:

1934	\$14,209.94
1935	13,797.98
1936	15,244.51
1937	16,936.27
1938	13,725.30

and,

WHEREAS, such transfers were not temporary and were not authorized by the state comptroller, and doubts have arisen as to the legality of such transfers and it is deemed advisable to put such doubts forever at rest; now, therefore,

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

1 SECTION 1. The action of the board of supervisors of Marshall
2 County, Iowa, in making transfers from the Marshall County insane
3 fund to the Marshall County poor fund of funds left on hand at the
4 close of the years hereafter set out and in the amounts set out:

5	1934	\$14,209.94
6	1935	13,797.98
7	1936	15,244.51
8	1937	16,936.27
9	1938	13,725.30

10 is hereby declared to be legal, valid and binding.

1 SEC. 2. This act, being deemed of immediate importance, shall take
2 effect and be in force from and after its passage and publication in
3 the Marshalltown Times Republican, a newspaper published in Mar-
4 shalltown, Iowa, and in the Melbourne Record, a newspaper published
5 in Melbourne, Iowa, without expense to the state.

Approved March 20, 1939.

I hereby certify that the foregoing act was published in the Marshalltown Times-Republican, April 11, 1939, and the Melbourne Record, April 20, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 281

DICKINSON COUNTY

H. F. 276

AN ACT to make permanent the balance of a temporary transfer of funds in Dickinson county, Iowa, from the bovine tuberculosis fund to the general fund of said county.

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

1 SECTION 1. The transfer of thirty-five hundred dollars (\$3,500.00)
2 which is the balance remaining of a temporary transfer from the bovine
3 tuberculosis fund of Dickinson County, Iowa, to the general fund of said
4 county, of date April 6, 1937, and which transfer was approved by the
5 state comptroller, is hereby made a permanent transfer, and the same
6 is hereby legalized and made valid.

Approved March 20, 1939.

CHAPTER 282

MILLS COUNTY

H. F. 421

AN ACT to legalize the action of the board of supervisors of Mills county, Iowa, in making expenditures for the purpose of providing workmen's compensation insurance on employees working on roads and bridges from the secondary road maintenance fund.

WHEREAS, the county supervisors of Mills County, Iowa, during the years 1936, 1937, and 1938 paid out of the secondary road maintenance fund the sums of \$1,754.54 for 1936, \$2,227.08 for 1937, and \$2,121.00 for 1938, for premiums on workmen's compensation insurance on employees working on roads and bridges; and

WHEREAS, the attorney general has ruled that expenditures for such purposes should be paid out of the general fund; and

WHEREAS, there are insufficient funds in the general fund of said county to reimburse the secondary road maintenance fund; and

WHEREAS, doubts have arisen as to the legality of such proceedings and expenditures and it is deemed advisable to put said doubts forever at rest; now, therefore,

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

- 1 SECTION 1. The action of the board of supervisors of Mills County,
- 2 Iowa, in making expenditures for the purpose of providing workmen's
- 3 compensation insurance on employees working on roads and bridges in
- 4 the year 1936 in the sum of \$1,754.54, in the year 1937 in the sum of
- 5 \$2,227.08, and in the year 1938 in the sum of \$2,121.00 from the sec-
- 6 ondary road maintenance fund, is hereby declared legal, valid, and
- 7 binding.

Approved March 20, 1939.

CHAPTER 283

FARMERS MUTUAL FIRE INSURANCE ASSOCIATION OF FREMONT COUNTY

H. F. 439

AN ACT to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted articles of incorporation of the Farmers Mutual Fire Insurance Association of Fremont county, Iowa, and to provide for the renewal of the charter of said Farmers Mutual Fire Insurance Association of Fremont county, Iowa.

WHEREAS, the period of the corporate existence of the Farmers Mutual Fire Insurance Association of Fremont County, Iowa, organized under the laws of the state of Iowa, with its principal place of business in the city of Hamburg, Iowa, expired on the 25th day of November, 1936, and through inadvertence the same was not renewed within the period prescribed by statute; and

WHEREAS, the Farmers Mutual Fire Insurance Association of Fremont County, Iowa, has continued thereafter to conduct its business and affairs as a corporation; and

WHEREAS, on the 3rd day of April, 1937, a special meeting of the members of said corporation was called for the purpose of renewing and extending the said corporation for a period of twenty years from November 25, 1936, and adpting amended and substitute articles of incorporation; and

WHEREAS, the Farmers Mutual Fire Insurance Association of Fremont County, Iowa, has filed the said amended and substituted articles of incorporation with the Secretary of State of Iowa and has paid the proper renewal fees and recording fees as provided by law; now, therefore,

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

1 SECTION 1. All proceedings had with respect to the renewal of the
2 corporate existence of the Farmers Mutual Fire Insurance Association
3 of Fremont County, Iowa, and all corporate acts of said corporation,
4 its officers and directors, since the expiration of the corporate existence
5 of said corporation on the 25th day of November, 1936, hereby are
6 legalized and shall have the same force and effect as though the said
7 proceedings had been adopted pursuant to law and within the period
8 prescribed by the statute and shall be held and considered as a renewal
9 and extension of the period of the corporate existence of said corpora-
10 tion which expired on November 25, 1936, and all corporate acts and
11 proceedings of said corporation, including the proceedings in connec-
12 tion with the renewal and extension of said corporation and the adop-
13 tion of the renewal, amended and substituted articles of incorporation,
14 hereby are declared to be valid and legal.

1 SEC. 2. The Secretary of State is hereby authorized and directed
2 to issue a certificate of renewal to the Farmers Mutual Fire Insurance
3 Association of Fremont County, Iowa, said renewal to extend the cor-
4 porate existence of said corporation for a period of twenty years from
5 November 25, 1936.

1 SEC. 3. Nothing in this act shall be construed to affect pending
2 litigation involving said Farmers Mutual Insurance Association of
3 Fremont County, Iowa.

1 SEC. 4. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Hamburg
3 Reporter, a newspaper published at Hamburg, Iowa, and The Farragut
4 Forum, a newspaper published in Farragut, Iowa, without expense to
5 the State of Iowa.

Approved March 20, 1939. .

I hereby certify that the foregoing act was published in The Hamburg Reporter, April 13, 1939, and The Farragut Forum, April 13, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 284

DAYTON CONSOLIDATED INDEPENDENT SCHOOL DISTRICT

H. F. 443

AN ACT to legalize the election and proceedings relating to the sale and issuance of bonds by the Consolidated Independent School District of Dayton, in the county of Webster, state of Iowa, and the proceedings providing for the levy of taxes for the payment of said bonds and the interest thereon, and declaring bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, at a special election held on the first day of August, 1938, there was submitted to the qualified electors of the Consolidated Independent School District of Dayton, in the county of Webster, state of Iowa, the proposition of issuing bonds of said School District in the amount of Fifteen Thousand Dollars (\$15,000.00) for the purpose of paying part of the cost of constructing and equipping an auditorium and gymnasium as an addition to the present school building; and

WHEREAS, it appears that as a result of said election said proposition was declared duly carried by more than sixty (60) per cent of all the votes cast at said election; and

WHEREAS, it appears that pursuant to the authority granted at said election the board of directors of said Consolidated-Independent School District directed that there be issued school building bonds of the Consolidated-Independent School District of Dayton, in the county of Webster, state of Iowa, in the amount of Fifteen Thousand Dollars (\$15,000.00) for the purpose of paying part of the cost of constructing and equipping an auditorium and gymnasium as an addition to the present school building in and for said school district; and

WHEREAS, doubts have arisen as to the legal sufficiency of said election and proceedings and as to the authority to issue and sell said bonds and to levy and collect taxes sufficient to pay the principal of and interest on said bonds as the same respectively mature, and it is deemed advisable to put said doubts, and all others that may arise, forever at rest; now, therefore,

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

1 SECTION 1. That the election and all proceedings taken by the
2 board of directors of the Consolidated-Independent School District of
3 Dayton, in the county of Webster, state of Iowa, relating to the sale
4 and issuance of said school building bonds of said school district in
5 the amount of Fifteen Thousand Dollars (\$15,000.00) and all pro-
6 ceedings providing for the levy of taxes to pay the principal of and
7 interest on said bonds as the same respectively mature, be, and the
8 same are hereby declared to be legally sufficient and valid, notwith-
9 standing any irregularity, omission, or defect in connection there-
10 with, and that bonds issued pursuant to said proceedings in the
11 amount aforesaid are hereby declared to be valid and binding obli-
12 gations of said Consolidated-Independent School District.

1 SEC. 2. This Act being deemed of immediate importance shall be-
2 come effective upon publication in the Fort Dodge Messenger, a news-
3 paper published at Fort Dodge, Iowa, and the Dayton Review, a news-

4 paper published at Dayton, Iowa, both of said publications to be with-
5 out expense to the state.

Approved March 20, 1939.

I hereby certify that the foregoing act was published in the Fort Dodge Messenger, March 28, 1939, and the Dayton Review, March 30, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 285

LADIES PROFESSORSHIP ASSOCIATION OF FAYETTE

H. F. 641

AN ACT to legalize the reincorporation of the Ladies Professorship Association of Fayette, Fayette county, Iowa, its articles of incorporation, the election of officers, and executive committee under said articles of incorporation, and of the acts and proceedings to effect said reincorporation, and the title of property belonging to said corporation as herein incorporated and assumed by said articles of reincorporation.

WHEREAS, on the fourth day of December, 1873, a corporation was formed, and articles of incorporation were adopted under the corporate name of the Ladies Professorship Association of The Upper Iowa University, which articles were duly filed in the office of the Recorder of Fayette County, Iowa, on the sixteenth day of December, 1873, at two o'clock P. M., and recorded under the name of Ladies Professorship Association in book number one of incorporation records, on page 102 thereof; and

WHEREAS, the time limit for the existence of said corporation as originally incorporated had expired under the provisions of the statutes of this State, and the members of said Ladies Professorship Association located in the town of Fayette, Fayette County, Iowa, duly authorized the officers and trustees and directors known as the executive board, to reincorporate said corporation under the provisions of section 8592-a1 of the Code of Iowa, 1935; and

WHEREAS, said officers and executive committee did on the twenty-fifth day of March, 1939, execute, adopt, sign and acknowledge articles of incorporation for the purpose of reincorporating under said section of the Code of 1935 under the name of Ladies Professorship Association of Fayette, Iowa, naming Mrs. J. W. Dickman, Mrs. C. R. Carpenter, Mrs. Q. C. Babcock, Mrs. J. D. Parker, Mrs. A. Whitney and Mrs. W. C. Denniston as the executive committee, with all the powers and duties of trustees of said corporation, which articles of incorporation were acknowledged and signed and recorded as provided by law, and are duly recorded in the office of the Recorder of Fayette County, Iowa, in book three (3) of corporation records at page three hundred eighty-seven (387) thereof; and

WHEREAS, there may be doubts as to the legality and effectiveness of said articles and the proceedings for said reincorporation, and of the title to property, rights and powers and privileges acquired and obtained thereby, and in order to clear up and remove all doubts as to the validity thereof, now therefore,

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

1 SECTION 1. That the original proceedings to renew the existence
2 of and reincorporate the aforesaid corporation under the present name

3 of the Ladies Professorship Association of Fayette, Iowa, and the last
 4 named articles of incorporation filed as aforesaid, and recorded in
 5 book three (3) of the incorporate records of Fayette County, Iowa,
 6 at page three hundred eighty-seven (387) thereof, are hereby de-
 7 clared legal and valid to all intents and purposes as provided by said
 8 section 8592-a1 of said 1935 Code of Iowa, and the title, rights, pos-
 9 session in and to all property heretofore had, owned, possessed, or
 10 acquired by either and all of said former named corporation, is hereby
 11 declared to be lawfully conferred upon and vested in and made valid
 12 as the property and rights of the said last named corporation, ar-
 13 ticles of which were filed in said book three (3) of articles of incor-
 14 poration at page three hundred eighty-seven (387) thereof, with all
 15 the powers and privileges conferred by lawful reincorporation under
 16 said section eight thousand five hundred ninety-two (8592), Code,
 17 1935, whether or not there was or should be found to be any failure
 18 in any particular to comply fully with the provisions of said section
 19 or the laws of Iowa. That the provisions of said articles and the nam-
 20 ing of said officers thereof and the re-election thereof, and all acts
 21 heretofore and hereafter performed by said executive committee and
 22 officers or of said corporation, are hereby legalized and declared to be
 23 valid in all respects as if all the provisions of the statutes and the
 24 relations* thereto had been in all respects strictly and fully complied
 25 with.

1 SEC. 2. That said corporation shall remain valid, and continue its
 2 existence as such for the period and under the conditions provided by
 3 Chapter three hundred ninety-four (394), Code, 1935.

Approved April 20, 1939.

CHAPTER 286
 TOWN OF HOPKINTON
 H. F. 642

AN ACT to legalize a special election held in the town of Hopkinton, Iowa, on the twenty-third day of February, 1939, on the proposition of authorizing said town to construct a municipal building and contract indebtedness and issue bonds for such purpose, and levy a tax annually upon the taxable property in said town for the payment of such bonds and the interest thereon, and to legalize indebtedness incurred and taxes levied pursuant thereto, and the proceedings providing for the issuance and sale of said bonds, and to declare bonds issued pursuant to said election to be valid and enforceable obligations of said town.

WHEREAS, it appears that a special election was held in the incorporated town of Hopkinton, in Delaware county, Iowa, on the 23d day of February, 1939, at which there was submitted to the voters of said town the proposition of authorizing said town to construct a municipal building and contract indebtedness for such purpose not exceeding Eight Thousand Dollars (\$8,000), and issue bonds for such purpose not exceeding Eight Thousand Dollars (\$8,000), and levy a tax annually upon the taxable property in said town not exceeding two and one-half mills per annum for the payment of such bonds and the interest thereon; and

*Note: In accordance with enrolled bill.

WHEREAS, the returns of said election show that more than sixty per cent (60%) of the total votes cast on said proposition were in favor of said proposition; and it appears that pursuant to said election the town council directed that bonds in said amount, and for said purposes, be issued, and said bonds have been sold; and

WHEREAS, doubts have arisen as to the legal sufficiency of said election, of the giving of notice thereof, of the authority to construct a municipal building and contract indebtedness, and issue bonds for such purpose, and to levy a tax for the payment of such bonds and interest thereon, and as to the sufficiency of the proceedings providing for the issuance and sale of said bonds, which doubts and all others that might arise should be forever put at rest; now, therefore,

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

1 SECTION 1. That the special election, the notice thereof and all
2 proceedings in connection therewith held in the incorporated town of
3 Hopkinton, Iowa, on the 23d day of February, 1939, on the propo-
4 sition of authorizing said town to construct a municipal building, and
5 contract indebtedness for such purpose not exceeding Eight Thousand
6 Dollars (\$8,000), and issue bonds for such purpose not exceeding
7 Eight Thousand Dollars (\$8,000), and levy a tax annually upon the
8 taxable property in said town not exceeding two and one-half mills
9 per annum for the payment of such bonds and the interest thereon,
10 and the proceedings of the town council in connection with the issu-
11 ance and sale of said bonds, are hereby declared to be legally suffi-
12 cient and valid notwithstanding any irregularity, omission or defect
13 in connection therewith, and that said election and proceedings shall
14 constitute legal and sufficient authority for the construction of a mu-
15 nicipal building by said town, and the contracting of indebtedness and
16 issuance of bonds for such purpose, and the levying of a tax for the
17 payment of such bonds and the interest thereon, and that bonds is-
18 sued pursuant to said election and proceedings are hereby declared
19 to be valid and binding obligations of said town.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Hopkin-
3 ton Leader, a newspaper published in Hopkinton, Iowa, and in the
4 Manchester Press, a newspaper published in Manchester, Iowa, all
5 without expense to the state.

Approved April 20, 1939.

I hereby certify that the foregoing act was published in the Hopkinton Leader on May 4, 1939, and that the Manchester Press refused to make publication. I further certify that the foregoing act was published at my request in the Cedar Rapids Gazette on May 5, 1939.

EARL G. MILLER, *Secretary of State.**

*Note: Designated under authority of Sec. 55, Code 1935.

CHAPTER 287

NORWAY TOWNSHIP, HUMBOLDT COUNTY

S. F. 294

AN ACT to legalize outstanding warrants issued by Norway township, Humboldt county, Iowa, in the construction of a community hall for the joint use of said township and the incorporated town of Thor, Iowa, in the town of Thor, Iowa, and providing for the levy of taxes to pay said warrants.

WHEREAS, on August 6, 1934, an election was held, upon a petition duly presented and notice given, by the voters of Norway Township, Humboldt County, Iowa, for the purpose of authorizing the levy of a tax for the erection of a community hall in the Incorporated Town of Thor, Iowa, for the joint use of said Township and the Town of Thor, Iowa; and

WHEREAS, at said election 138 votes were cast in favor of said proposition and 49 votes cast against the same; and

WHEREAS, the said election and the proceedings had in connection therewith were duly legalized by Chapter 211 of the Acts of the 46th General Assembly of Iowa; and

WHEREAS, pursuant thereto such community hall was contracted for and erected in the Incorporated Town of Thor, Iowa, for the joint use of the said Norway Township and the said Incorporated Town of Thor, Iowa, and is now in use as such; and

WHEREAS, unpaid warrants have been issued by the trustee of the said Norway Township and are now outstanding in the principal amount of Three thousand eight hundred five dollars and fourteen (\$3805.14) in the erection of the said community hall; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said warrants and concerning the authority of the trustees of said Township to levy a tax for the payment thereof beyond the five year period immediately subsequent to said election and it is deemed advisable that the same be legalized and validated and provisions made for the payment thereof; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the trustees
2 of Norway Township, Humboldt County, Iowa, in the issuance of
3 said warrants in the outstanding and unpaid aggregate amount of
4 Three thousand eight hundred five dollars and fourteen cents
5 (\$3805.14) principal, together with the said warrants themselves, be
6 and the same hereby are legalized, validated and confirmed.

1 SEC. 2. That the trustees of Norway Township, Humboldt County,
2 Iowa, and their successors in office are hereby fully authorized and
3 empowered to levy an annual tax not exceeding three-fourths ($\frac{3}{4}$)
4 mill on the dollar each year on the taxable property of said Township
5 to provide funds for the payment thereof and all lawful interest
6 thereon, until said warrants and all interest thereon shall have been
7 fully paid.

1 SEC. 3. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Humboldt

3 Independent, a newspaper published in the City of Humboldt, Iowa,
4 and in the Renwick Times, a newspaper published at Renwick, Iowa,
5 both without expense to the State.

Approved March 26, 1939.

I hereby certify that the foregoing act was published in the Humboldt Independent, April 4, 1939, and the Renwick Times, April 6, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 288

CITY OF FORT MADISON

H. F. 334

AN ACT to legalize action of the city council of the city of Fort Madison, Iowa, in transferring funds in the amount of \$10,000 from the emergency fund to the general fund, and expending this \$10,000 from the general fund in excess of appropriations and anticipated revenues for such fiscal year, and to make such expenditures legal, binding and valid obligations of the city of Fort Madison, Iowa.

WHEREAS, The city council of the city of Fort Madison, Iowa, in cooperation with the federal government set up and carried on WPA projects which are of lasting benefit to said city and incurred indebtedness therefor during the fiscal year 1938-39 in excess of budget appropriations and anticipated revenue of the general fund for said year; and

WHEREAS, During the fiscal year 1938-1939 expenditures were made and warrants were drawn and issued against the general fund of said city to pay such indebtedness in the sum of \$10,000; now,

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

1 SECTION 1. That the action of the city council of the city of Fort
2 Madison, Iowa, in incurring indebtedness during the fiscal year be-
3 ginning April 1, 1938, and ending March 31, 1939, in excess of budget
4 appropriations and anticipated revenues for said year, and in trans-
5 ferring funds in the amount of ten thousand dollars (\$10,000) from
6 the emergency fund to the general fund and making expenditures from
7 and issuing warrants on said general fund in the amount of ten thou-
8 sand dollars (\$10,000) to cover indebtedness incurred in the carrying
9 on in cooperation with the federal government and the WPA of public
10 projects in said city, are hereby legalized, and said expenditures are
11 hereby declared to constitute legal, binding, and valid obligations and
12 evidences of indebtedness of said city.

1 SECTION 2. This act being deemed of immediate importance, shall
2 be in full force and effect from and after its publication in the Evening
3 Democrat, a newspaper published in the city of Fort Madison, Iowa,
4 and the West Point Bee, a newspaper published at West Point, Iowa.

Approved March 28, 1939.

I hereby certify that the foregoing act was published in the Evening Democrat, Fort Madison, Iowa, April 15, 1939, and the West Point Bee, West Point, Iowa, April 13, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 289
CARROLL COUNTY

H. F. 270

AN ACT to make permanent a temporary transfer made October 10, 1938, by authority of the state comptroller of nineteen thousand dollars (\$19,000.00) from the maintenance and construction fund of Carroll county, Iowa, to the poor fund of said county.

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

1 SECTION 1. The temporary transfer of nineteen thousand dollars
2 (\$19,000.00) from the maintenance and construction fund of Carroll
3 County, Iowa, to the poor fund of said county of date October 10, 1938,
4 and approved by the state comptroller under date of October 13, 1938,
5 is hereby made a permanent transfer.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its publication in the Carroll
3 Daily Herald, a newspaper published at Carroll, Iowa, and in the
4 Manning Monitor, a newspaper published at Manning, Iowa, both of
5 said publications to be without expense to the state.

Approved April 10, 1939.

I hereby certify that the foregoing act was published in the Carroll Daily Herald, May 5, 1939, and the Manning Monitor, May 11, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 290

SPECIAL CHARTER CITIES, POLICEMEN AND FIREMEN RETIREMENT ACTS

S. F. 331

AN ACT to legalize the acts of special charter cities in operating under the provisions of chapter three hundred twenty-two-F1, (322-F1), code, 1935, providing for retirement systems for policemen and firemen, and in accepting contributions from members of the police and fire departments under the provisions of said chapter.

WHEREAS, sub-section twenty-three (23) of section six thousand three hundred twenty-six-f1, (6326-f1), code, 1935, defines "city" to mean any city or cities in which fire and/or police retirement systems are established by this chapter, including special charter cities; and

WHEREAS the chapter referred to is chapter three hundred twenty-two-F1, (322-F1), code, 1935, establishing retirement systems for policemen and firemen, and

WHEREAS certain special charter cities have proceeded under the provisions of said chapter, and have accepted contributions from members of the police and fire departments under the provisions of said chapter, and

WHEREAS, some doubt exists whether the provisions of said chapter apply to special charter cities because the application of the provisions of said chapter to special charter cities is not in a separate section of said chapter; now therefore,

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

1 SECTION 1. That the acts of special charter cities in proceeding
2 under the provisions of chapter three hundred twenty-two-F1,

3 (322-F1,) code, 1935, and all of the acts of such special charter cities
4 and of the governing bodies of such special charter cities in accepting
5 contributions from members of the police and fire departments under
6 the provisions of chapter three hundred twenty-two-F-1 (322-F1),
7 code, 1935, are hereby legalized and validated with the same force and
8 effect as if the application of said chapter to special charter cities had
9 been in a separate section.

1 SEC. 2. This act, being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Muscatine
3 Journal and News Tribune, a newspaper published in Muscatine,
4 Iowa, and the West Liberty Index, a newspaper published in West
5 Liberty, Iowa.

Approved April 15, 1939.

I hereby certify that the foregoing act was published in the Muscatine Journal and
News-Tribune, April 21, 1939, and the West Liberty Index, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 291

CITY OF CHARITON

S. F. 477

AN ACT to legalize the proceedings of the city of Chariton, Iowa, relating to the water
works improvement, the extension of water mains and the erection of a water tank,
commonly known as P.W.A. project No. Iowa-1689-F, and the contracts made for
such project.

WHEREAS, the Public Works Administration of the United States has
approved an application of the City of Chariton, Iowa, for a grant for the
improvement of its water works system and also approved the plans, speci-
fications, contracts, and procedure followed by said city relative thereto,
and

WHEREAS, pursuant thereto on the 21st day of December, 1938, the City
of Chariton, Iowa, made and executed a contract for the extension of its
water mains, and

WHEREAS, pursuant thereto on the 23rd day of January, 1939, the City
of Chariton, Iowa, made and executed a contract for the erection of a
water tank, and

WHEREAS, the Public Works Administration of the United States ad-
vanced the agreed amount of funds to assist said city in the payment of
such improvements, and

WHEREAS, the City of Chariton, Iowa, has borrowed the necessary funds
to complete said improvements, and

WHEREAS, a question has arisen as to the legality of and the authority to
enter into the aforesaid contracts, and the legal sufficiency of the procedure
followed by said city prior to the execution of said contracts and borrowing
of said funds; now, therefore,

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

1 SECTION 1. The contracts executed by the City of Chariton, Iowa,
2 on the 21st day of December, 1938, and the 23rd day of January,

3 1939, relating to its water works improvements, the extension of its
4 water mains, and the erection of a water tank, and all proceedings
5 pertaining thereto including the act of said city in borrowing funds
6 to be used in such project, are hereby legalized and declared valid.

1 SEC. 2. This act being deemed of immediate importance, shall be
2 in force and effect from and after its passage and publication in the
3 Chariton Leader, a newspaper published at Chariton, Iowa, and The
4 Union-Tribune, a newspaper published at Russell, Iowa, without
5 expense to the state.

Approved April 15, 1939.

I hereby certify that the foregoing act was published in the Chariton Leader, Chariton,
Iowa, May 2, 1939, and The Union-Tribune, Russell, Iowa, May 4, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 292

TOWN OF ADEL

H. F. 296

AN ACT legalizing the acts of the town council, officers and agents of the town of Adel,
Iowa, in constructing a swimming pool.

WHEREAS, the Incorporated Town of Adel, Dallas County, Iowa, did heretofore, by vote of the electors of said Town, authorize the construction of a swimming pool and the incurring by said Town of indebtedness and the issuance of bonds for said purpose in the amount of Nine Thousand Dollars (\$9,000.00); and

WHEREAS, after said election and after the construction of said improvement was begun, the price of labor and materials increased to such extent that the construction of said improvement could not be completed within the amount authorized at said election; and

WHEREAS, said Town nevertheless employed labor and purchased materials sufficient to complete said improvement and said improvement is completed and being used by said Town and its inhabitants but payment for said labor and materials has not been made; and

WHEREAS, the cost of said labor and materials in addition to all other indebtedness of said Town does not exceed the constitutional limit of indebtedness of said Town; and

WHEREAS, doubt has arisen concerning the legality of the acts of said Town, its Town Council and its officers and agents in employing said labor and the purchase of said materials and the completion of said swimming pool; now, therefore;

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

1 SECTION 1. That the acts of the Town Council and of the officers
2 and agents of the Town of Adel, Dallas County, Iowa, in constructing
3 a swimming pool in said Town and employing labor and purchasing
4 materials for said purpose, be and the same are hereby legalized, as
5 though the law had in all respects been complied with.

1 SEC. 2. This act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in Dallas County
 3 News, a newspaper published in Adel, Iowa, and in Dallas Center
 4 Times, a newspaper published in Dallas Center, Iowa, said publication
 5 to be without expense to the State.

Approved April 15, 1939.

I hereby certify that the foregoing act was published in the Dallas County News, Adel, Iowa, May 3, 1939, and the Dallas Center Times, Dallas Center, Iowa, May 4, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 293

TOWN COUNCIL WARRANTS OF WEST OKOBOJI

H. F. 442

AN ACT to legalize proceedings and the issuance of warrants by the town council of the incorporated town of West Okoboji.

WHEREAS, the Town Council of the Incorporated Town of West Okoboji have issued two warrants, one dated October 11, 1936, #906, for \$500.00, and one dated October 27, 1936, #927 for \$500.00; and

WHEREAS, doubts have arisen as to the validity and legal sufficiency of the proceedings as aforesaid, and it is deemed advisable to put said doubts and all others that might arise forever at rest; now, therefore,

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

1 SECTION 1. The proceedings heretofore taken by the town council
 2 of the incorporated town of West Okoboji, Dickinson county, Iowa,
 3 whereby on October 11, 1936, they issued warrant number 906 for
 4 \$500.00, and on October 27, 1936, they issued warrant number 927
 5 for \$500.00 are hereby declared to be legally sufficient, and said war-
 6 rants are declared to be as valid as if every provision of law had been
 7 complied with, by said council, in the issuance of said warrants.

1 SEC. 2. Nothing in this act shall affect pending litigation.

1 SEC. 3. This act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in the Spirit Lake
 3 Beacon, a newspaper published at Spirit Lake, Iowa, and in the Mil-
 4 ford Mail, a newspaper published at Milford, Iowa, all without ex-
 5 pense to the state.

Approved April 15, 1939.

I hereby certify that the foregoing act was published in the Spirit Lake Beacon, May 11, 1939, and the Milford Mail, May 11, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 294
TOWN OF FARRAGUT
H. F. 603

AN ACT to legalize the proceedings relating to the sale and issuance of refunding bonds of the town of Farragut, in the county of Fremont, state of Iowa, and the proceedings providing for the levy of taxes to pay said bonds and the interest thereon.

WHEREAS, the town of Farragut, in the county of Fremont, and state of Iowa, did heretofore issue its waterworks bonds in the amount of seventeen thousand dollars (\$17,000.00), maturing July 1, 1939, its sewer bonds in the amount of fifteen hundred dollars (\$1500.00) and its sewer outlet and purifying plant bonds in the amount of fifteen hundred dollars (\$1500.00); and

WHEREAS, it appears that in order to refund the indebtedness of said town represented by said outstanding bonds, the town council took certain proceedings for the issuance and sale of refunding bonds of the town of Farragut, in the county of Fremont, state of Iowa, in the amount of twenty thousand dollars (\$20,000.00) and to provide for the levy of taxes to pay the principal thereof and the interest thereon as the same respectively mature; and

WHEREAS, doubts have arisen as to the legal sufficiency of said proceedings and as to the authority to issue and sell said refunding bonds and to levy and collect taxes to pay the principal thereof and the interest thereon, and it is deemed advisable to put said doubts, and all others that may arise, forever at rest; now, therefore,

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

1 SECTION 1. All proceedings taken by the town council of the town
2 of Farragut, in the county of Fremont and state of Iowa, relating to
3 the issuance of refunding bonds of the incorporated town of Farragut,
4 Iowa, in the sum of twenty thousand dollars (\$20,000.00), for the
5 refunding of bonds heretofore issued as follows: waterworks bonds
6 in the amount of seventeen thousand dollars (\$17,000.00), maturing
7 July 1, 1939, sewer bonds in the amount of fifteen hundred dollars
8 (\$1500.00), and outlet and purifying plant bonds in the amount of
9 fifteen hundred dollars (\$1500.00), and all proceedings providing for
10 the levy of taxes to pay the principal of and interest on said refunding
11 bonds as the same respectively mature, be and the same are hereby
12 declared to be legally sufficient and valid notwithstanding any irregu-
13 larity, omission, or defect in connection therewith, and that the re-
14 funding bonds issued pursuant to said proceedings in the amount
15 aforesaid are hereby declared to be valid and binding obligations
16 of said town of Farragut, Iowa.

1 SEC. 2. This act being deemed of immediate importance shall be-
2 come effective upon publication in the Farragut Forum, a newspaper
3 published at Farragut, Iowa, and The Hamburg Reporter, a news-
4 paper published at Hamburg, Iowa, both of said publications to be
5 without expense to the state.

Approved April 15, 1939.

I hereby certify that the foregoing act was published in the Farragut Forum, April 27, 1939, and The Hamburg Reporter, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 295

ALLAMAKEE COUNTY

H. F. 435

AN ACT to make permanent a temporary transfer of funds in Allamakee county, Iowa, from the bovine tuberculosis eradication fund to the general fund of said county.

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

1 SECTION 1. The transfer of five thousand dollars (\$5,000.00) of a
2 temporary transfer from the bovine tuberculosis eradication fund of
3 Allamakee County, Iowa, to the general fund of said county, of date
4 July 30, 1937, and which transfer was approved by the state comp-
5 troller, is hereby made a permanent transfer, and the same is hereby
6 legalized and made valid.

Approved April 17, 1939.

CHAPTER 296

PORTLAND COOPERATIVE COMPANY OF PORTLAND, IOWA

S. F. 377

AN ACT to legalize the corporate acts and the renewal of the charter of the Portland Cooperative Company, Portland, Iowa.

WHEREAS, the Portland Cooperative Company of Portland, Iowa, being an organization formed under the provisions of Chapter three hundred eighty-nine (389) Code, 1935, failed to make the necessary report for the year 1935, which should have been filed in the year 1936, the failure being an inadvertence or mistake, and

WHEREAS, it is necessary in order to permit said company to reorganize and extend its charter; now, therefore

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

1 SECTION 1. The proceedings of The Portland Cooperative Company,
2 Portland, Iowa, with respect to renewal of said corporation are hereby
3 legalized and declared of the same force and effect as though they were
4 had in full compliance with the laws of Iowa relating to renewals.

1 SEC. 2. The Portland Cooperative Company, Portland, Iowa, is
2 hereby granted permission to now file their report for the year 1935
3 as required by chapter three hundred eighty-nine (389), Code, 1935,
4 and upon receipt thereof the secretary of state is authorized and
5 directed to issue to the said company a certificate of renewal which
6 shall have the same effect as though issued upon proper application by
7 said corporation.

1 SEC. 3. Nothing in this Act shall be deemed or construed to affect
2 pending litigation, if any, involving said corporation.

1 SEC. 4. This act, being deemed of immediate importance, shall take
2 effect and be in force from and after its publication as provided by

3 law in the Globe Gazette, Mason City, Iowa and the Nora Springs
4 Advertiser, Nora Springs, Iowa, without expense to the state.

Approved April 18, 1939.

I hereby certify that the foregoing act was published in the Globe Gazette, Mason City, April 25, 1939, and the Nora Springs Advertiser, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 297

FARMERS MUTUAL INSURANCE ASSOCIATION OF CORNING, IOWA

S. F. 414

AN ACT to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted articles of incorporation of the Farmers Mutual Insurance Association, of Corning, Iowa, and to provide for the renewal of the charter of said Farmers Mutual Insurance Association.

WHEREAS, the period of the corporate existence of the Farmers Mutual Insurance Association organized under the laws of the State of Iowa, with its principal place of business in the City of Corning, Iowa, expired on the 25th day of March, 1938, and through inadvertence the same was not renewed within the period prescribed by statute; and

WHEREAS, the Farmers Mutual Insurance Association has continued thereafter to conduct its business and affairs as a corporation; and

WHEREAS, on the 11th day of March, 1939, a special meeting of the members of said corporation was called for the purpose of renewing and extending the said corporation for a period of twenty years from March 25, 1938, and adopting amended and substituted articles of incorporation; and

WHEREAS, the Farmers Mutual Insurance Association has filed the said amended and substituted articles of incorporation with the secretary of State of Iowa and has paid the proper renewal fees and recording fees as provided by law; now, therefore,

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

1 SECTION 1. All proceedings had with respect to the renewal of the
2 corporate existence of the Farmers Mutual Insurance Association,
3 with its principal place of business at Corning, Iowa, and all corporate
4 acts of said corporation, its officers and directors, since the expiration
5 of the corporate existence of said corporation on the 25th day of
6 March, 1938, hereby are legalized and shall have the same force and
7 effect as though the said proceedings had been adopted pursuant to
8 law and within the period prescribed by statute and shall be held and
9 considered as a renewal and extension of the period of the corporate
10 existence of said corporation which expired on March 25, 1938, and
11 all corporate acts and proceedings of said corporation, including the
12 proceedings in connection with the renewal and extension of said cor-
13 poration and the adoption of the renewal, amended and substituted
14 articles of incorporation, hereby are declared to be valid and legal.

1 SEC. 2. The Secretary of State is hereby authorized and directed
2 to issue a certificate of renewal to the Farmers Mutual Insurance As-

3 sociation, of Corning, Iowa, said renewal to extend the corporate
4 existence of said corporation for a period of twenty years from
5 March 25, 1938.

1 SEC. 3. Nothing in this act shall be construed to affect pending
2 litigation involving said Farmers Mutual Insurance Association.

1 SEC. 4. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Adams
3 County Free Press, Corning, Iowa, and The Taylor County Herald,
4 Bedford, Iowa without expense to the State of Iowa.

Approved April 18, 1939.

I hereby certify that the foregoing act was published in the Adams County Free Press, Corning, Iowa, May 4, 1939, and the Taylor County Herald, Bedford, Iowa, May 4, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 298

FLOYD COUNTY

S. F. 441

AN ACT to legalize the action of the board of supervisors of Floyd county, Iowa, in acquiring title to lot five (5), block two (2), Oak Park addition to Charles City, Iowa, and to legalize the expenditure of the sum of nine hundred thirty-two dollars and thirty-two cents (\$932.32) for the repair and construction of a house upon the said real estate.

WHEREAS, Floyd County, Iowa, on the 29th day of November, 1937, acquired tax deed to Lot Five (5), Block Two (2), Oak Park Addition to Charles City, Iowa, such tax deed having been acquired pursuant to and under the provisions of the public bidder law, and

WHEREAS, subsequent to the acquisition of said title, said board caused to be constructed on said premises a certain residence wherein to house poor families, the cost of said house being Nine hundred thirty-two dollars and thirty-two cents (\$932.32), and

WHEREAS, subsequent to the construction of said house, doubt arose as to the legal right of said county to pay the cost of such construction, and

WHEREAS, the above described lot was then sold to one Merrill G. Smith, pursuant to the provisions of the public bidder law for the sum of Twenty-five dollars (\$25.00), which was the reasonable value of said lot, and

WHEREAS, thereupon said Merrill G. Smith paid to the contractor, materialmen and laborers the cost of constructing said house and thereupon entered into a lease with Floyd County, Iowa, under the terms of which said house was leased to said county for the purpose of housing the poor at an agreed rental, and

WHEREAS, said county has now purchased said lot with the house referred to thereon situated and doubt has arisen as to the validity of the construction of the house, the sale of the lot and the purchase of said house and lot by said county, now therefore,

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

1 SECTION 1. That the action of the board of supervisors of Floyd
2 County, Iowa, in contracting for the erection of said house, in selling

3 the lot on which the same is situated to said Merrill G. Smith, and in
 4 purchasing said house and lot from said Merrill G. Smith, and all
 5 matters pertaining to the construction of said house, the sale of said
 6 lot, the purchase of said house and lot, be and the same is hereby
 7 legalized, validated and confirmed and the title of said property and
 8 the building thereon is hereby confirmed and established in Floyd
 9 County, Iowa.

1 SECTION 2. This act, being deemed of immediate importance, shall
 2 become effective upon publication in The Charles City Press, a news-
 3 paper published in Charles City, Iowa, and in The Nashua Reporter,
 4 a newspaper published in Nashua, Iowa, without expense to the state.

Approved April 19, 1939.

I hereby certify that the foregoing act was published in the Charles City Press, June 1, 1939, and the Nashua Reporter, May 31, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 299

TRANSFER OF FUNDS BY TREASURER OF WORTH COUNTY

H. F. 425

AN ACT to legalize the action of the county treasurer of Worth county, Iowa, in making payment from the general fund of said county of the sum of twenty-eight hundred twenty-five and 75/100 dollars (\$2825.75) for the purpose of retiring certain bonds and coupons issued by and against Drainage District Number 40 of Worth County, Iowa.

WHEREAS, there has been paid from the general funds of Worth County, Iowa, certain bonds and coupons issued by and against drainage district number 40 of Worth County, Iowa, in the amount of twenty-eight hundred twenty-five and 75/100 dollars (\$2825.75); and

WHEREAS, the same cannot be collected from the former treasurer nor the present treasurer on account of the statute of limitations; and

WHEREAS, it is impossible to levy an assessment on said drainage district to pay the amount of twenty-eight hundred twenty-five and 75/100 (\$2825.75) so paid by said county treasurers and thus reimburse the county funds of Worth County, Iowa; now, therefore,

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

1 SECTION 1. The payment of the sum of twenty-eight hundred
 2 twenty-five and 75/100 (\$2825.75) by the county treasurer of Worth
 3 County, Iowa, for the purpose of retiring certain bonds and coupons
 4 issued by and against drainage district number 40 of Worth County,
 5 Iowa, out of the general funds of Worth County, Iowa, is hereby legal-
 6 ized and made a permanent transfer from the general funds of Worth
 7 County, Iowa.

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Manly

- 3 Signal, a newspaper published at Manly, Iowa, and The Northwood
 4 Anchor, a newspaper published at Northwood, Iowa, both publications
 5 to be without expense to the state.

Approved April 20, 1939.

I hereby certify that the foregoing act was published in the Northwood Anchor, May 4, 1939, and the Manly Signal, May 4, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 300

PUBLISHING MONONA COUNTY ELECTION RESULTS

H. F. 477

AN ACT to legalize payment of \$283.50 by the board of supervisors of Monona county to the three official newspapers of Monona county for election results published by said newspapers in November, 1936, as ordered by county auditor and as published from copy furnished by said county auditor.

WHEREAS, the County Auditor of Monona County ordered published and furnished copy of the election results of November, 1936, to the three official newspapers of Monona County, Iowa; and

WHEREAS, the state law at the time did not specifically require publication of said election results, although this was not known by the Auditor nor the newspapers concerned; and

WHEREAS, said election results were duly published, as ordered by the Auditor, and payment for same has not been received at the legal rate of \$94.50 for each of said three newspapers; and

WHEREAS, various other newspapers over the state have been paid for publishing said election results in their respective counties, according to records in the Auditor of the State's office; and

WHEREAS, The Board of Supervisors of Monona County, Iowa, is willing to pay said total of \$283.50 as an obligation of the County by reason of the order having been issued by the County Auditor, who also is willing to have said bill paid; and

WHEREAS, the Supervisors do not desire to pay said bill without proper authority; now, therefore,

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

1 SECTION 1. The Board of Supervisors of Monona County, Iowa, is
 2 hereby authorized and ordered to pay ninety-four dollars and fifty
 3 cents (\$94.50) to each of the following official newspapers of said
 4 County for publication of election results of the election in November,
 5 1936, in their newspapers in November, 1936: The Mapleton Press,
 6 a newspaper published at Mapleton, Iowa; The Onawa Sentinel, a
 7 newspaper published at Onawa, Iowa; and the Onawa Democrat, a
 8 newspaper published at Onawa, Iowa.

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

- 3 The Mapleton Press, a newspaper published at Mapleton, Iowa, and
 4 The Onawa Democrat, a newspaper published at Onawa, Iowa, said
 5 publication to be without expense to the State.

Approved April 20, 1939.

I hereby certify that the foregoing act was published in the Mapleton Press, May 11, 1939, and the Onawa Democrat, May 11, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 301

WEBSTER COUNTY

S. F. 490

AN ACT to confirm, ratify, legalize and declare valid for all purposes the action of the board of supervisors of Webster county, Iowa, in erecting in the city of Fort Dodge, in said county of Webster and state of Iowa, a building for the purpose of housing welfare and juvenile agencies of said county.

WHEREAS, the County of Webster, through its Board of Supervisors has erected in the City of Fort Dodge at an approximate cost to Webster County of Thirteen Thousand (\$13,000.00) Dollars a building which was designed and intended to be used by the said County as a Juvenile Detention House and as offices for the county Welfare Association, and

WHEREAS, the cost to Webster County of said erection has been paid from the General County Fund of Webster County, Iowa, and

WHEREAS, said expenditure exceeds the limit of legal expenditure as provided by law, and

WHEREAS, the expenditure as set out above is, therefore, illegal, and

WHEREAS, it appears that the erection of said building was undertaken, completed and paid for as aforesaid in good faith and to the present and continuing advantage of said county; now, therefore,

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

1 SECTION 1. That the erection by the Board of Supervisors of Web-
 2 ster County, Iowa, of the Juvenile and Welfare Building in Fort Dodge,
 3 Iowa, and the expenditure of funds belonging to said county in de-
 4 fraying the cost of said building are hereby confirmed, ratified, legal-
 5 ized and declared as valid for all purposes.

1 SEC. 2. This act, being deemed of immediate importance, shall be
 2 in force and effect from and after its passage and publication in the
 3 Dayton Review, a newspaper published in Dayton, Iowa, and in the
 4 Fort Dodge Messenger, a newspaper published at Fort Dodge, Iowa,
 5 without expense to the state.

Approved April 26, 1939.

I hereby certify that the foregoing act was published in the Dayton Review, May 11, 1939, and the Fort Dodge Messenger, May 11, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 302
TOWN OF WILTON

H. F. 653

AN ACT to legalize a special election held in the town of Wilton, Wilton Junction, Iowa, on the twenty-sixth day of September, 1938, on the proposition of authorizing said town to construct and equip a new town hall and contract indebtedness and issue bonds for such purpose and levy a tax annually upon the taxable property in said town for the payment of such bonds and the interest thereon and to legalize indebtedness incurred and taxes levied pursuant thereto and the proceedings providing for the issuance and sale of said bonds and to declare bonds issued pursuant to said election to be valid and enforceable obligations of said town.

WHEREAS, it appears that a special election was held in the incorporated town of Wilton, Wilton Junction, Iowa, on the 26th day of September, 1938, at which there was submitted to the voters of said town the proposition of authorizing said town to construct and equip a new Town Hall at a cost not exceeding \$28,000 and contract indebtedness for such purpose not exceeding \$10,000 and levy a tax annually upon the taxable property in said town not exceeding one and one-quarter mills per annum for the payment of such bonds and the interest thereon; and

WHEREAS, through oversight the words and figures "and issue bonds for such purpose not exceeding \$10,000" were omitted from the form of ballot but were included in the proceedings calling said election and in the recitals in the proclamation of said election and it was generally understood that the proposition voted upon at said election included the authorization of the issuance of bonds for such purpose not exceeding \$10,000; and

WHEREAS, the returns of said election show that more than eighty-four per cent of the total votes cast on said proposition were in favor of said proposition and it appears that pursuant to said election the Town Council directed that bonds in the amount of \$8,000 and for said purpose be issued and said bonds have been sold; and

WHEREAS, doubts have arisen as to the legal sufficiency of said election, of the giving of notice thereof, of the authority to construct and equip a new Town Hall and contract indebtedness and issue bonds for such purpose and to levy a tax for the payment of such bonds and the interest thereon and as to the sufficiency of the proceedings providing for the issuance and sale of said bonds, which doubts and all others that might arise should be forever put at rest; now therefore

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

1 SECTION 1. That the special election, the notice thereof and all
2 proceedings in connection therewith held in the incorporated Town
3 of Wilton, Wilton Junction, Iowa, on the twenty-sixth day of Septem-
4 ber, 1938, and the proposition of authorizing said town to construct
5 and equip a Town Hall at a cost not exceeding \$28,000 and contract
6 indebtedness for such purpose not exceeding \$10,000 and issue bonds
7 for such purpose not exceeding \$10,000 and levy a tax annually upon
8 the taxable property in said town not exceeding one and one-quarter
9 mills per annum for the payment of such bonds and the interest there-
10 on and the proceedings of the Town Council in connection with the
11 issuance and sale of said bonds to the amount of \$8,000 are hereby
12 declared to be legally sufficient and valid notwithstanding any irregu-
13 larity, omission or defect in connection therewith and that said elec-

14 tion and proceedings shall constitute legal and sufficient authority for
 15 constructing and equipping a new Town Hall and the contracting of
 16 indebtedness and the issuance of bonds to the amount of \$8,000 for
 17 such purpose and the levying of a tax for the payment of such bonds
 18 and the interest thereon and that bonds issued pursuant to said elec-
 19 tion and proceedings are hereby declared to be valid and binding obli-
 20 gations of said town.

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Wilton
 3 Advocate, a newspaper published in Wilton, Iowa, and in the Musca-
 4 tine Journal and News Tribune, a newspaper published in Muscatine,
 5 Iowa, all without expense to the State.

Approved April 26, 1939.

I hereby certify that the foregoing act was published in the Wilton Advocate, May 11,
 1939, and the Muscatine Journal and News Tribune, May 9, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 303

TOWN OF ORANGE CITY

H. F. 652

AN ACT to legalize the proceedings of the town council of the town of Orange City, Sioux county, Iowa, providing for the issuance of refunding bonds of said town in the amount of \$8,000 and the levy of taxes to pay said bonds and the interest thereon, and declaring bonds issued pursuant to said proceedings to be valid and enforceable obligations of said town.

WHEREAS, it appears that the town of Orange City, Sioux County, Iowa, heretofore issued its Disposal Plant Bonds in the amount of \$15,000 under date of November 1, 1928, of which bonds in the amount of \$8,000 were scheduled to mature subsequent to May 1, 1939; and

WHEREAS, it appears that in order to refund the existing indebtedness of said town evidenced by said outstanding Disposal Plant Bonds, the town council has taken certain proceedings authorizing the issuance of Refunding Bonds of said town in the amount of \$8,000, and providing for the levy of taxes to pay the principal thereof and the interest thereon as the same respectively mature; and

WHEREAS, doubts have arisen as to the legal sufficiency of said proceedings and as to the authority to issue said Refunding Bonds and levy taxes to pay the principal thereof and the interest thereon, which doubts and all others that might arise should be forever put at rest; now, therefore,

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

1 SECTION 1. That the proceedings of the town council of the town
 2 of Orange City, Iowa, providing for the issuance of said Refunding
 3 Bonds and the levy of taxes to pay the same are hereby declared to
 4 be legally sufficient and valid notwithstanding any irregularity, omis-
 5 sion, or defect in connection therewith, and that said proceedings shall
 6 constitute legal and sufficient authority for the issuance of said Re-
 7 funding Bonds and the levy of taxes sufficient to meet the principal

8 thereof and the interest thereon as the same respectively mature, and
9 that bonds issued pursuant to said proceedings are hereby declared
10 to be valid and binding obligations of said town.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Sioux
3 County Capital, a newspaper published in Orange City, Iowa, and the
4 Alton Democrat, a newspaper published in Alton, Iowa, all without
5 expense to the state.

Approved April 26, 1939.

I hereby certify that the foregoing act was published in the Sioux County Capital,
Orange City, Iowa, June 8, 1939, and the Alton Democrat, Alton, Iowa, June 9, 1939.

EARL G. MILLER, *Secretary of State.*

SPECIAL LAWS

CHAPTER 304

IOWA-MISSOURI BOUNDARY

H. F. 651

AN ACT to provide for the relinquishment of jurisdiction over certain lands lying in Lee county, state of Iowa, to the state of Missouri.

WHEREAS, the State of Missouri has commenced an action against the State of Iowa in the Supreme Court of the United States for the purpose of determining the boundary line between the county of Clark in the State of Missouri and the county of Lee in the State of Iowa; and

WHEREAS, by an Act of Congress the Des Moines River has been declared to be the true boundary line between the aforesaid counties of such states but that the said river has so shifted its course over a period of years that a question of jurisdiction has arisen over certain lands lying north and east of the said river and over certain lands lying south and west of the said river, the State of Missouri claiming jurisdiction to such lands lying south and west and now in Lee County, Iowa, and the State of Iowa claiming jurisdiction to such lands lying north and east of the said river and now in Clark County, Missouri, as aforesaid; and

WHEREAS, the lands claimed by both states are approximately equal in amount; and

WHEREAS, the trial of said suit would result in great expense to the State of Iowa, and could result in nothing further than a redetermination of the true boundary between said states as the Des Moines River and a requirement that said states relinquish jurisdiction to the other of all lands in the respective counties of Clark and Lee lying to the north and east or to the west and south of said river as the case may be; and

WHEREAS, it is conceded by all interested parties that the Des Moines River is now fixed in its course; and

WHEREAS, all interested parties, including the owners of all lands lying within the disputed area, have agreed to and are in favor of the enactment of this bill; and

WHEREAS, it is proposed by stipulation that the legislature of Iowa and the legislature of Missouri pass like bills; the State of Missouri waiving and relinquishing to the State of Iowa all jurisdiction to lands lying north and east of the Des Moines River now in the County of Clark, State of Missouri, and State of Iowa, waiving and relinquishing to the State of Missouri all lands lying south and west of the Des Moines river and now in the County of Lee, State of Iowa, and that said acts be submitted to the Congress of the United States for its approval; now therefore,

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

1 SECTION 1. The Des Moines river in its present course, as hereto-
2 fore declared by the Congress of the United States, shall be and remain
3 the true boundary line between the State of Missouri and the State
4 of Iowa.

1 SEC. 2. The State of Iowa hereby relinquishes all jurisdiction to
2 all lands in Lee County lying south and west of the Des Moines River,

3 being south and east of the east and west boundary line between
4 the States of Iowa and Missouri.

1 SEC. 3. The title of record in Missouri to any lands, the jurisdic-
2 tion of which is relinquished to the State of Iowa, shall be accepted
3 as the record title by the courts of Iowa.

1 SEC. 4. Nothing in this act shall be deemed or construed to affect
2 pending litigation, if any, affecting the title to any of the land being
3 relinquished by the State of Missouri to the State of Iowa. Provided
4 further that any matter now in controversy and affecting the title to
5 the land being relinquished by the State of Missouri to the State of
6 Iowa shall be continued in the courts of the State of Missouri until
7 the final determination thereof and such final determination shall be
8 accepted by the courts of the State of Iowa with full force and effect.

1 SEC. 5. The land being relinquished to the State of Iowa, upon
2 which taxes have been lawfully imposed in the State of Missouri
3 during the year preceding transfer, shall not thereafter be subject to
4 the imposition of taxes in the State of Iowa until the next succeeding
5 year.

1 SEC. 6. The effective date of the relinquishment of jurisdiction
2 over the lands herein described shall be midnight of the thirty-first
3 (31st) day of December following the passage of the Act of Congress
4 approving the relinquishment of jurisdiction.

1 SEC. 7. This Act shall be void and of no effect unless a similar Act
2 relinquishing and waiving to the State of Iowa all claim of juris-
3 diction over land lying north and east of the Des Moines River is
4 passed by the legislature of the State of Missouri at its present session.

1 SEC. 8. This Act being deemed of immediate importance shall be
2 in full force and effect after its publication in the Daily Gate City,
3 a newspaper published at Keokuk; Iowa, and the Evening Democrat,
4 a newspaper published at Fort Madison, Iowa.

Approved April 18, 1939.

I hereby certify that the foregoing act was published in the Daily Gate City, Keokuk,
Iowa, April 21, 1939, and the Evening Democrat, Fort Madison, Iowa, April 22, 1939.
EARL G. MILLER, *Secretary of State.*

CHAPTER 305

TABOR COLLEGE

S. F. 181

AN ACT to cancel taxes on real property belonging to Tabor College located at Tabor,
Fremont county, Iowa.

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

1 SECTION 1. That all taxes which have accrued and are due the State
2 of Iowa or any of its political subdivisions for the years 1932, 1933,
3 1934, 1935, 1936 and 1937 on certain real property belonging to Tabor

4 College, located in Fremont County, Iowa, described as follows, to-wit:
 5 Lot A. of the Northwest Quarter of Section three (3) Township 70,
 6 Range 42, West of the 5th P. M., in the town of Tabor, Fremont
 7 County, Iowa; also, the Northwest Quarter of the Southwest Quarter
 8 and two acres lying in the northeast corner of the southwest quarter
 9 of the southwest Quarter of Section 2, Township 70, Range 42, in
 10 Fremont County, Iowa, be and they are by the enactment of this bill,
 11 cancelled, rescinded, and satisfied in full.

1 SEC. 2. **Publication clause.** This act being deemed of immediate
 2 importance shall take effect and shall be in full force on and after its
 3 publication in the Tabor Beacon, a newspaper published at Tabor,
 4 Iowa, and the Sidney Argus, a newspaper published in Sidney, Iowa.

Approved May 3, 1939.

I hereby certify that the foregoing act was published in the Tabor Beacon, May 11,
 1939, and the Sidney Argus, May 11, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 306

THOMAS McDERMOTT

S. F. 56

AN ACT to extend the term of office of Thomas McDermott, member of the board of
 supervisors of Dubuque county, Iowa, one year so that said term will expire on
 the second secular day of January, 1942.

WHEREAS, the board of supervisors of Dubuque county, Iowa, consists
 of three members who were elected for a term of three years, each, and

WHEREAS, there was a petition filed and election held, at which the ma-
 jority vote was in favor of reducing the number of supervisors from seven
 members to three members, and

WHEREAS, at the first election held thereafter in 1916 there were three
 members elected, one for a two year term and two for three year terms, all
 beginning January 1917, which, according to law, should have been, one
 elected for two-year term, one for three-year term, and one for four-year
 term, and

WHEREAS, this method has continued each term since which has caused
 much confusion indicating same on the ballots, and

WHEREAS, the public interest requires that where said board consists
 of three members the term of office of one member shall expire each year,
 now therefore,

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

1 SECTION 1. That the term of office of Thomas McDermott as a mem-
 2 ber of the board of supervisors of Dubuque county, Iowa, is hereby
 3 extended to the second secular day of January, 1942, and he is hereby
 4 authorized and empowered to perform any and all duties of a member
 5 of such board for the full term for which he was elected and for the
 6 additional year expiring on the second secular day of January, 1942.

Approved March 16, 1939.

JOINT RESOLUTIONS

CHAPTER 307

CONSTITUTIONAL AMENDMENT

S. J. R. 1

JOINT RESOLUTION proposing an agreement to article seven (VII) of the Constitution of the State of Iowa by adding thereto section eight (8) relating to the use of motor vehicle registration fees and licenses and excise taxes on motor vehicle fuels.

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

1 SECTION 1. That article seven (VII) of the constitution of the
2 state of Iowa be amended by adding thereto, as section eight (8)
3 thereof, the following:

4 "All motor vehicle registration fees and all licenses and excise taxes
5 on motor vehicle fuel, except cost of administration, shall be used
6 exclusively for the construction, maintenance and supervision of the
7 public highways exclusively within the state or for the payment of
8 bonds issued or to be issued for the construction of such public high-
9 ways and the payment of interest on such bonds."

1 SEC. 2. Be it further resolved that the foregoing proposed amend-
2 ment be, and the same is hereby referred to the general assembly
3 to be chosen at the next general election and that the secretary of state
4 cause the same to be published as provided by law.

Approved May 3, 1939.

CHAPTER 308

PRINTING OF SALARY LIST

S. J. R. 2

JOINT RESOLUTION proposing the printing of names, salaries, residence and personnel of all state departments, boards and commissions in pamphlet form.

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

1 SECTION 1. The state comptroller shall forthwith cause to be pub-
2 lished in printed pamphlet form, under proper departmental head-
3 ings, a list of all extra and regular employees of all state depart-
4 ments or any subdivision thereof, showing the names, permanent
5 addresses, department or subdivision where employed, nature of em-
6 ployment, salary, fees and expenses paid such employees for or dur-
7 ing the year immediately preceding October 15, 1938. Items of salary
8 and/or fees shall be listed separately from expense allowances. All
9 employees who have drawn salaries, fees, or expense allowances from
10 more than one department or subdivision shall be listed separately
11 under the proper departmental heading. It shall be the duty of the
12 state comptroller, within thirty (30) days after the printing of said

13 report, to furnish each member of the Senate and House of the Forty-
14 eighth General Assembly with two (2) copies thereof.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its passage and publication in
3 the Boone News-Republican, a newspaper published in Boone, Iowa,
4 and in the Washington Evening Journal, a newspaper published in
5 Washington, Iowa.

Approved February 16, 1939.

I hereby certify that the foregoing act was published in the Boone News Republican,
February 18, 1939, and the Washington Evening Journal, February 18, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 309

GENERAL ASSEMBLY

H. J. R. 1

A JOINT RESOLUTION fixing the compensation of officers and employees of the Forty-
eighth General Assembly.

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

1 SECTION 1. Pursuant to the provisions section nineteen (19) of the
2 Code, 1935, it is provided that the daily compensation of all officers
3 and employees of the Forty-eighth General Assembly be as follows,
4 to be paid in accordance with the rules of the Senate and the House:

OFFICERS AND EMPLOYEES OF THE SENATE

5	Secretary of the Senate.....	\$9.00
6	Assistant Secretary of the Senate.....	6.30
7	Reading Clerk	6.30
8	Engrossing Clerk	6.30
9	Enrolling Clerk	6.30
10	Journal Clerk	6.30
11	Assistant Journal Clerk.....	6.30
12	Special Clerk	6.30
13	Clerk to Lieutenant Governor.....	4.50
14	Clerk to Secretary.....	4.50
15	Bill Clerk	4.00
16	File Clerk	4.00
17	Assistant file clerk.....	4.00
18	Sergeant-at-arms	4.50
19	Assistant sergeant-at-arms	4.50
20	Chief doorkeeper	4.00
21	Doorkeepers	3.50
22	Enrolled bills Clerk	6.30
23	Postmistress	3.60
24	Committee clerks	3.80
25	Matron	3.50
26	Janitors	3.50

27	Telephone messenger	3.00
28	Lieutenant Governor's Page	3.60
29	Pages	2.50
30	Secretary's Page	2.50

HOUSE OFFICERS AND EMPLOYEES

31	Chief Clerk	\$9.00
32	Assistant chief clerk	6.30
33	Journal clerks	6.30
34	Engrossing clerk	6.30
35	Enrolling clerk	6.30
36	Reading clerk	6.30
37	Special clerk	6.30
38	Clerk of enrolled bills	6.30
39	File clerk	4.00
40	Supply clerk	3.60
41	Bill clerks	4.00
42	Assistant bill and file clerk	4.00
43	Speakers clerk	4.50
44	Chief clerks clerk	4.50
45	Committee clerks	3.80
46	Postmistress	3.60
47	Sergeant-at-arms	4.50
48	Assistant sergeant-at-arms	4.50
49	Porters	3.50
50	Telephone messenger	3.00
51	Chief doorkeeper	4.00
52	Doorkeepers	3.50
53	Chief clerk's page	2.50
54	Speaker's page	3.60
55	Pages	2.50
56	Assistant electrician	4.00
57	Matron	3.50

JOINT LEGISLATIVE HELP

58	Assistant in law research	7.50
59	Assistant in general research and Clerk	4.00
60	Stenographers and typists for law library	3.80
61	Pages to librarian and his office	3.60
62	Assistant for Economics Department	6.50
63	Stenographer for Economics division	3.80
64	Matron	3.50
65	Elevator tenders	3.50
66	Janitors	3.50
67	Postoffice assistant	3.50

1 SEC. 2. It is further provided that the president and secretary
2 of the senate and the speaker and chief clerk of the house shall be
3 authorized to pay compensation to persons acting as temporary officers
4 or employees, prior to the permanent organization of their respec-
5 tive houses, in the positions set forth in section one (1) and at the
6 same scale of compensation as set forth therein.

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in force and effect from and after its publication in the Waterloo
 3 Courier, a newspaper published at Waterloo, Iowa, and the Mason
 4 City, Globe Gazette, a newspaper published at Mason City, Iowa.

Approved January 20, 1939.

I hereby certify that the foregoing act was published in the Waterloo Daily Courier,
 January 24, 1939, and the Mason City Globe Gazette, January 24, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 310

GENERAL ASSEMBLY

H. J. R. 2

A JOINT RESOLUTION fixing the compensation of the chaplains of the Forty-eighth
 General Assembly, and making an appropriation therefor.

WHEREAS, it has been customary for the Senate and House of the Iowa
 General Assembly to open each daily session with prayer offered by chap-
 lains, and

WHEREAS, it is desirable that these chaplains be secured from among
 the clergymen throughout the state of Iowa, and

WHEREAS, some reasonable compensation should be provided to compen-
 sate and assist in defraying the expenses of such chaplains, therefore,

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

1 SECTION 1. That the compensation to be allowed chaplain officiat-
 2 ing at the opening of each House with prayer each day during the
 3 Forty-eighth General Assembly shall be five dollars (\$5.00) for each
 4 House, and that sufficient funds are hereby appropriated out of the
 5 general funds of the state, not otherwise appropriated to provide such
 6 compensation. No member or employee of the General Assembly shall
 7 be entitled to said compensation.

1 SEC. 2. This act being deemed of immediate importance shall take
 2 effect and be in full force from and after its publication in the Earl-
 3 ville Review, a newspaper published at Earlville, Iowa, and the Hop-
 4 kinton Leader, a newspaper published in Hopkinton, Iowa.

Approved January 20, 1939.

I hereby certify that the foregoing act was published in the Earlville Review, January
 26, 1939, and the Hopkinton Leader, January 26, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 311

DELEGATE TO COUNCIL OF STATE GOVERNMENT

H. J. R. 4

A JOINT RESOLUTION making an appropriation to cover the expenses of the delegate to the Fourth General Assembly of the Council of State Government.

WHEREAS House Resolution No. 4 authorized the appointment of a delegate to the Fourth General Assembly of the Council of State Government, and

WHEREAS, the Speaker of the House appointed the Honorable Dean W. Peisen as such delegate, now, therefore,

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated the sum of one hundred
3 nine dollars and thirty-three cents (\$109.33) to reimburse Dean W.
4 Peisen for the expense incurred as such delegate and the state comp-
5 troller is hereby authorized and directed to issue a state warrant in
6 said sum payable to Dean W. Peisen.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Hardin
3 County Index, a newspaper published at Eldora, Iowa, and the Carroll
4 Daily Herald, a newspaper published at Carroll, Iowa.

Approved February 17, 1939.

I hereby certify that the foregoing act was published in the Hardin County Index, Eldora, Iowa, February 23, 1939, and the Carroll Daily Herald, Carroll, Iowa, February 21, 1939.

EARL G. MILLER, *Secretary of State.*

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