

ACTS AND JOINT RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

Forty-ninth General Assembly

OF THE

STATE OF IOWA

EDITED BY

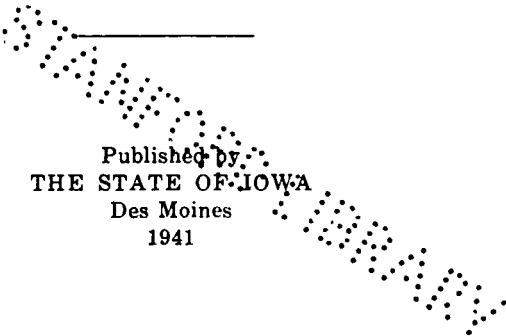
DWIGHT G. McCARTY

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L. M. SHAW

SUPERINTENDENT OF PRINTING

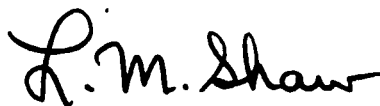
Published by
THE STATE OF IOWA
Des Moines
1941



CERTIFICATE

STATE OF IOWA
Office of Superintendent of Printing

I, L. M. Shaw, 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-ninth General Assembly of the State of Iowa.



Superintendent of Printing.

Section 11312 of the 1939 Code of Iowa is as follows:

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

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STATE ROSTER

List of state officers, judges of the supreme, district, superior and municipal courts, members of the general assembly and commissioners for this state in other states and other officers, commissions, boards, and appointive officers of the state of Iowa, prepared and furnished by the Honorable Earl G. Miller, Secretary of State, for insertion in the published volume of Session Laws for the Forty-ninth General Assembly in accordance with the requirements of Section 221.3 of the 1939 Code of Iowa.

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
Earl G. Miller.....	Secretary of State.....	Des Moines.....	Republican
Chet B. Akers.....	Auditor of State.....	Ottumwa.....	Republican
Willis G. C. Bagley.....	Treasurer of State.....	Mason City.....	Republican
Mark G. Thornburg.....	Secretary of Agriculture.....	Emmetsburg.....	Republican
John M. Rankin.....	Attorney General.....	Keokuk.....	Republican
Barr Keshlear.....	Commerce Commissioner.....	Shenandoah.....	Republican
Carl W. Reed.....	Commerce Commissioner.....	Cresco.....	Republican
B. M. Richardson.....	Commerce Commissioner.....	Cedar Rapids.....	Republican
Jessie M. Parker.....	Superintendent of Public Instruction.....	Lake Mills.....	Republican

JUDICIAL DEPARTMENT

JUDGES OF THE SUPREME COURT

Richard F. Mitchell.....	Fort Dodge.....	Democrat
Edward A. Sager.....	Waverly.....	Democrat
Carl B. Stiger.....	Toledo.....	Democrat
Oscar Hale.....	Wapello.....	Republican
William L. Bliss.....	Mason City.....	Republican
Frederic M. Miller.....	Des Moines.....	Republican
Ralph A. Oliver.....	Sioux City.....	Republican
Theodore G. Garfield.....	Ames.....	Republican
Charles F. Wennerstrum.....	Chariton.....	Republican
B. W. Garrett, Clerk.....	Leon.....	Republican
Richard Reichmann, Reporter.....	Des Moines.....	Democrat

BOARD OF LAW EXAMINERS

John M. Rankin, ex officio, Chairman.....	Keokuk.....	Republican
H. J. Hoffman.....	Dubuque.....	Democrat
William R. Hart.....	Iowa City.....	Democrat
R. S. Jackson.....	Muscatine.....	Republican
John W. Anderson.....	Sioux City.....	Democrat
C. N. Jepson.....	Sioux City.....	Republican

JUDGES OF THE DISTRICT COURT

First Judicial District		
James S. Burrows.....	Keokuk	J. R. Leary..... Ft. Madison
Second Judicial District		
Harold V. Levis.....	Chariton	Edward L. Simmons..... Centerville
Elmer K. Daugherty.....	Ottumwa	Heinrich C. Taylor..... Bloomfield
Third Judicial District		
Homer A. Fuller.....	Mount Ayr	Geo. A. Johnston..... Creston
Fourth Judicial District		
Miles W. Newby.....	Onawa	L. B. Forsling..... 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	J. E. Purcell..... Clinton
Frank D. Kelsey.....	Maquoketa	W. W. Scott..... Davenport
W. R. Maines.....	Davenport	
Eighth Judicial District		
H. D. Evans.....	Iowa City	Jas. P. Gaffney..... Marengo
Ninth Judicial District		
Jos. E. Meyer.....	Des Moines	Loy Ladd..... Des Moines
O. S. Franklin.....	Des Moines	John J. Halloran..... Des Moines
F. S. Shankland.....	Des Moines	Russell Jordan..... Des Moines
Tenth Judicial District		
Geo. W. Wood.....	Waterloo	A. B. Lovejoy..... Waterloo
R. W. Hasner.....	Waterloo	
Eleventh Judicial District		
Sherwood A. Clock.....	Hampton	Dean Peisen..... Eldora
H. E. Fry.....	Boone	O. J. Henderson..... Webster City

JUDICIAL DEPARTMENT—Continued

Twelfth Judicial District

Tom Boynton.....	Forest City	T. A. Beardmore.....	Charles City
M. H. Kepler.....	Northwood	Henry N. Graven.....	Mason City

Thirteenth Judicial District

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

Fourteenth Judicial District

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

Fifteenth Judicial District

Earl Peters.....	Clarinda	Whitney Gilliland.....	Glenwood
H. J. Mantz.....	Audubon	Chas. Roe.....	Council Bluffs
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
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Eighteenth Judicial District

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

Nineteenth Judicial District

Milton J. Glenn.....	Dubuque	Hugh Stuart.....	Dubuque
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Twentieth Judicial District

Edwin O. Newell.....	Burlington	Paul H. McCoid.....	Mt. Pleasant
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Twenty-first Judicial District

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

JUDGES OF THE MUNICIPAL AND SUPERIOR COURTS

Municipal Courts

Judges	Address	Clerks	Reporters
J. Y. Luke.....	Ames.....	Loyall E. Thomas.....	Irene Sogard
W. A. McCullough.....	Clinton.....	A. J. Meyer.....	No Regular Reporter
Daniel H. Sheehan.....	Council Bluffs.....	Jerry Madden.....	No Regular Reporter
Allan Ardell.....	Council Bluffs.....	Jerry Madden.....	No Regular Reporter
Ralph L. Powers.....	Des Moines.....	Walter R. Priebe.....	Ethel F. Katz
Don G. Allen.....	Des Moines.....	Walter R. Priebe.....	Kathryn Miller
C. Edwin Moore.....	Des Moines.....	Walter R. Priebe.....	
Chas. S. Cooter.....	Des Moines.....	Walter R. Priebe.....	
L. R. Sheets.....	Marshalltown.....	Etta Northup (Miss).....	Minnie E. Grimm (Mrs.)
H. R. Kenaston.....	Sioux City.....	Harry A. Harbeck.....	Louisa Holly
George M. Paradise.....	Sioux City.....	Harry A. Harbeck.....	
Berry J. Sisk.....	Sioux City.....	Harry A. Harbeck.....	
George J. Sager.....	Waterloo.....	E. W. Keopke.....	Eva Leonard (Mrs.)
Ben G. Howrey.....	Waterloo.....	E. W. Keopke.....	

Superior Courts

Judges	Address	Clerks	Reporters
Harry S. Johnson.....	Cedar Rapids.....	L. J. Storey.....	Imogen B. Emery
J. A. Concannon.....	Keokuk.....	Judge acts as clerk.....	Kenneth A. Brown
Dan W. Woods.....	Oelwein.....	H. J. Finders.....	Florence Lawther (Mrs.)

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 OF THE FORTY-NINTH GENERAL ASSEMBLY

FORTY-NINTH GENERAL ASSEMBLY

1941

OFFICERS OF THE SENATE

Title	Name	City
President.....	B. B. Hickenlooper.....	Cedar Rapids
President Pro Tempore.....	Frank C. Byers.....	Cedar Rapids
Secretary.....	Walter H. Beam.....	Martensdale
Assistant Secretary.....	W. J. Scarborough.....	West Des Moines
Reading Clerk.....	Ira Buckles.....	Lake City
Journal Clerk.....	Hope Hull.....	Fairfield
Assistant Journal Clerk.....	Edna Gillespie.....	Des Moines
Engrossing Clerk.....	Margaret Santee.....	Cedar Falls
Enrolling Clerk.....	Florence Wattles.....	Waukon
Enrolled Bills Clerk.....	Virginia Van Nostrand.....	Newton
General Clerk.....	John Olson.....	Calamus
Sergeant-at-Arms.....	Frank Logan.....	Glenwood
Assistant Sergeant-at-Arms.....	Don Herriott.....	Stuart
Assistant Sergeant-at-Arms.....	Ira Rause.....	Grundy Center
Chief Doorkeeper.....	J. E. Ridsen.....	Cedar Rapids
Bill Clerk.....	John Kemmerer.....	Independence
File Clerk.....	Harry Upham.....	Frederickburg
Assistant File Clerk.....	Elwood Anderson.....	Keosauqua
Lieutenant Governor's Clerk.....	Maxine Maxson.....	Cedar Rapids
Secretary's Clerk.....	Hattie C. Van Cleave.....	Pella
Postmistress.....	L. Mae Banks.....	Montour

(Signed) WALTER H. BEAM
Secretary of the Senate

OFFICERS OF THE HOUSE

Title	Name	City
Speaker.....	Robert D. Blue.....	Eagle Grove, Iowa
Speaker Pro Tempore.....	David A. Dancer.....	Lamoni, Iowa
Chief Clerk.....	A. C. Gustafson.....	Des Moines, Iowa
Assistant Chief Clerk.....	Robert Scott.....	West Union, Iowa
Reading Clerk.....	Tom M. King.....	Coin, Iowa
Special Clerk.....	Dorothy Miller.....	Tipton, Iowa
Journal Clerk.....	Phyllis Rogers.....	Coon Rapids, Iowa
Journal Clerk.....	Arlene Bell.....	Letts, Iowa
Engrossing Clerk.....	H. L. Peyton.....	Logan, Iowa
Enrolling Clerk.....	Lillian Kanealy.....	Ames, Iowa
Clerk of Enrolled Bills.....	Ruth Moyle.....	Maquoketa, Iowa
Speakers' Clerk.....	Eloise Osman.....	Eagle Grove, Iowa
Chief Clerk's Clerk.....	Martha Cesar.....	Des Moines, Iowa
File Clerk.....	Ed Johnson.....	Dumont, Iowa
Assistant File Clerk.....	Ray Johnson.....	Atlantic, Iowa
Bill Clerk.....	Howard Erbe.....	McGregor, Iowa
Assistant Bill Clerk.....	Emerson Dykehouse.....	Rock Rapids, Iowa
Postmaster.....	Mrs. Rene Cremerer.....	Clinton, Iowa
Sergeant-at-Arms.....	Wm. Cree.....	Bloomfield, Iowa
Assistant Sergeant-at-Arms.....	George Lord.....	Clinton, Iowa
Assistant Sergeant-at-Arms.....	Wm. Elmore.....	Des Moines, Iowa

(Signed) A. C. GUSTAFSON
Chief Clerk of the House

SENATORS

Republicans

NAME	Residence	Age	Occupation	Dist.	Counties Composing District	Former Legislative Service
*Bekman, E. K.	Ottumwa	40	Attorney	13	Wapello	48
*Benson, Ralph E.	Jefferson	33	Farm Manager	48	Carroll, Greene, Sac.	48
*Berg, John P.	Cedar Falls	52	Merchant	38	Black Hawk, Grundy	46 46X 47 48
Byers, Frank C.	Cedar Rapids	56	Attorney	26	Linn	43 44 45 45X 46 46X 47 48
Clark, Clarence L.	Corydon	63	Abstractor of Titles	4	Lucas, Wayne	48
*Corwin, E. P.	Fruitland	57	Farmer	20	Muscatine, Louisa	46 46X 47 48
*Cromwell, Fred	Burlington	35	Attorney	9	Des Moines	48
*Dewey, A. Claire	Washington	54	Businessman & Orchardist	10	Washington, Henry	46 46X 47 48
*Donohue, E. P.	New Hampton	41	Attorney	44	Chickasaw, Floyd	46 46X 47 48
Dykhouse, J. T.	Rock Rapids	50	Real Estate and Insurance	49	Lyon, O'Brien, Osceola, Sioux	47 48
Elthon, Leo	Fertile	42	Farmer	41	Mitchell, Winnebago, Worth	45 45X 46 46X 47 48
Emerson, S. Ray	Creston		General Contractor	5	Decatur, Ringgold, Union	
Evans, K. A.	Emerson	42	Farm Manager	8	Mills, Montgomery	47 48
*Faul, George M.	Des Moines	41	Attorney	30	Polk	48
Findlay, C. V.	Fort Dodge	74	Retired Farmer	27	Calhoun, Webster	37 38
Fuller, D. D.	Maquoketa	50	Banker	23	Jackson	
Goode, Dewey E.	Bloomfield	42	Produce and Fur Dealer	3	Appanoose, Davis	45 45X 46 46X 47 48
Hamiel, M. C.	Tipton	42	Attorney	24	Cedar, Jones	
*Hart, Stanley L.	Keokuk	44	Wholesale Cheese Merchant	1	Lee	47 48
*Harvey, Robert W.	Missouri Valley	65	Druggist	34	Harrison, Monona, Crawford	48
Hattery, John R.	Nevada	43	Attorney	31	Boone, Story	
*Henningsen, O. H.	Clinton	57	Insurance and Real Estate	22	Clinton	48
Hess, R. E.	Kingsley	54	Attorney and Ins. Agent	46	Cherokee, Ida, Plymouth	
*Hill, G. R.	Clarion	52	Attorney	37	Hamilton, Hardin, Wright	46X 47 48
Hunt, G. W.	Guttenberg	49	Attorney	36	Clayton	
Jones, Floyd	Osceola	35	Former County Auditor	11	Clarke, Warren	
Keir, Robert	Spencer		Farmer	47	Clay, Dickinson, Emmet, Kossuth, Palo Alto	
*Leo, Richard V.	Dysart	52	Livestock Man & Farmer	45	Tama, Benton	45X 48
Long, Irving D.	Manchester	45	Attorney	33	Buchanan, Delaware	
Love, H. S.	Bridgewater	52	Produce Dealer	16	Adair, Madison	46 46X 47 48
Lundy, Hugh W.	Albia	44	Attorney	15	Marion, Monroe	47 48
Lynes, J. Kendall	Plainfield	37	Farmer	39	Bremer, Butler	
*Martin, Frank D.	Davenport	56	Former Sheriff	21	Scott	48
Miller, Al	Gray	55	Farmer	17	Audubon, Dallas, Guthrie	
*Mowry, Ross R.	Newton	58	Attorney	29	Jasper	48
Munger, Robert P.	Sioux City	31	Attorney	32	Woodbury	

STATE SENATORS
III

Republicans

NAME	Residence	Age	Occupation	Dist.	Counties Composing District	Former Legislative Service
*Pelzer, Frank.....	Marne.....	64	Farmer	18	Cass, Shelby	46X 47 48
*Shaw, Albert J.....	Pocahontas.....	64	Attorney	50	Buena Vista, Humboldt, Pocahontas	46 46X 47 48
*Sjulin, Carl O.....	Hamburg.....	50	Nurseryman	7	Fremont, Page	48
Stewart, Paul P.....	Maynard.....	64	Farmer	40	Allamakee, Fayette	47 48
*Talbott, John E.....	Brooklyn.....	53	Attorney	12	Keokuk, Poweshiek	48
Turner, Oliver.....	Lenox.....	55	Farmer	6	Adams, Taylor	
Watson, De Vere.....	Council Bluffs.....	47	Attorney	19	Pottawattamie	
Whitehill, B. C.....	Marshalltown.....	65	Real Estate	28	Marshall	46X 47 48
Zeigler, Sanford, Jr.....	Fairfield.....	49	Farmer	2	Jefferson, Van Buren	46 46X 47 48

Democrats

Augustine, A. E.....	Oskaloosa.....	50	Broker and Farmer.....	14	Mahaska	46X 47 48
*Baldwin, Howard C.....	Cascade.....	36	Editor and Publisher.....	35	Dubuque	45X 46 46X 47 48
Johnson, Oscar E.....	Kanawha.....	46	Druggist	43	Cerro Gordo, Franklin, Hancock	46 46X 47 48
Mercer, Leroy S.....	Iowa City.....	50	Manufacturing Printer	25	Iowa, Johnson	45 45X 46 46X 47
*Vrba, Edward H.....	Cresco.....	32	Farmer	42	Howard, Winneshiek	48

* Holdover Senators

REPRESENTATIVES

Republican

NAME	Residence	Age	Occupation	County	Former Legislative Service
Avery, A. H.....	Spencer.....	70	Insurance.....	Clay.....	44 45X 46 46X 48
Beeler, Will J.....	Winterset.....	65	Farmer.....	Madison.....	48
Blatti, Arthur C.....	New Hampton.....	54	Dairyman and Farmer.....	Chickasaw.....	
Blue, Robert D.....	Eagle Grove.....	42	Attorney and Farmer.....	Wright.....	46 46X 47 48
Bockwoldt, M. F.....	Ida Grove.....	64	Farmer and Feeder.....	Ida.....	
Brindle, J. P.....	Conrad.....	65	Farmer.....	Grundy.....	
*Bryson, C. A.....	Iowa Falls.....	66	Attorney.....	Hardin.....	
Burk, I. J.....	Rippey.....	63	Farmer.....	Greene.....	48
Burma, Henry W.....	Allison.....	45	Former Sheriff.....	Butler.....	47 48
Burns, Melvin.....	Rock Rapids.....	37	Attorney.....	Lyon.....	
Butterfield, Dewey S.....	Waterloo.....	43	Life Insurance.....	Black Hawk.....	
Carlson, Robert.....	Sioux City.....	45	Oil Business.....	Woodbury.....	

Claypool, Harold B.	Williamsburg	39	Attorney	Iowa	48
Colburn, Jay C.	Harlan	47	Farmer	Shelby	
Cooper, Elmer E.	Corning	57	Farmer	Adams	48
Dancer, David A.	Lamoni	44	Farmer	Decatur	46 46X 47 48
Degen, Harley A.	Estherville	31	Attorney	Emmet	
Dodds, Bert E.	Danville	55	Farmer	Des Moines	47 48
Duffield, R. E.	Guthrie Center	65	Attorney	Guthrie	
Dvorak, Raphael R. R.	Toledo	32	Attorney	Tama	48
Edwards, E. L.	Shannon City	55	Merchant	Union	
Felton, Harold	Indianola	50	Grain and Feed	Warren	
Fimmen, W. R.	Bloomfield	41	Attorney	Davis	
Fishbaugh, Earl C., Jr.	Shenandoah	31	Attorney	Page	46 46X 47 48
Foster, Harlan C.	Mt. Pleasant	54	Farmer	Henry	47 48
Gardner, Joe F.	Waverly	46	Salesman	Bremer	
Gardner, John R.	Lisbon	65	Physician and Surgeon	Linn	47 48
Good, C. G.	Ogden	67	Farmer	Boone	47
Graft, Don W.	Oskaloosa	28	Salesman	Mahaska	
Greene, A. C.	Denison	59	Former Sheriff	Crawford	48
Gregory, Curtis W.	Adel	43	Attorney	Dallas	48
Guernsey, N. E.	Milton	62	Newspaper Publisher	Van Buren	48
Hall, J. R.	Malvern	60	Lumber	Mills	48
Heffner, John S.	Webster City	57	Farmer and Stockman	Hamilton	48
Hocum, Frank O.	Newell	60	Retired	Buena Vista	48
Hoegh, Leo A.	Chariton	32	Attorney	Lucas	47 48
Hutchison, Theo. C.	Algona	35	Attorney	Kossuth	
Irwin, John R.	Keokuk		Wholesale Dry Goods	Lee	43 46 46X 47 48
Jessen, Peter A.	Exira	43	Oil Jobber	Audubon	
Johnson, Carroll	Knoxville	27	Attorney	Marion	48
Johnson, Elmer A.	Cedar Rapids	69	Attorney	Linn	45 45X 48
Judd, William N.	Clinton	53	Railroad Yardmaster	Clinton	47 48
Knowlton, W. P.	Decorah	55	Businessman	Winneshiek	48
Knudson, Herman M.	Mason City	53	Florist and Printer	Cerro Gordo	46 46X 48
Kruse, William	Rockford	50	Farmer	Floyd	48
Kuester, G. T.	Griswold	52	Farmer	Cass	46 46X 47 48
Lampman, L. O.	Primghar	46	Attorney	O'Brien	48
Latchaw, F. A.	Wilton Jet.	57	Electrical Contractor	Muscatine	47 48
Long, Harvey J.	Clinton	46	Roofing and Coal	Clinton	
Lucas, James A.	Bedford	44	Attorney	Taylor	48
Martin, S. A. (Steve)	Centerville	69	Manufacturer	Appanoose	48
McFarlane, Arch. W.	Waterloo	55	Fuel Dealer	Black Hawk	36 37 38 38X 39 42 42X 43 44 45 45X 46 48
Miller, J. F.	Humboldt	54	Grain Dealer and Farmer	Humboldt	48
Mills, Ivan R.	Adair	62	Minister	Adair	
Morrissey, Edw. J.	Valeria	52	Farming and Livestock	Jasper	48
Moyle, B. S.	Maquoketa	56	Salesman	Jackson	

Republicans

NAME	Residence	Age	Occupation	County	Former Legislative Service
Nelson, Harold F.	Sioux City	36	Attorney	Woodbury	
Nichol, Frank A.	Albia		Attorney	Monroe	
Nielsen, Andrew J.	Council Bluffs	51	Attorney	Pottawattamie	
Odden, John G.	Lake Mills	62	Retired Merchant	Winnebago	47 48
Parker, Hugh W.	Greeley	39	Farming and Insurance	Delaware	
Pieper, Elmer	Waukon	53	Attorney	Allamakee	48
Pine, F. J.	Columbus Jct.	47	Auto Dealer and Farmer	Louisa	47 48
Prentis, X. T.	Mount Ayr	44	Hatchery and Feeds	Ringgold	48
Pritchard, W. S.	Garner	69	Automobile Dealer	Hancock	
Randall, Claus	Manly	58	Farmer	Worth	48
Reed, Wilson	Fairfield	67	Tax Consultant	Jefferson	
Risse, H. F.	Mitchell		School Superintendent	Mitchell	48
Ritchie, Fred J.	Marcus	61	Farmer	Cherokee	48
Scott, E. W.	Lake View	60	Cattle Feeder and Banker	Sac.	46 46X 47 48
Scott, Geo. L.	West Union	53	Farmer	Fayette	46 46X 47 48
Seemann, Herbert G.	Jesup	49	Farmer	Buchanan	
Sharp, F. E.	Elkader	46	Attorney	Clayton	48
Shimanek, C. F.	Monticello	30	Attorney	Jones	48
Siefkas, Henry	Osceola	43	Farmer	Clarke	48
Smith, Gordon	Clarence	37	Minister	Cedar	48
Steinberg, Albert	Ames	50	Attorney	Story	48
Stewart, E. L.	Washington	55	Farmer	Washington	46 46X 47 48
Stinemates, George W.	Grant	63	Farmer	Montgomery	
Thompson, Jens	Rolfe	53	Farmer	Pocahontas	46 46X 47 48
Van Oosterhout, Martin D.	Orange City	40	Attorney	Sioux	48
Walter, W. Eldon	Beaman	42	Farmer and Stockman	Marshall	
Walter, Herman W.	Council Bluffs	29	Attorney	Pottawattamie	48
Weichman, Harry E.	Newhall	48	Farmer	Benton	47 48
Wellington, Thomas W.	Fort Madison	65	Retired Railway Mail Clerk	Lee	
Wichman, Henry	Malcom	58	Farmer	Poweshiek	48
Wilson, Melvin	Lake City	50	Rendering and Stockman	Calhoun	48

* By Special Election December 30, 1940 to replace Dean W. Peisen (resigned).

Democrats

Alesch, Gustave	Marcus	63	Farmer	Plymouth	45 45X 46 46X 47 48
Allen, Sewell E.	Onawa	27	Attorney	Monona	
Arant, Walter S.	Des Moines	65	Retired	Polk	
Browner, Vincent L.	Des Moines	43	Grocer	Polk	

Dietz, Walter.....	Walcott.....	44	Farmer and Dairyman.....	Scott.....	47 48
Eckerman, Howard P.....	Davenport.....	32	Attorney.....	Scott.....	48
Hermesen, John B.....	Carroll.....	56	Public Service & Farm Bur.....	Carroll.....	48
Johannes, W. J.....	Ashton.....	50	Banker.....	Osceola.....	46 46X 47 48
Keeney, Geo. H.....	Mallard.....	60	Physician and Surgeon.....	Palo Alto.....	47 48
Knippling, John.....	Elma.....	51	Farmer.....	Howard.....	47 48
Manley, J. W.....	Dyersville.....	32	Attorney.....	Dubuque.....	48
Paullus, Fred J.....	Hampton.....	46	Dairyman.....	Franklin.....	48
Poston, Gene.....	Corydon.....	57	Attorney and Farmer.....	Wayne.....	48
Reilly, Robert C.....	Dubuque.....	36	Sales Representative.....	Dubuque.....	48
Snakenberg, J. Dick.....	Sigourney.....	25	Attorney.....	Keokuk.....	
Stanek, James F.....	Callender.....	55	Farming and Business.....	Webster.....	
Swaner, John J.....	Iowa City.....	42	Dairy Products.....	Johnson.....	
Tatum, William M.....	Logan.....	49	Attorney.....	Harrison.....	
Teachout, Harold J.....	Farragut.....	48	Farmer.....	Fremont.....	
Wagner, Joseph N.....	Ottumwa.....	35	Attorney.....	Wapello.....	
Yager, W. A.....	Spirit Lake.....	52	Real Estate Dealer.....	Dickinson.....	45 45X 46 46X 47 48

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
John M. Rankin.....	Attorney General	Lee
Jens Grothe.....	} Assistant Attorney General.....	Floyd
John E. Mulroney.....		Webster
G. H. Clark, Jr.....		Ida
Don Hise.....		Polk
Floyd Philbrick.....		Linn
Ned B. Turner.....		Adams
William F. McFarlin.....		Poweshiek
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
Carl W. Reed.....		Howard
George A. McCaughan.....	Secretary, Ia. St. Com. Commission.....	Polk
Harold Davidson.....	Commerce Counsel	Page
Geo. A. Wilson.....	} Executive Council	Polk
Earl G. Miller.....		Polk
Chet B. Akers.....		Wapello
W. G. C. Bagley.....		Cerro Gordo
Mark Thornburg.....		Palo Alto
Berry Halden.....	Secretary, Executive Council.....	Lucas
D. R. McCreery, Chm.....	} State Board of Control.....	Linn
R. T. Pullen.....		Clay
P. F. Hopkins.....		Cerro Gordo
Warren L. Huebner.....	Secretary, Board of Control.....	Polk
Clarence Godfrey, Chm.....	} Board of Parole.....	Monroe
W. E. Jackson.....		Des Moines
Mrs. Virginia Bedell.....		Dickinson
Sam D. Woods.....	Secretary, Board of Parole.....	Polk
Fred W. Nelson, Chm.....	} State Tax Commission.....	Story
D. L. Murrow.....		Wayne
H. A. Grantham.....		Clinton
Elsie L. Dachroth.....	Secretary, State Tax Commission.....	Polk
A. A. Hurst.....	} Iowa State Highway Commission.....	Jackson
Randall Melson.....		Humboldt
Leslie M. Eicher.....		Washington
R. B. Laird.....		Fremont
H. J. Ahlers.....		Plymouth
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	Chickasaw

STATE OFFICERS—Continued

Name	Position	County from which originally chosen	
M. L. Curtis, Chm.....	Iowa Liquor Control Commission.....	Marion Scott Shelby	
Dick R. Lane.....			
R. F. Swift.....			
Julius R. Jensen.....			
	Secretary, Iowa Liquor Control Commission	Polk	
Henry Shull, Pres.....	State Board of Education.....	Woodbury	
T. W. Keenan.....		Page	
W. Earl Hall.....		Cerro Gordo	
Richard H. Plock.....		Lee	
Dorothy Houghton.....		Montgomery	
Roy Louden.....		Jefferson	
W. S. Rupe.....		Story	
Mrs. George Kyseth.....		Wright	
John C. Reid.....		Linn	
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	
A. S. Workman.....		Mills	
Fred Schwob.....		State Conservation Director.....	Polk
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 Marshal.....	Clinton	
James Allen.....	Superintendent of Motor Vehicle Registration	Warren	
Paul F. Hill.....	Division of Safety Education.....	Polk	
H. H. Joy.....	Division of Radio Communication.....	Polk	
	State Fair Board, Ex-officio:		
Geo. A. Wilson.....	Governor	Polk	
Mark Thornburg.....	Secretary of Agriculture.....	Palo Alto	
C. E. Friley.....	President Iowa State College.....	Story	
	State Fair Board		
J. P. Mullen.....	President, Iowa State Fair Board.....	Pocahontas	
F. E. Sheldon.....	Vice President, Iowa State Fair Board.....	Ringgold	
L. B. Cunningham.....	Secretary, Iowa State Fair Board.....	Howard	
N. W. McBeath.....	Treasurer, Iowa State Fair Board.....	Polk	
Charles H. Grahl.....	Adjutant General	Polk	
C. Fred Porter.....	State Comptroller	Polk	
Charles R. Fischer.....	Commissioner of Insurance.....	Monona	
John T. Clarkson.....	Industrial Commissioner	Monroe	
Charles W. Harness.....	Labor Commissioner	Wapello	
Gray Anderson.....	Custodian	Marion	
M. W. Ellis.....	Superintendent of Banking.....	Floyd	
M. W. Ellis.....	State Banking Board.....	Floyd	
H. P. Dowling.....		Shelby	
Paul H. Huston.....		Linn	
B. F. Kauffman.....		Polk	
L. J. Schuster.....		Clinton	
Chet B. Akers, Chm.....	State Printing Board.....		
Earl G. Miller.....			
John M. Rankin.....			
Tom W. Purcell.....			
Walter Sharp.....		Franklin	
L. M. Shaw.....	Superintendent of Printing.....	Des Moines	
Geo. A. Wilson, Chm.....	State Library Commission.....	Taylor	
Oscar Hale.....		Wapello	
Jessie Parker.....			

STATE OFFICERS—Continued

Name	Position	County from inally chosen which orig-	
Ora Williams.....	Curator, Historical Department.....	Polk	
B. B. Druker.....	Law Librarian	Marshall	
Blanche A. Smith.....	Librarian, Iowa State Traveling Library..	Warren	
Jessie Parker, Chm.....	} Board of Vocational Education and Rehabilitation	} Woodbury	
H. C. Shull.....			Director of Division of Vocational Education
Forest E. Moore.....	.....	Story	
D. H. Redfield, Chm.....	} State Board of Pharmacy Examiners....	} Page Muscatine Monona	
L. R. Henderson.....			.....
George L. Brown.....			.....
J. F. Rabe.....	Secretary, State Board of Pharmacy Examiners	Cass	
Mrs. George Kraetsch, Pres...}	} Commission for the Blind.....	} Polk Pottawattamie Benton	
C. E. Laustrup.....			.....
Leslie M. Hays.....	.....	Polk	
Mrs. Ethel Towne Holmes..	Secretary, Commission for the Blind.....	Polk	
Arthur C. Trowbridge.....	State Geologist	Johnson	
George J. Keller, Chm.....	} State Board of Engineering Examiners	} Johnson Polk Story Pottawattamie Linn	
Maurice C. Miller.....			.....
J. S. Dodds.....			.....
L. M. Martin.....			.....
Howard R. Green.....			.....
Barry F. Halden.....	Secretary, Board of Engineering Examiners	Polk	
Jacob Ritter, Pres.....	} Board of Examiners for Mine Inspectors	} Appanoose Monroe Polk Monroe Jasper	
William Anderson.....			.....
William Jervis.....			.....
James Smith.....			.....
William Abram.....			.....
E. A. Farnsworth.....	} State Mine Inspectors.....	} Appanoose Wapello Polk	
R. T. Rhys.....			.....
J. E. Jeffreys.....			.....
George Duckworth.....	Secretary, State Mine Inspectors.....	Appanoose	
John M. Rankin, Chm.....	} Board of Law Examiners.....	} Lee Dubuque Woodbury Woodbury Johnson Muscatine	
H. J. Hoffman.....			.....
C. N. Jepson.....			.....
J. W. Anderson.....			.....
William R. Hart.....			.....
R. S. Jackson.....			.....
Richard Reichmann.....	Code Editor	Benton	
Jessie M. Parker, Pres.....	} Board of Educational Examiners.....	} Black Hawk Warren Crawford Linn	
Malcolm Price.....			.....
John Owen Gross.....			.....
F. N. Olry.....			.....
Arthur Deamer.....			.....
Russell E. Jones.....	Executive Secretary, Board of Educational Examiners.....	Polk	
Walter L. Bierring, M. D.....	Commissioner of Health	Polk	
Ex-Officio:	} State Board of Health.....		
Geo. A. Wilson.....			.....
Earl G. Miller.....			.....
W. G. C. Bagley.....			.....
Chet B. Akers.....			.....
Mark Thornburg.....	.....	Boone	
Appointive	} State Board of Health.....	} Clarke Henry Polk Dubuque	
Edward M. Myers, M.D....			.....
Herbert E. Stroy, M.D....			.....
W. A. Sternberg, M.D.....			.....
A. C. Page, M.D.....			.....
Frank P. McNamara, M.D. }	.....	Dubuque	

STATE OFFICERS—Continued

Name	Position	County from which originally chosen
Aldis A. Johnson, M.D. Chm.	Board of Medical Examiners.....	Pottawattamie Polk Lee
Erwin Schenk, M.D.....		
Frank M. Fuller, M.D.....		
Philip H. Sheridan, D.D.S. Chm.		
Frank B. Whinery, D.D.S.....	Board of Dental Examiners.....	Dubuque Johnson Cerro Gordo Woodbury
Hardy F. Pool, D.D.S.....		
Harry G. Bolks, D.D.S.....		
J. D. Hemingway, D.D.S.....		
Alfred J. Meyer, Chm.....	Board of Optometry Examiners.....	Bremer Scott Polk
V. V. Kirby.....		
J. J. Brady.....		
R. L. Sheeler, D.C., Chm.....	Board of Chiropractic Examiners.....	Pottawattamie Winnesiek Story
H. R. Opsahl, D.C.....		
C. B. Kerr, D.C.....		
H. B. Willard, D.O., Chm.....	Board of Osteopathy Examiners.....	Delaware Dallas Kossuth
D. E. Hannan, D.O.....		
W. D. Andrews, D.O.....		
O. O. Greenlee, L.E., Chm.....	Board of Embalmer Examiners.....	Wayne Dubuque Hamilton
Al. M. Didesch, L.E.....		
A. L. Fleenor, L.E.....		
Cecil L. Moon, Chm.....	Board of Podiatry Examiners.....	Marshall Scott Polk
C. H. Findley.....		
Stewart E. Reed.....		
Mrs. Mae Haney, Chm.....	Board of Cosmetology Examiners.....	Union Clinton Wapello
Inga Jepson.....		
Ray Tullis.....		
L. D. Hamilton, Chm.....	Board of Barber Examiners.....	Woodbury Pottawattamie Linn
Lee W. Skinner.....		
T. F. Thompson.....		
Charles Carter, Chm.....	Board of Basic Science Examiners.....	Jefferson Black Hawk Johnson Linn Buena Vista Dubuque
H. Earl Rath.....		
Joseph H. Bodine.....		
Benjamin H. Peterson.....		
Frederic F. Smith.....		
G. W. Heitkamp.....		

CONDITION OF STATE TREASURY

Statement of the receipts and expenditures of the public money for the biennial fiscal period beginning July 1, 1938, and ending June 30, 1940, as prepared and furnished by Hon. C. Fred Porter, State Comptroller, for publication with the laws of the Forty-ninth General Assembly in accordance with the requirements of Section 18, Article III, of the Constitution of the State of Iowa and Section 221.4 of the 1939 Code of Iowa.

STATEMENT OF THE CONDITION OF THE TREASURY

Receipts, Disbursements and Balances in the Several Funds for Biennial Report, Ending June 30, 1940

	Balances July 1, 1938	Total Receipts	Total Available	Total Disbursements (Warrants Redeemed)	June 30, 1939 Balance
General Revenue	\$1,456,965.39	\$22,498,944.56	\$23,955,909.95	\$21,411,225.04	\$ 2,544,684.91
Trust Funds	5,066,457.27	61,666,923.82	66,733,381.09	61,101,747.26	5,631,633.83
State college Endowment Cash.....	20,470.97	2,215.00	22,685.97	22,685.97	.....
State College Endowment Bonds.....	433,946.50	20,000.00	453,946.50	453,946.50	.....
State College Endowment Interest .....	.....	5,345.76	5,345.76	5,345.76	.....
Soldiers' Bonus Tax.....	127,692.11	1,416,271.44	1,543,963.55	1,326,082.50	217,881.05
Soldiers' Bonus Bond Tax Receipts	3,134.30	.....	3,134.30	.....	3,134.30
	<u>\$7,108,666.54</u>	<u>\$85,609,700.58</u>	<u>\$92,718,367.12</u>	<u>\$84,321,033.03</u>	<u>\$ 8,397,334.09</u>
Balance July 1 1938	\$ 7,108,666.54			State College Endowment Bonds, Cash, and Interest all transferred to State College under Board of Education.	
Receipts	85,609,700.58			Transfer under Trust is as follows:	
				Board of Nurses' Exams	\$ 7,414.68
Disbursements	92,718,367.12			Pipe Line	3,595.16
	84,321,033.03				
	<u>\$ 8,397,334.09</u>				<u>\$ 11,009.79</u>

Receipts, Disbursements and Balances in the Several Funds for Biennial Report, Ending June 30, 1940

	Balances July 1, 1939	Total Receipts	Total Available	Total Disbursements (Warrants Redeemed)	June 30, 1940 Balance
General Revenue	\$2,544,684.91	\$24,624,930.50	\$27,169,615.41	\$22,890,384.45	\$ 4,279,230.96
Trust Funds	5,631,633.83	61,923,910.54	67,555,544.37	61,641,055.99	5,914,488.38
Soldiers' Bonus Tax	217,881.05	1,107,059.23	1,324,940.28	1,238,597.50	86,342.78
Soldiers' Bonus Bond Tax Receipts	3,134.30	.....	3,134.30	.....	3,134.30
	<u>\$8,397,334.09</u>	<u>\$87,655,900.27</u>	<u>\$96,053,234.86</u>	<u>\$85,770,037.94</u>	<u>\$10,283,196.42</u>
Balance July 1, 1939	\$ 8,397,334.09			Transfer under Trust is as follows:	
Receipts	87,655,900.27			Board of Nurses' Exams	\$ 5,381.49
				Truck Operator	4,412.28
Disbursements	96,053,234.36			Pipe Line	3,334.04
	85,770,037.94				
	<u>\$10,283,196.42</u>				<u>\$ 18,127.81</u>

LAWS
OF THE
Forty-ninth General Assembly
OF THE
STATE OF IOWA

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE
CAPITAL OF THE STATE, BEGUN ON THE THIRTEENTH DAY OF
JANUARY, AND ENDED ON THE TENTH DAY OF APRIL,
A. D., 1941 IN THE NINETY-FIFTH YEAR
OF THE STATE

APPROPRIATIONS

CHAPTER 1

GENERAL APPROPRIATIONS

S. F. 462

AN ACT to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1941, and ending June 30, 1943, funds for various departments and various divisions thereof, of the State of Iowa, for purposes provided by law.

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

ATTORNEY GENERAL

1	SECTION 1.	For the office of attorney general there is hereby appro-
2		priated from the general fund of the state for each year of the biennium
3		beginning July 1, 1941, and ending June 30, 1943, the sum of thirty-
4		two thousand four hundred twenty dollars (\$32,420.00) or so much
5		thereof as may be necessary to be used in the following manner:
6		For salary of attorney general\$ 6,000.00
7		For salary of first assistant attorney general..... 4,500.00
8		For salaries, support, maintenance and miscel-
9		laneous purposes 21,920.00
		<hr/>
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the office of	
12	attorney general\$ 32,420.00	

AUDITOR OF STATE

1	SEC. 2. For the office of auditor of state there is hereby appro-	
2	priated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1941, and ending June 30, 1943, the sum of eighty-	
4	eight thousand nine hundred eighty dollars (\$88,980.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of auditor of state	\$ 5,000.00
7	For salary of deputy auditor of state.....	3,300.00
8	For salaries, support, maintenance and miscel-	
9	laneous purposes	77,180.00
10		<u>\$ 85,480.00</u>

BUILDING AND LOAN DIVISION

11	For salary of supervisor of savings and loan asso-	
12	ciations as fixed in Section 9354.1, Code, 1939....	\$ 2,500.00
13	For traveling and miscellaneous expense	1,000.00
14	Grand total of all appropriations for all purposes	
15	for each year of the biennium for the office of	
16	auditor of state	\$ 88,980.00

BOARD OF CONTROL

1	SEC. 3. For the office of board of control there is hereby appro-	
2	priated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1941, and ending June 30, 1943, the sum of seventy-	
4	two thousand five hundred dollars (\$72,500.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salaries, members of the board (3 at	
7	\$3,850.00)	\$ 11,550.00
8	For salary of secretary	2,550.00
9	For salaries, support, maintenance and miscel-	
10	laneous purposes	58,400.00
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for the board of	
13	control	\$ 72,500.00

BOARD OF CONTROL—INSTITUTION STATE ROADS

1	SEC. 4. For the Board of control-institution state roads there is	
2	hereby appropriated from the general fund of the state for each year of	
3	the biennium beginning July 1, 1941, and ending June 30, 1943, the sum	
4	of seven thousand five hundred dollars (\$7,500.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For institution state roads	\$ 7,500.00
7	Grand total of all appropriations for all purposes	
8	for each year of the biennium for institution	
9	state roads	\$ 7,500.00

BOARD OF EDUCATION

1 SEC. 5. For the office of the board of education there is hereby ap-
 2 propriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1941, and ending June 30, 1943, the sum
 4 of forty-nine thousand nine hundred twenty dollars (\$49,920.00) or
 5 so much thereof as may be necessary to be used in the following
 6 manner:

7	For salary of chairman of the finance committee..\$	2,900.00
8	For salary of member of finance committee.....	2,900.00
9	For salary of secretary of finance committee.....	3,000.00
10	For salaries, support, maintenance and miscel-	
11	laneous purposes	41,120.00
		<hr/>
12	Grand total of all appropriations for all purposes	
13	for each year of the biennium for the office of	
14	the board of education	\$ 49,920.00

BOARD OF PAROLE

1 SEC. 6. For the office of the board of parole there is hereby appro-
 2 priated from the general fund of the state for each year of the biennium
 3 beginning July 1, 1941, and ending June 30, 1943, the sum of thirty-
 4 two thousand five hundred fifty dollars (\$32,550.00) or so much
 5 thereof as may be necessary to be used in the following manner:

6	For salaries of board members	
7	Two (2) at \$2,700.00 each	\$ 5,400.00
8	One (1) at \$3,000.00	3,000.00
9	For salary of secretary	2,700.00
10	For salaries, support, maintenance and miscel-	
11	laneous purposes	21,450.00
		<hr/>
12	Grand total of all appropriations for all purposes	
13	for each year of the biennium for the board	
14	of parole	\$ 32,550.00

BUREAU OF LABOR

1 SEC. 7. For the office of the bureau of labor there is hereby appro-
 2 priated from the general fund of the state for each year of the biennium
 3 beginning July 1, 1941, and ending June 30, 1943, the sum of sixteen
 4 thousand one hundred eighty dollars (\$16,180.00) or so much thereof
 5 as may be necessary to be used in the following manner:

6	For salary of labor commissioner	\$ 3,000.00
7	For salary of deputy labor commissioner	2,000.00
8	For salaries, support, maintenance, and miscel-	
9	laneous purposes	11,180.00
		<hr/>
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the bureau	
12	of labor	\$ 16,180.00

CLERK OF SUPREME COURT

1 SEC. 8. For the office of the clerk of the supreme court there is

2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1941, and ending June 30, 1943, the
 4 sum of ten thousand four hundred forty-four dollars (\$10,444.00) or
 5 so much thereof as may be necessary to be used in the following
 6 manner:

7	For salary of the clerk of supreme court.....	\$ 3,600.00
8	For salary of the deputy clerk of supreme court....	2,200.00
9	For salaries, support, maintenance and miscel-	
10	laneous purposes	4,644.00
		<hr/>
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for the office of	
13	the clerk of the supreme court	\$ 10,444.00

COMMERCE COMMISSION

1 SEC. 9. For the department of the commerce commission there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1941, and ending June 30, 1943, the
 4 sum of one hundred seventy-six thousand nine hundred fifty-five
 5 dollars (\$176,955.00) or so much thereof as may be necessary to be
 6 used in the following manner:

MAIN OFFICE

7	For salaries of commissioners (3 at \$3,850.00	
8	each)	\$ 11,550.00
9	For secretary	3,300.00
10	For salaries, support, maintenance and miscel-	
11	laneous purposes	62,445.00
		<hr/>
12	Total for main office of commerce commission.....	\$ 77,295.00

MOTOR CARRIER AND MOTOR TRUCK DIVISION

13	For salary of superintendent	2,700.00
14	For salaries, support, maintenance and miscel-	
15	laneous purposes	86,560.00
		<hr/>
16	Total for motor carrier and motor truck divis-	
17	ions	\$ 89,260.00

WAREHOUSE DIVISION

18	For salary of superintendent	\$ 2,400.00
19	For salaries, support, maintenance and miscel-	
20	laneous purposes	8,000.00
		<hr/>
21	Total for warehouse division	\$ 10,400.00
22	Grand total of all appropriations for all purposes	
23	for each year of the biennium	\$176,955.00

COMMISSION FOR THE BLIND

1 SEC. 10. For the office of the commission for the blind there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1941, and ending June 30, 1943, the

4	sum of ten thousand nine hundred twenty dollars (\$10,920.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of secretary	\$ 2,400.00
7	For salaries, support, maintenance and miscel-	
8	laneous purposes	8,520.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the office of	
11	the commission for the blind	\$ 10,920.00

STATE COMPTROLLER

1	SEC. 11. For the office of comptroller there is hereby appropriated	
2	from the general fund of the state for each year of the biennium the	
3	sum of fifty-eight thousand one hundred twenty-eight dollars and	
4	thirty-four cents (\$58,128.34) 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 salary of assistant state comptroller	3,300.00
8	For salary of assistant state comptroller	3,300.00
9	For salaries, support, maintenance and miscel-	
10	laneous purposes	45,528.34
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for the office of	
13	state comptroller	\$ 58,128.34

CONSERVATION COMMISSION

1	SEC. 12. For the office of the conservation commission there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1941, and ending June 30, 1943, the	
4	sum of one hundred sixty-two thousand two hundred fifty dollars	
5	(\$162,250.00) or so much thereof as may be necessary to be used in	
6	the following manner, except that any and all funds appropriated to	
7	the state conservation commission which are used in growing or	
8	handling nursery stock shall be used for growing or handling of such	
9	for distribution only on state owned lands; provided, however, that	
10	the commission may continue to produce and sell at private sale game	
11	cover packets and trees for erosion control such as are now offered	
12	for sale by it, and may continue to produce trees for a demonstration	
13	windbreak in each township in the state, and may dispose of trees	
14	now growing under their supervision under their present plan of	
15	distribution.	
16	For miscellaneous purposes:	
17	For salaries, support and maintenance of the of-	
18	fice and the maintenance of state parks, pur-	
19	chase of land and general improvement, and	
20	for the construction, maintenance and improve-	
21	ment of roads and highways in said parks.....	\$162,250.00
22	Grand total of all appropriations for all purposes	
23	for each year of the biennium for the conserva-	
24	tion commission	\$162,250.00

CUSTODIAN

1	SEC. 13	For the office of the custodian there is hereby appropriated	
2		from the general fund of the state for each year of the biennium	
3		beginning July 1, 1941, and ending June 30, 1943, the sum of seventy-	
4		seven thousand four hundred dollars (\$77,400.00) or so much thereof	
5		as may be necessary to be used in the following manner:	
6		For salary of custodian	\$ 2,400.00
7		For salary of assistant custodian	1,899.84
8		For salaries, support, maintenance and miscel-	
9		laneous purposes	73,100.16
10			<hr/>
11	Grand total of all appropriations for all purposes		
12	for each year of the biennium for the office of		
	custodian		\$ 77,400.00

DEPARTMENT OF AGRICULTURE

1	SEC. 14.	For the department of agriculture there is hereby appro-	
2		priated from the general fund of the state for each year of the biennium	
3		beginning July 1, 1941, and ending June 30, 1943, the sum of three	
4		hundred forty-eight thousand four hundred four (\$348,404.00) or so	
5		much thereof as may be necessary to be used in the following manner:	
6		For salary of secretary of agriculture	\$ 5,000.00
7		For salary of deputy secretary of agriculture.....	3,300.00
8		For salaries, support, maintenance and miscel-	
9		laneous purposes	112,204.00
10			<hr/>
			\$120,504.00

(1) ANIMAL HEALTH AND VETERINARY

11	For the control and eradication of contagious and		
12	infectious livestock diseases including Bang's		
13	disease, salaries and necessary traveling ex-		
14	penses; assistant state veterinarians (per diem		
15	and expenses) indemnities and miscellaneous....		\$131,140.00

(2) BEEF PRODUCERS' ASSOCIATION

16	For state aid	4,500.00
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(3) CORN AND SMALL GRAIN GROWERS ASSOCIATION

17	For state aid	2,250.00
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(4) CROP PEST CONTROL

18	For state aid	12,500.00
19	For state aid for the investigation and control	
20	of plant diseases and for other purposes as ap-	
21	proved by the secretary of agriculture, to be	
22	administered by the vegetable growers' associa-	
23	tion	2,500.00
24	Total for Crop Pest Control	<hr/> 15,000.00

(5) DAIRY ASSOCIATION

25	For state aid	4,500.00
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	(6) DAIRY CALF CLUB	
26	For state aid	2,000.00
	(7) ENTOMOLOGY	
27	For salaries, support, maintenance and miscel-	
28	laneous purposes	7,000.00
	(8) HORSE BREEDERS' ASSOCIATION	
29	For state aid	\$ 4,500.00
	(9) HORTICULTURAL SOCIETIES	
30	For state aid	6,350.00
31	For vegetable growers' association	1,000.00
32	Total for Horticultural Societies	<u>\$ 7,350.00</u>
	(10) POULTRY ASSOCIATION, SHORT COURSES AND ACHIEVEMENT SHOWS	
33	For state aid	18,000.00
34	For rent for Poultry Exposition at State Fair	
35	Grounds	300.00
36		<u>18,300.00</u>
	(11) SWINE BREEDERS ASSOCIATION	
37	For state aid	4,500.00
	(12) SOIL CONSERVATION	
38	For salaries, support and miscellaneous purposes	7,250.00
	(13) VETERINARY EXAMINERS	
39	For per diem and expenses	360.00
	(14) WEATHER DIVISION	
40	For state aid	5,000.00
	(15) AGRICULTURAL STATISTICS	
41	For state aid	5,000.00
	(16) HATCHERY INSPECTION	
42	For state hatchery inspection fund	<u>10,000.00</u>
43	Grand total of all appropriations for all purposes	
44	for each year of the biennium for the depart-	
45	ment of agriculture and divisions thereof.....	\$348,404.00

DEPARTMENT OF HEALTH

1 SEC. 15. For the department of health there is hereby appropriated
2 from the general fund of the state for each year of the biennium be-
3 ginning July 1, 1941, and ending June 30, 1943, the sum of one
4 hundred seventy thousand four hundred ten dollars (\$170,410.00) or
5 so much thereof as may be necessary to be used in the following
6 manner:

GENERAL OFFICE		
7	For salary of commissioner	5,000.00
8	For salaries, support, maintenance and miscel-	
9	laneous purposes	76,210.00
10	For research development and use of various	
11	serums	47,450.00
(1) BOARD OF BARBERS' EXAMINERS		
12	For compensation, support, maintenance and mis-	
13	cellaneous purposes	16,340.00
(2) BOARD OF CHIROPRACTIC EXAMINERS		
14	For compensation, support, maintenance and mis-	
15	cellaneous purposes	1,800.00
(3) BOARD OF COSMETOLOGY EXAMINERS		
16	For compensation, support, maintenance and mis-	
17	cellaneous purposes	17,010.00
(4) BOARD OF DENTAL EXAMINERS		
18	For compensation, support, maintenance and mis-	
19	cellaneous purposes	2,000.00
(5) BOARD OF EMBALMERS' EXAMINERS		
20	For compensation, support, maintenance and mis-	
21	cellaneous purposes	1,250.00
(6) BOARD OF MEDICAL EXAMINERS		
22	For compensation, support, maintenance and mis-	
23	cellaneous purposes	1,200.00
(7) BOARD OF OPTOMETRY EXAMINERS		
24	For compensation, support, maintenance and mis-	
25	cellaneous purposes	450.00
(8) BOARD OF OSTEOPATHY EXAMINERS		
26	For compensation, support, maintenance and mis-	
27	cellaneous purposes	1,500.00
(9) BOARD OF PODIATRY EXAMINERS		
28	For compensation, support, maintenance and mis-	
29	cellaneous purposes	200.00
<hr/>		
30	Grand total of all appropriations for all purposes	
31	for each year of the biennium for the depart-	
32	ment of health and the various divisions there-	
33	of	\$170,410.00

DEPARTMENT OF PUBLIC INSTRUCTION

1 SEC. 16. For the department of public instruction there is hereby
2 appropriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1941, and ending June 30, 1943, the sum
4 of four hundred fifty-six thousand seven hundred fifty-four dollars
5 and eighty-eight cents (\$456,754.88) or so much thereof as may be
6 necessary to be used in the following manner:

7	For salary of superintendent of public instruction	\$ 4,500.00
8	For salary of deputy superintendent of public instruction	3,000.00
10	For salaries, support, maintenance and miscellaneous purposes	37,804.88

STATE AID TO PUBLIC SCHOOLS

13	For state aid to public schools:	
14	Normal training schools	\$100,000.00
15	Consolidated schools	125,000.00
16	Standard rural schools	90,000.00
17	Normal institutes	4,450.00
18	Mining camp schools	45,000.00
19	Mining camp schools emergencies	27,000.00
20	Handicapped Children	20,000.00
21	Grand total of all appropriations for all purposes for each year of the biennium for the department of public instruction	\$456,754.88

DISTRICT COURT

1	SEC. 17. For the judges of the district court there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1941, and ending June 30, 1943, the sum of three hundred eighty thousand dollars (\$380,000.00) or so much thereof as may be necessary to be used in the following manner:	
2	For salaries of the judges of the district courts of Iowa (70 judges)	\$350,000.00
3	For traveling expenses of judges and court reporters in and out of districts	30,000.00
4	Grand total of all appropriations for all purposes for each year of the biennium for district court judges	\$380,000.00

EXECUTIVE COUNCIL

1	SEC. 18. For the office of the executive council there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1941, and ending June 30, 1943, the sum of two hundred fifty-three thousand dollars (\$253,000.00) or so much thereof as may be necessary to be used in the following manner:	
2	For salary of the secretary of the executive council	\$ 3,000.00
3	For salaries, support, maintenance and miscellaneous purposes	247,000.00
4	For the purpose of revising the accounting and accounting procedure of the state including the payment of consultants	3,000.00
5	Grand total of all appropriations for all purposes	

14 for each year of the biennium for the office of
15 the executive council\$253,000.00

GEOLOGICAL SURVEY

1 SEC. 19. For the office of the geological survey there is hereby
2 appropriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1941, and ending June 30, 1943, the sum
4 of twenty-two thousand one hundred twenty-five dollars (\$22,125.00)
5 or so much thereof as may be necessary to be used in the following
6 manner:

7 For salaries, support, maintenance and miscel-
8 laneous purposes\$ 16,455.00
9 Stream gauging 5,670.00

10 Grand total of all appropriations for all purposes
11 for each year of the biennium for geological sur-
12 vey\$ 22,125.00

GOVERNOR

1 SEC. 20. For the office of the governor there is hereby appropriated
2 from the general fund of the state for each year of the biennium begin-
3 ning July 1, 1941, and ending June 30, 1943, the sum of nineteen
4 thousand three hundred dollars (\$19,300.00) or so much thereof as
5 may be necessary to be used in the following manner:

6 For salary of the governor of Iowa\$ 7,500.00
7 For salary of secretary 3,300.00
8 For salaries, support, maintenance and miscel-
9 laneous purposes 8,500.00

10 Grand total of all appropriations for all purposes
11 for each year of the biennium for the office of
12 governor\$ 19,300.00

GRAND ARMY OF THE REPUBLIC

1 SEC. 21. For the department of the grand army of the republic
2 there is hereby appropriated from the general fund of the state for
3 each year of the biennium beginning July 1, 1941 and ending June 30,
4 1943, the sum of one thousand one hundred twenty-five dollars and
5 fifty cents (\$1,125.50) or so much thereof as may be necessary to be
6 used in the following manner:

7 For headquarters expense\$ 1,125.50

8 Grand total of all appropriations for all purposes
9 for each year of the biennium for the depart-
10 ment of the grand army of the republic.....\$ 1,125.50

DEPARTMENT OF HISTORY AND ARCHIVES

1 SEC. 22. For the department of history and archives there is hereby
2 appropriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1941, and ending June 30, 1943, the sum
4 of thirty thousand five hundred sixty-three dollars (\$30,563.00) or so

5	much thereof as may be necessary to be used in the following manner:	
6	For salary of curator	\$ 2,700.00
7	For salary of deputy curator	2,200.00
8	For salaries, support, maintenance and miscel-	
9	laneous purposes	25,663.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the depart-	
12	ment of history and archives	\$ 30,563.00

HISTORICAL SOCIETY

1	SEC. 23. For the historical society there is hereby appropriated	
2	from the general fund of the state for each year of the biennium begin-	
3	ning July 1, 1941, and ending June 30, 1943, the sum of thirty-six	
4	thousand dollars (\$36,000.00) or so much thereof as may be necessary	
5	to be used in the following manner:	
6	For salaries, support, maintenance and miscel-	
7	laneous purposes	\$ 36,000.00
8	Grand total of all appropriations for all purposes	
9	for each year of the biennium for the historical	
10	society	\$ 36,000.00

INDUSTRIAL COMMISSIONER

1	SEC. 24. For the industrial commissioner there is hereby appro-	
2	priated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1941, and ending June 30, 1943, the sum of forty-one	
4	thousand two hundred fifty dollars (\$41,250.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salary of industrial commissioner.....	\$ 3,300.00
7	For salary of deputy industrial commissioner.....	2,550.00
8	For salaries, support, maintenance and miscel-	
9	laneous purposes	35,400.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the industrial	
12	commissioner	\$ 41,250.00

INSURANCE COMMISSION

1	SEC. 25. For the office of the insurance commission there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1941, and ending June 30, 1943, the sum of	
4	forty-seven thousand five hundred dollars (\$47,500.00) or so much	
5	thereof as may be necessary to be used in the following manner:	

MAIN OFFICE

6	For salary of insurance commissioner	\$ 5,000.00
7	For salaries, support, maintenance and miscel-	
8	laneous purposes	35,000.00

SECURITIES DIVISION

9	For salaries, support, maintenance and miscel-	
---	--	--

10	laneous purposes	7,500.00
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for the office of	
13	the insurance commission	\$ 47,500.00

LIBRARY COMMISSION

1 SEC. 26. For the library commission there is hereby appropriated
 2 from the general fund of the state for each year of the biennium begin-
 3 ning July 1, 1941, and ending June 30, 1943, the sum of sixty-one
 4 thousand one hundred twenty-four dollars (\$61,124.00) or so much
 5 thereof as may be necessary to be used in the following manner:

LAW DIVISION

6	For salary of law librarian	\$ 3,000.00
7	For salaries, support, maintenance and miscel-	
8	laneous purposes (law library)	14,124.00

MEDICAL DIVISION

9	For salary of medical librarian	2,400.00
10	For salaries, support, maintenance, and miscel-	
11	laneous purposes (medical library)	7,600.00

TRAVELING DIVISION

12	For salary of traveling librarian	2,400.00
13	For salaries, support, maintenance and miscel-	
14	laneous purposes (traveling library)	31,600.00

15	Grand total of all appropriations for all purposes	
16	for each year of the biennium for all divisions	
17	of the library commissioners	\$ 61,124.00

BOARD OF MINE EXAMINERS

1 SEC. 27. For the board of mine examiners there is hereby appro-
 2 priated from the general fund of the state for each year of the biennium
 3 beginning July 1, 1941, and ending June 30, 1943, the sum of one
 4 thousand five hundred dollars (\$1,500.00) or so much thereof as may
 5 be necessary to be used in the following manner:

6	For per diem and expenses	\$ 1,500.00
7	Grand total of all appropriations for all purposes	
8	for each year of the biennium for the board	
9	of mine examiners	\$ 1,500.00

MINE INSPECTORS

1 SEC. 28. For the department of mine inspectors there is hereby
 2 appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1941, and ending June 30, 1943 the sum
 4 of nineteen thousand seven hundred forty-five dollars (\$19,745.00)
 5 or so much thereof as may be necessary to be used in the following
 6 manner:

7	For salaries, support, maintenance and miscel-	
8	laneous purposes	\$ 14,745.00
9	For state aid to Iowa Coal Institute	5,000.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the mine	
12	inspector	\$ 19,745.00

BOARD OF PHARMACY EXAMINERS

1	SEC. 29. For the board of pharmacy examiners there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1941, and ending June 30, 1943, the sum	
4	of twenty-seven thousand two hundred dollars (\$27,200.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of secretary	\$ 2,580.00
7	For salaries, support, maintenance and miscel-	
8	laneous purposes	12,120.00
9	For salaries, support, maintenance and miscel-	
10	laneous purposes	5,000.00
11	For salaries, support, maintenance and miscel-	
12	laneous purposes in making investigations of	
13	illegal sale of narcotics	7,500.00
14	Grand total of all appropriations for all purposes	
15	for each year of the biennium for the board of	
16	pharmacy examiners	\$ 27,200.00

UNIFORM NARCOTIC LAW DIVISION

PIONEER LAWMAKERS

1	SEC. 30. For the pioneer lawmakers there is hereby appropriated	
2	from the general fund of the state for each year of the biennium begin-	
3	ning July 1, 1941, and ending June 30, 1943, the sum of fifty dollars	
4	(\$50.00) or so much thereof as may be necessary to be used in the	
5	following manner:	
6	For miscellaneous purposes	\$ 50.00
7	Grand total of all appropriations for all purposes,	
8	for each year of the biennium for the pioneer	
9	lawmakers	\$ 50.00

STATE PRINTING BOARD

1	SEC. 31. For the state printing board there is hereby appropriated	
2	from the general fund of the state for each year of the biennium begin-	
3	ning July 1, 1941, and ending June 30, 1943, the sum of one hundred	
4	eighty-six thousand six hundred seventy dollars (\$186,670.00) or so	
5	much thereof as may be necessary to be used in the following manner:	

GENERAL OFFICE

6	For salary of superintendent	\$ 3,300.00
7	For salaries, support, maintenance and miscel-	

8	laneous purposes	13,370.00
9		<u>\$16,670.00</u>

PRINTING AND BINDING

10	For the necessary printing and binding authorized	
11	by law for the general assembly and for all	
12	state departments that have not been provided	
13	for in departmental appropriations.....	<u>\$170,000.00</u>

14	Grand total of all appropriations for all purposes	
15	for each year of the biennium for the state	
16	printing board	<u>\$186,670.00</u>

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

20 Agricultural societies; animal health and veterinary division of
21 agricultural department for elimination of bovine tuberculosis and
22 bangs disease; board of accountancy; architectural examiners; bank-
23 ing department including receivership division; basic science board of
24 examiners; board of control institutions; board of education institu-
25 tions; board of educational examiners; board of engineering examiners;
26 board of nurse examiners; conservation commission; cosmetology divi-
27 sion of department of health; farmers' institutes; horse breeders' asso-
28 ciations; indigent hospital; hotel and restaurant fund; Iowa beef pro-
29 ducers association; Iowa corn and small grain growers' association;
30 Iowa department of the Grand Army of the Republic; Iowa state dairy
31 association; Iowa state poultry breeders' association; Iowa swine breed-
32 ers' association; Iowa liquor control commission; Iowa unemployment
33 compensation commission; motor vehicle fuel tax division; psycho-
34 pathic hospital; short courses; state board of vocational education;
35 state employment service; state fair board; state highway commission;
36 state library and all divisions thereof; state permit board; social wel-
37 fare department; truck operators division; and any and every agency,
38 activity, and undertaking that has a fund for general support.

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

53 The following departments are hereby limited to their demands for
54 printing during the biennial period beginning July 1, 1941, and ending
55 June 30, 1943, to an amount not to exceed the following:

56 Academy of science, \$2000.00; adjutant general, \$2000.00; department
 57 of agriculture, \$25,000.00; attorney general, \$12,000.00; auditor of
 58 state, \$10,000.00; commerce commission, \$5,000.0; commerce counsel,
 59 \$1000.00; comptroller, \$15,0000.00; board of control, \$1000.00; cus-
 60 todian, \$20.00; board of education, \$3000.00; entomologist, \$150.00;
 61 executive council, \$4000.00; fire marshal, \$2000.00; geological survey,
 62 \$4000.00; governor, \$2500.00; department of health, \$10,000.00; de-
 63 partment of history and archives, \$4000.00; department of horticulture,
 64 \$3000.00; industrial commission, \$2500.00; department of public in-
 65 struction, \$12,000.00; insurance department, \$10,000.00; bureau of
 66 labor, \$1400.00; mine inspectors, \$500.00; board of parole, \$500.00;
 67 pharmacy examiners, \$500.00; pioneer lawmakers, \$15.00; secretary of
 68 state, \$5,000.00; supreme court, \$200.00; clerk of supreme court,
 69 \$3000.00; supreme court report fund, \$25,000.00; state tax commission,
 70 \$8,000.00; treasurer of state, \$10,000.00; it is, however, provided that
 71 in case of emergency, the executive council may authorize increased
 72 amounts where necessary.

PUBLIC SAFETY

1 SEC. 32. For the department of public safety there is hereby appro-
 2 priated from the general fund of the state for each year of the biennium
 3 beginning July 1, 1941, and ending June 30, 1943, the sum of eight
 4 hundred fifty-one thousand sixty-one dollars and fifty cents (\$851,-
 5 061.50) or so much thereof as may be necessary to be used in the
 6 following manner:

(1) DIVISION OF ADMINISTRATION

7	For salary of commissioner	\$ 4,000.00
8	For salaries, support, maintenance and miscel-	
9	laneous purposes	14,905.00
10		<u>\$ 18,905.00</u>

(2) DIVISION OF HIGHWAY PATROL

11	For salary of chief of patrol	\$ 3,200.00
12	For salaries, support, maintenance and miscel-	
13	laneous purposes	399,737.00
14		<u>\$402,937.00</u>

(3) DIVISION OF OPERATORS AND CHAUFFEURS' LICENSE

15	For salaries, support, maintenance and miscel-	
16	laneous purposes	\$108,425.00
17		<u>\$108,425.00</u>

(4) DIVISION OF MOTOR VEHICLE REGISTRATION

18	For salary of superintendent	\$ 3,000.00
19	For salaries, support, maintenance and miscel-	
20	laneous purposes	180,655.00
21		<u>\$183,655.00</u>

(5) DIVISION OF CRIMINAL INVESTIGATION

22	For salary of chief of bureau of investigation.....	\$ 3,600.00
23	For salaries, support, maintenance and miscel-	
24	laneous purposes	57,382.50.
		<hr/>
25		\$ 60,982.50

(6) DIVISION OF RADIO COMMUNICATION

26	For salary of superintendent	\$ 2,400.00
27	For salaries, support, maintenance and miscel-	
28	laneous purposes	27,405.00
		<hr/>
29		\$ 29,805.00

(7) DIVISION OF FIRE MARSHAL

30	For salary of fire marshal	\$ 2,700.00
31	For salaries, support, maintenance and miscel-	
32	laneous purposes	12,442.00
		<hr/>
33		\$ 15,142.00

(8) DIVISION OF SAFETY EDUCATION

34	For salary of director	\$ 2,400.00
35	For salaries, support, maintenance and miscel-	
36	laneous purposes	28,810.00
		<hr/>
37		\$ 31,210.00

38	Grand total of all appropriations for all purposes	
39	for each year of the biennium for the depart-	
40	ment of public safety, division of administra-	
41	tion, highway patrol, operators' and chauffeurs'	
42	license, motor vehicle registration, criminal	
43	investigation, radio communication, fire mar-	
44	shal and safety education	\$851,061.50

REPORTER OF SUPREME COURT AND CODE EDITOR

1	SEC. 33. For the department of the reporter of the supreme court	
2	and code editor there is hereby appropriated from the general fund of	
3	the state for each year of the biennium beginning July 1, 1941, and	
4	ending June 30, 1943, the sum of twelve thousand five hundred sixty-	
5	five dollars (\$12,565.00) or so much thereof as may be necessary to	
6	be used in the following manner:	
7	For salary of reporter of supreme court and code	
8	editor	\$ 3,850.00
9	For salaries, support, maintenance and miscel-	
10	laneous purposes	8,715.00
		<hr/>
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for the depart-	
13	ment of the reporter of the supreme court and	
14	code editor	\$ 12,565.00

**COMMITTEE ON RETRENCHMENT AND REFORM
GENERAL CONTINGENT FUND**

1 SEC. 34. For the purpose of establishing a general contingent fund
2 of the state there is hereby appropriated from the general fund of the
3 state for each year of the biennium beginning July 1, 1941, and ending
4 June 30, 1943, the sum of three hundred thousand dollars (\$300,000.00)
5 or so much thereof as may be necessary, to be administered by the
6 retrenchment and reform committee for contingencies arising during
7 the biennium which are legally payable from the general fund of the
8 state; reports of all receipts and expenditures shall be printed in the
9 budget report.

SECRETARY OF STATE

1 SEC. 35. For the department of the secretary of state there is here-
2 by appropriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1941, and ending June 30, 1943, the sum of
4 thirty-eight thousand eight hundred dollars (\$38,800.00) or so much
5 thereof as may be necessary to be used in the following manner:

GENERAL OFFICE

6	For salary of secretary of state	\$ 5,000.00
7	For salary of deputy secretary of state.....	3,300.00
8	For salaries, support, maintenance and miscel-	
9	laneous purposes	12,580.00
		\$ 20,880.00

LAND OFFICE DIVISION

11	For salaries, support, maintenance and miscel-	
12	laneous purposes	\$ 3,900.00

REAL ESTATE DIVISION

13	For salary of secretary	\$ 3,300.00
14	For salaries, support, maintenance and miscel-	
15	laneous purposes	10,720.00
		\$ 14,020.00
16	Grand total of all appropriations for all purposes	
17	for each year of the biennium for the depart-	
18	ment of the secretary of state	\$ 38,800.00

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

1 SEC. 36. For the Iowa soldiers' bonus board there is hereby appro-
2 priated from the general fund of the state for each year of the biennium
3 beginning July 1, 1941, and ending June 30, 1943, the sum of four
4 thousand two hundred fifty dollars (\$4,250.00) or so much thereof
5 as may be necessary to be used in the following manner:
6 For the purpose of administration and aiding in
7 the education of children of soldiers, sailors,

8	marines and nurses	\$ 4,250.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the Iowa	
11	soldiers' bonus board	\$ 4,250.00

SOCIAL WELFARE BOARD

1	SEC. 37. For the department of social welfare there is hereby appro-	
2	priated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1941, and ending June 30, 1943, the sum of two	
4	hundred sixty thousand dollars (\$260,000.00) or so much thereof as	
5	may be necessary to be used in the following manner:	
6	For child welfare	\$115,000.00
7	For aid to blind	145,000.00
8		<u>\$260,000.00</u>
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the depart-	
11	ment of social welfare	\$260,000.00

STATE EMPLOYMENT SERVICE

1	SEC. 38. For the state employment service there is hereby appro-	
2	priated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1941, and ending June 30, 1943, 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
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the depart-	
11	ment of the state employment service.....	\$ 59,852.52

STATE FAIR BOARD

1	SEC. 39. For the state fair board there is hereby appropriated from	
2	the general fund of the state for the biennium beginning July 1, 1941,	
3	and ending June 30, 1943, the sum of forty-nine thousand seven hun-	
4	dred dollars (\$49,700.00) or so much thereof as may be necessary to	
5	be used in the following manner:	
6	For maintenance, insurance and operating expense	
7	of fair	\$ 39,700.00
8	For premiums	10,000.00
9		<u>\$ 49,700.00</u>
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the state	
12	fair board	\$ 49,700.00

AGRICULTURAL SOCIETIES

1	SEC. 40. For the agricultural societies there is hereby appropriated	
2	from the general fund of the state for each year of the biennium begin-	
3	ning July 1, 1941, and ending June 30, 1943, the sum of one hundred	

4 forty thousand dollars (\$140,000.00) or so much thereof as may be
5 necessary to be used in the following manner:

6 For state aid to county fairs\$140,000.00

7 The foregoing appropriation for state aid to county fairs shall be
8 deemed conditional on full compliance with all other statutes which
9 regulate and prescribe the conditions under which such aid is payable.
10 In no case shall any county receive more than two thousand dollars
11 (\$2,000.00). In counties having more than one fair entitled to state
12 aid, the state aid available for the county shall be prorated to said fairs
13 on the basis of cash premiums paid by said fairs.

STATE TAX COMMISSION

1 SEC. 41. For the State Tax Commission there is hereby appro-
2 priated from the general fund of the state for each year of the biennium
3 beginning July 1, 1941, and ending June 30, 1943, the sum of six
4 hundred fifty-seven thousand one hundred thirty-six dollars (\$657,-
5 136.00) or so much thereof as may be necessary to be used in the
6 following manner:

7 For salary of chairman\$ 4,500.00
8 For salary of vice chairman 4,500.00
9 For salary of member 4,500.00
10 For salary of assistant attorney general..... 4,500.00
11 For salaries, support, maintenance and miscel-
12 laneous purposes 639,136.00

13 Grand total of all appropriations for all purposes
14 for each year of the biennium for the state
15 tax commission\$657,136.00

SUPREME COURT

1 SEC. 42. For the supreme court there is hereby appropriated from
2 the general fund of the state for each year of the biennium beginning
3 July 1, 1941, and ending June 30, 1943, the sum of eighty-five thousand
4 ninety-nine dollars and eighty-four cents (\$85,099.84) or so much
5 thereof as may be necessary to be used in the following manner:

6 For salaries of judges:
7 (9 at \$7,500.00 each)\$ 67,500.00
8 For salaries, support, maintenance and miscel-
9 laneous purposes 17,599.84

10 Grand total of all appropriations for all purposes
11 for each year of the biennium for the supreme
12 court\$ 85,099.84

TREASURER OF STATE

1 SEC. 43. For the department of treasurer of state there is hereby
2 appropriated from the general fund of the state for the biennium begin-
3 ning July 1, 1941, and ending June 30, 1943, the sum of forty thousand
4 eight hundred three dollars and thirty-three cents (\$40,803.33) or so
5 much thereof as may be necessary to be used in the following manner:

6 For salary of treasurer\$ 5,000.00
7 For salary of deputy treasurer 3,300.00

8	For salaries, support, maintenance and miscel-	
9	laneous purposes	32,503.33
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the depart-	
12	ment of treasurer of state	\$ 40,803.33

VOCATIONAL EDUCATION

1	SEC. 44. For the department of vocational education there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1941, and ending June 30, 1943, the sum	
4	of twenty-two thousand eight hundred dollars (\$22,800.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of director	\$ 2,250.00
7	For salaries, support, maintenance and miscel-	
8	laneous purposes	20,550.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the depart-	
11	ment of vocational education	\$ 22,800.00

VOCATIONAL REHABILITATION

1	SEC. 45. For the department of vocational rehabilitation there is	
2	hereby appropriated from the general fund of the state for each year	
3	of the biennium beginning July 1, 1941, and ending June 30, 1943, the	
4	sum of thirty-seven thousand six hundred dollars (\$37,600.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of the superintendent	800.00
7	For salaries, support, maintenance and miscel-	
8	laneous purposes	36,800.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the depart-	
11	ment of vocational rehabilitation	\$ 37,600.00

COMMISSION OF UNIFORM LAWS

1	SEC. 46. For the commission on uniform laws there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1941, and ending June 30, 1943, the sum	
4	of three hundred dollars (\$300.00) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For traveling expenses of members of the com-	
7	mission on uniform laws	\$ 300.00
8	Grand total of all appropriations for all purposes	
9	for each year of the biennium for the commis-	
10	sion on uniform laws	\$ 300.00

1 SEC. 47. During the biennium beginning July 1, 1941, and ending
 2 June 30, 1943, the Board of Engineering Examiners is authorized to
 3 pay its secretary a salary of six hundred dollars (\$600.00) per year
 4 and to pay a clerk three hundred dollars (\$300.00) per year from funds
 5 belonging to the Board of Engineering Examiners.

Approved April 15, 1941.

CHAPTER 2

BOARD OF CONTROL APPROPRIATION

H. F. 271

AN ACT to appropriate from the general fund and institutional industries fund of the State of Iowa for the biennium beginning July 1, 1941, and ending June 30, 1943, to the board of control for the support of institutions under said board of control.

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

1 SECTION 1. There is hereby appropriated from the general fund
2 and institutional industries fund of the state for each year of the
3 biennium beginning July 1, 1941, and ending June 30, 1943, for the
4 Board of Control of State Institutions for salaries, support, main-
5 tenance, repairs, replacements or alterations of all institutions under
6 the control of said board, the sum of four million twenty-nine thousand
7 five hundred dollars (\$4,029,500.00) or so much thereof as may be
8 necessary and for the following purposes, to wit:

STATE HOSPITAL FOR INSANE

Cherokee

1 SEC. 2. For the state hospital for the insane, Cherokee, there is
2 hereby appropriated from the general fund of the state for each year
3 of the biennium beginning July 1, 1941, and ending June 30, 1943, the
4 sum of four hundred eight thousand dollars (\$408,000.00) or so much
5 thereof as may be necessary to be used in the following manner:

6	For salaries, support, maintenance.....	\$400,000.00
7	For repairs, replacements and alterations.....	\$ 8,000.00
8	Total for state hospital for insane, Cherokee.....	\$408,000.00

STATE HOSPITAL FOR INSANE

Clarinda

1 SEC. 3. For the state hospital for insane, Clarinda, there is hereby
2 appropriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1941, and ending June 30, 1943, the sum
4 of four hundred eight thousand dollars (\$408,000.00) or so much
5 thereof as may be necessary to be used in the following manner:

6	For salaries, support and maintenance.....	\$400,000.00
7	For repairs, replacements and alterations.....	8,000.00
8	Total for state hospital for insane, Clarinda.....	\$408,000.00

STATE SCHOOL FOR FEEBLE-MINDED CHILDREN

Glenwood

1 SEC. 4. For the state school for feeble-minded children, Glenwood,
2 there is hereby appropriated from the general fund of the state for
3 each year of the biennium beginning July 1, 1941, and ending June 30,
4 1943, the sum of three hundred seventy-three thousand dollars (\$373,-
5 000.00) or so much thereof as may be necessary to be used in the fol-
6 lowing manner:

7	For salaries, support and maintenance.....	\$365,000.00
8	For repairs, replacements and alterations.....	8,000.00
9	Total for state school for feeble-minded, Glen-	

10 wood\$373,000.00

STATE HOSPITAL FOR INSANE
Independence

1 SEC. 5. For the state hospital for insane, Independence, there is
2 hereby appropriated from the general fund of the state for each year
3 of the biennium beginning July 1, 1941, and ending June 30, 1943, the
4 sum of four hundred eighteen thousand dollars (\$418,000.00) or so
5 much thereof as may be necessary to be used in the following manner:

6 For salaries, support and maintenance.....\$410,000.00
7 For repairs, replacements and alterations..... 8,000.00

8 Total for state hospital for insane, Independence..\$418,000.00

STATE HOSPITAL FOR INSANE
Mt. Pleasant

1 SEC. 6. For the state hospital for insane, Mt. Pleasant, there is
2 hereby appropriated from the general fund of the state for each year
3 of the biennium beginning July 1, 1941, and ending June 30, 1943, the
4 sum of three hundred sixty-three thousand dollars (\$363,000.00) or so
5 much thereof as may be necessary to be used in the following manner:

6 For salaries, support and maintenance.....\$355,000.00
7 For repairs, replacements and alterations..... 8,000.00

8 Total for state hospital for insane, Mt. Pleasant....\$363,000.00

STATE HOSPITAL FOR EPILEPTICS AND FEEBLE-MINDED
Woodward

1 SEC. 7. For the state hospital for epileptics and feeble-minded,
2 Woodward, there is hereby appropriated from the general fund of the
3 state for each year of the biennium beginning July 1, 1941, and ending
4 June 30, 1943, the sum of two hundred ninety-eight thousand dollars
5 (\$298,000.00) or so much thereof as may be necessary to be used in
6 the following manner:

7 For salaries, support and maintenance.....\$290,000.00
8 For repairs, replacements or alterations..... 8,000.00

9 Total for state hospital for epileptics and feeble-
10 minded, Woodward\$298,000.00

SOLDIERS' ORPHANS' HOME
Davenport

1 SEC. 8. For the soldiers' orphans' home, Davenport, there is hereby
2 appropriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1941, and ending June 30, 1943, the sum of
4 two hundred five thousand dollars (\$205,000.00) or so much thereof
5 as may be necessary to be used in the following manner:

6 For salaries, support and maintenance.....\$200,000.00
7 For repairs, replacements or alterations..... 5,000.00

8 Total for soldiers' orphans' home, Davenport.....\$205,000.00

IOWA SOLDIERS' HOME
Marshalltown

1 SEC. 9. For the Iowa soldiers' home, Marshalltown, there is hereby

- 2 appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1941, and ending June 30, 1943, the sum
 4 of one hundred seventy-five thousand dollars (\$175,000.00) or so much
 5 thereof as may be necessary to be used in the following manner:
- | | | |
|---|--|--------------|
| 6 | For salaries, support and maintenance..... | \$170,000.00 |
| 7 | For repairs, replacements or alterations..... | 5,000.00 |
| 8 | Total for Iowa soldiers' home, Marshalltown..... | \$175,000.00 |

JUVENILE HOME

Toledo

- 1 SEC. 10. For the juvenile home, Toledo, there is hereby appro-
 2 priated from the general fund of the state for each year of the biennium
 3 beginning July 1, 1941, and ending June 30, 1943, the sum of one
 4 hundred twenty-four thousand dollars (\$124,000.00) or so much there-
 5 of as may be necessary to be used in the following manner:
- | | | |
|---|---|--------------|
| 6 | For salaries, support and maintenance..... | \$120,000.00 |
| 7 | For repairs, replacements or alterations..... | 4,000.00 |
| 8 | Total for juvenile home, Toledo..... | \$124,000.00 |

STATE SANATORIUM

Oakdale

- 1 SEC. 11. For the state sanatorium, Oakdale, there is hereby appro-
 2 priated from the general fund of the state for each year of the biennium
 3 beginning July 1, 1941, and ending June 30, 1943, the sum of two
 4 hundred forty-six thousand dollars (\$246,000.00) or so much thereof as
 5 may be necessary to be used in the following manner:
- | | | |
|---|---|--------------|
| 6 | For salary of superintendent..... | \$3,000.00 |
| 7 | For salaries, support and maintenance..... | \$237,000.00 |
| 8 | For repairs, replacements or alterations..... | 6,000.00 |
| 9 | Total for state sanatorium, Oakdale..... | \$246,000.00 |

MEN'S REFORMATORY

Anamosa

- 1 SEC. 12. For men's reformatory, Anamosa, there is hereby appro-
 2 priated for each year of the biennium beginning July 1, 1941, and
 3 ending June 30, 1943, the sum of three hundred eleven thousand dollars
 4 (\$311,000.00), which is hereby appropriated from the following funds:
 5 \$261,000.00 from the general fund of the state of Iowa, and \$50,000.00
 6 from the industries fund of said institution, which is hereby trans-
 7 ferred to the support, maintenance, and improvement fund of the said
 8 institution, or so much thereof as may be necessary to be used in the
 9 following manner:
- | | | |
|----|--|--------------|
| 10 | For salaries, support, and maintenance..... | \$305,000.00 |
| 11 | For repairs, replacements and alterations..... | 6,000.00 |
| 12 | Total for Men's Reformatory, Anamosa..... | \$311,000.00 |

TRAINING SCHOOL FOR BOYS

Eldora

- 1 SEC. 13. For training school for boys, Eldora, there is hereby appro-

2 priated from the general fund of the state for each year of the biennium
 3 beginning July 1, 1941, and ending June 30, 1943, the sum of one
 4 hundred seventy-eight thousand five hundred dollars (\$178,500.00)
 5 or so much thereof as may be necessary to be used in the following
 6 manner:

7	For salaries, support and maintenance.....	\$175,000.00
8	For repairs, replacements or alterations.....	3,500.00
9	Total for training school for boys, Eldora.....	<u>\$178,500.00</u>

PENITENTIARY

Ft. Madison

1 SEC. 14. For the state penitentiary, Ft. Madison, there is hereby
 2 appropriated for each year of the biennium beginning July 1, 1941,
 3 and ending June 30, 1943, the sum of three hundred ninety-eight
 4 thousand dollars (\$398,000.00) which is hereby appropriated from
 5 the following funds: \$385,500.00 from the general fund of the state
 6 of Iowa, and \$12,500.00 from the industries fund of said institution,
 7 which sum is hereby transferred to the support, maintenance and
 8 improvement fund of said institution, or so much thereof as may be
 9 necessary, to be used in the following manner:

10	For salaries, support, and maintenance.....	\$390,000.00
11	For repairs, replacements and alterations.....	8,000.00
12	Total for penitentiary, Fort Madison.....	<u>\$398,000.00</u>

TRAINING SCHOOL FOR GIRLS

Mitchellville

1 SEC. 15. For the training school for girls, Mitchellville, there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1941, and ending June 30, 1943, the
 4 sum of eighty-one thousand dollars (\$81,000.00) or so much thereof
 5 as may be necessary to be used in the following manner:

6	For salaries, support and maintenance.....	\$77,500.00
7	For repairs, replacements or alterations.....	3,500.00
8	Total for training school for girls, Mitchellville.....	<u>\$81,000.00</u>

WOMEN'S REFORMATORY

Rockwell City

1 SEC. 16. For the women's reformatory, Rockwell City, there is here-
 2 by appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1941, and ending June 30, 1943, the sum
 4 of forty-three thousand dollars (\$43,000.00) or so much thereof as
 5 may be necessary to be used in the following manner:

6	For salaries, support and maintenance.....	\$ 40,000.00
7	For repairs, replacements or alterations.....	3,000.00
8	Total for women's reformatory, Rockwell City....	<u>\$ 43,000.00</u>

Approved March 10, 1941.

CHAPTER 3

STATE BOARD OF CONTROL APPROPRIATIONS

S. F. 420

AN ACT to appropriate from the general fund of the State for the biennium beginning July 1, 1941, and ending June 30, 1943, to the board of control for improvements and equipment at the institutions under the supervision and control of the board of control, 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 manner and for the purposes hereinafter set out and upon
 3 compliance with the following directions. The plans and specifications
 4 for the improvements and equipment for which funds are herein
 5 appropriated shall first, before any work has been done, have the
 6 express approval of the executive council and the joint legislative
 7 committee on retrenchment and reform; and before final payments
 8 are made final payments shall be approved by the executive council,
 9 and the joint legislative committee on retrenchment and reform.

1 SEC. 2. There is hereby appropriated from the general fund of the
 2 state for the fiscal year beginning July 1, 1941, and ending June 30,
 3 1942, the sum of five hundred sixty-nine thousand five hundred dollars
 4 (\$569,500.00), or so much thereof as may be necessary to be used in the
 5 following manner:

(1) STATE HOSPITAL FOR INSANE, CHEROKEE

6	1. Remodeling two wards.....	\$ 20,000.00
7	2. Pedestrian tunnel to infirmary.....	10,000.00
		30,000.00
8	Total for state hospital for insane, Cherokee	\$ 30,000.00

(2) STATE HOSPITAL FOR INSANE, INDEPENDENCE

9	1. Kitchen and dining room.....	\$100,000.00
10	Total for state hospital for insane, In-	
	dependence	\$100,000.00
11		

(3) STATE HOSPITAL FOR INSANE, MOUNT PLEASANT

12	1. Complete electrical change over.....	\$ 10,000.00
13	2. X-ray equipment	4,000.00
14	3. Electric mangle	10,000.00
15	4. Electric ovens	4,000.00
16	5. Elevator for women's infirmary.....	8,000.00
		36,000.00
17	Total for state hospital for insane, Mount	
18	Pleasant	\$ 36,000.00

(4) STATE SCHOOL FOR FEEBLEMINDED, GLENWOOD

19	1. Electrical change over.....	\$ 65,000.00
----	--------------------------------	--------------

20	2. New tunnel	20,000.00
21	Total for state school for feeble minded,	
22	Glenwood	\$ 85,000.00
(5)	STATE HOSPITAL FOR EPILEPTIC AND FEEBLEMINDED, WOODWARD	
23	1. Dormitory and equipment.....	\$100,000.00
24	2. Laundry addition and equipment.....	40,000.00
25	3. Feed and hay storage (dairy barn).....	5,000.00
26	4. Electric line to river (pump house).....	5,000.00
27	Total for state hospital for epileptic and	
28	feeble-minded, Woodward	\$150,000.00
(6)	MEN'S REFORMATORY, ANAMOSA	
29	1. Laundry equipment	\$ 12,000.00
30	Total for men's reformatory, Anamosa.....	\$ 12,000.00
(7)	TRAINING SCHOOL FOR BOYS, ELDORA	
31	1. Complete boiler house and equipment.....	\$ 15,000.00
32	Total for training school for boys, Eldora....	\$ 15,000.00
(8)	IOWA SOLDIERS' ORPHANS' HOME, DAVENPORT	
33	1. Laundry equipment	\$ 9,000.00
34	Total for Iowa soldiers' orphans' home,	
35	Davenport	\$ 9,000.00
(9)	STATE JUVENILE HOME, TOLEDO	
36	1. School building, gymnasium and admin-	
37	istration	\$100,000.00
38	2. To complete and equip kitchen and dining	
39	room	10,000.00
40	Total for state juvenile home, Toledo.....	\$110,000.00
(10)	STATE SANATORIUM, OAKDALE	
41	1. Electrical change over.....	\$ 22,500.00
42	Total for state sanatorium, Oakdale.....	\$ 22,500.00
43	Grand total for the fiscal year beginning	
44	July 1, 1941, and ending June 30, 1942.....	\$569,500.00

1 SEC. 3. There is hereby appropriated from the general fund of the
2 state for the fiscal year beginning July 1, 1942, and ending June 30,
3 1943, the sum of five hundred thirty-five thousand dollars (\$535,000.-
4 00) or so much thereof as may be necessary to be used in the following
5 manner:

	(1) HOSPITAL FOR INSANE, CHEROKEE	
6	1. Remodeling two wards, infirmary.....	\$ 20,000.00
7	Total for hospital for insane, Cherokee.....	\$ 20,000.00
	(2) HOSPITAL FOR INSANE, INDEPENDENCE	
8	1. Complete kitchen and dining room.....	\$100,000.00
9	Total for state insane hospital, Independen-	
10	dence	\$100,000.00
	(3) STATE INSANE HOSPITAL, MOUNT PLEASANT	
11	1. Cafeteria	\$ 25,000.00
12	2. Store building	25,000.00
13	Total for state insane hospital, Mount	
14	Pleasant	\$ 50,000.00
	(4) STATE SCHOOL FOR FEEBLEMINDED, GLENWOOD	
15	1. Remodeling old dormitory for employees....	\$ 10,000.00
16	2. Renewing floors	10,000.00
17	Total for state school for feebleminded,	
18	Glenwood	\$ 20,000.00
	(5) STATE HOSPITAL FOR EPILEPTICS AND FEEBLEMINDED, WOODWARD	
19	1. Complete dormitory and equipment.....	\$100,000.00
20	2. Boiler	25,000.00
21	Total for state hospital for epileptic and	
22	feebleminded, Woodward	\$125,000.00
	(6) MEN'S REFORMATORY, ANAMOSA	
23	1. Water tank and tower.....	\$ 20,000.00
24	Total for men's reformatory, Anamosa.....	\$ 20,000.00
	(7) TRAINING SCHOOL FOR BOYS, ELDORA	
25	1. School building addition	\$ 50,000.00
26	Total for training school for boys, Eldora....	\$ 50,000.00
	(8) TRAINING SCHOOL FOR GIRLS, MITCHELLVILLE	
27	1. School building	\$ 75,000.00
28	Total for training school for girls, Mitchell-	
29	ville	\$ 75,000.00

(9) IOWA SOLDIERS' ORPHANS' HOME, DAVENPORT

30	1. Two cottages including kitchens and dining	
31	room equipment	\$ 40,000.00
		<hr/>
32	Total for Iowa soldiers' orphans' home,	
33	Davenport	\$ 40,000.00

(10) STATE JUVENILE HOME, TOLEDO

34	1. Complete school building, gymnasium and	
35	administration	\$ 35,000.00
		<hr/>
36	Total for state juvenile home, Toledo.....	\$ 35,000.00
		<hr/>
37	Grand total for the fiscal year beginning	
38	July 1, 1942, and ending June 30, 1943.....	\$535,000.00

Approved March 12, 1941.

CHAPTER 4

BOARD OF EDUCATION APPROPRIATION

H. F. 288

AN ACT to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1941, and ending June 30, 1943, to the board of education for the support of institutions under said board of education.

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

1 SECTION 1. There is hereby appropriated from the general fund
 2 of the state for each year of the biennium beginning July 1, 1941, and
 3 ending June 30, 1943, for the board of education for state institutions
 4 for salaries, support, maintenance, repairs, replacements or alterations
 5 of all institutions under the control of said board, the sum of six million
 6 eight hundred twenty-two thousand eight hundred dollars (\$6,822,800.-
 7 00) or so much thereof as may be necessary, and for the following
 8 purposes, to wit:

(1) STATE UNIVERSITY OF IOWA
 Iowa City

9	For the state university of Iowa there is hereby appropriated from	
10	the general fund of the state for each year of the biennium beginning	
11	July 1, 1941, and ending June 30, 1943, the sum of two million three	
12	hundred forty thousand dollars (\$2,340,000.00) or so much thereof as	
13	may be necessary to be used in the following manner:	
14	For salaries, support and maintenance.....	\$2,277,500.00
15	For repairs, replacements and alterations.....	62,500.00
		<hr/>
16	Total for state university of Iowa.....	\$2,340,000.00

(2) IOWA STATE COLLEGE OF AGRICULTURE AND MECHANICAL ARTS
 Ames

17 For the Iowa state college of agriculture and mechanical arts there

18 is hereby appropriated from the general fund of the state for each
 19 year of the biennium beginning July 1, 1941, and ending June 30, 1943,
 20 the sum of two million three hundred twenty-five thousand dollars
 21 (\$2,325,000.00) or so much thereof as may be necessary to be used in
 22 the following manner:

23	For salaries, support and maintenance.....	\$2,215,000.00
24	For repairs, replacements or alterations.....	110,000.00

25	Total for Iowa state college of agriculture and	
26	mechanical arts	\$2,325,000.00

(3) IOWA STATE TEACHERS COLLEGE

Cedar Falls

27 For the Iowa state teachers college there is hereby appropriated from
 28 the general fund of the state for each year of the biennium beginning
 29 July 1, 1941, and ending June 30, 1943, the sum of six hundred fifty-
 30 seven thousand five hundred dollars (\$657,500.00) or so much thereof
 31 as may be necessary to be used in the following manner:

32	For salaries, support and maintenance.....	\$ 648,500.00
33	For repairs, replacements or alterations.....	9,000.00

34	Total for the Iowa state teachers college.....	\$ 657,500.00
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(4) IOWA SCHOOL FOR DEAF

Council Bluffs

35 For the Iowa school for deaf there is hereby appropriated from the
 36 general fund of the state for each year of the biennium beginning July
 37 1, 1941, and ending June 30, 1943, the sum of two hundred twenty-five
 38 thousand dollars (\$225,000.00) or so much thereof as may be necessary
 39 to be used in the following manner:

40	For salaries, support and maintenance.....	\$ 222,900.00
41	For repairs, replacements or alterations.....	2,100.00

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

(5) IOWA SCHOOL FOR BLIND

Vinton

43 For the Iowa school for blind there is hereby appropriated from the
 44 general fund of the state for each year of the biennium beginning July
 45 1, 1941, and ending June 30, 1943, the sum of one hundred twenty-six
 46 thousand three hundred dollars (\$126,300.00) or so much thereof as
 47 may be necessary to be used in the following manner:

48	For salaries, support and maintenance.....	\$ 124,000.00
49	For furniture, equipment, etc.....	2,300.00

50	Total for Iowa school for blind.....	\$ 126,300.00
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(6) MEDICAL AND SURGICAL TREATMENT OF INDIGENT PATIENTS

University Hospital

51 For the purpose of carrying out the purpose of chapter 189.7, code,
 52 1939, there is hereby appropriated from the general fund of the state
 53 for each year of the biennium beginning July 1, 1941, and ending June

54 30, 1943, the sum of one million dollars (\$1,000,000.00) or so much
55 thereof as may be necessary to be expended in the manner and under
56 the authority provided in said chapter.

(7) PSYCHOPATHIC HOSPITAL

57 For the psychopathic hospital, at Iowa City, there is hereby appro-
58 priated from the general fund of the state for each year of the biennium
59 beginning July 1, 1941, and ending June 30, 1943, the sum of one
60 hundred eight thousand dollars (\$108,000.00) or so much thereof as
61 may be necessary to be expended in the manner and under the authority
62 provided in chapter 173.1, provided however that the amounts shall
63 be available in monthly installments not exceeding nine thousand
64 dollars (\$9,000.00) and that said installments shall be expended only
65 upon submission of bills in the manner provided in section 3482.28 of
66 said chapter.

(8) BACTERIOLOGICAL AND HYGENIC LABORATORY

State Department of Health

67 For the bacteriological and hygenic laboratory of the state depart-
68 ment of health there is hereby appropriated from the general fund
69 of the state for each year of the biennium beginning July 1, 1941, and
70 ending June 30, 1943, the sum of forty thousand dollars (\$40,000.00)
71 or so much thereof as may be necessary to provide for public health
72 examinations, such as bacteriological, water, and serological tests, to
73 determine the cause of infectious diseases, the origin and control of
74 epidemics throughout the state of Iowa.

(9) SOLDIERS TUITION

75 There is hereby appropriated from the general fund of the state
76 for each year of the biennium beginning July 1, 1941, and ending June
77 30, 1943, the sum of one thousand dollars (\$1,000.00) or so much there-
78 of as may be necessary for payment of tuition for honorably discharged
79 soldiers or sailors of the world war of the United States who are
80 citizens of Iowa who enroll in any division of the state university at
81 Iowa City, or the college of agriculture and mechanical arts at Ames,
82 said payments being fixed at twenty dollars (\$20.00) for each student
83 for each semester and each summer school.

84 Grand total of all appropriations for all purposes for each year of
85 the biennium for all institutions under the board of education
86 \$6,822,800.00

Approved March 10, 1941.

CHAPTER 5
STATE HIGHWAY COMMISSION

S. F. 302

AN ACT authorizing expenditures by the State Highway Commission from the primary road fund for the biennium beginning July 1, 1941, and ending June 30, 1943.

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

1 SECTION 1. The state highway commission is hereby authorized to
2 expend from the primary road fund for each year of the biennium
3 beginning July 1, 1941, and ending June 30, 1943, not to exceed four
4 million eight hundred thirty-five thousand nine hundred dollars
5 (\$4,835,900.00) or so much thereof as may be necessary to be used in
6 the following manner:

(1) FOR SUPPORT OF THE IOWA HIGHWAY COMMISSION

7	For salaries	\$ 23,000.00
8	For traveling expenses	6,700.00
9	For office supplies	125.00
10	For miscellaneous expenses	375.00
		\$ 30,200.00

(2) ENGINEERING, INSPECTION AND ADMINISTRATION OF
HIGHWAY WORK

12	For salaries	\$ 786,609.00
13	For traveling expenses	126,265.00
14	For supplies	22,291.00
15	For miscellaneous expense	64,835.00
		\$1,000,000.00

(3) MAINTENANCE OF PRIMARY ROAD SYSTEM

18	For materials, supplies and services	\$1,000,000.00
19	For salaries and wages	1,700,000.00
20	For traveling expenses	15,000.00
21	For equipment, replacements and operations.....	1,050,000.00
		\$3,765,000.00

(4) SECONDARY ROAD WORK

23	For inspection and testing of materials for	
24	secondary road work made at request of	
25	counties:	
26	For salaries and traveling expenses	\$ 17,000.00
27	For inspection of materials for secondary road	
28	work by agencies employed by state highway	
29	commission	23,700.00
		\$ 40,700.00

31 Grand total of all authorizations for all purposes
32 for the state highway commission\$4,835,900.00

1 SEC. 2. The State Highway Commission is further authorized to
2 expend under the supervision and direction of the attorney general
3 from the primary road fund for each year of the biennium beginning
4 July 1, 1941, and ending June 30, 1943, not to exceed fifteen thousand
5 dollars (\$15,000.00) for the purpose of costs and expenses of litigation
6 arising from or pertaining to primary roads. Any balance unused dur-
7 ing the first fiscal year of the biennium, shall be carried over and
8 augment the amount authorized for the second year of the biennium,
9 and at the end of the biennium any balance remaining shall revert
10 to the primary road fund.

Approved March 26, 1941.

CHAPTER 6

APPROPRIATION FOR GENERAL ASSEMBLY

H. F. 524

AN ACT making an appropriation for the payment of miscellaneous expenses of the Forty-ninth General Assembly.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury, not otherwise appropriated, the following sums, or as
3 much thereof as may be necessary, in payment of miscellaneous ex-
4 penses of the Forty-ninth General Assembly:

5	Walter H. Beam, Martensdale, Iowa, Postage, services,	
6	miscellaneous supplies	\$ 64.40
7	Betty Bishard, 701 Polk Blvd., Des Moines, Iowa,	
8	Service as special clerk, 4 days at \$3.80 per day.....	15.20
9	Davidsons, Des Moines, Iowa, Typewriter tables pur-	
10	chased	47.60
11	Des Moines Rubber Stamp Works, Des Moines, Iowa,	
12	Badges	84.00
13	Hopkins Sporting Goods Company, Des Moines, Iowa,	
14	Pages' coats	166.60
15	Koch Brothers, Des Moines, Iowa, Miscellaneous	
16	supplies	42.60
17	Langan Paper Company, Des Moines, Iowa, Miscel-	
18	laneous supplies	16.20
19	Pioneer Rubber Stamp Company, Des Moines, Iowa,	
20	Miscellaneous supplies	2.60
21	Remington Rand, Inc., Buffalo, New York, Rent on	
22	typewriters and typewriter supplies	32.63
23	Royal Typewriter Company, Inc., Chicago, Illinois,	
24	Rent on typewriters	110.00
25	L. C. Smith & Corona Typewriters, Inc., Des Moines,	
26	Iowa, Rent on typewriters and supplies	401.25
27	Storey-Kenworthy Company, Des Moines, Iowa, Type-	

28	writer tables purchased and miscellaneous supplies	220.40
29	Underwood-Elliott Fisher Company, New York City,	
30	Rent on typewriters	40.00
31	Reese S. Wolf, Glasses, damaged in service, replaced....	10.00
32	Zaisers, Des Moines, Iowa, Rent on typewriter tables..	10.50
33	Des Moines Stationery Company, Des Moines, Iowa,	
34	Supplies	1.36
35	Royal Typewriter Co., Des Moines, Iowa, Typewriter	
36	rental	30.00
37	L. C. Smith & Corona Typewriters Inc., Des Moines,	
38	Iowa, Typewriter rental	430.00
39	Bostitch-McClain Co., Des Moines, Iowa, Supplies.....	18.00
40	Pratt Paper Company, Des Moines, Supplies.....	2.00
41	Remington Rand, Inc., Des Moines, Iowa, Two Line-o-	
42	times	40.38
43	Underwood Elliott Fisher Co., Des Moines, Iowa,	
44	Typewriter rental	60.00
45	Des Moines Rubber Stamp Works, Des Moines, Iowa,	
46	Rubber stamps and badges	97.65
47	Storey-Kenworthy Co., Des Moines, Iowa, Purchase	
48	of typewriter tables	66.25
49	Davidsons, Des Moines, Iowa, Purchase of typewriter	
50	tables	81.00
51	Zaisers, Des Moines, Iowa, Rent of typewriter tables	10.50
52	Remington Rand, Inc., Des Moines, Iowa Typewriter	
53	rental	20.00
54	Railway Express Agency, Des Moines, Iowa, Pre-	
55	paid charges	2.24
56	Gordon L. Elliott, Des Moines, Iowa, Transcript of	
57	Pioneer Lawmakers Association	7.25
58	Charles Cesar, page for over town offices, street car	
59	pass for session	15.00
60	A. C. Gustafson, Des Moines, Iowa, Interim expense	
61	account	117.63
62	Walter H. Callison, Electrician of American Signal	
63	Corporation, Milwaukee, Wisconsin, traveling ex-	
64	penses to Des Moines and return for the purpose of	
65	making repairs on voting machine	39.80

1 SEC. 2. This act being of immediate importance shall be in full
2 force and effect from and after its passage and publication in the
3 Fayette County Union, a newspaper published at West Union, Iowa,
4 and the Daily Record, a newspaper published at Cedar Falls, Iowa.

Approved April 5, 1941.

I hereby certify that the foregoing act was published in the Fayette County Union,
West Union, Iowa, April 10, 1941, and the Daily Record, Cedar Falls, Iowa, April 9, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 7

APPROPRIATIONS FOR DISTRICT COURT JUDGES

S. F. 485

AN ACT to provide an emergency appropriation for traveling and hotel expense of the judges of the district court to June 30, 1941.

WHEREAS the 48th General Assembly appropriated twenty-five thousand dollars (\$25,000.00) in section ten (10) chapter one (1) for each year of biennium ending June 30, 1941, for traveling and hotel expense of judges of the district court, and

WHEREAS it appears that the appropriation will not be sufficient to pay all the traveling and hotel expense of the various judges of the district court to June 30, 1941, 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 the sum of two thousand five hundred dollars
3 (\$2,500.00) or so much thereof as may be necessary to pay the travel-
4 ing and hotel expense of the judges of the district court of Iowa to
5 June 30, 1941.

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 Grundy
3 Register, a newspaper published in Grundy Center, Iowa, and in the
4 Progress and Review, a newspaper published in La Porte City, Iowa.

Approved March 26, 1941.

I hereby certify that the foregoing act was published in the Grundy Register, Grundy Center, Iowa, April 3, 1941, and the Progress and Review, La Porte City, Iowa, April 3, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 8

APPROPRIATION FOR IOWA STATE TAX COMMISSION

S. F. 541

AN ACT to make an appropriation for the Iowa State Tax Commission for the sum of fifty-five thousand eighty-eight dollars (\$55,088.00) or so much thereof as may be necessary for the period ending June 30, 1941.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the state to the Iowa State tax commission the sum of fifty-five thou-
3 sand eighty-eight dollars (\$55,088.00) or so much thereof as may be
4 necessary for salaries, support and maintenance for the period ending
5 June 30, 1941.

1 SEC. 2. This act shall be in full force and effect from and after its
2 publication in the Reinbeck Courier, a newspaper published at Rein-

3 beck, Iowa, and in the Cedar Falls Record, a newspaper published at
4 Cedar Falls, Iowa.

Approved April 10, 1941.

I hereby certify that the foregoing act was published in the Reinbeck Courier, Reinbeck, Iowa, April 18, 1941, and the Cedar Falls Record, Cedar Falls, Iowa, April 14, 1941.
EARL G. MILLER, *Secretary of State.*

CHAPTER 9
APPROPRIATIONS
S. F. 557

AN ACT making an appropriation for the payment of miscellaneous expenses of the Forty-ninth General Assembly, and an additional appropriation to the board of control, and an emergency appropriation for protection of state archives.

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 as
3 much thereof as may be necessary, in payment of miscellaneous ex-
4 penses of the Forty-ninth General Assembly:

5	A. C. Gustafson, postage and miscellaneous ex-	
6	penses	\$ 62.73
7	Walter H. Beam, postage and miscellaneous ex-	
8	penses	19.63
9	Ruth Bauer, extra clerk, 3 days @ \$3.80.....	11.40
10	Ann Corso, extra clerk, 3 days @ \$3.80.....	11.40
11	Vera Porter, extra clerk, 2 days @ \$3.80.....	7.60
12	Margaret Garver, extra clerk, 32 days @ \$3.80.....	121.60
13	Executive Council, for telephones, telegraph, ex-	
14	press, miscellaneous supplies and postage.....	5,000.00
15	State Printing Board, printing for the Forty-ninth	
16	General Assembly	45,000.00
17	Savery Hotel, rent of rooms for committee meetings	
18	and telephone expense	76.10
19	L. C. Smith and Corona Typewriters, Inc., repairs	
20	and supplies	8.00
21	Storey-Kenworthy Co., supplies	10.50
22	Townsend Studio, photographs of the Forty-ninth	
23	General Assembly for Historical department.....	140.00
24	Jeanette Degen, House claims committee clerk.....	100.00
25	Jeanette Smit, Senate claims committee clerk.....	100.00
26	Virginia Watts, Senate Judiciary 1 committee clerk	30.00
27	Myla Mae Moetsch, Senate Judiciary 2 and sifting	
28	committee clerk	70.00
29	Maxine Smith, House appropriation committee	
30	clerk	100.00
31	Hope Hull, extra work for Senate appropriations	
32	committee	50.00
33	Lenore Zug, extra work for Senate appropriations	
34	committee	50.00

35	W. J. Scarborough, extra compensation	237.60
36	A. C. Gustafson, chief clerk of the House, postage	
37	and miscellaneous expenses after adjournment....\$	75.00
38	Walter H. Beam, secretary of the Senate, postage	
39	and miscellaneous expenses after adjournment....	50.00

1 **SEC. 2.** For the Board of Control there is hereby appropriated from
2 the general fund of the state for each year of the biennium beginning
3 July 1, 1941, and ending June 30, 1943, the sum of fifty thousand
4 dollars (\$50,000.00) or so much thereof as may be necessary for
5 salaries, support, maintenance and miscellaneous purposes at the
6 institutions at Glenwood and Woodward, the availability of this appro-
7 priation being conditioned upon the enactment into law by the Forty-
8 ninth General Assembly of House File 289. In the event House File
9 289 is not enacted into law this appropriation will not be available.

1 **SEC. 3.** There is hereby appropriated a sum sufficient to pay the
2 per diem compensation made necessary by House Concurrent Resolu-
3 tion 34 for services required by officers and employees of the Forty-
4 ninth General Assembly after final adjournment.

1 **SEC. 4.** There is hereby appropriated for the emergency of im-
2 mediate care of the state archives, their temporary protection and
3 safeguarding from the danger of fire and the ravages of the elements,
4 to be expended under the direction of the board of trustees of the State
5 department of history and archives, the sum of fifteen thousand dollars
6 (\$15,000.00).

1 **SEC. 5.** This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in the
3 Argo Gazette, a newspaper published at West Union, Iowa, and the
4 Cedar Falls Daily Record, a newspaper published at Cedar Falls, Iowa.

Approved April 15, 1941.

I hereby certify that the foregoing act was published in the Argo Gazette, West Union, Iowa, April 23, 1941, and the Cedar Falls Daily Record, Cedar Falls, Iowa, April 19, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 10

APPROPRIATION FOR SCHOOL FOR THE BLIND AT VINTON

H. F. 397

AN ACT to make an appropriation from the general fund of the state for the biennium beginning July 1, 1941, and ending June 30, 1943, to the board of education for improvement and equipment at the school for the blind, Vinton, and providing for the manner of expenditure thereof.

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

1 **SECTION 1.** There is hereby appropriated from the general fund
2 of the state for the biennium beginning July 1, 1941, and ending June
3 30, 1943, to the board of education, thirty-five thousand dollars

4 (\$35,000.00) or so much thereof as may be necessary, to be used in
5 the following manner:

SCHOOL FOR THE BLIND

Vinton

6 To construct addition to gymnasium including
7 swimming pool and equipment.....\$35,000.00

1 SEC. 2. All funds appropriated hereunder shall be expended only
2 in the following manner: the plans and specifications for the improve-
3 ment and equipment for which funds are herein appropriated shall
4 first, before any work has been done, have the express approval of the
5 executive council, and before final payments are made, said final pay-
6 ments shall be approved by the executive council.

Approved April 5, 1941.

CHAPTER 11

WORKMEN'S COMPENSATION

S. F. 206

AN ACT to appropriate money to meet a deficit in the workmen's compensation service department relating to the administration of the Workmen's Compensation Law, under chapters seventy (70), seventy-one (71) and seventy-two (72) of the Code, 1939.

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

1 SECTION 1. There is hereby appropriated from the general fund of
2 the State not otherwise appropriated, four thousand five hundred
3 dollars (\$4,500.00) to be credited to the Industrial Commissioner for
4 use by him for the payment of workmen's compensation benefits to
5 which injured state employees are entitled under Chapters seventy
6 (70) seventy-one (71) and seventy-two (72), Code, 1939, other than
7 injured employees of the State Highway Commission and Liquor Com-
8 mission and peace officers. Any amount herein appropriated and not
9 required for use to meet the accrued expense for the biennial period
10 ending June 30, 1941, shall revert to the general funds of the State of
11 Iowa.

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 Cedar Falls Record, a newspaper published at Cedar Falls, and in the
4 Reinbeck Courier, a newspaper published at Reinbeck, Iowa.

Approved March 12, 1941.

I hereby certify that the foregoing act was published in the Cedar Falls Record, Cedar Falls, Iowa, March 14, 1941, and the Reinbeck Courier, Reinbeck, Iowa, March 14, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 12

APPROVAL OF EMPLOYEES COMPENSATION

S. F. 339

AN ACT relating to the approval of compensation of employees of the state during the biennial fiscal period beginning July 1, 1941, and ending June 30, 1943.

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

1 SECTION 1. During the biennium beginning July 1, 1941, and end-
2 ing June 30, 1943, the compensation paid employees of the state from
3 appropriations made by the General Assembly, except employees of
4 institutions under the State Board of Education, and except salaries
5 specifically provided for by statute or appropriation act, shall be sub-
6 ject to the approval of the Comptroller and the Governor.

Approved April 3, 1941.

CHAPTER 13

STATE COMPTROLLER

S. F. 205

AN ACT to appropriate funds to the State Comptroller from the Motor Vehicle Fuel Tax Fund.

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

1 SECTION 1. There is hereby appropriated to the State Comptroller
2 from the Motor Vehicle Fuel Tax Fund for each year of the biennium
3 beginning July 1, 1941, and ending June 30, 1943, the sum of three
4 thousand five hundred dollars (\$3,500.00) or so much thereof as may
5 be necessary for use in employing help and defraying other expenses
6 in writing motor vehicle fuel tax refund warrants.

Approved March 10, 1941.

CHAPTER 14

STATE HIGHWAY COMMISSION EMPLOYEES COMPENSATION CLAIMS

S. F. 204

AN ACT to appropriate funds from the primary road fund to the Industrial Commissioner for the payment of workmen's compensation claims of employees of the Highway Commission.

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

1 SECTION 1. There is hereby appropriated to the Industrial Com-
2 missioner from the Primary Road Fund for each year of the biennium
3 beginning July 1, 1941, and ending June 30, 1943, the sum of twenty
4 thousand dollars (\$20,000.00), or so much thereof as may be necessary
5 for the purpose of paying properly established claims of or on behalf
6 of employees of the State Highway Commission who are injured or
7 killed while on duty as provided in chapter seventy (70), Code, 1939.

Approved March 10, 1941.

CHAPTER 15

APPROPRIATION FOR REVISION OF SCHOOL STUDY COURSES

S. F. 359

AN ACT to provide an emergency appropriation to complete the preparation of an elementary course of study for the rural and graded schools of the State of Iowa, and a course of study for normal training high schools, in order to complete the work already begun by the Department of Public Instruction.

WHEREAS, the department of public instruction of the state of Iowa has entered upon and is prosecuting the revision and rewriting of courses of study to be used in the elementary, graded, and normal training high schools of the state of Iowa; and

WHEREAS, the appropriation for the biennium ending June 30, 1941, is insufficient to complete the work of revision, rewriting, and distribution of said courses of study and have said courses ready for distribution to the schools on or near September 1, 1941; and

WHEREAS, the department of public instruction finds that in order to complete this work of revision and rewriting courses of study for the use of the schools of the state of Iowa and to reimburse the department of public instruction for funds already expended on this project it is necessary to secure an additional appropriation in the sum of five thousand dollars (\$5,000.00) to be made immediately available for said purposes; 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 a sum of five thousand dollars
3 (\$5,000.00) to be made immediately available to the department of
4 public instruction for the completion of the revision, rewriting, and
5 distribution of courses of study for the elementary, graded, and normal
6 training high schools now in preparation and to reimburse the depart-
7 ment of public instruction for funds already expended on this project.
8 The state comptroller is authorized to issue state warrants for this
9 purpose upon requisition of the superintendent of public instruction.

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 Cherokee Daily Times, a newspaper published at Cherokee, Iowa, and
4 the Tipton Advertiser, a newspaper published at Tipton, Iowa.

Approved March 26, 1941.

I hereby certify that the foregoing act was published in the Cherokee Daily Times, Cherokee, Iowa, April 9, 1941, and the Tipton Advertiser, Tipton, Iowa, April 10, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 16

STATE OFFICE BUILDING APPROPRIATION

S. F. 419

AN ACT to provide for the erecting and equipping of an office building on the State Capitol grounds; to provide for the appointment of a legislative advisory committee and authorize the executive council and legislative advisory committee to designate the location of said building; to authorize the executive council and legislative

advisory committee to employ an architect or architects to prepare plans and specifications for said office building; and to enter into a contract or contracts for the erection and equipping of said office building; and to provide for an appropriation therefor.

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

1 SECTION 1. That for the purpose of the erection and equipping of
2 an office building on the state capitol grounds, the executive council
3 and legislative advisory committee are authorized and empowered to
4 employ an architect or architects for the purpose of preparing plans
5 and specifications for said office building, and to approve said plans
6 with such changes and alterations as the executive council and legis-
7 lative advisory committee may deem proper and appropriate. The
8 executive council and legislative advisory committee shall be authorized
9 and empowered to enter into a contract or contracts for the erection
10 and equipping of said building, provided however, that that total cost of
11 erecting and equipping said office building including any architect
12 fees shall not exceed one million six hundred and fifty thousand
13 (1,650,000.00) dollars; all contracts for the erection and equipping
14 of said office building shall be let in accordance with Chapter eighteen
15 (18), of Code of Iowa, 1939, and all laws amendatory thereto.

1 SEC. 2. Said office building shall be located on the state capitol
2 grounds, the executive council and the legislative advisory committee
3 are authorized and empowered to designate the exact location of said
4 building within said capitol grounds.

1 SEC. 3. During the biennium beginning July 1, 1941, there is here-
2 by appropriated out of the general fund for the first year of said bien-
3 nium the sum of eight hundred twenty-five thousand (825,000.00)
4 dollars and out of the general fund for the second (2) year of said
5 biennium the sum of eight hundred twenty-five thousand (825,000.00)
6 dollars, which shall be expended for the erection and equipping of said
7 office building as herein provided.

1 SEC. 4. There shall be created a legislative advisory committee
2 consisting of three members of the senate and three members of the
3 house to be appointed by the respective presiding officer of the senate
4 and house, for the purpose of carrying out the legislative intent of this
5 act.

6 The term of the legislative advisory committee shall terminate upon
7 the convening of the 50th General Assembly. Any vacancy occurring
8 on the legislative advisory committee shall be filled by the presiding
9 officer of the House in the event the vacancy occurs in the membership
10 of said committee from the House, and by the Lieutenant Governor in
11 the event the vacancy occurs in the membership of said committee from
12 the Senate.

13 In carrying out the provisions of this act the executive council and
14 the legislative advisory committee shall meet jointly at such places
15 as may be determined by the executive council and in determining all
16 matters coming before said meetings it shall require a majority vote of
17 the members of the joint committee of the executive council and of the
18 legislative advisory committee. The legislative advisory committee

19 shall meet and organize on the second Monday in May, 1941, and at
 20 the same time and immediately following its organization, meet with
 21 the executive council in order that the committee and council may
 22 advise on carrying out the provisions of this act.

1 SEC. 5. Each member of the legislative advisory committee shall be
 2 entitled to such hotel and traveling expenses incurred in the discharge
 3 of their duties and such allowance for time spent in the discharge of
 4 their duties as may be allowed by the 50th General Assembly.

1 SEC. 6. In the event that the executive council and the legislative
 2 advisory committee shall in their discretion determine that it would
 3 not be to the best interests of the state to proceed with the erection of
 4 said building during the biennium beginning July 1, 1941, the moneys
 5 appropriated by this act shall be segregated in a fund to be known as
 6 the State Office Building Fund to be used for the purposes provided
 7 in this act at such future time as the executive council and the legisla-
 8 tive advisory committee may determine, and said fund, if not previously
 9 expended for the purposes provided herein, shall not revert to the
 10 general fund until such time as the General Assembly may by act or
 11 joint resolution provide therefor, anything in any other act or law to
 12 the contrary notwithstanding.

1 SEC. 7. If any section, subsection, clause, sentence or phrase of this
 2 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. The legislature hereby declares that it would have passed this
 5 act and each section, subsection, clause, sentence or phrase hereof,
 6 irrespective of whether any one or more of the sections, subsections,
 7 clauses, sentences, or phrases be declared unconstitutional.

1 SEC. 8. Insofar as section three (3), Chapter fourteen (14) of the
 2 Acts of the Thirty-fifth General Assembly is in conflict with this act,
 3 the same is hereby repealed.

1 SEC. 9. This act being deemed of immediate importance shall be-
 2 come effective upon publication in the Centerville Daily Iowegian, a
 3 newspaper published at Centerville, Iowa, and in the Clinton Herald,
 4 a newspaper published at Clinton, Iowa.

Approved April 10, 1941.

I hereby certify that the foregoing act was published in the Centerville Daily Iowegian, Centerville, Iowa, April 12, 1941, and the Clinton Herald, Clinton, Iowa, April 12, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 17

STATE UNIVERSITY LIBRARY BUILDING APPROPRIATION

S. F. 526

AN ACT to appropriate from the general fund of the state, for the biennium beginning July 1, 1941, and ending June 30, 1943, to the board of education for improvement and equipment at the State University of Iowa, Iowa City.

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

1 SECTION 1. There is hereby appropriated from the general fund
 2 of the state for each year of the biennium beginning July 1, 1941, and
 3 ending June 30, 1943, the sum of One hundred and fifty thousand
 4 dollars (\$150,000.00) or so much thereof as may be necessary to be
 5 used in the following manner:

6 To construct and equip the first unit of a Central
 7 Library Building\$150,000.00.

Approved May 5, 1941.

CHAPTER 18

APPROPRIATION FOR AGRICULTURAL ENGINEERING LABORATORIES
 BUILDING AT IOWA STATE COLLEGE

H. F. 558

AN ACT to appropriate from the Fund provided by section fifty-one (51), chapter one (1), Acts of the Forty-eighth General Assembly, to the board of education for improvements and equipment at the Iowa State College of Agriculture and Mechanic Arts at Ames, 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 herein shall be expended only
 2 in the following manner: The plans and specifications for the improve-
 3 ment and equipment for which funds are herein appropriated shall
 4 first, before any work has been done, have the express approval of the
 5 executive council and the joint committee on retrenchment and reform,
 6 and before final payments are made said final payments shall be
 7 approved by the executive council and the joint committee on re-
 8 trenchment and reform.

1 SEC. 2. There is hereby appropriated from the fund provided by
 2 Section fifty-one (51), Chapter one (1), Acts of the Forty-Eighth
 3 General Assembly, to the board of education the sum of one hundred
 4 twenty-five thousand dollars (\$125,000.00), or as much thereof as
 5 may be necessary, to be used in the following manner:

6 For the construction of an agricultural engineer-
 7 ing laboratories building at the Iowa State Col-
 8 lege of Agriculture and Mechanic Arts.....\$105,000.00
 9 For equipment in said laboratory building..... 20,000.00

10 Total appropriation for the biennium hereunder...\$125,000.00

1 SEC. 3. The said funds appropriated herein shall be available at any
 2 time during the biennium as may be directed by the executive council
 3 and the joint committee on retrenchment and reform.

Approved May 5, 1941.

CHAPTER 19

APPROPRIATION TO PURCHASE LAND FOR IOWA STATE
TEACHERS COLLEGE

S. F. 484

AN ACT to appropriate the sum of twenty thousand dollars for the purchase of certain real estate near the Iowa State Teachers College in Black Hawk County, Iowa.

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

1 SECTION 1. There is hereby appropriated from the state treasury
2 out of any funds not otherwise appropriated, the sum of twenty
3 thousand dollars, or so much thereof as may be necessary, for the
4 purpose of purchasing the real estate described herein to be used in
5 conjunction with the Iowa State Teachers College at Cedar Falls,
6 Iowa, to wit:
7 The east half (E½) of the northeast quarter (NE¼) of
8 section twenty-three (23), township eighty-nine (89), north,
9 range fourteen (14), west of the 5th P. M. in Black Hawk
10 County, Iowa.

1 SEC. 2. The state executive council and the legislative committee
2 on retrenchment and reform jointly are authorized to expend the
3 money herein appropriated for such purpose and to do any and all
4 other acts necessary to fully complete said purchase.

Approved May 5, 1941.

CHAPTER 20

APPROPRIATION FOR MAINTENANCE OF HERBERT HOOVER BIRTHPLACE

H. F. 344

AN ACT to make an appropriation for the maintenance of the birthplace of Herbert Hoover.

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 from any money not otherwise appropriated the
3 sum of one thousand two hundred dollars (\$1200.00), or as much
4 thereof as may be necessary, for each year of the biennium beginning
5 July 1, 1941, to the Herbert Hoover Birthplace Society of West Branch,
6 Iowa, a corporation organized not for pecuniary profit under the laws
7 of the state of Iowa, for the care and maintenance of the birthplace of
8 Herbert Hoover.

Approved April 21, 1941.

CHAPTER 21

APPROPRIATION FOR PURCHASE OF GARDNER LOG CABIN PROPERTY

H. F. 513

AN ACT to appropriate the sum of five thousand dollars for the purpose of purchasing the Gardner log cabin property in Arnolds Park, Dickinson County, Iowa, and to establish the same as the Abbie Gardner Sharp Memorial.

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

1 SECTION 1. There is hereby appropriated from the state treasury
2 the sum of five thousand dollars for the purpose of purchasing the
3 Gardner Log Cabin property, including the contents of said cabin of
4 historical value, which property adjoins the Spirit Lake Massacre
5 Monument in Arnolds Park, Dickinson County, Iowa, and is described
6 as follows:

7 Lot A of the Plat of Pillsbury Point Park in the town of Arnolds
8 Park, Dickinson County, Iowa.

1 SEC. 2. The executive council and the committee on retrenchment
2 and reform are authorized in their discretion to purchase said property
3 within the limits of the amount hereby appropriated and if such pur-
4 chase shall not be made by January 1, 1942 this appropriation shall
5 revert to the general fund.

Approved April 21, 1941.

CHAPTER 22

APPROPRIATION FOR PURCHASE OF LAND ADJOINING
THE PENITENTIARY

H. F. 442

AN ACT to authorize the purchase of certain land adjoining the Iowa State Penitentiary, and to provide for an appropriation therefor.

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

1 SECTION 1. That the board of control of state institutions is hereby
2 authorized to purchase for not to exceed the sum of seven hundred
3 fifty dollars (\$750.00), or so much thereof as may be necessary, certain
4 land adjoining the Iowa State Penitentiary, legally described as
5 follows:

6 "The south three hundred twenty (320) feet of outlot eleven hun-
7 dred eighteen (1118) City of Fort Madison, lying east of U. S. High-
8 way Number Sixty-one (61); the north two hundred eighty-seven and
9 forty-one hundredths (287.41), feet of Lot Four (4) Elsroads sub-
10 division City of Fort Madison, and the south thirty-two and fifty-nine
11 hundredths (32.59) feet of Lot Three (3) Elsroads subdivision City of
12 Fort Madison, containing seven and five tenths (7.5) acres more or
13 less."

1 SEC. 2. There is hereby appropriated out of any unappropriated
2 funds in the state treasury a sum sufficient to carry out the provisions
3 of this act.

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 Lake City Graphic, a newspaper published at Lake City, Iowa, and the
 4 Ft. Dodge Messenger, a newspaper published at Ft. Dodge, Iowa.

Approved April 16, 1941.

I hereby certify that the foregoing act was published in the Lake City Graphic, Lake City, Iowa, April 24, 1941, and the Ft. Dodge Messenger, Ft. Dodge, Iowa, April 19, 1941.
 EARL G. MILLER, *Secretary of State.*

CHAPTER 23

APPROPRIATION FOR NATIONAL DEFENSE CONFERENCE DELEGATE

H. F. 523

AN ACT making an appropriation to defray the expense of sending delegates to the National Defense Conference.

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 one hundred
 3 twenty-nine dollars and sixty-five cents (\$129.65) to pay the expenses
 4 of delegates sent to the National Defense conference. Warrants shall
 5 be drawn upon the treasury for the sum herein appropriated in favor
 6 of the following persons and in the sum set out opposite their name
 7 upon the filing of vouchers therefor with the State Comptroller.

8	Rep. Shimanek	\$ 31.30
9	Rep. Walter	30.75
10	Rep. Pine	22.20
11	Sen. Whitehill	23.20
12	Sen. Zeigler	22.20
13	Total	\$129.65

1 SEC. 2. This act being deemed of immediate importance shall be in
 2 force from and after its passage and publication in the Argo Gazette,
 3 a newspaper published at West Union, Iowa, and the Fayette County
 4 Union, a newspaper published at West Union, Iowa.

Approved April 5, 1941.

I hereby certify that the foregoing act was published in the Argo Gazette, West Union, Iowa, April 16, 1941, and the Fayette County Union, West Union, Iowa, April 10, 1941.
 EARL G. MILLER, *Secretary of State.*

CHAPTER 24
APPROPRIATIONS

S. F. 113

AN ACT to amend chapter two (2), of the laws of the 48th General Assembly relating to appropriations.

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

1 SECTION 1. Section one (1), of chapter two (2), of the Laws of the
2 48th General Assembly, otherwise known as House File 647 Acts of
3 the 48th General Assembly is amended by striking from lines seven
4 (7) and eight (8) of said section the words "and legislative commit-
5 tee on retrenchment and reform.,,

6 Said section one is further amended by striking therefrom the sen-
7 tence beginning in line eight (8) and ending in line twelve (12) of
8 said section.

1 SEC. 2. Section two (2) of chapter two (2), of the Laws of the
2 48th General Assembly, otherwise known as House File 647, Acts of
3 the 48th General Assembly is amended by placing a period (.) follow-
4 ing the word "council" in line seventeen (17) of said section and
5 striking all that part of said section following the word "council." in
6 line seventeen (17) of said section.

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 New Hampton American, a newspaper published at New Hampton,
4 Iowa, and in the Montezuma Republican, a newspaper published at
5 Montezuma, Iowa.

Approved January 29, 1941.

I hereby certify that the foregoing act was published in the New Hampton American, New Hampton, Iowa, February 4, 1941, and the Montezuma Republican, Montezuma, Iowa, February 6, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 25
EMERGENCY APPROPRIATION

S. F. 97

AN ACT to provide an emergency appropriation for the enforcement of the Uniform Narcotic Drug Act from February 1, 1941, to July 1, 1941.

WHEREAS, the Forty-seventh (47th) 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 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 commit-

tee on retrenchment and reform in the sum of \$7,000.00 a year for such work, said work being described as investigating and prohibiting the illegal use of the aforesaid drugs and the administration of said act and the inspection of the records of some two hundred five hospitals, forty-five wholesale drug outlets, and one thousand three hundred thirty-three 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-ninth (49th) 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 in the hands of and available to the said board of pharmacy examiners becoming exhausted as of February 1, 1941; 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 three thousand one
3 hundred twenty-five dollars (\$3,125.00) to enforce the Uniform Nar-
4 cotic Drug Act from February 1, 1941, to July 1, 1941.

1 SEC. 2. This act being deemed of immediate importance shall
2 be in full force and effect from and after its passage and publication
3 in the Waterloo Courier, a newspaper published at Waterloo, Iowa,
4 and the Pocahontas Record Democrat, a newspaper published at Poca-
5 hontas, Iowa.

Approved February 13, 1941.

I hereby certify that the foregoing act was published in the Waterloo Courier, Waterloo, Iowa, February 17, 1941, and the Pocahontas Record Democrat, Pocahontas, Iowa, February 20, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 26

GENERAL ASSEMBLY EXPENSE APPROPRIATION

H. F. 31

AN ACT to make an appropriation for the payment of current and miscellaneous expenses of the General Assembly of the State of Iowa.

WHEREAS, both Houses of the General Assembly, from time to time, authorize the purchase of equipment and miscellaneous supplies for its use during the session, the rental of typewriters and the incurring of other expenses for the proper conduct of the legislative proceedings, 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 a sum sufficient to pay
3 current and miscellaneous expenses of the General Assembly, author-
4 ized by either the Senate or the House, and the State Comptroller is
5 hereby authorized and directed to issue warrants for such items of

6 expense upon requisition of the President and Secretary of the Senate
7 and Speaker and Chief Clerk of the House, after vouchers for said
8 items of expense have been approved by action of the House and Senate
9 by resolution.

Approved March 24, 1941.

CHAPTER 27
APPROPRIATION

H. F. 128

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 sixteen and seventy one-hundredths (\$316.70) dollars, 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 Guttenberg Press, a newspaper published in the city of Guttenberg,
4 Iowa, and the Mt. Vernon Hawkeye-Record and The Lisbon Herald, a
5 newspaper published in the city of Mt. Vernon, Iowa.

Approved February 6, 1941.

I hereby certify that the foregoing act was published in the The Guttenberg Press, Guttenberg, Iowa, February 13, 1941, and the Mt. Vernon Hawkeye-Record & Lisbon Herald, Mt. Vernon, Iowa, February 13, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 28
CIGARETTE STAMP APPROPRIATION

S. F. 176

AN ACT to amend sections one thousand five hundred fifty-six and two hundredths (1556.02), one thousand five hundred fifty-six and three hundredths (1556.03), and one thousand five hundred fifty-six and seven hundredths (1556.07), Code, 1939, relating to cigarette tax, and making an appropriation to carry out the provisions of section one thousand five hundred fifty-six and two hundredths (1556.02), Code, 1939.

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

1 SECTION 1. Section one thousand five hundred fifty-six and two
2 hundredths (1556.02), Code, 1939, is hereby amended by adding there-
3 to a new paragraph as follows:

4 "There is hereby appropriated out of any funds in the state treasury
5 not otherwise appropriated sufficient funds to carry out the provisions
6 of this section."

1 SEC. 2. Section one thousand five hundred fifty-six and three hun-
2 dredths (1556.03), Code, 1939, is hereby amended by striking from
3 line fifteen (15) of subsection three (3) thereof the following: "on
4 the commission for same.", and inserting in lieu thereof the following:
5 "upon order of the commission to pay such refund out of any funds in
6 the state treasury not otherwise appropriated."

1 SEC. 3. Section one thousand five hundred fifty-six and seven hun-
2 dredths (1556.07), Code, 1939, is hereby amended by striking from
3 lines seventeen (17) and eighteen (18) thereof the following: "out of
4 the revenue derived from this chapter.", and inserting in lieu thereof
5 the following: "upon order of the commission out of any funds in the
6 state treasury not otherwise appropriated."

Approved April 15, 1941.

CHAPTER 29

LIQUOR CONTROL FUND

S. F. 203

AN ACT to make appropriations from the liquor control fund to the Industrial Commissioner for the payment of claims of employees of the Liquor Control Commission who are injured or killed, and to the Department of Public Safety for use by the Bureau of Investigation in liquor control enforcement.

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

1 SECTION 1. There is hereby appropriated from the Liquor Control
2 Act Fund for each year of the biennium beginning July 1, 1941, and
3 ending June 30, 1943, to the office of the Industrial Commissioner the
4 sum of Ten Thousand Dollars (\$10,000.00) or so much thereof as may
5 be necessary for the purpose of paying properly established claims of
6 or on behalf of employees of the Liquor Control Commission who are
7 injured or killed while on duty as provided for in chapter 70, Code,
8 1939.

1 SEC. 2 There is hereby appropriated from the Liquor Control Act
2 Fund for each year of the biennium beginning July 1, 1941, and ending
3 June 30, 1943, to the Department of Public Safety, the sum of twenty-
4 six thousand dollars (\$26,000.00) or so much thereof as may be neces-
5 sary for use by the Bureau of Investigation in liquor control enforce-
6 ment.

Approved March 10, 1941.

CHAPTER 30

APPROPRIATION TO CAPITOL CUSTODIAN

S. F. 542

AN ACT to appropriate from the general fund of the State of Iowa for improvements, repairs and supplies for the state capitol buildings and grounds.

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

1 SECTION 1. There is hereby appropriated out of the general fund of
2 the state of Iowa the sum of thirty-eight thousand six hundred seven-
3 teen dollars (\$38,617.00) to the custodian of the capitol buildings and
4 grounds, to be expended upon authority of the Executive Council for
5 the following purposes in the respective amounts:

6	Rugs and linoleum	\$ 9,617.00
7	Venetian Blinds	1,500.00
8	Painting and Decorating	3,000.00
9	Repair Stone on Capitol and Historical Buildings....	4,000.00
10	Wiring and Fixtures	5,500.00
11	Paving and Walks	8,000.00
12	Heating Pipes—Water Pipes and Pipe Covering....	2,500.00
13	Viaduct Repair	3,500.00
14	Film showing activities of Rainbow Division and	
15	projector to fit same	1,000.00
		38,617.00
16	Total	38,617.00

Approved April 10, 1941.

CHAPTER 31

STATE PRINTING BOARD EMERGENCY APPROPRIATION

S. F. 513

AN ACT to provide for an emergency appropriation for the state printing board to permit said board to function during the remainder of the biennium.

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

1 SECTION 1. There is hereby appropriated to the state printing
2 board from the general funds of the state not otherwise appropriated
3 the sum of seventy-two thousand seventy dollars and thirteen cents
4 (\$72,070.13) to permit said board to function during the remainder
5 of the biennium and to be used for the following purposes:

6	Code of 1939—	
7	Binding	\$11,833.26
8	Paper stock	3,896.08
9	Annotations, Vol. II—	
10	Printing	18,401.80
11	Binding	13,950.00
12	Paper stock	5,210.24

13	Cigarette Tax Stamps—	
14	Paid from printing fund by error.....	9,843.75
15	Advance Sheets	8,935.00
16	Total	<u>\$72,070.13</u>

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 Cambridge Leader, a newspaper published at Cambridge, Iowa, and
4 Plain Talk, a newspaper published at Des Moines, Iowa.

Approved April 3, 1941.

I hereby certify that the foregoing act was published in the Cambridge Leader, Cambridge, Iowa, April 10, 1941, and the Plain Talk, Des Moines, Iowa, April 10, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 32

EMERGENCY APPROPRIATION FOR HANDICAPPED SCHOOL CHILDREN

S. F. 512

AN ACT to provide an emergency appropriation for state aid to public schools for the education of physically handicapped children who attend the public schools in the State of Iowa, to be used for that purpose in the state fiscal year ending June 30, 1941.

WHEREAS, The Forty-Eighth (48th) General Assembly granted an appropriation of fifteen thousand dollars (\$15,000.00) for state aid to public schools during the state fiscal year ending June 30, 1941, to the state department of public instruction to be used for handicapped children; and

WHEREAS, The joint legislative committee on retrenchment and reform allocated from the general contingent fund the further sum of eight thousand three hundred thirty-one dollars and fifty-two cents (\$8,331.52) for state aid to public schools to be used for handicapped children during the fiscal year ending June 30, 1941; and

WHEREAS, The total sum thus made available for state aid for public schools to be used for handicapped children during the state fiscal year ending June 30, 1941, has been exhausted by allocations already made; and

WHEREAS, There are now on file in the department of public instruction more than seventy (70) applications made by public school districts in the State of Iowa for state aid for handicapped children which applications cannot be given consideration because available funds for that purpose have all been allocated and there are now no funds on hand available for this purpose; therefore, to meet this emergency,

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 not otherwise appropriated the sum of twelve thousand
3 dollars (\$12,000.00) for the use of the state department of public
4 instruction, which sum is to be used as state aid to public schools for

5 the education of physically handicapped children by said public schools
6 in the state fiscal year ending June 30, 1941.

1 SEC. 2. The appropriation made in the foregoing section is in addi-
2 tion to the regular biennial appropriation made by the Forty-Eighth
3 (48th) General Assembly for state aid to public schools to be used for
4 the education of handicapped children and also in addition to the sum
5 of eight thousand three hundred thirty-one dollars and fifty-two cents
6 (\$8,331.52) allocated from the general contingent fund of the state
7 for this purpose by the joint legislative committee on retrenchment
8 and reform, and all expenditures of said appropriation are to be made
9 under the regulations and through the procedure applicable to the
10 regular biennial appropriation as formulated by the state department
11 of public instruction in and for the state of Iowa.

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 Waterloo Daily Courier, a newspaper published at Waterloo, Iowa,
4 and the Shenandoah Evening Sentinel, a newspaper published at
5 Shenandoah, Iowa.

Approved March 31, 1941.

I hereby certify that the foregoing act was published in the Waterloo Daily Courier,
Waterloo, Iowa, April 2, 1941, and the Shenandoah Evening Sentinel, Shenandoah, Iowa,
April 4, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 33

IOWA NATIONAL GUARD AND STATE GUARD

S. F. 421

AN ACT to appropriate from the general fund of the State of Iowa for the biennium
beginning July 1, 1941, and ending June 30, 1943, funds for the Iowa National
Guard and Iowa State Guard.

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

1 SECTION 1. For the Iowa National Guard and the Iowa State Guard
2 there is hereby appropriated from the general fund of the state for each
3 year of the biennium beginning July 1, 1941, and ending June 30, 1943,
4 the sum of two hundred fifty thousand dollars (\$250,000.00) or so
5 much thereof as may be necessary to be used in the following manner,
6 subject to approval by the Governor and Comptroller.

7	For salary of adjutant general	\$ 3,000.00
8	For salaries, support, maintenance and miscel-	
9	laneous purposes	247,000.00

10 Grand total of all appropriations for Iowa Na-
11 tional Guard and Iowa State Guard\$250,000.00

12 The appropriation set forth herein shall include all appropriations
13 for the Iowa National Guard and the Iowa State Guard.

Approved March 12, 1941.

CHAPTER 34

APPROPRIATION FOR STATE CONSERVATION COMMISSION

S. F. 407

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, 1943, the sum of one hundred twenty-five
4 thousand dollars (\$125,000.00), 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 and the joint legislative committee on
7 retrenchment and reform, which sum is to be used to enable the state
8 of Iowa to participate in the program of the civilian conservation corps,
9 the works progress administration, with federal and other agencies,
10 and in making available and/or improving conservation 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.

4 Any and all funds appropriated to the state conservation commission
5 which are used in growing or handling nursery stock shall be used for
6 growing or handling of such stock for distribution only on state owned
7 lands. Provided, however, that the commission may continue to pro-
8 duce and sell at private sale Game Cover Packets and trees for erosion
9 control such as are now offered for sale by it, and may continue to
10 produce trees for a demonstration windbreak in each township in the
11 state, and may dispose of trees now growing under their present plan
12 of distribution.

Approved May 5, 1941.

CHAPTER 35

APPROPRIATION FOR IOWA UNITED SPANISH WAR
VETERANS ORGANIZATION

H. F. 253

AN ACT to provide for a part of the adjutant's salary, secretarial, stenographic and clerical hire, printing, stationery and postage for the Department of Iowa, United Spanish War Veterans Organization of the State of Iowa; and to provide headquarters for the adjutant of such organization or representative selected by the Department of Iowa, Spanish War Veterans Organization of the State of Iowa, for the biennium commencing July 1, 1941; such appropriation to be paid from the general fund of the state not otherwise appropriated.

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

1 SECTION 1. The following named sums* or such sums thereof as may
2 be necessary for the purposes hereinafter named, are hereby appropri-
3 ated to meet the ordinary and contingent expenses and to be applied on

*Note: In accordance with the enrolled bill.

4 the adjutant's salary and on secretarial, stenographic and clerical hire,
 5 printing, stationery, postage and miscellaneous headquarters office of
 6 the Department of Iowa, United Spanish War Veterans Organization
 7 of the State of Iowa; such appropriation to be paid from the general
 8 fund of the state not otherwise appropriated.

1 SEC. 2. The total amount which may be expended in any one year of
 2 the biennium for the purposes hereinbefore stated shall not exceed the
 3 sum of fifteen hundred dollars (\$1500.00)

1 SEC. 3. There shall be provided by the Executive Council of the
 2 State of Iowa, in the State House in the City of Des Moines, Iowa, a
 3 place for occupation by such person or persons as shall be designated
 4 by the Department of Iowa, United Spanish War Veterans Organiza-
 5 tion of the State of Iowa, and such place shall be known as the Head-
 6 quarters for the Department of Iowa, United Spanish War Veterans of
 7 the State of Iowa.

Approved April 21, 1941.

CHAPTER 36

APPROPRIATION FOR GRAND ARMY OF THE REPUBLIC

H. F. 384

AN ACT to provide an emergency appropriation to the department of the Grand Army of the Republic for the purpose of meeting headquarter expenses from December 1, 1940 to July 1, 1941.

WHEREAS, the forty-eighth General Assembly appropriated the sum of one thousand two hundred fifty dollars (\$1,250.00) for each year of the biennium, for headquarter expenses and expenses in completing Grand Army of the Republic records; and

WHEREAS, the funds available to said Department of the Grand Army of the Republic became exhausted as of December 1, 1940; and

WHEREAS, it is necessary to have funds to meet headquarters expenses in order to continue the work in completing Grand Army of the Republic records; now, therefore,

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

1 SECTION 1. There is hereby appropriated from the general fund
 2 of the state not otherwise appropriated, the sum of seven hundred
 3 dollars (\$700.00) for headquarter expenses, for the purpose of con-
 4 tinuing the work of the department of the Grand Army of the Republic
 5 from December 1, 1940, to July 1, 1941.

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect after passage and publication in The Argo
 3 Gazette, a newspaper published at West Union, Iowa, and the Elgin
 4 Echo, a newspaper published at Elgin, Iowa.

Approved April 16, 1941.

I hereby certify that the foregoing act was published in the Argo Gazette, West Union, Iowa, April 23, 1941, and the Elgin Echo, Elgin, Iowa, April 24, 1941.
EARL G. MILLER, *Secretary of State.*

CHAPTER 37
APPROPRIATION

H. F. 408

AN ACT to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1941, and ending June 30, 1943, to the board of education for the purpose of providing facilities for the care of infantile paralysis and orthopedic patients in the University Hospital.

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

1 SECTION 1. There is hereby appropriated from the general fund
2 of the state for each year of the biennium beginning July 1, 1941, and
3 ending June 30, 1943, for the purpose of carrying out the provisions
4 of chapter one hundred eighty-nine and seven tenths (189.7), code,
5 1939, twenty-two thousand five hundred dollars (\$22,500) or so much
6 thereof as may be necessary, to be expended for enlargement of oper-
7 ating-room facilities for infantile paralysis and orthopedic patients,
8 general equipment, surgical instruments, therapeutic equipment and
9 facilities, medical supplies, drugs and nursing. This appropriation
10 shall be in addition to the amount normally allocated for these pur-
11 poses out of the general appropriation for the University Hospital.

Approved April 21, 1941.

CHAPTER 38

VITAL STATISTICS DIVISION DEPARTMENT OF HEALTH

H. F. 265

AN ACT to provide for an emergency appropriation to the division of vital statistics, state department of health, for the purpose of continuing the two projects, namely, the certified copy section and the indexing section of old vital records.

WHEREAS, in view of national defense activities and the international war situation there is at present and has been for the past seven months a tremendous demand for certified copies of birth records; and

WHEREAS, such demands have required additional work in indexing, and in additional office supplies and equipment; and

WHEREAS, there are no available funds to carry on the work, and to meet the salaries and expenses for the remainder of the fiscal year ending June 30, 1941; 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, fourteen thousand seven

3 hundred thirty-five dollars and seventy cents (\$14,735.70), or so
 4 much thereof as may be necessary, for the remainder of the fiscal
 5 period ending June 30, 1941, for the purpose of meeting salaries
 6 and expenses for supplies and equipment in connection with the pro-
 7 jects, namely, the Certified Copy Section and the Indexing Section of
 8 old vital records, in the division of vital statistics, state department of
 9 health.

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 Fayette
 3 County Union, a newspaper published at West Union, Iowa, and in
 4 the Republican and Standard, a newspaper published at Waukon, Iowa.

Approved March 4, 1941.

I hereby certify that the foregoing act was published in the Fayette County Union,
 West Union, Iowa, March 6, 1941, and the Republican and Standard, Waukon, Iowa,
 March 12, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 39

APPROPRIATION FOR VITAL STATISTICS DIVISION OF

DEPARTMENT OF HEALTH

H. F. 506

AN ACT to appropriate from the General fund of the State of Iowa for the biennium
 beginning July 1, 1941, and ending June 30, 1943, funds for the department of
 health to be used for the indexing of the vital records in the division of vital
 statistics and for the issuing of certified copies of birth certificates and other vital
 records.

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

1 SECTION 1. In addition to funds already appropriated there is here-
 2 by appropriated from the general fund of the state of Iowa to the de-
 3 partment of health for the purpose of completing the indexing of the
 4 vital records in the division of vital statistics of said department, the
 5 sum of ten thousand six hundred fifty-one dollars and forty-nine
 6 cents (\$10,651.49) or so much thereof as may be needed.

1 SEC. 2. In addition to all other sums there is hereby appropriated
 2 from the general fund of the state of Iowa for each year of the biennium
 3 beginning July 1, 1941, and ending June 30, 1943, for the purpose of
 4 issuing certified copies of birth certificates and other vital records,
 5 the sum of seventeen thousand one hundred six dollars (\$17,106.00)
 6 or so much thereof as may be needed.

Approved April 5, 1941.

CHAPTER 40
APPROPRIATIONS

H. F. 517

AN ACT to appropriate from the general fund of the state for the biennium beginning July 1, 1941, and ending June 30, 1943, funds for the Iowa Cooperative Commission and the Council of State Governments.

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

1 SECTION 1. For the Iowa Cooperative Commission and Council of
2 State Governments there is hereby appropriated from the general fund
3 of the state for each year of the biennium, beginning July 1, 1941, and
4 ending June 30, 1943, one thousand dollars, or as much thereof as may
5 be necessary, to be used in the following manner:
6 For the support of the Iowa Cooperative Commission....\$ 500.00
7 For the support of the Council of State Governments....\$ 500.00

8	Annual total of all appropriations for the Iowa Cooper-	
9	ative Commission and the Council of State Govern	
10	ments	\$1000.00

Approved April 5, 1941.

CHAPTER 41
MUSCATINE COUNTY

S. F. 340

AN ACT to make an appropriation to Muscatine County, Iowa.

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

1 SECTION 1. There is hereby appropriated to Muscatine County,
2 Iowa, the sum of One thousand one hundred forty-four dollars and
3 seventy-seven cents (\$1,144.77) in payment of special assessments
4 for drainage purposes imposed upon lands owned by the state of Iowa
5 in Drainage District No. 13 of Muscatine, Iowa.

1 SEC. 2. The state comptroller is hereby authorized and directed to
2 draw his warrant to the said county to which appropriation has been
3 made under the provisions of this act and in the sum so appropriated
4 and heretofore set out, in payment of said special assessment, and the
5 treasurer of state is hereby authorized and directed to pay the same
6 out of any funds in the state treasury not otherwise appropriated.

Approved April 10, 1941.

CHAPTER 42
EMMET COUNTY

S. F. 506

AN ACT to make an appropriation to Emmet County, Iowa.

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

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the State of Iowa, to Emmet County, Iowa, the sum of three thou-
3 sand seventy-five dollars and eighteen cents (\$3075.18) in payment of
4 special assessments for drainage purposes imposed upon lands owned
5 by the State of Iowa in Drainage District No. 17 of Emmet County,
6 Iowa.

1 SEC. 2. The State Comptroller is hereby authorized and directed to
2 issue his warrant to Emmet County, Iowa, in the sum so appropriated
3 and above set out, in payment of said special assessments, and the
4 treasurer of State is hereby authorized and directed to pay the same
5 out of the general fund of the State.

Approved March 31, 1941.

CHAPTER 43
APPROPRIATIONS

S. F. 510

AN ACT to make appropriations to Clarke County, Iowa and Dr. C. R. Harken, Osceola, 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 of
2 the State of Iowa the following:

3 To Clarke County, Iowa, the sum of one hundred sixty-five dollars
4 (\$165.00) in full payment of all claims it may have against the State
5 of Iowa for expenses incurred in the capture of one Luther Elmore.

6 To Dr. C. R. Harken, Osceola, Iowa, the sum of one hundred twenty-
7 five dollars (\$125.00) in full payment of all claims he may have
8 against the State of Iowa for hospitalization and medical care rendered
9 to one Luther Elmore.

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

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

Approved April 15, 1941.

CHAPTER 44
APPROPRIATIONS

S. F. 473

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 Number	Nature of Claim	Amount
5	Ray Kamerling	Lisbon, Iowa	H-2	Collision	11.60
6	Rolla Sissell	Charles City, Iowa	H-5	Collision	4.50
7	J. F. Shallen-				
8	berger	Chicago, Illinois	H-7	Collision	20.60
9	Model Laundry				
10	Company	Waterloo, Iowa	H-8	Collision	172.66
11	Edward O.				
12	Sealine	Stratford, Iowa	H-9	Collision	100.00
13	Glen Monroe	Newton, Iowa	H-10	Collision	50.00
14	Ed Kirsling	Appleton, Wisconsin	H-12	Collision	25.75
15	I. W. Cook	Oskaloosa, Iowa	H-13	Auto damage	135.41
16	Minnie Klett and				
17	Charles Hin-				
18	nah	Sigourney, Iowa	H-14	Fence damage	6.15
19	William Ahnen	Orient, Iowa	H-15	Collision	30.40
20	Haakon Johnson	Decorah, Iowa	H-16	Collision	49.75
21	Oakley Thomp-				
22	son	Van Horne, Iowa	H-18	Auto damage	4.00
23	Rev. Lester				
24	Peter	Belle Plaine, Iowa	H-19	Collision	26.00
25	Iglehart Monu-				
26	ment Com-			Damaged	
27	pany	Davenport, Iowa	H-20	monument	20.00
28	Turnbull Chev-				
29	rolet Com-				
30	pany	Farragut, Iowa	H-22	Collision	8.00
31	Arthur J. Frey	Park Ridge, Illinois	H-23	Collision	20.39
		Yankton,			
32	Harry Drier	South Dakota	H-25	Collision	4.58
33	State Farm Mu-				
34	tual Automo-				
35	bile Insurance	Bloomington,			
36	Company	Illinois	H-26	Collision	18.31
37	C. R. Rodrick	Winfield, Iowa	H-28	Collision	24.71
38	Herbert J. Ott	Davenport, Iowa	H-29	Collision	7.75
39	Vincent Schoep-				
40	ner	Templeton, Iowa	H-23	Collision	60.00

41	Continental Oil Ponca City,			
42	Company	Oklahoma	H-34	Collision 60.10
43	D. W. Forbes.....	Bloomfield, Iowa.....	H-35	Collision 15.83
44	E. V. Hyde.....	Ames, Iowa.....	H-37	Auto damage 11.35
45	Cyrenus Diers....	Arcadia, Iowa.....	H-38	Collision 6.00
46	Nash-Finch			
47	Company	Cedar Rapids, Iowa..	H-41	Collision 175.90
48	Waterloo Con-			
49	struction			
50	Company	Waterloo, Iowa.....	H-45	Collision 17.87
51	W. L. Gund.....	Marcus, Iowa.....	H-46	Fence damage 3.83
52	J. J. Chalupnik..	Verdigre, Nebraska..	H-47	Collision 39.57
53	Peter B. Naber..	Austin, Minnesota...	H-48	Collision 28.45
54	Lars P. Mathie-			
55	sen	Ringsted, Iowa.....	H-53	Property damage 12.50
56	Dave Williams...	Emerson, Iowa.....	H-56	Collision 9.25
57	H. J. Herbert.....	Atlantic, Iowa.....	H-59	Collision 50.00
58	Northwestern			
59	National In-			
60	surance Com-			
61	pany	Omaha, Nebraska.....	H-60	Collision 182.25
62	Madsen Motor			
63	Company	Sigourney, Iowa.....	H-63	Auto damage 23.06
64	Peter Elbert,			
65	Sr.	Whittemore, Iowa.....	H-66	Collision 50.25
66	Robert G. Wynn	Ottumwa, Iowa.....	H-67	Collision 18.00
67	C. W. De-			
68	Kiewiet	Iowa City, Iowa.....	H-68	Collision 61.49
69	Dan D. Regar....	Keosauqua, Iowa.....	H-71	Collision 16.91
70	Ralph Price.....	Des Moines, Iowa.....	H-73	Collision 8.13
71	M. E. Gyte.....	Hinesville, Georgia..	H-75	Collision 71.42
72	William L.			
73	Moore	Muscatine, Iowa.....	H-76	Collision 71.25
74	E. A. Blake.....	Carroll, Iowa.....	H-78	Collision 41.06
75	Holger C. Han-			
76	sen	Cedar Rapids, Iowa..	H-79..	Collision 48.17
77	Alva Schoen-			
78	herr	Ute, Iowa.....	H-80	Property damage 23.09
79	Henry E. John-			
80	son	Monmouth, Illinois...	H-81	Collision 10.50
81	Earl M. Klein....	Fort Dodge, Iowa.....	H-82	Collision 26.58
82	W. J. Colwell....	Fort Dodge, Iowa.....	H-83	Collision 61.35
83	E. Ohrling.....	Chicago, Illinois.....	H-85	Collision 50.00
84	Combs Outdoor			
85	Advertising			
86	Company	Chariton, Iowa.....	H-86	Collision 26.68
87	John A. Carse,			
88	Jr.	Oakland, Iowa	H-97	Collision 71.19
89	Robert Whipple	Red Oak, Iowa.....	H-101	Collision 212.00

1 SEC. 2. The State Comptroller is hereby authorized and directed
2 to issue his warrants to the above named persons in the amounts set

3 opposite their names respectively, and the Treasurer of State is hereby
4 authorized and directed to pay the same from the Primary Road Fund
5 of the State of Iowa.

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

Approved March 26, 1941.

CHAPTER 45 APPROPRIATIONS

S. F. 546

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	Nature of	Amount
5	No.	Claim	No.	Claim	Amount
6	Otto E. Beck- man	Sperry, Iowa	H 57	Collision	74.96
		Council Bluffs,			
7	A. J. Vollstead....	Iowa	H 91	Collision	50.00
8	Harold McElroy	Clarinda, Iowa	H 92	Collision	23.31
9	C. W. Hanley	Parnell, Iowa	H 102	Collision	58.40
10	Thomas				
11	McCabe	Clarinda, Iowa	H 106	Collision	122.84
12	Mike Wheeler	Forest City, Iowa	H 109	Collision	34.82
13	Henry Schmit	Dubuque, Iowa	H 110	Collision	70.00
14	Cresco Auto				
15	Body Com-				
16	pany	Cresco, Iowa	H 114	Collision	2.00
17	Paul Pemble	Bagley, Iowa	H 122	Collision	20.03
18	George Strong....	What Cheer, Iowa	H 126	Collision	65.15
19	Chas. Moore	Chariton, Iowa	H 130	Collision	152.51

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 hereby
4 authorized and directed to pay the same from the Primary Road Fund
5 of the State of Iowa.

1 SEC. 3. Receipt of said sums by said persons respectively, shall be in

2 full settlement of all claims they may hold against the State of Iowa,
3 the Iowa State Highway Commission, on account of damages as above
4 indicated, claims for which were presented to the Joint Claims Com-
5 mittee of the forty-ninth General Assembly.

Approved April 9, 1941.

CHAPTER 46
APPROPRIATIONS

S. F. 544

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 reimbursement
2 fund of the State of Iowa 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 five thousand eight and twenty-five
5 hundredths (5008.25), Code, 1939:

6 Name	Address	License No.	Amount of refund
7 Tom Brody	Vinton, Iowa	T6-772	\$25.00
8 H. F. Kester	Bussey, Iowa	63 T 632	26.25
9 Walter			
10 McNamara	Vinton, Iowa	T6-738	23.00
11 Harry Rees	Bonaparte, Iowa.....	89-1609	2.00
12 George D.			
13 Smith	Ocheyedan, Iowa	72-T 355	26.00
14 Gerrit Vander			
15 Ploeg	Rock Rapids, Iowa	60-T-163	25.00
16 A. F. Thibodeau			
17 Co.	Corydon, Iowa	93-47	65.00
18 Otto C. Zuber	Marengo, Iowa	48-2948	2.00

1 SEC. 2. The Commissioner of Public Safety is hereby authorized and
2 directed to issue his warrants to the above named persons in the
3 amounts set opposite their respective names and to pay the same from
4 said reimbursement fund.

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

Approved April 9, 1941.

CHAPTER 47
APPROPRIATIONS

S. F. 477

AN ACT to make appropriations to Palo Alto Hospital Association, Emmetsburg, Iowa; Dr. E. D. Beatty, Mallard, Iowa; and Dr. H. R. Powers, Emmetsburg, 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 Palo Alto Hospital Association, Emmetsburg, Iowa, the sum of
4 fifty seven dollars and seventy-five cents (\$57.75) in full payment of
5 all claims it may have against the State of Iowa for hospitalization to
6 one Milo Bemrose.

7 To Dr. E. D. Beatty, Mallard, Iowa, the sum of twenty dollars
8 (\$20.00) in full payment of all claims he may have against the State
9 of Iowa for medical services rendered to one Milo Bemrose.

10 To Dr. H. R. Powers, Emmetsburg, Iowa, the sum of sixty dollars
11 (\$60.00) in full payment of all claims he may have against the State
12 of Iowa for an emergency operation performed upon one Milo Bemrose.

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

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

Approved March 26, 1941.

CHAPTER 48
APPROPRIATION FOR ELECTION CONTEST

H. F. 291

AN ACT to make an appropriation for the expenses incurred in the election contest of Randall vs. Norland.

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 one hundred fifty dollars and twenty-four cents (\$1,150.24), or so
4 much as may be necessary to pay the expenses of the election contest
5 wherein Claus Randall was contestant and Norman Norland was the
6 incumbent. Warrants shall be drawn for the sums herein appropriated
7 in favor of the following persons:

8 W. G. Henke, attorney for contestant, fees\$ 225.00

9	W. G. Henke, expenses	91.59
10	Total	\$ 316.59
11	R. W. Colflesh, counsel for contestant	\$ 150.00
12	L. E. Plummer, attorney for incumbent, fees	\$ 150.00
13	L. E. Plummer, expenses	25.55
14	Total	\$ 175.55
15	H. R. Duncan, attorney for incumbent, fees	\$ 150.00
16	H. R. Duncan, expenses	33.80
17	Total	\$ 183.80
18	Kenneth F. Neu, expenses, reporting and mileage	
19	in serving subpoenas	\$ 49.90
20	A. C. Gustafson, chief clerk, witness fees and mile-	
21	age	\$ 274.40
22	Total expense	\$1150.24

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect from and after publication in the Mount Vernon
3 Hawkeye-Record and the Lisbon Herald, a newspaper published at
4 Mount Vernon, Iowa, and the Cedar Rapids Gazette, a newspaper pub-
5 lished at Cedar Rapids, Iowa.

Approved April 5, 1941.

I hereby certify that the foregoing act was published in the Mount Vernon Hawkeye-Record and Lisbon Herald, Mount Vernon, Iowa, April 17, 1941, and the Cedar Rapids Gazette, Cedar Rapids, Iowa, April 12, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 49 APPROPRIATIONS

S. F. 549

AN ACT to make appropriations to Firestone Tire and Rubber Company, Des Moines, Iowa; and Lally's Service, 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 general fund
2 of the State of Iowa the following:

3 To Firestone Tire and Rubber Company, Des Moines, Iowa, the sum
4 of eighty-one dollars and thirty-two cents (\$81.32) in full settlement
5 of all claims it may have against the State of Iowa for merchandise
6 purchased.

7 To Lally's Service, Des Moines, Iowa, the sum of one hundred forty-
8 six dollars and twenty-six cents (\$146.26) in full settlement of all
9 claims it may have against the State of Iowa for storage, repairs, sup-
10 plies and service on Iowa State Highway Patrol motor vehicles.

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

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

Approved April 9, 1941.

CHAPTER 50
 LYONS BROTHERS
 S. F. 550

AN ACT to make an appropriation to Lyon Brothers, Cambridge, 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 Lyon Brothers, Cambridge, Iowa, the sum of twenty-
 3 four dollars and twenty-five cents (\$24.25) in full settlement of all
 4 claim they may have against the State of Iowa on account of refund on
 5 motor vehicle 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 shall
 2 be in full settlement of all claims against the State of Iowa growing
 3 out of the above described claim.

Approved April 9, 1941.

CHAPTER 51
 APPROPRIATIONS
 S. F. 552

AN ACT to make appropriations to Walker-Shum, Bedford, Iowa, and Westcott-Doughty-Chandler Funeral Chapel, Sioux 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 assis-
 2 tance fund of the State of Iowa the following:

3 To Walker-Shum, Bedford, Iowa, the sum of one hundred dollars
 4 (\$100.00) in full settlement of all claims it may have against the State

5 of Iowa on account of funeral expenses for burial of Anna O. Andrew,
6 deceased recipient of old age assistance.

7 To Westcott-Doughty-Chandler Funeral Chapel, Sioux City, Iowa,
8 the sum of One Hundred Dollars (\$100.00) in full settlement of all
9 claims it may have against the State of Iowa on account of funeral
10 expenses for burial of Montraville Sloggett, deceased recipient of old
11 age assistance.

1 SEC. 2. 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 from the old age
4 assistance fund of the State of Iowa.

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

Approved April 9, 1941.

CHAPTER 52

APPROPRIATIONS

S. F. 551

AN ACT to make an appropriation to Johnstone Bakery, Boone, Iowa, and W. H. Alkire of Webster City, Iowa.

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

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the State of Iowa, to Johnstone Bakery, Boone, Iowa, the sum of
3 fifty dollars (\$50.00) in full settlement of all claims it may have
4 against the State of Iowa for damages to its truck resulting from a
5 collision with an Iowa State Conservation Commission truck, on July
6 9, 1940.

1 SEC. 3. There is hereby appropriated out of the general fund of the
2 state to W. H. Alkire of Webster City, Iowa, the sum of two hundred
3 seventy-one and eighty one hundredths dollars (\$271.81), the same
4 to be in full settlement of medical care and incidental items required
5 therewith, because of personal injury sustained by the said W. H.
6 Alkire while in the line of duty as a policeman at the Iowa State Fair
7 ground during the evening of August 27, 1935.

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

1 SEC. 5. The acceptance of said amount by the above named party
2 shall be in full settlement of all claims against the State of Iowa grow-
3 ing out of the above described claim.

Approved April 10, 1941.

CHAPTER 53

FREDERICK M. HULL

S. F. 243

AN ACT to make an appropriation for the relief of Frederick M. Hull for the biennium beginning July 1, 1941, and ending June 30, 1943.

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

- 1 SECTION 1. There is hereby appropriated from the general fund
- 2 of the state for each year of the biennium beginning July 1, 1941, and
- 3 ending June 30, 1943, the sum of three hundred sixty dollars (\$360.00)
- 4 or so much thereof as may be necessary for the relief of Frederick M.
- 5 Hull.

Approved March 10, 1941.

CHAPTER 54

APPROPRIATIONS

S. F. 480

AN ACT to make appropriations to Myrtle Hicks, Clarinda, Iowa; Charles W. Matheson, Numa, Iowa; Mrs. Cecil Meidlinger, Council Bluffs, Iowa.

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

- 1 SECTION 1. There is hereby appropriated out the general fund of
- 2 the State of Iowa the following:
- 3 To Myrtle Hicks, Clarinda, Iowa, the sum of one thousand dollars
- 4 (\$1000.00) in full settlement of all claims she may have against the
- 5 State of Iowa for the death of her son on August thirty-first, nineteen
- 6 hundred thirty-one, caused by spinal meningitis contracted in training
- 7 with the Iowa National Guard at Camp Dodge, Des Moines, Iowa.
- 8 To Charles W. Matheson, Numa, Iowa, the sum of one hundred
- 9 forty-one dollars and forty cents (\$141.40) in full settlement of all
- 10 claims he may have against the State of Iowa for the death of his son
- 11 at the Institution for Feeble-minded, Glenwood, Iowa, on November
- 12 twenty-first, nineteen hundred thirty-nine.
- 13 To Mrs. Cecil Meidlinger, Council Bluffs, Iowa, the sum of two
- 14 hundred dollars (\$200.00) in full settlement of all claims she may have
- 15 against the State of Iowa for the death of her husband at the Clarinda
- 16 State Hospital, Clarinda, Iowa, on February sixteenth, nineteen hun-
- 17 dred thirty-eight.
- 1 SEC. 2. The State Comptroller is hereby authorized to issue war-
- 2 rants to the above named parties in the amounts stated, and the State
- 3 Treasurer is hereby directed to pay the same from the general fund of
- 4 the State of Iowa.
- 1 SEC. 3. The acceptance of said amounts by the above named parties

2 shall be in full settlement of all claims against the State of Iowa grow-
3 ing out of the above described claims.

Approved March 31, 1941.

CHAPTER 55

BREDA SAVINGS BANK

S. F. 545

AN ACT to make an appropriation to Breda Savings Bank, Breda, 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 Breda Savings Bank, Breda, Iowa, the sum of five hundred
3 eighty-four dollars and eighty-one cents (\$584.81) in full settlement of
4 all 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. 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 State Sinking
4 fund.

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

Approved April 9, 1941.

CHAPTER 56

DR. FLOYD C. BRIDGE

S. F. 548

AN ACT to make an appropriation to Dr. Floyd C. Bridge, Storm Lake, Iowa.

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

1 SECTION 1. There is hereby appropriated out of the general fund
2 of the State of Iowa, to Dr. Floyd C. Bridge, Storm Lake, Iowa, the
3 sum of two hundred thirty-two dollars and forty-six cents (\$232.46)
4 in full settlement of all claims he may have against the State of Iowa
5 for damages to his automobile and personal injuries sustained by him
6 and the occupants of his car resulting from a collision occurring on
7 November 10th, 1939, involving his car and an Iowa National Guard
8 Army Truck.

1 SEC. 3. The acceptance of said amount by the above named party
2 shall be in full settlement of all claims he may have against the State
3 of Iowa growing out of the above described claim.

Approved April 9, 1941.

CHAPTER 57

LEROY HUSKAMP

S. F. 547

AN ACT to make an appropriation to Leroy Huskamp, Cedar Falls, Iowa.

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

1 SECTION 1. There is hereby appropriated out the general fund of
2 the State of Iowa, to LeRoy Huskamp, Cedar Falls, Iowa, the sum of
3 four hundred four dollars and eighty-five cents (\$404.85) in full settle-
4 ment of all claims he may have against the State of Iowa for injuries
5 sustained by him resulting from an accident occurring on September
6 7th, 1938, while in pursuit of his duties as an Iowa Highway Patrol-
7 man.

1 SEC. 2. The State Comptroller is hereby authorized to issue a war-
2 rant to the above named party in the amount stated, and the State
3 Treasurer is hereby directed to pay the same from the general fund of
4 the State of Iowa.

1 SEC. 3. The acceptance of said amount by the above named party
2 shall be in full settlement of all claims he may have against the State
3 of Iowa growing out of the above described claim.

Approved April 9, 1941.

GENERAL LAWS

CHAPTER 58

ESTABLISHING A STATE GENERAL FUND

S. F. 201

AN ACT to establish a general fund for the State of Iowa for the biennium beginning July 1, 1941, and ending June 30, 1943.

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, 1941, and July 1, 1942, and ending June 30, 1942, and June 30,
4 1943, respectively, and all revenue from other sources which is avail-
5 able for appropriations for state purposes, and all other money in
6 the state treasury which is not by law segregated, shall be established
7 as a general fund.

Approved February 19, 1941.

CHAPTER 59

STATE COMPTROLLER

S. F. 66

AN ACT to authorize the state comptroller in the years 1941 and 1942 to approve levies, in certain instances, which are in excess of the maximum levies authorized by law when existing maximum levies will not raise sufficient funds to meet budget requirements.

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

1 SECTION 1. In all counties, school districts and cities and towns
2 and cities under special charter where the maximum permissible or
3 mandatory statutory millage tax levies for any fund or funds author-
4 ized by law, including those which may be increased by the state comp-
5 troller upon application to him, will not produce revenue in dollars
6 sufficient to equal the budget requirements for such fund or funds,
7 the comptroller may for the years 1941 and 1942 only approve increases
8 in such maximum statutory millage levies up to but not exceeding 25%
9 but in no event shall he authorize increased millage levies, which,
10 when applied to the assessed valuation will exceed in dollars the
11 average amount certified in dollars for such fund or funds in the years
12 1939 and 1940, except as may be otherwise provided by law as to the
13 county general and poor funds.

1 SEC. 2. This act being of immediate importance shall become effec-
2 tive upon publication in the Guttenberg Press, a newspaper published
3 in Guttenberg, Iowa, and the Council Bluffs Nonpareil, a newspaper
4 published in Council Bluffs, Iowa.

Approved January 30, 1941.

I hereby certify that the foregoing act was published in the Guttenberg Press, Guttenberg, Iowa, February 6, 1941, and the Council Bluffs Nonpareil, Council Bluffs, Iowa, February 1, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 60

STATE COMPTROLLER

S. F. 116

AN ACT to amend section eighty-four and six hundredths (84.06), Code, 1939, relating to powers and duties of the state comptroller.

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

1 SECTION 1. Section eighty-four and six hundredths (84.06), Code,
2 1939, is hereby amended by striking therefrom subsection thirteen
3 (13).

Approved April 15, 1941.

CHAPTER 61

STATE APPEAL BOARD

S. F. 440

AN ACT relating to certain claims between the State of Iowa and others and providing for the presentation, investigation, determination, settlement and payment of such claims.

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

1 SECTION 1. When a claim is filed or made against the State of Iowa,
2 on which in the judgment of the comptroller the state would be liable
3 except for the fact of its sovereignty or which has no appropriation
4 available for its payment, the comptroller shall deliver said claim to the
5 State Appeal Board. The State Appeal Board shall make a record of
6 the receipt of said claim and forthwith deliver same to the Special As-
7 sistant Attorney General for Claims who shall, with a view to deter-
8 mining the merits and legality thereof, fully investigate said claim,
9 including the facts upon which it is based and report in duplicate his
10 findings and conclusions of law to the State Appeal Board.

1 SEC. 2. The State Appeal Board shall examine the report made on
2 each claim by the Special Assistant Attorney General for Claims and
3 prepare and make a recommendation thereon in writing.

1 SEC. 3. On the second day after the convening of each regular
2 session of the General Assembly, the State Appeal Board shall file
3 with the clerk of the House of Representatives and the secretary of
4 the Senate a copy of the report made to it by the Special Assistant
5 Attorney General for Claims and its recommendation thereon for each
6 claim, which report and recommendation shall be delivered to the claims
7 committee of the House and Senate. Any testimony taken by the
8 Special Assistant Attorney General for Claims shall be preserved by
9 the State Appeal Board and made available to the claims committees
10 of the General Assembly.

1 SEC. 4. The Attorney General shall appoint a Special Assistant
2 Attorney General for Claims who shall under the direction of the
3 Attorney General investigate, and report on all claims between the
4 state and other parties, which may be referred to the State Appeal
5 Board. He shall receive a compensation of not to exceed twenty-four
6 hundred dollars (\$2400.00) per year, and be paid his reasonable and
7 necessary expenses incurred in connection with the performance of his
8 duties, said compensation and expenses to be paid out of any funds in
9 the state treasury not otherwise appropriated.

1 SEC. 5. The Special Assistant Attorney General for Claims shall
2 fully investigate each claim and the facts upon which same is based
3 and may take testimony in the form of affidavits or otherwise, and in
4 connection therewith he shall ex officio be empowered to administer
5 oaths, to compel the attendance of witnesses and certify to any District
6 Court for contempt. All testimony, affidavits, and other papers in
7 connection with a claim, obtained by the Special Assistant Attorney
8 General for Claims in making his investigation shall be filed with his
9 report to the State Appeal Board.

1 SEC. 6. The State Appeal Board shall have power and authority to
 2 investigate and collect claims which the State of Iowa may have against
 3 municipal or political corporations in the State of Iowa, including
 4 counties, cities, towns, townships, and school districts. The Board
 5 shall refer any such claim to the Special Assistant Attorney General
 6 for Claims, when any such claim has not been promptly paid, and if
 7 the Special Assistant Attorney General for Claims is not able to collect
 8 the full amount of said claim, he shall fully investigate same and report
 9 to the State Appeal Board his findings of fact and conclusions of law,
 10 together with any recommendation he may have as to said claim.
 11 Thereafter the State Appeal Board may effect a compromise settle-
 12 ment with the debtor in such amount and under such terms as the said
 13 Board may deem just and equitable in view of the findings and con-
 14 clusions reported to it. In the event the State Appeal Board is unable
 15 to collect a claim in full or effect what it has determined to be a fair
 16 compromise, it shall deliver same to the Attorney General for such
 17 action as he shall determine and the Special Assistant Attorney Gen-
 18 eral for Claims is specifically charged with carrying out the directions
 19 of the Attorney General with reference thereto. When any claim is
 20 compromised by the State Appeal Board, it shall file in the office of
 21 the Comptroller a statement as to the settlement, together with a true
 22 copy of the agreement of settlement, and if in settlement an amount
 23 less than the face amount is accepted in full, the proper entries shall be
 24 made in the books of the Comptroller, and Auditor of State showing
 25 the amount of the claim, the amount of the settlement and the amount
 26 charged off.

1 SEC. 7. When any claim against the State of Iowa has been pre-
 2 sented to the General Assembly through the State Appeal Board, and
 3 the General Assembly has failed or refused to make an appropriation
 4 therefor, such failure or refusal to appropriate shall constitute an
 5 adjudication against said claim, which shall bar any further proceed-
 6 ings before the General Assembly for the payment of same.

1 SEC. 8. No claim against the State of Iowa shall be considered or
 2 allowed by the General Assembly except it be presented before the
 3 State Appeal Board as provided in this act.

Approved April 15, 1941.

CHAPTER 62

BUDGET AND FINANCIAL CONTROL

S. F. 514

AN ACT to amend, revise and codify section eighty-four and twenty-six hundredths (84.26), section eighty-four and twenty-seven hundredths (84.27), section eighty-four and thirty hundredths (84.30), section eighty-four and thirty-one hundredths (84.31), section eighty-four and thirty-two hundredths (84.32), in chapter seven and one-tenth (7.1), the budget and financial control act, Code, 1939, relating to the execution of the budget, the expenditure of appropriations, the reversion and transfer of balances, the financial fiscal term, and the use of appropriations.

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

1 SECTION 1. Section eighty-four and twenty-six hundredths (84.26),
2 Code, 1939, is amended, revised and codified to read as follows:

3 "84.26. No obligation of any kind whatsoever shall be incurred or
4 created subsequent to the last day of the biennial fiscal term for which
5 an appropriation for administration, operation, support and main-
6 tenance is made against any said appropriation, except when specific
7 provision otherwise is made in the act making the appropriation. On
8 the last day of the biennial fiscal term it shall be the duty of the head
9 of each department, board or commission, or officer receiving appro-
10 priations for administration, operation, support and maintenance
11 under any act, to file with the state comptroller a list of all obligations
12 incurred, and for which warrants have not been drawn, up to and
13 including that date. On December 31, following the close of each bien-
14 nial fiscal term all unincumbered or unobligated balances of appro-
15 priations made for said biennial fiscal term shall revert to the state
16 treasury and to the credit of the fund from which the appropriation
17 or appropriations were made, except that capital expenditures for the
18 purchase of land or the erection of the buildings or new construction
19 shall continue in force until the attainment of the object or the com-
20 pletion of the work for which such appropriations are made. This
21 section shall not be construed to repeal the provisions of sections two
22 hundred ninety (290) to two hundred ninety-three (293), inclusive."

1 SEC. 2. Section eighty-four and twenty-seven hundredths (84.27),
2 Code, 1939, is amended, revised and codified to read as follows:

3 "Except as otherwise provided by law, the comptroller shall transfer
4 to the fund from which any appropriation was made, any unexpended
5 or unincumbered balance of such appropriation remaining at the ex-
6 piration of six months after the close of the biennial fiscal term for
7 which the appropriation was made. At the time the transfer is made
8 on the books of his office he shall certify such fact to the treasurer of
9 state, who shall make corresponding entries on the books of the
10 treasurer's office."

1 SEC. 3. Section eighty-four and thirty hundredths (84.30) Code,
2 1939, is amended by striking from the third line of said section the
3 words "even numbered" and inserting in lieu thereof the words "odd
4 numbered."

1 SEC. 4. Section eighty-four and thirty-one hundredths (84.31),
2 Code, 1939, is amended, revised and codified to read as follows:

3 "84.31. No state department, institution or agency, or any board
4 member, commissioner, director, manager or other person connected
5 with any such department, institution or agency, shall expend funds
6 or approve claims in excess of the appropriations made thereto, nor
7 expend funds for any purpose other than that for which the money
8 was appropriated, except as otherwise provided by law. A violation
9 of the foregoing provision shall make any person violating same, or
10 consenting to the violation of same liable to the state for such sum so
11 expended, together with interest and costs, which shall be recoverable

12 in an action to be instituted by the attorney general for the use of the
13 state, which action may be brought in any county of the state."

1 SEC. 5. Section eighty-four and thirty-two hundredths (84.32),
2 Code, 1939, is amended, revised and codified to read as follows:

3 "84.32. No appropriation nor any part thereof shall be used for
4 any other purpose than that for which it was made except as otherwise
5 provided by law; provided that the governing board or head of any
6 state department, institution, or agency may, with the written consent
7 and approval of the governor and state comptroller first obtained, at
8 any time during the biennial fiscal term, partially or wholly use its
9 unexpended appropriations for purposes within the scope of such
10 department, institution or agency.

11 "Provided, further, when the appropriation of any department,
12 institution or agency is insufficient to properly meet the legitimate
13 expenses of such department, institution or agency of the state, the state
14 comptroller, with the approval of the governor, is authorized to trans-
15 fer from any other department, institution or agency of the state
16 having an appropriation in excess of its necessity, sufficient funds to
17 meet that deficiency."

Approved April 9, 1941.

CHAPTER 63

CLAIMS AGAINST THE STATE OF IOWA

S. F. 115

AN ACT relating to the presentation, investigation, allowance, and payment of claims against the State of Iowa, being amendatory of chapter seven and one-tenth (7.1), Code, 1939, known as the Budget and Financial Control Act.

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

Chapter seven and one-tenth (7.1), Code, 1939, is hereby amended by adding thereto the following:

1 SECTION 1. Claims—approval of. The state comptroller before ap-
2 proving a claim shall determine:

- 3 1. That the creation of the claim is clearly authorized by law.
- 4 2. That the claim has been authorized by an officer or official
- 5 body having legal authority to so authorize and that the fact of such
- 6 authorization has been certified to said comptroller by such officer
- 7 or official body.
- 8 3. That all legal requirements have been observed, including
- 9 notice and opportunity for competition, if required by law.
- 10 4. That the claim is in proper form and duly verified.
- 11 5. That the charges are reasonable, proper, and correct and no
- 12 part of said claim has been paid.

1 SEC. 2. Vouchers. Before a warrant shall be issued for any claim
2 payable from the state treasury, there shall be filed an itemized, sworn

3 voucher which shall show in detail the items of service, expense, thing
4 furnished, or contract upon which payment is sought.

5 Vouchers for postage, stamped envelopes, and postal cards may be
6 audited as soon as an order therefor is entered.

1 SEC. 3. Warrants—form of. Each warrant shall bear on the face
2 thereof the signature of the comptroller or a facsimile thereof, a proper
3 number, date, amount, name of payee, and a reference to the law under
4 which it is drawn, and a statement indicating the purpose for which
5 warrant is issued, whether for salaries or wages, services or supplies,
6 and what kind of supplies, and for what office or department, or for
7 any other general or special purpose whatsoever, which particulars
8 shall be entered in a warrant register kept for that purpose in the order
9 of issuance; and, as soon as practicable after issuing such warrant
10 register, the comptroller shall certify a duplicate thereof to the
11 treasurer.

1 SEC. 4. Required payee. All warrants shall be drawn to the order
2 of the person, firm, or contractor entitled to payment or compensation,
3 except that when goods or material are purchased in foreign countries,
4 warrants may be drawn upon the treasurer of state, payable to bearer
5 for net amount of invoice and current exchange, and the treasurer of
6 state shall furnish such foreign draft payable to order of person, firm,
7 or corporation from whom purchase is made.

1 SEC. 5. Prohibited payee. In no case shall warrants be drawn in
2 the name of the certifying office, department, board, or institution, or
3 in the name of an employee of the same, except for personal service
4 rendered or expense incurred by said employee, unless there be express
5 statutory authority therefor.

1 SEC. 6. Claims exceeding appropriation. No claim shall be allowed
2 when the same will exceed the amount specifically appropriated there-
3 for.

Approved March 31, 1941.

CHAPTER 64

SECRETARY OF STATE COPY FEES

H. F. 94

AN ACT to amend sections eighty-eight (88), eight thousand three hundred forty-nine (8349), eight thousand three hundred sixty (8360), eight thousand three hundred sixty-eight (8368), eight thousand four hundred sixty-two (8462), eight thousand four hundred ninety (8490), eight thousand five hundred twelve and forty-five hundredths (8512.45), and nine thousand two hundred eighty-three and fifty-two hundredths (9283.52), Code, 1939, relating to the fees to be charged by the secretary of state for recording and for copies of documents.

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

1 SECTION 1. Section eighty-eight (88), Code, 1939, is hereby
2 amended by striking line eight (8) thereof and by inserting in lieu
3 thereof the following: "twenty-five cents per page."

1 SEC. 2. Section eight thousand three hundred forty-nine (8349),
2 Code, 1939, is hereby amended as follows:

3 1. Strike from line five (5) thereof the words "ten cents per hun-
4 dred words" and insert in lieu thereof the following: "twenty-five
5 cents per page".

6 2. Strike all of said section following the word "of" at the end of
7 line eleven (11) thereof, and insert in lieu thereof the following:
8 "twenty-five cents per page".

1 SEC. 3. Section eight thousand three hundred sixty (8360), Code,
2 1939, is hereby amended as follows:

3 1. Strike from lines ten (10) to twelve (12) thereof the following:
4 "ten cents per hundred words must be paid; no recording fee less than
5 fifty cents.", and insert in lieu thereof the following: "twenty-five
6 cents per page must be paid."

7 2. Strike from line sixteen (16) thereof the words "ten cents per
8 one hundred words", and insert in lieu thereof the following: "twenty-
9 five cents per page".

1 SEC. 4. Section eight thousand three hundred sixty-eight (8368),
2 Code, 1939, is hereby amended by striking from lines five (5) and six
3 (6) thereof the words "ten cents per one hundred words" and insert
4 in lieu thereof the following: "twenty-five cents per page".

1 SEC. 5. Section eight thousand four hundred sixty-two (8462),
2 Code, 1939, is hereby amended by striking from lines ten (10) to
3 twelve (12) thereof the following: "ten cents per hundred words, no
4 fee to be less than fifty cents.", and inserting in lieu thereof the fol-
5 lowing: "twenty-five cents per page".

1 SEC. 6. Section eight thousand four hundred ninety (8490), Code,
2 1939, is hereby amended by striking all of said section following the
3 word "of" in line six (6) thereof, and inserting in lieu thereof the
4 following: "twenty-five cents per page".

1 SEC. 7. Section eight thousand five hundred twelve and forty-five
2 hundredths (8512.45), Code, 1939, is hereby amended by striking
3 all of lines twelve (12) to sixteen (16), inclusive, thereof, and inserting
4 in lieu thereof the following: "an additional fee of one dollar per thou-
5 sand dollars or fraction of such excess.

6 3. Upon filing all articles, renewals, or amendments, a recording
7 fee of twenty-five cents per page."

1 SEC. 8. Section nine thousand two hundred eighty-three and fifty-
2 two hundredths (9283.52), Code, 1939, is hereby amended by striking
3 from lines six (6) and seven (7) thereof the words "ten cents per
4 hundred words" and inserting in lieu thereof the following: "twenty-
5 five cents per page".

Approved February 21, 1941.

CHAPTER 65

STATE EXAMINERS OF ACCOUNTS

S. F. 472

AN ACT to amend chapter ten (10), Code, 1939, relating to compensation of county, municipal, and school examiners and their assistants.

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

1 SECTION 1. Chapter ten (10), Code, 1939, is amended by inserting
2 after section one hundred fifteen (115) as a separate section the follow-
3 ing: "County, municipal, and school examiners, and their assistants,
4 shall be paid a per diem of not to exceed seven dollars (\$7.00) each for
5 each day they actually work, and their actual and necessary expenses.
6 Said payment shall be made from the general fund on the certification
7 of the Auditor of State, and the general fund shall be reimbursed as
8 provided in sections one hundred twenty-five (125) and one hundred
9 twenty-six (126)."

Approved April 21, 1941.

CHAPTER 66

APPROPRIATION FOR SUPREME COURT REPORTER AND CODE EDITOR

S. F. 256

AN ACT to amend chapter thirteen (13), Code, 1939, defining further duties of the reporter of the supreme court and code editor, and to amend section two hundred sixty-five (265), Code, 1939, providing for the payment for the printing of legal publications compiled and published by him, and providing an appropriation to carry out the provisions of said chapter and said section, and providing for the appointment of a deputy reporter of the supreme court and code editor.

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

1 SECTION 1. Chapter thirteen (13), Code, 1939, is hereby amended
2 by adding thereto, as section one hundred seventy-seven (177), the
3 following:

4 "There is hereby appropriated out of any money in the treasury not
5 otherwise appropriated an amount sufficient to defray all expenses
6 incurred in the carrying out of the provisions of this chapter, but be-
7 fore any obligations for expenditure from this appropriation shall be
8 incurred the same shall be approved by the comptroller."

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 Cambridge Leader, a newspaper published at Cambridge, Iowa, and the
4 Guttenberg Press, a newspaper published at Guttenberg, Iowa.

Approved April 23, 1941.

I hereby certify that the foregoing act was published in the Cambridge Leader, Cambridge, Iowa, May 1, 1941, and the Guttenberg Press, Guttenberg, Iowa, May 1, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 67

SUPREME COURT REPORTS DISTRIBUTION

H. F. 40

AN ACT to amend section two hundred thirty-nine (239), Code, 1939, relating to the free distribution of the reports of the supreme court.

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

- 1 SECTION 1. Section two hundred thirty-nine (239), Code, 1939,
2 is hereby amended by inserting after paragraph fifteen (15), the
3 following:
4 16. To the auditor of state two (2) copies.
5 17. To the industrial commissioner two (2) copies.

Approved February 7, 1941.

CHAPTER 68

INVENTORIES OF STATE OWNED PROPERTY

S. F. 317

AN ACT to amend chapter sixteen (16), Code, 1939, relating to official reports and documents by adding thereto provisions for making, filing and keeping up inventories of all state-owned real and personal property.

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

- 1 SECTION 1. Amend chapter sixteen (16), Code, 1939, by adding
2 thereto the following sections:
3 SEC. 271.1. State officials, boards, commissions and heads of
4 departments, divisions and all agencies of state government shall on
5 or before December 31, 1941, and on or before said date in each year
6 thereafter, file with the secretary of the executive council written
7 detailed inventories of all real and personal property belonging to the
8 state and in their charge or under their control and management or
9 for which they are responsible, such inventories to be made under
10 such rules and regulations and upon such forms as may be prescribed
11 by the executive council.
12 SEC. 271.2. The secretary of the executive council, upon the filing
13 with him of all the inventories, provided for in this act, shall compile
14 therefrom in two subdivisions one complete inventory of all the real
15 and personal property owned by the state, as shown by said inventories.
16 Such compilation shall list all real estate and improvements under one
17 subdivision and the personal property under one subdivision, but
18 classified as to the items included therein.
19 Such compiled completed inventory shall be revised and enlarged
20 as the subsequent inventories are filed with him as provided in this act.
21 SEC. 271.3. Said inventories shall be kept as permanent records
22 in the office of the secretary of the executive council and shall be open
23 for inspection and available for the information of the executive

24 council, all other public officials, and the public, but the executive
 25 council shall not incur the expense of printing the same in book or
 26 pamphlet form.

Approved March 28, 1941.

CHAPTER 69
 EXECUTIVE COUNCIL

S. F. 244

AN ACT to repeal section two hundred ninety-four (294), Code, 1939, relating to appropriations for state institutions and the duties of the executive council in relation thereto.

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

1 SECTION 1. Section two hundred ninety-four (294), Code, 1939, is
 2 hereby repealed.

Approved March 15, 1941.

CHAPTER 70
 STATE CAR DISPATCHER'S DEPARTMENT

H. F. 146

AN ACT to amend chapter eighteen and one tenth (18.1), Code, 1939, relating to the duties of the state car dispatcher; to provide an appropriation to create a car dispatcher revolving fund to be used in the purchase of supplies, replacements, and new motor vehicles; to provide for records and reports on the use of state-owned motor vehicles, and to provide for the apportionment of the expenses of the state car dispatcher's department among the various state departments using state-owned motor vehicles.

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

1 SECTION 1. Section three hundred eight and one tenth (308.1),
 2 Code, 1939, is hereby amended by striking all of the section following
 3 the period in line six (6).

1 SEC. 2. Section three hundred eight and two tenths (308.2), Code,
 2 1939, is hereby repealed.

1 SEC. 3. Section three hundred eight and three tenths (308.3), Code,
 2 1939, is hereby amended as follows:

3 (a) Amend and revise subsection three (3) of said section to read
 4 as follows:

5 "The state car dispatcher shall install a record system for the keep-
 6 ing of records of the total number of miles state-owned motor vehicles
 7 are driven and the per-mile cost of operation of each motor vehicle.
 8 Every state officer or employee shall keep a record book to be furnished
 9 by the state car dispatcher in which such officer or employee shall
 10 enter all purchases of gasoline, lubricating oil, grease, and other

11 incidental expense in the operation of the motor vehicle assigned to
12 him, giving the quantity and price of each purchase, including the cost
13 and nature of all repairs on such motor vehicle. Each operator of a
14 state-owned motor vehicle shall promptly prepare a report at the end
15 of each month on forms furnished by the state car dispatcher and
16 forward the same to him at the statehouse, giving such information
17 as the state car dispatcher may request in such report. The state car
18 dispatcher shall each month compile the costs and mileage of state-
19 owned motor vehicles from such reports and keep a cost history card of
20 each motor vehicle and such costs shall be reduced to a cost-per-mile
21 basis for each motor vehicle. It shall be the duty of the state car
22 dispatcher to call to the attention of the head of any department to
23 which a motor vehicle has been assigned any evidence of the mishandling
24 or misuse of any state-owned motor vehicle which is called to his
25 attention."

26 (b) Strike from lines three (3) to six (6), inclusive, of subsection
27 four (4) of said section the following: ", and the cost of the same shall
28 be paid out of the budgets of the department, bureau, commission, or
29 state office to which they may be assigned".

30 (c) Strike the second paragraph of subsection six (6) of said section.
31

32 (d) Strike from lines five (5), six (6) and seven (7) of subsection
33 five (5) the following: "This shall not apply to single emergency trips
34 when it may be necessary for state officers and employees to take a
35 bus."

36 (e) Amend section three hundred eight and three tenths (308.3),
37 Code, 1939, by adding thereto the following:

38 "All rules and regulations adopted by the car dispatcher shall be
39 approved by the executive council before becoming effective."

1 SEC. 4. Chapter eighteen and one tenth (18.1), Code, 1939, is hereby
2 amended by adding thereto a new section as follows:

3 "There is hereby appropriated out of any money in the state treasury
4 not otherwise appropriated the sum of twenty-five thousand dollars,
5 which shall be known as the car dispatcher revolving fund. From
6 this fund shall be paid all purchases of gasoline, oil, tires, repairs, and
7 all other general expenses incurred in the operation of state-owned
8 motor vehicles, also all purchases of new motor vehicles or replacements,
9 and all salaries and expenses of the car dispatcher's department
10 shall be paid from said fund.

11 "At the end of each month the state car dispatcher shall render
12 a statement to each state department or agency thereof for the actual
13 cost of operation of and depreciation on all motor vehicles assigned to
14 such department or agency, together with a fair proportion of the cost
15 of administration of the state car dispatcher's department during
16 such month, as shall be determined by him,—all subject to review by
17 the executive council upon complaint of any state department or
18 agency adversely affected. Such expense shall be paid by the state
19 departments or agencies in the same manner as other expenses of such
20 department are paid, and when such cost of operation and administration
21 is paid by the department, such sum shall be credited to the car
22 dispatcher revolving fund. If any surplus accrues to said revolving

23 fund in excess of twenty-five thousand dollars for which there is no
 24 anticipated need or use, the governor may order such surplus turned
 25 over to the general fund of the state."

1 SEC. 5. Section three hundred eight and three tenths (308.3), Code,
 2 1939, is amended by striking from lines four (4) and five (5) the fol-
 3 lowing: "and which are provided for in the biennial state appropriation
 4 act", and substituting in lieu thereof the following: "their compensa-
 5 tion to be fixed by the governor and comptroller, but said compensation
 6 of the state car dispatcher shall not exceed three thousand dollars per
 7 year."

Approved April 23, 1941.

CHAPTER 71

PUBLIC CONTRACTS AND BONDS

H. F. 104

AN ACT to amend chapter twenty-three (23), Code, 1939, and various sections thereof, to wit: Sections three hundred fifty-one (351), three hundred fifty-three (353), three hundred fifty-five (355), three hundred fifty-six (356), three hundred fifty-seven (357), three hundred fifty-eight (358), three hundred fifty-nine (359), three hundred sixty-two (362), three hundred sixty-five (365), three hundred sixty-six (366), and to repeal sections three hundred fifty-four (354) and three hundred sixty (360), relating to public contracts and bonds.

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

1 SECTION 1. Section three hundred fifty-one (351), Code, 1939, is
 2 amended by adding thereto the following:

3 The words "appeal board" as used in this chapter shall mean the
 4 "State Appeal Board", composed of the Auditor of State, Treasurer of
 5 State and State Comptroller.

1 SEC. 2. Section three hundred fifty-three (353), Code, 1939, is
 2 amended by adding in line eight (8) the word "forthwith" after the
 3 word "and".

1 SEC. 3. Section three hundred fifty-four (354), Code, 1939, is
 2 repealed and the following enacted in lieu thereof:

3 "354. Appeal. Interested objectors in any municipality equal in
 4 number to one fourth of one per cent of those voting for the office of
 5 governor at the last general election in said municipality, but in no
 6 event less than ten, may appeal from the decision to the appeal board
 7 by serving notice thereof on the clerk or secretary of such municipality
 8 within ten days after such decision is entered of record.

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

1 SEC. 4. Section three hundred fifty-five (355), Code, 1939, is

2 amended by striking from line two (2) the word "comptroller" and
3 inserting in lieu thereof the words "appeal board".

1 SEC. 5. Section three hundred fifty-six (356), Code, 1939, is
2 amended by striking from lines one (1) and two (2) the word "comp-
3 troller" and inserting in lieu thereof the words "appeal board".

1 SEC. 6. Section three hundred fifty-seven (357), Code, 1939, is
2 amended by striking from lines three (3), fourteen (14) and eighteen
3 (18) the word "comptroller" and inserting in lieu thereof the words
4 "appeal board".

5 Further amend by striking from lines five (5), eight (8), nine (9)
6 and thirteen (13) the word "he" and inserting in lieu thereof the word
7 "it".

8 Further amend by striking from lines eleven (11), fourteen (14)
9 and eighteen (18) the word "his" and inserting in lieu thereof the
10 word "its", and by changing in line eighteen (18), the word "who" to
11 "which".

12 Further amend said section by placing in line seven (7) a comma
13 (,) after the word "proposed" and inserting the following: "that the
14 improvement and the method of providing for payment therefor is for
15 the best interests of the municipality and the taxpayers therein,".

16 Further amend said section by placing in line nine (9) a comma (,)
17 after the word "otherwise" and inserting the words "it may reject the
18 same as a whole or," and by inserting in line fifteen (15) after the
19 word "contract" the words "unless it shall have rejected the same as a
20 whole".

1 SEC. 7. Section three hundred fifty-eight (358), Code, 1939, is
2 amended by striking from line four (4) the word "comptroller" and
3 inserting in lieu thereof the words "appeal board" and by striking
4 from line seven (7) the word "he" and inserting in lieu thereof the
5 word "it".

1 SEC. 8. Section three hundred fifty-nine (359), Code, 1939, is
2 amended by striking from lines four (4) and eight (8) the word
3 "comptroller" and inserting in lieu thereof the words "appeal board".

1 SEC. 9. Further amend said chapter twenty-three (23), Code, 1939,
2 by repealing section three hundred sixty (360).

1 SEC. 10. Section three hundred sixty-two (362), Code, 1939, is
2 amended by striking from line four (4) the word "comptroller" and
3 inserting in lieu thereof the words "appeal board".

1 SEC. 11. Section three hundred sixty-five (365), Code, 1939, is
2 amended by striking from lines six (6) and fourteen (14) the word
3 "comptroller" and inserting in lieu thereof the words "appeal board".

4 Further amend by striking from line seven (7) the word "he" and
5 inserting in lieu thereof the word "it".

1 SEC. 12. Section three hundred sixty-six (366), Code, 1939, is
2 amended by striking lines one (1) to twelve (12), both inclusive, and
3 enacting in lieu thereof the following:

4 "The appeal board shall determine the matters involved in such
5 appeal and its decision shall be final, unless either party, within thirty

6 days from the making of such decision, gives notice to the other party
 7 of an appeal to the District Court from such appeal. Its decision shall
 8 be certified to the executive officer of the municipality affected.”
 9 Further amend said section by striking from lines twenty (20) and
 10 twenty-one (21) the word “comptroller” and inserting in lieu thereof
 11 the words “appeal board”.

1 SEC. 13. Further amend said chapter twenty-three (23), Code,
 2 1939, by adding the following section:

3 “Sec. 367.1. Nothing contained in this act shall be construed to
 4 modify or change the provisions of section six thousand two hundred
 5 sixty-one and one-tenth (6261.1), Code, 1939.”

1 SEC. 14. This act, being deemed of immediate importance, shall be
 2 in full force and effect from and after its publication in the Centerville
 3 Iowegian, a newspaper published in Centerville, Iowa, and in the Manly
 4 Signal, a newspaper published at Manly, Iowa.

Approved April 16, 1941.

I hereby certify that the foregoing act was published in the Centerville Iowegian,
 Centerville, Iowa, April 18, 1941, and the Manly Signal, Manly Iowa, April 24, 1941.
 EARL G. MILLER, *Secretary of State*.

CHAPTER 72

LOCAL BUDGET LAW

S. F. 43

AN ACT to amend section three hundred ninety and two-tenths (390.2), Code, 1939,
 relating to the time for filing protests against and appeals from budgets.

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

1 SECTION 1. That section three hundred ninety and two-tenths
 2 (390.2), Code, 1939, be amended by striking out the word “Monday”
 3 in line two (2) thereof and substituting in lieu thereof the word
 4 “Tuesday”.

Approved March 1, 1941.

CHAPTER 73

MILITARY CODE

S. F. 16

AN ACT to amend section four hundred sixty-seven and twenty-five hundredths
 (467.25), Code, 1939, relating to rights and privileges granted to persons called,
 ordered, entering, or inducted into the military or naval forces or nurse corps of
 this state or the United States.

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

1 SECTION 1. Section four hundred sixty-seven and twenty-five hun-

2 dredths (467.25), Code, 1939, is hereby amended by inserting in line
 3 four (4) after the word "guard," the following: "organized reserves
 4 or any component part of the military, naval, or air forces or nurse
 5 corps of this state or nation, or who are or may be otherwise inducted
 6 into the military service of this state or of the United States,".

7 Further amend said section by adding thereto the following: "The
 8 proper appointing authority may make a temporary appointment to
 9 fill any vacancy created by such leave of absence."

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 Cresco Plain Dealer, a newspaper published at Cresco, Iowa, and the
 4 Polk County Legal Record, a newspaper published at Des Moines, Iowa.

Approved March 10, 1941.

I hereby certify that the foregoing act was published in the Cresco Plain Dealer,
 Cresco, Iowa, March 13, 1941, and the Polk County Legal Record, Des Moines, Iowa,
 March 17, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 74

MILITARY CODE

S. F. 306

AN ACT to amend the military code, chapter twenty-eight and one tenth (28.1), Code, 1939, by providing for the organization, administration, employment, and pay of the Iowa State Guard during the period the National Guard of Iowa is in federal service.

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

1 SECTION 1. Chapter twenty-eight and one tenth (28.1), Code, 1939,
 2 is hereby amended by adding thereto the following:

3 "When any part of the National Guard of the State of Iowa is in
 4 active Federal Service the Governor may organize a military force to
 5 be known as the Iowa State Guard, to be of such strength and to consist
 6 of such organizations as he may deem necessary during the period the
 7 Iowa National Guard is in active Federal Service."

1 SEC. 2. The laws of the State of Iowa pertaining to the administra-
 2 tion and employment of the National Guard of the State of Iowa shall
 3 be applicable to the Iowa State Guard. The term of service, enlistment,
 4 commission, and condition of discharge in the Iowa State Guard shall
 5 be as prescribed by the Governor.

1 SEC. 3. The Iowa State Guard shall not be called, ordered, or in any
 2 manner drafted as such into the military service of the United States.
 3 However, no person shall by reason of his membership in the Iowa
 4 State Guard be exempt from Federal military service under Federal
 5 law.

1 SEC. 4. Officers and enlisted men of the Iowa State Guard while
 2 in active service of the State shall receive the same pay, allowances,
 3 and compensation as provided by law for members of the Iowa National
 4 Guard.

1 SEC. 5. Any expense necessary for organizing, equipping, and main-
 2 taining the Iowa State Guard shall be paid on approval of the Governor
 3 by warrant drawn on any State funds not otherwise appropriated, or
 4 funds now or hereafter appropriated for the maintenance of the
 5 National Guard.

1 SEC. 6. This Act being deemed of immediate importance shall be in
 2 full force and effect from and after the passage and publication in the
 3 Ames Daily Tribune, a newspaper published at Ames, Iowa, and in the
 4 Times Republican, a newspaper published at Marshalltown, Iowa.

Approved February 28, 1941.

I hereby certify that the foregoing act was published in the Ames Daily Tribune, Ames,
 Iowa, March 4, 1941, and the Times Republican, Marshalltown, Iowa, March 4, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 75

IOWA INDUSTRIAL AND DEFENSE COMMISSION AND THE LEGISLATIVE COMMITTEE ON NATIONAL DEFENSE COORDINATION

H. F. 192

AN ACT to provide for contribution to the national defense and the permanent economic development of the state of Iowa by the creation of the Iowa Industrial and Defense Commission and the Legislative Committee on National Defense Coordination, and appropriating funds therefor, and providing for the disbursement thereof.

WHEREAS, present national and international affairs are becoming increasingly complicated and the problem of preparation for national defense is confronting the nation; and

WHEREAS, the state of Iowa is the foremost food-producing state in the Union and has adequate coal and power facilities for industrial expansion and an adequate labor supply, and is a state whose people have always contributed their full share of physical and human resources to the protection and development of our country; and

WHEREAS, business and industry are now expanding and decentralizing and Iowa has peculiar material, geographical, and transportation advantages; is a leading producer of raw materials and foodstuffs; and is located in the midst of a loyal, industrious and stable population; and

WHEREAS, Iowa merits full consideration and participation in any private or public program involving the national defense or industrial or business growth, therefore,

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

1 SECTION 1. The governor is authorized to appoint a commission of
 2 not to exceed fifteen members, designating the chairman thereof, to
 3 be known as the Iowa industrial and defense commission, the member-
 4 ship to be representative of agriculture, labor, business, industry, and
 5 such other groups as the governor may deem proper; the members
 6 thereof shall serve at the pleasure of the governor.

1 SEC. 2. The general duties of the commission shall be to secure
2 information as to the advantages and capacities of the state with
3 respect to industrial activities, to study and promote the use and pro-
4 cessing of agricultural raw materials and products, to promote the
5 use and welfare of Iowa labor, to present such facts and information
6 to public and private authorities with a view to the establishment in
7 the state of such stable and permanent business and industry as will
8 advance and aid the national defense and contribute to the permanent
9 economic and social welfare; to engage in such other activities as may,
10 in the opinion of the governor, contribute to the general purposes as
11 herein set out. The members of the commission shall not receive any
12 compensation from the state, but such member or members as may,
13 from time to time, be designated by the chairman to perform specific
14 duties for the commission shall be entitled to receive their actual and
15 proper travel and other expenses when away from their homes en-
16 gaged in such duties for the commission.

1 SEC. 3. The commission may employ an executive secretary to
2 perform such duties in furtherance of the purposes of the commission,
3 as the commission may prescribe, and may employ such clerical and
4 office help as it may deem necessary; the salary of such secretary and
5 of the clerical help shall be fixed by said commission, subject to the
6 approval by the legislative committee on national defense coordination
7 hereinafter referred to.

1 SEC. 4. There is hereby created a committee known as the legisla-
2 tive committee on national defense coordination composed of the chair-
3 man of the national defense coordination committee of the senate and
4 the chairman of the national defense committee of the house of repre-
5 sentatives, and one other member of said senate committee to be
6 designated by the president of the senate and one other member of the
7 said house committee to be designated by the speaker of the house of
8 representatives. Said committee shall serve from the time this act be-
9 comes effective until the date of the convening of the regular session
10 of the Fiftieth General Assembly in 1943. Any vacancy on said com-
11 mittee may be filled by appointment by the presiding officer of the
12 house from which said vacancy occurs. Said committee may select its
13 own chairman and secretary and shall keep a record of its proceedings
14 and activities, all clerical work and assistance required by the com-
15 mittee to be provided from the clerical help authorized in section three
16 (3) of this act.

1 SEC. 5. The legislative committee on national defense coordination
2 shall from time to time advise with the Iowa industrial and defense
3 commission and shall have control of and supervision over the funds
4 appropriated herein. It shall in its discretion allocate from time to
5 time to the Iowa industrial and defense commission by certification of
6 allocation to the comptroller, such portion of the appropriation herein
7 made as may be required for the expenses of the commission, disburse-
8 ment from the funds so allocated to be made by the comptroller upon
9 certification of the chairman and secretary of the commission.

1 SEC. 6. Each member of the legislative committee on national de-
2 fense coordination shall be entitled to receive his actual and proper

3 travel expense incurred in connection with his duties as a member of
4 the committee and shall be entitled to receive as compensation ten
5 dollars per day for each day spent in the performance of his duties,
6 said compensation not to exceed four hundred twenty dollars between
7 the effective date of this act and January 31, 1942, and four hundred
8 twenty dollars between February 1, 1942, and the second Monday in
9 January, 1943; provided that no compensation or expenses shall be
10 allowed or paid for service during the time the general assembly is in
11 session.

1 SEC. 7. For the purpose of carrying out the provisions of this act
2 there is hereby appropriated to the legislative committee on national
3 defense coordination from the general fund of the state for the bi-
4 ennium ending June 30, 1941, the sum of ten thousand dollars and
5 from the general fund of the state for the biennium beginning July 1,
6 1941, and ending June 30, 1943, the sum of forty thousand dollars.
7 Said funds so appropriated for said biennium beginning July 1, 1941,
8 and ending June 30, 1943, shall be available in semiannual allotments
9 of ten thousand dollars each for the said two-year period, any balance
10 remaining from any periodic allotment under the appropriations
11 herein made shall be carried over and augment the succeeding semi-
12 annual allotment in order that the full benefit of the total appropria-
13 tion of fifty thousand dollars shall be available for the purposes of
14 this act. On the second Monday in January, 1943, the legislative com-
15 mittee on national defense coordination shall file with the state comp-
16 troller and both houses of the Fiftieth General Assembly a statement
17 of the expenditures from the appropriations made herein, and showing
18 all obligations incurred and unpaid with the amounts thereof, and any
19 final balance after the payment of all obligations shall revert to the
20 general fund of the state.

21 Disbursements or allocations from this appropriation shall be made
22 by the comptroller on the certificate of the chairman and secretary of
23 the legislative committee on national defense coordination, but neither
24 the commission nor the committee shall incur or create any obligation
25 or commitment in excess of the total appropriations provided by this
26 act. It is further provided that all expenditures made under authori-
27 zation of this act shall be audited by the comptroller and approved by
28 the governor; and no contracts for, or purchases of, any materials or
29 services shall be made without first obtaining the approval of the
30 governor.

1 SEC. 8. 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 *Clarksville Star*, a newspaper published at Clarksville, Iowa, and
4 the *Daily Freeman-Journal*, a newspaper published at Webster City,
5 Iowa.

Approved February 8, 1941.

I hereby certify that the foregoing act was published in the *The Clarksville Star*,
Clarksville, Iowa, February 13, 1941, and the *Daily Freeman-Journal*, Webster City,
Iowa, February 11, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 76

CONGRESSIONAL DISTRICTS

S. F. 540

AN ACT to repeal section five hundred twenty-six and one-tenth (526.1), Code, 1939, and to enact a substitute therefor, redistricting the state into eight (8) congressional districts.

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

- 1 SECTION 1. Section five hundred twenty-six and one-tenth (526.1),
 2 Code, 1939, is hereby repealed and the following enacted in lieu thereof:
 3 The State of Iowa is hereby organized and divided into eight (8)
 4 congressional districts, which shall be composed, respectively, of the
 5 following counties:
 6 First district shall consist of the counties of Iowa, Johnson, Cedar,
 7 Scott, Muscatine, Washington, Louisa, Jefferson, Henry, Des Moines,
 8 Van Buren and Lee.
 9 Second district shall consist of the counties of Winneshiek, Allama-
 10 kee, Fayette, Clayton, Buchanan, Delaware, Dubuque, Linn, Benton,
 11 Jones, Jackson and Clinton.
 12 Third district shall consist of the counties of Worth, Mitchell,
 13 Howard, Cerro Gordo, Floyd, Chickasaw, Franklin, Butler, Bremer,
 14 Hardin, Grundy, Black Hawk, Tama, and Marshall.
 15 Fourth district shall consist of the counties of Jasper, Poweshiek,
 16 Mahaska, Keokuk, Union, Clarke, Lucas, Monroe, Wapello, Ringgold,
 17 Decatur, Wayne, Appanoose and Davis.
 18 Fifth district shall consist of the counties of Dallas, Polk, Madison,
 19 Warren, Marion and Story.
 20 Sixth district shall consist of the counties of Emmet, Kossuth,
 21 Winnebago, Palo Alto, Hancock, Pocahontas, Humboldt, Wright, Cal-
 22 houn, Webster, Hamilton, Crawford, Carroll, Greene and Boone.
 23 Seventh district shall consist of the counties of Harrison, Shelby,
 24 Audubon, Guthrie, Pottawattamie, Cass, Adair, Mills, Monona, Mont-
 25 gomery, Adams, Fremont, Page and Taylor.
 26 Eighth district shall consist of the counties of Lyon, Osceola, Dickin-
 27 son, Sioux, O'Brien, Clay, Plymouth, Cherokee, Buena Vista, Wood-
 28 bury, Ida and Sac.

1 SEC. 2. This act shall be effective as to the nomination and election
 2 of representatives in congress for this state in 1942 and succeeding
 3 years. Nothing herein contained shall affect the law concerning the
 4 filling of vacancies, should any occur in the seventy-seventh (77th)
 5 congress.

1 SEC. 3. Nothing herein contained shall affect the terms of office of
 2 officials now holding certificates of election from the various con-
 3 gressional districts of Iowa.

Approved April 15, 1941.

CHAPTER 77

SENATORIAL DISTRICTS

S. F. 539

AN ACT to amend chapter thirty-five and two tenths (35.2), and section five hundred twenty-six and two tenths (526.2), Code, 1939, relating to senatorial districts.

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

1 SECTION 1. Section five hundred twenty-six and two tenths (526.2),
2 Code, 1939, is amended as follows:

3 1. Strike lines fifty-four (54) and fifty-five (55) and insert in
4 lieu thereof the following: "23. Cedar County, Jackson County and
5 Jones County shall constitute the twenty-third (23rd) district."

6 2. Strike lines fifty-six (56) and fifty-seven (57) and insert in
7 lieu thereof the following: "24. Lyon County, Osceola County and
8 Sioux County shall constitute the twenty-fourth (24th) district."

9 3. Strike lines one hundred seven (107), one hundred eight (108)
10 and one hundred nine (109) and insert in lieu thereof the following:
11 "47. Clay County, Dickinson County and O'Brien County shall con-
12 stitute the forty-seventh (47th) district."

13 4. Strike lines one hundred twelve (112), one hundred thirteen
14 (113), and one hundred fourteen (114) and insert in lieu thereof the
15 following:

16 "49. Emmet County, Kossuth County and Palo Alto County shall
17 constitute the forty-ninth (49th) district."

1 SEC. 2. This act shall be effective as to the nomination and election
2 of senators in the General Assembly of Iowa in 1944 and succeeding
3 years, but shall not affect the terms of office of Senators now holding
4 certificates of election from the present senatorial districts of Iowa,
5 and in the event any vacancy shall occur in any Senatorial seat prior to
6 the second Monday in January, 1945, it shall be filled on the basis of
7 the Senatorial districts now existing.

Approved April 9, 1941.

CHAPTER 78

STATE REPRESENTATIVE DISTRICTS

S. F. 238

AN ACT to amend section five hundred twenty-six and three tenths (526.3), Code, 1939, relating to ratio of representation in the House of Representatives of the State Legislature. Also to amend section five hundred twenty-six and four tenths (526.4), Code, 1939, relating to giving to Wapello County two representatives in the House of Representatives of the State Legislature in lieu of Lee County.

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

1 SECTION 1. Section five hundred twenty-six and three tenths

2 (526.3), Code, 1939, is amended by striking the words "twenty-four
3 thousand nine hundred fifty-nine" (24,959) and inserting the words,
4 "twenty-five thousand six hundred thirty-nine" (25,639) in lieu there-
5 of.

1 SECTION 2. Section five hundred twenty-six and four tenths
2 (526.4), Code, 1939, is amended by striking from line three (3) the
3 word "Lee" and inserting the word "Wapello" in lieu thereof.

Approved April 15, 1941.

CHAPTER 79

NOMINATIONS BY PRIMARY ELECTION

S. F. 392

AN ACT to amend section five hundred seventy-three (573), Code, 1939, relating to nominations by primary election.

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

1 SECTION 1. Section five hundred seventy-three (573), Code, 1939,
2 is amended by adding as a new paragraph following paragraph "7"
3 the following:

4 "8. Communicate the results of the ballots cast for each candidate
5 for office upon the ticket of each political party, by telephone or
6 telegraph or in person, to the county auditor of the county in which
7 said polls are located; and the county auditor shall remain on duty
8 until the results are communicated to him from each polling place in
9 the county."

Approved March 28, 1941.

CHAPTER 80

COUNTY POLITICAL CONVENTIONS

S. F. 219

AN ACT to amend section six hundred sixteen (616), Code, 1939, relating to the date of county political conventions.

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

1 SECTION 1. Section six hundred sixteen (616), Code, 1939, is here-
2 by amended by striking from line three (3) the word "Saturday" and
3 inserting in lieu thereof the word "Friday".

Approved March 28, 1941.

CHAPTER 81

NOMINATIONS BY CONVENTIONS

H. F. 33

AN ACT to amend sections six hundred twenty-five (625), six hundred thirty-three (633), and six hundred thirty-seven (637), Code, 1939, relating to nominations prohibited by county conventions, district conventions, and state conventions of any political party.

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

1 SECTION 1. Section six hundred twenty-five (625), Code, 1939, is
2 hereby amended by striking from lines three (3) and four (4) of said
3 section, the words "for which no person was voted for in the primary
4 election of such party," and inserting in lieu thereof the words "unless
5 in the primary election of that party a person has received for such
6 office at least one-half ($\frac{1}{2}$) of the number of votes required for nomination
7 by section five hundred ninety-four (594),".

1 SEC. 2. Section six hundred thirty-three (633), Code, 1939, is
2 hereby amended by striking from lines three (3) and four (4) of said
3 section, the words "for which no person was voted for in the primary
4 election of such party," and inserting in lieu thereof the words "unless
5 in the primary election of that party a person has received for such
6 office at least one-half ($\frac{1}{2}$) of the number of votes required for nomination
7 by section five hundred ninety-four (594),".

1 SEC. 3. Section six hundred thirty-seven (637), Code, 1939, is
2 hereby amended by striking from lines three (3) and four (4) of said
3 section, the words, "for which no person was voted for in the primary
4 election of such party," and inserting in lieu thereof the words, "unless
5 in the primary election of that party a person has received for such
6 office at least one-half ($\frac{1}{2}$) of the number of votes required for nomination
7 by section five hundred ninety-four (594),".

Approved March 11, 1941.

CHAPTER 82

CANVASS AND REPORT OF ELECTION VOTES

S. F. 393

AN ACT to amend section eight hundred fifty (850), Code, 1939, relating to canvass of votes.

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

1 SECTION 1. Section eight hundred fifty (850), Code, 1939, is amend-
2 ed by striking the period at the end of the section and inserting in lieu
3 thereof the following:
4 " , and he shall communicate said information by telephone or tele-
5 graph or in person to the county auditor of the county in which said
6 polling place is located immediately upon completion of the canvass;

7 and the county auditor shall remain on duty until such information
8 is communicated to him from each polling place in his county.”

Approved March 28, 1941.

CHAPTER 83

DOUBLE ELECTION BOARDS

S. F. 391

AN ACT to amend section eight hundred ninety-three (893), Code, 1939, relating to double election boards.

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

1 SECTION 1. Section eight hundred ninety-three (893), Code, 1939,
2 is amended by striking the comma after the word “canvass” in line
3 thirty-one (31) and inserting in lieu thereof the following:
4 “by telephone or telegraph or in person to the county auditor of the
5 county in which said voting place is located immediately after
6 completion thereof.”

Approved March 28, 1941.

CHAPTER 84

VOTING MACHINES

S. F. 395

AN ACT to amend section nine hundred twenty-three (923), Code, 1939, relating to voting machines.

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

1 SECTION 1. Section nine hundred twenty-three (923), Code, 1939,
2 is amended by adding as a new sentence at the end thereof the follow-
3 ing:
4 “After the canvass has been completed said judges shall immediately
5 communicate the result thereof by telephone or telegraph or in person
6 to the county auditor of the county in which said polling place is
7 located.”

Approved March 28, 1941.

CHAPTER 85

ABSENT VOTERS LAW

S. F. 394

AN ACT to repeal section nine hundred fifty (950), Code, 1939, and to enact a substitute therefor, relating to absent voters law.

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

1 SECTION 1. That section nine hundred fifty (950), Code, 1939, is
 2 hereby repealed and the following enacted in lieu thereof:
 3 "Precincts using voting machines. In precincts using voting machines,
 4 none of said ballot envelopes shall be opened until immediately after
 5 the closing of the polls to voters who vote in person. If there be more
 6 than one absent voter's ballot entitled to be cast, they shall, without
 7 being unfolded, be thoroughly intermingled in some proper manner,
 8 after which they shall be unfolded and, under the personal supervision
 9 of all the judges, be registered on the voting machine the same as if
 10 the absent voter had been present and voted in person."

Approved March 31, 1941.

CHAPTER 86

ABSENT VOTERS BALLOTS FOR ELECTORS IN MILITARY SERVICE

S. F. 556

AN ACT to provide for qualified electors of the State of Iowa who are in military service to vote at the primary and general elections in 1942.

WHEREAS it is desirable to preserve in every way possible the elective franchise of citizens of the state who have been called into military service, insofar as it is possible to do so, therefore,

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

1 SECTION 1. The provisions of this act shall apply only to the Pri-
 2 mary and General elections to be held in June and November respec-
 3 tively in the year 1942.

1 SEC. 2. Any qualified elector of the state of Iowa who is in the
 2 active military service of the United States and is or expects to be
 3 absent from the county in which he is a qualified voter may make
 4 request in writing for an application for absent voters ballot and for
 5 an absent voter's* ballot to the county auditor of the county in which he
 6 is a qualified voter not more than thirty (30) days prior to the date
 7 of the election. Such request shall state the city and street address
 8 from which he was eligible to vote at the time of his induction into
 9 service. Upon the receipt of such request the county auditor shall mail
 10 to the elector so requesting an application blank and ballot for the
 11 proper precinct with the proper envelopes and with instructions.

1 SEC. 3. An elector in the military service as herein provided may
 2 subscribe to any required oath in connection with voting an absent
 3 voter's ballot as provided herein, before any commissioned officer of
 4 the United States Army, or the National Guard, and any commissioned
 5 officer of the Army or the National Guard is hereby authorized and
 6 empowered to take the oath of any such elector of the state of Iowa in

*Note: In accordance with the enrolled bill.

7 connection with making application for and voting an absent voter's
8 ballot.

1 SEC. 4. The provisions of Chapter 44, Code, 1939, shall be applicable
2 to the voting of an absent voter's ballot by a qualified elector in the
3 military service insofar as they do not conflict with the provisions of
4 this act.

Approved April 21, 1941.

CHAPTER 87

BONDS OF PUBLIC OFFICERS

H. F. 149

AN ACT to amend section one thousand fifty-nine (1059), Code, 1939, relating to bonds of public officers.

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

1 SECTION 1. Section one thousand fifty-nine (1059), Code, 1939,
2 is amended by enclosing the second paragraph of said section in
3 quotation marks; and further amended by adding a third paragraph
4 to said section as follows:

5 "The attachment of a renewal certificate to an existing bond shall
6 not constitute compliance with this section."

Approved March 24, 1941.

CHAPTER 88

BONDS OF MUNICIPAL OFFICERS

H. F. 38

AN ACT to amend chapter fifty-four (54), Code, 1939, relating to official and private bonds, by providing for the optional payment by the municipality of all bonds required of municipal officers receiving an annual salary of one hundred dollars (\$100.00) or less.

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

1 SECTION 1. Chapter fifty-four (54), Code, 1939, is hereby amended
2 by adding thereto the following section:

3 "In all instances where a municipal officer receives a compensation
4 of one hundred dollars (\$100.00) per year or less and is required to
5 furnish bond for his office, the reasonable cost of such bond may be
6 paid by such municipality."

Approved March 19, 1941.

CHAPTER 89

NEWSPAPER PUBLICATIONS

S. F. 220

AN ACT to amend sections one thousand one hundred seventy-one and seven hundredths (1171.07), one thousand one hundred seventy-two (1172) and eight thousand three hundred twelve (8312), Code, 1939, relating to the publication of certain advertisements and notices.

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

1 SECTION 1. Section one thousand one hundred seventy-one and
2 seven hundredths (1171.07), Code, 1939, is hereby amended by striking
3 from lines six (6) and seven (7) thereof the words "an official paper"
4 and inserting in lieu thereof the words "a newspaper".

1 SEC. 2. Section one thousand one hundred seventy-two (1172),
2 Code, 1939, is hereby amended by striking from line five (5) thereof
3 the words "official newspaper of" and inserting in lieu thereof the
4 words "newspaper located in".

1 SEC. 3. Section eight thousand three hundred twelve (8312), Code,
2 1939, is hereby amended by striking from lines six (6) and seven (7)
3 thereof the words "one of the official newspapers of" and inserting in
4 lieu thereof the words "a newspaper located in".

Approved April 9, 1941.

CHAPTER 90

SALARIES, VACATIONS AND LEAVE OF ABSENCE

S. F. 246

AN ACT to amend, revise and codify section one thousand two hundred eighteen (1218), Code, 1939, relating to compensation of state officers and employees.

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

1 SECTION 1. Section one thousand two hundred eighteen (1218),
2 Code, 1939, is amended, revised and codified to read as follows:
3 "Salaries specifically provided for in an appropriation act of the
4 General Assembly shall be in lieu of existing statutory salaries, for the
5 positions provided for in any such act, and all salaries shall be paid
6 in equal monthly or semi-monthly installments and shall be in full
7 compensation of all services, except as otherwise expressly provided.
8 All employees of the state including highway maintenance employees
9 of the State Highway Commission are granted one week's vacation
10 after one year's employment and two weeks vacation per year after
11 two or more years' employment, with pay. Leave of absence of thirty
12 days per year with pay may be granted in the discretion of the head
13 of any department to employees of such department when necessary by
14 reason of sickness or injury; unused portions of such leave for any
15 one year may be accumulative for three consecutive years."

Approved April 3, 1941.

CHAPTER 91

MILEAGE FOR AUTOMOBILE USE

S. F. 152

AN ACT to amend section one thousand two hundred twenty-five and one hundredth (1225.01), Code, 1939, relating to mileage allowances of public officers and employees.

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

1 SECTION 1. Section one thousand two hundred twenty-five and one
2 hundredth (1225.01), Code, 1939, is hereby amended by inserting in
3 line two (2) thereof, following the word "employee" therein, the follow-
4 ing: " , other than a state officer or employee, as provided in section
5 three hundred eight and five tenths (308.5) section five thousand
6 one hundred ninety-one (5191) and section two thousand six hundred
7 eighty-two (2682), Code, 1939,".

Approved March 26, 1941.

CHAPTER 92

SALARIES OF THE IOWA HIGHWAY PATROL

S. F. 554

AN ACT to amend section one thousand two hundred twenty-five and twelve one-hundredths (1225.12), Code, 1939, relating to salaries of the Iowa Highway Patrol.

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

1 SECTION 1. Section one thousand two hundred twenty-five and
2 twelve one-hundredths (1225.12), Code, 1939, is amended by striking
3 the words "and salary" in line ten (10) of said section. Said section
4 is further amended by striking from lines twelve (12) and thirteen
5 (13) the following words: "fixed by statute, or as may be provided for
6 in this chapter". Said section is further amended by striking the word
7 "fixed" in line twenty-two (22) and inserting in lieu thereof the words
8 "provided for". Said section is further amended by adding thereto the
9 following: "The compensation of the members of the Highway Patrol
10 shall be fixed according to grades as to rank and length of service by
11 the Commissioner with the approval of the Governor."

Approved April 21, 1941.

CHAPTER 93

HIGHWAY SAFETY PATROL

H. F. 93

AN ACT to amend chapter sixty-seven and one tenth (67.1) Code, 1939, relating to impersonating an officer of the Iowa highway safety patrol.

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

1 SECTION 1. Chapter sixty-seven and one tenth (67.1) be and the
 2 same is hereby amended by adding thereto the following new section:
 3 "Any person who, (1) impersonates a member of the Iowa Safety
 4 Patrol or other officer or employee of the Department, or (2) wears a
 5 uniform likely to be confused with the official uniform of any such
 6 officer, with intent to deceive anyone, shall be guilty of a misdemeanor
 7 and be punished as provided in section five thousand thirty-six and
 8 one hundredth (5036.01)."

Approved February 21, 1941.

CHAPTER 94

ITINERANT MERCHANTS

H. F. 352

AN ACT to amend sections one thousand two hundred twenty-five and thirty hundredths (1225.30), one thousand two hundred twenty-five and thirty-two hundredths (1225.32), and one thousand two hundred twenty-five and thirty-three hundredths (1225.33), Code, 1939, relating to itinerant merchants.

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

1 SECTION 1. Section one thousand two hundred twenty-five and
 2 thirty hundredths (1225.30), Code, 1939, is hereby amended by strik-
 3 ing from said section all of paragraph "a" of subsection two (2), and
 4 inserting in lieu thereof the following:

5 "A person using a motor vehicle, operated by him or his agent, for
 6 the transportation of milk, dairy products, grain, fruits, feed, seed,
 7 vegetables, livestock, poultry, or other agricultural products, produced
 8 or fed by him on a farm operated by him, or any person using a motor
 9 vehicle for the transportation of newspapers, books or magazines."

10 Further amend said section by adding after the word "merchant"
 11 in line two (2) of paragraph "d" of subsection two (2) the words
 12 ", buying or selling." Also by striking from lines four (4) and five (5)
 13 of paragraph "d" of subsection two (2) the words "to be issued him
 14 without charge on application to the county auditor or the department,"
 15 and substituting in lieu thereof the words, ", upon the payment of a fee
 16 of one dollar (\$1.00) to cover expense of mailing and manufacture,
 17 upon application to the county treasurer or the department."

18 Further amend said section by adding thereto the following sub-
 19 section:

20 "3. Any person operating in the manner of an itinerant merchant
 21 claiming exemption because of interstate operations by passing through
 22 or across the state of Iowa, shall obtain from the department, a permit
 23 without payment of fee for each trip or operation. This permit shall
 24 state the date the trip is to be made, type of load to be carried, approxi-
 25 mate route to be traversed, and source and destination of load."

1 SEC. 2. Section one thousand two hundred twenty-five and thirty-
 2 two hundredths (1225.32), Code, 1939, is hereby amended by striking
 3 from line four (4) the word "auditor" and substituting in lieu thereof
 4 the word "treasurer."

5 Further amend said section by inserting after the period (.) follow-
 6 ing the word "department" in line five (5) thereof, the following
 7 sentence: "The county treasurer shall retain a fee of fifty cents (50¢)
 8 from each itinerant merchant license fee."

9 Further amend said section by striking everything after the word
 10 "reduced" in line thirty-eight (38) and substitute in lieu thereof the
 11 following: "fifty percent (50%) after June 30. Each license shall
 12 expire at the end of the calendar year."

1 SEC. 3. Section one thousand two hundred twenty-five and thirty-
 2 three hundredths (1225.33), Code, 1939, is hereby amended by striking
 3 from lines one (1) and two (2) of paragraph (a) of subsection one (1)
 4 the words "two hundred and fifty" and by substituting in lieu thereof
 5 the words "five hundred".

Approved April 30, 1941.

CHAPTER 95

UNIFORM ACT ON FRESH PURSUIT

H. F. 167

AN ACT to authorize law-enforcing officers of other states to make arrests within the State of Iowa under certain circumstances and to provide for a method of procedure in such cases.

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

1 SECTION 1. Any member of a duly organized state, county, or
 2 municipal law-enforcing unit of another state of the United States
 3 who enters this state in fresh pursuit, and continues within this state
 4 in such fresh pursuit, of a person in order to arrest him on the ground
 5 that he is believed to have committed a felony in such other state, shall
 6 have the same authority to arrest and hold such person in custody, as
 7 has any member of any duly organized state, county, or municipal
 8 law-enforcing unit of this state, to arrest and hold in custody a person
 9 on the ground that he is believed to have committed a felony in this
 10 state.

1 SEC. 2. If an arrest is made in this state by an officer of another
 2 state in accordance with the provisions of section 1 of this act he shall
 3 without unnecessary delay take the person arrested before a magistrate
 4 of the county in which the arrest was made, who shall conduct a hear-
 5 ing for the purpose of determining the lawfulness of the arrest. If the
 6 magistrate determines that the arrest was lawful he shall commit
 7 the person arrested to await for a reasonable time the issuance of an
 8 extradition warrant by the governor of this state or admit him to bail
 9 for such purpose. If the magistrate determines that the arrest was
 10 unlawful he shall discharge the person arrested.

1 SEC. 3. Section 1 of this act shall not be construed so as to make
 2 unlawful any arrest in this state which would otherwise be lawful.

1 SEC. 4. For the purpose of this act the word "state" shall include
2 the District of Columbia.

1 SEC. 5. The term "fresh pursuit" as used in this act shall include
2 fresh pursuit as defined by the common law, and also the pursuit of a
3 person who has committed a felony or who is reasonably suspected of
4 having committed a felony. It shall also include the pursuit of a
5 person suspected of having committed a supposed felony, though no
6 felony has actually been committed, if there is reasonable ground for
7 believing that a felony has been committed. Fresh pursuit as used
8 herein shall not necessarily imply instant pursuit, but pursuit without
9 unreasonable delay.

1 SEC. 6. Upon the passage and approval by the governor of this
2 act, it shall be the duty of the secretary of state to certify a copy of
3 this act to the executive department of each of the states of the United
4 States.

1 SEC. 7. If any part of this act is for any reason declared void, it
2 is declared to be the intent of this act that such invalidity shall not
3 affect the validity of the remaining portions of this act.

1 SEC. 8. This act may be cited as the Uniform Act on Fresh Pursuit.
Approved April 10, 1941.

CHAPTER 96

WORKMEN'S COMPENSATION

S. F. 86

AN ACT to amend sections one thousand four hundred twenty-one (1421) and one thousand four hundred twenty-two (1422), Code, 1939, relating to workmen's compensation, and defining as "employees" members of the Iowa Highway Safety Patrol.

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

1 SECTION 1. That section one thousand four hundred twenty-one
2 (1421), Code, 1939, be amended by striking the period (.) at the end of
3 subparagraph d of subsection three (3) and insert a comma (,) in lieu
4 thereof, and by adding the following: "except members of the Iowa
5 highway safety patrol."

1 SEC. 2. That section one thousand four hundred twenty-two (1422),
2 Code, 1939, be amended by inserting in line six (6) after the comma
3 (,) following the word "officers" the following: "except members of
4 the Iowa highway safety patrol,".

Approved March 28, 1941.

CHAPTER 97

BOILER INSPECTION ACT

S. F. 174

AN ACT creating a boiler inspection department within the Department of Labor, providing for notice of intention to install and inspection of steam boilers, generators, superheaters, and creating the office of state boiler inspector, defining his duties, and providing for the enforcement of boiler inspection provisions of the act and providing penalties for the violation thereof.

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

1 SECTION 1. The Commissioner of Labor shall, on or before the first
2 day of July, 1941, and every two (2) years thereafter, appoint a state
3 boiler inspector, subject to the approval of the Executive Council, who
4 shall work under the direct supervision of the Commissioner of Labor
5 and who shall devote his full time to the duties of his office. Before
6 entering upon the duties of his office, the state boiler inspector shall
7 give a bond in the sum of twenty-five hundred dollars (\$2,500.00) for
8 the faithful performance of his duties, the same to be approved by the
9 Secretary of State and deposited in the office of the same. The Com-
10 missioner of Labor may, subject to the approval of the Executive
11 Council, appoint deputy inspectors possessing the same qualifications
12 as the state boiler inspector, whenever the same may be necessary to
13 carry out the provisions of this Act, and such deputy inspector shall
14 be subject to and governed by the same rules and regulations applicable
15 to and governing the acts and conduct of the state boiler inspector.
16 The person so appointed shall be a practical boilermaker and shall be
17 qualified by not less than ten (10) years' experience in the construc-
18 tion, installation, repair and inspection of boilers, steam generators,
19 superheaters, with knowledge of their operation and use for the gener-
20 ating of steam for power, heating or other purposes, and shall neither
21 directly or indirectly be interested in the manufacture, ownership or
22 agency of the same.

1 SEC. 2. (a) It shall be the duty of the state boiler inspector, to
2 inspect or cause to be inspected internally and externally, at least once
3 every twelve (12) months, in order to determine whether all such
4 equipment is in a safe and satisfactory condition, and properly con-
5 structed and maintained for the purpose for which the same is used,
6 all steam boilers, tanks, jacket kettles, generators and other appurte-
7 nances used in this state for generating or transmitting steam for
8 power, or for using steam under pressure for heating or steaming
9 purposes, in order to determine whether said equipment is in a safe
10 and satisfactory condition, and properly constructed and maintained
11 for the purpose for which the same is used. (b) The Labor Commis-
12 sioner and the boiler inspectors shall have the right and power to enter
13 any building or structure, public or private, for the purpose of inspect-
14 ing any equipment covered by this act or gathering information with
15 reference thereto. (c) Upon making an inspection of any equipment
16 covered by this act, the inspector shall give to the owner or user thereof
17 a certificate of inspection, upon forms prescribed by the Labor Com-
18 missioner, which certificate shall be posted in a place near the location
19 of said equipment. (d) The owner or user of any equipment covered

20 in this act, or persons in charge of same, shall not allow or permit a
21 greater pressure in any unit than is stated in the certificate of inspec-
22 tion issued by the inspector.

1 SEC. 3. The provisions of this act shall not apply to boilers of rail-
2 way locomotives subject to federal inspection, boilers operated and
3 regularly inspected by railway companies operating in interstate com-
4 merce, boilers under the jurisdiction and subject to inspection by the
5 United States government, boilers used exclusively for agricultural
6 purposes, heating boilers in residences, buildings, and apartment
7 houses using a pressure of less than fifteen (15) pounds per square
8 inch and/or having a safety valve set at not higher than fifteen (15)
9 pounds pressure per square inch, and fire engine boilers brought into
10 the state for temporary use in times of emergency.

1 SEC. 4. (a) The commissioner of labor is hereby authorized and em-
2 powered to prescribe rules within the provisions of this act, for
3 the purpose of carrying the same into effect including rules for the
4 methods of testing equipment and construction and installation of new
5 equipment covered by this act, and said rules and regulations shall, as
6 nearly as possible, conform to the rules formulated by the boiler code
7 committee of the American Society of Mechanical Engineers and
8 known as the American Society of Mechanical Engineers Boiler Code
9 of 1937 as amended. (b) The state boiler inspector shall investigate
10 and report to the commissioner the cause of any boiler explosion that
11 may occur in the state, the loss of life, injuries sustained, and estimated
12 loss of property, if any; and such other data as may be of benefit in
13 preventing a reoccurrence of similar explosions. (c) He shall keep in
14 the office of the commissioner a complete and accurate record of the
15 name of the owner or user of each steam boiler or other equipment
16 subject to this act, giving a full description of said equipment, includ-
17 ing the type, dimensions, age, condition, the amount of pressure al-
18 lowed, and the date when last inspected.

1 SEC. 5. (a) Before any equipment included under the provisions
2 of this act is installed by any owner, user or lessee thereof, a ten (10)
3 days' written notice of intention to install same shall be given to the
4 Commissioner of Labor. The notice shall designate the proposed place
5 of installation, the type and capacity of such equipment, the use to be
6 made thereof, the name of company which manufactured same, and
7 whether said equipment is new or used.

1 SEC. 6. (a) Within six (6) months after the taking effect of this
2 act, upon forms prescribed by the commissioner of labor, all owners,
3 users and lessees of a steam boiler or boilers, or other equipment or
4 appurtenances referred to in this act, shall report to the commissioner
5 of labor, the location, type and indicated capacity of each unit of such
6 equipment, together with all information and data respecting the age
7 and/or date of installation and condition of same. (b) The inspection
8 required by this act shall not be made where any owner or user of any
9 equipment under this act, obtains an inspection by a representative of
10 a reputable insurance company, and obtains a policy of insurance from
11 said company upon said equipment, and furthermore files with the
12 Commissioner of Labor a certificate of inspection by said insurance

13 company, or a certificate of renewal of insurance, upon forms approved
14 by the commissioner, and a statement that said equipment is insured.
15 Upon such showing the commissioner of labor shall issue a waiver of
16 inspection by the Labor Department for the period covered by said
17 policy of insurance. (c) The state boiler inspector shall notify the
18 user of any equipment or appurtenance found to be unsafe or unfit for
19 operation in writing, setting forth the nature and extent of such defects
20 and condition. ~~Said notice shall indicate whether or not said equipment~~
21 ~~shall be used without making repair or replacement of defective parts,~~
22 ~~or whether or how said equipment may be used in a limited capacity~~
23 before repairs or replacements are made, and the state boiler inspector
24 may permit the user a reasonable time to make such repairs or replace-
25 ments.

1 SEC. 7. An annual inspection fee of each boiler or pressure unit
2 made by the boiler inspector according to the terms of this act shall be
3 paid by the owner or user as follows: (a) Boilers having a working
4 pressure of fifteen (15) pounds to seventy (70) pounds per square
5 inch, three dollars (\$3.00) for one boiler and two dollars (\$2.00) for
6 each additional boiler of like size when set in batteries. (b) Boilers
7 having a working pressure of seventy-one (71) pounds to and including
8 one hundred fifty (150) pounds per square inch, four dollars (\$4.00)
9 for one boiler and three dollars (\$3.00) for each additional boiler of like
10 size when set in batteries. (c) Boilers having a working pressure of
11 one hundred fifty-one (151) pounds to four hundred fifty (450)
12 pounds per square inch, inclusive, five dollars (\$5.00) for one boiler
13 and four dollars (\$4.00) for each additional boiler of like size when set
14 in batteries. (d) Boilers having a working pressure of four hundred
15 fifty-one (451) pounds and excess per square inch, seven dollars
16 (\$7.00) for one boiler and five dollars (\$5.00) for each additional
17 boiler of like size when set in batteries. (e) Steam stills, tanks, jacket
18 kettles and all other reservoirs, fired or unfired, having pressure in
19 excess of one hundred fifty (150) pounds per square inch, four dollars
20 (\$4.00). (f) If at any time the owner, user or agent of the owner of a
21 steam boiler or equipment within the state shall desire a special inspec-
22 tion of any boiler or equipment, it shall be made by the boiler inspection
23 department after due request therefor, and the inspector making the
24 inspection shall collect a fee of ten dollars (\$10.00) for each boiler,
25 together with his expenses in connection therewith.

1 SEC. 8. All fees provided for in this act shall be collected by the
2 commissioner of labor and remitted to the state comptroller together
3 with an itemized statement showing the source of collection, and such
4 fees shall be placed in the State general fund.

1 SEC. 9. Any person or persons, corporations and directors, manag-
2 ers and superintendents, and officers thereof, violating any of the
3 provisions of this act, shall be guilty of a misdemeanor, and upon con-
4 viction thereof shall be punished by a fine in a sum not more than one
5 hundred dollars (\$100.00).

1 SEC. 10. In addition to any and all other remedies, if any owner,
2 user or person in charge of any equipment covered by this act, shall
3 continue to use any equipment covered by this act, after receiving a

4 notice of defect as provided by this act, without first correcting said
5 defects or making replacements, the Commissioner of Labor may apply
6 to the district court or any judge thereof by petition in equity, in an
7 action brought in the name of the State, for a writ of injunction to
8 restrain the use of said alleged defective equipment.

1 SEC. 11. The Commissioner shall notify in writing the owner or
2 user of said equipment of the time and place of hearing of said petition
3 as fixed by the court or judge, and shall serve said notice on the de-
4 fendant as least five (5) days prior to said hearing in the same manner
5 as original notices are served. The general provisions relating to civil
6 practice and procedure as may be applicable, shall govern the proceed-
7 ings, except as herein modified. In event the defendant does not
8 appear or plead to said action, default shall be entered against the
9 defendant. The action shall be tried in equity, and the court or judge
10 shall make such order or decree as the evidence warrants.

1 SEC. 12. If any part of this act be adjudged unconstitutional it
2 shall not invalidate the remainder of this act.

1 SEC. 13. This act being deemed of immediate importance shall be in
2 full force and affect* from and after its publication in the Ottumwa
3 Daily Courier, a newspaper published in Ottumwa, Iowa, and the
4 Burlington Hawkeye Gazette, a newspaper published in Burlington,
5 Iowa.

Approved March 27, 1941.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier, Ottumwa, Iowa, March 31, 1941, and the Burlington Hawkeye Gazette, Burlington, Iowa, March 31, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 98

IOWA EMPLOYMENT SECURITY LAW

S. F. 476

AN ACT to amend chapter seventy-seven and two tenths (77.2), Code of Iowa, 1939, and more particularly to amend section fifteen hundred fifty-one and seven hundredths (1551.07) relating to the title of said act; section fifteen hundred fifty-one and sixteen hundredths (1551.16) relating to the name of the agency; section fifteen hundred fifty-one and seventeen hundredths (1551.17) relating to the preservation and destruction of records; section fifteen hundred fifty-one and eighteen hundredths (1551.18) relating to the Iowa employment service; section fifteen hundred fifty-one and nineteen hundredths (1551.19) relating to the administration fund; section fifteen hundred fifty-one and twenty-five hundredths (1551.25) relating to definitions used in said act; all sections of the Code of Iowa, 1939; 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. Amend section fifteen hundred fifty-one and seven hun-
2 dredths (1551.07), code of 1939, by striking from lines 2 and 3 the

*Note: In accordance with enrolled bill.

3 following words "Unemployment Compensation Law", and inserting in
4 lieu thereof the following words "Iowa Employment Security Law".

1 SEC. 2. A. Amend section fifteen hundred fifty-one and sixteen
2 hundredths (1551.16) by striking from line 3 of subsection A the words
3 "unemployment compensation", and inserting in lieu thereof the words
4 "employment security".

5 B. Further amend section fifteen hundred fifty-one and sixteen
6 hundredths (1551.16) by striking from line 61 the word "January",
7 and inserting in lieu thereof the word "July".

8 C. Further amend section fifteen hundred fifty-one and sixteen
9 hundredths (1551.16) by striking therefrom subsection C and insert-
10 ing in lieu thereof as subsection C the following: "The commission shall
11 have power to establish and maintain such divisions under it as it
12 deems necessary for the purposes of this act."

13 D. Amend section fifteen hundred fifty-one and seventeen hundredths
14 (1551.17) by striking from line 13 of subsection A the word "Febru-
15 ary", and inserting in lieu thereof the word "December". Also amend
16 said subsection by striking from line 16 the word "calendar", and in-
17 serting in lieu thereof the word "fiscal".

1 SEC. 3. Amend section fifteen hundred fifty-one and seventeen
2 hundredths (1551.17) by adding thereto as subsection L the follow-
3 ing: "L. DESTRUCTION OF RECORDS. The commission may in its
4 discretion destroy or dispose of such original reports or records as
5 have been properly recorded or summarized in the permanent records
6 of the commission and are deemed by the commission no longer neces-
7 sary to the proper administration of this act. Wage records of the
8 individual worker or transcripts therefrom may be destroyed or dis-
9 posed of two years after the expiration of the period covered by such
10 wage records or upon proof of the death of the worker. Such destruc-
11 tion or disposition shall be made only by order of the commission and
12 such order shall be spread on the minutes of the commission. Any
13 moneys received from the disposition of such records shall be deposited
14 to the credit of the employment security administration fund."

1 SEC. 4. A. Amend section fifteen hundred fifty-one and eighteen
2 hundredths (1551.18) by striking from subsection A the first 32 lines
3 thereof and the words "United States employment service" in line 33,
4 and inserting in lieu thereof the following: "The employment
5 security commission shall establish and maintain free public employ-
6 ment offices in such number and in such places as may be necessary
7 for the proper administration of this act and for the purpose of per-
8 forming such duties as are within the purview of the act of congress
9 entitled 'An act to provide for the establishment of a national employ-
10 ment system and for cooperation with the states in the promotion of
11 such system, and for other purposes,' approved June 6, 1933, as amend-
12 ed, and known as the Wagner-Peyser Act. All duties and powers con-
13 ferred upon any other department, agency, or officer of this state
14 relating to the establishment, maintenance, and operation of free
15 employment offices shall be vested in the commission. The provisions
16 of the said act of congress, as amended, are hereby accepted by this
17 state, in conformity with section four (4) of said act, and this state

18 will observe and comply with the requirements thereof. The com-
 19 mission is hereby designated and constituted the agency of this state
 20 for the purpose of said Wagner-Peyser Act."

21 B. Further amend section fifteen hundred fifty-one and eighteen
 22 hundredths (1551.18) by striking from subsection B all of the first
 23 7 lines and that part of the 8th line including the period (.) following
 24 the word "congress".

25 C. Further amend said subsection B by striking from line 14 the
 26 words "unemployment compensation law", and inserting in lieu thereof
 27 the words "employment security law".

28 D. Further amend said subsection B by striking from line 19 the
 29 words "employment service account", and inserting in lieu thereof the
 30 words "employment security administration fund".

1 SEC. 5. A. Amend section fifteen hundred fifty-one and nineteen
 2 hundredths (1551.19) by striking from subsection A the first 16 lines
 3 and inserting in lieu thereof the following: "There is hereby created in
 4 the state treasury a special fund to be known as the 'employment
 5 security administration fund'. All moneys which are deposited or paid
 6 into this fund are hereby appropriated and made available to the
 7 commission. All moneys in this fund which are received from the
 8 federal government or any agency thereof or which are appropriated
 9 by the state for the purposes described in section fifteen hundred fifty-
 10 one and eighteen hundredths (1551.18) of this act shall be expended
 11 solely for the purposes and in the amounts found necessary by the
 12 Social Security Board for the proper and efficient administration of
 13 this act. This fund shall consist of all moneys appropriated by this
 14 state, and all moneys received from the United States, or any agency
 15 thereof, including the social security board, the railroad retirement
 16 board, the United States employment service, established under the
 17 Wagner-Peyser Act, or from any other source for such purpose. The
 18 unexpended balance of any money heretofore apportioned or received
 19 for the state of Iowa for the Iowa state employment service and now in
 20 the 'employment service account' as defined in subsection B of section
 21 fifteen hundred fifty-one and eighteen hundredths (1551.18) and in
 22 subsection B of section fifteen hundred fifty-one and nineteen hun-
 23 dredths (1551.19), and the unexpended balance of any money hereto-
 24 fore apportioned to the state of Iowa by the social security board and
 25 now deposited in the 'unemployment compensation administration
 26 fund' as defined in subsection A of section fifteen hundred fifty-one
 27 and nineteen hundredths (1551.19) are hereby transferred to the
 28 'employment security administration fund' herein provided."

29 B. Further amend said section by striking from lines 22, 23, 24 and
 30 25 of subsection A the following words: "fund and the employment
 31 service account thereof on the same basis as expenditures are made
 32 from such fund or account for such service or facilities", and inserting
 33 in lieu thereof the words "employment security administration fund".

34 C. Further amend said section fifteen hundred fifty-one and nine-
 35 teen hundredths (1551.19) by striking from lines 36 and 37 of subsec-
 36 tion A the words "unemployment compensation administration fund",
 37 and inserting in lieu thereof the words "employment security adminis-
 38 tration fund."

39 D. Further amend said section fifteen hundred fifty-one and nine-
40 teen hundredths (1551.19) by striking from line 43 of subsection A
41 the words "unemployment administration fund", and inserting in lieu
42 thereof the words "employment security administration fund".

43 E. Further amend said section fifteen hundred fifty-one and nine-
44 teen hundredths (1551.19) by striking therefrom subsection B.

45 F. Further amend said section fifteen hundred fifty-one and nine-
46 teen hundredths (1551.19) by adding as another subsection the follow-
47 ing: "If any moneys received after June 30, 1941, from the Social
48 Security Board under title III of the Social Security Act, or any un-
49 encumbered balances in the unemployment compensation administra-
50 tion fund as of that date, or any moneys granted after that date to this
51 state pursuant to the provisions of the Wagner-Peyser Act, or any
52 moneys made available by this state or its political subdivisions and
53 matched by such moneys granted to this state pursuant to the pro-
54 visions of the Wagner-Peyser Act, are found by the Social Security
55 Board, because of any action or contingency, to have been lost or been
56 expended for purposes other than or in amounts in excess of, those
57 found necessary by the Social Security Board for the proper adminis-
58 tration of this act, it is the policy of this state that such moneys shall be
59 replaced by moneys appropriated for such purpose from the general
60 funds of this state to the unemployment compensation administration
61 fund for expenditure as provided in subsection A of this section. Upon
62 receipt of notice of such a finding by the Social Security Board, the
63 commission shall promptly report the amount required for such replace-
64 ment to the governor and the governor shall at the earliest opportunity,
65 submit to the legislature a request for the appropriation of such
66 amount. This subsection shall not be construed to relieve this state of
67 its obligation with respect to funds received prior to July 1, 1941, pur-
68 suant to the provisions of title III of the Social Security Act."

1 SEC. 6. Amend section fifteen hundred fifty-one and twenty-five
2 hundredths (1551.25) by striking from lines 1 and 2 of subsection C
3 the words "unemployment compensation commission", and inserting
4 in lieu thereof the words "employment security commission".

1 SEC. 7. Further amend section fifteen hundred fifty-one and
2 twenty-five hundredths (1551.25) by striking from line three (3) of
3 subsection P the word "on" and inserting in lieu thereof the words
4 "with respect to". Also amend said subsection by striking from line
5 five (5) the word "on" and inserting in lieu thereof the words "with
6 respect to".

1 SEC. 8. All acts, or parts of acts, in conflict herewith are hereby
2 repealed insofar 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 in
2 force and effect from and after its passage and publication in the Iowa
3 City Press Citizen, a newspaper published at Iowa City, Iowa, and in
4 the Knoxville Journal, a newspaper published at Knoxville, Iowa.

Approved April 16, 1941.

I hereby certify that the foregoing act was published in the Iowa City Press Citizen, Iowa City, Iowa, April 19, 1941, and the Knoxville Journal, Knoxville, Iowa, April 24, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 99

UNEMPLOYMENT COMPENSATION

S. F. 89*

AN ACT to amend the law as it appears in Chapter seventy-seven point two (77.2), Code, 1939, relating to and providing for unemployment compensation; to limit the amount of contributions to be made by employers; to define certain contributions as payments erroneously made; and to repeal all acts, or parts of acts, insofar as they are inconsistent herewith.

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

1 SECTION 1. That the law as it appears in subsection (A) of section
2 one thousand five hundred fifty-one and thirteen hundredths (1551.13)
3 be amended by changing the period following the figures "1936" in
4 line "ten" of said subsection to a semi-colon (;) and adding thereafter
5 the following: "provided that on and after January 1, 1940, contribu-
6 tions shall accrue and become payable by each employer on only that
7 portion of wages paid or payable for insured work as hereinafter pro-
8 vided to each individual in any one calendar year up to and including
9 the sum of three thousand dollars (\$3,000.00); provided, however,
10 that if any employer has, for the calendar year 1940, paid to the com-
11 mission contributions on any portion of wages payable to any individ-
12 ual in excess of three thousand dollars (\$3,000) such payments so
13 paid on that portion of the wages in excess of three thousand dollars
14 (\$3,000) shall be deemed erroneously paid and shall be refunded to
15 such employer upon his application to the commission therefor."

1 SEC. 2. All acts, or parts of acts, in conflict herewith are hereby
2 repealed insofar as they are inconsistent with any of the provisions of
3 this act.

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 Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa,
4 and in the Mason City Globe Gazette, a newspaper published at Mason
5 City, Iowa.

Approved February 13, 1941.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier, Ottumwa, Iowa, February 14, 1941 and the Mason City Globe Gazette, Mason City, Iowa, February 14, 1941.

EARL G. MILLER, *Secretary of State.*

*Note: Senate File 89 of the 49th General Assembly was repealed by Senate File 535 of the 49th General Assembly. See Chapter 100.

CHAPTER 100

UNEMPLOYMENT COMPENSATION

S. F. 535

AN ACT to repeal paragraph one (1) of subsection (A) of section one thousand five hundred fifty-one and thirteen hundredths (1551.13), Code, 1939, and Senate File 89 of the 49th General Assembly, relating to and providing for payment of contribution by employers on wages and defining the term "wages" as used in said section and defining certain contributions as payments erroneously made and to enact a substitute therefor; and to repeal all acts or parts of acts insofar as they are inconsistent with this act.

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

1 SECTION 1. Paragraph one (1) of subsection (A) of section one
2 thousand five hundred fifty-one and thirteen hundredths (1551.13),
3 code, 1939, and Senate File 89 of the 49th General Assembly of Iowa,
4 amendatory thereto, are hereby repealed and the following enacted in
5 lieu thereof.

6 "On and after July 1, 1936, contributions shall accrue and become
7 payable by each employer with respect to wages for employment as
8 defined in subsection G of section one thousand five hundred fifty-one
9 and twenty-five hundredths (1551.25), except that for the six months'
10 period beginning July 1, 1936, such contributions shall accrue and be-
11 come payable solely from employers with respect to wages payable for
12 employment occurring on and after July 1, 1936. Such contributions
13 shall become due and be paid to the commission for the fund at such
14 time and in such manner as the commission may prescribe. Contribu-
15 tions required from an employer shall not be deducted, in whole or in
16 part, from the wages (as defined in subsection M of section one thou-
17 sand five hundred fifty-one and twenty-five hundredths (1551.25)) *
18 of individuals in his employ. For the purposes of this section the term
19 'wages' shall not include that part of the remuneration which, after
20 remuneration equal to three thousand dollars (\$3,000) has become
21 payable to an individual by an employer with respect to employment
22 during the calendar year of 1940, becomes payable to such individual
23 by such employer with respect to employment occurring during such
24 calendar year, and shall not include with respect to the calendar year
25 1941 and each calendar year thereafter, that part of the remuneration
26 which, after remuneration equal to three thousand dollars (\$3,000)
27 has been paid to an individual by an employer with respect to employ-
28 ment during such calendar year, is paid to such individual by such
29 employer with respect to employment occurring during such calendar
30 year after December 31, 1940. If any employer has paid to the com-
31 mission contributions on any portion of the remuneration payable
32 to an individual by such employer for insured work during the year
33 1940, which portion of remuneration is excluded from the term 'wages'
34 as above provided, such payments so paid shall be deemed to have been
35 erroneously paid within the purview of subsection D of section one
36 thousand five hundred fifty-one and twenty hundredths (1551.20)
37 of this act."

*Note: In accordance with the enrolled bill.

1 SEC. 2. All acts, or parts of acts, in conflict herewith are hereby
2 repealed insofar as they are inconsistent with any of the provisions of
3 this act.

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 Fairfield Daily Ledger, a newspaper published at Fairfield, Iowa, and
4 in the Weekly Tribune, a newspaper published at Moulton, Iowa.

Approved April 10, 1941.

I hereby certify that the foregoing act was published in the Fairfield Daily Ledger,
Fairfield, Iowa, April 14, 1941, and the Weekly Tribune, Moulton, Iowa, April 17, 1941.
EARL G. MILLER, *Secretary of State.*

CHAPTER 101

UNEMPLOYMENT COMPENSATION

S. F. 475

AN ACT to amend sub-sections A, B and C of section one thousand five hundred fifty-one and thirteen hundredths (1551.13), sub-section E of section one thousand five hundred fifty-one and nine hundredths (1551.09), sub-section E of section one thousand five hundred fifty-one and ten hundredths (1551.10), and subsections A, M and P of section one thousand five hundred fifty-one and twenty-five hundredths (1551.25), all in chapter seventy-seven and two tenths, (77.2), Code, 1939, relating to the collection of contributions, the charge-back of benefits paid to employer accounts, the consolidation and merger of employer accounts, the definition of the term "annual pay roll", the definition of the term "wages", and the determination of individuals' benefit rights; to provide that contributions shall be collected on a wages paid basis and that benefit rights be determined on a wages paid basis; to re-define the terms "wages" and "annual pay roll" in conformity with the wages paid concept; and to provide for the consolidation and merger of employer accounts.

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

1 SECTION 1. Sub-section A of section one thousand five hundred
2 fifty one and thirteen hundredths (1551.13), chapter seventy-seven
3 and two tenths (77.2), Code, 1939, is amended as follows:

- 4 1. Strike from line three (3) the word "payable".
- 5 2. Strike from line four (4) and five (5) the word "occurring".
- 6 3. Strike from line five (5) the words "during such calendar year".

1 SEC. 2. Sub-paragraph three (3) of sub-section B of section one
2 thousand five hundred fifty-one and thirteen hundredths (1551.13),
3 chapter seventy-seven and two tenths (77.2), Code, 1939, is hereby
4 amended by striking from line three (3) the figures "1941".

1 SEC. 3. Sub-paragraph four (4) of sub-section B of section one
2 thousand five hundred fifty-one and thirteen hundredths (1551.13),
3 chapter seventy-seven and two tenths (77.2), Code, 1939, is hereby
4 amended by striking therefrom lines one (1) to three (3), and by in-
5 serting in lieu thereof the following:

6 "4. Two and seven tenths percentum of wages paid by him during
7 the calendar year 1941, and during each calendar year thereafter, with
8 respect to employment occurring after December 31, 1940, except as
9 may be otherwise prescribed in sub-section C of this section."

1 SEC. 4. Sub-section E of section one thousand five hundred fifty-one
2 and nine hundredths (1551.09), chapter seventy-seven and two tenths
3 (77.2), Code, 1939, is hereby amended as follows:

4 1. Strike from line five (5) the words "earned in employment by
5 employers", and insert in lieu thereof the following: "for insured
6 work paid".

7 2. Strike from line thirteen (13) the word "earned", and insert in
8 lieu thereof the word "paid".

9 3. Strike from line fourteen (14) the word "by", and insert in lieu
10 thereof the word "to".

11 4. Strike from line eighteen (18) the word "earned", and insert in
12 lieu thereof the word "paid".

13 5. Strike from line twenty-two (22) the word "earned", and insert
14 in lieu thereof the word "paid".

1 SEC. 5. Sub-section E of section one thousand five hundred fifty-
2 one and ten hundredths (1551.10), chapter seventy-seven and two
3 tenths (77.2), Code, 1939, is hereby amended by striking from line
4 three (3) the word "earned", and by inserting in lieu thereof the words
5 "been paid".

1 SEC. 6. Sub-paragraph one (1) of sub-section A of section one
2 thousand five hundred fifty-one and twenty-five hundredths (1551.25),
3 chapter seventy-seven and two tenths (77.2), Code, 1939, is hereby
4 amended by changing the period in line four (4) to a semi-colon, and
5 by adding the following: "provided that on and after January 1, 1941
6 the term 'annual pay roll' shall mean the total amount of wages paid
7 by an employer during a calendar year for insured work, and provided
8 further that any wages paid after December 31, 1940, for insured
9 work performed on and prior to December 31, 1940, shall be credited
10 to the annual pay roll of the year in which such work was performed."

1 SEC. 7. Sub-section M of section one thousand five hundred fifty-
2 one and twenty-five hundredths (1551.25), chapter seventy-seven and
3 two tenths (77.2), Code, 1939, is hereby amended as follows:

4 1. Strike from line one (1) the word "payable".

5 2. Strike from line four (4) the word "payable".

6 3. Strike from line five (5) and six (6) the word "payable".

1 SEC. 8. Sub-section P of section one thousand five hundred fifty-
2 one and twenty-five hundredths (1551.25), chapter seventy-seven and
3 two tenths (77.2), Code, 1939, is hereby amended by striking from line
4 eleven (11) the word "earned", and by inserting in lieu thereof the
5 words "been paid".

1 SEC. 9. Sub-paragraph one (1) of sub-section C of section one
2 thousand five hundred fifty-one and thirteen hundredths (1551.13),
3 chapter seventy-seven and two-tenths (77.2), Code, 1939, is hereby
4 amended by striking from line twenty-seven (27) the word "week",
5 and by inserting in lieu thereof the words "calendar quarter".

1 SEC. 10. Chapter seventy-seven and two tenths (77.2), Code, 1939,
2 is amended by adding the following: "Wages payable to an individual
3 for insured work performed prior to January 1, 1941 shall, for the

4 purposes of sections one thousand five hundred fifty-one and nine
5 hundredths (1551.09), one thousand five hundred fifty-one and ten
6 hundredths (1551.10), and one thousand five hundred fifty-one and
7 twenty-five hundredths (1551.25), be deemed to be wages paid within
8 the calendar quarter with respect to which such wages were payable."

1 SEC. 11. Sub-paragraph two (2) of sub-section C of section one
2 thousand five hundred fifty-one and thirteen hundredths (1551.13),
3 chapter seventy-seven and two tenths (77.2), Code, 1939, is hereby
4 amended by striking lines one (1) to nine (9), inclusive, and by insert-
5 ing in lieu thereof the following:

6 "2. For the purposes of this sub-section two or more employing
7 units which are parties to or the subject of a merger, consolidation, or
8 other form of reorganization effecting a change in legal identity or
9 form shall be deemed to be a single employing unit if the commission
10 finds that (i) immediately after such change the employing enter-
11 prises of the predecessor employing unit or units are continued solely
12 through a single employing unit as successor thereto, and (ii) im-
13 mediately after such change such successor is owned or controlled by
14 substantially the same interests as the predecessor employing unit or
15 units, and (iii) the successor has assumed liability for all contributions
16 required of the predecessor employing unit or units, and (iv) the
17 consideration of such two or more employing units as a single employ-
18 ing unit for the purposes of this sub-section would not be inequitable."

1 SEC. 12. All acts or parts of acts in conflict herewith are hereby
2 repealed insofar as they are inconsistent with any of the provisions
3 of this act.

1 SEC. 13. This act being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the New Hampton American, a newspaper published at New Hampton,
4 Iowa, and in the Ottumwa Daily Courier, a newspaper published at
5 Ottumwa, Iowa.

Approved April 15, 1941.

I hereby certify that the foregoing act was published in the New Hampton American,
New Hampton, Iowa, April 22, 1941, and the Ottumwa Daily Courier, Ottumwa, Iowa,
April 19, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 102

UNEMPLOYMENT COMPENSATION COMMISSION PERSONNEL

S. F. 353

AN ACT to amend section fifteen hundred fifty-one and sixteen hundredths (1551.16),
Code of 1939, relating to the appointment of the secretary to the Commission; and
to amend section fifteen hundred fifty-one and seventeen hundredths (1551.17),
Code of 1939, relating to the appointment and compensation of personnel of the
commission.

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

1 SECTION 1. That section fifteen hundred fifty-one and sixteen hun-
2 dredths (1551.16), code of 1939, be amended by striking therefrom
3 all of subsection B.

1 SEC. 2. Amend subsection D of section fifteen hundred fifty-one
2 and seventeen hundredths (1551.17), code of 1939, by striking from
3 the subsection all of that part beginning with the word "but" following
4 the comma (,) after the word "compensation" in the 3rd line down to
5 and including the 12th line.

1 SEC. 3. Further amend said subsection D of section fifteen hundred
2 fifty-one and seventeen hundredths (1551.17), code of 1939, by strik-
3 ing the last sentence thereof.

1 SEC. 4. 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 New Hampton American, a newspaper published at New Hampton,
4 Iowa, and in the Ottumwa Courier, a newspaper published at Ottumwa,
5 Iowa.

Approved April 23, 1941.

I hereby certify that the foregoing act was published in the New Hampton American, New Hampton, Iowa, April 29, 1941, and the Ottumwa Courier, Ottumwa, Iowa, April 26, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 103

UNEMPLOYMENT COMPENSATION

S. F. 352

AN ACT to amend section one thousand five hundred fifty-one and thirteen hundredths (1551.13), chapter seventy-seven and two tenths (77.2), Code, 1939, providing for the computation and assessment of contributions, and the procedure by which an employer may protest and appeal from an assessment to the commission and to the court, and to amend sub-section B of section one thousand five hundred fifty-one and twenty hundredths (1551.20), chapter seventy-seven and two tenths (77.2), Code, 1939, providing for the establishment of a lien for contributions due and the collection of contributions.

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

1 SECTION 1. Section one thousand five hundred fifty-one and thirteen
2 hundredths (1551.13), chapter seventy-seven and two tenths (77.2),
3 Code, 1939, is hereby amended by adding thereto the following sub-
4 sections:

5 "D. 1. As soon as practicable and in any event within two years
6 after an employer has filed reports, as required by the commission
7 pursuant to sub-section G of section one thousand five hundred fifty-
8 one and seventeen hundredths (1551.17), the commission shall examine
9 such reports and determine the correct amount of contributions due,
10 and the amount so determined by the commission shall be the contribu-
11 tions payable. If the contributions found due shall be greater than
12 the amount theretofore paid, the excess, together with interest as pro-
13 vided in this chapter, shall be paid by the employer within thirty (30)

14 days after the commission shall have given notice thereof to the em-
15 ployer by registered mail.

16 2. If the commission discovers from the examination of the reports
17 or otherwise that wages payable for employment, or any part thereof,
18 have not been listed in the reports, or that no reports were filed when
19 due, or that reports have been filed showing contributions due but no
20 contributions in fact have been paid, it may at any time within five
21 years after the time such reports were due, determine the correct
22 amount of contributions payable, together with interest as provided
23 in this chapter. The amount so determined shall be paid within thirty
24 (30) days after the commission shall have given notice thereof to the
25 employer by registered mail.

26 3. The certificate of the commission to the effect that contributions
27 have not been paid, that reports have not been filed, or that information
28 has not been furnished, as required under the provisions of this chapter
29 shall be prima facie evidence thereof.

30 E. An employer may appeal to the commission for revision of the
31 contributions and interest assessed against such employer at any time
32 within thirty days (30) from the date of the notice of the assessment
33 of such contributions and interest. The commission shall grant a hear-
34 ing thereon and if, upon such hearing, it shall determine that the
35 amount of contributions payable with interest thereon is incorrect, it
36 shall revise the same according to the law and the facts and adjust
37 the computation of the contributions and interest accordingly. The
38 commission shall notify the employer by registered mail of its find-
39 ings.

40 F. 1. An appeal may be taken by the employer to the district court
41 of the county in which such employer resides, or in which such em-
42 ployer's principal place of business is located, or in the case of a non-
43 resident not maintaining a place of business in this state either in any
44 county in which the wages payable for employment were earned or paid
45 or in Polk County, within sixty days (60) after such employer shall
46 have received notice from the commission of its determination as pro-
47 vided for in sub-section E of this section.

48 2. The appeal shall be taken by a written notice to the chairman of
49 the commission and served as an original notice. When said notice is so
50 served it shall, with the return thereon, be filed in the office of the
51 clerk of said district court, and docketed as other cases, with the em-
52 ployer as plaintiff and the commission as defendant. The plaintiff shall
53 file with such clerk a bond for the use of the defendant, with sureties
54 approved by such clerk, in penalty at least double the amount of con-
55 tributions appealed from, and in no case shall the bond be less than
56 fifty dollars (\$50.00), conditioned that the plaintiff shall perform
57 the orders of the court.

58 3. The court shall hear the appeal in equity and determine anew all
59 questions submitted to it on appeal from the determination of the com-
60 mission. The court shall render its decree thereon and a certified copy
61 of said decree shall be filed by the clerk of said court with the com-
62 mission who shall then correct the assessment in accordance with said
63 decree. An appeal may be taken by the employer or the commission
64 to the supreme court of this state in the same manner that appeals are
65 taken in suits in equity, irrespective of the amount involved.

66 G. If the commission believes that the assessment or collection of
 67 contributions payable will be jeopardized by delay, the commission
 68 may immediately make an assessment of the estimated amount of
 69 contributions due, together with all interest thereon as provided by
 70 this chapter, and demand payment thereof from the employer. If such
 71 payment is not made, a distress warrant may be issued or a lien filed
 72 against such employer immediately.

73 The commission shall be permitted to accept a bond from the em-
 74 ployer to satisfy collection until the amount of contributions legally due
 75 shall be determined. Such bond to be in an amount deemed necessary,
 76 but not more than double the amount of the contributions involved,
 77 and with securities satisfactory to the commission."

1 SEC. 2. Sub-section B of section one thousand five hundred fifty-one
 2 and twenty hundredths (1551.20), chapter seventy-seven and two
 3 tenths (77.2), Code, 1939, is hereby amended by striking therefrom
 4 lines one (1) to fourteen (14), inclusive, and by inserting in lieu there-
 5 of the following:

6 "B. Whenever any employer liable to pay contributions refuses or
 7 neglects to pay the same, the amount, including any interest, together
 8 with the costs that may accrue in addition thereto, shall be a lien in
 9 favor of the state upon all property and rights to property, whether
 10 real or personal, belonging to said employer.

11 The lien aforesaid shall attach at the time the contributions become
 12 due and payable and shall continue until the liability for such amount
 13 is satisfied.

14 In order to preserve the aforesaid lien against subsequent mortga-
 15 gees, purchasers or judgment creditors, for value and without notice
 16 of the lien, on any property situated in a county, the commission shall
 17 file with the recorder of the county, in which said property is located,
 18 a notice of said lien.

19 The county recorder of each county shall prepare and keep in his
 20 office a book to be known as "index of unemployment contribution
 21 liens", so ruled as to show in appropriate columns the following data,
 22 under the names of employers, arranged alphabetically:

- 23 1. The name of the employer.
- 24 2. The name "State of Iowa" as claimant.
- 25 3. Time notice of lien was received.
- 26 4. Date of notice.
- 27 5. Amount of lien then due.
- 28 6. When satisfied.

29 The recorder shall indorse on each notice of lien the day, hour, and
 30 minute when received and preserve the same, and shall forthwith index
 31 said notice in said index book and shall forthwith record said lien in the
 32 manner provided for recording real estate mortgages, and the said lien
 33 shall be effective from the time of the indexing thereof.

34 The commission shall pay a recording fee as provided in section five
 35 thousand one hundred seventy-seven (5177), for the recording of such
 36 lien, or for the satisfaction thereof.

37 Upon the payment of contributions as to which the commission has
 38 filed notice with a county recorder, the commission shall forthwith
 39 file with said recorder a satisfaction of said contributions and the

40 recorder shall enter said satisfaction on the notice on file in his office
41 and indicate said fact on the index aforesaid.

42 The commission shall, substantially as provided in sections seven
43 thousand one hundred eighty-nine (7189) and seven thousand one
44 hundred eighty-nine and one tenth (7189.1), proceed to collect all
45 contributions as soon as practicable after the same become delinquent,
46 except that no property of the employer shall be exempt from the pay-
47 ment of said contributions.

48 If, after due notice, any employer defaults in any payment of con-
49 tributions or interest thereon, the amount due may be collected by civil
50 action in the name of the commission and the employer adjudged in
51 default shall pay the costs of such action. Civil actions brought under
52 this section to collect contributions or interest thereon from an em-
53 ployer shall be heard by the court at the earliest possible date and shall
54 be entitled to preference upon the calendar of the court over all other
55 civil actions except petitions for judicial review under this chapter
56 and cases arising under the Workmen's Compensation Law of this
57 state.

58 It is expressly provided that the foregoing remedies of the state shall
59 be cumulative and that no action taken by the commission shall be con-
60 strued to be an election on the part of the state or any of its officers
61 to pursue any remedy hereunder to the exclusion of any other remedy
62 provided by law."

1 SEC. 3. All acts, all parts of acts, in conflict herewith are hereby
2 repealed insofar as they are inconsistent with any of the provisions of
3 this act.

1 SEC. 4. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the Holstein Advance, newspaper published at Holstein, Iowa, and
4 The Cherokee Times, a newspaper published at Cherokee, Iowa.

Approved April 16, 1941.

I hereby certify that the foregoing act was published in the Holstein Advance, Holstein,
Iowa, April 24, 1941, and the Cherokee Times, Cherokee, Iowa, April 19, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 104

UNEMPLOYMENT COMPENSATION

H. F. 150

AN ACT to amend section one thousand five hundred fifty-one and twenty-two hun-
dredths (1551.22), Code, 1939, relating to overpayment of benefits under the
unemployment compensation act and the recovery of such overpayments; 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 subsection D of Section one thousand five hun-
2 dred fifty-one and twenty-two hundredths (1551.22), code, 1939, be
3 and is hereby amended by inserting after the comma (,) which follows

4 the word "who" in the 1st line of said subsection the following: "by
5 reason of any error, or".

1 SEC. 2. All acts, or parts of acts, in conflict herewith are hereby
2 repealed insofar as they are inconsistent with any of the provisions of
3 this act.

1 SEC. 3. The rights in existence at the time this act becomes ef-
2 fective, shall not be affected hereby.

1 SEC. 4. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the West Branch Times, a newspaper published at West Branch, Iowa,
4 and in the Wapello Republican, a newspaper published at Wapello,
5 Iowa.

Approved March 15, 1941.

I hereby certify that the foregoing act was published in the West Branch Times, West Branch, Iowa, March 20, 1941, and the Wapello Republican, Wapello, Iowa, March 20, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 105

UNEMPLOYMENT COMPENSATION

S. F. 90

AN ACT to amend the law as it appears in chapter seventy-seven point two (77.2), Code, 1939, relating to and providing for unemployment compensation; to so define the term "employment" as to include services performed in the employ of certain instrumentalities of the United States when and to the extent permitted by act of Congress; to provide for the refund of contributions made by such instrumentalities under certain conditions; and to repeal all acts, or parts of acts, in conflict herewith.

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

1 SECTION 1. That the law as it appears in sub-paragraph (b) of
2 sub-section seven (7) of sub-division G of Section fifteen hundred and
3 fifty-one point twenty-five (1551.25-G-7-b), code, 1939, be amended
4 by adding thereto the following provisions: "provided, however, that
5 the general language just used shall not include any such instrumen-
6 tality of the United States after congress has, by appropriate legal
7 action, expressly permitted the several states to require such instru-
8 mentalities to make payments into an employment fund under a state
9 unemployment compensation law; and all such instrumentalities so
10 released from the constitutional immunity to make the contributions,
11 imposed by this chapter shall, thereafter, become subject to all the
12 provisions of said chapter, and such provisions shall then be applicable
13 to such instrumentalities and to all services performed for such in-
14 strumentalities in the same manner, to the same extent and on the
15 same terms as are applicable to all other employers, employing units,
16 individuals and services. Should the Social Security Board, acting
17 under Section 1603 of the Federal Internal Revenue Code, fail to cer-
18 tify the state of Iowa for any particular calendar year, then the pay-

19 ments required of such instrumentalities with respect to such year,
 20 shall be refunded by the commission from the fund in the same manner
 21 and within the same period as is provided for in Section fifteen fifty-
 22 one point twenty D (1551.20-D) of this chapter, which section pro-
 23 vides for the refunding of contributions erroneously collected."

1 SEC. 2. All acts, or parts of acts, in conflict herewith are hereby
 2 repealed insofar as they are inconsistent with any of the provisions
 3 of this act.

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 the Cedar Rapids Tribune, a newspaper published at Cedar Rapids,
 4 Iowa, and in the The Daily Gate City, a newspaper published at Keo-
 5 kuk, Iowa.

Approved February 4, 1941.

I hereby certify that the foregoing act was published in the The Cedar Rapids Tribune,
 Cedar Rapids, Iowa, February 7, 1941, and the The Daily Gate City, Keokuk, Iowa,
 February 7, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 106

MILITARY SERVICE AS AFFECTING UNEMPLOYMENT COMPENSATION

S. F. 525

AN ACT to amend the law as it appears in chapter seventy-seven and two tenths (77.2),
 Code, 1939, relating to and providing for unemployment compensation; to preserve
 benefit rights of individuals entering military service by (1) excluding from an
 individual's base period the time spent in military service, (2) extending any benefit
 year by the time spent in military service and (3) redefining certain benefit
 eligibility conditions.

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

1 SECTION 1. Subsection Q of section one thousand five hundred
 2 fifty-one and twenty-five hundredths (1551.25), code, 1939, is amended
 3 as follows: Change the period (.) at the end of said subsection to a
 4 semi-colon (;) and add thereafter the following: "provided, that any
 5 calendar quarter commencing after March 31, 1940, and ending prior
 6 to July 1, 1943, the greater portion of which is spent by any such in-
 7 dividual in the military or naval forces of the United States when such
 8 individual is inducted into active service under the Selective Training
 9 and Service Act of the United States of 1940 or whose voluntary entry
 10 into such active service results in a credit on the quota of individuals
 11 required for service under the Selective Training and Service Act, or
 12 who, being a member of any component part of the military, naval,
 13 air force, or nurse corps of this state or nation, is called or ordered
 14 into active service, shall not be considered as any of such nine (9)
 15 completed calendar quarters in determining such individual's base
 16 period."

1 SEC. 2. Subsection P of section one thousand five hundred fifty-one
 2 and twenty-five hundredths (1551.25), code, 1939, is amended as

3 follows: Change the period (.) following the word "year" in line eight
 4 (8) of said subsection to a semi-colon (;) and add thereafter the
 5 following: "provided, that any benefit year shall be extended by any
 6 time spent after March 31, 1940, and prior to July 1, 1943, by such
 7 individual after the beginning of such benefit year in the military
 8 forces of the United States when such individual is inducted into active
 9 service under the Selective Training and Service Act of the United
 10 States of 1940 or whose voluntary entry into active service results in
 11 a credit on the quota of individuals required for service under the
 12 Selective Training and Service Act, or who, being a member of any
 13 component part of the military, naval, air force, or nurse corps of this
 14 state or of the United States, is called or ordered into such active
 15 service."

1 SEC. 3. Section one thousand five hundred fifty-one and ten hun-
 2 dredths (1551.10), code, 1939 is amended as follows: Strike there-
 3 from subsection E and substitute in lieu of the subsection so stricken
 4 a new subsection E as follows: "He has within the last four (4)
 5 quarters of his base period been paid wages in insured work equal to
 6 not less than fifteen (15) times his weekly benefit amount."

1 SEC. 4. 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 Fairfield Daily Ledger, a newspaper published at Fairfield, Iowa, and
 4 in the Ottumwa Daily Courier, a newspaper published at Ottumwa,
 5 Iowa.

Approved April 10, 1941.

I hereby certify that the foregoing act was published in the Fairfield Daily Ledger,
 Fairfield, Iowa, April 14, 1941, and the Ottumwa Daily Courier, Ottumwa, Iowa, April
 14, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 107

REGULATION OF LIQUIFIED PETROLEUM GASSES

H. F. 387

AN ACT to repeal chapter eighty and one-tenth (80.1), Code, 1939, relating to compressed gas systems; and to enact a substitute therefor, defining "liquid petroleum gases", providing for regulations and for penalties for violation thereof.

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

1 SECTION 1. Chapter eighty and one-tenth (80.1), Code, 1939, is
 2 hereby repealed and the following is hereby enacted in lieu thereof:

3 1. The term "liquified petroleum gases" as used in this act shall
 4 mean and include any material which is composed predominately of
 5 any of the following hydrocarbons, or mixtures of the same: propane,
 6 propylene, butanes (normal butane and isobutane), and butylenes.

7 2. The state fire marshal shall make, promulgate and enforce regula-
 8 tions for the design, construction, location, installation and operation
 9 of equipment for storing, handling, transporting by tank truck or

10 tank trailer, and utilizing liquified petroleum gases, and for the odor-
 11 ization of said gases used therewith. Such regulations shall be sub-
 12 stantially in conformity with the published standards of the National
 13 Board of Fire Underwriters as recommended by the National Fire
 14 Protection Association covering the same subject matter.

15 3. No person, firm, or corporation other than the owner or persons
 16 authorized by the owner so to do, shall fill, refill or use in any manner
 17 such liquified gas container or receptacle for any gas, or compound,
 18 or for any other purpose whatsoever.

19 4. Any person, firm, association, or corporation violating any of the
 20 provisions of this act or any of the rules and regulations made there-
 21 under, shall be deemed guilty of a misdemeanor, and upon conviction
 22 thereof shall be punished by fine of not more than one hundred dollars.

23 5. If any section, subsection, clause, sentence or phrase of this act
 24 is for any reason held to be unconstitutional or invalid, such decision
 25 shall not affect the validity of the remaining portions of this act.

Approved May 5, 1941.

CHAPTER 108

BOAT ZONES ON WEST OKOBOJI LAKE

H. F. 404

AN ACT to amend section one thousand seven hundred three and thirteen hundredths (1703.13), Code, 1939, relating to zones of West Okoboji Lake.

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

1 SECTION 1. Section one thousand seven hundred three and thirteen
 2 hundredths (1703.13), Code, 1939, is hereby amended by striking all
 3 of said section following line seventeen (17), thereof, and inserting
 4 in lieu thereof the following:

5 4. It shall be unlawful for class I, II, III, and IV boats to operate on
 6 West Okoboji lake within the following named zones, which zones
 7 shall be marked by the conservation commission with markers at the
 8 terminal points of each boundary, with not less than one marker buoy
 9 on the boundary line between the terminals of each zone herein es-
 10 tablished.

11 a. That portion of West Okoboji known as Browns Bay and lying
 12 south of a direct line connecting the Lime Kiln Point and Pocahontas
 13 Point.

14 b. That portion of West Okoboji known as Emerson's Bay and the
 15 area adjacent thereto and lying west of a line drawn from a point
 16 three hundred feet due east of Gull Point due south and intersecting
 17 the north boundary of zone a.

18 c. That portion of West Okoboji lying to the westward of a line
 19 drawn from a point three hundred feet due east of Gull Point north-
 20 west to the southwest corner of Babcock's property on the north shore
 21 of Miller's Bay.

22 d. That portion of West Okoboji lying westward of a line drawn

23 due south southwest from Manhattan Point and intersecting the north-
24 east boundary of zone c.

25 e. That portion of West Okoboji lying to the eastward of a line
26 drawn from Colcord's Point southward to a point three hundred feet
27 due southwest of Dixon's Point.

28 Except that all boats in said classes may operate in such zones at
29 a maximum speed of ten miles per hour for the purpose of going to or
30 from landings.

Approved April 21, 1941.

CHAPTER 109

AIRCRAFT USE OF STATE WATERS

S. F. 455

AN ACT to repeal section one thousand seven hundred three and fifteen hundredths (1703.15), Code, 1939, and to enact a substitute therefor relating to the manner in which aircraft shall use the waters of the State of Iowa and providing that the conservation commission shall make rules therefor.

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

1 SECTION 1. Section one thousand seven hundred three and fifteen
2 hundredths (1703.15), Code, 1939, is hereby repealed and the follow-
3 ing inserted in lieu thereof.

4 "Aircraft shall not make use of waters under the jurisdiction of the
5 conservation commission, in any manner otherwise than in conformity
6 with such rules and regulations as may be established by the conserva-
7 tion commission with due respect to the preservation of fish and game,
8 and the safety of all surface craft, which rules and regulations shall
9 not, however, be in conflict with any of the provisions of Chapter three
10 hundred eighty-three and two tenths (383.2), Code of Iowa.

11 Nothing herein shall be construed as giving the conservation com-
12 mission authority to prohibit use of state waters by aircraft, except
13 in waters entirely restricted to use of the commission for purposes of
14 fish and game propagation; and nothing herein shall preclude or
15 penalize the landing of aircraft on any waters at any time when such
16 craft shall be in danger or distress."

Approved April 21, 1941.

CHAPTER 110

REQUIREMENTS FOR FISH AND GAME LICENSES

S. F. 467

AN ACT to amend section one thousand seven hundred ninety-four and ninety-eight thousandths (1794.098), Code, 1939, relating to requirements for fish and game licenses.

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

1. SECTION 1. Section one thousand seven hundred ninety-four and
- 2 ninety-eight thousandths (1794.098), Code, 1939, is amended by add-
- 3 ing thereto the following:
- 4 "No license shall be required of minor pupils of the state school for
- 5 the blind, state school for the deaf, nor of minor inmates of other state
- 6 institutions under the board of control, except that this provision shall
- 7 not apply to the inmates of the men's penitentiary at Fort Madison,
- 8 the men's reformatory at Anamosa, and the women's reformatory at
- 9 Rockwell City."

Approved April 10, 1941.

CHAPTER 111

GIFT OF INDIAN MOUND LAND TO THE UNITED STATES

S. F. 529

AN ACT to permit and provide for conveying to the United States, certain lands in Allamakee and Clayton Counties in the State of Iowa. The purpose of the gift provided for by this act is to enable the United States to establish a national monument and preserve the prehistoric effigy indian mounds located upon the land described in this act, these mounds being the only ones of their kind in the United States.

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

- 1 SECTION 1. The Executive Council may, upon a majority recom-
- 2 mendation of the Conservation Commission, convey to the United
- 3 States as a gift and in the manner provided by section one thousand
- 4 eight hundred twenty-five (1825) of the 1939 Code of Iowa, not to
- 5 exceed one thousand acres of land located in Allamakee and Clayton
- 6 Counties in the State of Iowa, and in sections three (3), four (4),
- 7 nine (9) and ten (10) of Township ninety-five (95) north, range three
- 8 (3) west of the fifth principal meridian, and in section twenty-seven
- 9 (27), twenty-eight (28), thirty-three (33) and thirty-four (34) of
- 10 Township ninety-six (96) north, range three (3) west of the fifth
- 11 principal meridian.

Approved April 21, 1941.

CHAPTER 112

PRACTICE OF PROFESSIONAL ENGINEERING

S. F. 336

AN ACT to amend sections one thousand eight hundred sixty (1860), one thousand eight hundred sixty-two (1862), and one thousand eight hundred sixty-five (1865), Code, 1939, relating to the practice of professional engineering.

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

1 SECTION 1. Section one thousand eight hundred sixty (1860), Code,
2 1939, is amended by adding after the comma following the word
3 "witnesses" in line four (4) the words "pay witness fees and mileage."

1 SEC. 2. Section one thousand eight hundred sixty-two (1862) Code,
2 1939, is amended by striking from lines twelve (12) and thirteen (13)
3 the word "additional" and inserting in lieu thereof the following:
4 "legal, technical and", and by striking in line fourteen (14) the word
5 "office".

1 SEC. 3. Section one thousand eight hundred sixty-five (1865), Code,
2 1939, is amended by striking in line eight (8) the words "for the ex-
3 penses and compensation of said "board of examiners", and inserting
4 in lieu of the stricken words: "to defray expenditures".

Approved April 30, 1941.

CHAPTER 113

REAL ESTATE BROKERS

H. F. 133

AN ACT to amend section one thousand nine hundred five and fifty-six hundredths (1905.56), Code, 1939, relating to fines for violation of the provisions of Chapter ninety-one and two-tenths (91.2), Code, 1939, relating to real estate brokers.

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

1 SECTION 1. Amend section nineteen hundred five and fifty-six
2 hundredths (1905.56), code, 1939, by striking therefrom all of the
3 second paragraph, which reads as follows: "All fines and penalties
4 shall inure to the commissioner, and shall be placed in the general
5 fund of the state."

Approved March 24, 1941.

CHAPTER 114

BEER AND MALT LIQUORS

H. F. 415

AN ACT to amend chapter ninety-three and two tenths (93.2), Code, 1939, relating to the tax and restrictions upon the sale of beer and malt liquors, providing for license fee by permit holders and the collection of said fee, providing for the regulation of classes of beer permits and the requirements to obtain said permits; to provide for the enforcement and administration of said act; to define certain unlawful acts relating to the manner of sale, and distribution of beer and malt liquors; to provide penalties for violation of the law by permit holders; to provide penalties for violation of the law by minors; 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. Section one thousand nine hundred twenty-one and

2 ninety-six thousandths (1921.096), Code, 1939, is amended by inserting
 3 in the first line of paragraph seven (7) before the word "shall" the
 4 following: "or 'license'".

1 SEC. 2. Section one thousand nine hundred twenty-one and one
 2 hundred four thousandths (1921.104), Code, 1939, is amended as
 3 follows: by striking the words "one thousand" in lines six (6) and
 4 seven (7) of subsection three (3) of said section, and inserting in
 5 lieu thereof the words "five hundred".

6 Amend subsection three (3) of section one thousand nine hundred
 7 twenty-one and one hundred four thousandths (1921.104) Code, 1939,
 8 by adding to said subsection the following: "Said bond shall be further
 9 conditioned to the effect that the permittee and his surety, as a part
 10 of the permit granted hereunder, shall consent to forfeiture of the
 11 principal sum of said bond in event of cancellation of the permit as
 12 a result of charges filed and hearing had thereon as provided in this
 13 chapter.

1 SEC. 3. Section one thousand nine hundred twenty-one and one
 2 hundred five thousandths (1921.105), Code, 1939, is hereby amended
 3 by repealing the same and substituting the following in lieu thereof:

4 No class "C" permit shall be issued to any person except the owner
 5 or proprietor of a grocery store or pharmacy as those terms are herein-
 6 after defined. Except as otherwise provided in this chapter a class
 7 "C" permit shall be issued by the authority so empowered in this
 8 chapter to any person who is the owner or proprietor of a grocery
 9 store or pharmacy, who:

10 1. Submits a written application for a permit, which application
 11 shall state under oath:

12 a. The name and place of residence of the applicant and the length
 13 of time he has lived at such place of residence.

14 b. That he is a citizen of the state of Iowa.

15 c. The place of birth of the applicant and if the applicant is a
 16 naturalized citizen, the time and place of such naturalization.

17 d. The location of the place or building where the applicant intends
 18 to operate.

19 e. The name of the owner of the building and if such owner is not
 20 the applicant that such applicant is the actual lessee of the premises.

21 2. Establishes :

22 a. That he is a person of good moral character.

23 3. Furnishes a bond in the form and conditioned as prescribed and
 24 to be furnished by the state tax commission, with good and sufficient
 25 sureties to be approved by the authorities to which such application
 26 is submitted, conditioned upon the faithful observance of this chapter,
 27 in the sum of five hundred dollars.

28 "Grocery store" means and includes any retail establishment, the
 29 principal business of which consists of the sale of food or food products
 30 for consumption off the premises.

31 "Pharmacy" shall mean a drug store in which drugs and medicines
 32 are exposed for sale and sold at retail, or in which prescriptions of
 33 licensed physicians and surgeons, dentists or veterinarians are com-
 34 pounded and sold by a registered pharmacist.

1 SEC. 4. Section one thousand nine hundred twenty-one and one
 2 hundred fifteen thousandths (1921.115), Code, 1939, is hereby amended
 3 by striking therefrom the last sentence of the first paragraph of said
 4 section, being the sentence as follows: "No person, except parent or
 5 guardian, shall furnish to any minor under twenty-one years of age, by
 6 gift, sale or otherwise, any beer."

7 Said section one thousand nine hundred twenty-one and one hun-
 8 dred fifteen thousandths (1921.115) is further amended by inserting in
 9 line eleven (11) between the words "to" and "any", the words "or
 10 consumed by"; and also by inserting after the word "person" in line
 11 eleven (11), the following: ", on the premises of any class "B" permit
 12 holder,".

13 Said section one thousand nine hundred twenty-one and one hundred
 14 fifteen thousandths (1921.115) is further amended by adding thereto as
 15 a separate paragraph, the following:

16 "It shall be unlawful for any person to sell, give or make available
 17 to any minor or to permit any minor to purchase or consume any beer
 18 on the premises of a class "B" or class "C" permit holder, or for any
 19 minor to buy or attempt to buy or to secure or attempt to secure beer
 20 from any person, and it shall further be unlawful for any person to
 21 offer beer, with or without consideration, to any minor, except within
 22 a private home and with the knowledge and consent of the parent or
 23 guardian of said minor. A violation of the provisions of this paragraph
 24 by any holder of a class "B" or class "C" permit or any of his agents
 25 or employees in connection with the operation of a beer business under
 26 said class "B" or class "C" permit shall be a mandatory ground for
 27 revocation of said permit, in addition to other mandatory grounds
 28 provided in this chapter."

1 SEC. 5. Chapter ninety-three and two tenths (93.2), Code, 1939,
 2 is amended by adding thereto as a separate section the following:

3 "(a) No dancing shall be permitted in connection with the operation
 4 of a beer business under any class "B" license, except that cities and
 5 towns, including cities or towns organized under special charter, may,
 6 by ordinance, and county boards of supervisors may by resolution
 7 authorize and license dancing in connection with the operation of a
 8 beer business under a class "B" license provided the floor space used
 9 for dancing purposes therein contain at least five hundred (500) square
 10 feet, all of which shall be of the same general floor level as the place
 11 where the beer is dispensed; said space to be used for dancing shall be
 12 in the same room as, or in a room adjacent to and opening directly
 13 from, the place where beer is dispensed and with a full view at all times
 14 of the major portion thereof from the place where beer is dispensed.
 15 Said floor space shall not be obstructed or crossed in any part or portion
 16 by partitions or other obstructions of any kind, except necessary
 17 structural posts, pillars or similar supports.

18 "(b) It is further provided that the holder of a class "B" license
 19 where dancing shall be permitted in connection therewith, as herein
 20 provided, shall, at his own expense, provide for the attendance thereat,
 21 at all times during the hours when dancing is permitted, of a policeman
 22 who shall be a member of the regularly constituted police force of the
 23 city or town, or an officer of the sheriff's department in case said

24 license has been issued by the board of supervisors, or especially
25 deputized for that purpose; said officers shall wear the regulation
26 police officer's uniform of said city or town, or of the sheriff's office
27 as the case may be, and if no prescribed uniform shall have been
28 adopted, then said officers shall be required to wear such distinctive
29 uniform as the council or sheriff shall designate; the provisions of
30 subsections (a) and (b) of this section shall not apply to any club
31 holding a class "B" permit under this chapter or to hotels with fifty
32 or more guest rooms when the operator thereof holds the class "B"
33 license in connection with which dancing is permitted.

34 "(c) No booths shall be permitted or used in connection with the
35 operation of a beer business under any class "B" license issued in the
36 state of Iowa, unless the same are entirely open at one side with an
37 unobstructed view therein from the rest of the room. The total height
38 of any booth structure shall not exceed forty (40) inches, provided,
39 however, that any person who is the holder of a class "B" permit on
40 the date when this act shall become effective, and whose place of
41 business is, on said date, equipped with booths of a greater height
42 than forty (40) inches, but not to exceed fifty (50) inches, shall be
43 permitted to continue the use of the same for such period of time as
44 said business is operated by him. In no event, however, shall any
45 booth structure be of greater height than fifty (50) inches and no
46 booths installed in the place of business of any class "B" permit
47 holder on or after the date when this act shall become effective, shall
48 exceed forty (40) inches in height."

49 "(d) The place of said business shall be lighted so that all objects
50 are plainly visible at all times, and all parts of such place of business
51 shall be illuminated to a minimum of two foot candles as measured by
52 a foot candle meter at a plane of thirty inches above the floor line."

1 SEC. 6. Chapter ninety-three and two tenths (93.2), Code, 1939,
2 is amended by inserting therein the following section, to wit: "In
3 addition to all other provisions of this chapter for the revocation of
4 class "B" licenses, it is further provided that ten (10) or more citizens
5 of any precinct, or of any city or town where said city or town con-
6 tains more than one precinct, wherein the business under the Class "B"
7 license referred to in such complaint is conducted may join in filing,
8 and it shall be the duty of every peace officer to so file with the board
9 or council which granted the license in question, a complaint in writ-
10 ing, when such complainant or complainants shall have knowledge
11 of any violations of this chapter by any license holder, setting forth
12 the alleged acts of violation with reasonable accuracy. The said board
13 or council shall, upon receipt of any such complaint, forthwith fix a
14 date for hearing thereon and shall immediately thereafter cause a
15 written notice of the date, time and place of said hearing, together
16 with a copy of the complaint filed, to be served by any peace officer
17 upon the permit holder complained against, and upon the surety, or
18 the agent or representative of such surety, on his bond. Said date
19 of hearing shall not be sooner than five (5) nor later than fifteen (15)
20 days after the filing of said complaint. Said hearing may be adjourned
21 or continued at the discretion of the board or council for good cause
22 shown and the specific reasons therefor entered of record in the records

23 of the board or council, but except for extraordinary or unusual circum-
24 stances, specifically stated in writing and placed in the minutes of
25 such board or council, no more than two (2) continuances of not to
26 exceed five (5) days each shall be granted. At said hearing the person
27 or persons filing the complaint may be represented by counsel and the
28 permit holder may be represented by counsel. The board or council, as
29 the case may be, shall make full inquiry into the charges made in the
30 complaint, being authorized to administer oaths and take testimony
31 thereon, and if it appears that the permit holder has violated any
32 provision of this chapter for which mandatory revocation is provided,
33 the board or council shall immediately revoke said license, and the
34 bond of the permit holder provided for in section one thousand nine
35 hundred twenty-one and one hundred four thousandths (1921.104) of
36 this chapter, shall be forfeited and its principal or penal sum shall
37 become immediately due and payable to such city, town, or county, as
38 the case may be. A certification of such order of forfeiture shall forth-
39 with be filed with the clerk of the district court of the county and when
40 so filed the clerk of the court shall forthwith enter a judgment in
41 favor of the city whose council granted said permit or in favor of
42 the county whose board of supervisors granted said permit, as the case
43 may be, and against the permittee and the surety on his bond in the
44 full amount of the principal sum of said bond. Either the complainant
45 or the permittee may appeal to the district court of the county in
46 which such permit was issued, or a judge thereof in vacation, from the
47 decision of the board or council by serving written notice of such
48 appeal on the opposite party in the same manner as service of original
49 notices of suits and filing said notice and return of service thereof
50 with the board or council within ten (10) days after the entry of such
51 decision. In the event the decision of the board or council provides for
52 a revocation of the permit, same shall stand revoked immediately
53 and shall not be reinstated unless the district court or judge shall
54 reverse the decision of the board or council. When notice of appeal
55 has been served and filed, the board or council, as the case may be,
56 shall immediately certify all the original papers to the clerk of the
57 district court together with a certified copy of the order appealed
58 from. The appeal shall be heard and determined by the district court
59 without jury, or by a judge thereof in vacation within ten (10) days
60 thereafter and the hearing thereof shall be given precedence over
61 other matters pending in said court. The board or council and the
62 permit holder may be represented by counsel at such hearing. The
63 said district court, or judge thereof in vacation, shall have full jurisdic-
64 tion to hear and determine the matter de novo, and the decision of
65 the court or judge shall be final and not subject to appeal to the
66 supreme court except on the question of violation of the constitutional
67 rights of either party. Nothing herein shall preclude prosecution of
68 the license holder for any violations of law."

1 SEC. 7. Section one thousand nine hundred twenty-one and one
2 hundred twenty-nine thousandths (1921.129), Code, 1939, is hereby
3 amended by striking therefrom all that part beginning with the words
4 "as follows:" in line twenty-seven (27) to and including the words
5 "said chapter," in line forty (40) and inserting in lieu thereof the
6 following:

7 "Provided, however, where an ordinance is adopted providing for
8 the limitation of class "B" permits the minimum limitation shall not
9 be less than one class "B" permit to be issued upon application meet-
10 ing the requirements of this chapter for each five hundred (500)
11 population or fractional part thereof up to twenty-five hundred (2,500)
12 population and one additional permit for each seven hundred fifty
13 (750) population or fractional part thereof over and above twenty-
14 five hundred (2,500) population. However, in towns having a popula-
15 tion of one thousand (1,000) or less, at least two (2) permits shall be
16 allowed if proper application is made therefor in accordance with the
17 requirements of the provisions of this chapter.

1 SECTION 8. Section one thousand nine hundred twenty-one and one
2 hundred thousandths (1921.100) of the Code of 1939 is amended by
3 adding thereto the following:

4 Any Class "B" permittee or his executor, administrator or any
5 person duly appointed by the Court to take charge of and administer
6 the property or assets of such permittee for the benefit of his creditors,
7 may voluntarily surrender any permit, issued under this Chapter,
8 to the issuing authority and when so surrendered the issuing authority
9 shall refund to the person so surrendering the permit a proportionate
10 amount of the permit fee paid for such permit as follows: if sur-
11 rendered during the first three (3) months of the period for which
12 said permit was issued the refund shall be three-fourths ($\frac{3}{4}$) of the
13 amount of the permit fee; if surrendered more than three (3) months
14 but not more than six (6) months after issuance the refund shall be
15 one-half ($\frac{1}{2}$) of the amount of the permit fee; if surrendered more
16 than six (6) months but not more than nine (9) months after issuance
17 the refund shall be one-fourth ($\frac{1}{4}$) of the amount of the permit fee.
18 No refund shall be made, however, for any permit surrendered more
19 than nine (9) months after issuance. No refund shall be made to any
20 permit holder, upon the surrender of his permit, if there is at the
21 time of said surrender a complaint filed with the board or council
22 charging him with a violation of the provisions of this chapter. If
23 upon hearing on any such complaint, so filed, his permit be not revoked,
24 then said permit holder shall be eligible, upon surrender of his license,
25 to receive a refund as herein provided. But in event his license is
26 revoked upon such hearing then he shall not be eligible for the refund
27 of any portion of his permit fee."

1 SEC. 9. Section one thousand nine hundred twenty-one and one
2 hundred twenty-nine thousandths (1921.129) is hereby amended by
3 striking from lines fifty-two (52) and fifty-three (53) of said section
4 the following: "and for the prohibiting and regulation of dancing
5 in places where beer is sold;".

Approved April 23, 1941.

CHAPTER 115

PENALTY FOR SECOND CONVICTION IN A CRIMINAL ACTION

H. F. 116

AN ACT to amend section one thousand nine hundred sixty-four (1964), Code, 1939, by changing the penalty for a second conviction of a violation of any of the provisions of title six (VI) of said Code.

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

1 Subsection (a) of subsection three (3) of section one thousand nine
2 hundred sixty-four (1964), Code, 1939, is hereby amended by inserting
3 following the word "jail" in line four (4) thereof the following: "or
4 the state penitentiary".

Approved March 19, 1941.

CHAPTER 116

DISPOSAL OF DEAD BODIES

H. F. 209

AN ACT to amend section two thousand three hundred eighteen (2318), Code, 1939, relating to death certificates, burial and removal permits and providing an exception for filing same, where it is impossible to secure such certificate, burial or removal permit without delay.

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

1 SECTION 1. Section two thousand three hundred eighteen (2318),
2 code, 1939, is hereby amended by adding the following after the period
3 (.) at the end of subsection two (2):
4 "Provided, that in cases where it is impossible to secure such certi-
5 ficate, burial or removal permit without delay, the state registrar
6 may permit the attending embalmer or his registered student, to
7 remove a body from or into any registration district in the state on
8 the condition that such certificate, removal or burial permit will be
9 secured and properly filed before the body is buried or otherwise
10 disposed of, said permit to be executed in triplicate on a form prepared
11 by the state department of health."

Approved March 24, 1941.

CHAPTER 117

REGISTRATION OF VITAL STATISTICS

H. F. 407

AN ACT to repeal sections two thousand three hundred eighty-five (2385), two thousand three hundred eighty-six (2386), two thousand three hundred eighty-nine (2389), two thousand three hundred ninety (2390), two thousand three hundred ninety-one (2391) and two thousand three hundred ninety-five (2395), all in the Code, 1939, and to amend sections two thousand three hundred eighty-four (2384), two thousand three hundred ninety-two (2392), two thousand three hundred ninety-

four (2394), two thousand three hundred ninety-six (2396), two thousand four hundred seventeen (2417), and two thousand four hundred twenty-six (2426), Code, 1939, and to amend chapter one hundred fourteen (114), Code, 1939, all relating to the registration of vital statistics and providing for the appointment of a county registrar, and providing for the appointment of local registrars by local boards of health in cities having a population in excess of thirty-five thousand (35,000).

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

1 SECTION 1. Section two thousand three hundred eighty-four (2384),
2 Code, 1939, is hereby amended by adding the following at the end of
3 said section:

4 "5. County registrar shall mean the county registrar of vital sta-
5 tistics."

1 SEC. 2. Section two thousand three hundred eighty-five (2385),
2 Code, 1939, is hereby repealed.

1 SEC. 3. Section two thousand three hundred eighty-six (2386),
2 Code, 1939, is hereby repealed.

1 SEC. 4. Section two thousand three hundred eighty-nine (2389),
2 Code, 1939, is hereby repealed.

1 SEC. 5. Chapter one hundred fourteen (114), Code, 1939, is hereby
2 amended by adding thereto the following section:

3 "The clerk of the district court of each county shall be the county
4 registrar."

1 SEC. 6. Section two thousand three hundred ninety (2390), Code,
2 1939, is hereby repealed.

1 SEC. 7. Chapter one hundred fourteen (114), Code, 1939, is hereby
2 amended by adding thereto the following section:

3 "Each county registrar shall appoint one of his deputy clerks of
4 court as deputy county registrar and said deputy county registrar
5 shall act in his place in case of his absence or disabilities; and such
6 deputy shall, in writing, accept such appointment."

1 SEC. 8. Section two thousand three hundred ninety-one (2391),
2 Code, 1939, is hereby repealed.

1 SEC. 9. Chapter one hundred fourteen (114), Code, 1939, is hereby
2 amended by adding thereto the following section:

3 "The county registrar shall with the approval of the board of super-
4 visors, appoint as many local registrars as are, in his opinion, neces-
5 sary to carry out the provisions of this chapter and shall assign to
6 each local registrar a definite district, except that local registrars
7 in cities having a population of thirty-five thousand (35,000) or more,
8 shall be appointed by the local board of health. A copy of such appoint-
9 ments and assignments shall be kept as a permanent record in the
10 office of the county registrar and a copy thereof shall be forwarded
11 to the state registrar."

1 SEC. 10. Section two thousand three hundred ninety-two (2392),
2 Code, 1939, is hereby amended by striking from lines one (1) and two
3 (2) the following words: ", deputy registrar, or subregistrar,".

1 SEC. 11. Section two thousand three hundred ninety-four (2394),
2 Code, 1939, is hereby amended by striking from line one (1) in sub-
3 section eight (8) the word "tenth" and inserting in lieu thereof the
4 word "third".

5 Said section is further amended by striking from line two (2) in
6 subsection eight (8) the word "state" and inserting in lieu thereof
7 the word "county".

8 Said section is further amended by striking from line six (6) of
9 subsection eight (8) the word "tenth" and inserting in lieu thereof
10 the word "third".

11 Said section is further amended by striking from line seven (7)
12 in subsection eight (8) the word "state" and inserting in lieu thereof
13 the word "county".

1 SEC. 12. Section two thousand three hundred ninety-five (2395),
2 Code, 1939, is hereby repealed.

1 SEC. 13. Chapter one hundred fourteen (114), Code, 1939, is here-
2 by amended by adding thereto the following section:

3 "On the tenth day of every month the county registrar shall transmit
4 to the state registrar, in a stamped, returned envelope furnished by the
5 state registrar, the original certificates transmitted to him by the
6 several local registrars after first making a permanent record thereof
7 in a book to be approved by the state registrar. If no births or deaths
8 occur within the county in any month, he shall on the tenth day of
9 the following month report that fact to the state registrar on a card
10 provided for that purpose."

1 SEC. 14. Section two thousand three hundred ninety-six (2396),
2 Code, 1939, is hereby amended by striking from line four (4) thereof
3 the word "local" and inserting in lieu thereof the word "county".

4 Said section is further amended by striking from line seven (7)
5 thereof the word "subregistrar" and inserting in lieu thereof the
6 words "local registrar".

1 SEC. 15. Section two thousand four hundred seventeen (2417),
2 Code, 1939, is hereby amended by striking from line four (4) thereof
3 the word "state" and inserting in lieu thereof the word "county".

1 SEC. 16. Section two thousand four hundred twenty-six (2426),
2 Code, 1939, is hereby amended by inserting after the word "registrar"
3 in line one (1) thereof the following: "or any county registrar".

Approved April 21, 1941.

CHAPTER 118

PRACTICE OF OPTOMETRY

S. F. 211

AN ACT to amend chapter one hundred twenty-two (122), Code, 1939, relating to the practice of optometry and the dispensing of ophthalmic lenses.

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

1 SECTION 1. Section twenty-five hundred seventy-seven (2577), sub-
2 section one (1) of the code is amended by striking from line three (3)
3 the word "three" and inserting in lieu thereof the word "four".

1 SEC. 2. Chapter one hundred twenty-two (122) of the Code is
2 amended by adding thereto the following:

3 "Beginning with the thirtieth day of June 1942 every license to
4 practice optometry shall expire on the thirtieth day of June of said
5 year and each succeeding year thereafter. Application for renewal of
6 such license shall be made in writing to the Department of Health at
7 least thirty (30) days prior to the annual expiration date, accompanied
8 by the legal renewal fee and the affidavit of the licensee or other proof
9 satisfactory to the Department and to the Iowa State Board of Op-
10 tometry Examiners, that said applicant has attended, since the issuance
11 of the last license to said applicant, an educational program or clinic
12 as conducted by the Iowa Optometric Association, or its equivalent, for
13 a period of at least two days. The attendance requirement at said
14 educational program or clinic shall not be conditioned upon member-
15 ship in said Iowa Optometric Association. Nonmembers shall be ad-
16 mitted to said annual educational program or clinic upon payment of
17 their pro rata share of the cost. In lieu of attendance at the said
18 annual educational program or clinic, it shall be the duty of the Board
19 of Optometry Examiners to recognize and approve attendance at local
20 optometric study group meetings as shall, in the judgment of said
21 board, constitute an equivalent to attendance at the annual educational
22 program of said association."

1 SEC. 3. Chapter one hundred twenty-two (122) of the Code is
2 amended by adding thereto the following:

3 "Notice of expiration of the annual license to practice optometry
4 shall be given by the State Department of Health to all certificate
5 holders by mailing said notice to the last known address of such licensee
6 on or before the 15th day of April of each year, and said notice shall
7 contain a statement of the educational program attendance require-
8 ment and the amount of legal fee required as a condition to the renewal
9 of the license for the coming year. Subject to the provisions of this
10 chapter, said license shall be renewed without examination."

1 SEC. 4. Chapter one hundred twenty-two (122) of the Code is
2 amended by adding thereto the following:

3 "The filing of proof of attendance at an educational program or
4 clinic as provided in this chapter shall be a condition precedent to the
5 issuance of a renewal license, provided, however that the Iowa State

6 Board of Optometry Examiners may reinstate such licensee to practice
 7 optometry upon presentation of satisfactory proof of postgraduate
 8 study of a standard approved by said Examiners, and payment of all
 9 fees due. Licensees residing and practicing in other states are not
 10 required to comply with the postgraduate requirement."

1 SEC. 5. Chapter one hundred twenty-two (122) of the Code is
 2 amended by adding thereto the following:

3 "It shall be unlawful for any person to dispense an ophthalmic lens
 4 or lenses, without first having obtained a written prescription or order
 5 therefor from a duly licensed practitioner referred to in this chapter,
 6 or other practitioner authorized to write said prescriptions or orders.
 7 Each such practitioner shall furnish his patient without charge a copy
 8 of his patient's prescription."

1 SEC. 6. If any section, clause, sentence, or phrase of this act is for
 2 any reason held to be unconstitutional and/or invalid, such decision
 3 shall not affect the validity of the remaining portions of this act. The
 4 legislature hereby declares that it would have passed this act and each
 5 section, clause, sentence, or phrase hereof, irrespective of whether
 6 any one or more of the sections, clauses, sentences, or phrases be de-
 7 clared unconstitutional.

1 SEC. 7. For the purpose of this act, an ophthalmic lense shall mean
 2 one which has been ground to fill the requirements of a particular
 3 prescription.

Approved April 14, 1941.

CHAPTER 119

SOIL CONSERVATION DISTRICTS

H. F. 207

AN ACT to amend chapter one hundred twenty-five and one tenth (125.1), Code, 1939, and chapter ninety-two (92), Acts of the Forty-eighth General Assembly, relating to soil conservation districts; the powers, duties, and compensation of the state soil conservation committee; the election and terms of office of district commissioners, their powers, duties, and compensation; the discontinuance of soil conservation districts; and the biennial report to the governor; and to amend chapter seven and one tenth (7.1), Code, 1939, relating to submission of biennial estimate of expenditures to the state comptroller by the state conservation committee.

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

1 SECTION 1. Chapter one hundred twenty-five and one tenth (125.1),
 2 code, 1939, is hereby amended by striking therefrom the words "super-
 3 visor" and "supervisors" wherever they may appear therein and by
 4 inserting in lieu thereof the word "commissioner" or "commissioners",
 5 as the case may be, and the code editor is hereby authorized to make
 6 said changes.

1 SEC. 2. Section two thousand six hundred three and four hundredths
 2 (2603.04), code, 1939, is hereby amended by striking from line two

3 (2) of subsection five (5) the figures "2603.07" and inserting in lieu
4 thereof the figures "2603.06".

5 Said section is hereby further amended by striking subsection ten
6 (10) and inserting in lieu thereof the following:

7 "10. 'Landowner' includes any person, firm, or corporation who
8 shall hold title to three or more acres of land lying outside incorporated
9 cities or towns and within a proposed district or a district organized
10 under the provisions of this chapter."

11 Said section is hereby further amended by striking all of subsection
12 eleven (11) and by renumbering the following subsection.

1 SEC. 3. Section two thousand six hundred three and five hundredths
2 (2603.05), code, 1939, is hereby amended by striking from lines twenty-
3 three (23) and twenty-four (24) of subsection three (3) the following:
4 "Such per diem shall not exceed fifty days per year.", and by inserting
5 in lieu thereof the following: "The committee shall determine the
6 number of days for which any committee member may draw per diem
7 compensation, but the total number of days for which per diem com-
8 pensation is allowed for the entire committee shall not exceed one
9 hundred fifty (150) days per year."

1 SEC. 4. Section two thousand six hundred three and six hundredths
2 (2603.06), code, 1939, is hereby amended by striking therefrom sub-
3 sections three (3), four (4), five (5), and six (6) and inserting in lieu
4 thereof the following:

5 "3. After the committee has made and recorded a determination
6 that there is need, in the interest of health, safety, and public welfare,
7 for the organization of a district in a particular territory and has
8 defined the boundaries thereof, it shall consider the question whether
9 the operation of a district within such boundaries with the powers
10 conferred upon soil conservation districts in this chapter in admin-
11 istratively practicable and feasible. It shall be the duty of the com-
12 mittee to hold a referendum within the proposed district upon the
13 question of the creation of the district, and, at the same time, hold an
14 election to elect the first commissioners of the district, and to cause
15 due notice of such referendum and election to be given. Nomination
16 petitions may be filed with the state soil conservation committee to
17 nominate candidates for commissioners. Candidates for commis-
18 sioners shall be nominated at least ten (10) days prior to the date of
19 the election, unless the committee extends the time within which
20 nominating petitions may be filed. No such nominating petition shall
21 be accepted by the committee unless it shall be subscribed by twenty-
22 five (25) or more landowners of such proposed district. Such land-
23 owners may sign more than one such nominating petition to nominate
24 more than one candidate for commissioners. The referendum and
25 election shall be held by using ballots upon which the words 'For
26 creation of a soil conservation district of the lands below described
27 and lying in the county (ies) of.....,,
28 and.....' and 'Against creation of a soil con-
29 servation district of the lands below described and lying in the county
30 (ies) of.....,, and.....'
31 shall appear, with a square before each proposition, and a direction
32 to insert an X mark in the square before one or the other of said

33 propositions as the voter may favor or oppose creation of such district.
34 The ballot shall set forth the boundaries of such proposed district as
35 determined by the committee. The names of all nominees on behalf
36 of whom such nominating petitions have been filed within the time
37 herein designated shall also appear upon the ballots, arranged in
38 alphabetical order of the surnames, with a square before each name
39 and a direction to insert an X mark in the square before any three
40 (3) names to indicate the voter's preference. Only owners of land
41 within the boundaries of the territory as determined by the state
42 soil conservation committee shall be eligible to vote in such refer-
43 endum and election.

44 "4. The committee shall pay all expenses for the issuance of such
45 notices and the conduct of such hearings, referenda and elections,
46 and shall supervise and conduct such hearings, referenda and elections.
47 It shall issue appropriate regulations governing the conduct of such
48 hearings, referenda and elections, and provide for the registration,
49 prior to the date of the referendum and election, of all eligible voters,
50 or prescribe some other appropriate procedure for the determina-
51 tion of those eligible as voters in such referendum and election. No
52 informalities in the conduct of such referendum and election or in
53 any matters relating thereto shall invalidate said referendum and
54 election or the result thereof if notice thereof shall have been given
55 substantially as herein provided and said referendum and election
56 shall have been fairly conducted.

57 "5. The committee shall consider and determine whether the
58 operation of the district within the defined boundaries is adminis-
59 tratively practicable and feasible and shall publish the result of such
60 referendum. If the committee shall determine that the operation of
61 such district is not administratively practicable and feasible, it shall
62 record such determination and shall deny the petition for organiza-
63 tion of a district. If the committee shall determine that the operation
64 of such district is administratively practicable and feasible, it shall
65 record such determination and shall proceed with the organization
66 of the district in the manner hereinafter provided. In making such
67 determination the committee shall give due regard and weight to the
68 attitudes of the landowners and occupiers within the defined bound-
69 aries, and the number of landowners eligible to vote in such refer-
70 endum who shall have voted, the proportion of the votes cast in such
71 referendum in favor of the creation of the district to the total number
72 of votes cast, the income of the landowners and occupiers of the
73 proposed district, the probable expense of carrying on erosion-control
74 operations within such district, and such other economic and social
75 factors as may be relevant to such determination, having due regard
76 to the legislative determinations set forth in section two thousand
77 six hundred three and three hundredths (2603.03); provided, how-
78 ever, that the committee shall not have authority to determine that
79 the operation of the proposed district within the defined boundaries
80 is administratively practicable and feasible unless at least sixty-five
81 per cent (65%) of the votes cast in the referendum is in favor of the
82 creation of such district.

83 "6. If the committee shall determine that the operation of the
84 proposed district within the defined boundaries is administratively

85 practicable and feasible, it shall publish the results of the election
86 of commissioners. The three (3) candidates who shall have received
87 the largest number, respectively, of the votes cast in such election shall
88 be the elected commissioners for such district. The term of office
89 of each commissioner shall be six years, except that the terms of
90 the commissioners first elected shall be as follows: Six years for
91 the commissioner receiving the highest number of votes in the elec-
92 tion, four years for the commissioner receiving the second highest
93 number of votes in the election, and two years for the commissioner
94 receiving the third highest number of votes in the election. A com-
95 missioner shall hold office until his successor has been elected and
96 has qualified. Vacancies shall be filled for the unexpired term.
97 There shall be elected biennially one commissioner for the term of
98 six years to succeed the commissioner whose term of office expires.
99 The election of a successor to fill an unexpired term or for a full
100 term shall be made under regulations of the state soil conservation
101 committee and conducted by the commissioners of the district in the
102 same manner as hereinabove provided; or, at the discretion of the
103 committee, it may appoint a successor to fill the unexpired term of a
104 commissioner, but only for a term extending to the date of the next
105 election in the district held to elect a successor to a commissioner
106 for that district.

107 "Such district shall be a body corporate upon the taking of the
108 following proceedings: The three (3) commissioners shall present to
109 the secretary of state an application signed by them, which shall set
110 forth (and such application need contain no detail other than the mere
111 recitals): (1) that a petition for the creation of the district was
112 approved by the state soil conservation committee pursuant to the
113 provisions of this chapter, and that they are the duly elected com-
114 missioners; (2) the name and official residence of each of the com-
115 missioners; (3) the name which is proposed for the district; and
116 (4) the location of the proposed office of the commissioners of the
117 district. The application shall be subscribed and sworn to by each
118 of said commissioners before an officer authorized by the laws of
119 this state to take and certify oaths. The application shall be ac-
120 companied by a statement by the state soil conservation committee
121 which shall certify that a petition was filed, notice issued, and
122 hearing held as aforesaid; that the committee did duly determine
123 that there is need, in the interest of health, safety, and public welfare,
124 for a soil conservation district to function in the proposed territory
125 and did define the boundaries thereof; that notice was given and a
126 referendum held on the question of the creation of such district and
127 an election held to elect commissioners for such district, if created,
128 and that the results of such referendum showed sixty-five percent
129 (65%) of the votes cast in such referendum to be in favor of the
130 creation of the district; that thereafter the committee did duly deter-
131 mine that the operation of the proposed district is administratively
132 practicable and feasible. The said statement shall set forth the
133 boundaries of the district as they have been defined by the committee,
134 and the names of the duly elected commissioners.

135 "The secretary of state shall examine the application and state-
136 ment and, if he finds that the name proposed for the district is not

137 identical with that of any other soil conservation district of this state
138 or so nearly similar as to lead to confusion or uncertainty, he shall
139 receive and file them and shall record them in an appropriate book of
140 record in his office. If the secretary of state shall find that the name
141 proposed for the district is identical with that of any other soil con-
142 servation district of this state, or so nearly similar as to lead to
143 confusion and uncertainty, he shall certify such fact to the state soil
144 conservation committee, which shall thereupon submit to the secretary
145 of state a new name for the said district, which shall not be subject to
146 such defects. Upon receipt of such new name, free of such defects,
147 the secretary of state shall record the application and statement,
148 with the name so modified, in an appropriate book of record in his
149 office. When the application and statement have been made, filed and
150 recorded, as herein provided, the district shall constitute a body cor-
151 porate. The secretary of state shall make and issue to the said com-
152 missioners a certificate, under the seal of the state, of the due
153 organization of the said district, and shall record such certificate
154 with the application and statement. The commissioners shall also
155 cause such certificate to be recorded in the office of the county
156 recorder of each county in which the land of the district extends. The
157 boundaries of such district shall include the territory as determined
158 by the state soil conservation committee as aforesaid, but in no event
159 shall they include any area included within the boundaries of another
160 soil conservation district organized under the provisions of this
161 chapter."

162 Said section two thousand six hundred three and six hundredths
163 (2603.06) is further amended by striking from line one (1) of sub-
164 section seven (7) the word "eighteen" and inserting in lieu thereof
165 the word "six".

166 Said section two thousand six hundred three and six hundredths
167 (2603.06) is further amended by striking therefrom subsection eight
168 (8) and inserting in lieu thereof the following:

169 "8. Petitions for including additional territory within an existing
170 district may be filed with the state soil conservation committee, and
171 the proceedings herein provided for in the case of petition to organize
172 a district shall be observed in the case of petitions for such inclusion.
173 The committee shall prescribe the form for such petition, which shall
174 be as nearly as may be in the form prescribed in this chapter for
175 petitions to organize a district. In referenda upon petitions for such
176 inclusion, all landowners within the proposed area shall be eligible
177 to vote. Where the total number of landowners in the area proposed
178 for inclusion shall be less than twenty-five (25), the petition may be
179 filed when signed by seventy-five percent (75%) of the landowners
180 of such area, and in such case no referendum need be held."

181 Said section two thousand six hundred three and six hundredths
182 (2603.06) is further amended by striking therefrom lines twenty-
183 seven (27) to thirty (30), inclusive, and inserting in lieu thereof the
184 following:

185 "Where petitions are filed covering adjacent territory or parts
186 of the same territory, the state soil conservation committee may
187 consolidate all or any of such petitions."

1 SEC. 5. Section two thousand six hundred three and seven hun-

2 dredths (2603.07), code, 1939, is hereby repealed.

1 SEC. 6. Section two thousand six hundred three and eight hun-
2 dredths (2603.08), code, 1939, is hereby amended by striking lines
3 one (1) to twenty-three (23), inclusive, and inserting in lieu thereof
4 the following:

5 "The governing body of the district shall consist of three commis-
6 sioners who shall reside within the district or in cities or towns lying
7 within the outside boundaries of the district. The commissioners
8 shall designate a chairman and may, from time to time, change such
9 designation.

10 The commissioners of the respective districts shall submit to the
11 committee such statements, estimates, budgets, and other information
12 at such times and in such manner as the committee may require.

13 A commissioner shall receive no compensation for his services but
14 he may be paid expenses, including traveling expenses, necessarily
15 incurred in the discharge of his duties, if funds are available for that
16 purpose."

1 SEC. 7. Section two thousand six hundred three and nine hun-
2 dredths (2603.09), code, 1939, is hereby amended by inserting the
3 words "or occupier" after the word "owner" in line seven (7) of sub-
4 section two (2), line twelve (12) of subsection three (3), and line
5 five (5) of subsection four (4); also by inserting the words "or
6 occupiers" after the word "landowners" in lines two (2) and five (5)
7 and six (6) of subsection six (6), and line eight (8) of subsection
8 eleven (11); also by inserting the words "and occupiers" after the
9 word "owners" in line thirteen (13) of subsection eight (8).

1 SEC. 8. Section twelve (12) of chapter ninety-two (92), Acts of
2 Forty-eighth General Assembly, is hereby amended by striking all of
3 paragraph A after the word "Act" in line five (5) and inserting in
4 lieu thereof a period.

5 Said section is further amended by striking from paragraph B the
6 following: "1st, 1941," and inserting in lieu thereof the words "first
7 next preceding each biennial legislative session,".

1 SEC. 9. Chapter seven and one tenth (7.1), Code, 1939, is hereby
2 amended by adding thereto the following section:

3 "On or before September first next preceding each biennial legisla-
4 tive session, the state soil conservation committee shall submit to
5 the state comptroller, on official estimate blanks furnished for such
6 purposes, statements and estimates of the expenditure requirements
7 for each fiscal year of the ensuing biennium, and a statement of the
8 balance of funds, if any, available to the committee, and the estimates
9 of the committee as to the sums needed for its administrative and other
10 expenses."

1 SEC. 10. This act being deemed of immediate importance shall
2 take effect and be in force from and after its publication in the
3 Gravity Independent, a newspaper published at Gravity, Iowa, and in
4 The Union-Tribune, a newspaper published at Russell, Iowa.

Approved April 16, 1941.

I hereby certify that the foregoing act was published in the Gravity Independent, Gravity, Iowa, April 24, 1941, and the Union-Tribune, Russell, Iowa, April 24, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 120

SOIL CONSERVATION

S. F. 156

AN ACT to amend sections two thousand six hundred three and nine hundredths (2603.09) and two thousand six hundred three and twelve hundredths (2603.12), Code, 1939, relating to soil conservation.

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

1 SECTION 1. Section two thousand six hundred three and nine hun-
2 dredths (2603.09), Code, 1939, is hereby amended as follows:

3 1. Strike from line one (1) of subsection three (3) of said section
4 the word "central" and insert in lieu thereof the word "control".

5 2. Strike from line six (6) of subsection three (3) of said section
6 the word "subsection C of".

1 SEC. 2. Section two thousand six hundred three and twelve hun-
2 dredths (2603.12), Code, 1939, is hereby amended by striking all of the
3 last sentence of the third (3d) paragraph of said section.

Approved April 10, 1941.

CHAPTER 121

CONTROL AND ERADICATION OF BANG'S DISEASE

S. F. 505

AN ACT to provide for control and eradication of Bang's disease in cattle; 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; and repealing chapter eighty-seven (87), Acts of the 48th General Assembly.

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 under the super-
7 vision 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 or
4 slaughter of condemned livestock, the disinfection of the premises, the
5 introduction into the herd of other cattle, the control and eradication
6 of Bang's disease, the prevention of the spread thereof to the cattle of
7 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 and
3 regulations made by the department under Section 2 of this Act, the
4 expense of such inspection and test shall be borne by the United States
5 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 depart-
3 ment is satisfied that any owner has failed to comply with any rule
4 or regulation made by the department under the provisions of this Act,
5 the owner shall be so notified in writing by the department, and such
6 owner shall immediately lose all rights or interest acquired, if any,
7 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 at
3 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 of
4 the tests, upon blanks furnished by the department and signed by the
5 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 be
3 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 im-
3 mediately segregated from the remaining cattle and held in quarantine
4 at 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 of
7 the department.

1 **SEC. 12. Exposure of stock to disease.**

2 No cattle shall be brought in contact with any condemned cattle held
3 in quarantine. If any untested cattle are added to the quarantined lot,
4 said cattle shall become a part of the lot and held subject to the same
5 rules and regulations.

1 **SEC. 13. Slaughter or removal of condemned stock without per-
2 mission.**

3 No condemned cattle shall be slaughtered, have their location
4 changed, or be moved from quarantine except by official written permit
5 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 or
6 representative of the United States department of agriculture at a time
7 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 condemned
3 as a result of an official test, except under regulations issued by the
4 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 the
3 control and eradication of Bang's disease within the state or with the
4 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 slaughtered, such cattle shall be appraised at their
3 cash value for dairy and breeding purposes by the owner and a repre-
4 sentative of the state department of agriculture, or a representative of
5 the United States department of agriculture, or by the owner and both
6 of such representatives. If these parties cannot agree as to the amount
7 of the appraisal, there shall be appointed three competent and disin-
8 terested persons, one by the state department of agriculture, one by the
9 owner, and the third by the first two appointed, to appraise such
10 animals, which appraisal shall be final.

1 **SEC. 19. Amount of indemnity.**

2 The department shall certify the claim of the owner for each animal
3 slaughtered in accordance with this Act for not more than one-third
4 (1/3) of the difference between the appraised value of such animal and
5 the net salvage value thereof, but in no case more than twelve dollars
6 and fifty cents (\$12.50) for a grade animal or not more than twenty-
7 five dollars (\$25.00) for a registered purebred animal, but in no case
8 shall the department pay indemnity on cattle not eligible to receive a
9 like amount from the United States Department of Agriculture.

10 No indemnity shall be paid:

- 11 (a) On animals diseased at the time of arrival in this state.
12 (b) On animals which the owner or claimant knew to be diseased,
13 or had notice thereof at the time they came into his possession.
14 (c) Whenever the owner or agent in possession of said animal has
15 not complied with the rules and regulations of the department.
16 (d) When the condemned animals are not destroyed within thirty
17 (30) days after completion of test.

1 **SEC. 20. Appropriation.**

2 All funds appropriated by the state for carrying out the provisions
3 of this Act shall be administered by the department for the payment of
4 indemnity, salaries, and other necessary expenses.

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 chapter,
5 except as provided herein, and such levy shall not exceed one-half mill
6 in any year upon the taxable value of all the property in the county.

1 **SEC. 22. Collection.**

2 Such levy shall be placed upon the tax list by the county auditor and
3 collected by the county treasurer in the same manner and at the same
4 time as other taxes of the county. The money derived from such levy
5 shall be placed in a fund to be known as the "County Bang's Disease
6 Eradication Fund", and the same shall only be used for the payment
7 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 certifica-
6 tion 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 depart-

4 ment in writing of such fact, and no expense shall be incurred on such
5 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 by
3 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. Chapter 87 Acts of the 48th General Assembly also known
2 as Senate File 255, 48th General Assembly, is hereby repealed, pro-
3 vided that the tax levies made and taxes collected under the provisions
4 of said Chapter 87 Acts of the 48th General Assembly shall continue
5 in force and be applied and used under the provisions of this act to the
6 end that the work of controlling and eradicating Bang's disease under
7 Chapter 87 Acts of the 48th General Assembly, may continue without
8 interruption under the provisions of this act.

Approved April 30, 1941.

CHAPTER 122

BABY CHICK ACT

S. F. 213

AN ACT to provide regulations as to the sale of baby chicks; to provide for the licens-
ing of handlers and dealers thereof; to provide inspection for establishments oper-
ated by said handlers and dealers; and providing penalties for the violation of this
act.

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

1 SECTION 1. For the purpose of this Act:

2 1. "Baby Chicks" shall mean all domestic fowls six (6) weeks of
3 age or under.

4 2. "Department" or "Department of Agriculture" shall mean Iowa
5 Department of Agriculture.

6 3. "Person" shall include an individual, partnership, a corpora-
7 tion, company, firm, society, association, community sales, public sale
8 pavillions, or other holders of public auctions any place in the State
9 of Iowa, operating in the state of Iowa, but the term "person" shall
10 not be construed to include any person who hatches for sale one thou-
11 and (1,000) chicks per year or less; and the act, omission, or conduct
12 of any officer, agent or other person acting in a representative capacity
13 may be imputed to the organization or person represented, and the
14 person acting in such capacity shall also be liable for violation of this
15 act.

1 SEC. 2. Every person engaged in the business of custom hatching,
2 producing baby chicks for sale in this state, or of selling or offering
3 for sale baby chicks from any place located in this state shall obtain
4 a license from the Department for each establishment, at which said

5 business is conducted. Applications for such licenses shall be made
6 upon blanks furnished by the Department and shall conform to the
7 prescribed rules of the Department.

1 SEC. 3. The license fee shall be ten dollars (\$10.00) per annum,
2 and each license shall expire on July first after date of issue. However,
3 any license issued before July 1, 1941, shall be in full force and effect
4 until July 1, 1942.

1 SEC. 4. All fees collected under the provisions of this act shall be
2 paid into the state treasury.

1 SEC. 5. All establishments licensed under this chapter, shall:
2 1. Before baby chicks are delivered for sale, determine that the
3 same are in a healthy condition.

4 2. Provide ample facilities for the proper care and handling of
5 baby chicks on the premises.

6 3. Maintain sanitary measures such as will properly suppress and
7 prevent the spread of contagious and infectious diseases of baby chicks.

8 4. When selling or delivering baby chicks to a purchaser in the
9 State, place the same in a box, crate, coop or other sanitary container
10 for delivery. Each such box, crate, coop or other container shall be
11 plainly labelled with the name of seller and description of contents.
12 Such description of contents shall include name of breed and variety,
13 percent of guarantee if chicks are sold as sexed chicks, date of hatch,
14 number of chicks and any tests made on parent stock.

1 SEC. 6. All establishments licensed under this chapter shall be sub-
2 ject to inspection by the Department to determine that the require-
3 ments of Section five (5) are fully met. The failure to comply with
4 Section five (5) or any of the provisions thereof shall constitute a
5 violation of this Act.

1 SEC. 7. The Secretary of Agriculture shall be charged with ad-
2 ministration and enforcement of this Act.

1 SEC. 8. Punishment. Any person, partnership, corporation, com-
2 pany, firm, society, or association who violates any provision of this
3 Act shall be guilty of a misdemeanor and shall be punished by a fine
4 not exceeding one hundred dollars.

1 SEC. 9. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Lake Mills Graphic, a newspaper published at Lake Mills, Iowa,
4 and the Toledo Chronicle, a newspaper published at Toledo, Iowa.

Approved April 3, 1941.

I hereby certify that the foregoing act was published in the Lake Mills Graphic, Lake
Mills, Iowa, April 9, 1941, and the Toledo Chronicle, Toledo, Iowa, April 10, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 123

INFECTIOUS AND CONTAGIOUS DISEASES OF ANIMALS

H. F. 159

AN ACT to amend section two thousand six hundred forty-four (2644), chapter one hundred twenty-eight (128), Code, 1939, relating to infectious and contagious diseases of animals.

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

1 SECTION 1. That section two thousand six hundred forty-four
2 (2644), code, 1939, is hereby amended by striking the word "necrotic"
3 in line five (5), thereof, and substituting in lieu thereof the word
4 "infectious"; and by adding after the comma following the words
5 "Bang's disease" in lines five (5) and six (6), the words "swine
6 erysipelas".

Approved March 24, 1941.

CHAPTER 124

FIRE PROTECTION IN HOTELS

H. F. 491

AN ACT to amend section two thousand eight hundred forty-three (2843), Code, 1939, relating to fire protection in hotels; to transfer certain duties in connection therewith from the labor commissioner to the state fire marshal.

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

1 SECTION 1. Section two thousand eight hundred forty-three (2843),
2 code, 1939, is amended by striking from lines ten (10) and eleven (11)
3 the words "labor commissioner" and substituting therefor the words
4 "state fire marshal".

Approved April 21, 1941.

CHAPTER 125

TREASURER OF THE STATE FAIR BOARD

S. F. 438

AN ACT to amend section two thousand eight hundred eighty-four (2884), Code, 1939, relating to the salary of the treasurer of the Iowa State Fair Board.

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

1 SECTION 1. Section two thousand eight hundred eighty-four (2884),
2 Code, 1939, is amended by striking the words "two hundred fifty" in
3 lines three (3) and four (4) and substituting in lieu thereof the words
4 "five hundred".

Approved April 15, 1941.

CHAPTER 126
ADULTERATION OF FOODS

H. F. 8

AN ACT to amend sections three thousand fifty-eight (3058) and three thousand sixty (3060), Code, 1939, relating to adulteration of foods.

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

1 SECTION 1. Section three thousand fifty-eight (3058), Code, 1939,
2 is hereby amended as follows:

3 1. In paragraph thirty-five a (35-a) strike from line one (1) the
4 comma after the word "milk" and insert in lieu thereof the word "or".

5 2. In paragraph thirty-five a (35-a) strike from line two (2) the
6 words "or frozen malted milk".

7 3. In paragraph thirty-five a (35-a) in line three (3) insert after
8 the word "frozen" the words "or semi-frozen".

9 4. In paragraph thirty-five a (35-a) strike from line nine (9) the
10 word "two" and insert in lieu thereof the word "one".

11 5. After paragraph thirty-five b ((35-b), insert the following para-
12 graph:

13 "35-c. "Frozen Malted Milk" means the pure, clean, frozen or semi-
14 frozen product made from the combination of milk products, malted
15 milk and one or more of the following ingredients: eggs, sugar,
16 dextrose, and honey, with or without flavoring and coloring, and with
17 or without edible gelatin or vegetable stabilizer; and in the manu-
18 facture of which freezing has been accompanied by agitation of the
19 ingredients. It contains not more than one-half of one per centum by
20 weight of edible gelatin or vegetable stabilizer, not less than seven per
21 centum by weight of milk fat, not less than fourteen per centum by
22 weight of total milk solids, and not less than three per centum by
23 weight of malted milk. In no case shall frozen malted milk contain less
24 than one and three-tenths pounds of total food solids per gallon or
25 weigh less than four one one-half pounds per gallon.

26 Provided however, products complying with above definiton except
27 that they contain less than seven (7) per cent by weight of milk fat,
28 shall be sold only in the manufacturer's original package or wrapper
29 and must be labeled in plain legible eight point type with the words
30 "imitation frozen malted milk".

1 SECTION 2. Section three thousand sixty (3060), Code, 1939, is
2 hereby amended as follows: In paragraph five (5) insert the word
3 "sulphites" in line one (1) after the comma following the word
4 "formaldehyde".

Approved April 9, 1941.

CHAPTER 127

STANDARDS FOR LARD AND RENDERED PORK FAT

H. F. 123

AN ACT to amend section three thousand fifty-eight (3058), Chapter one hundred forty-eight (148), Code, 1939, relating to the definition and standards for lard and rendered pork fat.

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

1 SECTION 1. Section three thousand fifty-eight (3058), Chapter one
2 hundred forty-eight (148), Code, 1939, is hereby amended by adding
3 immediately after paragraph 43 the following paragraphs:

4 LARD. Lard is the fat rendered from fresh, clean, sound, fatty
5 tissues from hogs in good health at the time of slaughter, with or with-
6 out lard stearin or a hardened lard. The tissues do not include bones,
7 detached skin, head fat, ears, tails, organs, windpipes, large blood
8 vessels, scrap fat, skimmings, settlings, pressings and the like and
9 are reasonably free from muscle tissue and blood.

10 RENDERED PORK FAT. Rendered pork fat is the fat other than
11 lard, rendered from clean, sound carcasses, parts of carcasses, or
12 edible organs from hogs in good health at the time of slaughter, except
13 that stomachs, tails, bones from the head and bones from cured or
14 cooked pork are not included. The tissues rendered are usually fresh,
15 but may be cured, cooked, or otherwise prepared and may contain some
16 meat food products. Rendered pork fat may be hardened by the use of
17 lard stearin and/or hardened lard and/or rendered pork fat stearin
18 and/or hardened rendered pork fat.

Approved April 10, 1941.

CHAPTER 128

DAIRY INDUSTRY ACT

H. F. 243

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 butter fat produced in this state during the period from June 1 to June 15, inclusive, of each year and to provide for the collection thereof by the producer or dealer, 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 SECTION 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,
5 partnerships, trusts, associations, cooperatives, and any and all other
6 business units.

7 (c) The term "producer" shall mean and include every person who
8 produces milk or cream from cows or goats and thereafter sells the
9 same as milk, cream, or other dairy products.

10 (d) The term "dealer" shall mean and include any person who
11 buys, sells, manufactures, processes or ships dairy products, or who
12 acts as sales or purchasing agent, broker or factor of dairy products.

1 SECTION 2. There is hereby created an "Iowa Dairy Industry Com-
2 mission" to be thus known and designated.

3 This commission shall be composed of the Secretary of Agriculture of
4 Iowa, the head of the Dairy Husbandry Department of Iowa State
5 College, the head of the Dairy Industry Department of Iowa State
6 College, and in addition thereto nine (9) members appointed by the
7 Executive Committee of the Iowa State Dairy Association as im-
8 mediately hereinafter provided.

9 The Board of Directors of the Iowa State Dairy Association shall
10 nominate for the office of Commissioners two (2) persons from each
11 congressional district within the State of Iowa as constituted as of
12 January 1, 1941, both of whom shall be actual milk or cream producers
13 and from this list as nominated and certified to the Executive Com-
14 mittee of the Iowa State Dairy Association, the said Executive Com-
15 mittee shall appoint one (1) of said nominees from each of said
16 districts. Said appointive commissioners shall serve until the expira-
17 tion of this Act as fixed herein. Any vacancy occurring shall be filled
18 by the said Executive Committee from nominations made by the Board
19 of Directors of the Iowa State Dairy Association in the manner here-
20 tofore provided. The appointive members of the Commission shall
21 receive the sum of Five Dollars (\$5.00) per day for each day spent
22 in actual attendance on meetings of the Commission not exceeding One
23 Hundred Dollars (\$100.00) per annum, together with subsistence
24 expenses not exceeding Four Dollars (\$4.00) per diem, and mileage
25 at the rate of three and one-half cents (3½¢) per mile.

1 SECTION 3. The powers and duties of the Commission shall include
2 the following:

3 (1) To elect a chairman, a treasurer, and from time to time such
4 other officers as it may deem advisable, and from time to time to adopt,
5 rescind, modify and amend all proper and necessary rules, regulations
6 and orders for the exercise of its power and the performance of its
7 duties, which such rules, regulations and orders shall have the force
8 and effect of law when not inconsistent with existing laws;

9 (2) To administer and enforce this Act, and do and perform all acts
10 and exercise all powers reasonably necessary to effectuate the purpose
11 of this Act;

12 (3) To employ at its pleasure and discharge at its pleasure such
13 attorneys, advertising counsel, advertising agencies, clerks, and em-
14 ployees as it deems necessary, and to prescribe their duties and powers
15 and fix their compensation;

16 (4) To establish offices and incur any and all expense, and to
17 enter into any and all contracts and agreements for the proper admin-
18 istration and enforcement of this Act;

19 (5) To report alleged violations of this Act to the Attorney General
20 of the State of Iowa;

21 (6) To conduct scientific research for the purpose of developing
22 and discovering the health, food, therapeutic, dietetic, and industrial
23 uses for products of milk or its derivatives;

24 (7) To make in the name of the Commission such advertising
25 contracts and other agreements as it deems necessary to promote the
26 sale and consumption of dairy products on either a state or national
27 basis;

28 (8) To keep accurate books, records, and accounts of all its deal-
29 ings, which books, records, and accounts shall be open to inspection and
30 audit by the Board of Directors of the Iowa State Dairy Association or
31 its representatives.

1 SECTION 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 Com-
6 mission shall have power and it shall be the duty of the Commission
7 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 standards imposed
18 by the state and the Federal Government to insure a pure and nutritious
19 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
25 times with an abundant supply of high quality dairy products at
26 reasonable prices;

27 (g) Relating to the factors of instability peculiar to the dairy in-
28 dustry, such as unbalanced production, influence of consumer purchas-
29 ing power, and price relative to the cost of other items of food in the
30 normal diet of people, 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 consuming public.

1 SECTION 5. (a) There is hereby levied and imposed an excise tax
2 of one cent (1¢) per pound or fraction thereof upon all butter fat
3 produced in the State of Iowa during the period beginning June 1st
4 and terminating June 15th inclusive, 1941, and annually thereafter
5 during the same period; provided, however, that the provisions of
6 this section shall not apply to butter fat in milk and cream produced
7 outside the State of Iowa, or to butter fat in milk and cream consumed
8 upon the farm where produced. For the purposes of computing the
9 tax in markets where butter fat tests are not available, or the
10 butter fat content not definitely known, the amount of butter fat in
11 milk and cream shall be computed on the basis of four percent (4%) in
12 the case of milk, and thirty-two percent (32%) in the case of cream.

13 (b) All taxes levied and imposed under this act shall be deducted
14 from the price charged by the producer and shall be collected by the
15 first dealer; provided however, that:

16 (1) Where the producer produces milk or cream from cows or
17 goats and thereafter sells the same as milk, cream, or other dairy
18 products, directly to the consumer the taxes aforesaid shall be held by
19 such producer.

20 (2) Where the producer sells milk, cream or other dairy products
21 to any dealer outside the state of Iowa the taxes aforesaid shall be due
22 and payable by such producer before the shipment is made, except that
23 the commission may make such agreements with extra state dealers
24 for the keeping of records and the collection of the taxes aforesaid as
25 are necessary to secure the payment of the said taxes within the time
26 fixed by this Act.

27 All money collected or held as provided in this Section shall be de-
28 posited with the Treasurer of the commission on or before the 15th day
29 of July for the use by the commission for the purpose of this Act.

30 The said Treasurer shall give a bond in such sum as shall be required
31 by the Commission, but not less than twenty thousand dollars (\$20,-
32 000.00).

1 SECTION 6. Every producer shipping milk, cream, and/or other
2 dairy products to any dealer outside of Iowa who is not by agreement
3 with the Commission collecting the tax imposed by this act, and every
4 first dealer within the State of Iowa and every producer distributing
5 milk, cream, or other dairy products directly to the consumer, shall
6 keep a complete and accurate record of all butter fat taxed by this
7 Act in milk or cream produced, bottled, processed, or distributed by
8 him during the period of June 1 to June 15, inclusive, of each year.
9 Such records shall be in such form and contain such information as the
10 commission shall by rule or regulation prescribe and shall be preserved
11 by the person charged with their making for a period of two (2) years
12 and shall be offered or submitted for inspection at any time upon
13 written or oral request by the Commission or its duly authorized agent
14 or employee.

1 SECTION 7. Every person charged by this Act or by agreement
2 with the Commission with the keeping of records provided for in this

3 Act shall at such times as the Commission may by rule or regulation
4 require, file with the Commission a return on forms to be prescribed
5 and furnished by the Commission, stating the quantity of dairy pro-
6 ducts produced, bottled, processed, or distributed, and butter fat
7 content of all milk or cream produced by, delivered to or purchased
8 by such person from the various producers of dairy products or their
9 agents in the state of Iowa during the period of time prescribed in
10 above subsection (a) Section 5. Such return shall contain such other
11 information as the Commission may require, and shall be made in
12 triplicate, one (1) copy of which shall be for the files of the person
13 making the return, and one (1) copy available at the office of such
14 person, for the use of his patrons, and the original filed with the
15 Commission.

1 SECTION 8. The State of Iowa shall not be liable for the acts of
2 said Commission or its contracts. All persons dealing with the Com-
3 mission shall be limited to the funds collected under the provisions
4 of this Act, and no member of the Commission or any employee or
5 agent thereof shall be liable on the contracts of the Commission. All
6 salaries, 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. 9. The Commission shall have the power to cause its authorized
2 agents to enter upon the premises of any person charged by this Act
3 or by agreement with the Commission with the collection of the excise
4 tax imposed by this Act, and to cause to be examined by any such
5 agent any books, records, documents or other instruments bearing upon
6 the amount of such tax collected or to be collected by such person;
7 provided that the Commission has reasonable ground to believe that
8 all the tax herein levied has not been collected, or if it has been collected
9 that it has not been fully accounted for as herein provided.

1 SECTION 10. The Commission shall on or before the first day of
2 March of each year make a full and complete report of its doings for
3 the 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 the
7 State of Iowa.

1 SECTION 11. Any person who shall violate or aid in the violation
2 of any of the provisions of this Act upon conviction thereof shall be
3 deemed guilty of a misdemeanor and upon conviction thereof, shall be
4 punished by a fine not to exceed one hundred (100) dollars, or by
5 imprisonment in the county jail not to exceed thirty (30) days. All
6 prosecutions for alleged violations of the provisions of this Act shall
7 be by the County Attorney of the county in which such alleged violation
8 occurred and shall be instituted and conducted under the direction and
9 authority of the Attorney General of the State of Iowa.

1 SECTION 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 un-
3 constitutional or invalid, such decision shall not affect the remaining
4 portions of this Act.

1 SECTION 13. The provisions of this Act shall be in force and effect
2 only from the effective date of this Act to the 31st day of May, 1943,
3 inclusive.

1 SECTION 14. This Act being deemed of immediate importance shall
2 take effect from and after its passage and publication in the Dumont
3 Journal, a newspaper published in Dumont, Iowa, and in the Inde-
4 pendent Republican, a newspaper published in Waverly, Iowa.

Approved March 10, 1941.

I hereby certify that the foregoing act was published in the Dumont Journal, Dumont, Iowa, March 19, 1941, and the Independent Republican, Waverly, Iowa, March 19, 1941.
EARL G. MILLER, *Secretary of State.*

CHAPTER 129

DAIRY PRODUCTS

H. F. 46

AN ACT to amend section three thousand seventy-six and one-tenth (3076.1), Code, 1939, relating to pasteurization of dairy products.

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

1 SECTION 1. Section three thousand seventy-six and one-tenth
2 (3076.1), Code, 1939, is hereby amended by striking the period at the
3 end of said section and inserting in lieu thereof a comma and adding
4 the following: "or by any other method which has been demonstrated
5 to be of equal efficiency and is approved by the secretary of agricul-
6 ture and state department of health."

Approved February 24, 1941.

CHAPTER 130

AGRICULTURAL SEEDS

H. F. 295

AN ACT to repeal chapter one hundred fifty-three (153), Code, 1939, and to enact a substitute therefor relating to agricultural seeds and the distribution thereof and providing for penalties and methods of enforcement.

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

Chapter one hundred fifty-three (153), Code, 1939, is hereby repealed and the following enacted in lieu thereof:

1 SECTION 1. For the purpose of this chapter:

2 1. The term "person" includes an individual, a partnership, corpor-
3 ation, company, society or association.

4 2. The term "agricultural seeds" shall mean the seeds of Canada or
5 Kentucky bluegrass, brome grass, fescues, millet, tall meadow oat
6 grass, orchard grass, redtop, Italian, perennial or western rye grass,
7 slender, western or crested wheat grass, reed canary grass, Kaffir corn,

8 sorghum or cane, Sudan grass, timothy, alfalfa, alsike, crimson, mam-
 9 moth or sapling, red, sweet, or white clover, Canada field peas, cowpeas,
 10 soybeans, vetches, and other grasses and forage plants, buckwheat,
 11 flax, rape, barley, field corn, oats, rye, wheat and other cereals, and
 12 such other field crop seeds as the secretary of agriculture may list in
 13 the rules and regulations provided for in this act.

14 3. The term "weed seed" shall mean seeds of all noxious weeds
 15 listed herein and other plants commonly designated as weeds in this
 16 state.

17 4. Noxious weed seeds shall be divided into two classes, "primary
 18 noxious weed seeds" and "secondary noxious weed seeds" which are
 19 defined in a and b of this subsection; provided that the secretary of
 20 agriculture, upon recommendation of the state botanist, may add to or
 21 subtract from the list of seeds included under either definition when-
 22 ever he finds, after public hearing, that such additions or subtractions
 23 are within the respective definitions.

24 a. Primary noxious weed seeds are the seeds of perennial weeds such
 25 as those that not only reproduce by seed but also by underground roots
 26 or stems and which when established are highly destructive and diffi-
 27 cult to control in this state by ordinary good cultural practices. Pri-
 28 mary noxious weeds in this state are the seeds of—

29 Quack grass — *Agropyron repens*
 30 Canada thistle — *Cirsium arvense*
 31 Perennial sow thistle — *Sonchus arvensis*
 32 Perennial pepper grass — *Lepidium draba*
 33 European morning glory (field bindweed)—
 34 *Convolvulus arvensis*
 35 Horse nettle — *Solanum carolinense*
 36 Leafy spurge — *Euphorbia esula*
 37 Russian knapweed — *Centaurea repens*

38 b. Secondary noxious weed seeds are the seeds of such weeds as are
 39 very objectionable in fields, lawns or gardens in this state but can be
 40 controlled by good cultural practices. The secondary noxious weed
 41 seeds in this state are the seeds of—

42 Wild carrot — *Daucus carota*
 43 Sour dock — *Rumex crispus*
 44 Smooth dock — *Rumex altissimus*
 45 Sheep sorrel — *Rumex acetosella*
 46 Butterprint — *Abutilon theophrasti*
 47 Mustards — *Brassica* spp.
 48 Cocklebur — *Xanthium commune*
 49 Buckhorn — *Plantago lanceolata*
 50 Didders — *Cuscuta* spp.

51 5. "Purity" of agricultural seed shall mean freedom from inert
 52 matter, and from other agricultural or weed seed distinguishable by
 53 their appearance.

54 6. "Tolerance" means the allowable deviation from any figure used
 55 on a label to designate the percentage of any fraction in the lot in
 56 question. It is based on the law of normal variation from a mean.
 57 The secretary of agriculture shall prepare tables of maximum toler-
 58 ances allowable in the enforcement of this act and may be guided in such
 59 preparation by the rules and regulations under the Federal Seed Act.

60 7. "Treated seed" shall mean agricultural seed to which a fungicide
61 has been added or applied for the purpose of controlling pathogens
62 that cause crop diseases.

63 8. "Inoculant for leguminous plants" shall mean any bacterial cul-
64 ture, or material containing bacteria, that is represented as causing
65 the formation of nodules and aiding the growth of leguminous plants
66 by the fixation of nitrogen.

67 9. The term "labeling" includes all labels, and other written, printed,
68 or graphic representations, in any form whatsoever, accompanying and
69 and pertaining to any seed whether in bulk or in containers, and in-
70 includes invoices.

71 10. The term "advertisement" means all representations, other than
72 those on the label, disseminated in any manner or by any means, relat-
73 ing to seed within the scope of this act.

1 SECTION 2. The state botanist shall be the technical advisor to the
2 secretary in the administration of this chapter.

1 SECTION 3. Agricultural seeds shall be labeled according to the
2 following schedule—

3 1. Each container of agricultural seed which is sold, offered for
4 sale, or exposed for sale, within this state for sowing purposes shall
5 bear thereon or have attached thereto in a conspicuous place a plainly
6 written or printed label or tag in the English language, giving the fol-
7 lowing information:

8 a. Commonly accepted name of (1) kind, or (2) kind and variety
9 or (3) kind and type of each agricultural seed component in excess of
10 five percent of the whole and the percentage by weight of each in the
11 order of its preponderance.

12 b. Lot number or other lot identification.

13 c. Origin, if known, of alfalfa, red clover. If the origin is unknown,
14 that fact shall be stated.

15 d. Percentage by weight of all weed seeds.

16 e. The name and approximate number of each kind of secondary
17 noxious weed seed, per ounce in groups (1), (2) and (3) and per
18 pound in group (4), when present singly or collectively in excess of—

19 (1) five seeds or bulblets per ounce of *Agrostis*
20 spp., *Poa* spp. Bermuda grass, timothy, or-
21 chard grass, fescues (except meadow fescue),
22 alsike and white clover, reed canary grass and
23 other agricultural seeds of similar size and
24 weight, or mixtures within this group;

25 (2) three seeds or bulblets per ounce of ryegrass,
26 meadow fescue, foxtail millet, alfalfa, red
27 clover, sweet clover, lespedeza, smooth brome,
28 crimson clover, *Brassica* spp., flax, *Agropyron*
29 spp. and other agricultural seeds of similar
30 size and weight, or mixtures within this group
31 or of this group with (1);

32 (3) one seed or bulblet per ounce of proso, sudan
33 grass and other agricultural seeds of similar
34 size and weight, or mixtures not specified in
35 (1), (2) or (4):

- 36 (4) five seeds or bulblets per pound of wheat, oats,
 37 rye, barley, buckwheat, sorghum (except sudan
 38 grass), vetches, soybeans and other agricultural
 39 seeds of a size and weight similar to or greater
 40 than those within this group.
- 41 All determinations of noxious weed seeds are subject to tolerances
 42 and methods of determination prescribed in the rules and regulations
 43 under this act.
- 44 f. Percentage by weight of agricultural seeds other than those re-
 45 quired to be named on the label.
- 46 g. Percentage by weight of inert matter.
- 47 h. For each named agricultural seed (1) percentage of germination
 48 exclusive of hard seed, (2) percentage of hard seed, if present, and
 49 (3) the calendar month and year the test was completed to determine
 50 such percentages. Following (1) and (2) the additional statement
 51 "total germination and hard seed" may be stated as such, if desired.
- 52 i. Warning as to danger from poisoning in the case of treated
 53 seed if compound is used which is poisonous to man or farm animals.
- 54 j. Name and address of the person who labeled said seed, or who
 55 sells, offers or exposes said seed for sale within this state.
- 56 2. Seed sold by the grower on his farm either in bulk or in containers
 57 may be exempt from the detailed labeling provision of this section
 58 provided that either a placard is displayed or a written or printed
 59 statement is supplied to the purchaser with the following information:
- 60 a. The percentage germination of the seed being sold together with
 61 the calendar month and year said seed was tested to determine the
 62 percentage.
- 63 b. The kind and number per ounce or pound of all secondary noxious
 64 weed seeds in the lot, if in excess of the amounts stated in subsection
 65 1, paragraph e, inclusive of this section.
- 66 c. A guarantee that no primary noxious weed seeds are present as
 67 provided under section 8, subsection 1, paragraph d. inclusive.
- 1 SECTION 4. In case agricultural seed is offered or exposed for sale
 2 in bulk or sold from bulk, the information required under Section 3
 3 subsection 1 inclusive may be supplied by (1) a placard conspicuously
 4 displayed with the several required items thereon or (2) a printed or
 5 written statement to be furnished to any purchaser of said seed.
 6 If sold by the grower on his farm the requirements for labeling under
 7 Section 3 subsection 2 inclusive may apply instead of those in this
 8 section.
- 1 SECTION 5. It shall be unlawful for any person to sell, offer or ex-
 2 pose for sale or falsely mark or tag, within the state of Iowa any seed
 3 corn as hybrid unless it represents the first generation of a cross be-
 4 tween strains of different parentage and involving inbred lines of
 5 corn and (or) their combinations. Any corn sold as "hybrid" shall have
 6 plainly printed or marked on the label or container in which such corn
 7 is sold the identifying symbols or numbers, clearly indicating the
 8 specific combination. The cross mentioned above shall be produced
 9 by cross fertilization, controlled either by hand or detasseling at the
 10 proper time.
- 1 SECTION 6. The container of any inoculant for leguminous plants

2 which is sold, offered for sale or exposed for sale within the state
3 shall bear a label giving in the English language in legible letters the
4 following information:

- 5 1. The kind or kinds of leguminous plants for which the contents
6 are to be used;
- 7 2. The quantity of seed to which the contents are to be applied;
- 8 3. An expiry date after which the inoculant might be ineffective;
- 9 4. The name and place of business of the manufacturer or laboratory
10 of origin, or alternately of the vendor only, if he accepts responsibility
11 for the accuracy of the declarations made in subsection 1, 2, and 3 of
12 this section.

1 SECTION 7. It is hereby established that a certification system is
2 essential to the supply of good seed potato stocks for the state of Iowa
3 and that long usage of a blue tag attached to bags containing certified
4 seed by authorities in states where certified seed potatoes are produced
5 has become identified in the public mind as evidence of superior quality
6 and of official certification.

7 It shall be unlawful for any person to sell, offer for sale or expose
8 for sale in the state of Iowa—

- 9 1. Any seed potatoes with a blue tag attached, unless same are
10 certified.
- 11 2. Any seed potatoes as "certified" unless—
12 a. Each bag bears a label blue in color with the word "certified"
13 thereon.
14 b. Such seed has been certified by a duly constituted state authority
15 or state association in the state in which the seed was produced; said
16 state authority or association to be recognized by the Iowa secretary of
17 agriculture.

1 SECTION 8. It shall be unlawful for any person to sell, offer for sale
2 or expose for sale within this state—

- 3 1. Any agricultural seed
4 a. Unless the test to determine the percentage of germination re-
5 quired by section 3, shall have been completed within a 9-month period,
6 exclusive of the calendar month in which the test was completed,
7 immediately prior to sale, exposure for sale, or offering for sale or
8 transportation.
 - 9 b. Not labeled in accordance with the provisions of this act, or
10 having a false or misleading labeling.
 - 11 c. Pertaining to which there has been a false or misleading advertise-
12 ment.
 - 13 d. Containing any primary noxious weed seeds subject to tolerance
14 and methods of determination prescribed in the rules and regulations
15 under this act except that as better seed cleaning facilities become
16 available the tolerance for noxious weed seeds may be reduced.
- 17 Determination of freedom from primary noxious weed seeds shall be
18 based on an examination of not less than—
- 19 (1) One ounce of *Agrostis* spp., *Poa* spp., Bermuda grass.
 - 20 (2) Two ounces of all other grasses except Sudan grass,
21 all clovers, alfalfa, lespedeza, foxtail, millet, flax,
22 and *Brassica* spp.
 - 23 (3) Five ounces of Proso, Sudan grass.

- 24 (4) Ten ounces of sorghum, buckwheat.
 25 (5) One pound of cereals, vetches, cowpeas, field peas,
 26 soybeans.
 27 e. Containing more than three percent of weed seeds by weight sub-
 28 ject to tolerances prescribed in the rules and regulations.
 29 2. Screenings of any agricultural seed subject to this act, unless it
 30 is stated on the label, if in containers, or on the invoice, if in bulk, that
 31 they are not intended for seeding purposes. For the purpose of this
 32 subsection "screenings" shall include chaff, empty florets, immature
 33 seed, weed seed, inert matter and other materials removed in any way
 34 from any agricultural seeds subject to the provisions of this act, in any
 35 kind of cleaning or processing, and which contain less than twenty-five
 36 per centum of viable agricultural seeds.
 37 It shall further be unlawful for any person within this state—
 38 a. To detach, alter, deface, or destroy any label provided for in this
 39 act or the rules and regulations made and promulgated thereunder, or
 40 to alter or substitute seed, in a manner that may defeat the purposes
 41 of this act.
 42 b. To disseminate any false or misleading advertisement concerning
 43 agricultural seed in any manner or by any means.
 44 c. To hinder or obstruct in any way any authorized person in the
 45 performance of his duties under this act.
 46 d. To fail to comply with a "stop sale" order.

1 SECTION 9. Exemptions.

- 2 1. The provisions of sections 3 and 8, do not apply—
 3 a. To seed or grain not intended for sowing purposes.
 4 b. To seed in storage in, or consigned to, a seed cleaning or proces-
 5 sing establishment for cleaning or processing; provided that any
 6 labeling or other representation which may be made with respect to
 7 the unclean seed shall be subject to this act.
 8 2. No person shall be subject to the penalties of this act, for having
 9 sold, offered or exposed for sale in this state any agricultural seeds,
 10 which were incorrectly labeled or represented as to kind, variety, type
 11 or origin which seeds cannot be identified by examination thereof,
 12 unless he has failed to obtain an invoice or grower's declaration giving
 13 kind, or kind and variety, or kind and type, and origin, if required and
 14 to take such other precautions as shown by the records of purchase.

1 SECTION 10. The Iowa State College and the State Department of
 2 Agriculture, in order to furnish farmers and dealers with information
 3 as to seed quality and to guide them in the proper labeling of seeds
 4 for sale, shall—

- 5 1. Confer for the purpose of integrating the seed testing by the
 6 college seed laboratory which is essential to its educational and research
 7 program with the testing of samples by the state department of agricul-
 8 ture in such a way as to avoid unnecessary duplication of personnel
 9 and equipment;
 10 2. Cooperate in the exchange of information which will be mutually
 11 beneficial to both agencies in matters pertaining to agricultural seed;
 12 3. Agree upon such techniques and methods of analyzing seed as
 13 shall promote uniformity in seed testing in this state; said techniques
 14 and methods to be in general accord with (1) the rules for seed testing

15 promulgated by the United States Department of Agriculture for the
16 enforcement of the Federal Seed Act and (2) new methods arising
17 from research in seed technology.

18 Any resident of this state may submit fair samples of any agricul-
19 tural seed to the department of agriculture, accompanied by an analysis
20 fee of fifty (50) cents for each sample, and a proper analysis of same
21 may be made and furnished.

1 SECTION 11. For the purpose of carrying out the provisions of this
2 act, the state secretary of agriculture who may act through his author-
3 ized agents is hereby authorized and directed:

4 1. To sample, inspect, make analysis of, and test agricultural seeds
5 transported, sold, offered or exposed for sale within this state for
6 sowing purposes, at such time and place and to such extent as he may
7 deem necessary to determine whether said agricultural seeds are in
8 compliance with the provisions of this act, and to notify promptly the
9 person who transported, sold, offered or exposed the seed for sale, of
10 any violation.

11 2. To prescribe, and after public hearing following due public notice,
12 to adopt rules and regulations governing the methods of sampling,
13 inspecting, analysis, tests and examination of agricultural seed, and the
14 tolerances to be followed in the administration of this act, which shall
15 be in general accord with officially prescribed practice in interstate
16 commerce under the Federal Seed Act and such other rules and regula-
17 tions as may be necessary to secure the efficient enforcement of this
18 act.

19 Further, for the purpose of carrying out the provisions of this act, the
20 state secretary of agriculture individually or through his authorized
21 agents, is authorized and directed:

22 1. To enter upon any public or private premises during regular
23 business hours in order to have access to seeds subject to the act and
24 the rules and regulations thereunder.

25 2. To issue and enforce a written or printed "stop sale" order to the
26 owner or custodian of any lot of agricultural seed which the state
27 secretary of agriculture or his authorized agents believe is in violation
28 of any of the provisions of this act which shall prohibit further sale
29 of such seed until such officer has evidence that the law has been com-
30 plied with: provided, that the owner or custodian of such seed shall be
31 permitted to remove said seed from a sales room open to the public;
32 provided further, that in respect to seeds which have been denied sale
33 as provided in this paragraph, the owner or custodian of such seeds
34 shall have the right to appeal from such order to a court of competent
35 jurisdiction where the seeds are found, praying for a judgment as to
36 the justification of said order and for the discharge of such seed from
37 the order prohibiting the sale in accordance with the findings of the
38 court; and provided further, that the provisions of this paragraph shall
39 not be construed as limiting the right of the enforcement officer to
40 proceed as authorized by other sections of this act.

41 3. To establish and maintain or make provision for seed testing
42 facilities essential to the enforcement of this act, to employ qualified
43 persons, and to incur such expenses as may be necessary to comply
44 with these provisions.

45 4. To cooperate with the United States Department of Agriculture
46 in seed law enforcement.

1 SECTION 12. Upon the recommendation of the state secretary of
2 agriculture or his duly authorized agents, the court of competent juris-
3 diction in the area in which the seed is located shall cause the seizure
4 and subsequent denaturing, processsing, or destruction to prevent the
5 use for sowing purposes of any lot of agricultural seed found to be
6 prohibited from sale as set forth in Section 8 subsection 1 paragraphs
7 d and e, and subsection 2; provided, that in no instance shall the de-
8 naturing, processing, or destruction be ordered without first having
9 given the claimant of said seed an opportunity to apply to said court for
10 the release of said seed.

1 SECTION 13. Every violation of the provisions of this act shall be
2 deemed a misdemeanor, punishable by a fine of not more than two
3 hundred fifty dollars (\$250.00). The department of agriculture through
4 its duly authorized agent or agents, may institute proceedings in a
5 court of competent jurisdiction to enforce the provisions of this act.

1 SECTION 14. It shall be the duty of the secretary of agriculture and
2 his agents, to enforce this act (.....GA, Chapter.....)*
3 and of the county attorneys, and of the attorney general of the state
4 to cooperate with him in the enforcement of this act.

1 SECTION 15. If any provision of this act shall be declared invalid,
2 such invalidity shall not affect the validity of any portion of this act
3 which can be given effect without such invalid part.

Approved April 30, 1941.

CHAPTER 131

THE IOWA FERTILIZER LAW OF 1941

S. F. 414

AN ACT to repeal chapter one hundred fifty-four (154), Code, 1939, and to enact a substitute therefor relating to the regulation of the registration, sale, inspection, sampling and analysis of commercial fertilizers, superphosphates and fertilizer materials in the State of Iowa.

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

Chapter one hundred fifty-four (154), Code of Iowa, 1939, is hereby repealed and the following enacted in lieu thereof:

1 SECTION 1. This act shall be known and may be cited by the short
2 title of the "Iowa Fertilizer Law of 1941."

1 SEC. 2. This act shall be administered by the Secretary of Agricul-
2 ture of the State of Iowa, hereinafter referred to as the "Secretary".

1 SEC. 3. As used in this chapter:

2 The term "manufacturer" means a person engaged in the business of
3 preparing, mixing or manufacturing commercial fertilizer or fertilizer
4 material.

*Note: In accordance with the enrolled bill. The reference is to 49th G. A., Chap-
ter 130.

5 The term "manufacture" means preparation, mixing, or manu-
6 facturing.

7 The term "commercial fertilizer" means any substance, including
8 any combination or mixture of substances, designed and fit for use in
9 inducing increased crop yields or plant growth when applied to the
10 soil, except unmanipulated animal and vegetable manures, liming
11 materials and gypsum.

12 The term "fertilizer material" means any substance which is or may
13 be used with another substance in the compounding of mixed fertilizers,
14 or for direct application to the soil, principally as a source of plant
15 food, except untreated animal and vegetable manure, liming materials
16 and gypsum.

17 The term "filler" means any foreign inert substance, of no agricul-
18 tural value, added to superphosphate or to any other single fertilizer
19 material, or added in the manufacture of any mixed fertilizer, to bring
20 the weight thereof to the limit necessary to cause the particular lot to
21 meet the guaranteed analysis filed with the Secretary.

22 The term "brand" means the name, number, trademark or other
23 designation under which commercial fertilizer or fertilizer material
24 is offered for sale, sold or distributed in the State of Iowa, and the
25 fertilizer itself offered for sale, sold or distributed under such name,
26 number, trademark or other designation.

27 The terms "grade" or "guaranteed analysis" mean the minimum
28 guaranteed percentages, stated in whole numbers only, of nitrogen
29 (N), phosphoric acid (P_2O_5) in available form (comprising the water
30 and citrate soluble), and available potash (K_2O).

1 SEC. 4. It shall be unlawful for any person, acting for himself, or
2 as agent, to sell or offer for sale within the State any commercial
3 fertilizer or fertilizer material that has not been registered as required
4 by this section.

5 Any person who may desire to sell or offer for sale, either by him-
6 self or through another person, commercial fertilizer or fertilizer
7 material in this State shall first file with the Secretary, on registration
8 forms supplied by him, a signed statement, giving the name and address
9 of the applicant, the name of his brand or trade mark, and shall furnish
10 the following information and guarantee for each package, bag, or
11 bulk material to be sold within the State of Iowa:

12 (a) Weight of each package in pounds;

13 (b) Brand name or trade mark;

14 (c) Guaranteed analysis showing the plant foods in the following
15 order and giving:

16 Nitrogen, per cent;

17 Available phosphoric acid, per cent;

18 Available potash, per cent;

19 (d) Name and address of the person guaranteeing the registration.

20 In the case of bone, tankage, natural mineral phosphates or other
21 unacidulated phosphatic fertilizer materials in which the phosphoric
22 acid is not shown by laboratory methods to be available but may
23 eventually become available in the soil, the phosphoric acid may be
24 guaranteed as total phosphoric acid. If the term "available phosphoric
25 acid" be used in the statement of analysis, it shall mean the sum of

26 the water soluble and citrate soluble phosphoric acid, except that when
27 applied to basic slag or calcined phosphates the term "available" shall
28 mean that part of the phosphoric acid found available by the Wagner
29 citric acid method as adopted by the Association of Official Agricultural
30 Chemists. In no case shall both the total phosphoric acid and
31 available phosphoric acid be used in the same statement of analysis;
32 except in the case of unacidulated mineral phosphates, when both the
33 available and total phosphoric acid shall be guaranteed.

34 The person offering for sale or selling any mixed fertilizer or
35 fertilizer material which is branded or trademarked shall not be re-
36 quired to register the same if it has already been registered under this
37 act by the person entitled to do so and such registration is then out-
38 standing.

39 For the privilege of registration, the person applying therefor shall
40 pay to the Secretary in advance of registration twenty-five dollars
41 (\$25.00) for said brand or trademark used to designate his fertilizers.

42 Said registration shall expire on July first following its issuance
43 except that registrations made during May and June 1941 shall not
44 expire until July 1, 1942, Said registration or a renewal thereof may
45 be renewed for the period of one (1) year by payment of a renewal
46 fee of one (\$1.00) dollar.

47 The Secretary shall issue at least once a year in his printed annual
48 report a classified list of all registrations outstanding and in force,
49 showing the name and address of the registrant, whether operating
50 as an individual, partnership, association or corporation, name of
51 material manufactured or dealt in, character of business, and date of
52 issue and term of the registration.

1 SEC. 5. Each person who sells commercial fertilizer or fertilizer
2 material in the State of Iowa shall mark upon each container or
3 associate with each shipment or some document relative thereto the
4 information required by paragraph (b) of section four (4). The
5 information may either be branded or printed directly on the bag or
6 other shipping container, or may be printed on a tag, label or certifi-
7 cate which shall be affixed to the shipping container or otherwise
8 associated with the shipment, as provided in this section.

9 If shipped in bags, barrels or other containers commonly used, the
10 data required by paragraph (b) of section four (4) shall be printed
11 (1) either directly on the package, or (2) on tags to be affixed to the
12 package by the manufacturer.

13 If shipped in bulk by rail, the data shall be printed on a suitable
14 label which shall be fastened on the inside wall of the car near the
15 door.

16 If shipped in bulk by truck, wagon, or other vehicle, the information
17 required by this section shall be attached to the copy of the invoice
18 delivered to the purchaser or other receiver.

1 SEC. 6. Each and every manufacturer, importer, jobber, firm,
2 association, corporation or person registered, selling, offering or ex-
3 posing for sale, or distributing any commercial fertilizer or fertilizer
4 material shall on or before July first and January first of each year
5 make a statement under oath, in due form, which shall be filed with
6 the Department of Agriculture, and which shall set forth the number

7 of net tons of such fertilizer or fertilizer material which they have
8 distributed in this State during the preceeding six (6) months, and
9 upon such statement shall pay to the Department of Agriculture the
10 sum of ten cents (10¢) per ton of two thousand (2,000) pounds. Pay-
11 ment of said license fee by the manufacturer or importer shall exempt
12 all other persons from such requirement. The Secretary of Agricul-
13 ture, or his duly authorized agent, is hereby granted permission to
14 verify such statement from applicant's records.

1 SEC. 7. It shall be the duty of the Secretary, personally or by agents
2 duly authorized in writing, to make such inspection of commercial
3 fertilizer or fertilizer material in the State of Iowa, to have such
4 samples taken, and to have such chemical analysis made as in his
5 judgment may be necessary to ascertain whether or not persons offer-
6 ing, selling or distributing commercial fertilizer or fertilizer material
7 are complying with the provisions of this act.

1 SEC. 8. All samples shall be taken from original unbroken bags
2 or packages, the contents of which have not been damaged by exposure,
3 water, or otherwise.

1 SEC. 9. The official methods of sampling and analysis prescribed
2 by the Association of Official Agricultural Chemists shall be followed
3 in making the chemical analysis provided for in this section, and the
4 Secretary shall from time to time publish as a part of his regulations
5 under this act any changes that may hereafter be made in such official
6 methods, and thereafter such methods shall be followed in connection
7 with the administration of this act in lieu of those previously in force.
8 The findings of the State Chemist or his deputy, as shown by the
9 sworn statement of the results of analysis of official samples of any
10 brand of commercial fertilizer or fertilizer material, shall constitute
11 prima facie evidence of their correctness in the courts of this State
12 as to the particular lots sampled and analyzed.

1 SEC. 10. It shall be unlawful for any person to manufacture, offer
2 for sale or sell in this State any commercial fertilizer containing any
3 substance used as a filler that is injurious to crop growth or deleterious
4 to the soil, or to use in such commercial fertilizer or fertilizer material
5 as a filler any substance that contains inert plant-food material for
6 the purpose or with the effect of deceiving or defrauding the purchaser.

1 SEC. 11. It shall be unlawful for any person to make any false and
2 misleading representation in regard to any commercial fertilizer or
3 fertilizer material shipped, sold or offered for sale by him in this State,
4 or to use any misleading or deceptive trade-mark or brand name in
5 connection therewith. The Secretary is hereby authorized to refuse
6 registration for any commercial fertilizer or fertilizer material with
7 respect to which this section is violated.

1 SEC. 12. Nothing in this act shall abridge the right of a consumer
2 of commercial fertilizer to buy bulk materials from any manufacturer
3 or dealer for his own use, provided the registration fee and tonnage
4 tax have been paid thereon if subject thereto, and that the provisions
5 of this act otherwise in respect to such materials have been complied
6 with.

1 SEC. 13. For the enforcement of this act the Secretary is authorized
 2 to prepare and issue such regulations not inconsistent with this act as
 3 may be necessary, and to cooperate with any department or agency
 4 of the government of the State of Iowa as he may elect in their enforce-
 5 ment.

1 SEC. 14. Unless otherwise provided, any person violating any pro-
 2 vision of this title, or any rule made by the department and pro-
 3 mulgated under the authority of said department, shall be punished
 4 by a fine of not less than ten dollars (\$10.00) nor more than one
 5 hundred dollars (\$100.00) or by imprisonment in the county jail not
 6 to exceed thirty (30) days.

1 SEC. 15. All fees collected under the provisions of this title shall be
 2 paid into the state treasury.

1 SEC. 16. If any clause, sentence, paragraph or part of this act shall
 2 for any reason be judged invalid by any court of competent jurisdiction,
 3 such judgment shall not affect, impair or invalidate the remainder
 4 thereof but shall be confined in its operation to the clause, sentence,
 5 paragraph or part thereof directly involved in the controversy in which
 6 such judgment shall have been rendered.

1 SEC. 17. All acts and parts of acts conflicting with this act are
 2 hereby repealed.

1 SEC. 18. This act shall take effect from and after the May first
 2 following its passage and publication.

1 SEC. 19. 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 Muscatine Journal, a newspaper published at Muscatine, Iowa, and
 4 the West Liberty Index, a newspaper published at West Liberty, Iowa.

Approved April 16, 1941.

I hereby certify that the foregoing act was published in the Muscatine Journal,
 Muscatine, Iowa, April 19, 1941, and the West Liberty Index, West Liberty, Iowa, April
 24, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 132

NARCOTIC DRUGS

S. F. 292

AN ACT to amend chapter one hundred fifty-five and one tenth (155.1), Code, 1939,
 relating to narcotic drugs; providing for certain exemptions from the provisions of
 said chapter; providing for confiscation and forfeiture of vehicles unlawfully used
 in the narcotic trade; providing for issuance of order forms; and relating to
 penalties for violation of the provisions of said chapter.

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

1 SECTION 1. Chapter one hundred fifty-five and one tenth (155.1),
 2 Code, 1939, is hereby amended by adding thereto a new section which
 3 shall read as follows:

4 "Any automobile or other vehicle used, or intended to be used, to
5 conceal, convey, carry, or transport in violation of this chapter any of
6 the drugs defined in section three thousand one hundred sixty-nine
7 and one hundredth (3169.01) of the code, or any automobile or
8 vehicle in which any of the drugs defined in said section are unlawfully
9 possessed by an occupant with the knowledge of the owner thereof,
10 shall be forfeited to the state of Iowa, under the provisions of chapter
11 ninety-seven (97) of the code."

1 SEC. 2. Section three thousand one hundred sixty-nine and eight
2 hundredths (3169.08), Code, 1939, is hereby repealed and the follow-
3 ing enacted in lieu thereof:

4 Except as otherwise in this chapter specifically provided, this
5 chapter shall not apply to the following cases :

6 Administering, dispensing, or selling at retail of any medicinal
7 preparation that contains in one fluid ounce, or if a solid or semi-solid
8 preparation, in one avoirdupois ounce, not more than one grain of
9 codeine or of any of its salts.

10 The exemption authorized by this section shall be subject to the
11 following conditions: (1) that the medicinal preparation administered,
12 dispensed, or sold shall contain, in addition to the narcotic drug in it,
13 some drug or drugs conferring upon it medicinal qualities other than
14 those possessed by the narcotic drug alone; and (2) that such prepara-
15 tion shall be administered, dispensed, and sold in good faith as a
16 medicine, and not for the purpose of evading the provisions of this
17 chapter.

18 Nothing in this section shall be construed to limit the quantity of
19 codeine or of any of its salts that may be prescribed, administered,
20 dispensed, or sold, to any person or for the use of any person or animal,
21 when it is prescribed, administered, dispensed, or sold in compliance
22 with the general provisions of this chapter.

23 Nothing in this section shall be construed to permit any person to
24 prescribe, administer, compound, dispense, or sell any of the prepara-
25 tions included herein, except those persons duly qualified under this
26 chapter to engage in the distribution of narcotics.

1 SEC. 3. Section three thousand one hundred sixty-nine and nine
2 hundredths (3169.09), Code, 1939, is hereby amended by adding a
3 new paragraph at the end thereof, as follows:

4 "Any person violating any of the provisions of this section shall be
5 guilty of a misdemeanor and, upon conviction thereof, shall be punished
6 as provided in section twelve thousand eight hundred ninety-four
7 (12894) of the code."

1 SEC. 4. Section three thousand one hundred sixty-nine and ten
2 hundredths (3169.10), Code, 1939, is hereby amended by adding a new
3 paragraph at the end thereof, as follows:

4 "Any person violating any of the provisions of this section shall be
5 guilty of a misdemeanor and, upon conviction thereof, shall be punished
6 as provided in section twelve thousand eight hundred ninety-four
7 (12894) of the code."

1 SEC. 5. Chapter one hundred fifty-five and one tenth (155.1), Code,
2 1939, is further amended by adding thereto the following section:

3 "Any person who takes, steals, or carries away any narcotic drugs
4 the property of any person who is duly authorized by law to engage in
5 administering, dispensing, or selling of narcotic drugs shall be guilty
6 of a felony punishable by imprisonment in the reformatory or peni-
7 tentiary for a period not to exceed five (5) years, or by a fine of not
8 more than one thousand dollars (\$1,000.00), or both."

1 SEC. 6. Amend section thirty-one hundred sixty-nine and one hun-
2 dredth (3169.01), Code, 1939, by striking all of subsection 14 and
3 inserting in lieu thereof the following:

4 "'Cannabis' includes all parts of the plant *Cannabis sativa* L.,
5 whether growing or not; the seeds thereof; the resin extracted from
6 any part of such plant; and every compound, manufacture, salt, deri-
7 vative, mixture, or preparation of such plant, its seeds, or resin; but
8 shall not include the mature stalks of such plant, fiber produced from
9 such stalks, oil or cake made from the seeds of such plant, any other
10 compound, manufacture, salt, derivative, mixture, or preparation of
11 such mature stalks (except the resin extracted therefrom), fiber, oil,
12 or cake, or the sterilized seed of such plant which is incapable of
13 germination."

1 SEC. 7. Amend section thirty-one hundred sixty-nine and one hun-
2 dredth (3169.01), Code, 1939, by striking the period at the end of
3 subsection 17 and by adding thereto the following: "and if no such
4 order form is provided, then on an official form provided for that
5 purpose by the Iowa Pharmacy Examiners."

1 SEC. 8. Amend section thirty-one hundred sixty-nine and nine
2 hundredths (3169.09), Code, 1939, by striking from line 13 of sub-
3 section 5 the following: "dried flowering or fruiting tops of the".
4 Further amend said section by striking from lines 14 and 15 of sub-
5 section 5 the following: "from which the resin has not been extracted".

1 SEC. 9. Amend section thirty-one hundred sixty-nine and nine hun-
2 dredths (3169.09), Code, 1939, by striking therefrom all of subsection
3 6.

1 SEC. 10. Section thirty-one hundred sixty-nine and twenty-one hun-
2 dredths (3169.21), Code, 1939, is hereby repealed and the following
3 enacted in lieu thereof:

4 "Any person violating any provision of this chapter, except as other-
5 wise provided, shall, upon conviction thereof, be punished, for the
6 first offense, by a fine not exceeding one thousand dollars, or by im-
7 prisonment in the state penitentiary not exceeding two years, or by
8 both such fine and imprisonment; and for any subsequent offense, by
9 a fine not exceeding two thousand dollars, or by imprisonment in the
10 state penitentiary not exceeding ten years, or by both such fine and
11 imprisonment."

Approved March 26, 1941.

CHAPTER 133

OAKDALE SANATORIUM SUPERINTENDENT

S. F. 356

AN ACT to amend section three thousand three hundred eighty-eight (3388), Code, 1939, relating to the salary of the superintendent of the State Sanitarium* at Oakdale.

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

- 1 SECTION 1. Section three thousand three hundred eighty-eight
- 2 (3388), Code, 1939, is amended by striking from lines three (3) and
- 3 four (4) the words "twenty-five hundred dollars" and inserting in
- 4 lieu thereof the words "three thousand dollars".

Approved March 12, 1941.

CHAPTER 134

GLENWOOD STATE SCHOOL SUPERINTENDENT

S. F. 10

AN ACT to repeal section three thousand four hundred three (3403), Code, 1939, and to enact a substitute therefor, relating to qualifications and salary of the superintendent of Glenwood State School.

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

- 1 SECTION 1. Section three thousand four hundred three (3403),
- 2 Code, 1939, is hereby repealed and the following enacted in lieu thereof:
- 3 "The superintendent shall be a well-educated and duly licensed
- 4 physician with at least five years experience in the actual practice of
- 5 medicine and shall receive a salary not exceeding three thousand
- 6 dollars per annum."

Approved April 10, 1941.

CHAPTER 135

SUPPORT FOR INMATES OF INSTITUTIONS FOR FEEBLE-MINDED

H. F. 289

AN ACT to repeal sections three thousand four hundred six (3406), three thousand four hundred seven (3407), three thousand four hundred eight (3408), three thousand four hundred nine (3409), and three thousand four hundred ten (3410) and three thousand four hundred seventy-five (3475), Code, 1939, relating to the institutions for feeble-minded and to amend chapter one hundred seventy (170), Code, 1939, by adding sections thereto, all providing liability for, collection, and payment of the costs of supporting inmates of said institution.

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

- 1 SECTION 1. Section three thousand four hundred six (3406), three

*Note: In accordance with enrolled bill.

2 thousand four hundred seven (3407), three thousand four hundred
3 eight (3408), three thousand four hundred nine (3409), three thousand
4 four hundred ten (3410), and three thousand four hundred seventy-
5 five (3475) Code, 1939, are hereby repealed.

1 SEC. 2. Chapter one hundred seventy (170) Code, 1939, is amended
2 by adding thereto the following: "Sections three thousand four hun-
3 dred seventy-seven and one-tenth (3477.1) to three thousand four
4 hundred seventy seven and seven-tenths (3477.7) inclusive of chapter
5 one hundred seventy-two (172) of this title shall, insofar as applicable,
6 apply to this chapter. As applied to this chapter, unless from the con-
7 text another meaning is apparent, the terms "the hospital" and "this
8 hospital" used therein shall mean "this school", and the terms "patient"
9 or "patients" shall mean the same as "inmate" or "inmates".

1 SEC. 3. This act shall not become effective until January 1, 1942.

Approved April 21, 1941.

CHAPTER 136

PAROLE OF PATIENTS FROM STATE INSANE HOSPITALS

H. F. 336

AN ACT to repeal section thirty-five hundred five (3505), Code, 1939, and to enact a substitute therefor to provide for the paroling of patients from a state hospital.

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

1 SECTION 1. Section thirty-five hundred five (3505), Code, 1939, is
2 hereby repealed and the following enacted in lieu thereof:

3 "Upon the recommendation of the superintendent and the written
4 consent of the commissioners of insanity of the county which is the
5 legal settlement of a patient, the board of control may parole said
6 patient for a period not to exceed one year, under such conditions as
7 are prescribed by said board."

Approved April 21, 1941.

CHAPTER 137

CARE AND SUPPORT OF INSANE PERSONS

H. F. 24

AN ACT to amend section thirty-five hundred twenty-seven (3527), Code, 1939, 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),
2 Code, 1939, is hereby amended by striking therefrom all of said section
3 following the period in line nine (9) and inserting in lieu thereof the
4 following: "A county shall remove to its county home any patient in a

5 state hospital for the insane upon a finding by a commission, consisting
 6 of the superintendent of the state hospital in which the patient is
 7 confined and a physician or physicians chosen by the board of super-
 8 visors of the county of the patient's residence, said physician or
 9 physicians shall be paid by the county of the patient's residence, that
 10 such patient can be properly cared for in the county home; and the
 11 finding of the commission, after its approval by the board of super-
 12 visors of the county of the patient's residence, shall be complete
 13 authority for such removal. In no case shall a patient be thus trans-
 14 ferred except upon the written consent of such relative, friend or
 15 guardian if such relative, friend or guardian pays the expense of the
 16 care of such patient in a state hospital."

Approved March 19, 1941.

CHAPTER 138

NEGLECTED, DEPENDENT AND DELINQUENT CHILDREN

S. F. 61

AN ACT to amend section three thousand six hundred forty four (3644), of the Code, 1939, relating to compelling support by the parent by order of the juvenile court, and providing a method of enforcing such order.

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

1 SECTION 1. That Section three thousand six hundred forty-four
 2 (3644), Code, 1939, be and the same is hereby amended by striking
 3 out the word "all", as the same appears in line sixteen (16); and by
 4 striking out the word "shall" as the same appears in line seventeen
 5 (17), and substituting in lieu thereof, the word "may"; and by strik-
 6 ing out the word "other", as the same appears in line twenty-one (21)
 7 thereof.

Approved March 1, 1941.

CHAPTER 139

NEGLECTED DEPENDENT AND DELINQUENT CHILDREN

S. F. 59

AN ACT to amend section three thousand six hundred sixty-six (3666), Code, 1939, relating to the commitment of children over eighteen years of age, to private institutions or foster home placement, and conferring jurisdiction on the juvenile court to make such commitment.

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

1 SECTION 1. That Section three thousand six hundred sixty-six
 2 (3666), Code, 1939, be amended by striking out the word "under" as
 3 the same appears in line five (5) thereof and substituting in lieu there-
 4 of the word "over".

Approved April 15, 1941.

CHAPTER 140

NEGLECTED DEPENDENT AND DELINQUENT CHILDREN

S. F. 15

AN ACT to amend section three thousand six hundred seventy-six (3676), Code, 1939, to provide for a maximum allowance of eighteen dollars (\$18.00) to institutions for receiving and caring for neglected, dependent, and delinquent children.

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

- 1 SECTION 1. Section three thousand six hundred seventy-six (3676),
- 2 Code, 1939, is hereby amended by striking from line six (6) the word
- 3 "sixteen" and by inserting in lieu thereof the word "eighteen".

Approved April 15, 1941.

CHAPTER 141

STATE BOARD OF SOCIAL WELFARE

S. F. 471

AN ACT to amend section three thousand six hundred sixty-one and seven thousandths (3661.007), Code, 1939, providing for an administrative fund for the Board of Social Welfare.

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

- 1 SECTION 1. Section three thousand six hundred sixty-one and seven
- 2 thousandths (3661.007), Code, 1939, is amended by adding thereto
- 3 the following:
- 4 "5. With the approval of the governor and comptroller, set up
- 5 from the funds under their control and management an administrative
- 6 fund and from said administrative fund to pay the expenses of operat-
- 7 ing the state department."

Approved March 31, 1941.

CHAPTER 142

IOWA EMERGENCY RELIEF FUND

S. F. 245

AN ACT to create the Iowa emergency relief fund for the ensuing biennium, and to provide for the administration thereof by the state board of social welfare; to provide that such fund shall be paid from the license fees and taxes now paid to the state sinking fund for deposits under section one thousand nine hundred twenty-one and one hundred twenty-eight thousandths (1921.128), Code, 1939, and from revenue collected under the provisions of chapter three hundred twenty-nine and three tenths (329.3), Code, 1939, and from unexpended funds set aside for emergency relief under provisions of chapter four (4), acts of the Forty-eighth General Assembly; and to provide the conditions for counties to receive state aid, and to provide for other means of raising poor relief funds.

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 car-
3 ing for the unemployed and needy persons of this state. Such fund shall
4 be administered by the state board of social welfare and shall be allotted
5 by the board throughout the various counties of the state in accordance
6 with the need therefor.

7 All unexpended funds which were set aside for emergency relief
8 under the provisions of chapter four (4), Acts of the Forty-eighth
9 General Assembly, shall on July 5, 1941, be paid into the fund hereby
10 created.

11 For the ensuing biennium only, the license fees and taxes now paid
12 to the state sinking fund for public deposits under the provisions of
13 subsection b of section one thousand nine hundred twenty-one and one
14 hundred twenty-eight thousandths (1921.128), Code, 1939, shall be
15 paid for such biennium into the fund for emergency relief hereby
16 created.

17 In addition thereto there shall be paid into said fund for the
18 quarter beginning July 1, 1941, and quarterly thereafter, up to and
19 including April 1, 1943, from revenue collected under the provisions of
20 chapter three hundred twenty-nine and three tenths (329.3), Code,
21 1939, the sum of one hundred twenty-five thousand dollars (\$125,-
22 000.00); provided, however, that before any of the four last payments
23 of one hundred twenty-five thousand dollars (\$125,000.00) each shall
24 be expended by the state board of social welfare for relief purposes,
25 the joint legislative committee on retrenchment and reform shall ex-
26 pressly approve the same.

1 SEC. 2. Before any county can receive aid from the Iowa emergency
2 relief fund for aid of the poor, such county must have levied the
3 maximum amount authorized by law for poor relief.

1 SEC. 3. The state board of social welfare shall not require any
2 county to issue warrants or bonds, except anticipatory warrants which
3 will be paid by taxes already levied, as a condition for receiving state
4 aid, but after the county has used all of its poor funds and the said
5 board has allocated all of its emergency relief fund throughout the
6 various counties of the state in accordance with the need therefor, then
7 the board of supervisors of any county may issue warrants or bonds,
8 for the purpose of raising additional poor relief funds; provided, how-
9 ever, that the board of supervisors shall have the authority and shall
10 be required to increase the poor relief levy sufficiently to repay such
11 warrants or bonds on or before December 31 the second year after
12 issuance of such warrants or bonds.

Approved April 16, 1941.

CHAPTER 143

AID FOR THE BLIND

H. F. 372

AN ACT to amend sections three thousand six hundred eighty-four and two hundredths (3684.02), three thousand six hundred eighty-four and three hundredths (3684.03), three thousand six hundred eighty-four and fourteen hundredths (3684.14), three thousand six hundred eighty-four and fifteen hundredths (3684.15), and chapter one hundred eighty-two and one-tenth (182.1), Code, 1939, pertaining to aid to the blind and relating to personal earnings of the blind persons eligible to receive assistance under the provisions of said chapter; relating to expenses for treatment as provided under said chapter; to provide for guardianship proceedings carried out without payment of fees or court costs, at the discretion of the district court, and providing that such a guardian may give bond without sureties; to provide that records and investigations of applicants for, and recipients of, blind assistance shall be privileged communications and shall be held as confidential.

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

1 SECTION 1. Section three thousand six hundred eighty-four and two
2 hundredths (3684.02), subsection eight (8), code, 1939, is hereby
3 amended by striking from line two (2) of said subsection the word
4 "subsistence" and inserting in lieu thereof the words "standard of
5 living".

1 SEC. 2. Section three thousand six hundred eighty-four and three
2 hundredths (3684.03), code, 1939, is hereby amended by striking all of
3 the said section and substituting in lieu thereof, the following:
4 "The amount of assistance which any person shall receive shall be
5 determined with due regard to the resources and expenditures of the
6 individual and in accordance with the rules and regulations made by
7 the federal and state boards, and shall be sufficient when added to
8 other income and support of the recipient, to provide such person with
9 a reasonable standard of living consistent with decency and health;
10 but in no event shall the amount of said assistance exceed forty dollars
11 (\$40.00) per month, except that in the event federal participation
12 shall be granted in excess of twenty dollars (\$20.00) per month per
13 recipient, the state maximum shall then be increased to such amount
14 as will qualify the state for full federal participation."

1 SEC. 3. Section three thousand six hundred eighty-four and four-
2 teen hundredths (3684.14), code, 1939, is amended and revised to read
3 as follows:

4 "On the basis of the finding of the ophthalmologist's examination
5 as provided in section 3684.08, remedial services may be provided by
6 the state board to any person who is in need of treatment either to
7 prevent blindness or to restore his eyesight, whether or not he is a
8 blind person as defined in this chapter, whether or not he is an applicant
9 for or recipient of old-age assistance or blind assistance, or whether
10 or not he is eighteen years of age or over, if he is otherwise qualified
11 for assistance under this chapter, provided such person is unable to
12 assume such expenses for remedial services. The remedial services
13 may include necessary traveling and other expenses to receive treat-
14 ment from a hospital or clinic designated by the state board."

1 SEC. 4. Section three thousand six hundred eighty-four and fifteen

2 hundredths (3684.15), code, 1939, is hereby amended by inserting
 3 immediately following the period (.) in line seven (7) thereof, the
 4 following: "All guardianship proceedings in the case of an applicant
 5 or receiptant shall be carried out without fee or other expense includ-
 6 ing all court costs when, in the opinion of the court, the blind person
 7 is unable to assume said expense. At the discretion of the court, such
 8 a guardian may give bond without sureties."

1 SEC. 5. Chapter one hundred eighty-two and one-tenth (182.1),
 2 code, 1939, is hereby amended by adding thereto the following section:
 3 "All applications, investigations and records shall be privileged
 4 communications and shall be confidential. They shall be used ex-
 5 clusively for the purpose of administering blind assistance by the
 6 state board. The violation of this provision is hereby made a mis-
 7 demeanor and is punishable as such."

Approved April 30, 1941.

CHAPTER 144

REWARD FOR ESCAPED WOMEN'S REFORMATORY INMATES

H. F. 444

AN ACT to amend section three thousand seven hundred thirty-eight (3738), Code, 1939, relating to escaped inmates from the women's reformatory.

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

1 SECTION 1. Section three thousand seven hundred thirty-eight
 2 (3738), code, 1939, is hereby amended by adding thereto the following
 3 sentence:
 4 "For the apprehension and delivery of any such inmate, the super-
 5 intendent may offer a reward, not to exceed fifty dollars, to be paid
 6 by the state in the same manner as provided for the payment of re-
 7 wards for escaped convicts."

Approved April 21, 1941.

CHAPTER 145

OLD AGE ASSISTANCE

H. F. 401

AN ACT to amend section three thousand eight hundred twenty-eight and one one-thousandth (3828.001), Code, 1939; to repeal section three thousand eight hundred twenty-eight and two one-thousandth (3828.002), Code, 1939; to amend section three thousand eight hundred twenty-eight and six one-thousandth (3828.006), Code, 1939; to amend section three thousand eight hundred twenty-eight and eight one-thousandth (3828.008), Code, 1939; to amend section three thousand eight hundred twenty-eight and ten one-thousandth (3828.010), Code, 1939; to amend section three thousand eight hundred twenty-eight and twelve one-thousandth (3828.012), Code, 1939; to amend section three thousand eight hundred twenty-eight and fourteen one-thousandth (3828.014), Code, 1939; to amend section three thou-

sand eight hundred twenty-eight and sixteen one-thousandth (3828.016), Code, 1939; to amend section three thousand eight hundred twenty-eight and eighteen one-thousandth (3828.018), Code, 1939; to amend section three thousand eight hundred twenty-eight and nineteen one thousandth (3828.019), Code, 1939; to amend section three thousand eight hundred twenty-eight and twenty one-thousandth (3828.020), Code, 1939; to amend section three thousand eight hundred twenty-eight and twenty-one one-thousandth (3828.021), Code, 1939; to amend section three thousand eight hundred twenty-eight and twenty-three one-thousandth (3828.023), Code, 1939; to amend section three thousand eight hundred twenty-eight and twenty-five one-thousandth (3828.025), Code, 1939; to amend section three thousand eight hundred twenty-eight and twenty-six one thousandth (3828.026), Code, 1939; to amend section three thousand eight hundred twenty-eight and twenty-seven one-thousandth (3828.027), Code, 1939; to amend section three thousand eight hundred twenty-eight and twenty-eight one thousandth (3828.028), Code, 1939; to amend section three thousand eight hundred twenty-eight and thirty-five one thousandth (3828.035), Code, 1939; to amend section three thousand eight hundred twenty-eight and thirty-nine one-thousandth (3828.039), Code, 1939; to amend section three thousand eight hundred twenty-eight and forty-two one-thousandth (3828.042), Code, 1939; to amend section three thousand and eight hundred twenty-eight and forty-three one-thousandth (3828.043), Code, 1939; to amend section three thousand eight hundred twenty-eight and forty-four one thousandth (3828.044), Code, 1939; to amend section three thousand eight hundred twenty-eight and forty-five one-thousandth (3828.045), Code, 1939; to amend section three thousand eight hundred twenty-eight and forty-seven one-thousandth (3828.047), Code, 1939; to amend section three thousand eight hundred twenty-eight and fifty one-thousandth (3828.050), Code, 1939; all relating to old-age assistance; to the definition of terms used in chapter one-hundred eighty-nine and one-tenth (189.1); to the creation of the division of old-age assistance; to old-age assistance investigators; to whom old-age assistance may be granted; to the consideration of the income of an applicant for old-age assistance; to property exclusions; to procedure with application for old-age assistance; to the issuance of assistance certificates; to the renewal of assistance certificates; to the assistance certificates improperly obtained; to the time when assistance commences; to the payment of funeral expenses for persons receiving assistance; to the transfer of real estate to the state board; to compromise settlements by the state; to insurance that may be assigned by the state board; to notify the board of increase of property or income; to recovery from responsible relatives of old age assistance furnished recipient; to guardianship proceedings during incapacity of applicant or recipient; to the creation of the old-age assistance fund; to the creation of the old age assistance revolving fund; to the authority of the state board to accept gifts; to the cancellation of warrants; to the payment of funds to the United States; to the confidential nature of records; and to the penalty for the violation of chapter one hundred eighty-nine and one tenth (189.1).

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

1 SECTION 1. Section three thousand eight hundred twenty-eight and
2 one one-thousandth (3828.001), Code, 1939, is hereby amended by
3 striking all of lines ten (10), eleven (11), twelve (12) and thirteen
4 (13).

1 SEC. 2. Section three thousand eight hundred twenty-eight and two
2 one-thousandths (3828.002), code, 1939, is hereby repealed.

1 SEC. 3. Section three thousand eight hundred twenty-eight and six
2 one-thousandths (3828.006), Code, 1939, is hereby amended by striking
3 from line five (5) the word "division" and inserting in lieu thereof
4 the words "state department".

5 Further amend said section by striking from line eight (8) the
6 words "this division" and inserting in lieu thereof the words "the
7 state department".

1 SEC. 4. Section three thousand eight hundred twenty-eight and

2 eight one-thousandths (3828.008), Code, 1939, is hereby amended by
3 striking from line forty-three (43) the word "division" and inserting
4 in lieu thereof the words "state department".

5 Further amend said section by striking from line forty-five (45)
6 the word "division" and inserting in lieu thereof the words "state
7 department".

1 SEC. 5. Section three thousand eight hundred twenty-eight and ten
2 one-thousandths (3828.10), Code, 1939, is hereby amended by striking
3 from line five (5) the word "division's" and inserting in lieu thereof
4 the words "state department's".

1 SEC. 6. Section three thousand eight hundred twenty-eight and
2 twelve one-thousandths (3828.012), Code, 1939, is hereby amended by
3 striking from line sixteen (16) the word "division" and inserting in
4 lieu thereof the words "state department".

5 Further amend said section by striking from line twenty-two (22)
6 the word "division" and inserting in lieu thereof the words "state
7 department".

8 Further amend said section by striking from line forty-seven (47)
9 the word "division" and inserting in lieu thereof the words "state
10 department".

11 Further amend said section by striking from line fifty-one (51)
12 the word "division" and inserting in lieu thereof the words "state
13 department".

1 SEC. 7. Section three thousand eight hundred twenty-eight and
2 fourteen one-thousandths (3828.014), Code, 1939, is hereby amended
3 by striking from line four (4) the word "division" and inserting in lieu
4 thereof the words "state department".

5 Further amend said section by striking from line twenty-one (21)
6 the word "division" and inserting in lieu thereof the words "state
7 department".

8 Further amend said section by striking from line twenty-eight (28)
9 the word "division" and inserting in lieu thereof the words "state
10 department".

11 Further amend said section by striking from line twenty-nine (29)
12 the word "division" and inserting in lieu thereof the words "state
13 department".

14 Further amend said section by striking from lines sixty-six (66)
15 and sixty-seven (67) the word "superintendent" and inserting in lieu
16 thereof the words "state department".

1 SEC. 8. Section three thousand eight hundred twenty-eight and
2 sixteen one-thousandths (3828.016), Code, 1939, is hereby amended by
3 striking from lines one (1) and two (2) the word "division" and
4 inserting in lieu thereof the words "state department".

5 Further amend said section by striking from line five (5) the word
6 "division" and inserting in lieu thereof the words "state department".

7 Further amend said section by striking from lines six (6) and seven
8 (7) the word "division" and inserting in lieu thereof the words "state
9 department".

10 Further amend said section by striking from line nine (9) the words

11 "division of old age assistance" and inserting in lieu thereof the words
12 "state department".

13 Further amend said section by striking from line thirteen (13) the
14 word "division" and inserting in lieu thereof the words "state depart-
15 ment".

1 SEC. 9. Section three thousand eight hundred twenty-eight and
2 eighteen one-thousandths (3828.018), Code, 1939, is hereby amended
3 by striking from line fifteen (15) the word "division" and inserting
4 ing in lieu thereof the words "state department".

1 SEC. 10. Section three thousand eight hundred twenty-eight and
2 nineteen one-thousandths (3828.019), Code, 1939, is hereby amended
3 by striking from line one (1) the word "division" and inserting in lieu
4 thereof the words "state department".

5 Further amend said section by striking from line fifteen (15) the
6 word "division" and inserting in lieu thereof the words "state depart-
7 ment".

1 SEC. 11. Section three thousand eight hundred twenty-eight and
2 twenty one-thousandths (3828.020), Code, 1939, is hereby amended by
3 striking from line eight (8) the word "division" and inserting in lieu
4 thereof the words "state department".

1 SEC. 12. Section three thousand eight hundred twenty-eight and
2 twenty-one one-thousandths (3828.021), Code, 1939, is hereby amended
3 by striking from line twenty-six (26) the word "division's" and insert-
4 ing in lieu thereof the words "state department's".

5 Further amend said section by striking from line thirty-eight (38)
6 the word "division" and inserting in lieu thereof the words "state
7 department".

1 SEC. 13. Section three thousand eight hundred twenty-eight and
2 twenty-three one-thousandths (3828.023), Code, 1939, is hereby amend-
3 ed by striking from line forty-one (41) the word "division" and
4 inserting in lieu thereof the words "state department".

5 Further amend said section by striking from lines fifty-four (54)
6 and fifty-five (55) the word "division" and inserting in lieu thereof
7 the words "state department".

8 Further amend said section by striking from line eighty-one (81)
9 the word "division" and inserting in lieu thereof the words "state
10 department".

1 SEC. 14. Section three thousand eight hundred twenty-eight and
2 twenty-five one-thousandths (3828.025), Code, 1939, is hereby amend-
3 ed by striking from line two (2) the word "division" and inserting in
4 lieu thereof the words "state department".

1 SEC. 15. Section three thousand eight hundred twenty-eight and
2 twenty-six one-thousandths (3828.026), Code, 1939, is hereby amended
3 by striking from line fifteen (15) the word "division" and inserting
4 in lieu thereof the words "state department".

5 Further amend said section by striking from lines eighteen (18)
6 and nineteen (19) the word "division" and inserting in lieu thereof
7 the words "state department".

8 Further amend said section by striking from line thirty (30) the
9 word "division" and inserting in lieu thereof the words "state depart-
10 ment".

11 Further amend said section by striking from line thirty-four (34)
12 the word "division" and inserting in lieu thereof the words "state
13 department".

1 SEC. 16. Section three thousand eight hundred twenty-eight and
2 twenty-seven one-thousandths (3828.027), Cdoe, 1939, is hereby amend-
3 ed by striking from line ten (10) the word "division" and inserting in
4 lieu thereof the words "state department".

5 Further amend said section by striking from line twelve (12) the
6 word "division" which appears in two places and inserting in lieu
7 thereof in each place the words "state department".

1 SEC. 17. Section three thousand eight hundred twenty-eight and
2 twenty-eight one-thousandths (3828.028), Code, 1939, is hereby
3 amended by striking from line two (2) the word "division" and insert-
4 ing in lieu thereof the words "state department".

5 Further amend said section by striking from line sixteen (16) the
6 word "division" and inserting in lieu thereof the words "state depart-
7 ment".

1 SEC. 18. Section three thousand eight hundred twenty-eight and
2 thirty-five one-thousandths (3828.035), Code, 1939, is hereby amended
3 by striking from line seven (7) the word "division" and inserting in
4 lieu thereof the words "state department".

5 Further amend said section by striking from line eight (8) the
6 word "division" and inserting in lieu thereof the words "state depart-
7 ment".

8 Further amend said section by striking from line fourteen (14) the
9 word "division" and inserting in lieu thereof the words "state depart-
10 ment".

1 SEC. 19. Section three thousand eight hundred twenty-eight and
2 thirty-nine one-thousandths (3828.039), Code, 1939, is hereby amend-
3 ed by striking from line four (4) the word "division" and inserting in
4 lieu thereof the words "state departent".

5 Further amend said section by striking from line seventy-one (71)
6 the word "division" and inserting in lieu thereof the words "state
7 department".

8 Further amend said section by striking from line ninety-five (95)
9 the word "division" and inserting in lieu thereof the words "state
10 department".

1 SEC. 20. Section three thousand eight hundred twenty-eight and
2 forty-two one-thousandths (3828.042), Code, 1939, is hereby amended
3 by striking from line fourteen (14) the word "division" and inserting
4 in lieu thereof the words "state department".

5 Further amend said section by striking from line fifteen (15) the
6 word "division" and inserting in lieu thereof the words "state depart-
7 ment".

8 Further amend said section by striking from line twenty (20) the

9 word "division" and inserting in lieu thereof the words "state depart-
10 ment".

11 Further amend said section by striking from line thirty (30) the
12 word "division" and inserting in lieu thereof the words "state depart-
13 ment".

1 SEC. 21. Section three thousand eight hundred twenty-eight and
2 forty-three one-thousandths (3828.043), Code, 1939, is hereby amend-
3 ed by striking from line two (2) the word "division" and inserting in
4 lieu thereof the words "state department".

5 Further amend said section by striking from line ten (10) the word
6 "division" and inserting in lieu thereof the words "state department".

1 SEC. 22. Section three thousand eight hundred twenty-eight and
2 forty-four one-thousandths (3828.044), Code, 1939, is hereby amended
3 by striking from line fourteen (14) the word "division" and inserting
4 in lieu thereof the words "state department".

1 SEC. 23. Section three thousand eight hundred twenty-eight and
2 forty-five one-thousandths (3828.045), Code, 1939, is hereby amended
3 by striking from line five (5) the word "division" and inserting in
4 lieu thereof the words "state department".

1 SEC. 24. Section three thousand eight hundred twenty-eight and
2 forty-seven one-thousandths (3828.047), Code, 1939, is hereby amended
3 by striking from lines twenty-two (22) and twenty-three (23) the
4 words "the old age assistance division of the state of Iowa" and insert-
5 ing in lieu thereof the words "state department".

1 SEC. 25. Section three thousand eight hundred twenty-eight and
2 fifty one-thousandths (3828.050), Code, 1939, is hereby amended by
3 striking from line nine (9) the word "division" and inserting in lieu
4 thereof the words "state department".

Approved April 30, 1941.

CHAPTER 146

OLD AGE ASSISTANCE

H. F. 400

AN ACT to amend section three thousand eight hundred twenty-eight and three one-thousandths (3828.003), Code, 1939; to repeal section three thousand eight hundred twenty-eight and five one-thousandths (3828.005), Code, 1939; to amend section three thousand eight hundred twenty-eight and eight one-thousandths (3828.008), Code, 1939; to amend section three thousand eight hundred twenty-eight and nine one-thousandths (3828.009), Code, 1939; to repeal section three thousand eight hundred twenty-eight and eleven one-thousandths (3828.011), Code, 1939; to amend section three thousand eight hundred twenty-eight and fourteen one-thousandths (3828.014), Code, 1939; to amend section three thousand eight hundred twenty-eight and sixteen one-thousandths (3828.016), Code, 1939; to amend section three thousand eight hundred twenty-eight and eighteen one-thousandths (3828.018), Code, 1939; to amend section three thousand eight hundred twenty-eight and twenty-one one-thousandths (3828.021), Code, 1939; to amend section three thousand eight hundred twenty-eight and twenty-two one-thousandths (3828.022), Code, 1939; to amend section three thousand eight hundred twenty-eight and twenty-three one-

thousandths (3828.023), Code, 1939; to amend section three thousand eight hundred twenty-eight and twenty-six one-thousandths (3828.026), Code, 1939; to amend section three thousand eight hundred twenty-eight and twenty-nine one-thousandths (3828.029), Code, 1939; to amend section three thousand eight hundred twenty-eight and thirty-five one-thousandths (3828.035), Code, 1939; to amend section three thousand eight hundred twenty-eight and forty-seven one-thousandths (3828.047), Code, 1939; all relating to old age assistance; to the powers and duties of the state board; to the appointment of a superintendent of old age assistance; to persons entitled to assistance; to the amount of assistance; to income from property owned by applicants; to procedure with application for old age assistance; to the issuance of assistance certificates; to residence of a recipient of assistance outside of the State of Iowa; to the payment of funeral expenses for persons receiving assistance; to the deduction from the estate of a deceased recipient for assistance advanced; to the transfer of real estate to the state board; to insurance which may be assigned to the state board; to the liability of certain persons for the support of a claimant or recipient of old age assistance; to residents in institutions; to court costs in connection with guardianship proceedings; to the confidential nature of records.

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

1 SECTION 1. Section three thousand eight hundred twenty-eight and
2 three one-thousandths (3828.003), code, 1939, is hereby amended by
3 striking all of lines ten (10), eleven (11), twelve (12), thirteen (13),
4 fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen
5 (18), nineteen (19), twenty (20), twenty-one (21), and twenty-two
6 (22) thereof.

1 SEC. 2. Section three thousand eight hundred twenty-eight and
2 five one-thousandths (3828.005), code, 1939, is hereby repealed.

1 SEC. 3. Section three thousand eight hundred twenty-eight and
2 eight one-thousandths (3828.008), code, 1939, is hereby amended by
3 striking in lines three (3) and four (4) thereof the following words:
4 "at the time of application and during the continuance of certificate
5 of assistance".

1 SEC. 4. Section three thousand eight hundred twenty-eight and
2 nine one-thousandths (3828.009), code, 1939, is hereby amended by
3 striking in lines seven (7), eight (8) and nine (9) thereof the follow-
4 ing words and punctuation: "when added to the income of the appli-
5 cant from all other sources, exclusive of exemptions hereinafter pro-
6 vided,"; and by further amending said section by striking in lines nine
7 (9) and ten (10) thereof the following words: "a total of"; and by
8 further amending said section by striking in lines thirteen (13) and
9 fourteen (14) thereof the following words: "mental and/or".

1 SEC. 5. Section three thousand eight hundred twenty-eight and
2 eleven one-thousandths (3828.011), code, 1939, is hereby repealed.

1 SEC. 6. Section three thousand eight hundred twenty-eight and
2 fourteen one-thousandths (3828.014), code, 1939, is hereby amended
3 by striking all of lines thirty-five (35) to fifty-seven (57) inclusive,
4 and inserting in lieu thereof the following: "If an application is not
5 acted upon by the county board within ninety (90) days after the
6 filing of the application, or is denied in whole or in part, or if any
7 award of assistance is modified or canceled under any provision of this
8 chapter, the applicant or recipient may appeal to the state board in the
9 manner and form prescribed by the state board. The state board shall,

10 upon receipt of such an appeal, give the applicant or recipient reason-
 11 able notice and opportunity for a fair hearing before the state board
 12 or its duly authorized representative or representatives. Following
 13 such hearing the state board shall take its final action and notify the
 14 applicant in writing.”; and further amending said section by striking
 15 all of lines eighty-one (81) to eighty-seven (87), inclusive.

1 SEC. 7. Section three thousand eight hundred twenty-eight and
 2 sixteen one-thousandths (3828.016), code, 1939, is hereby amended
 3 by striking from line three (3) thereof the following words: “for two
 4 years”; and further amended by adding a period (.) after the word
 5 “discontinued” appearing in lines fourteen (14) and fifteen (15)
 6 thereof, and by striking the remainder of said section.

1 SEC. 8. Section three thousand eight hundred twenty-eight and
 2 eighteen one-thousandths (3828.018), code, 1939, is hereby amended
 3 by striking all of lines one (1) to five (5) inclusive; and further
 4 amended by striking all of lines twenty (20) to twenty-four (24),
 5 inclusive, and by striking the colon (:) in line nineteen (19) and
 6 substituting in lieu thereof a period (.).

1 SEC. 9. Section three thousand eight hundred twenty-eight and
 2 twenty-one one-thousandths (3828.021), code, 1939, is hereby amended
 3 by striking all of lines sixteen (16) to twenty-three (23), inclusive,
 4 and inserting in lieu thereof the following: “That any payment which
 5 is due the decedent’s estate, spouse, children, father, mother, brother
 6 or sister by reason of the liability of any life insurance or death or
 7 funeral benefit company, association or society to be made in the event
 8 of the death of such decedent who was a recipient of old age assistance
 9 may be deducted from the state department’s liability of one hundred
 10 dollars (\$100.00).”; and further amended by inserting after the word
 11 “claim” in line thirty-nine (39) thereof, the following words “and
 12 lien”.

13 Section three thousand eight hundred twenty-eight and eighteen
 14 thousandths (3828.018), Code, 1939, is further amended by adding
 15 thereto the following section: “Where a person has been receiving old
 16 age assistance under the provisions of this act and while receiving
 17 such assistance is committed to any tax supported institution for any
 18 cause and is not receiving old age assistance at the time of his death,
 19 he shall, notwithstanding such facts, be qualified to receive his burial
 20 expense as provided in this section.”

1 SEC. 10. Section three thousand eight hundred twenty-eight and
 2 twenty-two one-thousandths (3828.022), code, 1939, is amended as
 3 follows:

4 By adding after the word “claim” in line twenty-two (22), thereof
 5 the following words: “or lien”.

6 Further amend said section by striking from lines twenty-six (26),
 7 twenty-seven (27) and twenty-eight (28) thereof the following words:
 8 “the estate of deceased shall not be settled or the homestead sold” and
 9 substituting in lieu thereof the following words: “the homestead shall
 10 not be sold”.

1 SEC. 11. Section three thousand eight hundred twenty-eight and

2 twenty-three one-thousandths (3828.023), code, 1939, is amended as
3 follows:

4 By adding after the word "assistance" in line four (4) thereof
5 the following words: "and funeral benefit".

6 Further amend said section by striking the period (.) at the end
7 of the sentence ending with the word "indexing" in line fifteen (15)
8 thereof and adding the following: "or for releasing said lien".

9 Further amend said section by adding after the word "conveyance"
10 in line thirty-nine (39) thereof the following words "or assignment".

11 Further amend said section by adding after the word "state" in
12 line forty (40) thereof the following word: "board".

13 Further amend said section by adding after the word "deed" in line
14 forty-one (41) thereof the following words: "or assignment".

15 Further amend said section by inserting before the sentence begin-
16 ning with the words "such property" in line fifty-four (54) thereof
17 the following: "Title to any real estate may be taken in the name of the
18 state board of social welfare."

19 Further amend said section by striking from line fifty-eight (58)
20 thereof the words "or transfer" and substituting in lieu thereof the
21 following words: "assign or convey".

22 Further amend said section by striking from lines seventy-seven
23 (77), seventy-eight (78), seventy-nine (79), eighty (80) and eighty-
24 one (81) thereof the following: "sale for any general or special taxes
25 of any property, against which a lien has been filed under the pro-
26 visions of this section and section three thousand eight hundred twenty-
27 eight and twenty-two one-thousandths (3828.022), shall not affect said
28 lien or its enforcement; and the".

1 SEC. 12. Section three thousand eight hundred twenty-eight and
2 twenty-six one-thousandths (3828.026), code, 1939, is amended as
3 follows:

4 By adding after the word "benefit" in line twenty-six (26) thereof
5 the following word: "certificate".

6 Further amend said section by adding after the word "policy" in
7 line forty (40) thereof the following words: "or benefit certificate".

1 SEC. 13. Section three thousand eight hundred twenty-eight and
2 twenty-nine one-thousandths (3828.029), code, 1939, is hereby amend-
3 ed by striking from lines eight (8), nine (9), ten (10), eleven (11) and
4 twelve (12) the following: "In no event shall assistance be granted
5 when the contribution made by or required of responsible relatives
6 attains the equivalent of the maximum assistance payable under this
7 chapter".

1 SEC. 14. Section three thousand eight hundred twenty-eight and
2 thirty-five one-thousandths (3828.035) code, 1939, is hereby amended
3 by adding after the word "expense" in line twenty-eight (28) thereof
4 the following words: "including all court costs".

1 SEC. 15. Section three thousand eight hundred twenty-eight and
2 forty-seven one-thousandths (3828.047), code, 1939, is hereby amended
3 by striking all of lines one (1) to nine (9) inclusive, and substituting
4 in lieu thereof the following: "All applications, investigations and
5 records shall be privileged communications and shall be confidential."

6 They shall be used exclusively for the purpose of administering old
7 age assistance by the state board”.

1 SEC. 16. Constitutionality. If any portion of this act shall be held
2 invalid, the remaining provisions shall be given full force and effect
3 as if the part held invalid had not been included herein.

Approved April 30, 1941.

CHAPTER 147

OLD AGE ASSISTANCE

S. F. 52

AN ACT to amend section three thousand eight hundred twenty-eight and twenty-three thousandths (3828.023), Code, 1939, relating to liens for Old-Age Assistance and authorizing the State Board of Social Welfare to compromise, adjust, settle, and release such liens.

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

1 SECTION 1. Section three thousand eight hundred twenty-eight and
2 twenty-three thousandths (3828.023), Code, 1939, is hereby amended
3 by striking all of lines twenty-nine (29) to thirty-four (34), inclusive,
4 beginning with the words “The state board” and ending with the words
5 “on such liens.” and substituting therefor the following:
6 “The state board shall release liens created or existing under this
7 chapter when the amount thereof is fully paid, or when an estate, of
8 which real estate affected by this chapter is a part, has been probated
9 and the proceeds allowable through such probate have been applied
10 on such liens. The board may also, in its discretion, at any time, order
11 the release of any lien in full, or the release of any specific parcel of
12 land from the lien, upon such compromise, settlement, substitution of
13 other security, or other consideration as the board shall determine to
14 be fair and adequate under the peculiar circumstances affecting the
15 property subject to the lien of its ownership. Such release shall
16 be executed and acknowledged by the secretary of the state board of
17 social welfare; and such release when recorded shall be conclusive in
18 favor of any third person dealing with or concerning the land thus
19 released in reliance on such record”.

Approved March 28, 1941.

CHAPTER 148

SUPPORT OF THE POOR

H. F. 68

AN ACT to amend sections three thousand eight hundred twenty-eight and eighty-eight thousandths (3828.088), three thousand eight hundred twenty-eight and ninety thousandths (3828.090), and three thousand eight hundred twenty-eight and ninety-two thousandths (3828.092), Code, 1939, relating to the settlement of a poor person.

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

1 SECTION 1. That subsection one (1) of section three thousand
2 eight hundred twenty-eight and eighty-eight thousandths (3828.088),
3 Code, 1939, be amended by striking from lines two (2) and ten (10)
4 of said subsection the words "one year" and by substituting in lieu
5 thereof the words "two years".

1 SEC. 2. That subsection two (2) of section three thousand eight
2 hundred twenty-eight and eighty-eight thousandths (3828.088) be
3 amended by striking from line five (5) of said subsection the words
4 "one year" and by substituting in lieu thereof the words "two years".

1 SEC. 3. That section three thousand eight hundred twenty-eight
2 and eighty-eight thousandths (3828.088) be further amended by add-
3 ing the following subsection: "Any person with settlement in this
4 state who enlists in or is inducted into the military or naval service
5 of the United States shall retain such settlement during the period of
6 his military or naval service. Any person without settlement in this
7 state who is serving in said military or naval service within the borders
8 of this state shall not acquire a settlement during the period of such
9 service."

1 SEC. 4. That section three thousand eight hundred and twenty-
2 eight and ninety thousandths (3828.090) be amended by striking there-
3 from the period at the end of subsection three (3) thereof and by
4 adding the following: "; or the judge may order the sheriff of the
5 county seeking the removal to return such person to the state or
6 county of his legal settlement."

1 SEC. 5. That section three thousand eight hundred twenty-eight
2 and ninety-two thousandths (3828.092) be amended by striking from
3 lines nine (9) and ten (10) the words "one year without further
4 warning" and by inserting in lieu thereof the following: "two years
5 after the filing of the affidavit as provided in subsection one (1) of
6 section three thousand eight hundred twenty-eight and eighty-eight
7 thousandths (3828.088)."

Approved March 15, 1941.

CHAPTER 149
SUPPORT OF THE POOR
S. F. 6

AN ACT to amend Section three thousand eight hundred twenty-eight and one hundred fourteen thousandths (3828.114), Code, 1939, permitting the boards of supervisors of the various counties of the state to levy an additional millage for the support of the poor.

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

1 SECTION 1. Section three thousand eight hundred twenty-eight and
2 one hundred fourteen thousandths (3828.114), Code, 1939, is hereby
3 amended by adding thereto the following:

4 "Should the one and one-half mill levy fail to provide adequate
 5 funds to take care of the poor, then the board of supervisors, with the
 6 approval of the state comptroller, shall levy an additional tax of not
 7 to exceed one and one-half mills in all counties except counties having
 8 a population of over 100,000 and in such counties having more than
 9 100,000 population the board shall be authorized to levy not to exceed
 10 an additional three and one-half mills for poor relief to be entered on
 11 the tax list and collected as the ordinary county tax. Such additional
 12 tax shall be levied only during the years 1941 and 1942. Before any
 13 such additional levy is made, a showing of the necessity for such addi-
 14 tional levy shall be made to the state comptroller and no such addi-
 15 tional levy shall be made unless it shall be approved in writing by the
 16 comptroller.

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

Approved February 4, 1941.

CHAPTER 150

SUPPORT OF THE POOR

S. F. 385

AN ACT to amend chapter one hundred eighty-nine and four tenths (189.4), Code, 1939, relating to use of poor fund by the county board of supervisors.

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

1 SECTION 1. That chapter one hundred eighty-nine and four tenths
 2 (189.4), Code, 1939, be amended by adding thereto the following
 3 section:

4 "Notwithstanding the provisions of any laws to the contrary, the
 5 County Board of Supervisors shall have the power to use until July 1,
 6 1943, the poor fund to join and cooperate with the United States Gov-
 7 ernment, and/or cities and towns within their boundaries, or both the
 8 United States Government and cities and towns within their boundaries,
 9 in sponsoring work projects, provided that the money used from the
 10 poor fund for such purposes does not exceed the cost per month of
 11 supplying relief to the certified persons working on projects who would
 12 be receiving direct relief if they were not employed on said work
 13 project."

Approved April 5, 1941.

CHAPTER 151

COUNTY HOMES

H. F. 163

AN ACT to amend chapter one hundred eighty-nine and five tenths (189.5), Code, 1939, relating to county homes.

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

1 SECTION 1. Chapter one hundred eighty-nine and five tenths
2 (189.5), code of 1939, is hereby amended by adding the following
3 section:

4 "The board may, at its discretion and in the interests of efficiency
5 and economy in the care of its poor, enter into an agreement with the
6 board of any adjoining county for the transfer of the inmates of the
7 county home of one of said counties to that of the other and for the
8 mutual support and maintenance of said inmates by said counties.
9 The cost of maintaining and supporting said inmates shall be divided
10 between the two counties upon an equitable basis to be mutually agreed
11 upon by the joint boards of the contracting counties."

1 SECTION 2. This act being deemed of immediate importance shall
2 be in full force and effect from and after its passage and publication in
3 the Riceville Recorder, a newspaper published at Riceville, Iowa, and
4 in the New Era, a newspaper published at Elma, Iowa.

Approved March 24, 1941.

I hereby certify that the foregoing act was published in the Riceville Recorder, Riceville, Iowa, April 2, 1941, and the New Era, Elma, Iowa, March 27, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 152

SCHOOL LAW REVISION

S. F. 291

AN ACT to authorize the appointment by the governor of a commission to cooperate with the superintendent of public instruction in the preparation of a proposed revision and codification of the laws of Iowa relating to education; to authorize a survey and necessary research to justify any changes in the organization, support, and government of the public schools; to authorize an appropriation for the carrying out of the provisions of the act; to authorize and direct the report of the commission and the state superintendent to be given to the governor of Iowa; to authorize and direct the printing of the same and placing of copies in the hands of the Fiftieth (50) General Assembly.

WHEREAS, the school laws of the state of Iowa have been in the process of development for many years, and,

WHEREAS, the present statutes relating to education contain numerous conflicts, uncertainties, and omissions which interfere with proper efficiency and economy in the operation of the school system, and,

WHEREAS, there are gross inequalities in Iowa schools both with regard to educational opportunity and in the ability of many communities to support an adequate program of education, therefore

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

1 SECTION 1. The Governor of the state of Iowa is hereby authorized
2 to appoint a commission of four (4) members to assist the State Super-
3 intendent of Public Instruction in the revision and codification of the
4 laws of Iowa relating to education and the preparation of a proposed
5 school code for the state of Iowa. The State Superintendent of Public
6 Instruction shall be ex-officio chairman of this Commission and is
7 hereby authorized, directed, and empowered to carry out the provisions
8 of this act. In carrying out the duties imposed upon her by this act,
9 the State Superintendent with the approval of the Commission is
10 authorized to employ such persons as may be needed and incur such
11 expenses as may be necessary to complete satisfactorily the work with-
12 in the time allotted, such salaries and expenses to be paid out of the
13 appropriations to the Department of Public Instruction for salaries
14 and necessary and regular expenses. For which purpose there is hereby
15 appropriated from the general fund of the state and added to the
16 regular funds of the Department of Public Instruction for each year
17 of the biennium beginning July 1, 1941, and ending June 30, 1943, a
18 sum of seven thousand five hundred (\$7500.00) dollars or so much
19 thereof as may be necessary for the purpose of carrying out the pro-
20 visions of this act, any unexpended balance to carry over. The use of
21 this fund is limited exclusively to the carrying out the provisions of
22 this act and any unexpended funds shall revert to the general fund of
23 the state of Iowa at the termination of the duties of said Commission.

1 SEC. 2. That the State Superintendent of Public Instruction with
2 the advice and cooperation of the Commission shall prepare or cause
3 to be prepared a proposed new school code which shall consist in a
4 complete revision and codification of the laws of Iowa relating to
5 education. All obsolete, conflicting, or inoperative sections shall be
6 removed and whenever it is apparent that there are omissions or errors
7 which would handicap the efficient operation of schools or whenever
8 new or additional provisions should be made, it shall be done. More-
9 over, the State Superintendent of Public Instruction shall with the
10 advice of the Commission, after due investigation, research, public
11 hearings and consultations with educators and laymen, prepare and sub-
12 mit to the Fiftieth (50th) General Assembly any additions or changes
13 to the laws in order to facilitate and bring about the equalization of
14 educational opportunity to all the children of Iowa through the re-
15 organization of the present districts, changes in the system of taxation
16 and support, or any other general or specific changes in the present
17 state system of public education which will make the operation of the
18 public schools of the state more efficient or more economical. The
19 commission shall give special attention to the problem of raising
20 revenue for school purposes other than direct taxes upon tangible
21 property and also to the problems of alleviating or adjusting the taxes
22 on agricultural lands. The said State Superintendent with the coopera-
23 tion and approval of the Commission shall prepare bills or cause to be
24 prepared bills to effect their recommendations and attached to each
25 bill shall be an explanation of the same, which bills and explanations
26 shall accompany and be a part of the report of the Commission. It is

27 intended that the report of the Commission shall present a complete
28 revision and codification of the laws relating to education, the public
29 school system and the raising of revenue therefor. Said report shall
30 be completed and filed with the Governor not later than sixty (60) days
31 preceding the convening of the 50th General Assembly, and thereupon
32 the Governor shall cause a thousand copies of the same to be printed
33 and a copy placed in the hands of the members of the 50th General
34 Assembly as early as possible prior to the convening of said 50th
35 General Assembly and copies made available to other interested parties.

1 SEC. 3. Said State Superintendent of Public Instruction and the
2 Commission shall be furnished with quarters and supplies for use in
3 the discharge of their duties and may call upon the Supreme Court and
4 other state officials and departments as well as county officials and
5 local school authorities for information and assistance. It shall have
6 power to call in for consultation or other service qualified persons in
7 the fields of education, taxation, school finance and law, and to pay
8 expenses of such persons, and may pay such persons a fee or per diem
9 for their services.

1 SEC. 4. The members of the Commission shall qualify by subscrib-
2 ing to the oath required of state officers.

1 SEC. 5. The members of the Commission shall receive their neces-
2 sary expenses incurred in the performance of their duties, and in addi-
3 tion the members of the Commission appointed by the Governor shall
4 receive a compensation per diem for each day actually devoted to the
5 work of the Commission; said per diem for each of said members shall
6 be not more than ten (10) dollars per day.

1 SEC. 6. Said Commission shall enter upon its duties on or before the
2 first day of May, 1941, and upon the completion of its duties shall
3 dissolve and its members stand discharged.

1 SEC. 7. If any section or provision of this act is declared uncon-
2 stitutional, the remaining sections or provisions of the act shall not be
3 affected thereby.

1 SEC. 8. 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 Newton Daily News, a newspaper published at Newton, Iowa, and the
4 Waterloo Courier, a newspaper published at Waterloo, Iowa.

Approved April 10, 1941.

I hereby certify that the foregoing act was published in the Newton Daily News,
Newton, Iowa, April 15, 1941, and the Waterloo Courier, Waterloo, Iowa, April 14, 1941.
EARL G. MILLER, *Secretary of State.*

CHAPTER 153

LOANS AND INVESTMENTS OF ENDOWMENT FUNDS OF STATE
EDUCATIONAL INSTITUTIONS

H. F. 250

AN ACT to amend section three thousand nine hundred twenty-six (3926), Code, 1939, relating to loans and investments of endowment funds.

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

1 SECTION 1. Section three thousand nine hundred twenty-six (3926),
2 code, 1939, is hereby amended by striking from line two (2) the word
3 "loan" and substituting in lieu thereof the word "invest".

1 SEC. 2. Section three thousand nine hundred twenty-six (3926),
2 code, 1939, is hereby amended by striking from line five (5) of sub-
3 section one (1) the word "fifty" and inserting in lieu thereof the word
4 "sixty-five".

1 SEC. 3. Section three thousand nine hundred twenty-six (3926),
2 code, 1939, is hereby amended by striking all of subsection two (2)
3 thereof and inserting in lieu thereof the following:

4 "2. Each such loan if for a sum more than one-fourth of the value
5 of the farm shall be on the basis of stipulated annual principal reduc-
6 tions."

1 SEC. 4. Section three thousand nine hundred twenty-six (3926),
2 code, 1939, is hereby amended by striking all of subsection three (3)
3 after the word "committee" in line two (2) and substituting in lieu
4 thereof the words "in bonds of the United States; in notes, bonds, and
5 certificates of indebtedness the payment of which is guaranteed by the
6 United States; also in bonds of this state, and of counties, cities and
7 school districts in Iowa."

1 SEC. 5. Section three thousand nine hundred twenty-six (3926),
2 code, 1939, is hereby amended by adding the following subsection:
3 "6. All loans made under the provisions of this section shall have an
4 interest rate of not less than three and one-half per cent per annum."

1 SEC. 6. 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 Spencer Times, a newspaper published at Spencer, Iowa, and the
4 Oskaloosa Daily Herald, a newspaper published at Oskaloosa, Iowa.

Approved March 21, 1941.

I hereby certify that the foregoing act was published in the Spencer Times, Spencer,
Iowa, March 27, 1941, and the Oskaloosa Daily Herald, Oskaloosa, Iowa, March 24, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 154

STATE APIARIST

H. F. 162

AN ACT to amend chapter two hundred (200), Code, 1939, relating to the State Apiarist.

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

1 SECTION 1. Chapter two hundred (200), code, 1939, is hereby
2 amended by adding thereto the following:

3 "The extension apiarist of the Iowa agricultural extension service is
4 hereby constituted the state apiarist who is the executive officer of
5 this act. The state apiarist shall be responsible to and under the
6 authority of the secretary of agriculture in the issuance of all rules
7 and regulations, in the establishment of quarantines, and in other
8 official acts. He shall be provided with a suitable office at the college
9 of agriculture and mechanic arts, where his records shall be kept."

Approved April 10, 1941.

CHAPTER 155

STATE APIARIST

H. F. 161

AN ACT to amend section four thousand thirty-nine (4039), Code, 1939, relating to the State Apiarist.

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

1 SECTION 1. Section four thousand thirty-nine (4039), Code, 1939, is
2 hereby amended by adding thereto the following:

3 "It shall be unlawful to keep bees in any containers except hives
4 with movable frames permitting ready examination in those counties
5 where area clean-up inspection is in progress as may be proclaimed in
6 official regulation.

7 "All bees and combs, used hives or other used apiary appliances
8 brought into this state from any other state must be accompanied by
9 a valid certificate of inspection of the state of origin or a permit issued
10 by the state apiarist of Iowa."

Approved April 10, 1941.

CHAPTHR 156

COUNTY SUPERINTENDENT

S. F. 7

AN ACT to amend section four thousand ninety-six (4096), Code, 1939, relative to the date the county superintendent shall take office and to amend section four thousand one hundred six (4106), Code, 1939, relative to the time the county superintendent's annual report shall be filed with the superintendent of public instruction.

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

1 SECTION 1. Amend section four thousand ninety-six (4096), Code,
2 1939, by striking from line four (4) the word "September" and by
3 inserting in lieu thereof the word "August".

1 SEC. 2. Amend section four thousand one hundred six (4106),
2 Code, 1939, by striking from line two (2) of paragraph eleven (11) the
3 words "last Tuesday in August" and by inserting in lieu thereof the
4 words "thirty-first day of July".

1 SEC. 3. The provisions hereof shall only effect those who take office
2 after this act becomes effective.

Approved February 28, 1941.

CHAPTER 157

TEACHER'S CONTINUING CONTRACTS

S. F. 481

AN ACT to amend section four thousand two hundred twenty-nine (4229), Code, 1939, relating to teachers' contracts, and to provide for continuing contracts for teachers.

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

1 SECTION 1. Section four thousand two hundred twenty-nine (4229),
2 Code, 1939, is hereby amended by adding at the end thereof the follow-
3 ing:

4 "Such contract shall remain in force and effect for the term stated
5 in the contract, and shall be automatically continued from term to term
6 thereafter, except as modified by mutual consent of the school board
7 and the teacher until terminated by a majority vote of the full member-
8 ship of the school board or by written resignation of the teacher before
9 April 15th of each year. Such termination shall take effect at the
10 close of the school year in which the contract is terminated in the
11 manner aforesaid. Provided, further, that such contract may be termi-
12 nated at any time by mutual consent of the school board and the
13 teacher, and provided further that this act shall not affect the powers
14 of a school board to discharge a teacher for cause under and pursuant
15 to section four thousand two hundred thirty-seven (4237).

Approved April 9, 1941.

CHAPTER 158

PUBLICATION OF SCHOOL DISTRICT PROCEEDINGS

S. F. 360

AN ACT to amend chapter two hundred thirteen (213), Code, 1939, to provide for publication or posting of quarterly summaries of proceedings and expenditures of school districts.

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

1 SECTION 1. Section four thousand two hundred forty-two (4242),
 2 Code, 1939, is hereby amended by striking all of said section beginning
 3 with the comma after the word "year" in line ten (10) and inserting
 4 a period in lieu thereof, and by adding the following: "In all such
 5 districts of more than 125,000 population, the statement of disburse-
 6 ments is to show the names of the persons, firms or corporations, and
 7 the total amount paid to each during the school year."

1 SEC. 2. Chapter two hundred thirteen (213), Code, 1939, is hereby
 2 amended by inserting therein as a new section following section four
 3 thousand two hundred forty-two and one tenth (4242.1) the following:

4 "In each consolidated district and in each independent city or town
 5 school district, except districts of over 125,000 population, the board
 6 shall quarterly publish by one insertion in at least one newspaper
 7 published in the district, if there is a newspaper published in the dis-
 8 trict, a statement verified by affidavit of the secretary of the board
 9 showing a summary of the proceedings of the board pertaining to
 10 financial matters or expenses to the district for the previous quarter,
 11 including the list of all warrants issued by the board, the names of the
 12 persons, firms or corporations receiving same, the amount thereof and
 13 the reason therefor; except that warrants issued to persons regularly
 14 employed by the school district for services regularly performed by
 15 them need be listed not oftener than annually. The fee for publication
 16 of the statement provided for herein shall not exceed one-half of the
 17 legal publication fee provided by statute for the publication of legal
 18 notices.

19 "In every other school district, the president and secretary of the
 20 board shall file the quarterly statement, within ten days after the end
 21 of each quarter, with the county superintendent of schools for each
 22 previous quarter and shall post copies thereof in three (3) conspicuous
 23 places in the district."

Approved April 24, 1941.

CHAPTER 159

HIGH SCHOOL ATTENDANCE AND TUITION

S. F. 27

AN ACT to amend section forty-two hundred seventy-seven (4277), chapter two hundred fifteen (215), Code, 1939, relating to the payment of tuition for nonresident pupils attending an approved public high school in another district.

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

1 SECTION 1. Section forty-two hundred seventy-seven (4277), Code,
 2 1939, is hereby amended by inserting after the comma (,) following
 3 the word "school" in line thirteen (13) the following words: "but the
 4 board of the non-high school district may at its discretion pay the pro

5 rata cost of said tuition not exceeding twelve dollars (\$12.00) per
6 month for four school years,".

Approved February 28, 1941.

CHAPTER 160

JUNIOR COLLEGES

H. F. 138

AN ACT to amend section forty-two hundred sixty-seven and one-tenth (4267.1), Code, 1939, relating to junior colleges, providing that a junior college may be established in a school district having a population of five thousand (5,000) or more.

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

1 SECTION 1. Section forty-two hundred sixty-seven and one-tenth
2 (4267.1), Code, 1939, is amended as follows:

3 Strike from line twenty (20) the word "twenty" and insert in lieu
4 thereof the word "five".

5 Add to said section the following paragraph:

6 "Provided, however, that when a proposition to authorize the establish-
7 ment of a junior college is submitted to the electors, such proposition
8 shall not be deemed carried or adopted, anything in the statutes to
9 the contrary notwithstanding, unless the vote in favor of such author-
10 ization is equal to at least sixty per cent of the total vote cast for and
11 against said proposition at said election."

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 Atlantic
3 News Telegraph, a newspaper published at Atlantic, Iowa, and in the
4 St. Ansgar Enterprise, a newspaper published at St. Ansgar, Iowa.

Approved April 23, 1941.

I hereby certify that the foregoing act was published in the Atlantic News Telegraph, Atlantic, Iowa, April 26, 1941, and the St. Ansgar Enterprise, St. Ansgar, Iowa, May 1, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 161

SCHOOL DISTRICTS

S. F. 223

AN ACT to provide for the joining of school districts altered by the Federal Government in the location of national defense project to adjoining school district or districts.

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

1 SECTION 1. That whenever the Federal Government or any agency
2 or department thereof shall have heretofore located or shall hereafter
3 locate, within any county an ordnance plant or other project which it
4 shall deem desirable in the development of the national defense, and

5 for the purpose of so locating such plant or project shall have hereto-
 6 fore determined or shall hereafter determine, that certain real property
 7 making up a portion of a school district is required, the County Board
 8 of Education of the county wherein such district lies, shall have the
 9 power by resolution to join that portion remaining unacquired to an
 10 adjoining school district or districts. A copy of such resolution shall
 11 be promptly filed with the Board of Directors of such adjoining school
 12 district or districts and with the Board of Directors of such school
 13 district so altered by the Federal Government, unless a majority of
 14 the board of directors of such altered school district no longer reside
 15 in the school district, in which event such resolution shall be posted in
 16 two public places within the altered district.

1 SEC. 2. That the officers of the altered district shall relinquish to
 2 the proper officers of such adjoining district or districts all funds,
 3 claims for taxes, credits and such other personal property in such a
 4 manner as the County Board of Education shall direct, which said
 5 funds, credits and personal property shall become the property of such
 6 adjoining district or districts as enlarged, to be used as the Boards of
 7 Directors of such districts may direct.

1 SEC. 3. The determination of the County Board of Education, of
 2 such county wherein such school districts are located, in matters herein
 3 committed to it, shall be final.

1 SEC. 4. The expense of the County Board of Education in respect
 2 to this act and the carrying out of its provisions shall be audited and
 3 allowed by the County Board of Supervisors and paid from the general
 4 fund of the County.

1 SEC. 5. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its passage and publication in the
 3 Daily Hawkeye-Gazette, a newspaper published at Burlington, Iowa,
 4 and the New Era News, a newspaper published at Mediapolis, Iowa.

Approved March 1, 1941.

I hereby certify that the foregoing act was published in the Daily Hawkeye-Gazette,
 Burlington, Iowa, March 4, 1941, and the New Era News, Mediapolis, Iowa, March 7,
 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 162
 SCHOOL DISTRICTS

S. F. 218

AN ACT to authorize school districts to sell and convey property to the federal govern-
 ment in the development of the national defense, and to provide for the disposition
 of the proceeds of such sale.

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

1 SECTION 1. Whenever the federal Government or any agency or de-
 2 partment thereof shall have heretofore located, or shall hereafter locate,

3 within any county an ordnance plant or other project which it shall
 4 deem desirable in the development of the national defense, and for
 5 the purpose of so locating such plant or project shall have heretofore
 6 determined, or shall hereafter determine, that real property and
 7 improvements thereon owned by school districts is required, the Board
 8 of Directors of such school districts by resolution is hereby authorized
 9 to sell and convey such property at a price and upon terms as may be
 10 agreed upon, any such instruments of conveyance to be executed on
 11 behalf of such school districts by the president of such district.

1 SEC. 2. Whenever a majority of the directors of any school district
 2 affected as in the preceding section no longer reside within the district,
 3 the powers vested by the preceding section in the Board of Directors
 4 shall vest in the County Board of Education and the instrument of
 5 conveyance shall be executed on behalf of such school district by the
 6 chairman of the County Board of Education.

1 SEC. 3. The proceeds of the sale of the property of a school district
 2 under the authority herein granted shall be deposited with the Treas-
 3 urer of the County and applied so far as necessary to the payment of
 4 the outstanding indebtedness of such school district. If the entire
 5 district shall have been acquired by the federal government, the balance,
 6 if any, shall be paid into the county school fund. If only a portion of
 7 the district shall have been acquired by the federal government and
 8 the remainder shall have become a part of adjoining school district or
 9 districts, the balance, if any, shall be paid into the general school fund
 10 of such adjoining district or districts in such proportions as the
 11 County Board of Education may determine.

1 SEC. 4. 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 Daily Hawkeye-Gazette, a newspaper published at Burlington, Iowa,
 4 and the New Era News, a newspaper published at Mediapolis, Iowa.

Approved February 28, 1941.

I hereby certify that the foregoing act was published in the Daily Hawkeye Gazette,
 Burlington, Iowa, March 3, 1941, and the New Era News, Mediapolis, Iowa, March 4,
 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 163

COMMON SCHOOLS LIBRARY FUND

H. F. 447

AN ACT to amend and revise section four thousand three hundred twenty-two (4322),
 Code, 1939, relating to the library fund of common schools.

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

1 SECTION 1. Amend and revise section four thousand three hundred
 2 twenty-two (4322), code, 1939, to read as follows:

3 "The auditor of each county in this state shall withhold annually
4 the money received from the semi-annual apportionment of the inter-
5 est of the permanent school fund for the several school districts for
6 the purchase of books, as hereinafter provided."

Approved April 21, 1941.

CHAPTER 164

DISTRIBUTION OF COMMON SCHOOL DISTRICT BOOKS

H. F. 285

AN ACT to amend section four thousand three hundred twenty-three (4323), Code, 1939, relating to the purchase and distribution of books by the county board of education and the county superintendent of schools.

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

1 Section four thousand three hundred twenty-three (4323), code,
2 1939, is hereby amended by striking the comma after the word "dis-
3 trict" in line seven (7) and inserting in lieu thereof a period, and by
4 striking the remainder of said section and inserting in lieu thereof
5 the following:

6 "The county board of education may distribute the books thus pur-
7 chased to the librarians of the several school districts in the proportion
8 that the number of persons of school age living in the school district
9 bears to the number of such persons living in the county, or may
10 entrust the custody of such books to the county superintendent of
11 schools to be loaned by him to schools of the county in the manner
12 of a circulating library; provided that if the circulating library
13 method is adopted, in whole or in part, any independent district or
14 any consolidated district maintaining a high school shall, upon request
15 of its board of directors, be excluded therefrom and be allowed its
16 distributive share of such books on the basis first above mentioned
17 in this section.

18 Directors of the school districts having permanent libraries shall,
19 upon approval by the county superintendent of schools, be permitted
20 to make temporary and permanent exchanges of books between school
21 districts or to turn books over to the county superintendent of schools
22 to become a part of the circulating library. The county superintendent
23 shall keep a record of all books in his custody."

Approved April 10, 1941.

CHAPTER 165

MINIMUM WAGES OF PUBLIC SCHOOL TEACHERS

H. F. 252

AN ACT to amend section forty three hundred forty-one (4341), Code, 1939, relating to the minimum wages of teachers employed in the public schools.

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

- 1 SECTION 1. Section forty three hundred forty-one (4341), code,
- 2 1939, is hereby amended by striking the word "fifty" from line four
- 3 (4) and inserting in lieu thereof the word "sixty-five".

Approved April 22, 1941.

CHAPTER 166

USE OF PUBLIC SCHOOL BUILDINGS

S. F. 242

AN ACT to amend section forty-three hundred seventy-one (4371), Code, 1939, relating to the use of public school buildings.

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

- 1 SECTION 1. That section forty-three hundred seventy-one (4371),
- 2 Code, 1939, be and the same is hereby amended by adding after the
- 3 comma (,) following the word "societies" in line six (6) the words:
- 4 "for parent teacher associations, for community recreational activities,
- 5 for public forums and similar community purposes; provided, however,
- 6 that the board may not grant such permission to any organization
- 7 known or believed to hold views that are in conflict with the Republican
- 8 form of government as set forth in the Constitution of the United
- 9 States;".

- 1 SEC. 2. The rights now in existence shall not be affected by the
- 2 provisions of this act.

Approved April 10, 1941.

CHAPTER 167

SCHOOL TAXES

S. F. 169

AN ACT to amend section four thousand three hundred eighty-six (4386), Code, 1939, relating to school taxes.

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

- 1 SECTION 1. Section four thousand three hundred eighty-six (4386),
- 2 Code, 1939, is hereby amended by adding the following subsection:
- 3 "In independent districts maintaining an approved high school

4 course, one hundred dollars, (\$100.00), provided the districts, contain
 5 an area of eight or more government sections of land, and provided
 6 the school enumeration therein is below one hundred (100).

Approved April 3, 1941.

CHAPTER 168
 CUSTODY OF ARCHIVES

S. F. 164

AN ACT to repeal section forty-five hundred forty-one and nine hundredths (4541.09), Code, 1939, and to enact a substitute therefor, and to amend sections forty-five hundred forty-one and ten hundredths (4541.10), forty-five hundred forty-one and eleven hundredths (4541.11), and forty-five hundred forty-one and twelve hundredths (4541.12), Code, 1939, all relating to archives.

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

1 SECTION 1. Section forty-five hundred forty-one and nine hun-
 2 dredths (4541.09), code, 1939, is hereby repealed and the following
 3 enacted in lieu thereof:

4 1. Definition. The term "archives" shall mean those manuscripts,
 5 documents, records, and materials originating under or passing through
 6 the hands of public officers in the regular course and performance of
 7 their legal duties which the chief executive of the office that has
 8 present custody of said manuscripts, documents, records, and materials
 9 shall deem not to be necessary for use in the conduct of the regular
 10 current business of his office, or which he shall consider to be in such
 11 physical condition that they cannot be used without risk of damage to
 12 them, or for which, in his opinion, he is unable to provide adequate or
 13 safe storage.

14 2. Custody of archives. The curator shall be the trustee and custo-
 15 dian of the archives of Iowa, except that such custody shall not be
 16 construed to include county, or municipal archives unless they are
 17 voluntarily deposited with the curator and with his written consent.
 18 The curator shall prescribe such rules and regulations as are necessary
 19 to see that such archives are systematically arranged in suitable con-
 20 tainers properly labeled to show their contents and order of filing, be-
 21 fore they may be transferred to his custody.

1 SEC. 2. Section forty-five hundred forty-one and ten hundredths
 2 (4541.10), code, 1939, is hereby amended by striking out all of said
 3 section after the comma (,) in line eight (8), and by substituting
 4 therefor the following:

5 "and take the curator's receipt therefor. Before transferring such
 6 archives, the office of present custody shall file with the curator a
 7 classified list of the same made in such detail as the curator shall
 8 prescribe. If the curator, on receipt of such a list, and after consulta-
 9 tion with the chief executive of the office filing the same or with a
 10 representative designated by such executive, shall find that certain
 11 classifications of the archives listed are not of sufficient historical,
 12 legal, or administrative value to justify permanent preservation, he

13 shall file a list thereof with the board of trustees with such recom-
14 mendations for their disposal as he shall see fit to make."

1 SEC. 3. Section forty-five hundred forty-one and eleven hundredths
2 (4541.11), code, 1939, is hereby amended by striking out all of the first
3 paragraph after the word "the" in line six (6), and by inserting in
4 lieu thereof the words: "state executive council".

1 SEC. 4. Section forty-five hundred forty-one and twelve hundredths
2 (4541.12), code, 1939, is hereby amended as follows:

3 1. By inserting immediately after the word "document" in line three
4 (3), the words: ", manuscript, or record".

5 2. By inserting immediately after the period (.) in line eight (8),
6 the following sentence: "Such copy may be made in writing, or by
7 suitable photographic process."

Approved April 16, 1941.

CHAPTER 169

FARM-TO-MARKET ROAD SYSTEM

S. F. 396

AN ACT to amend section forty-six hundred eighty-six and thirty-one hundredths (4686.31), Code, 1939, relating to funds available for the Farm-to-Market road system.

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

1 SECTION 1. Section forty-six hundred eighty-six and thirty-one
2 hundredths (4686.31), Code, 1939, is hereby amended by striking the
3 word "sixteen" from line five (5) and inserting in lieu thereof the
4 word "seventeen".

Approved April 15, 1941.

CHAPTER 170

UNEXPENDED BALANCE FROM PRIMARY ROAD BONDS

H. F. 57

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, subsequent to December 1, 1930,
2 by an election authorized the issuance of primary road bonds for the
3 purpose of improving the primary roads of said county and has an
4 unissued portion of such bonds, is hereby authorized to issue such
5 portion of such bonds, with the consent of the highway commission,
6 for the purpose of improving any road in such county designated as
7 a 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 force from and after its publication in the Spencer
 3 Times, a newspaper published in Spencer, Iowa, and in the Peterson
 4 Patriot, a newspaper published in Peterson, Iowa.

Approved April 16, 1941.

I hereby certify that the foregoing act was published in the Spencer Times, Spencer, Iowa, April 24, 1941, and the Peterson Patriot, Peterson, Iowa, April 24, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 171

PAVING EXTENSIONS IN CITIES AND TOWNS

S. F. 50

AN ACT to authorize a city or town and the State Highway Commission to enter into agreement with respect to any project for the paving of a portion of the primary road extension within such city or town.

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

1 SECTION 1. Any city or town and the state highway commission
 2 may enter into an agreement with respect to any project for the paving
 3 of any portion of a primary road extension, only, within such city or
 4 town. Said agreement shall specify that the city or town will pay for
 5 that portion of the cost of said project which is not payable out of
 6 primary road funds, and may authorize the state highway commission
 7 to advertise for bids, let contracts and supervise the construction of
 8 that portion of said project to be paid for by the city or town. Such
 9 agreement shall be a valid and binding obligation on the parties thereto.

1 SEC. 2. Payment for the work, including the city's or the town's
 2 portion thereof, may in the first instance be made out of the primary
 3 road fund. Upon completion of the project, the city or town shall
 4 reimburse the state highway commission for the amount so advanced
 5 out of the primary road fund, including the city's or town's portion of
 6 the engineering and inspection costs.

Approved April 9, 1941.

CHAPTER 172

MOTOR VEHICLES

H. F. 106

AN ACT to amend sections five thousand and one hundredth (5000.01), five thousand one and fifteen hundredths (5001.15) and five thousand one and twenty-two hundredths (5001.22), Code, 1939, relating to motor vehicles and law of road.

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

1 SECTION 1. Section five thousand and one hundredth (5000.01),
 2 Code, 1939, be and the same is hereby amended by adding thereto a

3 new subsection as follows :“ ‘Trailer coach’ means either a trailer or
4 semi-trailer designed for carrying persons.”

1 SEC. 2. Section five thousand one and fifteen hundredths
2 (5001.15), Code, 1939, be and the same is hereby amended by striking
3 from line nine (9) the words “rated load-carrying capacity” and in-
4 sert in lieu thereof the words “maximum gross weight”.

1 SEC. 3. Section five thousand one and twenty-two hundredths
2 (5001.22), Code, 1939, be and the same is hereby amended by adding
3 after the word “materials” in line nine (9) the following: “or imita-
4 tion plate or plates imitating or purporting to imitate the official
5 license plate of any other state or territory of the United States or of
6 any foreign government”.

Approved February 24, 1941.

CHAPTER 173

MOTOR VEHICLES

H. F. 118

AN ACT to amend sections five thousand thirteen and four hundredths (5013.04) and five thousand and one hundredth (5000.01), Code, 1939, relating to the issuance of chauffeur's licenses for operating special types of motor vehicles.

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

1 SECTION 1. Section five thousand thirteen and four hundredths
2 (5013.04), Code, 1939, is hereby amended by striking the semicolon
3 at the end of subsection two (2), inserting in lieu thereof a comma,
4 and adding thereto the following:

5 “except that the department may issue to any person over the age
6 of sixteen (16) years a license to operate a light delivery truck, panel
7 delivery truck or pickup;”.

1 SECTION 2. Section five thousand and one hundredth (5000.01),
2 Code, 1939, is hereby amended by adding the following subsection:

3 “‘Light delivery truck, panel delivery truck or pickup’ means any
4 motor vehicle designed to carry merchandise or freight of any kind,
5 not to exceed two thousand (2000) pounds.”

Approved March 19, 1941.

CHAPTER 174

MOTOR VEHICLES SPEED RESTRICTIONS

H. F. 108

AN ACT to amend section five thousand twenty-three and one hundredth (5023.01) of chapter two hundred fifty-one and one tenth (251.1), Code, 1939, relating to speed restrictions for motor vehicles.

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

1 SECTION 1. Section five thousand twenty-three and one hundredth
2 (5023.01) of chapter two hundred fifty-one and one-tenth (251.1), is
3 hereby amended by striking the word "thirty-five" in line one of sub-
4 section three (3) of the second paragraph of said section and inserting
5 in lieu thereof the word "forty".

Approved March 24, 1941.

CHAPTER 175

RIGHT OF WAY OF MOTOR VEHICLES AT INTERSECTIONS

H. F. 80

AN ACT to repeal section five thousand twenty-six and one one-hundredths (5026.01), Code, 1939, and to enact a substitute therefor relating to the right-of-way of motor vehicles at intersections.

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

1 SECTION 1. Section five thousand twenty-six and one one hun-
2 dredths (5026.01), code, 1939, is hereby repealed and the following
3 enacted in lieu thereof:

4 "Where two vehicles are approaching on any public street or high-
5 way so that their paths will intersect and there is danger of collision,
6 the vehicle approaching the other from the right shall have the right of
7 way.

8 The foregoing rule is modified at through highways and otherwise as
9 hereinafter stated in this chapter."

Approved March 19, 1941.

CHAPTER 176

MOTOR VEHICLES AND LAW OF THE ROAD

S. F. 22

AN ACT to limit the use of white canes to the blind: providing that such white canes be considered a warning to drivers of all vehicles, and providing penalties for violations thereof.

WHEREAS, the white cane has become nationally recognized as an insignia of blindness and is widely used by sightless people to enable them to go about with some degree of safety; now, therefore,

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

1 SECTION 1. For the purpose of guarding against accidents in traf-
2 fic on the public thoroughfares, it shall be unlawful for any person
3 except persons wholly or partially blind to carry or use on the streets,
4 highways and public places of the state any white canes or walking
5 sticks which are white in color or white tipped with red.

1 SEC. 2. Any driver of a vehicle or operator of a motor-driven ve-
 2 hicle who approaches or comes in contact with a person wholly or
 3 partially blind carrying a cane or walking stick white in color or white
 4 tipped with red, shall immediately come to a complete stop, and take
 5 such precautions as may be necessary to avoid accident or injury to
 6 the person carrying a cane or walking stick white in color or white
 7 tipped with red.

1 SEC. 3. Any person who shall carry a cane or walking stick such as
 2 prescribed in Section One hereof contrary to the provisions hereof, or
 3 who shall fail to heed the approach of a person lawfully so carrying
 4 a cane or walking stick white in color or white tipped with red, or who
 5 shall fail to immediately come to a complete stop, and take such pre-
 6 cautions against accident or injury to such person, shall be fined not
 7 less than one dollar (\$1.00) nor more than one hundred dollars
 8 (\$100.00) for each offense.

Approved February 24, 1941.

CHAPTER 177

WEIGHING AND INSPECTION OF MOTOR VEHICLES

S. F. 418

AN ACT to provide for the weighing and inspection of motor vehicles and trailers and to confer the authority of peace officer on certain employees of the State Highway Commission in the enforcement of motor vehicle laws relating to the size, weight and load of motor vehicles and trailers.

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

1 SECTION 1. Authority is hereby given to the State Highway Com-
 2 mission to stop any motor vehicle or trailer on the highways for the
 3 purposes of weighing and inspection, to weigh and inspect the same
 4 and to enforce the provisions of the motor vehicle laws relating to the
 5 size, weight and load of motor vehicles and trailers.

1 SEC. 2. The State Highway Commission may designate by resolu-
 2 tion certain of its employees upon each of whom there is hereby con-
 3 ferred the authority of a peace officer to control, direct, and weigh
 4 traffic on the highways, and to make arrests for violations of the
 5 motor vehicle laws relating to the size, weight and load of motor
 6 vehicles and trailers.

1 SEC. 3. Prior to entering upon the discharge of his duties as such
 2 peace officer, each of said designated employees shall furnish to the
 3 Commission a surety bond to the state in the sum of Five Hundred
 4 Dollars (\$500.00), conditioned upon the faithful discharge of his
 5 duties.

1 SEC. 4. The Highway Commission shall supply each of said em-
 2 ployees so designated with a badge of authority, bearing a serial
 3 number, which shall be conspicuously displayed by the employee while
 4 in the performance of his duties as such peace officer.

1 SEC. 5 For the purposes of this act and the enforcement of the
 2 provisions of the motor vehicle laws relating to the size, weight and
 3 load of motor vehicles and trailers the State Highway Commission is
 4 hereby authorized to expend from the Primary Road Fund not more
 5 than Eighty Three Thousand Dollars (\$83,000.00) in any year.

1 SEC. 6. Nothing in this act shall be so construed as to limit or im-
 2 pair the authority or duties of other peace officers in the enforcement
 3 of the motor vehicle laws or any portion thereof.

Approved April 16, 1941.

CHAPTER 178

MAXIMUM LOADS ON MOTOR TRUCKS

H. F. 557

AN ACT to amend chapter two hundred fifty-one and one hundredths (251.01), of the Code, 1939, and section five thousand thirty-five and twelve one hundredths (5035.12) pertaining to the maximum weight of any such vehicle or combination of vehicles registered in the State of Iowa and bearing Iowa license plates.

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

1 SECTION 1. Section five thousand thirty-five and twelve hund-
 2 dredths (5035.12), Code, 1939, is amended by adding thereto the
 3 following: "Provided, however, trucks registered under the laws of
 4 the State of Iowa and displaying Iowa license plates shall be entitled
 5 to a total maximum load on any one axle of any vehicle, including the
 6 weight of the vehicle and the load it carries, of seventeen thousand
 7 (17,000) pounds for vehicles equipped with pneumatic tires or fourteen
 8 thousand (14,000) pounds for vehicles equipped with solid rubber tires,
 9 provided the total maximum weight of any vehicle or combination of
 10 vehicles and load shall not in any event exceed fourteen (14) tons plus
 11 five hundred (500) pounds for each foot or fraction thereof, of dis-
 12 tance between the front and rear axles of the vehicle or first and last
 13 axle of a combination of vehicles. An axle may be divided into two (2)
 14 or more parts, provided, however, that all parts in the same vertical
 15 transverse plane shall be considered as one axle."

Approved May 9, 1941.

CHAPTER 179

MOTOR VEHICLES

S. F. 70

AN ACT to amend sections five thousand thirty-eight and two hundredths (5038.02) and five thousand thirty-eight and fourteen hundredths (5038.14), Code, 1939, relating to actions against non-resident defendants.

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

1 SECTION 1. Section five thousand thirty-eight and fourteen hun-
 2 dredths (5038.14), Code, 1939, is hereby amended by striking the word
 3 "appeared" in line 2 and inserting in lieu thereof the following, "en-
 4 tered a general appearance".

1 SEC. 2. Section five thousand thirty-eight and two hundredths
 2 (5038.02), Code, 1939, is amended by adding thereto a new sub-section
 3 as follows: "The executor or administrator of the estate of the owner
 4 or operator of the motor vehicle."

Approved March 11, 1941.

CHAPTER 180

MOTOR VEHICLE FUEL TAX

S. F. 469

AN ACT to amend chapter 251.2, Code, 1939, relating to motor vehicle fuel taxes, and the collection of such taxes on liquified gas used in motor vehicles, and providing penalties for violation of said chapter.

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

1 SECTION 1. Paragraph "4" of section 5093.02, Code, 1939, is amend-
 2 ed by striking the words "and bensol" at the end of said paragraph and
 3 substituting in lieu thereof the following: ", bensol and liquified gas."

1 SEC. 2. Section 5093.02, Code, 1939, is amended by adding thereto
 2 the following paragraphs:

3 "17. The term 'liquified gas distributor' shall mean any person de-
 4 fined as a distributor in paragraph (1) of this section engaged in
 5 distributing liquified gas, provided that any person not engaged in
 6 business in the state who would come within the definition, if he was
 7 engaged in business within this state, may become licensed as a
 8 liquified gas distributor under this chapter in the same manner as
 9 though he was engaged in business within the state, except that sales
 10 made by such a distributor to persons in the State of Iowa shall be
 11 construed as importations made by the distributor and the distributor
 12 shall report such sales in detail to the treasurer on forms prescribed
 13 or approved by the treasurer.

14 "18. The term 'liquified gas dealer' shall mean any person, other
 15 than a liquified gas distributor, who is licensed to sell liquified gas for
 16 use in operation by combustion in any internal combustion engine of
 17 the type used in automobiles, trucks, airplanes, motor boats, tractors
 18 or other mechanical contrivances which are propelled by their own
 19 power, as well as sales for other purposes.

20 "19. The term 'liquified gas retailer' shall mean any person other
 21 than a licensed liquified gas dealer or a liquified gas distributor who
 22 sells liquified gas at retail only for uses other than the uses provided
 23 in paragraph (4) of this section, and as such is permitted to sell same to
 24 purchasers tax free.

25 "20. The term 'liquified gas motor fuel user' shall mean any person
26 a resident of, or having a place of business in, the State of Iowa, who
27 uses liquified gas for any of the purposes set out in paragraph (4) of
28 this section. Any person engaged in carrying out a construction con-
29 tract of any kind in the State of Iowa shall for the purposes of this
30 chapter be deemed to have a place of business in the state where such
31 contract is being carried out.

1 SEC. 2a. Section 5093.03 is amended by adding thereto the follow-
2 ing:

3 "No person shall sell liquified gas within the state of Iowa for any
4 purpose except said person be licensed under this chapter as a dis-
5 tributor, a liquified gas distributor, a liquified gas dealer, or a liquified
6 gas retailer."

1 SEC. 3. Section 5093.04, Code, 1939, is amended by inserting after
2 the word "oil" in line fifteen (15) the words "and liquified gas;" said
3 section is further amended by substituting a comma (,) for the period
4 (.) following the word "thereof" in line thirty-three (33) of said
5 section, and adding thereafter the following:

6 "provided that payment of the tax to the state of Iowa on liquified
7 gas shall be made in the manner provided for in this chapter for the
8 payment and collection of the tax on liquified gas. Liquified gas sold
9 for any purpose other than the purposes set out in paragraph 4 of
10 section 5093.02 may be sold tax free, provided that on sales for the
11 purposes set out in paragraph 4 of section 5093.02 the amount of the
12 tax shall be collected from the purchaser along with the selling price
13 thereof."

1 SEC. 4. Section 5093.05, Code, 1939, is amended by adding thereto
2 the following:

3 "Every distributor licensed under the provisions of this chapter as
4 a distributor may engage in the business as a liquified gas distributor
5 and shall be subject to all the provisions of this chapter relating to
6 distribution of liquified gas. It shall be unlawful for any person who
7 is not a distributor licensed under this chapter to engage in business
8 as a liquified gas distributor in this state without first procuring a
9 liquified gas distributor's license. All the provisions of this chapter
10 relating to distributors shall apply to liquified gas distributors except
11 as modified by this act.

12 "It shall be unlawful for any person to engage in business as a
13 liquified gas dealer without first having procured a liquified gas
14 dealer's license.

15 Every person desiring to engage in business as a liquified gas dealer
16 shall make under oath an application for a license therefor to the
17 treasurer on forms prescribed by him. The treasurer, if convinced
18 by the showing made in the application, or from any investigation he
19 may make, that the applicant is of good moral character, and is actually
20 engaged, or about to engage in business as a liquified gas dealer, shall
21 issue a license without fee. Every holder of such a license shall keep
22 a record of receipts and sales of liquified gas on forms prescribed or
23 approved by the treasurer, and preserve said records for a period of
24 three years, which records shall be open to the inspection of the
25 treasurer or his agents or employees."

1 SEC. 5. Section 5093.06, Code, 1939, is amended by inserting after
2 the word "distributor" in line three (3) of said section, the words "or
3 liquified gas distributor".

1 SEC. 6. Section 5093.07, Code, 1939, is amended by inserting after
2 the word "distributor's" in line three (3) of said section, the words
3 "or liquified gas distributor's".

1 SEC. 7. Section 5093.08, Code, 1939, is amended by adding to said
2 section the following:

3 "The provisions of this section shall apply to and govern each
4 liquified gas distributor. In additions each liquified gas distributor
5 shall keep a record of all sales of liquified gas for all purposes and show-
6 ing all sales of liquified gas for use in automobiles, trucks, airplanes,
7 motor boats, tractors, and/or other mechanical contrivances which
8 are propelled by their own power, the said record to show the date of
9 sale, and the name and address of person to whom sold."

1 SEC. 8. Section 5093.09, Code, 1939, is amended by adding to said
2 section the following:

3 "The provisions of this section shall apply to liquified gas dis-
4 tributors, except as hereinafter provided. Liquified gas distributors
5 shall also report under oath on forms prescribed and furnished by the
6 treasurer, the total number of gallons of liquified gas imported from
7 outside the state, and also the total number of gallons of liquified gas
8 produced, refined, manufactured, blended or compounded within the
9 state, and the date thereof, and the place where such processing occur-
10 red, and the materials used therein, and the date of sale, name and
11 address of the preson to whom sold, and the quantity in gallons of all
12 liquified gas sold or used by the liquified gas distributor, for use in
13 automobiles, trucks, airplanes, motor boats, tractors and/or other
14 mechanical contrivances which are propelled by their own power, dur-
15 ing the preceding calendar month. At the same time each liquified
16 gas distributor shall remit to the treasurer the amount of the license
17 fees on the liquified gas sold or used by him, for use in automobiles,
18 trucks, airplanes, motor boats, tractors, and/or other mechanical con-
19 trivances propelled by their own power, and on the liquified gas sold by
20 him to liquified gas dealers.

1 SEC. 9. Section 5093.14 is amended by adding the following para-
2 graph:

3 "Every person desiring to engage in business as a liquified gas re-
4 tailer shall make under oath, an application for license therefor to the
5 treasurer on forms prescribed by him, and in which the applicant shall
6 agree not to sell liquified gas either alone or in combination with other
7 substances as motor vehicle fuel or sell same for resale and report to
8 the treasurer promptly any sales when the amounts or circumstances
9 are such as to arouse suspicion that liquified gas has been purchased
10 for use as motor vehicle fuel. The treasurer, if convinced by the show-
11 ing made in the application or from any investigation he may make
12 that the applicant is of good moral character and is actually engaged
13 or about to engage, in business as a liquified gas retailer, shall issue a
14 permit without fee. Every holder of a permit as a liquified gas retailer
15 shall keep a record of receipts and sales of liquified gas sales on forms

16 prescribed by the treasurer, and shall preserve said records for a period
17 of three years, which records shall be open to the inspection of the
18 treasurer, or his agents and employees.

19 Liquefied gas dealers and liquefied gas retailers shall purchase
20 liquefied gas only from distributors licensed under this chapter to
21 distribute liquefied gas. Sales by distributors to liquefied gas dealers
22 shall be made with the amount of the tax added; sales to liquefied gas
23 retailers shall be made tax free.

1 SEC. 10. Section 5093.18, Code, 1939, is amended by adding thereto
2 the following paragraph:

3 "The decision of the Treasurer of State as to whether any motor
4 vehicle fuel is liquid or is liquefied gas for the purpose of determining
5 the collection of the taxes imposed by this chapter shall be conclusive.
6 When a determination has been made as to whether a particular motor
7 vehicle fuel is liquid or is liquefied gas payment of the tax on the basis
8 of said determination shall thereby fully and completely satisfy liability
9 for the tax. Provided, that this shall not prevent any proceeding to
10 collect tax on motor vehicle fuel on which the tax was not paid and
11 which was used in the State of Iowa for any of the purposes set out
12 in paragraph "4" of section 5093.02."

1 SEC. 11. Section 5093.19, Code, 1939, is amended by adding to said
2 section the following:

3 "Every vehicle or conveyance using liquefied gas as a fuel for the
4 purpose of propelling said vehicle or conveyance shall be equipped with
5 a liquefied gas fuel tank separate from and in no way connected with
6 any cargo tank on any such vehicle or conveyance, or on any truck,
7 trailer or semi-trailer, and it shall be unlawful for any vehicle or con-
8 veyance, while in operation, to use liquefied gas as a fuel from cargo
9 or transport tanks, trailers, or semi-trailer containers connected with
10 said vehicle or conveyance; a violation of this provision shall be a
11 misdemeanor on the part of either the operator or the owner, and
12 punishable by a fine of not more than two hundred (\$200.00) dollars
13 or imprisonment in the county jail for not more than thirty (30) days."

1 SEC. 12. Section 5093.31, Code, 1939, is amended by inserting after
2 the paragraph numbered eleven (11), the following:

3 "12. For any person to use liquefied gas for any of the purposes set
4 out in paragraph 4 of section 5093.02 without paying the tax.

5 "13. For any person to sell or use liquefied gas for any of the pur-
6 poses set out in paragraph 4 of section 5093.02 without collecting the
7 tax.

8 "14. For any person other than the holder of a license as a distri-
9 butor, liquefied gas distributor, liquefied gas dealer, or liquefied gas
10 retailer, to sell liquefied gas for any purpose.

1 SEC. 13. Section 5093.31, Code, 1939, is amended by inserting after
2 the last sentence in said section, the following paragraph:

3 "Any person who makes a false affidavit, whenever an affidavit is
4 required by this chapter or required under any rule or regulation made
5 by the treasurer, or required or provided on any form prescribed by the
6 treasurer shall be punished by imprisonment in the penitentiary for
7 not more than one year, or by imprisonment in the county jail for such

8 term as the court may determine, not exceeding six months, or by a
9 fine of not more than two thousand (\$2000.00) dollars, or by such
10 combination of either imprisonment and fine as the court may deter-
11 mine."

1 SEC. 14. Section 5093.36, Code, 1939, is amended and revised to
2 read as follows:

3 "Rules, Regulations and Approval of Forms. The Treasurer is
4 authorized and empowered to make such reasonable rules and regula-
5 tions relating to the administration and enforcement of this chapter,
6 as he may deem reasonable. Such rules and regulations shall be ef-
7 fective 30 days after one publication in a daily newspaper published in
8 the State of Iowa, certificate of publication to be filed in the office
9 of the Treasurer.

10 "Whenever in this chapter the Treasurer is authorized to prescribe
11 the form of record to be kept, he may in lieu thereof approve the form
12 of record being kept, and shall so approve such form of record where
13 it furnishes in reasonably accessible form the information which the
14 Treasurer desires, and substantially complies with the prescribed
15 form."

1 SEC. 15. Chapter 251.3, Code, 1939, is amended by adding thereto
2 the following section:

3 "5093.40. Every liquified motor fuel user shall annually before
4 January 1st register with the Treasurer on forms prescribed and
5 provided by him every automobile, truck, airplane, motor boat, tractor
6 or other mechanical contrivance owned by him and used by him for
7 the purpose of propelling same. Upon registration of same the Treas-
8 urer shall issue a serially numbered certificate which shall be carried
9 on the windshield, or if there is no windshield, in a prominent place in
10 the compartment occupied by the operator. A failure to so register
11 shall constitute a misdemeanor punishable by fine of not more than
12 one hundred (\$100.00) dollars, or imprisonment in the county jail for
13 not more than thirty (30) days."

1 SEC. 16. Section 5093.29, Code, 1939, is amended by adding to said
2 section, the following:

3 "A liquified gas dealer shall be entitled to refund of the tax on all
4 sales made by him for purposes other than the purposes set out in
5 paragraph 4 of section 5093.02. Application for such refund shall be
6 made within two months of sale, under oath on forms prescribed by the
7 treasurer.

8 "Any person licensed under this chapter to sell liquified gas who
9 uses liquified gas for any of the purposes set out in paragraph 4 of
10 section 5093.02 shall keep a record of all liquified gas so used by him
11 on records prescribed by the Treasurer."

Approved May 5, 1941.

CHAPTER 181

MOTOR VEHICLE FUEL TAX REFUND

H. F. 5

AN ACT to amend section five thousand ninety-three and twenty-nine hundredths (5093.29), Code, 1939, relating to refund of motor vehicle fuel license fees.

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

- 1 SECTION 1. Section five thousand ninety-three and twenty-nine
- 2 hundredths (5093.29), Code, 1939, is hereby amended by striking from
- 3 line thirty-nine of said section the words "ninety days" and inserting
- 4 in lieu thereof the words "three calendar months".

Approved February 6, 1941.

CHAPTER 182

BONDS OF CERTIFICATED CARRIERS AND TRUCK OPERATORS

S. F. 247

AN ACT to amend section five thousand one hundred and twenty-six hundredths (5100.26), Code, 1939, relating to liability bond of certificated carriers and to amend section five thousand one hundred five and fifteen hundredths (5105.15), Code, 1939, relating to insurance or bond of motor vehicle truck operators.

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

- 1 SECTION 1. Section five thousand one hundred and twenty-six
- 2 hundredths (5100.26), Code, 1939, is amended by inserting following
- 3 the word "persons" in line fourteen (14) the following: ", excluding
- 4 injury to or death of the applicant's employees while engaged in the
- 5 course of their employment,".

- 1 SEC. 2. Section five thousand one hundred five and fifteen hun-
- 2 dredths (5105.15), Code, 1939, is amended by inserting following the
- 3 word "persons" ending in line fourteen (14) the following: ", excluding
- 4 injury to or death of the applicant's employees while engaged in the
- 5 course of their employment,".

- 1 SEC. 3. Nothing in this act shall be construed to affect pending
- 2 litigation.

Approved April 3, 1941.

CHAPTER 183

BONDS OF CERTIFICATED CARRIERS AND TRUCK OPERATORS

S. F. 311

AN ACT to amend section five thousand one hundred and twenty-six hundredths (5100.26), Code, 1939, relating to liability bond of certificated carriers, and to amend section five thousand one hundred five and fifteen hundredths (5105.15), Code, 1939, relating to insurance or bond of motor vehicle truck operators.

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

1 SECTION 1. Section five thousand one hundred and twenty-six
2 hundredths (5100.26), Code, 1939, is amended by striking in line four
3 (4) the words "or surety bond," and inserting in lieu thereof the
4 following: ", surety bond or certificate of insurance,".

1 SEC. 2. Section five thousand one hundred five and fifteen hun-
2 dredths (5105.15), Code, 1939, is amended by striking in line four (4)
3 the words "or surety bond," and inserting in lieu thereof the following:
4 ", surety bond or certificate of insurance,".

Approved April 3, 1941.

CHAPTER 184

MOTOR VEHICLE CARRIER COMPENSATION TAX

H. F. 29

AN ACT to amend section five thousand one hundred three and one hundredth (5103.01) of chapter two hundred fifty-two and two-tenths (252.2), Code, 1939, to further define "motor vehicle" and to provide exemption of busses used exclusively in conveying school children to and from schools and school activities.

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

1 SECTION 1. Section five thousand one hundred three and one hun-
2 dredth (5103.01), chapter two hundred fifty-two and two-tenths
3 (252.2), code, 1939, is hereby amended by adding after the comma
4 (,) following the word "motorbus" in line two (2) of subsection one
5 (1) of said section, the following: "combination of tractor and semi-
6 trailer, trailer when propelled by other motor vehicle,".

1 SEC. 2. Section five thousand one hundred three and one hundredth
2 (5103.01), chapter two hundred fifty-two and two-tenths (252.2),
3 code, 1939, is hereby amended by striking the word "and" in line (10)
4 of subsection one (1) and inserting in lieu thereof the word "or".

1 SEC. 3. Section five thousand one hundred three and one hundredth
2 (5103.01), chapter two hundred fifty-two and two-tenths (252.2),
3 code, 1939, is hereby amended by striking the period (.) at the end of
4 subsection one (1) and adding thereto the following words, "or school
5 activities, but such use shall be only in connection with the school busi-
6 ness or activities of that particular school district."

Approved February 18, 1941.

CHAPTER 185

MOTOR VEHICLE CARRIER COMPENSATION TAX

H. F. 32

AN ACT to amend section five thousand one hundred three and two hundredths (5103.02), chapter two hundred fifty-two and two-tenths (252.2), Code, 1939, relating to taxation of motor vehicle certificated carriers.

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

1 SECTION 1. Section five thousand one hundred three and two hun-
2 dredths (5103.02), chapter two hundred fifty-two and two-tenths
3 (252.2), Code of Iowa, 1939, is hereby amended by striking the word
4 "license" in line two (2) and substituting therefor the word "registra-
5 tion".

1 SEC. 2. Section five thousand one hundred three and two hun-
2 dredths (5103.02), chapter two hundred fifty-two and two-tenths
3 (252.2), Code of Iowa, 1939, is hereby amended by striking the last
4 seven (7) lines of said section and substituting therefor the following:
5 "Gross weight" shall mean the registered weight of a motor vehicle,
6 including any combination of tractor and semi-trailer, and any trailer
7 when propelled by other motor vehicles; except in the case of motor
8 vehicles not registered in this state, the gross weight shall mean the
9 empty weight of the motor vehicle plus the actual weight of the load
10 carried thereon."

Approved February 18, 1941.

CHAPTER 186

MOTOR VEHICLE CARRIER COMPENSATION TAX

H. F. 6

AN ACT to amend section five thousand one hundred three and four hundredths (5103.04), chapter two hundred fifty-two and two-tenths (252.2), Code, 1939, relating to taxation of motor vehicle certificated carriers, by changing the time when compensation tax payments become delinquent.

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

1 SECTION 1. Section five thousand one hundred three and four hun-
2 dredths (5103.04), chapter two hundred fifty-two and two-tenths
3 (252.2), Code, 1939, is hereby amended by striking from line two (2)
4 thereof the words "within thirty days after" and substituting therefor
5 the following: "on or before".

Approved February 17, 1941.

CHAPTER 187

TAXATION OF CERTIFICATED CARRIERS

H. F. 2

AN ACT to amend section five thousand one hundred three and five hundredths (5103.05) of chapter two hundred fifty-two and two tenths (252.2), Code, 1939, relating to taxation of motor vehicle certificated carriers, to clarify the provisions relating to refund of tax and to change the date for the assessment of tax on certain motor vehicles.

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

1 SECTION 1. Section five thousand one hundred three and five hun-
2 dredths (5103.05) of chapter two hundred fifty-two and two tenths
3 (252.2), Code, 1939, is hereby amended by adding the following
4 sentence immediately after the period following the word "paid" in
5 line nine (9) thereof:

6 "Such refunds shall be made by the commission out of the money
7 collected under the provisions of this chapter before such money is
8 distributed as provided for by section five thousand one hundred three
9 and twelve hundredths (5103.12) of this chapter."

1 SECTION 2. Section five thousand one hundred three and five
2 hundredths (5103.05) of chapter two hundred fifty-two and two tenths
3 (252.2), Code, 1939, is hereby amended by striking the following word
4 and figure, "February 1" from line eleven (11) of said section, and
5 substituting therefor "January thirty-first".

Approved March 19, 1941.

CHAPTER 188

MOTOR CARRIER COMPENSATION TAX IDENTIFICATION PLATE

H. F. 30

AN ACT to amend section five thousand one hundred three and six hundredths (5103.06), chapter two hundred fifty-two and two-tenths (252.2), Code, 1939, relating to taxation of motor vehicle certificated carriers.

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

1 SECTION 1. Section five thousand one hundred three and six hun-
2 dredths (5103.06), chapter two hundred fifty-two and two-tenths
3 (252.2), Code, 1939, is hereby amended as follows:

4 Strike all of said section and substitute therefor the following:
5 "The Commission shall issue a distinguishing identification plate
6 for each motor vehicle, including any combination of tractor and semi-
7 trailer or trailer when propelled by other motor vehicle, for which the
8 compensation tax has been paid, and the motor carrier shall affix such
9 plate to the vehicle in a conspicuous place and if the commission shall
10 so prescribe, in such place as may be prescribed by the commission."

Approved February 24, 1941.

CHAPTER 189

MOTOR VEHICLE CARRIER COMPENSATION TAX

H. F. 1

AN ACT to amend sections five thousand one hundred three and seven hundredths (5103.07) and five thousand one hundred three and eight hundredths (5103.08) of chapter two hundred fifty-two and two tenths (252.2), Code, 1939, relating to certificated motor carriers.

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

1 SECTION 1. Amend section five thousand one hundred three and
2 seven hundredths (5103.07), chapter two hundred fifty-two and two
3 tenths (252.2), Code, 1939, by adding to the third line of said section
4 after the word "the" and before the word "carrier" the following:
5 "motor".

1 SECTION 2. Amend section five thousand one hundred three and
2 eight hundredths (5103.08), chapter two hundred fifty-two and two
3 tenths (252.2), Code, 1939, by striking the word "vehicle" in the
4 fourth line thereof.

Approved February 7, 1941.

CHAPTER 190

TRAVEL ORDERS FOR MOTOR CARRIERS

H. F. 27

AN ACT to amend section five thousand one hundred three and ten hundredths (5103.10) of chapter two hundred fifty-two and two tenths (252.2), Code, 1939, to provide for the issuance of travel orders for motor vehicles used only occasionally in motor carrier service.

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

1 SECTION 1. Section five thousand one hundred three and ten hun-
2 dredths (5103.10), chapter two hundred fifty-two and two-tenths
3 (252.2), Code, 1939, is hereby amended by striking all of said section
4 and substituting therefor the following:
5 "Travel Orders. A motor carrier shall be exempt from the com-
6 pensation tax provided for by this chapter as to such motor vehicles
7 as he uses only occasionally in motor carrier service, upon obtaining
8 from the commission a travel order for each twenty-four hour period
9 in which the motor vehicle is to be used in motor carrier service,
10 and displaying the travel order on the vehicle in the manner prescribed
11 by the commission, while the motor vehicle is being so operated. The
12 commission shall issue such orders to motor carriers upon application
13 therefor and upon payment to the commission of the sum of three
14 dollars for each travel order for motor vehicles with a gross weight
15 of twelve tons or less and five dollars for each travel order for motor
16 vehicles with a gross weight in excess of twelve tons. Such order
17 shall be conspicuously displayed in the manner prescribed by the com-

18 mission on such vehicle at all times while such vehicle is being operated
 19 thereunder. The commission may issue travel orders for such twenty-
 20 four hour periods as may appear to it to be advisable."

Approved March 17, 1941.

CHAPTER 191

ACCOUNTING OF CARRIER COMPENSATION TAX

H. F. 50

AN ACT to amend section five thousand one hundred three and eleven hundredths (5103.11), chapter two hundred fifty-two and two-tenths (252.2), Code, 1939, to provide for an accounting by the commission to the Treasurer of the State for all moneys collected under chapter two hundred fifty-two and two-tenths (252.2); also to amend section one hundred forty-three (143), chapter eleven (11), Code, 1939, to except the Iowa State Commerce Commission from the provisions thereof.

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

1 SECTION 1. Section five thousand one hundred three and eleven
 2 hundredths (5103.11), chapter two hundred fifty-two and two-tenths
 3 (252.2), Code, 1939, is hereby amended by adding after the period (.)
 4 following the word "chapter" in the third line of said section the follow-
 5 ing sentence:
 6 "The commission shall, on or before fifteen (15) days after the
 7 close of each quarterly period of each calendar year, remit to the
 8 treasurer of state all moneys collected under this chapter during the
 9 preceding quarter, except such moneys as shall have been repaid as
 10 provided by section five thousand one hundred three and five hun-
 11 dredths (5103.05)."

1 SEC. 2. Section one hundred forty-three (143), chapter eleven (11),
 2 Code, 1939, is hereby amended by adding after the comma (,) following
 3 the word "education" in the fourth (4th) line thereof the following:
 4 "Iowa State Commerce Commission,".

Approved March 20, 1941.

CHAPTER 192

MOTOR VEHICLE CARRIER COMPENSATION TAX DISTRIBUTION

H. F. 3

AN ACT to amend section five thousand one hundred three and twelve hundredths (5103.12), chapter two hundred fifty-two and two tenths (252.2), Code, 1939, to provide for refunds as required under section five thousand one hundred three and five hundredths (5103.05) and to provide for the payment for identification plate provided for in section five thousand one hundred three and six hundredths (5103.06).

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

1 SECTION 1. Section five thousand one hundred three and twelve
 2 hundredths (5103.12), chapter two hundred fifty-two and two tenths

3 (252.2), Code, 1939, is hereby amended by adding a comma (,) after
4 the word "chapter" in line three (3) thereof, and inserting the fol-
5 lowing:
6 "except such amount as may be necessary to make refunds as pro-
7 vided for in section five thousand one hundred three and five hun-
8 dredths (5103.05) and to pay for the identification plate provided for
9 in section five thousand one hundred three and six hundredths
10 (5103.06),"

Approved February 17, 1941.

CHAPTER 193

MOTOR VEHICLE CERTIFICATED CARRIERS

H. F. 4

AN ACT to amend chapter two hundred fifty-two and two-tenths (252.2), Code, 1939, relating to taxation of motor vehicle certificated carriers by providing a penalty for violation of the provisions thereof.

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

1 SECTION 1. Chapter two hundred fifty-two and two tenths (252.2),
2 Code, 1939, is hereby amended by adding thereto the following:
3 Every owner of a motor vehicle registered within the state of Iowa
4 and every motor carrier within the meaning of this chapter, who
5 operates or permits the operation of such motor vehicle upon the high-
6 ways of this state, without the distinguishing identifying plates at-
7 tached to said motor vehicle and displayed as provided in section five
8 thousand one hundred three and six hundredths (5103.06), Code, 1939;
9 or who operates or permits to be operated on the highways of the
10 state of Iowa a motor vehicle as described in section five thousand
11 one hundred three and ten one hundredths (5103.10), Code, 1939,
12 without first obtaining a travel order from the commission and caus-
13 ing the same to be displayed as provided by section five thousand one
14 hundred three and ten one hundredths (5103.10), Code, 1939, shall
15 be deemed guilty of a misdemeanor and shall be punished by a fine not
16 to exceed one hundred dollars (\$100), or imprisoned in the county jail
17 for a period not to exceed thirty (30) days.
18 Nothing in this act shall be held to apply in a case where a number
19 has been lost or destroyed without fault of the owner, until such owner
20 of the motor vehicle has had a reasonable opportunity to replace the
21 same.

Approved March 24, 1941.

CHAPTER 194

SALE OF COUNTY PROPERTY TO FEDERAL GOVERNMENT

H. F. 53

AN ACT to authorize counties to sell and convey property to the federal government and agencies and departments thereof and to acquire and provide other property in substitution therefor and to validate proceedings of boards of supervisors heretofore taken with respect thereto.

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

1 SECTION 1. Whenever the Federal Government or any agency or
2 department thereof shall have heretofore located, or shall hereafter
3 locate, within any county an ordnance plant or other project which it
4 shall deem desirable in the development of the national defense, and
5 for the purpose of so locating such plant or project shall have hereto-
6 fore determined, or shall hereafter determine, that real property and
7 improvements thereon owned by such county is required, the board of
8 supervisors of such county, by resolution, is hereby authorized to sell
9 and convey such property on behalf of said county at a price and upon
10 terms as may be agreed upon, any such instrument of conveyance to
11 be executed on behalf of such county by the chairman of said board
12 with the seal of said county affixed. The board of supervisors of
13 such county is hereby authorized to apply the proceeds of such sale
14 and conveyance to the acquisition of other property and the construc-
15 tion thereon of buildings and other facilities in substitution for the
16 property thus sold and conveyed, any other law to the contrary not-
17 withstanding. All proceedings heretofore taken by any board of super-
18 visors with respect thereto are hereby validated and confirmed. Any
19 proceeds thus received by any county and not so expended shall be
20 credited to the fund or funds of such county as may be ordered by its
21 board of supervisors.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Daily Hawkeye-Gazette, a newspaper published at Burlington,
4 Iowa, and The Wapello Republican, a newspaper published at Wapello,
5 Iowa.

Approved January 28, 1941.

I hereby certify that the foregoing act was published in the Daily Hawkeye-Gazette, Burlington, Iowa, January 29, 1941, and the The Wapello Republican, Wapello, Iowa, January 30, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 195

COUNTY TREASURER

H. F. 47

AN ACT to amend section fifty one hundred sixty-four (5164), Code, 1939, relating to cancellation of warrants.

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

1 SECTION 1. Section Fifty One Hundred Sixty-four (5164), Code,
2 1939, is hereby amended by striking from line seven (7) the word
3 "weekly" and inserting in lieu thereof the word "monthly".

Approved March 15, 1941.

CHAPTER 196
COUNTY PUBLIC HOSPITALS

H. F. 251

AN ACT to amend section five thousand three hundred fifty-three (5353), Code, 1939, relating to the expenditure of county public hospital funds.

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

1 SECTION 1. Section five thousand three hundred fifty-three (5353),
2 code, 1939, is hereby amended by inserting after the period (.) in line
3 fifteen (15) the following:

4 "Provided, however, that the board of trustees of a county hospital
5 of said county, where funds are available in the county public hospital
6 fund of said county which are unappropriated, may use such unappro-
7 priated funds for erecting and equipping hospital buildings and addi-
8 tions thereto without authority from the voters of said county."

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 Evening Journal, a newspaper published at Washington, Iowa,
4 and the Sigourney Review, a newspaper published at Sigourney, Iowa.

Approved April 5, 1941.

I hereby certify that the foregoing act was published in the Evening Journal, Wash-
ington, Iowa, April 9, 1941, and the Sigourney Review, Sigourney, Iowa, April 9, 1941.
EARL G. MILLER, *Secretary of State.*

CHAPTER 197
COUNTY PUBLIC HOSPITAL BENEFITS

S. F. 331

AN ACT to repeal section five thousand three hundred sixty-two (5362) of chapter two
hundred sixty-nine (269), Code, 1939, and to enact a substitute in lieu thereof,
defining who shall be entitled to care and treatment in county public hospitals and
providing for the establishment of rules and regulations under which such care and
treatment shall be given.

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

1 SECTION 1. Section five thousand three hundred sixty-two (5362)
2 of chapter two hundred sixty-nine (269), Code, 1939, is repealed and
3 the following is enacted in lieu thereof, to wit:

4 Hospital Benefits—terms. Any resident of the county who is sick
5 or injured shall be entitled to the benefits of such hospital and shall

6 pay to the Board of Hospital Trustees reasonable compensation for care
7 and treatment according to the rules and regulations established by the
8 Board.

9 Free care and treatment in such county public hospitals to any
10 indigent persons shall be furnished only to such residents of the county
11 as have established legal settlement in the county as defined in section
12 three thousand eight hundred twenty-eight and eighty-eight thou-
13 sandths (3828.088), Code, 1939, and acts amendatory thereto and have
14 been found by the Board of Hospital Trustees to be indigent and en-
15 titled to said care.

16 To be entitled to hospital benefits, patients shall at all times observe
17 the rules of conduct prescribed by the Board of Hospital Trustees.

Approved April 21, 1941.

CHAPTER 198

BENEFITED WATER DISTRICTS

S. F. 80

AN ACT to amend section five thousand five hundred twenty-six and twenty-hundredths (5526.20), section five thousand five hundred twenty-six and twenty-two hundredths (5526.22), section five thousand five hundred twenty-six and twenty-three hundredths (5526.23), section five thousand five hundred twenty-six and twenty-five hundredths (5526.25), section five thousand five hundred twenty-six and twenty-eight hundredths, (5526.28), section five thousand five hundred twenty-six and thirty hundredths (5526.30), all of Code, 1939, relating to benefited water districts, the payment of assessments, annual millage tax for payment of bonds, connection of collateral mains, and the power of trustees in connection with such districts.

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

1 SECTION 1. Section five thousand five hundred twenty-six and
2 twenty hundredths (5526.20), Code, 1939, is amended by striking the
3 word "twenty" in line five (5) thereof and substituting in lieu thereof
4 the word "ten".

1 SEC. 2. Section five thousand five hundred twenty-six and twenty-
2 two hundredths (5526.22), Code, 1939, is amended by striking the
3 word "one-half" in line eleven (11) thereof and substituting therefor
4 the word "three".

1 SEC. 3. Section five thousand five hundred twenty-six and twenty-
2 three hundredths (5526.23), Code, 1939, is amended by striking the
3 word "one-half" in line two (2) and substituting therefor the word
4 "three"; also by striking all of lines four (4) to nine (9), both inclusive,
5 of said section.

1 SEC. 4. Section five thousand five hundred twenty-six and twenty-
2 five hundredths (5526.25), Code, 1939, is amended by striking that
3 portion of said section commencing with the word "When" in line one
4 (1) and ending with the word "contractor" in line four (4) and
5 substituting in lieu therefor the following: "After the final acceptance
6 of the work by the board of supervisors,".

1 SEC. 5. Section five thousand five hundred twenty-six and twenty-
2 eight hundredths (5526.28), Code, 1939, is amended by adding thereto
3 the following:

4 "The trustees shall have power to make additional assessments on
5 unimproved lots or parcels of land within the district when said un-
6 improved lots or parcels are improved and ready to receive the full
7 benefits of the district. This additional assessment shall be determined
8 and fixed by the trustees and shall not exceed the average assessment
9 for improved property in said districts less the original assessment on
10 said unimproved lots or parcels. Said assessments shall be paid to the
11 county treasurer before service pipes are laid into said improvement.
12 The assessment shall be put in the benefited water district fund of the
13 district of which said lots or parcels are a part and shall be used by
14 the county treasurer for the retirement of bonds and interest. When
15 the bonds are all retired, the trustees shall be authorized to use said
16 fund for maintenance purposes, changing size of mains, eliminating
17 dead ends or extending mains for the benefit of the district.

1 SEC. 6. Section five thousand five hundred twenty-six and thirty
2 hundredths (5526.30), Code, 1939, is amended by striking the period
3 following the word "district" in line five (5) thereof and adding the
4 following: "and determine the amount to be assessed against said
5 district to be taken in or connected with."

1 SEC. 7. This act being deemed of immediate importance shall take
2 effect from and after its publication in Plain Talk, a newspaper pub-
3 lished in Des Moines, Iowa, and in the Merchants Messenger, a news-
4 paper published in Polk County, Iowa.

Approved March 31, 1941.

I hereby certify that the foregoing act was published in the Plain Talk, Des Moines,
Iowa, April 3, 1941, and the Merchants Messenger, Des Moines, Iowa, April 3, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 199

TOWNSHIP FIRE EQUIPMENT TAX LEVY

H. F. 121

AN ACT to amend section five thousand five hundred seventy and two tenths (5570.2), Code, 1939, by striking certain words therefrom relating to township tax levy for the purpose of obtaining fire equipment.

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

1 SECTION 1. Section five thousand five hundred seventy and two
2 tenths (5570.2), Code, 1939, is hereby amended by striking all of said
3 section following the word "cast" in line seven (7) and substituting
4 in lieu thereof the following: "for and against a proposal therefor at
5 an election held pursuant to section five thousand five hundred seventy
6 and three-tenths (5570.3)."

Approved March 24, 1941.

CHAPTER 200

CITIES AND TOWNS

H. F. 79

AN ACT to amend section fifty-six hundred sixty-four (5664), Code, 1939, relating to compensation of councilmen in cities of the first class.

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

1 SECTION 1. Section fifty-six hundred sixty-four (5664), code, 1939,
2 is hereby amended by inserting after the comma following the word
3 "annum" in line four (4) thereof, the following: "except that council-
4 men in cities of the first class having a population of fifty thousand
5 (50,000) or over and which are traversed by a river, shall be paid an
6 amount prescribed by ordinance, not in excess of five hundred dollars
7 (\$500.00) per annum,".

Approved February 28, 1941.

CHAPTER 201

SALARIES OF CITY ASSESSORS

S. F. 257

AN ACT to amend section five thousand six hundred sixty-nine (5669), Code, 1939, relating to the salaries of city assessors and deputy city assessors, in cities under the commission form of government and in cities of the first class.

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

1 SECTION 1. That section fifty-six hundred sixty-nine (5669), Code,
2 1939, is hereby amended by striking the comma after the word, "thou-
3 sand" in Line 21 and inserting in lieu thereof the following: "and less
4 than sixty thousand," and by striking the comma following the word,
5 "thousand" in Line 23 and inserting in lieu thereof the following: "and
6 less than sixty thousand," and by adding a new paragraph following the
7 period after the word, "annum" in Line 27 as follows:

8 "In cities under the commission form of government, having a popu-
9 lation of more than sixty thousand, and less than one hundred twenty-
10 five thousand, the Board of Supervisors shall fix the compensation of
11 the Assessor at thirty-two hundred dollars per annum, and the com-
12 pensation of the two head deputy assessors at twenty-five hundred
13 dollars per annum, and the compensation of one additional full time
14 deputy at eighteen hundred dollars per annum."

1 SEC. 2. Section five thousand six hundred sixty-nine (5669), Code,
2 1939, is further amended by adding thereto after paragraph two (2)
3 of said section the following paragraph:

4 "In cities of the first class having a population of more than forty-
5 five thousand and less than sixty thousand the compensation of the
6 assessor shall be three thousand dollars (\$3,000.00) per year."

1 SEC. 3. Section five thousand six hundred sixty nine (5669), Code,
2 1939, is further amended by adding thereto after paragraph two (2)

3 the following: "In cities under the commission form of government
4 having a population of more than twenty-five thousand (25,000) and
5 less than forty-five thousand (45,000) the compensation of a head
6 deputy assessor shall be fifteen hundred dollars per year."

Approved April 16, 1941.

CHAPTER 202

CITY ASSESSORS AND ASSESSMENTS

S. F. 3

AN ACT providing for the procedure for assessing real and personal property, moneys and credits and all other property assessable by the city assessor, in cities having more than one hundred twenty-five thousand (125,000) population, including the manner of appointment and duties of a city assessor, deputy assessors, field men and other office personnel; the appointment and duties of the examining board and local board of review; providing for paying the salaries and expenses of said offices; the procedure by which a taxpayer, the assessor and public bodies may protest and appeal from an assessment to the local board of review and to the court; and providing a penalty for violations of this act, and related matters, and amending sections fifty-six hundred sixty-nine (5669), and fifty-four hundred thirty-four (5434), Code, 1939, relating to compensation of assessors and deputies.

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

1 SECTION 1. Within thirty (30) days from the taking effect of this
2 Act, in cities having more than one hundred twenty-five thousand
3 (125,000) population, the city council, the school board and the county
4 board of supervisors each shall appoint at a regular meeting by a
5 majority vote of the members present, one qualified person to serve
6 as a member of an examining board to give an examination for the
7 positions of city assessor and deputy assessors. This examining board
8 shall organize as soon as possible after its appointment, with a chair-
9 man and secretary. All its necessary expenditures shall be paid as
10 hereinafter provided. Members of the board shall serve without com-
11 pensation.

1 SEC. 2. The terms of the first members of the examining board
2 shall be determined as follows: The term of one member shall extend
3 to January 1, 1944, one to January 1, 1946, and one to January 1, 1948.
4 The three members shall decide their respective terms by lot. There-
5 after, the terms of each shall be for six (6) years.

6 A member of this examining board may be removed by the taxing
7 body by which he was appointed but only after specific charges have
8 been filed and a public hearing held, if requested by the discharged
9 member of the board. Subsequent appointments and an appointment
10 to fill a vacancy, shall be made in the same way as the original appoint-
11 ment.

1 SEC. 3. Not later than thirty (30) days after its appointment, the
2 examining board shall give notice of holding an examination for asses-
3 sor by posting a written notice in a conspicuous place in the city hall
4 and at one other public place, stating that at a specified date not more
5 than sixty (60) days nor less than thirty (30) days from the posting

6 of said notice, an examination for the position of city assessor will be
7 held at a specified place. Similar notice shall be given at the same time,
8 by one publication of said notice in a newspaper of general circulation
9 in the city.

10 This examination shall be conducted as other similar examinations,
11 including secrecy regarding the questions prior to the examination and
12 in accordance with such rules as this board may prescribe. The ex-
13 mination shall cover the following and related subjects:

- 14 1. Laws pertaining to the assessment of property for taxation.
- 15 2. Laws on tax exemption.
- 16 3. Assessment of real estate, including fundamental principles and
17 practices of real estate appraisal and valuation.
- 18 4. Assessment of personal property and moneys and credits.
- 19 5. The duties of the city assessor.
- 20 6. Executive ability, experience and general reputation.

21 Only qualified electors of the city shall be eligible to take this ex-
22 amination.

23 The board shall conduct such examination under such rules, includ-
24 ing rules allowing credit for executive ability, experience and general
25 reputation, as shall be prescribed by the board, allotting such grades
26 or percentage to the subjects embraced by said examination as may be
27 fairly designed to reflect the ability and fitness of the candidates.

28 Within fourteen (14) days from the holding of such examination, it
29 shall certify to the city council, the board of supervisors and the school
30 board, the names of all persons who in its determination, shall have
31 passed with a grade of not less than seventy (70) per cent in such
32 examination. Said list shall be in force and effect for two (2) years
33 from the date of certification.

1 SEC. 4. Not later than seven (7) days after receipt of this list, the
2 mayor of the city shall by written notice, call a meeting of the members
3 of the board of supervisors, the school board and the city council, at the
4 city hall or other specified public place, to appoint the city assessor
5 from this list. Such selection shall not be made unless a majority of the
6 members of two or more of said three taxing bodies are present. The
7 mayor shall act as chairman of the meeting. The majority vote of the
8 members present of each separate taxing body in favor of a candidate,
9 shall count as one vote toward the selection of the city assessor.

10 The assessor shall be chosen by an approving vote of not less than
11 two (2) out of three (3) taxing bodies. The physical condition, general
12 reputation of the candidates and their fitness for the position as deter-
13 mined by the examination provided for in section three (3), shall be
14 taken into consideration in making such selection.

1 SEC. 5. If a majority of the taxing bodies fail to agree upon the
2 appointment of the city assessor from this list at said meeting or at an
3 adjourned meeting, the examining board shall give another examina-
4 tion within sixty (60) days with posted and printed notices of same,
5 under the same rules as the original examination, to provide a new list
6 of eligible candidates.

1 SEC. 6. The term of office of the first city assessor appointed under
2 this act, shall extend to January 1, 1948. Each subsequent regular term

3 shall be for six (6) years. Appointments for each succeeding term
4 shall be made in the same manner as the original appointment. Not
5 less than ninety (90) days before the expiration of the term of said
6 assessor, the examining board shall give a new examination for the
7 position.

8 In the event of the removal, resignation, death or removal from the
9 city of the said city assessor, the taxing bodies shall within thirty (30)
10 days at a joint meeting as provided in section four (4) of this act,
11 select from the list provided in section three (3) an assessor to serve
12 out the unexpired term; or in case of inability to agree upon a selection
13 from this list, the new selection shall be made as provided in section
14 five (5). In case no list is in effect, a new one shall be prepared as
15 provided in section three (3). Until the vacancy is filled, the chief
16 deputy shall act as city assessor.

1 SEC. 7. The city assessor may be removed by a majority vote of the
2 taxing bodies, after charges of misconduct, nonfeasance, malfeasance,
3 or misfeasance in office shall have been substantiated to the satisfac-
4 tion of said taxing bodies at a public hearing, if same is demanded by
5 the assessor by written notice served upon the mayor. Their decision
6 shall be final. The vote for removal shall be conducted in the same
7 manner as the vote for appointment as provided in section four (4).

1 SEC. 8. Immediately after the appointment of the city assessor,
2 the examining board shall cause to be given an examination for the
3 position of deputy assessors under the same rules as those used for
4 conducting the examination for the office of city assessor. This
5 examination shall include questions relating to the qualifications for
6 the duties of the position of deputy assessors, shall be practical in
7 character and designed to reflect the ability and fitness of the candi-
8 dates. Separate examinations may be given relating to the assessing
9 of real and personal property. Only qualified electors of the city shall
10 be eligible to take this examination. This board shall conduct such
11 examination, allotting to each answer a certain percentage or grade
12 as it shall by rule provide. Within fourteen (14) days from the hold-
13 ing of such examination, it shall certify to the city assessor a list of
14 the names of all persons who in its determination shall have passed with
15 a grade of not less than seventy (70) per cent in such examination.

1 SEC. 9. The city assessor shall appoint from such list not to exceed
2 ten persons as deputy assessors, subject to the approval of the three
3 taxing bodies. If for any reason the city assessor is unable to appoint
4 from this list, some or all of the deputy assessors he requires, or in case
5 this list contains fewer names than the number of deputy assessors he
6 requires, he shall thereupon notify the examining board. This board
7 shall forthwith hold another examination under the same rules as the
8 previous ones and certify a new list to the city assessor, and all neces-
9 sary appointments shall be made from the list as herein provided.

10 The list of persons eligible for appointment to the position of deputy
11 assessor, shall be in effect for two (2) years from the date of its
12 certification.

13 The assessor may preemptorily suspend or discharge any deputy
14 assessor under his direction, upon written charges, for neglect of duty,

15 disobedience of orders, misconduct, or failure to properly perform his
16 duties. Within five (5) days after delivery of said written charges to
17 such employee, he may appeal by written notice to the secretary or
18 chairman of the examining board. Such board shall grant him a hear-
19 ing within fifteen (15) days, and a decision by a majority of said
20 examining board shall be final.

21 The city assessor shall designate one of said deputies as chief deputy,
22 and the city assessor shall assign to each deputy such duties, reponsi-
23 bilities and authority, from time to time, as may be proper for the
24 efficient conduct of his office.

1 SEC. 10. The city assessor, chief deputy, and all other deputies shall
2 receive such annual salary as may be determined and fixed in the
3 amount and manner as provided in section nineteen (19) of this act.
4 The dog listing fee provided in section fifty-four hundred thirty-four
5 (5434), Code, 1939, shall not be retained by the city assessor but
6 shall be a part of the assessment expense fund as provided in section
7 nineteen (19) of this act.

1 SEC. 11. Section fifty-six hundred sixty-nine (5669), Code, 1939,
2 is amended as to cities under this act, by striking out everything
3 beginning with the words "In cities" in line twenty-eight (28) and
4 ending with the word "fund" in line thirty-seven (37).

1 SEC. 12. Other office personnel shall be appointed by the city
2 assessor subject to the limitations of the annual budget as hereinafter
3 provided. The city assessor shall select field men, so far as possible,
4 from the eligible list of deputy assessors. Their compensation shall
5 be fixed as provided in section nineteen (19). They shall serve at the
6 pleasure of the assessor.

1 SEC. 13. The county board of supervisors shall furnish adequate
2 quarters for the city assessor.

1 SEC. 14. Upon the taking effect of this act, the mayor by written
2 notice, shall call a joint meeting of the members of the school board,
3 the board of supervisors, and the city council, to appoint a local board
4 of review of assessments, consisting of five (5) members. Such ap-
5 pointment shall not be made unless a majority of the members of two
6 or more of the three said taxing bodies are present. The mayor shall
7 act as chairman of the meeting. The majority vote of the members
8 present of each taxing body in favor of a candidate, shall count as one
9 vote toward his selection. A vote of not less than two out of three of
10 the taxing bodies, shall be necessary to select a member of this board.

11 As nearly as possible, this board shall consist of one licensed real
12 estate broker, one registered architect, and three other persons, all of
13 whom shall be resident qualified electors and freeholders. In cities
14 embracing more than one township, the members of said board shall
15 be selected in such number or numbers from each of said townships
16 so as to give each of said townships the highest possible numerical
17 representation.

1 SEC. 15. The terms of the first members of this board shall be as
2 follows: Two members shall be appointed for a term ending January
3 1, 1944, two for the term ending January 1, 1946, and one for the term

4 ending January 1, 1948. Thereafter, the terms of each member shall
5 be for six (6) years each. Members of this board may be removed by
6 the taxing bodies which appointed them, but only after a public hear-
7 ing upon specified charges, if requested by such member. The vote
8 for removal shall be conducted in the same manner as the vote for
9 appointment. Subsequent appointments, and an appointment to fill
10 a vacancy, shall be made in the same way as the original selection. The
11 board shall have the power to subpoena witnesses and administer oaths.

1 SEC. 16. The board of review shall be in session from May first to
2 May thirty-first, both inclusive, each year and shall hold as many meet-
3 ing as are necessary to discharge its duties. On June first said board
4 shall return all books, records and papers to the assessor except undis-
5 posed of protests and records pertaining thereto. If it has not completed
6 its work, it may continue in session until August first. It shall adopt
7 its own rules of procedure, elect its own chairman from its member-
8 ship, and keep minutes of its meetings. The city assessor shall be clerk
9 of said board. It may be reconvened by the state tax commission. All
10 undisposed protests in its hands on August first shall be automatically
11 overruled and returned to the assessor together with its other records.

1 SEC. 17. The compensation of each member of the board of review
2 shall be determined, fixed and paid as provided in section nineteen
3 (19) of this act.

1 SEC. 18. The board of review of assessments shall hold meetings
2 in quarters provided by the board of supervisors. Said board shall be
3 in session such hours each day and shall devote such time to its duties
4 as may be necessary to the discharge of its duties and to accomplish
5 substantial justice. The expenses of the board shall be included in
6 the assessor's annual budget as provided hereafter.

1 SEC. 19. From the date of the taking effect of this act and until
2 January 1, 1942, the expenses of the examining board, the city asses-
3 sor's office and the local board of review shall be paid by the county
4 upon approval of the board of supervisors, and the court costs and
5 related expenses incident to any assessment appeal shall be paid as
6 now provided by law. Until January 1, 1942, the salaries of the city
7 assessor, deputy assessors and other office personnel and the compensa-
8 tion of members of the board of review, shall be authorized by the
9 boards of supervisors.

10 After January 1, 1942, all expenditures under this act shall be paid
11 as hereinafter provided.

12 Not later than July 15th of each year the city assessor, the examin-
13 ing board and the local board of review shall each prepare a proposed
14 budget of all expenses for the ensuing year. The city assessor shall
15 include in his proposed budget the probable expenses for defending
16 assessment appeals, and court costs taxed against the public bodies.
17 Said budgets shall be combined by the city assessor and copies thereof
18 forthwith filed by him with the board of supervisors, city council and
19 school board.

20 Such combined budget shall contain an itemized list of the proposed
21 salaries of the city assessor and each deputy, the amount required for
22 field men and other personnel, their number and their compensation;

23 the estimated amount needed for supplies, printing, mileage and other
24 expenses necessary to operate the assessor's office, the estimated ex-
25 penses of the examining board and the salary and expenses of the
26 local board of review.

27 Not later than July 21st of each year, the mayor shall, by written
28 notice call a joint meeting of the city council, school board and county
29 board of supervisors to consider such proposed budget and shall fix
30 and adopt a consolidated budget for the ensuing year.

31 The mayor shall act as chairman and the city assessor as secretary
32 of such meeting. The proposed budget or any item thereof may be
33 increased or changed in any manner at this joint meeting. The majority
34 vote of the members present of each taxing body shall count as one
35 vote, and no action shall be valid except by the vote of not less than two
36 (2) out of three (3) taxing bodies.

37 At the joint meeting the three taxing bodies shall authorize:

- 38 1. The number of deputies, field men and other personnel of the
39 assessor's office;
- 40 2. The salaries and compensation of members of the board of review,
41 the assessor, chief deputy, other deputies, field men and other
42 personnel, and determine the time and manner of payment;
- 43 3. The miscellaneous expenses of the assessor's office, the board of
44 review and the examining board, including office equipment,
45 records, supplies and other required items;
- 46 4. The estimated expense of assessment appeals.

47 All such expense items shall be included in the budget adopted for
48 the ensuing year.

49 Each of the three taxing bodies shall contribute one-third of the
50 amount required to make the final budget and shall, on the first day
51 of January, April and July of each year remit one-third of its share
52 to the county treasurer to be credited by him to a separate fund to be
53 known as, "The City Assessment Expense Fund", and from which fund
54 all expenses incurred under this act shall be paid.

55 The county auditor shall keep a complete record of said fund and
56 shall issue warrants thereon only on requisition of the city assessor.

57 The city assessor shall issue requisitions only in compliance with the
58 annual budget. He shall issue requisitions for the examining board and
59 for the board of review on order of the chairman of each board and for
60 costs and expenses incident to assessment appeals, only on order of the
61 city legal department.

62 Unexpended funds remaining in The City Assessment Expense Fund
63 at the end of a year shall be carried forward into the next year.

1 SEC. 20. The city assessor in cities having a population of more
2 than one hundred twenty-five thousand (125,000) shall conduct assess-
3 ments in the manner provided by chapter three hundred forty-two
4 (342), Code, 1939, and acts amendatory thereto.

1 SEC. 21. The assessment shall be completed not later than April
2 thirtieth. If the city assessor makes any change in an assessment after
3 it has been entered on the assessor's rolls, he shall note on said roll,
4 together with the original assessment, the new assessment and the
5 reason for the change, together with his signature and the date of the
6 change. No changes shall be made on the assessment rolls after May

7 first except by order of the local board of review or by decree of court.

1 SEC. 22. The board of review shall have the power: (1) to equalize
2 assessments by raising or lowering the individual assessments of real
3 property, including new buildings, personal property or moneys and
4 credits made by the city assessor, (2) to add to the assessment rolls
5 any taxable property which has been omitted by the assessor. It shall
6 have the power to revalue and reassess real estate as provided in section
7 seventy-one hundred twenty-nine and one tenth (7129.1), Code, 1939.

8 It shall have all the powers conferred on boards of review in chapter
9 three hundred forty-three (343), Code, 1939, where such powers do
10 not conflict with the provisions of this act; and in event of such con-
11 flict, the provisions of this act shall prevail.

1 SEC. 23. Any property owner or aggrieved taxpayer who is dis-
2 satisfied with his assessment may file a protest against such assessment
3 with the local board of review on or after May first, to and including
4 May twentieth, of the year of the assessment. Said protest shall be in
5 writing and signed by the one protesting or by his duly authorized
6 agent. Said protest must be confined to one or more of the following
7 grounds:

8 1. That said assessment is not equitable as compared with assessments
9 of other like property in the city. When this ground is relied upon as
10 the basis of a protest, the legal description and assessments of a repre-
11 sentative number of comparable properties, as described by the ag-
12 grievied taxpayer shall be listed on the protest, otherwise said protest
13 shall not be considered on this ground.

14 2. That his property is assessed for more than the value authorized
15 by law, stating the specific amount which the protesting party believes
16 his property to be overassessed, and the amount which he considers to
17 be its actual value and the amount he considers a fair assessment.

18 3. That his property is not assessable and stating the reasons there-
19 for.

20 4. That there is an error in the assessment and state the specific
21 alleged error.

22 5. That there is fraud in the assessment which shall be specifically
23 stated.

24 In addition to the above, the property owner may protest annually
25 to the board of review under the provisions of section seventy-one
26 hundred twenty-nine and one tenth (7129.1), Code, 1939, but such
27 protest shall be in the same manner and upon the same terms as here-
28 tofore prescribed in this section.

1 SEC. 24. All changes in assessments authorized by the local board
2 of review, and reasons therefor, shall be entered in the minute book
3 kept by said board and on the assessment roll. Said minute book shall
4 be filed with the city assessor after the adjournment of the board of
5 review and shall at all times be open to public inspection. In case the
6 board increases any assessment or adds new property to the tax rolls,
7 notice of such change shall be given as provided in section seventy-one
8 hundred thirty-one (7131), Code, 1939.

1 SEC. 25. Appeals from the local board of review and to the district
2 court, shall be followed as provided in sections seventy-one hundred

3 thirty-three (7133), seventy-one hundred thirty-four (7134), seventy-
4 one hundred thirty-four and one tenth (7134.1), seventy-one hundred
5 thirty-four and two tenths (7134.2), seventy-one hundred thirty-five
6 (7135), and seventy-one hundred thirty-six (7136), Code, 1939. No
7 new grounds in addition to those set out in the protest to the local
8 board of review as provided in section twenty-three (23) of this act,
9 can be pleaded, but additional evidence to sustain said grounds may be
10 introduced. The assessor shall have the same right to appeal and in
11 the same manner as an individual taxpayer, public body or other public
12 officer as provided in section seventy-one hundred thirty-five (7135),
13 Code, 1939.

1 SEC. 26. An appeal from an assessment on behalf of the public shall
2 be made as provided in section seventy-one hundred thirty-five (7135),
3 Code, 1939.

1 SEC. 27. The city legal department shall represent the city assessor
2 and local board of review in all litigation dealing with assessments.
3 Any taxing body may be represented by an attorney and shall be re-
4 quired to appear by attorney upon written request of the city assessor
5 to the presiding officer of any such taxing body.

1 SEC. 28. No voluntary court settlement of an assessment appeal
2 shall be valid unless written notice thereof shall first be served upon
3 the city council, school board, and board of supervisors.

1 SEC. 29. Neither the city assessor nor any employee of the city
2 assessor's office shall directly or indirectly contribute any money
3 or anything of value to any candidate, his agent or personal repre-
4 sentative, for nomination or election to any office, or to any campaign
5 or political committee, or take an active part in any political campaign,
6 except to cast his vote, or to express his personal opinion, nor shall
7 any such candidate, person, representative, agent, or committee, solicit
8 such contribution or active political support from any officer or em-
9 ployee. Any person convicted of violating any provision of this act
10 shall immediately be dismissed from office or may be punished as for
11 an indictable misdemeanor.

1 SEC. 30. Any person including persons engaged in the administra-
2 tion of this act, violating any provision of this act, shall be deemed
3 guilty of an indictable misdemeanor and punished accordingly.

1 SEC. 31. If any section, subsection, clause, sentence, or phrase of
2 this act is for any reason held to be unconstitutional and/or invalid,
3 such decision shall not affect the validity of the remaining portions
4 of this act. The legislature hereby declares that it would have passed
5 this act and each section, subsection, clause, sentence or phrase thereof,
6 irrespective of whether any one or more of the sections, subsections,
7 clauses, sentences or phrases be declared to be unconstitutional.

1 SEC. 32. All laws or parts of laws in conflict herewith, are hereby
2 repealed.*

*Note: Sec. 32 repealed by Senate File 286 of the 49th General Assembly, and an amendment enacted in lieu thereof. See Chapter 203.

1 SEC. 33. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in The Cascade
 3 Pioneer-Advertiser, a newspaper published in the city of Cascade,
 4 Iowa, and in the Plain Talk, a newspaper also published in the city of
 5 Des Moines, Iowa, all without expense to the state.

Approved February 14, 1941.

I hereby certify that the foregoing act was published in The Cascade Pioneer-Advertiser, Cascade, Iowa, February 20, 1941, and the Plain Talk, Des Moines, Iowa, February 20, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 203

CITY ASSESSORS AND ASSESSMENTS

S. F. 286

AN ACT to amend senate file three (3), Acts of the Forty-ninth General Assembly of Iowa, by repealing section thirty-two (32) of said act and to enact a substitute therefor, all relating to the procedure for assessing property and the appointment and continuance in office of the city assessor, deputies and other employees, in cities having a population in excess of one hundred twenty-five thousand (125,000).

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

1 SECTION 1. Senate file three (3), Acts of the Forty-ninth General
 2 Assembly of Iowa, is amended by repealing section thirty-two (32)
 3 and enacting in lieu thereof the following:
 4 "This act shall not terminate the existing procedure for the making
 5 of assessments, including the acting in their respective capacities of
 6 the present assessors, their deputies and personnel, until such time as
 7 the assessors, their deputies and personnel, have been selected and
 8 qualified pursuant to the provisions of this act, at which time the
 9 procedure provided for by this act shall be in full force and effect.
 10 "If any of the provisions of this act shall be in conflict with any of the
 11 laws of this state, then the provisions of this act shall prevail."

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 Cascade
 3 Pioneer-Advertiser, a newspaper published in the city of Cascade, Iowa,
 4 and in the Plain Talk, a newspaper published in the city of Des Moines,
 5 Iowa, all without expense to the state.

Approved February 24, 1941.

I hereby certify that the foregoing act was published in the Cascade Pioneer-Advertiser, Cascade, Iowa, March 6, 1941, and the Plain Talk, Des Moines, Iowa, February 27, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 204

CIVIL SERVICE

H. F. 152

AN ACT to make chapter one hundred fifty-six (156) Acts of the Forty-seventh (47th) General Assembly, relating to civil service, applicable to cities acting under special charter.

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

1 SECTION 1. Chapter one hundred fifty-six (156), Acts of the Forty-
2 seventh (47th) General Assembly, shall apply to cities acting under
3 special charter.

Approved March 24, 1941.

CHAPTER 205

DOGS RUNNING AT LARGE IN CITIES AND TOWNS

S. F. 221

AN ACT to amend the law as it appears in section fifty-seven hundred forty-five (5745), Code, 1939, by repealing paragraph four (4) of said section and inserting in lieu thereof a new paragraph four (4), relating to the number of, regulation, licensing or prohibiting the running at large of dogs, and providing for the licensing or disposal thereof.

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

1 SECTION 1. That paragraph four (4) of section fifty-seven hun-
2 dred forty-five (5745), code, 1939, is hereby repealed and the following
3 enacted in lieu thereof:
4 "4. Dogs. The running at large of dogs within their limits and to
5 provide for the disposal thereof when found at large contrary to and
6 in violation of the provisions of any ordinance passed pursuant to the
7 power herein granted. All persons owning or harboring a dog, may be
8 required to pay a city license thereon; except that all kennel dogs which
9 are not permitted to run at large shall not be required to be licensed by
10 the city. Kennel dogs are defined as those dogs kept or raised solely for
11 for the bona fide purpose of sale and which are kept under constant
12 restraint.

Approved April 15, 1941.

CHAPTER 206

FIRE JURISDICTION OUTSIDE CITIES AND TOWNS

H. F. 177

AN ACT to amend section five thousand seven hundred sixty-six and one-tenth (5766.1), Code, 1939, relating to city and town fire departments.

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

1 SECTION 1. Section five thousand seven hundred sixty six and one-
2 tenth (5766.1), Code, 1939, is hereby amended by inserting the word
3 and comma "person," before the word "corporation" in lines one (1)
4 and eight (8) of said section.

Approved April 21, 1941.

CHAPTER 207

RIVER FRONT IMPROVEMENT COMMISSION

S. F. 274

AN ACT to amend sections five thousand eight hundred fourteen (5814) and five thousand eight hundred twenty-three (5823), Code, 1939, relating to river front improvement commissions; amending section five thousand eight hundred fourteen (5814) so as to include within its terms all cities acting under the commission form of government, except such cities as come within the provisions of section six thousand five hundred ninety-six (6596), Code, 1939; amending section five thousand eight hundred twenty-three (5823) by providing that the tax authorized in section five thousand eight hundred twenty-two (5822), Code, 1939, shall be levied for a period not exceeding thirty (30) years for the payment of bonds in the manner provided in chapter sixty-three and one tenth (63.1), Code, 1939; also providing the method of sale of said bonds, and that section six thousand two hundred sixty-four (6264), Code, 1939, shall apply to said bonds.

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

1 SECTION 1. Section five thousand eight hundred fourteen (5814),
2 Code, 1939, is amended by striking all of said section after the word
3 "government" in lines six (6) and seven (7) thereof and substituting
4 therefor the following: "except such cities under the commission form
5 of government as have been previously organized and acting under
6 special charter and thereafter adopted the commission form of govern-
7 ment and are within the provisions of section six thousand five hun-
8 dred ninety-six (6596) of chapter three hundred twenty-six (326),
9 Code, 1939.

1 SEC. 2. Section five thousand eight hundred twenty-three (5823),
2 Code, 1939, is amended by adding thereto the following:

3 "Before issuing such bonds the commission shall, by resolution, sub-
4 ject to the approval of the city council, provide for the assessment of
5 the annual levy authorized in section five thousand eight hundred
6 twenty-two (5822), Code, 1939, and not in excess of the millage therein
7 authorized, sufficient to pay the principal and interest of such bonds
8 within a period named not exceeding thirty (30) years, which levy
9 shall be certified to the county auditor or auditors of the county or
10 counties in which such city is located, and the tax therein provided
11 for shall be entered annually for collection all in the manner provided
12 in chapter sixty-three and one tenth (63.1), Code, 1939.

13 "Such bonds may be sold in such manner as the commission may
14 determine, but shall bear interest at a rate of not to exceed five percent
15 (5%), shall not be sold for less than the par value thereof plus accrued

16 interest, and no commission shall be paid directly or indirectly in
17 connection with such sale.

18 "The provisions of section six thousand two hundred sixty-four
19 (6264), Code, 1939, shall apply to such bonds."

Approved March 29, 1941.

CHAPTER 208

MUNICIPAL HOSPITALS

S. F. 69

AN ACT to amend section five thousand eight hundred seventy-three and one tenth (5873.1), Code, 1939, to authorize certain cities to pledge a portion of net earnings of a municipally owned electric light and power plant for construction of, or addition to, a municipal hospital.

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

1. SECTION 1. Section five thousand eight hundred seventy-three and one tenth (5873.1), Code, 1939, is hereby amended as follows:
 - 3 1. By inserting in line three (3) after the word "thousand" the following: ", or any city of the second class having within its corporate limits a state educational institution".
 - 5 2. By inserting in line ten (10) after the word "hospital" the following: ", or addition thereto".

Approved February 13, 1941.

CHAPTER 209

AIRPORT TAX LEVIES

S. F. 194

AN ACT to amend section fifty-nine hundred three and five hundredths (5903.05) providing for a levy of taxes for airports.

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

- 1 SECTION 1. Section fifty-nine hundred three and five hundredths
2 (5903.05) is amended by striking all of said section, and inserting in
3 lieu thereof the following:
4 "The cost to acquire, operate, equip, or maintain any city airport by
5 a city or town shall, in addition to other income, be paid by the levy of
6 an annual tax as follows: In all cities having a population of more than
7 ten thousand (10,000) said levy shall not exceed three-fourths mill on
8 the dollar on all taxable property of said city, except in cities having a
9 population in excess of 125,000, and in such cities having a population
10 in excess of 125,000 said levy shall not exceed one-fourth mill. In all
11 cities and towns having a population of ten thousand (10,000) or less
12 said levy shall not exceed one and one-fourth mills on the dollar on all
13 taxable property of said city or town."

1 SEC. 2. The tax authorized by this act shall not be levied by any city
 2 or town until approved by the electors of such city or town in accordance
 3 with the provisions of Chapter three hundred nineteen (319), Code,
 4 1939, except in such cities or towns which now or may hereafter pro-
 5 vide for the management or control of an airport by a commission
 6 under the provisions of Senate File 64 of the acts of the 49th General
 7 Assembly.

1 SEC. 3. The provisions of this act shall be applicable to cities acting
 2 under special charter.

Approved April 15, 1941.

CHAPTER 210
 AIRPORT COMMISSION

S. F. 64

AN ACT to amend chapter three hundred three and one-tenth (303.1), Code, 1939, relating to the management and control of airports by a commission, providing for the submission of the proposition for vote, notice of the election, form of submission, appointment of commissioners, terms, compensation, powers and duties and reports.

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

Chapter three hundred three and one-tenth (303.1), Code, 1939, is hereby amended by adding thereto at the end of said chapter the following provisions:

1 SECTION 1. The council of any city or town, except a city having
 2 a population of more than seventy-five thousand (75,000), which owns
 3 or otherwise acquires an airport or airports may, and upon petition of
 4 ten per cent of the number of qualified electors who voted at the last
 5 city election shall, at any city election if one is to be held within
 6 sixty (60) days from the filing of said petition, or special election
 7 called for that purpose, submit to the voters the question as to whether
 8 the management and control of such airport, or airports, shall be
 9 placed in an airport commission.

1 SEC. 2. Notice of such election shall be given by publication in one
 2 newspaper in said city or town in one publication, and the election shall
 3 be held not less than seven nor more than fourteen days after the
 4 completion of such published notice. If no newspaper is published in
 5 such city or town notices may be given by posting notices in five public
 6 places in such city or town for three weeks prior to said election.

1 SEC. 3. The question to be submitted shall be in the following form:
 2 "Shall the City (or Town) of..... place the management
 3 and control of its airport (or airports) in an Airport Commission?"

1 SEC. 4. When a majority of the votes cast upon said proposition at
 2 such election shall have declared in favor of the proposition of airport
 3 control and management by a commission, the mayor shall, within ten

4 (10) days thereafter, appoint an airport commission of not more than
5 five (5) resident voters of said city or town, which appointments
6 shall be approved by the council. In case of a commission of three (3)
7 members the first appointees shall hold office, one for two years, one
8 for four years, and one for six years. In case of a commission of five
9 (5) members the first appointees shall hold office, one for two years,
10 one for three years, one for four years, one for five years, and one for
11 six years. All subsequent appointments shall be for a term of six
12 years. Vacancies shall be filled as original appointments are made.
13 Members of the airport commission shall serve without compensation.
14 Each commissioner shall execute and furnish a bond in an amount fixed
15 by the council, to be approved by the mayor and filed with the city
16 clerk. The cost of such bond shall be paid from the general fund of the
17 city. The commission shall elect from their own members a chairman
18 and a secretary who shall serve for such term as the commission shall
19 determine.

1 SEC. 5. Said commission shall have and exercise all of the powers
2 granted to cities and towns under this chapter, except powers to sell
3 said airport or airports. The commission shall annually certify the
4 amount of tax within the limitations of this chapter to be levied for
5 airport purposes, and upon such certification the city council shall
6 include said amount in its budget.

7 All funds derived from taxation or otherwise for airport purposes
8 shall be under the full and absolute control of said commission for the
9 purposes prescribed by law, and shall be deposited with the city
10 treasurer to the credit of the airport commission, and shall be disbursed
11 only on the written warrants or orders of the airport commission, in-
12 cluding the payment of all indebtedness arising from the acquisition
13 and construction of airports and the maintenance, operation, and
14 extension thereof.

1 SEC. 6. The airport commission shall immediately after the close
2 of each municipal fiscal year, file with the city clerk a detailed and
3 audited written report of all money received and disbursed by said
4 commission during said fiscal year, and shall publish a summary
5 thereof in an official newspaper in said city or town.

1 SEC. 7. The power conferred on cities and towns to make and en-
2 force rules and regulations under Code section fifty nine hundred three
3 and nine hundredths (5903.09) is delegated to the city airport com-
4 mission.

1 SEC. 8. Nothing in the foregoing seven sections shall be interpreted
2 as limiting or affecting airport commissions of cities in the above
3 classification which have already been in existence and operation prior
4 to January 1, 1941, under the provisions of chapter 303.1.

1 SEC. 9. The provisions of this act shall be applicable to cities acting
2 under special charter.

1 SEC. 10. 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 the Davis
4 County Republican, a newspaper published at Bloomfield, Iowa.

Approved March 1, 1941.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier, Ottumwa, Iowa, March 5, 1941, and the Davis County Republican, Bloomfield, Iowa, March 4, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 211
CITIES AND TOWNS
S. F. 543

AN ACT to amend section six thousand sixty-six and twenty-nine hundredths (6066.29), Code, 1939, relating to bonds issued by cities and towns for the construction of self-liquidating improvements, and to amend chapters three hundred eight and two tenths (308.2) and three hundred eight and three tenths (308.3), both of the Code, 1939, making said chapters applicable to special charter cities.

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

1 SECTION 1. Section six thousand sixty-six and twenty-nine hun-
2 dredths (6066.29) of chapter three hundred eight and three tenths
3 (308.3), Code of Iowa, 1939, is hereby amended by inserting in line
4 twelve (12) after the comma (,) following the figure sixty-three "63"
5 the words "in so far as the provisions of said chapter sixty-three (63)
6 are otherwise applicable to bonds issued by such cities and towns,".

1 SEC. 2. Chapter three hundred eight and three tenths (308.3), Code
2 of Iowa, 1939, as amended by section 1 hereof, is hereby made ap-
3 plicable to cities organized and acting under special charters.

1 SEC. 3. Chapter three hundred eight and two tenths (308.2), Code,
2 1939, is hereby amended by adding thereto a new section as follows:
3 "The provisions of this chapter shall apply to cities organized and
4 acting under special charters."

Approved May 5, 1941.

CHAPTER 212
CITIES AND TOWNS
S. F. 284

AN ACT to amend section six thousand one hundred twenty-five (6125), Code, 1939, relating to street improvements and sewers in cities and towns.

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

1 SECTION 1. Amend section six thousand one hundred twenty-five
2 (6125), Code, 1939, by adding in line five (5), following the word "of"
3 the words "subsequent improvement of street improvements and/or".
4 Further amend said section by adding in line sixteen (16), follow-
5 ing the word "for" the words "subsequent improvement of street im-
6 provements and/or".

1 SEC. 2. This act shall also apply to cities acting under special
2 charter and shall be construed to enlarge and not to limit the powers
3 granted to such cities by their respective charters and by any other
4 statute.

Approved May 5, 1941.

CHAPTER 213

GROUP INSURANCE FOR EMPLOYEES OF MUNICIPALLY OWNED WATERWORKS

S. F. 166

AN ACT authorizing boards of waterworks trustees of municipally owned waterworks in certain cities to procure group insurance for employees of such waterworks, to establish a plan and fund for such purpose, and to administer the same.

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

1 SECTION 1. The board of waterworks trustees in charge of adminis-
2 tering and operating any municipally owned waterworks system in any
3 city now or hereafter having a population of one hundred twenty-five
4 thousand (125,000) inhabitants or more, including cities under com-
5 mission plan of government, may establish a plan for and procure group
6 insurance for the employees of any such waterworks system.

1 SEC. 2. The fund for such group insurance shall be known as "Group
2 Insurance Fund" and shall be created from the following sources:

3 (a) Contributions from employees who elect to participate in the
4 plan for group insurance;

5 (b) Contributions authorized by the board of waterworks trustees
6 from the income from the operation of such waterworks system in
7 amounts not exceeding the aggregate amounts assessed against and
8 collected from employees who elect to participate in such plan.

1 SEC. 3. Contributions to the group insurance fund by the board of
2 waterworks trustees and expenses incurred in the operation and ad-
3 ministering of such plan of group insurance shall be considered and
4 are hereby declared to be operating expenses of the waterworks system
5 and shall be considered as such by the board in determining rates to be
6 charged for water.

1 SEC. 4. All employees participating in such group insurance shall
2 be assessed and required to pay an amount to be fixed by the board,
3 according to the plan adopted, and the amount so assessed shall be
4 deducted and retained out of the wages or salary of such employees.

1 SEC. 5. Participation in such group insurance shall be optional with
2 all employees eligible to the benefits thereof as provided by the rules
3 and regulations adopted by the board pursuant hereto. Election to
4 participate therein shall be in writing signed by the employee and
5 filed with the board.

1 SEC. 6. The group insurance fund shall be under the control and
 2 shall be expended under the directions of the board and shall be used
 3 solely for the purpose of administering and carrying out the provisions
 4 of the plan adopted by the board for group insurance for such em-
 5 ployees.

1 SEC. 7. The board may contract with any legal reserve insurance
 2 company or companies authorized to do business in the state of Iowa
 3 for group insurance for such employees, which may include life, health,
 4 hospitalization and disability insurance during period of active service
 5 of such employees, with the right of any employee to continue such life
 6 insurance in force after termination of active service at such employee's
 7 sole expense.

1 SEC. 8. "Employee" as used in this act is defined to be a person
 2 employed by the board of waterworks trustees on a weekly, monthly
 3 or yearly basis and who is actually performing duties under such
 4 employment.

1 SEC. 9. "Board" as used in this act is defined to mean "board of
 2 waterworks trustees."

1 SEC. 10. The board of waterworks trustees establishing a plan for
 2 group insurance for employees under this act shall administer such
 3 plan and formulate and establish rules and regulations for the opera-
 4 tion thereof, not inconsistent with the provisions of this act.

1 SEC. 11. All amounts payable to employees under and pursuant to
 2 the plan of group insurance established as herein provided shall be
 3 exempt from liability for debts of the person to or on account of whom
 4 the same is payable and shall not be subject to seizure upon execution
 5 or other process.

1 SEC. 12. The decisions of the board of waterworks trustees upon
 2 all matters upon which the said board is empowered to act, under and
 3 pursuant to the provisions hereof, shall be final and conclusive, in the
 4 absence of fraud, and no appeal shall be allowed therefrom nor shall
 5 such decisions of the board, in the absence of fraud, be reviewed,
 6 enjoined or set aside by any court.

Approved March 26, 1941.

CHAPTER 214

ACQUISITION OF PARKING LOTS BY CITIES

S. F. 293

AN ACT to authorize cities and towns, including cities under special charter, to own lands to be used for parking motor vehicles; to acquire by purchase, gift, condemnation or lease, lands for such purposes; to establish and fix rates and charges for the use thereof; and to sell and dispose of such lands.

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

1 SECTION 1. Cities and towns, including cities under Special Charter,

2 are hereby authorized and empowered to own, acquire, improve, main-
3 tain and operate lands to be used for the parking of vehicles.

1 SEC. 2. Any such city or town is hereby authorized and empowered
2 to acquire by purchase, gift, lease or otherwise, real estate for parking
3 purposes and pay the costs thereof either out of the general fund or in
4 the event the required sum is not available in such fund, the city or town
5 administration shall have the right to levy a tax to be known as the
6 parking lot fund, to provide the amount required, but in no event in
7 excess of one-half ($\frac{1}{2}$) mill in any fiscal year.

1 SEC. 3. Any such city or town shall have the power to provide for
2 the condemnation of, and pay for out of the general fund or parking
3 lot fund or from funds created other than through taxation, enter
4 upon and take any lands for such purposes in accordance with the
5 provisions of 6203 of the 1939 Code.

1 SEC. 4. The city or town council shall have the power by ordinance,
2 to establish and maintain just and equitable rates or charges for the
3 use of and the service to be rendered by said parking lands and pro-
4 vide for the collection of revenues therefrom, which lands shall be
5 under the supervision and control of the city or town. The net revenues
6 to be derived for the operation of said lands shall be placed in the
7 parking lot fund and may be used to improve said lands or to acquire
8 other lands for the same purposes, and any surplus may be transferred
9 to the general fund of said city or town. Provided, however, that said
10 city or town shall not sell, or offer for sale, any merchandise or supplies,
11 such as gasoline, oil or motor vehicle supplies.

1 SEC. 5. The city or town council shall have the right and authority
2 to lease and rent such lands to other persons, firms or corporations,
3 to be used for such purposes and fix the rental to be charged therefore,
4 and when such lands are so leased, to regulate the rates and charges
5 to be exacted for such purposes. In no event shall such lease or agree-
6 ment be for a period of more than five (5) years.

1 SEC. 6. The city or town council shall have the power to sell and
2 dispose of the title or interest of such city or town in any real estate
3 owned or held by it for parking purposes, however acquired or held,
4 in such manner and upon such terms as such council shall direct.

Approved April 3, 1941.

CHAPTER 215

CITY HALLS AND AUDITORIUMS

S. F. 315

AN ACT to amend section five thousand seven hundred seventy-three (5773), Code, 1939, relating to general powers of cities and towns to erect, purchase, or remodel a city or town hall.

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

1 SECTION 1. Section five thousand seven hundred seventy-three
2 (5773), Code, 1939, is hereby amended by striking from line four (4)
3 thereof, the word "including" and substituting therefor the following,
4 "and/or".

1 SEC. 2. The provisions of this amendment shall be applicable to all
2 cities and towns which may have under the provisions of Section five
3 thousand seven hundred seventy-three (5773), Code, 1939, authorized
4 the construction of a building or buildings thereunder, but which have
5 not as yet actually commenced or completed such structure or struc-
6 tures.

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 Sioux City
3 Journal, a newspaper published at Sioux City, Iowa, and in the Pierson
4 Progress, a newspaper published at Pierson, Iowa.

Approved April 9, 1941.

I hereby certify that the foregoing act was published in the Pierson Progress, Pierson, Iowa, April 17, 1941.

I further certify that the Sioux City Journal, Sioux City, Iowa, refused to publish this act and that at my request publication was made in The Unionist and Public Forum, Sioux City, Iowa, April 17, 1941.*

EARL G. MILLER, *Secretary of State.*

CHAPTER 216

CITY TAX LEVY TO BUILD MUNICIPAL BUILDINGS

S. F. 376

AN ACT to amend section six thousand two hundred eleven (6211), chapter three hundred seventeen (317), Code, 1939, relating to general powers of cities and towns to levy special taxes to build, purchase or remodel a city or town hall, and authorizing city or town councils including city or town councils of cities or towns under special charter to rent property located within or adjoining the corporate limits and to maintain, repair, improve or equip such property and to lease such property from the owner or owners of such property for auditorium purposes.

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

1 SECTION 1. Section six thousand two hundred eleven (6211), Code,
2 1939, is hereby amended by striking from line eight (8) of subsection
3 twenty-eight (28), the words, "a city hall and to purchase a site there-
4 for" and by substituting in lieu thereof the words, "any building or
5 structure specifically referred to in section five thousand seven hun-
6 dred seventy-three (5773), Code, 1939, and a site therefor".

1 SEC. 2. The provisions of subsection twenty-eight (28), section six
2 thousand two hundred eleven (6211) as amended shall be applicable to
3 all cities and towns which, under the provisions of section five thou-
4 sand seven hundred seventy-three (5773), Code, 1939, may have
5 authorized the construction of a building or buildings, but which have

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

6 not as yet actually commenced or completed such structure or struc-
7 tures.

1 SEC. 3. Any city or town council including cities under special
2 charter may obtain for auditorium purposes by rental, property located
3 within or adjoining the corporate limits and to maintain, repair, im-
4 prove or equip such property and to lease such property from the owner
5 or owners thereof for such term and on such conditions as they deem
6 advisable.

1 SEC. 4. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in The Sioux City
3 Tribune, a newspaper published at Sioux City, Iowa, and in The
4 Anthon Herald, a newspaper published at Anthon, Iowa.

Approved April 9, 1941.

I hereby certify that the foregoing act was published in the Sioux City Tribune, Sioux City, Iowa, April 12, 1941, and the Anthon Herald, Anthon, Iowa, April 16, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 217

MUNICIPAL UTILITY TAX LEVY APPLIED TO SPECIAL CHARTER CITIES

S. F. 31

AN ACT to make applicable to cities acting under special charter sub-section two (2) and sub-section ten (10) of section sixty-two hundred eleven (6211), Code, 1939, and thus to authorize such cities to levy not to exceed one and one-fourth (1-¼) mills annually for the water fund and not to exceed one and one-fourth (1-¼) mills annually for the gas light, electric light, heat or power funds of such cities.

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

1 SECTION 1. Sub-section two (2) and sub-section ten (10) of sec-
2 tion sixty-two hundred eleven (6211), Code, 1939, are hereby made
3 applicable to cities acting under special charter.

Approved February 24, 1941.

CHAPTER 218

FIRE DEPARTMENT MAINTENANCE FUND

S. F. 199

AN ACT to amend section six thousand two hundred eleven (6211), chapter three hundred seventeen (317), subsection nine (9), Code, 1939, relating to fire department maintenance fund and the millage rate therein authorized.

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

1 SECTION 1. Section six thousand two hundred eleven (6211), chap-
2 ter three hundred seventeen (317), subsection nine (9), Code, 1939,
3 is amended by striking the words "three and one-half" in line four
4 (4) thereof and substituting therefor the word "four".

Approved April 30, 1941.

CHAPTER 219

MILLAGE LEVY IN CITIES AND TOWNS FOR LIBRARY PURPOSES

H. F. 147

AN ACT to amend section six thousand two hundred eleven (6211), subsection nineteen (19), Code, 1939, relating to library fund in cities and towns, including cities acting under special charter, and fixing the levy to be made for library purposes.

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

1 SECTION 1. Section six thousand two hundred eleven (6211), sub-
2 section nineteen (19), Code, 1939, is amended by striking from lines
3 one (1), two (2), and three (3), commencing with the word "When"
4 and ending with the word "mills" and substituting therefor the follow-
5 ing: "When a free public library has been established, not exceeding
6 one and one-fourth (1¼) mills in all cities and towns having a popula-
7 tion of more than thirty-five thousand (35,000), and not exceeding
8 two (2) mills in cities having less than thirty-five thousand (35,000)".

1 SEC. 2. The provisions of this act shall apply to cities operating
2 under special charter.

Approved April 22, 1941.

CHAPTER 220

DEBT LIMITATION BASED ON ASSESSED VALUE OF PROPERTY

H. F. 23

AN ACT to amend sections four hundred eighty-eight (488), one thousand one hundred seventy-nine and three-tenths (1179.3), four thousand three hundred fifty-three (4353), four thousand three hundred fifty-four (4354), four thousand seven hundred fifty-three and seventeen hundredths (4753.17), four thousand seven hundred seventy-three and one-tenth (4773.1), five thousand eight hundred eighty (5880), five thousand nine hundred two (5902), six thousand one hundred three (6103), six thousand one hundred twenty-five (6125), six thousand one hundred fifty-five (6155), six thousand one hundred sixty-five (6165), six thousand two hundred thirty-eight (6238), six thousand two hundred forty (6240), six thousand six hundred three (6603), six thousand six hundred eighty-six (6686), Code, 1939, relating to and fixing the limitation of indebtedness of counties, townships, school districts and other political or municipal corporations.

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

1 SECTION 1. That section four hundred eighty-eight (488), Code,
2 1939, be amended by striking the word "actual" from line sixteen (16)
3 and inserting in lieu thereof the word "assessed".

1 SEC. 2. That section one thousand one hundred seventy-nine and
2 three-tenths (1179.3), Code, 1939, be amended by inserting the word
3 "assessed" after the word "equalized" in line three (3).

1 SEC. 3. That section four thousand three hundred fifty-three
2 (4353), Code, 1939, be amended by striking the word "actual" from
3 line eleven (11) and inserting in lieu thereof the word "assessed".

1 SEC. 4. That section four thousand three hundred fifty-four
2 (4354), Code, 1939, be amended by striking from line three (3) the
3 word "actual" and inserting in lieu thereof the word "assessed".

1 SEC. 5. That section four thousand seven hundred fifty-three and
2 seventeen hundredths (4753.17), Code, 1939, be amended by striking
3 the word "actual" in lines seven (7) and sixteen (16) and inserting in
4 lieu thereof the word "assessed" in each instance.

1 SEC. 6. That section four thousand seven hundred seventy-three
2 and one-tenth (4773.1), Code, 1939, be amended by striking the word
3 "actual" from line ten (10) and inserting in lieu thereof the word
4 "assessed".

1 SEC. 7. That section five thousand eight hundred eighty (5880),
2 Code, 1939, be amended by striking the word "actual" in line eighteen
3 (18) and inserting in lieu thereof the word "assessed".

1 SEC. 8. That section five thousand nine hundred two (5902), Code,
2 1939, be amended by striking from lines thirteen (13), fourteen (14),
3 and fifteen (15), in subsection eleven (11), the following: "Section 3
4 of article XI of the constitution of the state of Iowa" and inserting in
5 lieu thereof the word "statute".

1 SEC. 9. That section six thousand one hundred three (6103), Code,
2 1939, be amended by striking from line fifteen (15) the word "actual"
3 and inserting in lieu thereof the word "assessed".

1 SEC. 10. That section six thousand one hundred twenty-five
2 (6125), Code, 1939, be amended by striking from line thirteen (13)
3 the word "actual" and inserting in lieu thereof the word "assessed".

1 SEC. 11. That section six thousand one hundred fifty-five (6155),
2 Code, 1939, be amended by striking from subsection two (2) line five
3 (5) the word "actual" and inserting in lieu thereof the word
4 "assessed".

1 SEC. 12. That section six thousand one hundred sixty-five (6165),
2 Code, 1939, be amended by striking from line six (6) the word "actual"
3 and inserting in lieu thereof the word "assessed".

1 SEC. 13. That section six thousand two hundred and thirty-eight
2 (6238), Code, 1939, be amended by striking from line six (6) thereof
3 the word "actual" and substituting in lieu thereof the word "assessed".

1 SEC. 14. That section six thousand two hundred forty (6240),
2 Code, 1939, be amended by striking from line eight (8) thereof the
3 words "the constitution" and substituting in lieu thereof the word
4 "statute".

1 SEC. 15. That section six thousand six hundred three (6603),
2 Code, 1939, be amended by striking from line twenty (20) the word
3 "actual" and inserting in lieu thereof the word "assessed".

1 SEC. 16. That section six thousand six hundred eighty-six (6686),
2 Code, 1939, be amended by striking from line seventeen (17) the word
3 "actual" and inserting in lieu thereof the word "assessed".

1 SEC. 17. No county, or other political or municipal corporation,
2 shall become indebted in any manner, or for any purpose to an amount,
3 in the aggregate, exceeding five per centum of the assessed value of
4 the property within such county or corporation—to be ascertained by
5 the last state and county tax lists previous to the incurring of such
6 indebtedness.

1 SEC. 18. Nothing herein shall prevent the issuance, sale or ex-
2 change of bonds to refund valid outstanding indebtedness existing at
3 the time this act becomes effective, including interest unpaid upon
4 such indebtedness.

1 SEC. 19. If any part of this bill shall be declared to be unconstitu-
2 tional such ruling shall not affect the validity or constitutionality of
3 the rest of the bill; and it is hereby declared to be the intent of this
4 legislature that it would have passed this bill exclusive of any part that
5 may be declared unconstitutional.

1 SEC. 20. This act, being deemed of immediate importance, shall
2 be in full force and effect from and after its passage and publication
3 in the Tipton Advertiser, a newspaper published at Tipton, Iowa, and
4 in the Cherokee Daily Times, a newspaper published at Cherokee,
5 Iowa.

Approved January 30, 1941.

I hereby certify that the foregoing act was published in the Tipton Advertiser, Tipton,
Iowa, February 6, 1941, and the Cherokee Daily Times, Cherokee, Iowa, February 1,
1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 221

INDEBTEDNESS FOR CITY AND TOWN HALLS

S. F. 528

AN ACT to amend section six thousand two hundred thirty-nine (6239), Code, 1939, to authorize cities and towns to incur indebtedness for the purpose of constructing, purchasing, remodeling, or purchasing and remodeling city and town halls and acquiring sites therefor.

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

1 SECTION 1. Section six thousand two hundred thirty-nine (6239),
2 Code, 1939, is hereby amended by revising subdivision five (5) thereof
3 to read as follows: "Constructing, purchasing, remodeling, or purchas-
4 ing and remodeling city and town halls and acquiring sites therefor."

1 SEC. 2. This act shall apply to all cities and towns, including special
2 charter cities, cities operating under the commission form of govern-
3 ment and cities operating under the city manager form of government.

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 American, a newspaper published at New Hampton, Iowa,
4 and in the Nashua Reporter, a newspaper published at Nashua, Iowa.

Approved April 15, 1941.

I hereby certify that the foregoing act was published in the New Hampton American, New Hampton, Iowa, April 22, 1941, and the Nashua Reporter, Nashua, Iowa, April 23, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 222

CITY POLICE AND FIREMEN INDEMNITY

H. F. 127

AN ACT requiring cities and towns, including those operating under special charter, maintaining police or fire departments, to defend, in the name and on behalf of, the members of such departments in actions brought against them because of any claims for bodily injuries, death, or property damage made against such members and resulting from their operation of motor or other vehicles while in the performance of their duties and to indemnify such members against liability, loss, or expense because of any such claim; also authorizing said cities and towns to compromise any such claims made against such members and in case of judgment to pay the same, and in its discretion to pay the premiums on liability insurance on such members.

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

1 SECTION 1. Every city or town, including those operating under
2 special charter, maintaining a police and/or fire department is hereby
3 required to defend, in the name and on behalf of, the members of the
4 police and/or fire departments in any suits brought against them to
5 enforce a claim for bodily injuries, death, or property damage arising
6 out of and resulting from their operation of motor or other vehicles
7 while in the performance of their duties, and to indemnify such mem-
8 bers against liability, loss, or expense by reason of such claim, and
9 such city or town is hereby authorized to compromise and settle any
10 such damage or suit, and to pay the amount of such settlement or
11 compromise or judgment rendered against such members on any such
12 claim without first requiring said members to pay the same.

1 SEC. 2. The maximum amount for which any city or town shall be
2 liable under this act for damages arising out of a single accident shall
3 be limited to one thousand dollars (\$1000.00) for property damage
4 and five thousand dollars (5000.00) for injury or death to one person
5 and ten thousand dollars (\$10,000.00) for injury or death to more
6 than one person.

1 SEC. 3. Said city or town, including those operating under special
2 charter, maintaining a police and/or fire department may, in its dis-
3 cretion, pay the premiums on liability insurance policies insuring
4 individuals or groups of members referred to in section one (1) of this
5 act.

1 SEC. 4. All provisions of this act shall apply to cities acting under
2 special charter as well as to cities under any other form of government.

1 SEC. 5. If any clause, sentence, section, paragraph or any part of
 2 this act shall for any reason be adjudged or decreed by any court of
 3 competent jurisdiction to be invalid or inoperative, such judgment or
 4 decree shall not affect, impair nor invalidate the remainder of this act
 5 but shall be confined in its operation to the clause, sentence, section,
 6 paragraph or part directly adjudged or decreed to be invalid and in-
 7 operative, and to this end the provisions of this act are decreed to be
 8 severable.

1 SEC. 6. All acts and/or parts of acts in conflict herewith are hereby
 2 repealed.

1 SEC. 7. This act is hereby declared to be enacted for the safety and
 2 for the welfare of the state as a whole and as a part of the reserved
 3 and/or police power of the state in the interest of public safety and the
 4 general welfare.

Approved April 22, 1941.

CHAPTER 223

PARK COMMISSIONERS IN CITIES UNDER COMMISSION FORM OF GOVERNMENT

S. F. 429

AN ACT to amend section sixty-five hundred seventy-eight and two-tenths (6578.2), Code, 1939, relating to the election of park commissioners.

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

1 SECTION 1. Section sixty-five hundred seventy-eight and two-tenths
 2 (6578.2), Code, 1939, is hereby amended by striking the word "shall"
 3 in line three (3) thereof and inserting in lieu thereof the word "may"
 4 and by striking the period following the word "state" in line nine (9)
 5 thereof and inserting a comma and adding after the comma the follow-
 6 ing: "provided that an ordinance is passed providing for the election of
 7 three (3) park commissioners in the manner prescribed in Section
 8 5787, Code, 1939."; and by inserting immediately following the word
 9 "commissioners" in line nine (9) thereof the following: ", if created
 10 in the manner herein prescribed,".

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 Marion
 3 Sentinel, a newspaper published in Marion, Iowa, and the Mount
 4 Vernon Hawkeye-Record and The Lisbon Herald, a newspaper pub-
 5 lished in Mount Vernon, Iowa.

Approved April 15, 1941.

I hereby certify that the foregoing act was published in the Marion Sentinel, Marion, Iowa, April 24, 1941, and the Mount Vernon Hawkeye-Record and The Lisbon Herald, Mount Vernon, Iowa, April 24, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 224

CITIES UNDER MANAGER PLAN

H. F. 173

AN ACT to amend section six thousand six hundred and thirty-three (6633), Code, 1939, to provide for compensation for councilmen in cities of thirty thousand (30,000) or more population, acting under the city manager plan.

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

1 SECTION 1. Section six thousand six hundred and thirty-three
2 (6633), code, 1939, is hereby amended by striking the period following
3 the word "compensation" in said section, and adding the following:
4 "; excepting in cities having a population by the last preceding state
5 or national census of thirty thousand (30,000) or more, the annual
6 compensation shall be prescribed by ordinance not to exceed three hun-
7 dred dollars (\$300.00) per annum for each member of the Council."

1 SEC. 2. All laws or parts of laws in conflict herewith to the extent
2 of said conflict are hereby repealed.

Approved April 21, 1941.

CHAPTER 225

SPECIAL CHARTER CITIES

S. F. 32

AN ACT to repeal section sixty-eight hundred ninety-six (6896), Code, 1939, relating to the period of collection of penalty or interest upon taxes and assessments in cities acting under special charter and to enact a substitute therefor relating to the period of collection of penalty or interest on general taxes of such cities which levy and collect their own taxes.

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

1 SECTION 1. Section sixty-eight hundred ninety-six (6896), Code,
2 1939, is hereby repealed and the following is enacted in lieu thereof:
3 "Cities which act under special charters and which levy and collect
4 their own taxes shall not collect any further penalty or interest on
5 general taxes remaining unpaid four years or more after September
6 30 of the year for which such general taxes are levied."

Approved March 10, 1941.

CHAPTER 226

COLLECTION OF TAXES IN CITIES UNDER SPECIAL CHARTER

S. F. 227

AN ACT to assure and expedite the collection of taxes, both county and city, and special assessments against real estate located in cities acting under special charter which collect their own taxes as well as the liquidation of tax claims against such real estate and for such ends: To prohibit, in certain circumstances and after a time fixed, the sale of real estate at tax sale by such cities; to prescribe the manner of liquidation of tax claims of both county and city after issuance of tax deed to the county; to grant further authority to such cities to purchase real estate at tax sale; to grant authority to such cities to purchase tax claims of the county as well as to pay taxes to the county; and to grant authority to such cities to compromise certain delinquent taxes and special assessments collectible by them and to ratify such compromises made in the past.

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

1 SECTION 1. Anything in sections six thousand nine hundred eleven
 2 (6911), six thousand nine hundred twenty-two (6922) or seven thou-
 3 sand two hundred fifty-five and two-tenths (7255.2), Code, 1939, or
 4 other provisions of law to the contrary notwithstanding, no property
 5 located in a city acting under special charter which collects its own
 6 taxes, shall, after sale of such property to the county for taxes, be
 7 offered or sold at any sale for taxes or special assessments collectible
 8 by any such city except in the following events: (1) In the event of
 9 redemption from sale to the county or transfer by the county of the
 10 certificate of purchase then sale may be made by the city as freely as
 11 if this act had never become law. (2) In the event that any special
 12 assessment or installment thereof levied by any such city, prior to the
 13 date this act shall take effect, shall be or become delinquent, then the
 14 property against which the same was levied may be sold therefor only
 15 at the first regular tax sale of such city occurring within such a period
 16 of time after delinquency that sale for such assessment or installment
 17 might lawfully be made at such first regular tax sale. (3) In the event
 18 of sale or conveyance of the property by the county after issuance of
 19 tax deed to it then sale may be made for general city taxes levied after
 20 such sale or conveyance by the county. (4) In the event of levy of any
 21 special assessment against the property after purchase thereof at tax
 22 sale by the county, then sale may be made for any such special assess-
 23 ment or installment thereof, then delinquent. The county auditor shall,
 24 promptly after the purchase of any real estate by the county at tax
 25 sale, certify to the city treasurer of any such city, a statement showing
 26 the tracts or parcels so purchased and the dates of purchase thereof
 27 respectively. In the event either of redemption from any such sale or
 28 transfer of the certificate of purchase, the county auditor shall prompt-
 29 ly certify to the city treasurer a statement showing such redemption or
 30 transfer. The city treasurer shall make appropriate entries in his tax
 31 books of the facts so certified by the county auditor as well as of the
 32 matters certified by such treasurer to said auditor under the provisions
 33 of section three (3) of this Act.

1 SEC. 2. In the event that there shall be issued to a county a tax deed
 2 for any real estate located in a special charter city which collects its
 3 own taxes, the county auditor of any such county shall promptly certify

4 to the city clerk of such city a statement showing each tract or parcel
5 of real estate conveyed by any such deed, the date of conveyance there-
6 of and the total amount which, immediately prior to the issuance of
7 such deed, would have been required to be paid to make redemption
8 from the sale to the county of each such tract or parcel as well as to
9 pay all subsequent taxes due the county thereon. If any special assess-
10 ment levied against any such parcel by any such city shall then remain
11 uncollected in whole or part such city shall, at any time during three
12 (3) months next ensuing such certification, have the exclusive option
13 to purchase from the county all its right, title, and interest in and to
14 any such tract by paying to the county auditor the amount so certified
15 in respect to such tract. Payment in any such case shall be made from
16 the Improvement Fund of such city which fund it is hereby authorized
17 to expend for the purposes stated. No general taxes shall be levied by
18 any such city against real estate conveyed to the county by tax deed
19 until the same shall have been sold or conveyed by the county.

1 SEC. 3. The City Treasurer shall, promptly after the certification to
2 him by the county auditor of the fact of issuance to the county of a tax
3 deed for any real estate, certify to such auditor a statement showing
4 all unpaid general taxes, with interest, penalties and costs to date, due
5 said city and levied against the tracts or parcels of real estate so con-
6 veyed by tax deed to the county and also showing whether or not there
7 are any unpaid special assessments against such respective tracts or
8 parcels. After such certification (and, in respect to the tracts or
9 parcels against which there shall so be shown to be any unpaid special
10 assessments, after expiration of the optional right of purchase thereof
11 by the City), the management and sale of any real estate acquired by
12 the county under any such tax deed, as well as distribution of proceeds
13 of sale and other incidents and proceedings consequential to the is-
14 suance of such deed, shall occur and be had in like manner and with
15 like effect as if the general taxes, penalties and costs so certified by
16 such city treasurer had originally been collectible by the county
17 treasurer for the account of the City as general taxes collectible with
18 other general taxes for the respective corresponding years.

1 SEC. 4. In the event that any general tax or special assessment
2 levied by any special charter city which collects its own taxes, or any
3 installment of any such assessment, shall remain unpaid for two (2)
4 years or more after any delinquency in payment thereof, then such
5 city may, at any regular sale for taxes thereafter, purchase any such
6 real estate for the full amount of the general taxes, with interest,
7 penalties and costs of advertising, for which the same shall be offered
8 and for such further amount, if any, as such city may elect, not to
9 exceed the amount of the special assessments or installments thereof,
10 with interest and penalties, for which the same may be offered. Pay-
11 ment to the extent of the amount of such general taxes, with interest,
12 penalties, and costs of advertising, shall be made, without any necessity
13 or pre-requisite of appropriation therefor, by charging the respective
14 funds to which such general taxes, interest, penalties and costs shall
15 be payable, in the amounts so payable, and, to the extent of any further
16 amount, shall be made from the Improvement Fund of said city, which
17 funds it is hereby authorized to expend for the purposes stated.

1 **SEC. 5.** No property which may be sold at tax sale to any such city
2 shall be offered at any sale for taxes or special assessments, collectible
3 by such city, while it holds the certificate of purchase thereof or tax
4 deed thereon except only as follows: In the event that any special
5 assessment or installment thereof levied by any such city prior to the
6 date this Act shall take effect, shall be or become delinquent after
7 purchase of such property at tax sale by the City, then the property
8 against which the same was levied may be sold therefor only at the
9 first regular tax sale of such city occurring within such a period of
10 time after delinquency that sale for such assessment or installment
11 might lawfully be made at such first regular tax sale. Nothing in this
12 Act contained shall prevent the sale of property for any unpaid taxes
13 collectible by the county.

1 **SEC. 6.** Any such city, holding a certificate of purchase at tax sale,
2 may, at its option, pay any unpaid taxes due the county and purchase
3 from the county any tax sale certificate held by the county on the same
4 real estate, making payment in the event of such purchase of the
5 amount which would then be required to redeem from sale to the
6 county or any lesser amount which the county may be lawfully enabled
7 to accept. All amounts so paid shall be entered in the tax sale records
8 of such city and added to the amount required to redeem from sale.
9 All amounts so paid shall be payable out of the General Fund.

1 **SEC. 7.** The City Clerk shall act on behalf of the city under general
2 or specific resolutions of its City Council in making the purchases at
3 tax sale hereby authorized.

1 **SEC. 8.** After nine (9) months from the date of such purchase at
2 tax sale by the city and as soon as permitted by law with respect to
3 any tax sale certificate held by such city, the City Clerk shall, on be-
4 half of the city, cause notice to be served of the expiration of the right
5 of redemption from such sale on persons of the same description and
6 in like manner as in general provided by law with respect to tax sales
7 by such city and, on expiration of ninety (90) days from completed
8 service of such notice, tax deed shall be issued in like manner and with
9 like effect as provided by law with respect to such other sales.

1 **SEC. 9.** For the purpose of collecting and realizing on account of
2 delinquent taxes and special assessments collectible by it as fully and
3 expeditiously as deemed possible in the judgment of its City Council
4 any such city is hereby authorized to settle, compromise and adjust
5 any general tax, then having been delinquent for a period of two (2)
6 years or more and any special assessment then having been delinquent
7 in whole or as to any installment thereof for a period of two (2) years
8 or more, and, in connection with any such settlement, compromise or
9 adjustment, to accept a conveyance of real property and extend the
10 time for payment of any installment of any special assessment. If any
11 special assessment shall be reduced in amount in connection with any
12 such settlement, compromise or adjustment, the full amount of the
13 reduction shall thereby become an obligation of such city to the special
14 assessment fund into which such assessment was payable. The lien
15 or charge created by law for the payment of any special assessment

16 certificates or bonds against any special assessment so reduced in
 17 amount or against the proceeds thereof shall remain in effect against
 18 the balance of such special assessment and the proceeds of such balance.
 19 All such settlements, compromises and adjustments heretofore effected
 20 are hereby ratified and validated.

1 SEC. 10. All general city taxes and special assessments which, under
 2 the provisions of this Act, shall not be collectible by sale or shall be
 3 collectible by sale only in events or in a manner hereby prescribed shall
 4 respectively be deemed barred or barred as to collection thereof in any
 5 other event or any other manner than so prescribed.

1 SEC. 11. This Act, being deemed of immediate importance, shall be
 2 in force and effect from and after its passage and publication in The
 3 Daily Times and the Davenport Democrat and Leader, newspapers
 4 printed and published in the City of Davenport, Iowa, such publication
 5 to be without expense to the State.

Approved April 5, 1941.

I hereby certify that the foregoing act was published in the The Daily Times, Davenport, Iowa, April 19, 1941, and the Davenport Democrat and Leader, Davenport, Iowa, April 21, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 227

DEPARTMENT OF PUBLICITY, DEVELOPMENT AND GENERAL WELFARE IN SPECIAL CHARTER CITIES

S. F. 91

AN ACT to amend chapter three hundred twenty-nine (329), Code, 1939, by adding a new section thereto, making chapter two hundred eighty-eight (288), relating to the department of publicity, development, and general welfare of cities and towns, applicable to cities acting under special charter.

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

1 SECTION 1. Chapter three hundred twenty-nine (329), Code, 1939,
 2 is hereby amended by adding the following:
 3 "The provisions of chapter two hundred eighty-eight (288), Code,
 4 1939, shall apply to cities under special charters."

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 Wilton Advocate, a newspaper published at Wilton, Iowa, and West
 4 Liberty Index, a newspaper published at West Liberty, Iowa.

Approved February 13, 1941.

I hereby certify that the foregoing act was published in the Wilton Advocate, Wilton, Iowa, February 20, 1941, and the West Liberty Index, West Liberty, Iowa, February 20, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 228

OATHS BY COUNTY TREASURERS

S. F. 187

AN ACT to amend section six thousand nine hundred forty-three and thirty thousandths (6943.030), Code, 1939, to authorize the administration of oaths by county treasurers, deputy county treasurers and each automobile clerk of county treasurers' offices when authorized and required by the State Tax Commission; to provide for the signature to the jurat thereof and to provide for affixing the seal of the county treasurer thereon.

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

1 SECTION 1. Section six thousand nine hundred forty-three and
2 thirty thousandths (6943.030) Code, 1939, is hereby amended by add-
3 ing thereto the following paragraph:

4 "Each county treasurer, each deputy treasurer, and each automobile
5 clerk of each county treasurer's office shall have the power to adminis-
6 ter all oaths authorized and required by the Commission in connection
7 with the issuance in this state of an original certificate of registration
8 for motor vehicles and trailers and concerning the collection of, or ex-
9 emption from, use tax thereon. The personal signature of the person
10 administering such an oath shall be subscribed to the jurat thereof and
11 the seal of the county treasurer shall be affixed thereto."

Approved April 10, 1941.

CHAPTER 229

INCOME TAX

S. F. 44

AN ACT to amend chapter three hundred twenty-nine and three tenths (329.3), Code, 1939, relating to personal net income tax, and allowing to the taxpayer an election to include loans from the Commodity Credit Corporation as gross income, and providing that the method of computing income adopted by the taxpayer shall be continued in subsequent years.

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

1 SECTION 1. Chapter three hundred twenty-nine and three tenths
2 (329.3), Code, 1939, is hereby amended by adding to section six thou-
3 sand nine hundred forty-three and forty thousandths (6943.040), the
4 following subsections:

5 "Commodity credit loans. 1. Amounts received as loans from the
6 Commodity Credit Corporation shall, at the election of the taxpayer,
7 be considered as income and shall be included in gross income for the
8 taxable year in which received.

9 2. If a taxpayer exercises the election provided for in subsection
10 one (1) for any taxable year beginning after December 31, 1937, then
11 the method of computing income so adopted shall be adhered to with
12 respect to all subsequent taxable years unless with the approval of
13 the commission a change to a different method is authorized."

14 3. The provisions of subsections one (1) and two (2) of this act
15 shall be applicable to taxable years beginning after December 31, 1939.

16 4. The provisions of subsection one (1) of this act shall be retroac-
17 tively applied in computing income for any taxable year subject to the
18 provisions of the income tax act, chapter three hundred twenty-nine
19 and three tenths (329.3), Code, 1939, if

20 (a) The taxpayer elects in writing, in accordance with regulations
21 prescribed by the commission, within one (1) year from the date of
22 the enactment of this act, to treat such loans as income for such year,
23 and

24 (b) The records of the taxpayer are sufficient to permit an accurate
25 computation of income for such year, and

26 (c) The taxpayer consents in writing to the assessment, within
27 such period as may be agreed upon, of any deficiency for such year,
28 even though the statutory period for the assessment of any such defi-
29 ciency had expired prior to the filing of such consent. Any tax
30 overpaid for any such year shall be credited or refunded, subject to
31 the statutory period of limitation properly applicable thereto.

32 5. In computing income for any taxable year subject to the pro-
33 visions of the Iowa Income Act as amended, the basis for determining
34 gain or loss from the sale or other disposition of any property, pledged
35 to the Commodity Credit Corporation as security on a loan obtained
36 therefrom, shall be adjusted for the amount of such loan to the extent
37 it was considered as income and included in gross income for the year
38 in which received, and for the amount of any deficiency on such loan
39 with respect to which the taxpayer was relieved from liability.

40 6. If a taxpayer exercises the election provided for in subsection
41 one (1) of Section one (1) of this act he may file with the State Tax
42 Commission a return or an amended return for any year prior to 1940
43 to secure the benefits of subsection one (1) of Section one (1) of this
44 act and the penalties provided in Section Six thousand nine hundred
45 forty-three and fifty-seven thousandths (6943.057), Code, 1939, shall
46 not be imposed if such return or amended return is filed within ninety
47 (90) days after this act becomes effective.

48 7. If a taxpayer exercises the election provided for in subsection one
49 (1) of section one (1) of this act and treats the loan as gross income,
50 he shall not be permitted to also treat it as a debt for purposes of
51 deduction from his moneys and credits tax.

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 Spencer
3 Times, a newspaper published at Spencer, and the Emmetsburg Demo-
4 crat, a newspaper published at Emmetsburg, Iowa.

Approved February 17, 1941.

I hereby certify that the foregoing act was published in the Spencer Times, Spencer,
Iowa, February 20, 1941, and the Emmetsburg Democrat, Emmetsburg, Iowa, February
21, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 230

INCOME TAX

S. F. 411

AN ACT to amend subsection two (2) of section six thousand nine hundred forty-three and forty thousandths (6943.040), Code, 1939, by adding thereto a paragraph relating to the exemption of profits made in a foreign state.

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

1 SECTION 1. Subsection two (2) of section six thousand nine hundred
2 dred forty-three and forty-thousandths (6943.040), Code, 1939, is here-
3 by amended by adding the following paragraph:
4 "g. Profit made from the operation of a business in a state other
5 than Iowa when a state income tax has been or will be paid on said
6 profit in said other state, and when such other state allows a similar
7 exemption with regard to profits made from the operation of a busi-
8 ness outside that state. Operation of a business as used in this section
9 shall not include salaries, commissions, fees or other remuneration for
10 personal or professional services."

Approved April 15, 1941.

CHAPTER 231

INCOME TAX EXEMPTION FOR DEPENDENT

S. F. 217

AN ACT to amend section six thousand nine hundred forty-three and forty-four thousandths (6943.044), Code, 1939, relating to personal exemption from income tax.

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

1 SECTION 1. Section six thousand nine hundred forty-three and
2 forty-four thousandths (6943.044), Code, 1939, is hereby amended by
3 striking lines one (1), two (2), and three (3) of subsection four (4)
4 and substituting therefor the following:
5 "4. For each actual dependent other than as specified in subsection
6 3 of this section, the taxpayer may deduct the sum of five dollars; or
7 in lieu thereof in the case of a father, mother or grandparent dependent
8 upon the taxpayer, the taxpayer in computing the net income may
9 make deduction therefrom of three hundred dollars for such de-
10 pendent."

Approved April 9, 1941.

CHAPTER 232

INCOME TAX

S. F. 349

AN ACT to amend section six thousand nine hundred forty-three and forty-eight thousandths (6943.048), Code, 1939, relating to withholding agents and non-residents.

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

- 1 SECTION 1. Section six thousand nine hundred forty-three and
- 2 forty-eight thousandths (6943.048) is hereby amended by striking the
- 3 period following the word "year" in line seven (7) adding a comma
- 4 (,) and insert the following "provided however that on incomes
- 5 derived entirely from salaries not exceeding Four Thousand Dollars
- 6 (\$4,000.00), the amount withheld shall be two (2) per cent."

Approved March 24, 1941.

CHAPTER 233

LIABILITY OF ESTATES FOR INCOME TAX

S. F. 75

AN ACT to amend section six thousand nine hundred forty-three and fifty-five thousandths (6943.055), Code, 1939, relating to the making of income tax returns by administrators or executors, and providing for the district court to enter orders with reference to liability of estates for income tax and providing for limitation of claims made in estates where no income tax returns were filed.

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

- 1 SECTION 1. Section six thousand nine hundred forty-three and fifty-
- 2 five thousandths (6943.055), Code, 1939, is hereby amended by adding
- 3 thereto the following sentence: "In the making of said return, the
- 4 executor or administrator shall use the same method of computation,
- 5 either cash or accrual, as was last used by the deceased taxpayer."

- 1 SEC. 2. The judge of the district court in which the estate of the
- 2 decedent is probated may, upon application being filed by the executor
- 3 or administrator setting forth the income received by said estate, fix a
- 4 time and place for hearing upon said application and prescribe the
- 5 notice to be given to the state tax commission and may upon hearing
- 6 determine whether or not the said estate is subject to income tax and,
- 7 if the facts warrant such a finding, enter an order relieving said
- 8 executor or administrator from making an income tax report and order
- 9 that the said estate is not subject to the payment of income tax. Such
- 10 order shall not become final until thirty days after the same has been
- 11 filed with the clerk of the district court and a copy of the order entered
- 12 by the judge shall be immediately mailed to the state tax commission
- 13 by said executor or administrator by registered mail and a return filed
- 14 showing the mailing of the same.

- 1 SEC. 3. In all estates of decedents in which the executor or admin-
- 2 istrator has failed to file an income tax return and where the estate has

3 been closed prior to January 1, 1940, it shall be presumed that no in-
4 come tax is owing to the state of Iowa from said estate and said pre-
5 sumption shall be conclusive after the first day of January, 1942.

1 SEC. 4. This act being deemed of immediate importance, shall be in
2 full force and effect from and after its publication in the Red Oak Sun
3 of Red Oak, Iowa, and the Malvern Leader, of Malvern, Iowa.

Approved April 16, 1941.

I hereby certify that the foregoing act was published in the Red Oak Sun, Red Oak,
Iowa, April 24, 1941, and the Malvern Leader, Malvern, Iowa, April 24, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 234

STATE TAX COMMISSION

H. F. 238

AN ACT to amend section six thousand nine hundred forty-three and ninety-two
thousandths (6943.092), Code, 1939, to authorize the State Tax Commission to
destroy all useless records and reports and other papers filed by taxpayers after
certain periods of time after the filing of such records with the commission.

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

1 SECTION 1. Section six thousand nine hundred forty-three and
2 ninety-two thousandths (6943.092), Code, 1939, is hereby amended
3 by adding thereto the following paragraph:

4 "3. The Commission shall have the power to destroy any and all
5 useless records and all returns, reports and communications of any
6 taxpayer filed with or kept by the commission after such returns,
7 records, reports or communications shall have been in the custody of
8 the commission for a period of not less than five (5) years, provided,
9 however, after the accounts of any person shall have been examined by
10 the commission and the amount of tax and penalty due shall have been
11 finally determined, then the commission may, in its discretion, order
12 the destruction of any records previously filed by such taxpayer,
13 notwithstanding the fact that such records shall have been in the
14 custody of the commission for a period less than five (5) years. Such
15 records and documents shall be destroyed in such manner as shall be
16 prescribed by the commission."

Approved March 24, 1941.

CHAPTER 235

EXAMINATION OF BOOKS BY STATE TAX COMMISSION

H. F. 223

AN ACT to amend section six thousand nine hundred forty-three and ninety-four
thousandths (6943.094), Code, 1939, to provide a limitation of the time in which the
State Tax Commission shall have power to examine the books, papers, records or
memoranda of any taxpayer.

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

1 SECTION 1. Section six thousand nine hundred forty-three and
2 ninety-four thousandths (6943.094), code, 1939, is hereby amended
3 by striking the semicolon (;) after the word "memoranda" in line
4 seven (7) thereof and inserting therein the following:
5 " , such an examination not to include any transaction completed
6 five (5) years or more prior to such an examination, provided, how-
7 ever, that the commission may, by rules, provide for a limitation of time
8 of any number of years less than five (5) ;".

Approved March 31, 1941.

CHAPTER 236

STATE TAX COMMISSION

H. F. 224

AN ACT to amend section six thousand nine hundred forty-three and ninety-seven thousandths (6943.097) providing for a limitation of time during which claims for refund may be allowed by the State Tax Commission.

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

1 SECTION 1. Section six thousand nine hundred forty-three and
2 ninety-seven thousandths (6943.097), code, 1939, is hereby amended
3 by adding thereto the following sentence:
4 "No claim for refund that has not been filed with the commission
5 within five (5) years after the tax payment upon which a refund is
6 claimed became due, or one year after such tax payment was made,
7 whichever time is the later, shall be allowed by the commission."

Approved March 31, 1941.

CHAPTER 237

OLD AGE ASSISTANCE

S. F. 202

AN ACT to amend section sixty-nine hundred forty-three and one hundred thousandths (6943.100), Code, 1939, relative to allocation of revenue for old age assistance.

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

1 SECTION 1. Amend section sixty-nine hundred forty-three and one
2 hundred thousandths (6943.100), Code, 1939, by striking from line
3 seven the words, "the first seven million" and inserting in lieu thereof
4 the following: "eight million five hundred thousand".

Approved March 1, 1941.

CHAPTER 238
CHAIN STORE TAX

S. F. 236

AN ACT to amend section six thousand nine hundred and forty-three and one hundred forty-one thousandths (6943.141) of the Code, 1939, relating to the applicability of the provisions of the chain store tax as expressed in chapter three hundred twenty-nine and six tenths (329.6)* of said Code.

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

1 SECTION 1. That section six thousand nine hundred and forty-three
2 and one hundred forty-one thousandths (6943.141) of the Code, 1939,
3 is amended as follows:
4 Strike from line six (6) thereof the word "six", and insert in lieu
5 thereof the word "eight".

Approved April 3, 1941.

CHAPTER 239
HOMESTEAD TAX CREDIT FOR THOSE IN MILITARY SERVICE

S. F. 248

AN ACT to amend sections six thousand nine hundred forty-three and one hundred forty-three thousandths (6943.143) and six thousand nine hundred forty-three and one hundred fifty-two thousandths (6943.152), Code, 1939, relating to rights and privileges granted to persons called, ordered, entering, or inducted into the military or naval forces or nurse corps of this state or the United States.

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

1 SECTION 1. Section six thousand nine hundred forty-three and one
2 hundred forty-three thousandths (6943.143), Code, 1939, is amended
3 by adding thereto the following: "In case the owner of the homestead
4 is in active service in the military, naval, or air forces or nurse corps
5 of this state or of the United States, such statement and designation
6 may be delivered or filed by any member of the owner's family."

1 SEC. 2. Section six thousand nine hundred forty-three and one
2 hundred fifty-two thousandths (6943.152), Code, 1939, is amended by
3 adding to paragraph a of subsection one (1) the following: ", provided
4 further, that when any person is inducted into active service under
5 the Selective Training and Service Act of the United States of 1940
6 or whose voluntary entry into active service results in a credit on the
7 quota of persons required for service under the Selective Training and
8 Service Act, or who, being a member of any component part of the
9 military, naval, or air forces or nurse corps of this state or nation, is
10 called or ordered into active service, such person shall be considered
11 as occupying or living on the homestead during such service, provided
12 he was entitled to a homestead tax credit for the year immediately
13 preceding such service."

Approved April 10, 1941.

* Note: In accordance with the enrolled bill.

CHAPTER 240

HOMESTEAD TAX CREDIT

H. F. 351

TO AMEND section six thousand nine hundred forty-three and one hundred forty-three thousandths (6943.143), six thousand nine hundred forty-three and one hundred forty-four thousandths (6943.144), six thousand nine hundred forty-three and one hundred forty-five thousandths (6943.145) and six thousand nine hundred forty-three and one hundred fifty-two thousandths (6943.152) Code, 1939, relating to homestead exemption.

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

1 SECTION 1. Amend section six thousand nine hundred forty-three
2 and one hundred forty-three thousandths (6943.143), Code, 1939, by
3 striking the word "June" in line fourteen (14), and inserting in lieu
4 thereof the word "July".

1 SEC. 2. Amend section six thousand nine hundred forty-three and
2 one hundred forty-four thousandths (6943.144), Code, 1939, by strik-
3 ing all of said section after the word "disallowance" as it appears in
4 lines six (6) and seven (7) of said section and inserting in lieu thereof
5 the following: "notice thereof shall be sent by registered mail to claim-
6 ant at his last known address."

1 SEC. 3. Amend section six thousand nine hundred forty-three and
2 one hundred forty-five thousandths (6943.145), Code, 1939, by striking
3 the word "July" in line three (3) and inserting in lieu thereof the
4 word "August".

1 SEC. 4. Amend section six thousand nine hundred forty-three and
2 one hundred fifty-two thousandths (6943.152), Code, 1939, by striking
3 all of paragraph "a" and substituting in lieu thereof the following:
4 "a. The homestead must embrace the dwelling house in which the
5 owner is living at the time of filing the application and said applica-
6 tion must contain an affidavit of his intention to occupy said dwelling
7 house, in good faith, as a home for six months or more in the year for
8 which the credit is claimed."

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 New Hampton American, a newspaper published at New Hamp-
4 ton, Iowa, and the Fredericksburg News, a newspaper published at
5 Fredericksburg, Iowa.

Approved May 5, 1941.

I hereby certify that the foregoing act was published in the New Hampton American, New Hampton, Iowa, May 13, 1941, and the Fredericksburg News, Fredericksburg, Iowa, May 15, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 241

TAX EXEMPTION OF WIDOWED MOTHER OF DECEASED VETERAN

S. F. 17

AN ACT to amend section six thousand nine hundred forty-six (6946), Code, 1939, relating to tax exemptions for military service of a widowed mother of a deceased soldier, sailor, or marine.

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

1 SECTION 1. Section six thousand nine hundred forty-six (6946),
2 Code, 1939, is hereby amended by striking the period at the end of
3 paragraph five (5) and inserting in lieu thereof a semicolon and by
4 adding the following:

5 "And the property, to the same extent of the widowed mother, re-
6 maining unmarried, of any such deceased soldier, sailor, or marine,
7 where the said widowed mother would be dependent for support upon
8 any such soldier, sailor, or marine if he were living, and neither the
9 unmarried widow nor the minor child or children of any such deceased
10 soldier, sailor, or marine, has received the benefits above provided."

Approved April 3, 1941.

CHAPTER 242

TAX EXEMPTIONS FOR MILITARY SERVICE

S. F. 333

AN ACT to amend, revise and codify section five thousand one hundred seventy-three (5173), section six thousand nine hundred forty-seven (6947), section six thousand nine hundred forty-eight (6948), and section six thousand nine hundred forty-nine (6949), all of Code, 1939, and all relating to tax exemptions for military service and providing for the recording of military discharges.

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

1 SECTION 1. Section five thousand one hundred seventy-three
2 (5173), Code, 1939, is hereby amended, revised and codified to read
3 as follows:

4 "The county recorder of each county in this state shall maintain in
5 his office a special book in which he shall, upon request, record the final
6 discharge or service certificate of any person who served in the armed
7 forces of the United States and any officer or enlisted man of the Iowa
8 National Guard. No recording fee shall be collected when the person
9 requesting such record shall be an actual resident of said county, or
10 shall have been such at the time of his entrance into the service of the
11 United States or of the Iowa National Guard. In all other cases, the
12 legal fee shall be charged."

1 SEC. 2. Section six thousand nine hundred forty-seven (6947),
2 Code, 1939, is hereby amended, revised and codified to read as follows:

3 "Any person named in section six thousand nine hundred forty-six
4 (6946), provided he is a resident of and domiciled in the state of Iowa,
5 shall receive a reduction equal to his exemption, to be made from any

6 property owned by such person and designated by him by proceeding
7 as hereafter provided. In order to be eligible to receive said exemption
8 or reduction the person claiming same shall have had recorded in the
9 office of the county recorder of the county in which he shall claim
10 exemption or reduction, the military honorable discharge of the person
11 claiming or through whom is claimed said exemption; in the event said
12 honorable discharge is lost he may record in lieu of said discharge, a
13 certified copy of said discharge. Said person shall file with the county
14 auditor his claim for exemption or reduction in taxes under oath, which
15 claim shall set out the fact that he is a resident of and domiciled in the
16 state of Iowa, and a person within the terms of section six thousand
17 nine hundred forty-six (6946), and give the volume and page on which
18 the honorable discharge or certified copy thereof is recorded in the
19 office of the county recorder, and may include the designation of the
20 property from which he desires said exemption or reduction to be made,
21 and shall further state that he is the equitable and legal owner of the
22 property designated therein. No person may claim a reduction or
23 exemption in more than one county of the state of Iowa, and if no
24 designation is made the exemption shall apply to the homestead, if any."

1 SEC. 3. Section six thousand nine hundred forty-eight (6948), Code,
2 1939, is amended, revised and codified to read as follows:

3 "Said claim for exemption, if filed on or before June 1 of any year
4 and allowed by the board of supervisors, shall be effective to secure an
5 exemption for the year in which such exemption is filed, and when a
6 claim has once been made and allowed, it shall be effective thereafter
7 during the period of ownership of the property designated or of the
8 homestead, as the case may be, or until the death of all persons named
9 in section six thousand nine hundred forty-six (6946) who remain
10 equitable and legal owners of said property."

1 SEC. 4. Section six thousand nine hundred forty-nine (6949), Code,
2 1939, is amended, revised and codified to read as follows:

3 "Any person making a false affidavit for the purpose of obtaining
4 the exemption provided for in the last three preceding sections, or who
5 knowingly receives such exemption without being legally entitled there-
6 to, or who makes claim for exemption in more than one county in the
7 state shall be guilty of a misdemeanor and upon conviction thereof
8 fined not more than \$100.00 or imprisoned in the county jail for not
9 more than 30 days or be both fined and imprisoned."

Approved April 5, 1941.

CHAPTER 243

REPORTS OF UTILITIES LISTING PROPERTY

S. F. 240

AN ACT to amend sections sixty-nine hundred eighty-two and one-tenth (6982.1) and sixty-nine hundred eighty-two and two-tenths (6982.2), Code, 1939, relating to annual reports to be filed with the State Tax Commission of property owned by individuals, co-partnerships, corporations or associations operating water works, gas works, pipe lines, electric light or power plants, electric railways and elevated street railways, and relating to the valuation and assessment of such property.

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

1 SECTION 1. Section sixty-nine hundred eighty-two and one-tenth
2 (6982.1), Code, 1939, is hereby amended by striking from line seven
3 (7) thereof, the following: "15th day of January" and by inserting in
4 lieu thereof the following: "1st day of May".

1 SEC. 2. Section sixty-nine hundred eighty-two and two-tenths
2 (6982.2), Code, 1939, is hereby amended by inserting after the word
3 "shall" in line two (2) thereof the following: "at its meeting on the
4 second Monday of July of each year proceed to", and said section
5 6982.2 is further amended by striking the following: "15th day of
6 February" where it appears in said section and by inserting in lieu
7 thereof the following: "third Monday in August".

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 Union-
3 Republican, a newspaper published in Albia, Iowa, and the Knoxville
4 Journal, a newspaper published in Knoxville, Iowa.

Approved March 28, 1941.

I hereby certify that the foregoing act was published in the Union Republican, Albia, Iowa, April 3, 1941, and the Knoxville Journal, Knoxville, Iowa, April 3, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 244

INSURANCE COMPANIES

S. F. 388

AN ACT to amend sections seven thousand twenty-one (7021), seven thousand twenty-two (7022), and seven thousand twenty-five (7025), Code, 1939, relating to the furnishing to state tax commission by insurance companies duplicate statements and the computation and collection of taxes by the state tax commission.

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

1 SECTION 1. Amend section seven thousand twenty-one (7021),
2 Code, 1939, by striking from lines eleven (11), twelve (12), thirteen
3 (13), fourteen (14) and fifteen (15) the words "make such statements
4 in duplicate and furnish one copy thereof to the state tax commission
5 and upon computation and tax statement from the state tax commis-
6 sion,".

1 SEC. 2. Amend section seven thousand twenty-two (7022), Code,

2 1939, by striking from lines eight (8), nine (9), ten (10), and eleven
3 (11) the words "make such tax statements in duplicate and furnish
4 one copy thereof to the state tax commission and upon computation and
5 tax statement from the state tax commission,".

1 SEC. 3. Amend section seven thousand twenty-five (7025), Code,
2 1939, by striking from lines eight (8), nine (9), ten (10), eleven (11)
3 and twelve (12) the words "make a statement to the state tax com-
4 mission of its gross receipts with deductions as hereinafter in this
5 section provided, and upon computation and tax statement from the
6 state tax commission,".

Approved April 23, 1941.

CHAPTER 245

FOREIGN INSURANCE COMPANIES

S. F. 100

AN ACT to amend section seven thousand twenty-two (7022), Code, 1939, relating to the tax on gross premiums of foreign insurance companies.

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

1 SECTION 1. Section seven thousand twenty-two (7022), Code, 1939,
2 is amended by striking from lines three (3), four (4), and five (5) the
3 words "associations operating under the provisions of chapter 400,
4 or".

1 SEC. 2. This act being deemed of immediate importance, shall be in
2 full force and effect upon publication in the Plain Talk, a newspaper
3 published in the city of Des Moines, Iowa, and in the Cascade Pioneer,
4 a newspaper published at Cascade, Iowa.

Approved April 23, 1941.

I hereby certify that the foregoing act was published in the Plain Talk, Des Moines, Iowa, May 1, 1941, and the Cascade Pioneer, Cascade, Iowa, May 1, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 246

TAXATION OF INSURANCE COMPANIES

S. F. 137

AN ACT to amend section seven thousand twenty-six (7026), Code, 1939, relating to taxation of insurance companies.

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

1 SECTION 1. Section seven thousand twenty-six (7026), Code, 1939,
2 is hereby amended by striking from the last line of said section the
3 words "auditor of state" and inserting in lieu thereof the following:
4 "commissioner of insurance".

Approved April 16, 1941.

CHAPTER 247

FREIGHT LINE AND EQUIPMENT COMPANIES TAX

H. F. 538

AN ACT to amend chapter three hundred thirty-eight (338), Code, 1939, by adding thereto a new section providing that receipts from the tax imposed by said chapter shall be credited to the general fund of the State of Iowa.

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

- 1 SECTION 1. Chapter three hundred thirty-eight (338), Code, 1939,
- 2 is hereby amended by adding thereto the following section:
- 3 "All revenues arising from the tax imposed under this chapter shall
- 4 be credited to the general fund of the state of Iowa."

Approved April 21, 1941.

CHAPTER 248

RURAL ELECTRIFICATION COOPERATIVES EXEMPT FROM TAXATION

S. F. 79

AN ACT to exempt from taxation, as provided for in chapter 340, Code, 1939, cooperative corporations and associations not operated for profit and engaged in furnishing electric energy to farms and farm establishments, rural churches, rural schools and rural business establishments, and the value of the interests of members in such cooperative corporation or association, for the years 1941 and 1942, and providing for the method of taxation thereafter.

WHEREAS, Rural Electrification is a progressive step for the extension of modern facilities to the farm areas; and,

WHEREAS, it is the purpose and desire of the legislature to aid in the development thereof in all reasonable and practical ways and to encourage the establishment and extension of such service; and

WHEREAS, the item of taxation may be a determining factor in the success or failure of the program in the beginning; therefore

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

- 1 SECTION 1. All cooperative corporations and associations organized
- 2 and existing or hereafter organized and established not for profit under
- 3 the laws of Iowa or similar laws of other states and engaged solely in
- 4 the furnishing of electric energy to farms, farm establishments and
- 5 rural churches, rural schools, rural business establishments and un-
- 6 incorporated villages where high line service is not otherwise available
- 7 in Iowa and the value of the interests of members in such cooperative
- 8 corporation or association shall be exempt from the taxation provided
- 9 for in Chapter 340 of the Code of 1939, for the calendar years 1941
- 10 and 1942.

- 1 SEC. 2. From and after January 1, 1943, such corporations shall be
- 2 taxed as provided in Chapter 340 of the Code of 1939.

Approved April 3, 1941.

CHAPTER 249

ASSESSMENT OF PROPERTY AT SIXTY PER CENT OF ACTUAL VALUE

S. F. 165

AN ACT to amend sections four thousand four hundred three (4403), five thousand two hundred sixty-seven (5267), six thousand eight hundred sixty-five (6865), six thousand nine hundred forty-three and one hundred fifty-two thousandths (6943.152), six thousand nine hundred forty-four (6944), six thousand nine hundred forty-six (6946), six thousand nine hundred seventy-two (6972), six thousand nine hundred seventy-six (6976), six thousand nine hundred eighty-two and two tenths (6982.2), seven thousand sixty (7060), seven thousand seventy-five (7075), seven thousand one hundred one (7101), seven thousand one hundred three and thirteen hundredths (7103.13), seven thousand one hundred nine (7109), seven thousand one hundred fifteen (7115), seven thousand one hundred twenty-one (7121), seven thousand one hundred twenty-nine (7129), seven thousand one hundred twenty-nine and one-tenth (7129.1), seven thousand one hundred thirty-nine (7139), seven thousand one hundred forty-eight (7148), seven thousand one hundred eighty-two (7182), and seven thousand one hundred eighty-three and three tenths (7183.3), Code, 1939, relating to assessment of property for taxation and providing for the assessment of property at sixty per cent of actual value.

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

1 SECTION 1. That section four thousand four hundred three (4403),
2 Code, 1939, be amended by striking from line fourteen (14) the word
3 "actual" and substituting in lieu thereof the word "assessed".

1 SEC. 2. That section five thousand two hundred sixty-seven (5267),
2 Code, 1939, be amended by inserting in line three (3) after the word
3 "county" the word "taxable".

1 SEC. 3. That section six thousand eight hundred sixty-five (6865),
2 Code, 1939, be amended by striking from lines eleven (11) and sixteen
3 (16) the word "twenty-five" and substituting in lieu thereof the word
4 "sixty" in each of said lines.

1 SEC. 4. That section six thousand nine hundred forty-three and
2 one hundred fifty-two thousandths (6943.152), Code, 1939, be amended
3 by inserting in subsection three (3), line two (2) the word "taxable"
4 immediately preceding the word "valuation"; and by inserting in line
5 three (3) after the word "review" the words "under the provisions of
6 section 7109,".

1 SEC. 5. That section six thousand nine hundred forty-four (6944),
2 Code, 1939, be amended by striking from subsection fifteen (15) line
3 two (2) the word "actual" and substituting in lieu thereof the word
4 "taxable"; and by striking from subsection sixteen (16) line two (2)
5 the word "actual" and substituting in lieu thereof the word "taxable";
6 and by striking from subsection seventeen (17) line seven (7) the
7 word "actual" and substituting in lieu thereof the word "taxable".

1 SEC. 6. That section six thousand nine hundred forty-six (6946),
2 Code, 1939, be amended by striking from subsection one (1) line two
3 (2) the word "actual" and substituting in lieu thereof the word "tax-
4 able"; and by striking from subsection two (2) line two (2) the word
5 "actual" and substituting in lieu thereof the word "taxable"; and by
6 striking from subsection three (3) line two (2) the word "actual"
7 and substituting in lieu thereof the word "taxable".

1 SEC. 7. That section six thousand nine hundred seventy-two
2 (6972), Code, 1939, be amended by inserting in line ten (10) after the
3 word "at" the words "the same ratio of"; and by inserting in line twelve
4 (12) after the word "assessment" the words and figures "as is pro-
5 vided by section 7109,"; and by inserting in line thirteen (13) after
6 the word "then" the words "at a like ratio of"; and by inserting in line
7 sixteen (16) after the word "then" the words "at the same ratio of".

1 SEC. 8. That section six thousand nine hundred seventy-six (6976),
2 Code, 1939, be amended by inserting in line three (3) after the word
3 "at" the words and figures "the same ratio as provided in section
4 7109 of".

1 SEC. 9. That section six thousand nine hundred eighty-two and
2 two-tenth* (6982.2), Code, 1939, be amended by striking from lines
3 four (4), five (5), six (6), and seven (7) the words "the valuation of
4 all property of said individual, co-partnership, corporation, or associa-
5 tion for the purposes of taxation, and shall" and by substituting in lieu
6 thereof the following: "the actual value of all property, subject to its
7 jurisdiction, of said individual, co-partnership, corporation, or associa-
8 tion, and shall make assessments upon the taxable value thereof, and
9 the taxable value shall be determined by taking 60% of the actual
10 value so ascertained. The State Tax Commission shall".

1 SEC. 10. That section seven thousand sixty (7060), Code, 1939,
2 be amended by inserting in line five (5) after the comma (,), the
3 words "and the taxable value shall be determined by taking 60% of
4 the actual value so ascertained".

1 SEC. 11. That section seven thousand seventy-five (7075), Code,
2 1939, be amended by striking from line twenty-four (24) the word
3 "one-fourth" and substituting in lieu thereof the words "sixty per
4 cent".

1 SEC. 12. That section seven thousand one hundred one (7101),
2 Code, 1939, be amended by striking from lines eight (8) and nine (9)
3 the word and figures "6979 and 6980" and inserting in lieu thereof
4 the word and figures "6979, 6980 and 6982.2"; and by striking from
5 line twenty-two (22) the word and figures "6981 and 6982", and in-
6 serting in lieu thereof the word and figures "6981, 6982 and 6982.2".

1 SEC. 13. That section seven thousand one hundred three and thir-
2 teen-hundredths (7103.13), Code, 1939, be amended by inserting in
3 line five (5) after the word "provided" the following: "and the tax-
4 able value shall be determined by taking 60% of the actual value so
5 ascertained, as is provided by section 7109,".

1 SEC. 14. That section seven thousand one hundred nine (7109),
2 Code, 1939, be amended by striking the first two paragraphs thereof
3 and substituting in lieu thereof the following:

4 "Except as otherwise expressly provided, all property subject to
5 taxation shall be assessed at sixty (60) per cent of its actual value;
6 and such assessed value shall be entered opposite each item, and shall

*Note: In accordance with enrolled bill.

7 be the taxable value of such property, and the value at which it shall
8 be listed, and to which the tax rate shall be applied."

1 SEC. 15. That section seven thousand one hundred fifteen (7115),
2 Code, 1939, be amended by amending the form of the assessment roll
3 as the same appears on pages twelve hundred five (1205), twelve hun-
4 dred six (1206) and twelve hundred seven (1207), Code, 1939, by
5 striking therefrom the word "actual" wherever the same appears and
6 substituting in lieu thereof the word "assessed"; provided, however,
7 that in the making of the assessments in the year 1941 in all instances
8 where forms have already been printed in accordance with section 7115
9 of the Code, 1939, wherever the words "actual value" appear on such
10 forms the same shall be deemed to mean "assessed value".

1 SEC. 16. That section seven thousand one hundred twenty-one
2 (7121), Code, 1939, be amended by striking from lines seven (7) and
3 seventeen (17) the words "actual and" where the same appear; pro-
4 vided, however, that in the making of the assessments in the year 1941
5 in all instances where assessment rolls have heretofore been printed
6 with the affidavit attached thereto, as provided in section seven thou-
7 sand one hundred twenty-one (7121), Code, 1939, the word "actual"
8 wherever the same appears in such affidavit shall be deemed to mean
9 "assessed".

1 SEC. 17. That section seven thousand one hundred twenty-nine
2 (7129), Code, 1939, be amended by striking from lines sixteen (16)
3 and seventeen (17) the words "the listing of property at its actual
4 value and".

1 SEC. 18. That section seven thousand one hundred twenty-nine
2 and one-tenth (7129.1), Code, 1939, be amended by striking from line
3 nine (9) the word "true" and substituting in lieu thereof the word
4 "taxable".

1 SEC. 19. That section seven thousand one hundred thirty-nine
2 (7139), Code, 1939, be amended by striking from line 2 of subsection
3 one (1), from line one (1) of subsection two (2), from line one (1) of
4 subsection three (3), and from line three (3) of subsection four (4)
5 wherever the same appear, the words "actual and".

1 SEC. 20. That section seven thousand one hundred forty-eight
2 (7148), Code, 1939, be amended by striking from line five (5) the
3 words "full and".

1 SEC. 21. That section seven thousand one hundred eighty-two
2 (7182), Code, 1939, be amended by inserting in line three (3) preced-
3 ing the word "valuation" the word "assessed".

1 SEC. 22. That section seven thousand one hundred eighty-three
2 and three-tenths (7183.3), Code, 1939, be amended by inserting in line
3 three (3) preceding the word "valuation" the word "taxable".

1 SEC. 23. So far as applicable the provisions of this act shall apply
2 to special charter cities.

1 SEC. 24. Assessments of property affected by this act, made in the
2 year 1941 and thereafter, shall be made in accordance with the pro-
3 visions of this act.

1 SEC. 25. All acts or parts of acts in conflict herewith are hereby
2 repealed.

1 SEC. 26. All references to code sections herein shall be construed
2 as referring to those sections as amended by this act.

1 SEC. 27. 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 Eagle Grove Eagle, newspaper published at Eagle Grove, Iowa,
4 and in the Villisca Review, a newspaper published at Villisca, Iowa.

Approved February 3, 1941.

I hereby certify that the foregoing act was published in the Eagle Grove Eagle, Eagle Grove, Iowa, February 6, 1941, and the Villisca Review, Villisca, Iowa, February 13, 1941.

EARL G. MILLER, *Secretary of State*.

CHAPTER 250

SPECIAL IMPROVEMENT ASSESSMENTS

S. F. 168

AN ACT to amend sections five thousand five hundred twenty-six and nineteen hundredths (5526.19), five thousand nine hundred forty-two and four tenths (5942.4), six thousand seventy-three (6073), six thousand five hundred eighty-five (6585), six thousand five hundred ninety-seven (6597), and eight thousand one hundred ninety-four (8194), Code, 1939, relating to and fixing the maximum amounts that may be assessed against property for special improvements.

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

1 SECTION 1. That section five thousand five hundred twenty-six and
2 nineteen hundredths (5526.19), Code, 1939, be amended by striking the
3 word "actual" from line fourteen (14) and inserting in lieu thereof the
4 word "assessed".

1 SEC. 2. That section five thousand nine hundred forty-two and four
2 tenths (5942.4), Code, 1939, be amended by striking from lines eighteen
3 (18) and nineteen (19) the words "of the value of the property
4 assessed" and substituting in lieu thereof the words "of the assessed
5 value of the property".

1 SEC. 3. That section six thousand seventy-three (6073), Code, 1939,
2 be amended by striking from line nineteen (19) the word "actual" and
3 inserting in lieu thereof the word "assessed".

1 SEC. 4. That section six thousand five hundred eighty-five (6585),
2 Code, 1939, be amended by striking from line seventeen (17) the word
3 "actual" and inserting in lieu thereof the word "assessed".

1 SEC. 5. That section six thousand five hundred ninety-seven (6597),
2 Code, 1939, be amended by striking from line twenty-five (25) the
3 word "actual" and inserting in lieu thereof the word "assessed".

1 SEC. 6. That section eight thousand one hundred ninety-four
2 (8194), Code, 1939, be amended by inserting in line three (3) the
3 word "assessed" after the word "the".

1 SEC. 7. 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 Goldfield Gazette, a newspaper published at Goldfield, Iowa, and in
4 the Hawkeye Beacon, a newspaper published at Hawkeye, Iowa.

Approved February 24, 1941.

I hereby certify that the foregoing act was published in the Goldfield Gazette, Goldfield, Iowa, February 27, 1941, and the Hawkeye Beacon, Hawkeye, Iowa, March 7, 1941.
EARL G. MILLER, *Secretary of State.*

CHAPTER 251

LOCAL ASSESSOR

H. F. 34

AN ACT to amend section seven thousand one hundred nine (7109), Code, 1939, and providing the method of assessing agricultural produce harvested and providing for a lien for all taxes levied and assessed against such produce.

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

1 SECTION 1. Section seventy-one hundred nine (7109), Code, 1939,
2 is amended by adding thereto the following, "provided, however, that
3 all agricultural produce harvested by or for the person assessed and
4 which has been held or stored by the person for more than one year,
5 shall be listed for taxation by the said person and shall be taxable for
6 the years 1941 and 1942 at thirty per cent (30%) of its actual value."

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 New
3 Hampton American, a newspaper published at New Hampton, Iowa,
4 and in the Nashua Reporter, a newspaper published at Nashua, Iowa.

Approved March 15, 1941.

I hereby certify that the foregoing act was published in the Hampton American, New Hampton, Iowa, March 25, 1941, and the Nashua Reporter, Nashua, Iowa, March 19, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 252

CORRECTION OF EXCESSIVE TAX LEVIES

H. F. 323

AN ACT to amend section seven thousand one hundred sixty-nine (7169), Code, 1939, relating to excessive tax levies and providing for revision or elimination of unauthorized or unlawful levies by the county auditor.

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

- 1 SECTION 1. Amend section seven thousand one hundred sixty-nine
- 2 (7169), Code, 1939, by adding thereto the following:
- 3 "The state comptroller shall prescribe and furnish the county
- 4 auditors forms and instructions to aid them in determining the legality
- 5 and authorized amount of tax levies. In the case of an excessive levy,
- 6 it shall be the duty of the county auditor to reduce it to the maximum
- 7 amount authorized by law, and in any event not in excess of the amount
- 8 certified; and in case of an illegal levy the county auditor shall not
- 9 enter or carry any tax on the tax lists for such levy."

Approved April 21, 1941.

CHAPTER 253

COUNTY TAX LEVIES

S. F. 42

AN ACT to amend Section seven thousand one hundred seventy-one (7171), Code, 1939, 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, 1939, be amended by adding to subsection two (2) the
- 3 following: "In all counties where a levy of one and one-half (1½) mills
- 4 on a dollar of assessed valuation will not produce revenue sufficient
- 5 to equal the budget requirements against the general county fund of
- 6 such county, such county for the years 1941 and 1942 only is hereby
- 7 authorized to levy for ordinary county revenue a tax not in excess of
- 8 three (3) mills on a dollar of assessed valuation, or as much thereof
- 9 as may be required to meet said budget requirements. Before any
- 10 such levy is made in excess of one and one-half (1½) mills, a com-
- 11 pletely itemized statement of expenditures contemplated by such
- 12 county shall be submitted to the state comptroller for his approval,
- 13 and no levy in excess of one and one-half (1½) mills shall be made
- 14 unless so approved by him, and unless the total tax levy for all county
- 15 purposes will not exceed the average tax levy for all county purposes
- 16 for the preceding two years."

- 1 SEC. 2. The provisions of this act shall not be applicable to any
- 2 county having an assessed valuation of twenty-two million dollars
- 3 (\$22,000,000.00) or more.

Approved February 4, 1941.

CHAPTER 254
SUSPENDED TAXES

S. F. 310

AN ACT to amend sections seven thousand two hundred forty-four (7244), and six thousand nine hundred fifty-two (6952), Code, 1939, relating to the inclusion of prior suspended taxes in tax sales; relating to penalty and interest on such suspended taxes, and granting to the petitioner for tax suspension or any other person the right to pay suspended taxes at any time.

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

1 **SECTION 1.** Section seven thousand two hundred forty-four (7244),
2 Code, 1939, is amended as follows:

3 1. By adding after the comma (,) following the word "thereon" in
4 line eight (8) thereof, the following words and punctuation: "includ-
5 ing all prior suspended taxes,".

6 2. By adding at the end of said section the following: "No interest
7 or penalty on suspended taxes shall be included in the sale price, except
8 that six per cent interest per annum from the date of suspension shall
9 be included as to taxes suspended under the provisions of section 6950."

1 **SEC. 2.** Section six thousand nine hundred fifty-two (6952), Code,
2 1939, is amended by adding at the end thereof the following sentence:
3 "The petitioner, or any other person, shall have the right to pay the
4 suspended taxes at any time."

Approved April 15, 1941.

CHAPTER 255

TAX SALE

S. F. 33

AN ACT to provide that section seventy-two hundred seventy-one (7271), Code, 1939, shall, one (1) year after the effective date of the act apply to cities acting under special charter which collect their own taxes and thus, after said one (1) year to provide that there shall be cancelled from the tax sale index and tax sale register of such cities, all sales for taxes in cases in which eight (8) years elapse from the time of sale and no action has been taken by the holder of a certificate to obtain a deed.

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

1 **SECTION 1.** After July 4, 1942, section seventy-two hundred seventy-
2 one (7271), Code, 1939, shall apply to cities acting under special
3 charter which collect their own taxes, the terms "county auditor" and
4 "county treasurer" in said section seventy-two hundred seventy-one
5 (7271), to be taken, for the purposes of this Act, to refer to the persons
6 performing their respective functions in relation to tax sales by such
7 cities.

Approved March 7, 1941.

CHAPTER 256
TAX SALE REDEMPTION

H. F. 71

AN ACT to amend section seven thousand two hundred seventy-nine (7279), Code, 1939, relating to tax redemption.

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, 1939, is hereby amended by striking from lines twenty-
3 eight (28) and twenty-nine (29) thereof the words: "superintendent
4 of the division of old age assistance" and substituting in lieu thereof
5 the following words: "state board of social welfare".

Approved February 17, 1941.

CHAPTER 257
AFFIDAVIT OF ADVERSE POSSESSION UNDER TAX DEED

S. F. 19

AN ACT to provide the means of creating title to real estate by adverse possession, and to limit the time within which actions may be brought to recover real estate after the issuance of a tax deed.

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

1 SECTION 1. After five years from the issuance and recording of
2 a tax deed or an instrument purporting to be a tax deed issued by a
3 county treasurer of this state, the then owner or holder of such title or
4 purported title may file with the county recorder of the county in which
5 such real estate is located an affidavit substantially in the following
6 form:

7 STATE OF IOWA }
8COUNTY }SS

9 I,....., being first duly sworn, on oath depose and
10 say that on..... (date) the county treasurer issued a
11 tax deed to..... (grantee) for the following described
12 real estate:

13
14;
15 that said tax deed was filed for record in the office of the county
16 recorder of.....county, Iowa, on..... (date),
17 and appears in the records of that office in.....county as
18 recorded in Book..... Page..... of the.....Records; and that
19is now in possession of such real estate and claims
20 title to the same by virtue of such tax deed, or such purported tax
21 title.

22 Any person claiming any right, title, or interest in or to such real
23 estate adverse to the title or purported title by virtue of such tax
24 deed referred to herein shall file a claim of the same with the county
25 recorder wherein such real estate is located, within one hundred

26 twenty (120) days after the filing of this affidavit, such claim to
27 set forth the nature thereof, also the time and manner in which
28 such interest was acquired.

29
30 Subscribed and sworn to before me this.....day of....., 19....
31
32 Notary Public in and for
33County, Iowa

1 SEC. 2. When such affidavit is filed it shall be notice to all persons,
2 and any person claiming any right, title, or interest in or to such real
3 estate adverse to the title or purported title by virtue of such tax deed
4 hereinabove referred to, shall file a claim of the same with the county
5 recorder of the county in which such real estate is located within one
6 hundred twenty (120) days after the filing of such affidavit, which
7 claim shall set forth the nature thereof, the time when and the manner
8 in which such interest was acquired.

9 At the expiration of said period of one hundred twenty (120) days, if
10 no such claim has been filed, all persons shall thereafter be forever
11 barred and estopped from having or claiming any right, title, or interest
12 in such real estate adverse to the tax title or purported tax title,
13 and no action shall thereafter be brought to recover such real estate,
14 and the then tax title owner or owner of the purported tax title shall
15 also have acquired title to such real estate by adverse possession.

1 SEC. 3. All affidavits and claims as provided for herein, filed with
2 the county recorder, shall be indexed in the claimant's book under the
3 description of the real estate involved, and shall be recorded as other
4 instruments affecting real estate.

1 SEC. 4. Nothing contained in this act shall affect pending litigation.
2

Approved March 24, 1941.

CHAPTER 258

INHERITANCE TAX EXEMPTION

S. F. 553

AN ACT to amend section seven thousand three hundred eight (7308), Code, 1939, relating to exemptions from inheritance tax and providing for an exemption in the case of property passing to veterans' organizations.

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

1 SECTION 1. Section seven thousand three hundred eight (7308),
2 Code, 1939, is hereby amended by striking the period (.) at the end of
3 subsection two (2) thereof and by inserting at the end of said subsection two (2) the following words: "or to organizations composed
4 wholly of veterans of any war of the United States of America."
5

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 Brooklyn Chronicle, a newspaper published at Brooklyn, Iowa, and the
 4 Missouri Valley Times, a newspaper published at Missouri Valley,
 5 Iowa.

Approved April 16, 1941.

I hereby certify that the foregoing act was published in the Brooklyn Chronicle, Brooklyn, Iowa, April 24, 1941, and the Missouri Valley Times, Missouri Valley, Iowa, April 18, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 259
 INHERITANCE TAX
 S. F. 437

AN ACT to amend section seven thousand three hundred eleven (7311), Code, 1939, relating to liens for inheritance taxes.

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

1 SECTION 1. Section seven thousand three hundred eleven (7311),
 2 Code, 1939, is hereby amended by striking the comma from line four
 3 (4) and substituting therefor a period, and by striking all of said
 4 section following said comma, beginning with the word "provided" in
 5 lines four (4) and five (5), and by substituting therefor the following:
 6 "The filing in the office of the clerk of the receipt in full, or certifi-
 7 cate of nonliability, of the state tax commission or an order of court
 8 specifically finding that the estate is exempt from tax shall release
 9 said lien as to all property reported in the estate."

Approved April 9, 1941.

CHAPTER 260
 APPRAISEMENT FOR INHERITANCE TAX
 H. F. 87

AN ACT to amend section seven thousand three hundred thirty-six (7336), Code, 1939, to provide for fixing value by the court of property appraised for inheritance tax purposes.

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

1 SECTION 1. That section seven thousand three hundred thirty-six.
 2 (7336), Code, 1939, be and the same is hereby amended by placing a
 3 period (.) after the word "appraisement" in the eleventh line thereof
 4 and by repealing all that portion of said section after the word "ap-
 5 praisement" just referred to and by enacting in lieu of the stricken
 6 portion the following:
 7 "Upon said appraisement being set aside, the court shall fix the
 8 value of the property of said estate for inheritance tax purposes and

9 the valuation so fixed shall be that upon which the tax shall be paid,
 10 unless an appeal is taken from the order of said court as hereinafter
 11 provided for."

Approved March 19, 1941.

CHAPTER 261

APPEAL FROM INHERITANCE TAX VALUATION

H. F. 84

AN ACT to amend section seven thousand three hundred thirty-seven (7337), Code, 1939, pertaining to notice and appeal and fixing value of property for inheritance purposes by court.

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

1 SECTION 1. That section seven thousand three hundred thirty-
 2 seven (7337) be amended by striking all of the portion thereof begin-
 3 ning with the word "approving" in the fourth line thereof and ending
 4 with the word "filed" in the sixth line thereof, and enacting in lieu of
 5 the stricken portion the following: "fixing the value of the property
 6 of said estate."

Approved March 19, 1941.

CHAPTER 262

REFUNDING INDEBTEDNESS BY LOCAL GOVERNMENTS

S. F. 523

AN ACT to authorize counties, cities, towns and school corporations to extend or renew indebtedness represented by bonds or certificates where such indebtedness is payable from a limited annual tax or from a voted annual tax and to fund or refund the same and to issue bonds therefor and make provision for the payment of the principal and interest thereof, within certain limitations.

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

1 SECTION 1. Counties, cities, towns and school corporations may at
 2 any time or times extend or renew any legal indebtedness or any part
 3 thereof they may have represented by bonds or certificates where such
 4 indebtedness is payable from a limited annual tax or from voted annual
 5 tax, and may by resolution fund or refund the same and issue bonds
 6 therefor running not more than twenty years to be known as funding
 7 or refunding bonds, and make provision for the payment of the
 8 principal and interest thereof from the proceeds of an annual tax for
 9 the period covered by such bonds similar to the tax authorized by law
 10 or by the electors for the payment of the indebtedness so extended or
 11 renewed.

1 SEC. 2. All laws relating to the issuance of funding or refunding
 2 bonds by counties, cities, towns and school corporations, as the case

3 may be, not inconsistent with the provisions herein contained and to
4 the extent the same may be applicable, shall govern the issuance of the
5 funding and refunding bonds for the purpose herein authorized.

1 SEC. 3. This act shall be construed as granting additional power
2 without limiting the power already existing in counties, cities, towns
3 and school corporations.

1 SEC. 4. This act shall be applicable to cities acting under special
2 charter.

1 SEC. 5. This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in the
3 New Hampton American, a newspaper published at New Hampton,
4 Iowa, and the Nashua Reporter, a newspaper published at Nashua,
5 Iowa.

Approved April 23, 1941.

I hereby certify that the foregoing act was published in the New Hampton American, New Hampton, Iowa, April 29, 1941, and the Nashua Reporter, Nashua, Iowa, April 30, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 263

INTEREST RATE

H. F. 63

AN ACT to amend sections seven thousand four hundred seventy-seven (7477), seven thousand four hundred eighty-four (7484), seven thousand five hundred one (7501), one thousand one hundred seventy-one and twelve hundredths (1171.12), seven thousand four hundred twenty and twenty-eight hundredths (7420.28), seven thousand six hundred forty-four (7644), Code, 1939, relating to the rate of interest on bonds issued by drainage districts, on public warrants not paid for want of funds, on anticipatory warrants, and drainage warrants.

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

1 SECTION 1. Section seven thousand four hundred seventy-seven
2 (7477), Code, 1939, is hereby amended by striking from line seven (7)
3 the word "six" and inserting in lieu thereof the word "four".

1 SEC. 2. Section seven thousand four hundred eighty-four (7484),
2 Code, 1939, is hereby amended by striking from line eleven (11) of
3 subsection one (1) the word "six" and inserting in lieu thereof the
4 word "four".

5 Further amend said section by striking from line five (5) of sub-
6 section two (2) the word "six" and inserting in lieu thereof the word
7 "four".

1 SEC. 3. Section seven thousand five hundred one (7501), Code,
2 1939, is hereby amended by striking from line two (2) the word "six"
3 and insert in lieu thereof the word "four".

1 SEC. 4. Section one thousand one hundred seventy-one and twelve
2 hundredths (1171.12), Code, 1939, is hereby amended by striking from
3 line seven (7) the word "five" and inserting in lieu thereof the word
4 "four".

5 Further amend said section by striking from line nine (9) the word
6 "six" and inserting in lieu thereof the word "four".

1 SEC. 5. Section seven thousand four hundred twenty and twenty-
2 eight hundredths (7420.28), Code, 1939, is hereby amended by striking
3 from line two (2) the word "five" and inserting in lieu thereof the
4 word "four".

1 SEC. 6. Section seven thousand six hundred forty-four (7644),
2 Code, 1939, is hereby amended by striking from line eleven (11) the
3 word "six" and inserting in lieu thereof the word "four".

1 SEC. 7. Nothing in this act shall be construed as applying to any
2 bonds issued and outstanding prior to its adoption.

1 SEC. 8. This act, being deemed of immediate importance, shall be in
2 full force and effect from and after its passage and publication in
3 Mitchell County Press, and Osage News, a newspaper published at
4 Osage, Iowa, and in Lake Mills Graphic, a newspaper published at
5 Lake Mills, Iowa.

Approved March 24, 1941.

I hereby certify that the foregoing act was published in the Mitchell County Press and Osage News, Osage, Iowa, March 27, 1941, and the Lake Mills Graphic, Lake Mills, Iowa, March 26, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 264

DRAINAGE DISTRICTS IN CITIES AND TOWNS

S. F. 67

AN ACT to amend section seven thousand six hundred thirty-four (7634), section seven thousand six hundred thirty-five (7635) and section seven thousand six hundred thirty-six (7636) of the Code of 1939 relating to the control, management and supervision of certain drainage districts wholly or partially within cities and towns and to confer on city and town councils certain powers.

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

1 SECTION 1. That section seven thousand six hundred thirty-four
2 (7634) be amended by striking all of said section after the word
3 "which" in line three (3) and substituting in lieu thereof the follow-
4 ing:
5 "includes all of the platted portion of any city or town, and
6 one-fourth (¼) or more of the total area of the said drainage
7 district is located within the corporate limits of such city or
8 town, and the drains thereof have been wholly or partially
9 constructed of sewer tile and the said drain or drains are
10 needed or used by the city or town for storm sewer and drain-

11 age purposes, said board of supervisors shall relinquish all
 12 authority or control of all of said drainage district, including
 13 the portion outside of such corporate limits, to the city or town
 14 upon request of the city or town council as provided in section
 15 seven thousand six hundred thirty-five (7635)."

1 SEC. 2. Amend section seven thousand six hundred thirty-five
 2 (7635) of the 1939 code by striking from lines seven (7) and eight (8)
 3 the following:
 4 "within its corporate limits"

1 SEC. 3. Amend section seven thousand six hundred thirty-six (7636)
 2 of the 1939 code by striking from lines six (6) and seven (7) the
 3 following:
 4 "which is within the corporate limits,"

1 SEC. 4. The council of any city or town acting under the provisions
 2 of this chapter shall have control, supervision and management of the
 3 district, and shall be vested with all of the powers which are now or
 4 may hereafter be conferred on the board of supervisors for the control,
 5 supervision and management of drainage districts under the laws of
 6 this state within the said district unless otherwise specifically pro-
 7 vided.

Approved April 9, 1941.

CHAPTER 265

DRAINAGE DISTRICTS

H. F. 86

AN ACT to amend section seven thousand six hundred eighty-six (7686), Code, 1939, relating to voting by agent in drainage districts.

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

1 SECTION 1. Section seven thousand six hundred eighty-six (7686),
 2 Code, 1939, is hereby amended by striking from said section the first
 3 two sentences thereof and by inserting in lieu thereof the following
 4 sentence: "Any person or corporation owning land or right of way
 5 within the district and assessed for benefits may have his or its votes
 6 cast by his or its agent or proxy authorized to cast such vote by a
 7 power of attorney signed and acknowledged by such person or corpora-
 8 tion, and filed before such vote is cast in the office of the county auditor
 9 in which such election is held."

Approved March 15, 1941.

CHAPTER 266

COUNTY PUBLIC HOSPITALS

H. F. 248

AN ACT to amend section five thousand three hundred forty-eight and one-tenth (5348.1), Code, 1939, relating to bond elections for additions to county public hospitals.

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

1 SECTION 1. Section five thousand three hundred forty-eight and
2 one-tenth (5348.1), Code, 1939, is hereby amended by striking from
3 lines two (2), three (3), and four (4) the following words: "having
4 a population of one hundred thirty-five thousand inhabitants or more".
5 Said section is further amended by inserting after the word "thereto"
6 in line fifteen (15) the following words: "and procuring sites for such
7 hospital buildings and additions thereto".

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 Evening Journal, a newspaper published at Washington, Iowa, and
4 the Sigourney Review, a newspaper published at Sigourney, Iowa.

Approved April 5, 1941.

I hereby certify that the foregoing act was published in the Evening Journal, Wash-
ington, Iowa, April 9, 1941, and the Sigourney Review, Sigourney, Iowa, April 9, 1941.
EARL G. MILLER, *Secretary of State.*

CHAPTER 267

FOREIGN CORPORATIONS

H. F. 278

AN ACT to amend chapter three hundred eighty-six (386), Code, 1939, relating to foreign corporations doing business in Iowa, and legalizing the acts of the secretary of state in connection with their licensing.

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

1 SECTION 1. Chapter three hundred eighty-six (386), code, 1939,
2 is hereby amended by adding thereto the following section:
3 "If said foreign corporation amends its articles of incorporation or
4 files with the corporation official in the state of its incorporation any
5 certificate of increase or decrease in its capital stock which changes
6 its authorized capital stock, or any instrument which affects its articles
7 of incorporation, said corporation shall file with the secretary of state
8 a copy of said amendment, certificate, or other instrument, certified
9 by the official of the state of incorporation with whom it is filed. The
10 fee for filing such copies shall be one dollar for each instrument
11 separately certified by the official of the state of incorporation. The
12 secretary of state shall issue to said corporation a certificate for each
13 such instrument, stating that said instrument has been filed with him."

1 SEC. 2. Said chapter is further amended by adding thereto the
2 following section:

3 "No foreign corporation shall receive its annual permit to do busi-
4 ness from the secretary of state until it has complied with the require-
5 ments of section eight thousand four hundred twenty-four (8424),
6 code, 1939, and section one (1) of this act."

1 SEC. 3. The provisions of section eight thousand three hundred
2 sixty-four (8364), code, 1939, relating to the periods for which corpora-
3 tions may be formed shall apply to foreign corporations licensed to do
4 business under this chapter. When the period for which the foreign
5 corporation was licensed has expired, such foreign corporation shall
6 requalify by filing with the secretary of state another certified copy
7 of the complete record from the state of incorporation showing the
8 foreign corporation's existing and effective articles of incorporation
9 and amendments thereto effective on the date of application for re-
10 qualification. Upon requalification a like fee as provided in section
11 eight thousand four hundred twenty-three (8423), code, 1939, shall be
12 paid.

1 SEC. 4. Section three (3) of this act conforms to the existing
2 practice of the secretary of state, and all acts of the secretary of state
3 in limiting the licenses of foreign corporations to the periods referred
4 to in section eight thousand three hundred sixty-four (8364), code,
5 1939, and the collection of fees for their requalification are hereby
6 legalized.

Approved April 30, 1941.

CHAPTER 268

CORPORATE REINSTATEMENT OF COOPERATIVE ASSOCIATIONS

S. F. 139

AN ACT to amend section eight thousand five hundred twelve and fifty-two hundredths (8512.52), Code, 1939, relating to the reinstatement of the corporate rights of cooperative associations.

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

1 SECTION 1. Section eight thousand five hundred twelve and fifty-
2 two hundredths (8512.52), Code, 1939, is hereby amended by striking
3 from line seven (7) thereof the word "and" and inserting in lieu there-
4 of a comma (,).

Approved April 10, 1941.

CHAPTER 269

IOWA SECURITIES LAW

S. F. 398

AN ACT to amend and revise sections eight thousand five hundred eighty-one and four hundredths (8581.04), eight thousand five hundred eighty-one and five hundredths (8581.05), eight thousand five hundred eighty-one and seven hundredths (8581.07) and eight thousand five hundred eighty-one and nine hundredths (8581.09), chapter three hundred ninety-three and one tenth (393.1), Code, 1939, Title XIX, relating to registration and regulation of the sale of securities; to redefine and enlarge the class of exempt securities; to provide that sales of certain securities by registered dealers under specified circumstances and conditions shall constitute exempt transactions; to empower the commissioner of insurance to prohibit the resale of a security by registered dealers; to change the provision relating to the balance sheet of an issuer in application for registration; to extend the time for filing an annual statement of condition of issuers of registered securities, and further define the requirements for filing thereof; to enlarge the powers of the commissioner of insurance with respect to applications for registration of securities; and to redefine what issuers shall file consent to service.

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

1 SECTION 1. Paragraph one (1) of section eight thousand five hun-
2 dred eighty-one and four hundredths (8581.04), Code, 1939, is hereby
3 amended and revised to read as follows:

4 "1. Any security issued by, or the principal and interest of which
5 are guaranteed by, the United States or any territory or insular pos-
6 session thereof, or by the District of Columbia, or by any legal entity
7 (other than a natural person) controlled or supervised by and acting
8 as an instrumentality of the United States, pursuant to authority
9 granted by the Congress of the United States; or by any state or terri-
10 tory of the United States or any political subdivision having the power
11 of taxation; or by any agency or public instrumentality of one or more
12 of the states or territories of the United States or of the political sub-
13 divisions of a state or territory."

1 SEC. 2. Paragraph 3 of Section Eight Thousand Five Hundred
2 Eighty-one and four hundredths (8581.04), Code, 1939, is hereby
3 amended and revised to read as follows:

4 "3. Any security issued or guaranteed either as to principal, interest
5 or dividend by a corporation owning or operating a railroad or any
6 other public service utility; provided that such corporation is subject
7 to regulation or supervision as to its rates, charges and the issue of its
8 own securities by a public commission, board, or officer of the govern-
9 ment of the United States, or of any state of the United States, or of the
10 District of Columbia, or of the Dominion of Canada or any province
11 thereof."

1 SEC. 3. Paragraph 8 of Section Eight Thousand Five Hundred
2 Eighty-one and four hundredths (8581.04), Code, 1939, is hereby
3 amended by striking the period (.) at the end thereof and inserting in
4 lieu thereof the following: "or any security issued to refund or re-
5 finance such securities."

1 SEC. 4. Paragraph 11 of Section Eight Thousand Five Hundred
2 Eighty-one and five hundredths (8581.05), Code, 1939, is hereby
3 amended and revised to read as follows:

4 "11. The sale in the ordinary and usual course of business by a
 5 registered dealer of any security which is a part of or on a parity
 6 with an issue which has theretofore been lawfully sold and distributed
 7 to the public, in whole or in part, in this state; including as within this
 8 exemption any security issued in exchange for such security under a
 9 bona fide plan of reorganization of a corporation by order of a court
 10 having jurisdiction, or issued under a plan of reorganization previously
 11 having become operative through action of security holders of a cor-
 12 poration, but excepting from this exemption securities theretofore sold
 13 only in exempt transactions under Section 8581.05, and when such re-
 14 sale is made in good faith and not directly or indirectly for the benefit
 15 of the issuer of such security or for the direct or indirect promotion
 16 of any scheme or enterprise with the intent of violating or evading any
 17 provision of this Chapter; provided, however, that this exemption
 18 shall not apply if the Commissioner of Insurance prohibits or has
 19 prohibited by specific order the resale of such security, unless the
 20 Commissioner of Insurance shall subsequently remove such prohibi-
 21 tion."

1 SEC. 5. Section Eight Thousand Five Hundred Eighty-one and
 2 seven hundredths (8581.07), Code, 1939, is hereby amended by striking
 3 from line four of sub-paragraph 4 the word "sixty" and inserting in
 4 lieu thereof the word "ninety"; and by striking from the fifth line of
 5 the last paragraph thereof the word "thirty" and inserting in lieu
 6 thereof the word "ninety"; and by striking from the last line of the
 7 last paragraph thereof the period (.) and adding thereto the following:
 8 "; provided, however, that any applicant for registration by qualifi-
 9 cation may file with the Commissioner of Insurance a verified
 10 statement that applicant will make no further original distribution
 11 under the registration and one statement of condition as required
 12 by this paragraph either concurrently therewith or subsequent there-
 13 to and thereafter no statement shall be required under this para-
 14 graph."

15 and by adding at the end thereof the following:

16 "If the application for registration shall be made by a registered
 17 dealer, the Commissioner of Insurance in his discretion may by rule,
 18 regulation or order waive the filing or submission to him of all or
 19 any of the statements, exhibits and documents, including certified
 20 public documents referred to in this section, and may require the
 21 applicant to file with him a statement with respect to such securities
 22 containing the following: Name of issuer; a brief description of the
 23 security; the maximum amount of securities to be offered under the
 24 registration; the maximum price at which the securities are to be
 25 offered for sale; and to furnish to the Commissioner of Insurance
 26 such other information and data concerning the issuer and the
 27 securities as the Commissioner of Insurance may deem necessary to
 28 enable him to ascertain whether such securities shall be registered
 29 hereunder or such registration continued in effect."

1 SEC. 6. Section Eight Thousand Five Hundred Eighty-one and nine
 2 hundredths (8581.09), Code, 1939, is hereby amended by striking the
 3 first six lines thereof and inserting in lieu thereof the following:

4 "Upon any application for registration under this Chapter where

5 the issuer functions or intends to function as a dealer in the manner
6 permitted by Section 8581.11 and such issuer is not domiciled in the
7 this state, there shall be filed with such application the irrevocable
8 written consent."

1 SEC. 7. 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 West Des Moines Express, a newspaper published in the City of West
4 Des Moines, Iowa, and in the Ottumwa Daily Courier, a newspaper
5 published in the City of Ottumwa, Iowa.

Approved April 15, 1941.

I hereby certify that the foregoing act was published in the West Des Moines Express,
West Des Moines, Iowa, April 24, 1941, and the Ottumwa Daily Courier, Ottumwa,
Iowa, April 19, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 270

EXAMINERS IN THE INSURANCE DEPARTMENT

S. F. 470

AN ACT to amend section eight thousand six hundred twenty-eight (8628), Code, 1939,
relating to the compensation of examiners and assistants in the insurance depart-
ment.

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

1 SECTION 1. Section eight thousand six hundred twenty-eight
2 (8628), Code, 1939, is amended by adding thereto the following:
3 "Said examiners and assistants shall be compensated at a per diem to
4 be fixed by the commissioner at not to exceed fifteen dollars (\$15.00)
5 for examiners and twelve dollars fifty cents (\$12.50) for assistants,
6 to be paid from funds in the state treasury upon certification of the
7 commissioner and reimbursed as provided in sections eight thousand
8 six hundred thirty-two (8632) and eight thousand six hundred thirty-
9 three (8633)."

Approved March 26, 1941.

CHAPTER 271

DEPOSITS OF LIFE INSURANCE COMPANIES UPON REINSURANCE

S. F. 538

AN ACT to amend chapter three hundred ninety-eight (398), Code, 1939, to provide for
the maintenance of deposits of a domestic life insurance company or association by
a foregoing life insurance company reinsuring such domestic company, and in event
of insolvency of the reinsuring company to provide for liquidation of such deposits or
subsequent reinsurance.

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

1 SECTION 1. Chapter three hundred ninety-eight (398), Code, 1939,
2 is amended by adding thereto the following sections:*

*Note: The arrangement and numbering of the sections that follow are in ac-
cordance with the enrolled bill.

1 SEC. 2. The title to all securities deposited with the Commissioner
 2 of Insurance by any domestic life insurance company or association
 3 which has been, or hereafter shall be, reinsured by a foreign life in-
 4 surance company, shall be vested in the Commissioner for the use and
 5 benefit of only the policies of the company reinsured in force at the
 6 date of such reinsurance agreement.

1 SEC. 3. The reinsuring company shall at all times maintain such
 2 deposits in at least the amount of the net reserve, as determined by the
 3 Commissioner of Insurance, on all policies reinsured.

1 SEC. 4. In the event of insolvency or receivership of such reinsuring
 2 company or its successors, the Commissioner shall be appointed by the
 3 District Court of the State of Iowa in and for Polk County as receiver
 4 of said insolvent reinsuring company, and shall proceed, subject to the
 5 court's approval, to reinsure said policies in another life insurance
 6 company or to liquidate the deposits for the sole benefit of the re-
 7 insured policies, and pending liquidation or reinsurance, shall have
 8 the sole right to collect premiums due on such policies.

1 SEC. 5. If any provision of this act shall be declared invalid, such
 2 invalidity shall not effect the validity of any portion of this act which
 3 can be given effect without such invalid part.

1 SEC. 6. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in
 3 Plain Talk, a newspaper published in Des Moines, Iowa, and the West
 4 Des Moines Express, a newspaper published in West Des Moines, Iowa.

Approved April 15, 1941.

I hereby certify that the foregoing act was published in the Plain Talk, Des Moines, Iowa, April 24, 1941, and the West Des Moines Express, West Des Moines, Iowa, April 24, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 272

GROUP INSURANCE

S. F. 179

AN ACT to amend sections eight thousand six hundred eighty-four and two hundredths (8684.02) and eight thousand six hundred eighty-four and three hundredths (8684.03), Code, 1939, relating to group insurance pertaining to persons associated with a principal by a contractual relationship.

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

1 SECTION 1. Section eight thousand six hundred eighty-four and two
 2 hundredths (8684.02), Code, 1939, is amended by adding thereto a new
 3 subsection as follows:

4 "A common principal of any group of persons, similarly engaged,
 5 between whom there exists a contractual relationship."

1 SEC. 2. Section eight thousand six hundred eighty-four and three
 2 hundredths (8684.03), Code, 1939, is amended by striking the period
 3 after the word "thereof" in line eight (8) and inserting the following:
 4 ", and any group of persons, similarly engaged, under a contractual
 5 relationship with a common principal."

Approved April 15, 1941.

CHAPTER 273

FRATERNAL BENEFICIARY ASSOCIATIONS

S. F. 180

AN ACT to amend section eight thousand seven hundred eighty-nine and one tenth (8789.1), Code, 1939, relating to Fraternal Beneficiary Associations and authorizing the issuance of certificates not exceeding three hundred dollars (\$300.00) in amount without regard to age or medical examination.

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

1 SECTION 1. Section eight thousand seven hundred eighty-nine and
 2 one tenth (8789.1), Code, 1939, is amended by adding at the end of
 3 said section the following: "Any order, society or association, included
 4 in the provisions of this chapter, may issue certificates on the life of
 5 any person without regard to age or the requirement of medical ex-
 6 amination for an amount not in excess of three hundred (\$300.00)
 7 dollars."

Approved March 24, 1941.

CHAPTER 274

MUTUAL HOSPITAL SERVICE

S. F. 265

AN ACT to amend chapter four hundred three and one-tenth (403.1), Code, 1939, authorizing the deduction from the salary or wages of an employe or employes of the State of Iowa, or any county or city or town, or any institution supported in whole or in part by public funds, or any subdivisions thereof, the amount of his or their subscription payments to any corporation operating a non-profit hospital service plan, and granting the power to the governing body of the state, county, city or town, or any institution supported in whole or in part by public funds, or any subdivisions thereof, to authorize deductions from the salaries or wages of employes subscribing to such non-profit hospital service plan and the procedure therefor.

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

1 SECTION 1. That Chapter four hundred three and one-tenth (403.1),
 2 Code 1939, be amended by adding thereto the following: "An employe
 3 or employes of the State of Iowa, or of any county, city or town, or of
 4 any institution supported in whole or in part by public funds, or any
 5 subdivisions thereof, may authorize the deduction from his or their
 6 salary or wages of the amount of his or their subscription payments
 7 to any corporation operating a non-profit hospital service plan as pro-

8 vided in this chapter. The governing body, of the State of Iowa, or of
 9 the county, city or town, or of any institution supported in whole or in
 10 part by public funds, or any subdivisions thereof, may authorize de-
 11 ductions from the salaries or wages of employes subscribing to such
 12 non-profit hospital service plan. The authorization by an employe or
 13 employes for deductions from his or their salaries or wages shall be
 14 evidenced by a written request signed by the employe directed to and
 15 filed with the treasurer of the State of Iowa, county, city or town, or
 16 of any institution supported in whole or in part by public funds, or any
 17 subdivisions thereof, and said treasurer is authorized to draw and
 18 deliver checks in favor of the hospital service corporation stipulated
 19 in such authorization for the amount covering the sum total of the
 20 deductions authorized. The foregoing provisions are not to be deemed
 21 an assignment of salaries or wages."

Approved April 9, 1941.

CHAPTER 275

SURPLUS OF MUTUAL INSURANCE COMPANIES

S. F. 99

AN ACT to amend section eight thousand nine hundred six (8906), Code, 1939, relating to the amount of surplus required of mutual insurance companies.

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

1 SECTION 1. Subsection five (5) of section eight thousand nine
 2 hundred six (8906), Code, 1939, is hereby amended by striking the
 3 word "five" in line four (4) thereof and by inserting in lieu thereof
 4 the word "ten".

Approved March 31, 1941.

CHAPTER 276

INVESTMENTS OF INSURANCE COMPANIES OTHER THAN LIFE

S. F. 177

AN ACT to amend section eighty-nine hundred twenty-seven (8927), Code, 1939, relating to investments of insurance companies organized under chapter four hundred four (404), Code, 1939.

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

1 SECTION 1. Section eighty-nine hundred twenty-seven (8927), Code,
 2 1939, is amended by striking out paragraph six (6) thereof and sub-
 3 stituting in lieu thereof the following:
 4 "6. Corporate bonds and stocks. Bonds or other evidences of in-
 5 debtedness of any solvent corporation organized under the laws of any
 6 of the states of the United States; and, not to exceed twenty percent
 7 (20%) of its capital and funds, in stock of any solvent dividend-paying

8 corporation, organized under the laws of any of the states of the
 9 United States, other than the company's own stock, provided that
 10 no company may invest an amount in excess of ten percent (10%) of
 11 its surplus in the stock and/or bonds of any one corporation, and pro-
 12 vided further than any such company may purchase or acquire its own
 13 stock in furtherance of a general savings and investment plan for
 14 employees of such company with the approval of the Iowa State In-
 15 surance Commissioner."

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 Tribune, a newspaper published at Cedar Rapids, Iowa, and the New
 4 Hampton American, a newspaper published at New Hampton, Iowa.

Approved March 29, 1941.

I hereby certify that the foregoing act was published in the Cedar Rapids Tribune,
 Cedar Rapids, Iowa, April 3, 1941, and the New Hampton American, New Hampton,
 Iowa, April 8, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 277

ALIEN NON-LIFE INSURANCE

S. F. 555

AN ACT to amend chapter four hundred four (404), Code, 1939, relating to alien in-
 surers; to provide for the maintenance of deposits by alien non-life insurers, and in
 the event of the insolvency of such insurers, to provide for the liquidation of such
 deposits or subsequent reinsurance.

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

1 SECTION 1. Chapter four hundred four (404), Code, 1939, is amend-
 2 ed by adding thereto the following additional sections:*

3 An alien insurer is hereby defined to mean an insurance company
 4 incorporated or organized under the laws of any country other than
 5 the United States.

1 SEC. 2. Every alien insurer authorized to transact business in this
 2 State shall at all times maintain a deposit with the Commissioner of
 3 Insurance in cash or in securities in which insurance companies are
 4 authorized to invest, a sum equal to the unearned premium reserve on
 5 all policies covering risks located in this state. Such securities shall
 6 be approved, and the amount of such deposit shall be determined, by
 7 the Commissioner in accordance with section eight thousand nine
 8 hundred thirty-nine (8939), Code, 1939, provided, that the minimum
 9 amount of any deposit shall be twenty-five thousand dollars (\$25,000.
 10 00). The Commissioner, in his discretion, may permit the withdrawal
 11 of interest earnings.

12 In lieu of the deposit provided herein any such alien insurer may file
 13 with the Commissioner a bond of equal amount executed by a licensed
 14 United States surety company, so conditioned for the protection of
 15 Iowa creditors and policyholders.

*Note: The arrangement and numbering of the sections that follow are in ac-
 cordance with the enrolled bill.

16 No such alien insurer shall be granted a certificate of authority to
 17 transact business in this State, or a renewal thereof, until such deposit
 18 shall have been made, and the Commissioner may revoke the certificate
 19 of authority of any such alien insurer which fails to make such deposit
 20 within a reasonable period of time after the effective date of this act.

1 SEC. 3. In the event of insolvency or receivership of any such alien
 2 insurer the title to the cash or securities so deposited shall vest in the
 3 Commissioner of Insurance for the use and benefit of the policies
 4 issued by said insurer and outstanding in this state, and in such event
 5 the Commissioner shall be appointed receiver of said insurer by the
 6 District Court of Iowa, in and for Polk County, with the right, subject
 7 to the Court's approval, to reinsure said policies in some insurance
 8 company or association authorized to do business in this state, or to
 9 liquidate said deposit for the sole benefit of the policies for which said
 10 deposit was made.

1 SEC. 4. If any provision of this act is held invalid such invalidity
 2 shall not affect other provisions of this act which can be given effect
 3 without the invalid provision, and to this end the provisions of this
 4 act are declared to be severable.

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 Des Moines Daily Record, a newspaper published in Des Moines,
 4 Iowa, and the Ames Tribune, a newspaper published in Ames, Iowa.

Approved April 15, 1941.

Des Moines, Iowa, April 22, 1941, and the Ames Tribune, Ames Iowa, April 22, 1941..
 I hereby certify that the foregoing act was published in the Des Moines Daily Record,
 EARL G. MILLER, *Secretary of State.*

CHAPTER 278 HAIL INSURANCE

H. F. 9

AN ACT to amend chapter four hundred four (404), Code, 1939, relating to loss to growing crops by hail, and providing for notice thereof.

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

1 SECTION 1. Chapter four hundred four (404), Code, 1939, is hereby
 2 amended by adding thereto the following section:

3 Notice of loss of personal property by hail. In case of loss to grow-
 4 ing crops by hail, notice of such loss must be given to the company by
 5 the insured by mailing a registered letter within ten (10) days from
 6 the time such loss or damage occurs.

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 Rolfe Arrow, a newspaper published at Rolfe, Iowa, and in the
 4 Blockton News, a newspaper published at Blockton, Iowa.

Approved February 7, 1941.

I hereby certify that the foregoing act was published in the The Rolfe Arrow, Rolfe, Iowa, February 13, 1941, and the The Blockton News, Blockton, Iowa, February 13, 1941.
EARL G. MILLER, *Secretary of State.*

CHAPTER 279

ANNUAL TAX ON ASSESSMENT INSURANCE

S. F. 98

AN ACT to amend section nine thousand sixty (9060), Code, 1939, pertaining to annual tax on mutual assessment insurance associations doing business under chapter four hundred six (406) of the Code.

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

1 SECTION 1. Section nine thousand sixty (9060), Code, 1939, is here-
2 by amended by striking from lines thirteen (13), fourteen (14) and
3 fifteen (15) the words "and the amount paid for reinsurance on
4 property situated within the state,".

1 SEC. 2. Further amend section nine thousand sixty (9060), Code,
2 1939, by inserting after the word "state" in line nine (9) the follow-
3 ing: "without including or deducting any amounts received or paid
4 for reinsurance, but".

Approved April 23, 1941.

CHAPTER 280

DISCRIMINATION AGAINST INTERINSURANCE EXCHANGES OF THIS STATE

S. F. 252

AN ACT to amend chapter four hundred eight (408), Code, 1939, pertaining to discrimination against Iowa reciprocal or interinsurance exchanges doing business in other states and providing for similar taxes, fines, penalties and certificates of authority for foreign reciprocal or interinsurance exchanges doing business in this state.

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

1 SECTION 1. If the Commissioner of Insurance or chief insurance
2 officer of any other state or territory of the United States, claiming
3 to proceed under existing or future laws of any such state or territory,
4 shall require reciprocal or interinsurance exchanges of this state or
5 the agents thereof to make any deposit of securities in such other state
6 or territory for the protection of policyholders or otherwise or to make
7 payment of taxes, fines, penalties, certificates of authority, license
8 fees or otherwise or subject them to any restrictions, obligations, con-
9 ditions or penalties, greater than are required or imposed by the laws
10 of the state of Iowa relating to reciprocal or interinsurance exchanges,
11 from such exchanges of such other states or territories by the then
12 existing laws of this state, then and in every such case all such re-

13 reciprocal or interinsurance exchanges of such other states or territories
 14 shall be and they are hereby required to make like deposits for like
 15 purposes with the insurance department of this state and to pay to the
 16 Commissioner of Insurance taxes, fines, penalties, certificates of
 17 authority, license fees and otherwise in an amount equal to the amount
 18 of such charges and payments, and shall be subjected to the same
 19 restrictions, obligations, conditions or penalties imposed by the Com-
 20 missioner of Insurance or chief insurance officer of such other states
 21 under and by virtue of law, upon reciprocal or interinsurance ex-
 22 changes of this state and the agents thereof.

Approved April 3, 1941.

CHAPTER 281

RECIPROCAL OR INTERINSURANCE CONTRACTS

S. F. 267

AN ACT to amend sections nine thousand eighty-four (9084), nine thousand ninety-one (9091), and to repeal section nine thousand ninety-seven (9097), Code, 1939, and to enact a substitute therefor, relating to the power and authority of the attorneys in fact, the bond required, and the account of the subscribers of reciprocal or interinsurance exchanges and the contracts thereof.

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

1 SECTION 1. Section nine thousand eighty-four (9084), Code, 1939,
 2 is amended by adding at the end of said section the following:
 3 "Such attorney shall have the power and authority to execute any and
 4 all instruments, papers and documents incident to and a part of the
 5 business of the reciprocal or interinsurance exchange, including deeds
 6 for the conveyance of real estate, and acquisition and sale of securities.
 7 Such attorney shall have the power and authority to do all things
 8 necessary and incident to the management and operation of such
 9 business. The certificate of the Commissioner of Insurance certifying
 10 the name of the attorney for any reciprocal or interinsurance exchange
 11 shall be sufficient proof of the authority of any such attorney."

1 SEC. 2. Section nine thousand ninety-one (9091), Code, 1939, is
 2 amended by striking the words "accounts of subscribers" where the
 3 same appear in lines eight (8), ten (10), and eleven (11) thereof, and
 4 substituting in lieu thereof the words "account of subscribers".

1 SEC. 3. Section nine thousand ninety-seven (9097), Code, 1939, is
 2 repealed and the following enacted in lieu thereof:

3 "Where the principal office of the attorney in fact is located in this
 4 state the attorney shall give a fidelity bond to the subscribers thereof
 5 personal or surety, in such sum as the Commissioner of Insurance shall
 6 deem sufficient, no less, however, than ten thousand dollars (\$10,000.-
 7 00), which bond shall be approved by and deposited with the Com-
 8 missioner of Insurance."

1 SEC. 4. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication in

- 3 the Iowa Bystander, a newspaper published at Des Moines, Iowa, and in
4 the Cambridge Leader, a newspaper published at Cambridge, Iowa.

Approved April 5, 1941.

I hereby certify that the foregoing act was published in the Iowa Bystander, Des Moines, Iowa, April 17, 1941, and the Cambridge Leader, Cambridge, Iowa, April 17, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 282

RECIPROCAL OR INTERINSURANCE CONTRACTS

S. F. 287

AN ACT to amend section nine thousand one hundred four (9104) of chapter four hundred nine (409), Code, 1939, pertaining to consolidation and reinsurance, by including in such section chapter four hundred eight (408), Code, 1939, pertaining to reciprocal or interinsurance contracts.

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

- 1 SECTION 1. Section nine thousand one hundred four (9104) of
2 chapter four hundred nine (409), Code, 1939, is amended by striking
3 the word "or" in line five (5) thereof and inserting after the comma
4 following the figures "406" in said line the word and figures "or 408,".

Approved April 15, 1941.

CHAPTER 283

SAVINGS BANKS

H. F. 526

AN ACT to amend section nine thousand one hundred eighty-three (9183), and section ninety-two hundred twenty-three (9223), Code, 1939, relating to the investment in real estate bonds and mortgages by banks.

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

- 1 SECTION 1. That the law as it appears in section nine thousand
2 one hundred eighty-three (9183), Code, 1939, be and the same is
3 hereby amended by adding after the word "thereon" in line six (6)
4 of subsection five (5), the following:
5 " , except that (1) any such loan may be made in an amount not to
6 exceed sixty percent (60%) of the appraised value of the real estate
7 offered as security and for a term not longer than ten (10) years if
8 the loan is secured by an amortized mortgage, deed of trust, or other
9 such instrument under the terms of which the installment payments
10 are sufficient to amortize forty percent (40%) or more of the principal
11 of the loan within a period of not more than ten (10) years, and (2)
12 the foregoing limitations and restrictions shall not prevent the re-
13 newal or extension of loans heretofore made and shall not apply

14 to real estate loans which are insured under the provisions of the
15 National Housing Act, as amended"

1 SEC. 2. Sub-section seven (7) of Section ninety-one hundred eighty-
2 three (9183), Code, 1939, be and the same is hereby amended by strik-
3 ing from line five (5) thereof the words "title II of".

1 SEC. 3. Section ninety-two hundred twenty-three (9223), Code,
2 1939, be and the same is hereby amended by striking from line 31
3 thereof the words "title II of".

Approved April 21, 1941.

CHAPTER 284

SAVINGS AND LOAN ASSOCIATIONS

H. F. 65

AN ACT to amend section nine thousand three hundred forty and three hundredths (9340.03), Code, 1939, relating to the authority of fiduciaries and others to invest funds in savings and loan associations without order of court.

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

1 SECTION 1. Section nine thousand three hundred forty and three
2 hundredths (9340.03), Code, 1939, is hereby amended by striking all
3 of lines one (1) and two (2) and the words "of all kinds," in line three
4 (3) thereof, and by capitalizing the letter "b" in the word "banking"
5 in line three (3); also further amend by striking from lines 17 and 18
6 of said section the words: "without any order of court".

Approved March 19, 1941.

CHAPTER 285

SECOND HAND WATCHES

S. F. 47

AN ACT to regulate the sale of second-hand watches; and to prescribe 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. Definitions. The following words and phrases when
2 used in this act shall, for the purpose of this act, have the meanings
3 respectively ascribed to them.

4 1. CONSUMER shall mean individual, firm, partnership, associa-
5 tion, or corporation who buys for own use or for the use of another
6 but not for resale.

7 2. SECOND-HAND WATCH means:

8 A. A watch which, as a whole, the case thereof, or the movement
9 thereof, has previously been sold to a consumer: Provided, how-
10 ever, that a watch which has been so sold, and is thereafter re-

- 11 turned within sixty days from the date of such sale either through
 12 an exchange or for credit, to the same person who sold such watch
 13 to the consumer, shall not be deemed to be a second-hand watch
 14 for the purpose of this act, if such person keeps a written or
 15 printed record setting forth the name and address of the con-
 16 sumer, the date of the sale to the consumer, the name of the
 17 watch or its maker, and the serial numbers (if any) on the case
 18 and the movement of the watch or other distinguishing numbers
 19 or identification marks, the aforesaid record to be kept for at
 20 least three years from the date of the sale of the watch and to be
 21 open for inspection during all business hours by the County
 22 Attorney of the county in which such person is engaged in busi-
 23 ness; or
- 24 B. Any watch whose case or movement, serial numbers or other
 25 distinguishing numbers or identification marks have been erased,
 26 defaced, removed, altered or covered.
- 27 3. SELL shall be deemed to include offer to sell or exchange, exposed
 28 for sale or exchange, possess with intent to sell or exchange, and sell
 29 or exchange.

1 SEC. 2. Any person, or agent or employee thereof, who sells a
 2 second-hand watch, shall affix and keep affixed to the same tag at
 3 least one inch by one and one-half inches with the words "second-hand"
 4 legibly written or printed thereon in the English language.

1 SEC. 3. WRITTEN INFORMATION FURNISHED TO PUR-
 2 CHASER; RECORD OF. Any person, or agent or employee thereof,
 3 who sells a second-hand watch, shall deliver to the vendee a written
 4 notice setting forth the name and address of the vendor, the name and
 5 address of the vendee, the date of the sale, the fact that the watch is
 6 second-hand, the name of the watch or its maker, and the serial number
 7 (if any), or other distinguishing numbers or identification marks on
 8 its case and movement. In the event the serial numbers or other dis-
 9 tinguishing numbers or identification marks have been erased, defaced,
 10 removed, altered or covered, this shall be set forth in the invoice. A
 11 duplicate of the aforesaid invoice shall be kept on file by the vendor
 12 of such second-hand watch for at least one year from the date of the
 13 sale thereof, and shall be open to inspection during all business hours
 14 by the County Attorney of the county in which the vendor is engaged
 15 in business.

1 SEC. 4. ADVERTISING. Any person advertising second-hand
 2 watches for sale in any manner shall state clearly in such advertise-
 3 ment that the watches so advertised are second-hand watches. If such
 4 advertisement is printed or written, the fact that such watches are
 5 second-hand shall be printed or written in bold faced letters.

1 SEC. 5. PENALTY. Any person or persons, firm or firms, partner-
 2 ship or partnerships, association or associations, corporation or cor-
 3 porations or any agent or servant thereof, who shall violate any of the
 4 provisions of this act shall be punishable by fine not to exceed three
 5 hundred dollars (\$300) or by imprisonment not to exceed ninety (90)
 6 days, or both.

Approved April 10, 1941.

CHAPTER 286
LANDLORD'S LIEN
S. F. 318

AN ACT to amend section ten thousand two hundred sixty-one (10261), Code, 1939, relating to landlord's lien.

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

1 SECTION 1. Section ten thousand two hundred sixty-one (10261),
2 Code, 1939, is hereby amended by adding thereto the following: "Pro-
3 vided, however, that in cases of farm leases involving the rental of
4 farm lands leasing lands of forty (40) acres or more, where the tenant
5 has defaulted in the payment of his rent and suit has been commenced
6 aided by attachment for the enforcement of the landlord's lien, the
7 defendant may file as a defense that the default or inability to pay is
8 caused or brought about by reason of drought, flood, hail, storms or
9 other climatic conditions or infestation of pests affecting the land in
10 controversy. When such a defense has been filed, the issue as to the
11 cause for the default shall be triable as an equitable action. Upon the
12 hearing, if the court finds that the default or inability to pay is due
13 to drought, flood, hail, storm or other climatic conditions or infestation
14 of pests affecting the land in controversy, the court may enter a decree
15 pursuant thereto with his finding of fact. Where a decree has been
16 entered finding that the inability to pay was brought about by any of
17 the conditions named in this act, the landlord's lien shall be confined to
18 all of the crops grown and raised upon the premises and to all increase
19 in live stock and hogs raised upon the premises.

1 SEC. 2. The provisions of this act shall not apply to any farm
2 leases executed prior to July 4, 1941.

Approved April 9, 1941.

CHAPTER 287
LIEN FOR AGRICULTURAL MACHINERY WORK
H. F. 83

AN ACT to amend and revise section ten thousand two hundred sixty-nine and one-tenth (10269.1), Code, 1939, relating to liens for services on agricultural products.

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

1 SECTION 1. That section ten thousand two hundred sixty-nine and
2 one-tenth (10269.1), code, 1939, is hereby amended and revised to
3 read as follows:
4 "Any person, firm, corporation or association engaged in operating
5 a machine for the threshing, baling or combining of any kind of grain
6 or seed; or for the baling of hay, straw or any other farm product
7 whether done by stationary or movable baler; or for the mechanical
8 husking or shelling of corn; or for doing custom threshing, combining,

9 mechanical husking, baling or corn shelling for hire, shall have a first
 10 lien on grain and seed threshed, or any farm product baled, or on corn
 11 shelled or husked, for the reasonable value of such services.”.

Approved March 19, 1941.

CHAPTER 288

LIEN FOR BOAT CHARGES AND STORAGE

H. F. 13

AN ACT to amend section ten thousand three hundred forty-five (10345), Code, 1939, relating to liens for keeping stock and motor vehicles, and to provide for liens for keeping boats and boat engines and motors.

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

1 SECTION 1. Section ten thousand three hundred forty-five (10345),
 2 Code, 1939, is hereby amended by striking from line two (2) thereof
 3 the word “and”, and inserting in line four (4) thereof, after the word
 4 “vehicles”, the following: “, boats and boat engines and boat motors”.

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 Spirit Lake Beacon a newspaper published at Spirit Lake, Iowa,
 4 and in the Clear Lake Mirror a newspaper published at Clear Lake,
 5 Iowa.

Approved March 11, 1941.

I hereby certify that the foregoing act was published in the Spirit Lake Beacon, Spirit Lake, Iowa, March 13, 1941, and the Clear Lake Mirror, Clear Lake, Iowa, March 13, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 289

LEGALIZING NOTICES, JUDGMENTS AND DECREES

S. F. 103

AN ACT to amend, revise, and codify chapter four hundred sixty-two (462), Code, 1939, relating to legalizing judgments and decrees.

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

Chapter four hundred sixty-two (462), Code, 1939, is hereby amended, revised, and codified to read as follows:

1 SECTION 1. (10375) All decrees of court obtained in actions against
 2 unknown defendants in which the notice was entitled in the initial or
 3 initials of the plaintiff instead of his full christian name are hereby
 4 legalized, and said decrees shall have the same force and effect as if
 5 such notice had been entitled in the full name of the plaintiff as was
 6 provided for in section three thousand five hundred thirty-eight

7 (3538), code of 1897, and as is provided for in section three thousand
8 five hundred thirty-eight (3538) of the supplement to the code, 1913.

1 SEC. 2. (10376) No action in which unknown persons were made
2 parties defendant pursuant to the requirements of section three thou-
3 sand five hundred thirty-eight (3538), supplemental supplement to
4 the code, 1915, and in which notice of such action was given by publica-
5 tion between July 1, 1913, and July 1, 1915, for four consecutive weeks,
6 the last publication being ten days prior to the first day of the term for
7 which said action was brought as shown by proof on file in the office
8 of the clerk of the court where said action was pending, shall be held
9 ineffectual, void, or insufficient because the records fail to show that
10 the court or judge approved said notice before publication or failed to
11 indorse his approval on said notice or failed to designate in which paper
12 said notice should be published as required by section three thousand
13 five hundred thirty-nine (3539), code of 1897.

1 SEC. 3. (10376.1) All judgments and decrees heretofore entered by
2 default prior to January 1, 1941, in causes wherein the original notices
3 set out the date when and the place where the court would convene
4 are hereby declared legal and binding, notwithstanding the fact that
5 said original notices fail to name the term at which defendant or de-
6 fendants was or were required to appear. Nothing contained in this
7 section shall affect pending litigation.

1 SEC. 4. (10377) In all cases where decrees and orders of court have
2 been obtained for the sale of real estate by a guardian prior to January
3 1, 1941, where the original notice shows that service of notice pertain-
4 ing to the sale of such real estate was made on the minor or ward out-
5 side of the state of Iowa, such services of notices are hereby legalized.
6 All decrees so obtained as aforesaid are hereby legalized and held to
7 have the same force and effect as though the service of such original
8 notice had been made on the minor or ward within the state of Iowa.

1 SEC. 5. (10378) No judgment or decree purporting to set aside any
2 will or the provisions of any will, or to place any construction upon any
3 will or terms of any will, or to aid in carrying out the provisions of
4 any will, and no contract or agreement purporting to be a settlement
5 of any suit or action to set aside any will or the terms of any will, or to
6 place any construction upon any will or any of the terms thereof, shall
7 be held ineffectual, void or insufficient because the records fail to show
8 proper service of notice on all parties interested, that persons under
9 disability affected by the action were not properly served with notice
10 or represented by guardian or guardian ad litem, either in suit, action
11 or in a settlement thereof, that all persons interested participated in
12 the settlement, or that any other provisions of law had been complied
13 with which are necessary to make a valid decree, judgment or settle-
14 ment; provided more than ten years had elapsed since the judgment,
15 decree, contract or agreement was filed, entered or placed on record
16 in the county where the real estate affected thereby is situated. Said
17 decree, judgment, contract or agreement shall be conclusive evidence of
18 the right, title or interest it purports to establish or adjudicate insofar
19 as it affects the title to such real estate, and said proceedings therein
20 are hereby made legal and effectual the same as though all provisions

21 of law had been complied with in the obtaining of said decree, judgment
22 or execution of said contract or agreement, and any judgment, decree,
23 contract or agreement such as above described which is now of record
24 less than ten years in the county in which the real estate is situated
25 shall, at the expiration of ten years from date of filing, entering, or
26 recording thereof, have the same force and effect as is above given to
27 those now in effect more than ten years.

1 SEC. 6. (10379) In all cases where matters or proceedings in pro-
2 bate have been heard by the circuit* courts or judges outside the county
3 in which such matters or proceedings were pending, and in all cases
4 where orders and judgments in probate matters and proceedings have
5 been made by the circuit* courts and judges outside the county in which
6 such proceeding or matter was pending, and where such hearing was
7 had or order or judgment made within the circuit* to which the county
8 belonged in which such proceeding or matter was pending, such hear-
9 ing, order or judgment shall be held and deemed to be of the same
10 validity and force and effect as if such hearing was had or such order
11 or judgment was made within the county in which such proceeding or
12 matter was pending, and all titles and rights acquired under such
13 orders and judgments shall be held and deemed to be of the same legal
14 force and effect and to be as valid as if such order or judgment had been
15 made within the county in which the proceeding or matter was pending.

1 SEC. 7. (10380) No existing judgment or decree quieting title to
2 real estate as against defects arising prior to January 1, 1936, and
3 purporting to sustain the record title shall be held ineffectual because
4 of the failure to properly set out in the petition or notice the derivation
5 or devolution of the interest of the unknown defendants, or on account
6 of the failure of the record to show that such notice was approved by
7 the court or that the same was published as directed by the court, or
8 because of the failure of the record to show that an affidavit was
9 filed by plaintiff showing that personal service could not be made on
10 any defendant in the state of Iowa, or because of the failure of defense
11 by a guardian ad litem for any defendant under legal disability, or
12 where there was more than one tract of real estate described in the
13 same petition and decree, or where the plaintiffs have no joint or com-
14 mon interest in the property or defects of title, or because of failure to
15 comply with any other provision of law. All such decrees are hereby
16 made legal and effectual the same as if all provisions of law had been
17 complied with in obtaining them.

1 SEC. 8. (10381) In all cases where decrees of court have been ob-
2 tained prior to January 1, 1935, upon publication of notice before the
3 filing of the affidavit of nonresidence, as provided by section three
4 thousand five hundred thirty-four (3534), code of 1897, or section
5 eleven thousand eighty-one (11081), codes of 1924, 1927, 1931 and
6 1935, and the same have not been filed as provided by law, but have
7 been filed during the time that the notice was being published, on
8 which such decrees are based, are hereby legalized and such decrees
9 shall have the same force and effect as though the affidavit of non-
10 residence, as provided in said section, was filed at the time of or prior

*Note: In accordance with the enrolled bill.

11 to the first publication of such notice. All decrees so obtained, as afore-
 12 said, are hereby legalized and held to have the same force and effect
 13 as though the affidavit of nonresidence had been filed, as by law re-
 14 quired.

1 SEC. 9. (10382) In all cases where decrees of court have been ob-
 2 tained prior to January 1, 1939, in which the proof of publication of
 3 the original notice has been made by the affidavit of the editor of the
 4 newspaper or the publisher, manager, cashier or foreman thereof in
 5 which such original notice was published, the same are hereby legalized
 6 and such decrees shall have the same force and effect as though the
 7 affidavit of the publisher or foreman of the newspaper in which
 8 original notice was published had been filed as provided by section
 9 three thousand five hundred thirty-six (3536), code of 1897, or sec-
 10 tion eleven thousand eighty-five (11085), codes of 1924, 1927, 1931
 11 and 1935, that all decrees obtained as aforesaid are hereby legalized
 12 and held to have the same force and effect as though the proof of the
 13 publication on the original notice had been made by the affidavit of
 14 the publisher or foreman of the newspaper in which such original
 15 notice was published.

1 SEC. 10. (10383) All decrees of the courts of this state made and
 2 entered of record in actions brought to annul a marriage in which the
 3 service of the original notice was made by publication in the manner
 4 provided by law for actions for divorce are hereby legalized and
 5 validated as fully and to the same extent as if the statute at the time
 6 such suit was instituted had provided for service of the original notice
 7 by publication in the time and manner aforesaid.

Approved April 23, 1941.

CHAPTER 290

NOTICE OF APPOINTMENT OF EXECUTORS

S. F. 107

AN ACT to amend, revise and codify section ten thousand four hundred seven (10407), Code, 1939, relating to the legalization of the notice of appointment of executors and administrators.

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

1 SECTION 1. Section ten thousand four hundred seven (10407),
 2 Code, 1939, is hereby amended, revised and codified to read as follows:
 3 "In all instances prior to January 1, 1935, where executors or admin-
 4 istrators have failed to publish notice of their appointment as required
 5 by section three thousand three hundred four (3304), code of 1897,
 6 and section eleven thousand eight hundred ninety (11890), codes of
 7 1924, 1927 and 1931, but have published a notice of appointment, such
 8 notice of appointment is hereby legalized and shall have the same force
 9 and effect as though the same had been published as directed by the
 10 court or clerk."

Approved March 10, 1941.

CHAPTER 291

CORPORATIONS

S. F. 106

AN ACT to amend, revise and codify chapter four hundred sixty-five (465), Code, 1939, relating to the legalization of acts concerning corporations.

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

Chapter four hundred sixty-five (465), Code, 1939, is hereby amended, revised and codified to read as follows:

1 SECTION 1. (10408) Corporations heretofore incorporated under
2 the laws of the state which have caused notice of their incorporation
3 to be published once each week for four consecutive weeks in some
4 daily, semiweekly or triweekly newspaper, instead of causing the same
5 to be published in each issue of such newspaper for four consecutive
6 weeks, are hereby legalized and are declared legal incorporations the
7 same as though the law had been complied with in all respects in re-
8 gard to the publication of notice.

1 SEC. 2. (10409) In all instances where the incorporators of corpora-
2 tions organized in this state for pecuniary profit have omitted to
3 publish notice of such incorporation within three months after the date
4 of the certificates of incorporation issued by the secretary of state, but
5 did publish such notices thereafter in the manner and form as required
6 by law, such notices of incorporation are hereby legalized and shall
7 have the same force and effect as though published within said period
8 of three months. Nothing herein contained shall be so construed as to
9 affect any pending litigation.

1 SEC. 3. (10410) In all instances where proper action has been
2 taken prior to July 1, 1940, by the stockholders for renewal of any
3 corporation for pecuniary profit and the certificates showing such
4 proceedings together with the articles of incorporation have been
5 filed and recorded in the office of the county recorder and later in the
6 office of the secretary of state, although there has been failure to file
7 such certificates and articles of incorporation in either or both of the
8 said offices within the time specified therefor by law, such renewals
9 are hereby legalized and shall be held to have the same force and effect
10 as though the filings of the said documents in the said offices had been
11 made within the periods prescribed by the statute.

1 SEC. 4. (10411) In all instances where the incorporators of cor-
2 porations organized in the state prior to January 1, 1940, have failed
3 to publish notices of such incorporation within three months from
4 and after the date of the certificates of incorporation issued by the
5 secretary of state, but did publish such notices within three months
6 after the date required by law in such cases in manner and form as
7 required by law, and in all instances where the number of incorporators
8 or the signatures or acknowledgments thereof were less than the
9 number required by law, or the articles of incorporation were other-
10 wise defective, but where the corporation or association has thereafter
11 been conducted with the requisite number of stockholders or members,

12 such notices of incorporation and the incorporation of corporations or
13 associations so defectively incorporated are in each and every case
14 hereby legalized and all the corporate acts of all such corporations and
15 associations are hereby legalized in all respects.

1 SEC. 5. (10412) In all instances where the incorporators of cor-
2 porations for pecuniary profit have omitted to publish notice of in-
3 corporation within three months from the date of the certificate of
4 incorporation issued by the secretary of state, but have published
5 notice thereafter in manner and form as by law required, such notices
6 are hereby legalized and shall have the same force and effect as though
7 published within said period of three months, as to all acts of said
8 corporation from the date of said completed publication.

1 SEC. 6. (10413) Any corporation organized under chapter two
2 (2) of title nine (IX), code of 1897, which shall have heretofore
3 adopted articles of incorporation or changed its name or amended its
4 articles, and some question has arisen as to whether such articles,
5 change in name or amendment was adopted by a majority of the
6 members of such corporation as required by section one thousand six
7 hundred fifty-one (1651), code of 1897, and section eight thousand
8 five hundred ninety-three (8593), codes of 1924, 1927, 1931 and 1935,
9 and such corporation shall have been engaged in the exercise of its
10 corporate functions for the period of at least three years, such articles,
11 change in name or amendment shall be held and considered to have
12 been duly adopted by a majority of all the members of such corpora-
13 tion and are hereby legalized and made valid.

1 SEC. 7. (10413.1) In all instances where cooperative associations
2 or corporations have been organized under the law as it appears in
3 chapter three hundred eighty-nine (389), code of 1927, where such
4 associations or corporations have filed the original articles rather than
5 a verified copy with the county recorder, or where the secretary of
6 state failed to certify the filing and acceptance of such articles, or
7 where the certificate of the secretary of state contained a facsimile
8 signature rather than the true signature of the secretary of state, or
9 where there is any defect in the articles, notice, procedure or otherwise,
10 the incorporation of such corporation or association and all of the
11 corporate acts thereof are hereby legalized in all respects.

1 SEC. 8. (10413.2) In all cases wherein a corporation organized or
2 purporting to have been organized under the laws of this state has
3 adopted articles of incorporation or other instrument of similar im-
4 port and has functioned as a corporation in carrying out the objects
5 and purposes set forth therein and in the transaction of its business,
6 but has failed to file its articles of incorporation or such other instru-
7 ment with the secretary of state, or otherwise to comply with the laws
8 of this state relating to the organization of corporations, or to take
9 appropriate action for the renewal of its existence within the period
10 limited by law, and has, subsequent thereto, filed in the office of the
11 secretary of state its renewal articles of incorporation and a certificate
12 of the adoption thereof, paid all fees in connection therewith and has
13 heretofore received a certificate from the secretary of state renewing
14 and extending its corporate existence, the acts, franchises, rights,

15 privileges and corporate existence of any such corporation are hereby
16 legalized and validated and shall have the same force and effect as if
17 all the laws of this state relating to the organization of corporations
18 and the renewal of their corporate existence had been strictly complied
19 with. Nothing in this section shall affect any pending litigation.

1 SEC. 9. (10413.3) In all cases wherein any corporation organized
2 or purporting to have been organized under the laws of this state for
3 the purpose of constructing and/or operating a bridge, one extremity
4 of which shall rest in an adjacent state, has attempted to merge or
5 consolidate its stock, property, franchises, assets and liabilities with
6 the stock, property, franchises, assets and liabilities of a corporation
7 organized or purporting to have been organized for a similar purpose
8 under the laws of such adjacent state, and such corporations have in
9 fact united and combined their stock, property, franchises, assets and
10 liabilities, such merger or consolidation, together with the action taken
11 in effecting such merger or consolidation, is hereby legalized and
12 validated, and such corporations so merging or consolidating shall be
13 deemed to have become one corporation under such name as shall have
14 been agreed upon, and such corporation shall be deemed on the date
15 of such merger or consolidation to have succeeded to all the property,
16 rights, privileges, assets and franchises and to have assumed all of the
17 liabilities of such merging or consolidating corporations. Nothing
18 in this section shall affect pending litigation.

Approved April 16, 1941.

CHAPTER 292

MARRIAGE LICENSES

S. F. 2

AN ACT to provide certain physical requirements as a prerequisite to the issuance of a marriage license.

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

1 SECTION 1. In addition to the requirements for a marriage license
2 as set out in chapter four hundred sixty-nine (469), Code, 1939, all
3 persons making application for license to marry shall, at any time
4 within twenty (20) days prior to such application, be examined by a
4 duly licensed physician in this state as to the existence of or freedom
5 from syphilis, and it shall be unlawful for the clerk of the district
6 court of any county in this state to issue a license to marry, except as
7 otherwise provided in this chapter, to any person who fails to present
8 for filing with such clerk a certificate signed by such physician setting
9 forth that said person to the proposed marriage is either free from
10 syphilis or not in a stage whereby it may become communicable as
11 nearly as can be determined by a thorough physical examination and
12 such standard microscopic and serological tests as are necessary for
13 the discovery of syphilis.

1 SEC. 2. If, on the basis of negative laboratory and clinical findings,
2 the physician in attendance finds no evidence of syphilis, or if any
3 applicant so infected is not in a stage of the disease whereby it may
4 become communicable, said physician shall issue a certificate to the
5 examinee to that effect on a form prescribed by the commissioner
6 of public health and furnished by the office of the Clerk of the District
7 Court. Such certificate of negative findings as to each of the parties
8 to a proposed marriage shall be filed with the clerk of the district
9 court of the county wherein the marriage is to be solemnized, at the
10 time application for a license to marry is made.

1 SEC. 3. All standard serological tests for syphilis as required under
2 this chapter shall be made by the state hygienic laboratory of the state
3 department of health or by such other laboratories which are approved
4 by the state department of health. Such tests as may be made by the
5 state hygienic laboratory of the state department of health shall be
6 free of charge. The results of all laboratory tests shall be reported on
7 standard forms prescribed by the commissioner of public health.

1 SEC. 4. Irrespective of the laboratory test results and clinical
2 examination findings, the clerk of the district court shall issue a mar-
3 riage license to parties to a proposed marriage when the woman is
4 pregnant at the time of application, and in lieu of the health certificate
5 required under this chapter such clerk of the district court is hereby
6 authorized to accept an affidavit on a form prescribed by the state
7 department of health, signed by an Iowa licensed physician, stating
8 that the woman is pregnant, which affidavit shall be sealed and
9 available only to the contracting parties or to any interested party
10 securing an order of court.

1 SEC. 5. Nothing in this chapter shall impair or affect existing laws
2 or rules or regulations made by authority of law relative to the re-
3 porting of cases of venereal disease discovered by physicians in the
4 course of their practice.

1 SEC. 6. Any clerk of the district court who shall unlawfully issue a
2 license to marry to any person who fails to present and file the certi-
3 ficate as required in this chapter, and any person or persons who shall
4 disclose or falsify any matter relating or pertaining to the examination
5 of or certificate about any applicant for license to marry or clinical
6 and laboratory tests taken by any party to a proposed marriage, ex-
7 cept as may be required by law, and any person who shall obtain a
8 license to marry contrary to the provisions of this chapter, shall be
9 guilty of a misdemeanor and upon conviction thereof shall be punished
10 by a fine not to exceed one hundred dollars (\$100.00) or by imprison-
11 ment in the county jail not to exceed thirty (30) days.

1 SEC. 7. Marriage licenses issued under the provisions of this chapter
2 shall become void and of no effect unless the marriage be solemnized
3 within twenty (20) days following the issuance thereof.

1 SEC. 8. Where a party making application for the issuance of a
2 marriage license is a non-resident of the state of Iowa and the state
3 of which he is a resident has a law in effect requiring a test to show

4 freedom from syphilis, as provided in this act, the said applicant shall
 5 be entitled to the issuance of a license provided he furnishes a certifi-
 6 cate conforming to the requirements of the state of which he a resident,
 7 signed by a duly licensed physician of said state, showing freedom from
 8 disease as provided in this act.

9 Where a person resides in a state which requires no physical examin-
 10 ation as a prerequisite to the issuance of a marriage license and desires
 11 to make application for a marriage license in this state the said
 12 person, as a condition to the issuance of said license, shall be required
 13 to file a certificate signed by a duly licensed physician of the state in
 14 which the applicant resides, certifying that the said applicant has been
 15 examined by said physician and that he is free from syphilis or not in a
 16 stage whereby it may become communicable and the certificate shall
 17 be signed by the said physician and sworn to by him and his signature
 18 acknowledged by an officer authorized to administer oaths.

1 SEC. 9. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its publication in the Waterloo
 3 Courier, a newspaper published at Waterloo, Iowa, and in the Mason
 4 City Globe Gazette, a newspaper published at Mason City, Iowa.

Approved April 5, 1941.

I hereby certify that the foregoing act was published in the Waterloo Courier, Water-
 loo, Iowa, April 9, 1941, and the Mason City Globe Gazette, Mason City, Iowa, April 9,
 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 293

RECORDS OF ADOPTION

H. F. 541

AN ACT to amend section ten thousand five hundred one and eight tenths (10501.8),
 Code, 1939, relating to records of adoption, by providing for a copy of certain
 adoption records to be sent to the state board of control.

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

1 SECTION 1. Section ten thousand five hundred one and eight tenths
 2 (10501.8), Code, 1939, is hereby amended by striking all after the word
 3 "welfare" in line seven (7) thereof, and by adding thereto the follow-
 4 ing: "and also to the state board of control when the child for adoption
 5 is a ward of the state."

Approved April 21, 1941.

CHAPTER 294

SEALING OF ADOPTION RECORDS

H. F. 169

AN ACT to amend chapter four hundred seventy-three (473), Code, 1939, relating to the sealing of adoption records.

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

- 1 SECTION 1. Chapter four hundred seventy-three (473), Code, 1939,
- 2 is hereby amended by adding a new section as follows:
- 3 "The complete record in adoption proceedings, after filing with the
- 4 clerk of the court, shall be sealed by said clerk, and the record shall not
- 5 thereafter be opened except on order of the court."

Approved April 22, 1941.

CHAPTER 295

CHANGE OF PLACE OF TRIAL FROM JUSTICE COURTS

H. F. 117

AN ACT to amend section ten thousand five hundred thirty-eight (10538), Code, 1939, relating to change of place of trial from justice courts.

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

- 1 SECTION 1. Section ten thousand five hundred thirty-eight (10538),
- 2 Code, 1939, is hereby amended by adding thereto the following:
- 3 " ; provided, however, anything herein to the contrary notwithstanding,
- 4 if any party seeking to have the place of trial changed shall so
- 5 request and designate a municipal or superior court within the county,
- 6 said cause and all original papers and transcript shall be removed
- 7 immediately to such designated municipal court or superior court, if
- 8 there be such municipal or superior court within the county, and
- 9 docketed, the filing fee to be paid by plaintiff, for nonpayment of
- 10 which the cause shall be dismissed."

Approved March 20, 1941.

CHAPTER 296

DISTRICT COURT JUDGE'S EXPENSES

H. F. 392

AN ACT to amend section ten thousand eight hundred five (10805), Code, 1939, relating to the expenses of judges of the district court.

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

- 1 SECTION 1. Section ten thousand eight hundred five (10805), Code,
- 2 1939, is amended by striking the word "three" in line seven and by
- 3 substituting therefor the word "four".

Approved April 10, 1941.

CHAPTER 297

DAMAGES FOR THE NEGLIGENT INJURY OR DEATH OF WOMEN

H. F. 346

AN ACT to amend section ten thousand nine hundred* ninety-one and one tenth (10991.1), Code, 1939, relating to actions for damages because of the negligent or wrongful injury or death of women.

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

1 SECTION 1. Section ten thousand nine hundred ninety-one and one-
2 tenth (10991.1), Code, 1939, is amended by striking all of said section
3 which follows the period (.) in line seven (7) and in lieu thereof
4 substituting the following:

5 "In addition she, or her administrator for her estate, may recover
6 for physician's services, nursing and hospital expense, and the value
7 of her services as wife, or mother, or both, as the case may be, in such
8 sum as the jury deems proper; provided, however, recovery for these
9 elements of damage may not be had by the husband, as such, of any
10 woman who, or whose administrator, is entitled to recover same."

Approved April 21, 1941.

CHAPTER 298

COMMENCING ACTIONS FOR DAMAGE OR INJURY CAUSED BY

MOTOR VEHICLES

S. F. 85

AN ACT to amend chapter four hundred eighty-eight (488), Code, 1939, providing for place of bringing actions for injuries to a person or damage to property caused by motor vehicles, and providing bond for costs in certain cases.

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

1 SECTION 1. Chapter Four Hundred Eighty-eight (488), Code, 1939,
2 is hereby amended by adding the following section thereto:

3 "Actions arising out of injuries to a person or damage to property
4 caused by the operation of any motor vehicle may be brought in the
5 county in which the defendant, or one of the defendants, is a resident
6 or in the county in which the injury or damage is sustained.

7 "Where an action is commenced in the county in which the injury
8 or damage occurred, and which county is not the residence of the de-
9 fendants or one of them, a defendant at any time before answering
10 may file a motion to require the plaintiff to furnish a bond for costs
11 and before any other proceedings in the action the plaintiff must file
12 in the clerk's office a bond to be approved by the clerk in an amount
13 to be fixed by the court for the payment of costs; but in no event shall
14 a bond for costs be required for more than one hundred dollars
15 (\$100.00)."

Approved March 29, 1941.

*Note: In accordance with the enrolled bill.

CHAPTER 299

SHERIFF'S CERTIFICATE OF SALE

S. F. 228

AN ACT relating to the issuance of duplicate sheriff's certificates of sale for lost or destroyed certificates and providing for cancellation of outstanding certificates after lapse of eight years.

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

- 1 SECTION 1. Chapter four hundred ninety-eight (498), Code, 1939,
2 is hereby amended by adding as new sections, the following:
- 3 1. When any person, firm or corporation to whom a sheriff's certi-
4 ficate of sale has been issued or an assignee thereof shall file in the
5 office of the clerk of the district court in which the certificate was
6 issued and in said action, a verified application signed by the purchaser
7 or assignee, his agent, legal representative or attorney that the out-
8 standing sheriff's certificate of sale in said action has been lost or
9 destroyed, the court or judge shall fix a time for hearing thereon and
10 prescribe the notice therefor and the manner of service thereof on the
11 parties to said action or their successors in interest, and on said hear-
12 ing if the court finds that the sheriff's certificate of sale issued in said
13 cause has been lost or destroyed, shall order the sheriff of said county
14 to issue a duplicate certificate of sale as of the date of the original
15 certificate which shall have the same force and effect as the original,
16 and any deed executed thereunder shall have the same force and effect
17 as if executed under the original certificate of sale.
- 18 2. After eight (8) years have elapsed from the date of issuance of
19 any sheriff's certificate of sale, and no action has been taken by the
20 holder of such certificate to obtain a deed thereunder, it shall be the
21 duty of the sheriff and clerk of the district court to cancel such sale and
22 certificate of record and all rights thereunder shall be barred.

Approved April 15, 1941.

CHAPTER 300

BOND ON SALE OR MORTGAGE OF REAL ESTATE IN ESTATES

S. F. 35

AN ACT to amend section eleven thousand nine hundred thirty-three (11933), Code, 1939, relating to the posting of a bond on the sale or mortgage of real estate in an estate for the purpose of satisfying the debts and charges.

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

- 1 SECTION 1. Section eleven thousand nine hundred thirty-three
2 (11933), Code, 1939, is amended by adding to said section at the end
3 thereof the following:
- 4 "Before any such sale or mortgage can be executed, the executor or
5 administrator must give security to the satisfaction of the court or
6 judge, the penalty of which shall be at least double the value of the
7 property to be sold or of the money to be raised by the mortgage, on

8 condition that he faithfully account for and apply all money received
 9 by him by virtue of such sale or mortgage under the direction of the
 10 court or judge. Where an approved surety company bond is furnished,
 11 said bond may be fixed in a lesser amount, but in no case less than the
 12 the value of the property to be sold or of the money to be raised by the
 13 mortgage, with twenty-five percent added thereto; provided, however,
 14 that in all cases the court or judge in determining the amount of the
 15 bond may take into consideration the condition of the estate, the
 16 amount of money to be actually received by the fiduciary and the nature
 17 and amount of the bond already furnished by the executor or adminis-
 18 trator pursuant to the provisions of section eleven thousand eight hun-
 19 dred eighty-seven (11887), Code of 1939, and reduce the amount of the
 20 bond required by the provisions of this section or order that no addi-
 21 tional bond be required."

Approved April 16, 1941.

CHAPTER 301

CLAIMS AGAINST THE ESTATES OF DECEDENTS

S. F. 436

AN ACT to shorten the time for filing claims against estates of decedents from twelve months to six months and to eliminate claims of the fourth class against such estates, and to amend sections eleven thousand nine hundred seventy (11970), eleven thousand nine hundred seventy-two (11972), eleven thousand nine hundred eighty (11980) and eleven thousand nine hundred twenty-three (11923) and to repeal section eleven thousand nine hundred seventy-four (11974) of the Code, 1939.

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

1 SECTION 1. Section eleven thousand nine hundred seventy (11970),
 2 Code, 1939, is hereby amended by striking out line ten (10) and by
 3 striking out the figure "5" at the commencement of line eleven (11)
 4 and inserting in lieu thereof the figure "4".

1 SEC. 2. Section eleven thousand nine hundred seventy-two (11972),
 2 Code, 1939, is hereby amended by striking from line one (1) the words,
 3 and comma "of the fourth of the above classes," and by striking from
 4 line two (2) the words "and allowed, or if filed and notice" and by
 5 striking from line three the first word and comma "thereof," and by
 6 striking from said line three the words "is not served" and by striking
 7 from line four (4) the word "twelve" and inserting in lieu thereof the
 8 word "six".

1 SEC. 3. Section eleven thousand nine hundred eighty (11980), Code,
 2 1939, is hereby amended by striking from the first line the word
 3 "twelve" and inserting in lieu thereof the word "six".

1 SEC. 4. Section eleven thousand nine hundred seventy-four (11974),
 2 Code, 1939, is hereby repealed.

1 SEC. 5. Section eleven thousand nine hundred twenty-three (11923),
 2 Code, 1939, is hereby amended by adding after the word "for" in line
 3 four (4) the following: "the period of administration but not to
 4 exceed".

Approved April 9, 1941.

CHAPTER 302
 ATTACHMENT

S. F. 241

AN ACT to amend sections twelve thousand seventy-nine (12079) and twelve thousand eighty (12080), Code, 1939, relating to attachments.

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

1 SECTION 1. Section twelve thousand seventy-nine (12079), Code,
 2 1939, is amended by inserting immediately following the word "peti-
 3 tion" in line three (3), the words "or an amendment to the petition".

1 SEC. 2. Section twelve thousand eighty (12080), Code, 1939, is
 2 amended by inserting after the word "petition" in line one (1), the
 3 words "or amendment to petition".

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 New Hampton American, a newspaper published at New Hampton,
 4 Iowa, and the Nashua Reporter, a newspaper published at Nashua,
 5 Iowa.

Approved March 31, 1941.

I hereby certify that the foregoing act was published in the New Hampton American, New Hampton, Iowa, April 8, 1941, and the Nashua Reporter, Nashua, Iowa, April 9, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 303

ACTIONS OF FORCIBLE ENTRY AND DETENTION

S. F. 58

AN ACT to amend sections twelve thousand two hundred sixty-three (12263), twelve thousand two hundred sixty-seven (12267), twelve thousand two hundred seventy-five (12275) and twelve thousand two hundred seventy-two (12272), chapter five hundred nineteen (519), Code, 1939, with reference to actions of forcible entry and detention of real property.

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

1 SECTION 1. Section twelve thousand two hundred sixty-three,
 2 (12263), Code, 1939, is hereby amended by adding thereto the follow-
 3 ing section: "When the defendant or defendants remain in possession
 4 after the issuance of a valid tax deed."

1 SEC. 2. Section twelve thousand two hundred sixty-seven (12267),
 2 Code, 1939, is hereby amended by adding immediately following the
 3 period (.) in line ten (10) the following: "Where an action is brought
 4 in the district court it shall be tried as an equitable action, and upon
 5 presentation of the petition to the court or judge after the same has
 6 been filed, the court or judge shall make an order fixing the time and
 7 place for hearing upon said petition and shall prescribe that notice of
 8 the hearing be personally served upon the defendant or defendants,
 9 which service shall be at least five (5) days prior to the date set for
 10 hearing."

1 SEC. 3. Section twelve thousand two hundred seventy-five (12275),
 2 Code, 1939, is amended by striking the period (.) in line line eight (8)
 3 and inserting a comma (,) in lieu thereof and by adding the following
 4 words: "as an equitable action."

1 SEC. 4. Section twelve thousand two hundred seventy-two (12272),
 2 Code, 1939, is hereby amended by striking all following the period in
 3 line four (4) of said section.

1 SEC. 5. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its passage and publication in the
 3 LeMars Semi-Weekly Sentinel, a newspaper published at LeMars, Iowa,
 4 and in the Ida Grove Pioneer Record, a newspaper published at Ida
 5 Grove, Iowa.

Approved March 31, 1941.

I hereby certify that the foregoing act was published in the LeMars Semi-Weekly
 Sentinel, LeMars, Iowa, April 4, 1941, and the Ida Grove Pioneer Record, Ida Grove,
 Iowa, April 10, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 304

ATTORNEYS FEES IN PARTITION ACTIONS

S. F. 524

AN ACT to amend section twelve thousand three hundred fifty-one (12,351), Code, 1939,
 relating to fees for attorneys employed by referees in partition actions.

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

1 SECTION 1. Section twelve thousand three hundred fifty-one (12,-
 2 351), Code, 1939, is hereby amended by inserting immediately after
 3 the word "chapter" in line two (2) the following: "and the attorney
 4 employed by the referee or referees".

Approved April 15, 1941.

CHAPTER 305
HABEAS CORPUS

S. F. 18

AN ACT to amend section twelve thousand four hundred seventy-two (12472), Code, 1939, to provide for the place of making application for a writ of habeas corpus for inmates of federal institutions.

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

- 1 SECTION 1. Section twelve thousand four hundred seventy-two
- 2 (12472), Code, 1939, is hereby amended by inserting after the word
- 3 "state" in line three (3) thereof, the following: "or federal".

Approved February 28, 1941.

CHAPTER 306
BOND OF GUARDIANS FOR MINORS

S. F. 36

AN ACT to amend section twelve thousand five hundred ninety-two (12592), Code 1939, relating to the amount of bond to be given by a guardian upon the sale or mortgage of real estate.

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

- 1 SECTION 1. Section twelve thousand five hundred ninety-two
- 2 (12592), Code, 1939, is amended by adding thereto at the end of said
- 3 section the following:
- 4 "Where an approved surety company bond is furnished, said bond
- 5 may be fixed in a lesser amount, but in no case less than the value of
- 6 the property to be sold or of the money to be raised by the mortgage,
- 7 with twenty-five percent added thereto."

Approved March 26, 1941.

CHAPTER 307
AUTHORIZED INVESTMENT OF TRUST FUNDS

H. F. 155

AN ACT to amend subsection five (5) of section twelve thousand seven hundred seventy-two (12772), Code, 1939, relating to authorized investment of trust funds.

WHEREAS, the making of real estate loans under the Federal Housing Administration plan has generally increased the amount loaned running as high as eighty percent (80%) or ninety per cent (90%) of the appraised value, thereby restricting the opportunities for fiduciaries bound by the present law that limits them to investing in first real estate mortgages on improved real estate located in this state provided the aggregated amount of such notes and/or bonds secured by such first mortgage does not exceed fifty percent (50%) of the value of the mortgaged property; and,

WHEREAS, the federal law with respect to national banks' investing in first real estate mortgages on improved real estate largely follows the Iowa law but adds an additional proviso, which is included in the following measure because it will if enacted assist Iowa fiduciaries, corporate or personal, in being able to more readily find good Iowa real estate mortgages for investment of trust funds; therefore,

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

1 SECTION 1. That subsection five (5) of section twelve thousand
2 seven hundred seventy-two (12772), Code, 1939, be and the same is
3 hereby amended by adding after the word "fiduciary" in the last line
4 thereof the following:
5 " ; except that any such loan may be made in an amount not to exceed
6 sixty percent (60%) of the appraised value of the real estate offered
7 as security and for a term not longer than ten (10) years, if the loan
8 is secured by an amortized mortgage, deed of trust, or other such
9 instrument under the terms of which the installment payments are
10 sufficient to amortize forty percent (40%) or more of the principal
11 of the loan within a period of not more than ten (10) years."

Approved April 21, 1941.

CHAPTER 308

FINAL REPORT OF FIDUCIARIES

H. F. 59

AN ACT to amend section twelve thousand seven hundred eighty-one and one-tenth (12781.1), Code, 1939, relating to final reports of fiduciaries.

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

1 SECTION 1. Section twelve thousand seven hundred eighty-one
2 and one tenth (12781.1), Code, 1939, is hereby amended by adding
3 thereto the following sentence:
4 "No charge shall be made by the county treasurer for the issuance
5 of such certificate."

Approved March 15, 1941.

CHAPTER 309

TIME LIMITATION ON FUNDS DEPOSITED WITH DISTRICT COURT CLERK

H. F. 394

AN ACT to provide for a period of limitation within which certain funds deposited with the clerk of the district court may be claimed.

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

1 SECTION 1. Any person, firm or corporation entitled to any funds
2 which have been deposited with the clerk of the district court of any

3 county in connection with the settlement or distribution of any estate,
 4 trust, guardianship, partition suit, receivership, or any action or pro-
 5 ceeding, or any fund which has been deposited with said clerk in con-
 6 nection with the liquidation of any bank, trust company, or other
 7 corporation, shall be deemed to have waived all right, claim or interest
 8 therein, and shall not be permitted to have or make claim therefor,
 9 unless proper demand and proof is made by the person, firm or corpora-
 10 tion entitled to any of said funds within a period of ten (10) years
 11 from the date of deposit of said funds with the said clerk. If said
 12 funds are not claimed within said ten-year period they shall become
 13 a part of the general fund of the county.

1 SEC. 2. Unless within one year from July 4, 1941, proper demand
 2 and proof is made by any person entitled to any unclaimed fund or
 3 part thereof which was deposited with the clerk of the district court
 4 on and prior to July 4, 1931, the person entitled to such unclaimed
 5 fund shall be deemed to have waived all right, claim or interest therein,
 6 and shall not be permitted to have or make any claim therefor.

1 SEC. 3. Where funds are deposited with the clerk of the district
 2 court of any county pending litigation, the period of limitation herein-
 3 before provided shall not commence to run until the action in connec-
 4 tion with which the funds are deposited has been finally adjudicated.

1 SEC. 4. It is provided, however, that if the person entitled to funds
 2 so deposited is subject to legal disability during the time of the de-
 3 posit of such funds, the duration of such disability may be added to
 4 the term in which said funds may be claimed, and may be recovered
 5 within such extended period, as a claim against the general fund of
 6 said county, on satisfactory showing made to, and order by, a Judge
 7 of the District Court of the county where such funds are on deposit.

Approved April 21, 1941.

CHAPTER 310
 SUPREME COURT

S. F. 189

AN ACT to amend, revise and codify section twelve thousand eight hundred four (12804), Code, 1939, relating to the selection and tenure of the Chief Justice of the Supreme Court.

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

1 SECTION 1. Section twelve thousand eight hundred four (12804),
 2 Code, 1939, is amended, revised and codified to read as follows:

3 "12804. Chief Justice. The Supreme Court shall select one of its
 4 members to serve as chief justice for six months, the judges to serve
 5 in rotation in such order as may be determined by the court. At the last
 6 term of each year, the supreme court shall determine and enter of
 7 record who, under this statute, shall be chief justice for the six months
 8 period beginning on January 1 thereafter. Likewise at the May term

9 in each year and on or before June 30, the supreme court shall deter-
 10 mine and enter of record who, under this statute, shall be chief justice
 11 for the last six months of the year. The presiding chief justice shall
 12 appoint one of the other members of the court to act in his place and
 13 stead in case of his absence or inability to act and, when so acting,
 14 such member shall have all the rights, duties and powers given by
 15 statute to the chief justice of the supreme court."

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 New Hampton American, newspaper published at New Hampton, Iowa,
 4 and in the Northwood Anchor, a newspaper published at Northwood,
 5 Iowa.

Approved March 10, 1941.

I hereby certify that the foregoing act was published in the New Hampton American,
 New Hampton, Iowa, March 18, 1941, and the Northwood Anchor, Northwood, Iowa,
 March 13, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 311
 SUPREME COURT

S. F. 25

AN ACT to provide for a general system of practice in all the courts of this state; to em-
 power the supreme court to prescribe all rules of pleading, practice and procedure
 and the forms of process, writs and notices for all proceedings of a civil nature in all
 courts of this state for the purpose of simplifying the same and of promoting the
 speedy determination of litigation upon its merits; and to provide for the taking
 effect thereof.

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

1 SECTION 1. The Supreme Court of the State of Iowa shall have the
 2 power to prescribe all rules of pleading, practice and procedure, and
 3 the forms of process, writs and notices, for all proceedings of a civil
 4 nature in all courts of this state, for the purpose of simplifying the
 5 same, and of promoting the speedy determination of litigation upon
 6 its merits. Said rules shall neither abridge, enlarge, nor modify the
 7 substantive rights of any litigant.

1 SEC. 2. Any such rules and forms prescribed by the Supreme Court
 2 shall be reported by it to the General Assembly within twenty days
 3 after the commencement of a regular session and shall take effect
 4 July 4th following the adjournment of such session, with such changes,
 5 if any, as may have been enacted at such session; and thereafter all
 6 laws in conflict therewith shall be of no further force or effect.

Approved February 17, 1941.

CHAPTER 312

FALSE DRAWING OR UTTERING OF CHECKS

H. F. 82

AN ACT to amend section thirteen thousand forty-seven (13047), Code, 1939, relating to the false drawing or uttering of checks.

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

1 SECTION 1. That section thirteen thousand forty-seven (13047),
 2 Code, 1939, be amended by striking all of said section following the
 3 comma (,) in line twelve (12) thereof which follows the figure, 13045,
 4 and substituting in lieu thereof the following, "and if such check,
 5 draft or written order be for less than twenty dollars (\$20.00), such
 6 persons shall be guilty of a misdemeanor, and upon conviction thereof,
 7 shall be punished by a fine of not to exceed one hundred dollars
 8 (\$100.00) or by imprisonment in the county jail not to exceed thirty
 9 (30) days; provided, however, that if such person has been three times
 10 convicted of such offense, he shall on the fourth and all subsequent
 11 convictions, be sentenced to the county jail or penitentiary at the
 12 discretion of the court, for a period of not to exceed one (1) year.

Approved April 10, 1941.

CHAPTER 313

FORGERY AND COUNTERFEITING

S. F. 190

AN ACT to amend section thirteen thousand one hundred forty (13140) of the Code, 1939, relating to the uttering and publishing of false, altered, forged, or counterfeited instruments and fixing punishment therefor.

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

1 SECTION 1. Section Thirteen Thousand One Hundred Forty (13140)
 2 of the Code, 1939, is amended by striking the last two (2) lines of said
 3 section and inserting in lieu thereof the following: "ten years, or im-
 4 prisoned in the county jail not exceeding one year, or fined not exceed-
 5 ing one thousand dollars."

Approved March 28, 1941.

CHAPTER 314

NOTICE OF DEFENSE OF INSANITY OR ALIBI

H. F. 91

AN ACT to provide for advance notice of the defenses of insanity or alibi in criminal cases.

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

1 SECTION 1. Where the defendant pleads not guilty and proposes to
2 show insanity as a defense, or that he relies on an alibi or that he was
3 at some other place at the time of the alleged commission of the offense
4 charged, he shall, at the time he pleads or at any time thereafter, not
5 later than four days before trial, file a written notice of this purpose,
6 setting forth the names of the witnesses, together with the address
7 and occupation of each, and a statement of the substance of that which
8 the defendant expects to prove by the testimony of each of said
9 witnesses. If the defendant files said notice less than four days before
10 the case is set for trial, the State, on motion of the county attorney,
11 shall be entitled to a continuance of said cause for not to exceed four
12 days.

Approved April 21, 1941.

LEGALIZING ACTS

CHAPTER 315

NOTICE OF HEARING ON PROBATE OF WILL

H. F. 153

AN ACT to amend chapter four hundred sixty-four (464), Code, 1939, by adding thereto a section relating to publication by clerks of the district courts of notice of time fixed for hearing of probate of any will, and legalizing notices of hearings published prior to January 1, 1939, and not in conformity with statutory requirement.

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

- 1 SECTION 1. Chapter four hundred sixty-four (464), code, 1939, is
 2 amended by adding thereto the following section:
 3 "In all instances prior to January 1, 1939, where the clerk of the
 4 district court of any county failed to publish notice of the time fixed for
 5 hearing of the probate of any will filed in such county as required by
 6 section eleven thousand eight hundred sixty-five (11865) of the code,
 7 but did publish a notice of the time fixed for such hearing signed by
 8 himself and addressed to whom it may concern, in a daily or weekly
 9 newspaper printed in the county where the will was filed, such notice
 10 of time fixed for the hearing of the probate of such will is hereby
 11 legalized and shall have the same force and effect as though the same
 12 had been published in strict conformity with the requirements of sec-
 13 tion eleven thousand eight hundred sixty-five (11865) of the code."
 1 SEC. 2. This act shall not affect pending litigation.

Approved April 21, 1941.

CHAPTER 316

CONTRACTS FOR CARE OF DEPENDENT CHILDREN

S. F. 14

AN ACT to legalize payments made by counties to institutions and contracts between counties and institutions for the care and support of neglected, dependent, and delinquent children in amounts not exceeding eighteen dollars (\$18.00) per month for each child.

WHEREAS, boards of supervisors have paid to institutions amounts in excess of the sixteen dollars (\$16.00) authorized by section three thousand six hundred seventy-six (3676), Code, 1939, for the care and support of neglected, dependent, and delinquent children; and

WHEREAS, the cost each month for each such child has exceeded the amount of sixteen dollars (\$16.00), and counties have paid as much as eighteen dollars (\$18.00) or more per month for support; and

WHEREAS, the question has been raised as to the legality of the payments in excess of sixteen dollars (\$16.00) per month; and

WHEREAS, it has been and is now almost impossible for counties to place such neglected, dependent, and delinquent children in institutions for the amount of sixteen dollars (\$16.00) per month for each child; Therefore,

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

1 SECTION 1. Payments made by counties to institutions for the care
2 and support of neglected, dependent, and delinquent children in
3 amounts not exceeding eighteen dollars (\$18.00) per month for each
4 child are hereby legalized and validated.

1 SEC. 2. Contracts between counties and such institutions for pay-
2 ments in excess of sixteen dollars (\$16.00) per month for the care and
3 support of each child placed by the county in such institution are here-
4 by declared to constitute valid and binding contracts to the extent that
5 such payments do not exceed the sum of eighteen dollars (\$18.00) per
6 month.

1 SEC. 3. Payments in excess of the amount authorized by section
2 three thousand six hundred seventy-six (3676), Code, 1939, heretofore
3 made and to be made by county officers in carrying out the terms of
4 contracts between counties and institutions for the care and support
5 of neglected, dependent, or delinquent children placed in such institu-
6 tions by the counties are hereby legalized and validated to the extent
7 that such payments do not exceed the amount of eighteen dollars
8 (\$18.00) per month for each child.

Approved March 21, 1941.

CHAPTER 317

ASSISTANT PUBLISHER'S AFFIDAVITS

H. F. 358

AN ACT to legalize proof of publication of notice made by the affidavit of the assistant publisher prior to January 1, 1940.

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

1 SECTION 1. All affidavits of proof of publication of any notice or
2 original notice made by the assistant publisher of any newspaper of
3 general circulation, which were executed and filed prior to January
4 1, 1940, are hereby legalized, declared valid, binding, and of full force
5 and effect.

1 SEC. 2. This act shall not be construed to affect pending litigation.

Approved April 21, 1941.

CHAPTER 318

NATIONAL MUTUAL INSURANCE ASSOCIATION OF IOWA

H. F. 412

AN ACT to legalize the corporate acts and proceedings of the National Mutual Insurance Association of Iowa and to provide for the renewal and extension of the corporate existence of said company.

WHEREAS, the period of corporate existence of the National Mutual Insurance Association of Iowa, a corporation organized under the laws of the state of Iowa, with its principal place of business at Algona, Iowa, expired on September 20, 1940, and through inadvertence the same was not renewed within the period prescribed by statute; and

WHEREAS, on the twenty-first day of February, 1941, at a special meeting of said coporation called for that purpose, it was unanimously voted to renew the corporate period of said corporation for an additional period of twenty years from and after September 20, 1940, and articles of incorporation for said renewal and extended period were duly signed; and

WHEREAS, on or about the twenty-first day of February, 1941, said articles of incorporation, together with the certificate of renewal duly executed by the president and secretary of said National Mutual Insurance Association of Iowa, acting on authority of the members, accompanied by the proper filing and recording fee, were filed in the office of the secretary of state; and

WHEREAS, the twenty-first annual report of the corporation, being the last report due, and the annual fee in connection therewith have been filed and paid, and said corporation has complied with all the requirements of the office of the secretary of state and of the insurance commissioner of Iowa; and

WHEREAS, said articles of incorporation and said certificate of renewal provide for the period of corporate existence to expire on September 20, 1960, being twenty years from the expiration of the former corporate charter and;

WHEREAS, all proceedings have been approved as to form by the secretary of state and the insurance commissioner of Iowa, subject to a legalizing act by the general assembly, and all filing and recording fees have been paid; now, therefore,

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

1 SECTION 1. That all proceedings for the renewal of the corporate
2 existence of the National Mutual Insurance Association of Iowa are
3 hereby declared legal, binding, and effective, and to have the same
4 force and effect as though said proceedings had been performed within
5 the period prescribed by law, and the secretary of state is hereby
6 directed to record said certificate of renewal and amended and sub-
7 stituted articles of incorporation of National Mutual Insurance
8 Association of Iowa, and when so recorded, said matters and things
9 shall have the same effect as though recorded within the period pre-
10 scribed by law, and the secretary of state is hereby directed to issue
11 to National Druggists Mutual Insurance Association, the name of the

12 corporation as fixed by the renewal, amended and substituted articles
 13 of incorporation, a certificate of renewal of the corporate existence
 14 of said company, providing that said corporate existence shall expire
 15 September 20, 1960.

1 SEC. 2. Nothing herein contained shall be construed as to affect
 2 pending litigation, if any.

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 Bancroft
 3 Register, a newspaper published in Bancroft, Iowa, and The Algona
 4 Upper Des Moines, a newspaper published in Algona, Iowa, said
 5 publication to be without expense to the state.

Approved April 5, 1941.

I hereby certify that the foregoing act was published in the Bancroft Register, Bancroft, Iowa, April 17, 1941, and the The Algona Upper Des Moines, Algona, Iowa, April 17, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 319

BLACK HAWK COUNTY

H. F. 518

AN ACT to legalize and validate proceedings taken by the board of supervisors of Black Hawk County, Iowa, authorizing and providing for the issuance of \$45,000.00 refunding bonds of said county and providing for the levy of taxes to pay said bonds.

WHEREAS, the board of supervisors of Black Hawk county, Iowa, has heretofore adopted proceedings authorizing and providing for the issuance of \$45,000.00 refunding bonds of said county, dated March 1, 1941, for the purpose of refunding a like amount of funding bonds of said county bearing a higher rate of interest, and in and by said proceedings also provided for the levy of taxes to pay the principal of and interest upon said refunding bonds; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and concerning the provisions made for the levy of taxes as aforesaid and it is deemed advisable to put said doubts, and all others that may arise, forever at rest; now therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of
 2 supervisors of Black Hawk county, Iowa, authorizing and providing
 3 for the issuance of \$45,000.00 refunding bonds of said county, dated
 4 March 1, 1941, and making provision for the levy of taxes to pay the
 5 principal and interest of said bonds are hereby legalized, validated
 6 and confirmed, and said refunding bonds issued pursuant to and in
 7 accordance with said proceedings are hereby declared to be legal and
 8 to constitute valid and binding obligations and indebtedness of said
 9 county.

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 Waterloo
3 Daily Courier, a newspaper published in Waterloo, Iowa, and in the
4 Cedar Falls Daily Record, a newspaper published in Cedar Falls, Iowa,
5 all without expense to the state.

Approved April 5, 1941.

I hereby certify that the foregoing act was published in the Waterloo Daily Courier, Waterloo, Iowa, April 8, 1941, and the Cedar Falls Daily Record, Cedar Falls, Iowa, April 9, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 320
GREENE COUNTY

S. F. 458

AN ACT to legalize the payment of refund warrants issued on soldiers homestead exemption for the tax year of 1938 and to legalize the transfer of four hundred fifteen dollars (\$415.00) from the general county fund to the homestead credit fund by the board of supervisors of Greene County, Iowa.

WHEREAS, under Senate File one hundred eighty-two (182), Acts of the Forty-Eighth General Assembly of Iowa, several petitions were filed with the County Auditor of Greene County, Iowa, asking for additional homestead credit on the valuation of their soldiers' tax exemption, and

WHEREAS, these petitions were granted by the Board of Supervisors of Greene County, Iowa, in the amount of nine hundred fifty-eight dollars and ninety-five cents (\$958.95), and

WHEREAS, a supplemental certificate was then compiled by the County Auditor of Greene County, Iowa and filed with the Homestead Credit Department of the Iowa State Tax Commission asking for an additional allotment of homestead credit funds in the amount of nine hundred fifty-eight dollars and ninety-five cents (\$958.95), and

WHEREAS, before the Homestead Credit Department had acted upon the request for additional funds, the County Auditor of Greene County, Iowa issued refund warrants to the several individuals in the amounts as granted by the Greene County Board of Supervisors, and

WHEREAS, the amount of refund warrants issued in the year of 1939 was in the total amount of nine hundred fifty-eight dollars and ninety-five cents (\$958.95), and

WHEREAS, the Homestead Credit Department disallowed several individual claims and only remitted to the County Treasurer of Greene County, Iowa, the sum of five hundred forty-three dollars and eleven cents (\$543.11), and

WHEREAS, in the meantime the County Treasurer of Greene County, Iowa, paid these aforesaid refund warrants from the Homestead Credit Fund, and

WHEREAS, the County Treasurer of Greene County, Iowa paid the sum of four hundred fifteen dollars (\$415.00) more than the amount received from the State Tax Board, and

WHEREAS, a transfer was then made from the General County Fund to the Homestead Credit Fund to take up the overdraft, said transfer being ordered by the Board of Supervisors of Greene County, Iowa, and

WHEREAS, according to an attorney general's opinion dated March 23, 1939, a veteran owning more than one parcel of property could claim soldiers exemption on property other than his homestead as set out in Senate File one hundred eighty-three (183) of the Forty-Eighth General Assembly, and by doing so could get full Homestead credit on his homestead; but owners of one parcel of real estate would not have this privilege as the soldiers exemption would be deducted from the assessed valuation and the homestead credit given on the valuation after the soldiers exemption had been deducted, and

WHEREAS, the claims disallowed by the State Tax Board were cases where the claimant was the owner of only one parcel of property; now, therefore,

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

1 SECTION 1. The action of the County Auditor of Greene County,
2 Iowa, in issuing refund warrants for soldiers' homestead exemptions
3 in the amount of four hundred fifteen dollars (\$415.00) be hereby de-
4 clared to be legal, valid and binding.

1 SEC. 2. The action of the Board of Supervisors of Greene County,
2 Iowa, in making the transfer of funds from the General County Fund
3 to the Homestead Credit Fund to take up the overdraft of the amount
4 set out in section one (1) hereof be declared to be legal, valid and bind-
5 ing.

1 SEC. 3. The action of the County Treasurer of Greene County, Iowa,
2 in paying said warrants in the amount as set out in section one (1) of
3 this act be declared to be legal, valid and binding.

1 SEC. 4. Nothing in this act shall affect pending litigations.

1 SEC. 5. 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 Jefferson Bee, a newspaper published in Jefferson, Iowa, and the
4 Jefferson Herald, a newspaper published in Jefferson, Iowa, and the
5 Grand Junction Globe, a newspaper published in Grand Junction, Iowa,
6 without expense to the state.

Approved March 28, 1941.

I hereby certify that the foregoing act was published in the Jefferson Bee, Jefferson, Iowa, April 29, 1941, and the Jefferson Herald, Jefferson, Iowa, April 24, 1941, and the Grand Junction Globe, Grand Junction, Iowa, May 1, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 321
GUTHRIE COUNTY
H. F. 301

AN ACT to make permanent certain transfers of funds in Guthrie County, Iowa.

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

1 SECTION 1. That a transfer of Ten Thousand Dollars (\$10,000)
2 from the State Insane Fund of Guthrie County, Iowa, to the General
3 Fund of said county of date September 3, 1935, which transfer was
4 approved by the State Comptroller, is hereby made a permanent
5 transfer and the same is hereby legalized and made valid.

1 SEC. 2. That a transfer of Four Thousand Five Hundred Dollars
2 (\$4,500) from the Court Expense Fund of Guthrie County, Iowa, to
3 the Poor Fund of said county of date September 3, 1935, which transfer
4 was approved by the State Comptroller, is hereby made a permanent
5 transfer and the same is hereby legalized and made valid.

1 SEC. 3. That a transfer of Four Thousand Dollars (\$4,000) from
2 the Court Expense Fund of Guthrie County, Iowa, to the General Fund
3 of said county of date November 2, 1937, which transfer was approved
4 by the State Comptroller, is hereby made a permanent transfer and
5 the same is hereby legalized and made valid.

1 SEC. 4. That a transfer of Four Thousand Dollars (\$4,000) from
2 the State Insane Fund of Guthrie County, Iowa, to the General Fund
3 of said county of date November 2, 1937, which transfer was approved
4 by the State Comptroller, is hereby made a permanent transfer and
5 the same is hereby legalized and made valid.

Approved April 21, 1941.

CHAPTER 322
HARDIN COUNTY
H. F. 320

AN ACT to legalize all acts and proceedings relating to the transfer of funds, on November 15, 1932, from the insane fund to the poor fund of Hardin County, Iowa, and making such transfer permanent.

WHEREAS, on November 15, 1932, there was transferred from the Insane Fund to the Poor Fund of Hardin County, Iowa, eight thousand dollars (\$8,000.00) which was used for relief purposes; and

WHEREAS, the transfer of said funds was made with the approval of the state comptroller; and

WHEREAS, under the present maximum levy there is and has been insufficient funds in the Poor Fund to repay the eight thousand dollars (\$8,000.00) to the Insane Fund; and

WHEREAS, there is no need for the return of the eight thousand dollars (\$8,000.00) for use as an Insane Fund; now, therefore,

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

1 SECTION 1. That all acts and proceedings relating to the transfer,
2 on November 15, 1932, of eight thousand dollars (\$8,000.00) from the
3 Insane Fund to the Poor Fund of Hardin County, Iowa, are hereby
4 legalized, and said transfer is hereby authorized to be made permanent.

1 SECTION 2. This Act being deemed of immediate importance, shall
2 be in full force and effect from and after its passage and publication
3 in the Iowa Falls Citizen of Iowa Falls, Iowa, and the Hardin County
4 Index of Eldora, Iowa.

Approved March 24, 1941.

I hereby certify that the foregoing act was published in the Iowa Falls Citizen, Iowa Falls, Iowa, April 1, 1941, and the Hardin County Index, Eldora, Iowa, April 3, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 323

JONES COUNTY

H. F. 544

AN ACT to legalize the action of the board of supervisors of Jones County, Iowa, in making expenditures from the poor fund of said county to state revenue which should have been made from the general fund of said county.

WHEREAS, the Board of Supervisors of Jones County, Iowa, for the year 1938 paid out of the poor fund of said county the sum of \$2459.73 to state revenue for care of patients confined in such institutions; and

WHEREAS, the Board of Supervisors of Jones County, Iowa, for the year 1939 paid out of the poor fund of said county the sum of \$2558.80 to state revenue for the care of patients confined in state institutions; and

WHEREAS, all of said payments should have been made from the general fund of said county; and

WHEREAS, there are not sufficient funds in the general fund of said county to reimburse the said poor fund; and

WHEREAS, doubts have arisen as to the legality of such expenditures and the proceedings incident to the making of the same, and it is now deemed advisable to put such doubts at rest; now, therefore,

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

1 SECTION 1. That the action of the Board of Supervisors of Jones
2 County, Iowa, in making expenditures out of the poor fund of said
3 county for the year 1938 in the amount of \$2450.73 and for the year
4 1939 in the sum of \$2558.80 to state revenue for the care of patients

5 confined in state institutions is hereby legalized and declared valid as
6 though such expenditures had been made from the general fund of
7 said county.

Approved April 21, 1941.

CHAPTER 324
KEOKUK COUNTY

H. F. 239

AN ACT to legalize the action of the board of supervisors of Keokuk County, Iowa, in making expenditures from the Keokuk County insane fund for the purpose of paying the expenses and maintenance of the Keokuk County Home.

WHEREAS, the board of supervisors of Keokuk county, Iowa, has for the years 1935, 1936, 1937, 1938, and 1939 paid more of the total cost of maintenance of the Keokuk County Home from the Insane Fund of Keokuk county, Iowa, than the proportionate share of such expenses as should be borne by said fund; and,

WHEREAS, it is deemed advisable to legalize the action of the Keokuk county, Iowa, board of supervisors in so doing; 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 Keokuk
2 county, Iowa, in making expenditures for the expenses and maintenance
3 of the Keokuk County Home during the year 1935, in the sum of seven
4 thousand six hundred thirty-four dollars and fifty-eight cents (\$7,634.-
5 58) from the County Insane Fund in excess of the proportionate share
6 of said fund should have borne, is hereby declared to be legal, valid
7 and binding.

1 SEC. 2. The action of the board of supervisors of Keokuk county,
2 Iowa, in making expenditures for the expenses and maintenance of the
3 Keokuk County Home during the year 1936, in the sum of six thousand
4 dollars and fifty-nine cents (\$6,000.59) from the County Insane Fund
5 in excess of the proportionate share said fund should have borne, is
6 hereby declared to be legal, valid and binding.

1 SEC. 3. The action of the board of supervisors of Keokuk county,
2 Iowa, in making expenditures for the expenses and maintenance of the
3 Keokuk County Home during the year 1937, in the sum of nine thousand
4 two hundred forty dollars and sixty-four cents (\$9,240.64) from the
5 County Insane Fund in excess of the proportionate share said fund
6 should have borne, is hereby declared to be legal, valid and binding.

1 SEC. 4. The action of the board of supervisors of Keokuk county,
2 Iowa, in making expenditures for the expenses and maintenance of the
3 Keokuk County Home during the year 1938, in the sum of three thou-
4 sand seven hundred ninety-six dollars and sixty-two cents (\$3,796.62)
5 from the County Insane Fund in excess of the proportionate share said

6 fund should have borne, is hereby declared to be legal, valid and bind-
7 ing.

1 SEC. 5. The action of the board of supervisors of Keokuk county,
2 Iowa, in making expenditures for the expenses and maintenance of the
3 Keokuk County Home during the year 1939, in the sum of three thou-
4 sand one hundred ninety-nine dollars and thirty-three cents (\$3,199.33)
5 from the County Insane Fund in excess of the proportionate share said
6 fund should have borne, is hereby declared legal, valid and binding.

1 SEC. 6. This act being deemed of immediate importance shall be in
2 full force and effect after its passage and publication in the Sigourney
3 Review, a newspaper published in Sigourney, Iowa, and in the Keota
4 Eagle, a newspaper published in Keota, Iowa.

Approved April 5, 1941.

I hereby certify that the foregoing act was published in the Sigourney Review,
Sigourney, Iowa, April 16, 1941, and the Keota Eagle, Keota, Iowa, April 10, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 325 LUCAS COUNTY

H. F. 272

AN ACT to legalize the action of the board of supervisors of Lucas County, Iowa, in making expenditures from the court fund and poor fund that should have been made from the general fund.

WHEREAS, the board of supervisors of Lucas county, Iowa, during the years 1936 and 1937 paid out of the court fund the sums of eighteen hundred thirty-five dollars and ninety-four cents for 1936 and nineteen hundred nineteen dollars and seventeen cents for 1937 for sheriff's claims for milage and expenses; and

WHEREAS, the board of supervisors of Lucas county, Iowa, during the year 1937 paid out of the poor fund the sum of eighteen hundred one dollars and six cents to state institutions for care of patients confined to such institutions; and

WHEREAS, all of said payments should have been made from the general fund; and

WHEREAS, there are insufficient funds in the general fund of said county to reimburse the court fund or the poor fund; 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 Lucas county,
2 Iowa, in making expenditures for the payment of sheriff's claims for
3 mileage and expenses in the sum of eighteen hundred thirty-five dollars

4 and ninety-four cents for the year 1936 and in the sum of nineteen
 5 hundred nineteen dollars and seventeen cents for 1937 from the court
 6 fund of said county and in making expenditures for the care of patients
 7 in state institutions in the sum of eighteen hundred one dollars and six
 8 cents for the year 1937 from the poor fund of said county is hereby
 9 legalized and declared valid as though such expenditures had been made
 10 from the proper funds.

Approved April 21, 1941.

CHAPTER 326
 MARION COUNTY

H. F. 171

AN ACT to make permanent a temporary transfer of funds in Marion County, Iowa, from the State Insane Fund to the General County Fund of said county.

WHEREAS, on application of the board of supervisors of Marion County, Iowa, the state comptroller on the tenth day of May, 1939, authorized and approved a temporary transfer of fifteen thousand dollars (\$15,000.00) from the state insane fund of said county to the general county fund of said county, which transfer was duly made; and

WHEREAS, the maximum tax levy for the general county fund of said county has been insufficient to raise sufficient funds to return the above sum transferred; and

WHEREAS, the state insane fund of said county has not required the sum so transferred and it now appears that said sum will not be required by the insane fund; now, 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 state insane fund of Marion County, Iowa, to
 3 the general county fund of said county, approved by the state comp-
 4 troller of date May 10, 1939, and duly made is hereby made a permanent
 5 transfer.

Approved March 24, 1941.

CHAPTER 327
 MONROE COUNTY

S. F. 300

AN ACT to legalize the election and proceedings relating to the issuance and sale of bonds by Monroe County, Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be valid and legally enforceable obligations of said county.

WHEREAS, it appears that at an election held on June 3, 1940, there was submitted to the qualified electors of Monroe County, Iowa, the proposition of issuing bonds of said county in the amount of forty-two thousand dollars (\$42,000.00) for the purpose of constructing and equipping a county jail in said county and of levying an annual tax to pay said bonds, and that at said election two thousand nine hundred fifteen (2,915) votes were cast in favor of said proposition and one thousand two hundred twenty-five (1,225) votes were cast against the same and said proposition was declared duly carried by more than sixty per cent (60%) of all votes cast at said election; and

WHEREAS, it appears that pursuant to the authority granted by said election the board of supervisors of said county, by resolution adopted February 13, 1941, authorized the issuance of said bonds and directed that said bonds in the amount of thirty thousand dollars (\$30,000.00) be issued in the first instance for the purpose of constructing and equipping a county jail in said county, and that the remaining bonds be issued and delivered if, as and when additional funds are needed for said purpose; and

WHEREAS, doubts have arisen as to the legal sufficiency of said election and proceedings and as to the authority to issue and sell any or all of the bonds authorized as aforesaid 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 board
2 of supervisors of Monroe County, Iowa, relating to the issuance of
3 bonds of said county in the sum of forty-two thousand dollars (\$42,-
4 000.00) and for the levy of taxes to pay the principal and interest
5 of said bonds as the same will become due, be, and the same are hereby
6 declared to be legal and valid notwithstanding any irregularity, omis-
7 sion or defect in connection therewith, and that bonds issued pursuant
8 to said proceedings are hereby declared to be valid and binding
9 obligations of said Monroe County, Iowa.

1 SEC. 2. This Act being deemed of immediate importance shall be-
2 come effective upon publication in the Albia Union Republican, a news-
3 paper published at Albia, Iowa, and the Lovilia Press, a newspaper
4 published at Lovilia, Iowa, both of said publications to be without
5 expense to the state.

Approved March 28, 1941.

I hereby certify that the foregoing act was published in the Albia Union Republican, Albia, Iowa, April 3, 1941, and the Lovilia Press, Lovilia, Iowa, April 10, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 328
POTTAWATTAMIE COUNTY

H. F. 536

AN ACT to legalize the expenditure of certain funds in 1936 by Pottawattamie County.

WHEREAS, in 1936 Pottawattamie county paid the following sums from the fund set out after said sum, when said sums should have been paid from the general county fund:

Maintenance Fund	\$1295.81
Construction Fund	118.27
Court Expense Fund	81.61
Juvenile Fund	9.25
Poor Fund	78.83
Total.....	\$1583.77

; and

WHEREAS, said expenditures were shown as item twenty-four (24) of the 1936 audit of said county, and as item ten (10) of the 1937 audit of said county; and

WHEREAS, in 1936 said county paid for salaries and expenses of the juvenile court the sum of two thousand three hundred ninety-three dollars and forty-three cents (\$2393.43) from the juvenile fund when said sum should have been paid from the general county fund of said county; and

WHEREAS, said last item was shown as item eleven (11) in the 1936 and 1937 auditor's report of said county; now, therefore,

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

- 1 SECTION 1. The payment in 1936 of the total sums of one thousand
- 2 five hundred eighty-three dollars and seventy-seven cents (\$1583.77)
- 3 and two thousand three hundred ninety-three dollars and forty-three
- 4 cents (\$2393.43) by Pottawattamie county from the wrong funds as
- 5 above set out is hereby declared to be legal and proper and the amounts
- 6 so paid are hereby declared to be proper expenditures for the funds
- 7 from which they were paid.

Approved April 21, 1941.

CHAPTER 329
CONSOLIDATED SCHOOL DISTRICT OF MORLEY

H. F. 463

AN ACT to legalize and validate the permanent transfer of funds by the Consolidated School district of Morley in Jones County, Iowa, from the schoolhouse fund to the General Fund of said school district, made necessary by the reason of extreme emergency.

WHEREAS, the Consolidated School District of Morley in Jones County, Iowa, has been faced with an extreme emergency during the fiscal year

commencing July 1, 1940, on account of the explosion of a pressure tank and demolition of a boiler used in connection with the heating plant in the schoolhouse building in said consolidated district; and

WHEREAS, the board of directors of said consolidated school district did on February 24, 1941, find it necessary to make a permanent transfer of three thousand dollars from the schoolhouse fund of said district to the general fund of said school district for the reason that there were insufficient funds in the general fund of said school district to defray the expense of repairing and/or replacing the pressure tank and boiler used in connection with said heating plant; and

WHEREAS, the said board of directors did on February 24, 1941, adopt the proper and required resolution for the transfer of said funds; and

WHEREAS, there is now sufficient money in the said schoolhouse fund subsequent to the transfer aforesaid to meet all demands thereon; and

WHEREAS, the question has now arisen as to the right and authority of the said board of directors to make said transfer and to expend out of the general fund the funds transferred, in accordance with its resolution; now, therefore,

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

1 SECTION 1. The action of the board of directors of the Consolidated
2 School District of Morley in Jones County, Iowa, transferring three
3 thousand dollars from the schoolhouse fund of said district to the
4 general fund of said district, all as is hereinbefore referred to, is
5 declared to be legal and valid notwithstanding any irregularities,
6 omissions or defects in connection therewith; and all of said proceed-
7 ings are legalized and the action of said board of directors in making
8 said transfer is legalized.

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 Anamosa
3 Journal, and in the Anamosa Eureka, newspapers published at
4 Anamosa, Iowa, all without expense to the state.

Approved April 9, 1941.

I hereby certify that the foregoing act was published in the Anamosa Journal
Anamosa, Iowa, April 24, 1941, and the Anamosa Eureka, Anamosa, Iowa, April 24,
1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 330

INDEPENDENT SCHOOL DISTRICT OF ONAWA

S. F. 73

AN ACT to legalize the election and proceedings relating to the sale and authorizing the issuance of bonds by the Independent School District of Onawa, in the County of Monona, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, at an election on the eleventh day of March, 1940, there was submitted to the qualified electors of the Independent School District of Onawa, in the County of Monona, State of Iowa, the following proposition:

"Shall the Board of Directors of the Independent School District of Onawa, Monona County, Iowa, erect and equip a four-room addition to the present high school building for use as a junior high school, and enlarge the heating system in the high school building so as to heat the present grade building therewith at a cost not to exceed twenty-seven thousand dollars (\$27,000) and issue interest-bearing bonds of said school district in the sum of twenty-seven thousand dollars (\$27,000) payable over a ten-year period, for the purpose of financing said improvement, and levy a sufficient tax to pay the interest and principal on said bonds?"* and

WHEREAS, as a result of said election duly held March 11, 1940, on due notice given qualified voters of said Independent School District cast two hundred eighty-one (281) votes in favor of said proposition and seventy-two (72) votes against the same, and that said proposition was declared duly carried by more than sixty per cent (60%) of all votes cast at said election; and

WHEREAS, pursuant to the authority granted by said election the Board of Directors of said Independent School District has issued and sold school building bonds of the Independent School District of Onawa, in the County of Monona, State of Iowa, dated June 1, 1940, in the sum of twenty-seven thousand dollars (\$27,000) for school building purposes as authorized by the required majority of the voters of 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 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 said election and all proceedings taken by the
- 2 Board of Directors of the Independent School District of Onawa, in
- 3 the County of Monona, State of Iowa, relating to the issuance and sale
- 4 of school building bonds of said School District, dated June 1, 1940,
- 5 in the sum of twenty-seven thousand dollars (\$27,000) 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,

*Note: In accordance with the enrolled bill.

9 ommission* or defect in connection therewith, and that the bonds
10 issued pursuant to said proceedings in the amount aforesaid are hereby
11 declared to be valid and binding obligations of said Independent School
12 District.

1 SEC. 2. This Act being deemed of immediate importance shall be-
2 come effective upon publication in the Mapleton Press, a newspaper
3 published at Mapleton, Iowa, and the Onawa Democrat, a newspaper
4 published at Onawa, Iowa, both of said publications to be without ex-
5 pense to the State.

Approved March 10, 1941.

I hereby certify that the foregoing act was published in the Mapleton Press, Mapleton,
Iowa, April 3, 1941, and the Onawa Democrat, Onawa, Iowa, April 3, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 331

FORT DODGE RIVER FRONT IMPROVEMENT COMMISSION

S. F. 536

AN ACT to legalize and validate proceedings taken by the River Front Improvement
Commission of Fort Dodge, Iowa in the issuance of certain warrants and to legalize
and validate said warrants.

WHEREAS, the River Front Improvement Commission of Fort Dodge,
Iowa did enter upon a program of river front and park improvement and
sanitation along the banks of the Des Moines River where that river flows
through Fort Dodge, Iowa in conjunction with the Works Progress Admin-
istration, and

WHEREAS, certain warrants were issued in the sum of \$4,089.78 Dollars
in excess of the then available funds and in anticipation of certain tax
funds already levied but not presently available, and

WHEREAS, said funds are now becoming available, and the work largely
has been completed. NOW THEREFORE

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

1 SECTION 1. All proceedings heretofore taken by the River Front
2 Improvement Commission of Fort Dodge, Iowa in the issuance of its
3 warrants Nos. 449 to 564 in the total amount of \$4,089.78 in excess of
4 the then available funds and in anticipation of certain revenues to be
5 subsequently made available are hereby legalized, validated and con-
6 firmed, and said warrants so issued are hereby declared to be legal
7 and constitute legal and binding obligations of said Commission and of
8 the City of Fort Dodge, Iowa.

1 SECTION 2. This act being deemed of immediate importance shall
2 take effect and be in force from and after its publication in the Fort
3 Dodge Messenger, a newspaper published in Fort Dodge, Iowa, and in

. Note: In accordance will the enrolled bill.

4 the Dayton Review, a paper published in Dayton, Iowa, all without
5 expense to the State.

Approved April 10, 1941.

I hereby certify that the foregoing act was published in the Fort Dodge Messenger, Fort Dodge, Iowa, May 1, 1941, and the Dayton Review, Dayton, Iowa, April 24, 1941.
EARL G. MILLER, *Secretary of State.*

CHAPTER 332

CITY OF HAWARDEN

H. F. 237

AN ACT to legalize proceedings relating to the authorization and issuance of refunding bonds by the city of Hawarden, Sioux County, Iowa, and proceedings providing for the levying of an annual tax for the payment of said bonds and interest thereon, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said city.

WHEREAS, the city council of the city of Hawarden, Sioux County, Iowa, has, by resolution, authorized and provided for the issuance of Refunding Bonds of said city in the amount of fifteen thousand dollars (\$15,000.00) bearing interest at the rate of two per cent (2%) per annum, for the purpose of refunding and retiring a like principal amount of Hospital Bonds of said city issued under date of February 1, 1936, bearing interest at the rate of three and one-quarter per cent (3¼%) per annum; and

WHEREAS, doubts have arisen as to the legal sufficiency of said proceedings and as to the authority to issue said Refunding 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 all proceedings taken by the city council of the
2 city of Hawarden, Sioux County, Iowa, relating to the issuance of
3 Refunding Bonds of said city in the amount of fifteen thousand dollars
4 (\$15,000.00) and all proceedings providing for the levy of taxes to pay
5 the principal and interest of said bonds as the same will become due,
6 be and the same are hereby declared to be legal and valid notwithstanding
7 any irregularity, omission or defect in connection therewith, and
8 that bonds issued pursuant to said proceedings in the amount aforesaid
9 are hereby declared to be valid and binding obligations of said city of
10 Hawarden.

1 SECTION 2. This act, being deemed of immediate importance, shall
2 become effective upon publication in the Hawarden Independent, a
3 newspaper published at Hawarden Iowa, and the Hawarden Chronicle,
4 a newspaper published at Hawarden, Iowa, both of said publications
5 to be without expense to the state.

Approved March 15, 1941.

I hereby certify that the foregoing act was published in the Hawarden Independent, Hawarden, Iowa, April 3, 1941, and the Hawarden Chronicle, Hawarden, Iowa, April 3, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 333

TOWN OF KEYSTONE

H. F. 190

AN ACT to legalize the proceedings in the platting of Wamser's Addition to the Town of Keystone, in Benton County, Iowa.

WHEREAS, John P. Wamser and Helen Wamser filed in the office of the recorder of Benton county, Iowa, on December 8, 1917, a plat of Wamser's Addition to Keystone, in Benton county, Iowa, and the plat is of record in the office of the county recorder at Vinton, Iowa, in Town Lot Plat Book 2 at Page 88; and

WHEREAS, the plat did not show whether John P. Wamser and Helen Wamser were husband and wife; and

WHEREAS, the resolution adopted by the town council approving said plat was certified to by the town clerk only, and was not certified to by the mayor as required by section 6272 of the code; and

WHEREAS, the plat was not acknowledged as required by section 6273 of the code; and

WHEREAS, the abstract of title and the attorney's opinion were not filed with the plat, as required by statute providing that every plat should have attached thereto a complete abstract of title accompanied by an opinion from an attorney at law, showing the fee title to be in the proprietor and that the land platted was free from encumbrance; and

WHEREAS, said plat was not filed in the auditor's office, as required by section 6277 of the code; and

WHEREAS, lots have been sold and conveyed in said Wamser's Addition by reference to said plat; and

WHEREAS, clouds are cast upon the title to purchasers of lots in said Wamser's Addition to Keystone by reason of the failure to comply with the statutes relating to town plats; now, therefore,

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

1 SECTION 1. That all proceedings in the platting of Wamser's Addi-
2 tion to Keystone, in the town of Keystone, Benton county, Iowa, are
3 hereby declared legal and valid; and that the platting of said Addition
4 shall have the same force and effect as though all provisions of the
5 law relating thereto had been strictly complied with.

1 SEC. 2. This act shall in no way affect pending litigation.

Approved March 24, 1941.

CHAPTER 334

LAKE MILLS

S. F. 442

AN ACT to legalize action of the town council of Lake Mills, Iowa in transferring funds in the amount of two thousand dollars (\$2,000.00) from the town bond fund to the town paving fund.

WHEREAS: The Town Council of Lake Mills, Iowa temporarily transferred two thousand dollars (\$2,000.00) from the town bond fund to the town paving fund, said transfer having been approved by the state comptroller; and,

WHEREAS, said bond fund is now in good financial condition and said paving fund is in need of financial assistance; and,

WHEREAS, this transfer should be directed, approved, legalized and made permanent; now therefore,

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

1 SECTION 1. That the temporary transfer during the year 1940 of the
2 sum of two thousand dollars (\$2,000.00) from the bond fund of the
3 Town of Lake Mills to the paving fund of the Town of Lake Mills be
4 made permanent.

Approved April 3, 1941.

CHAPTER 335

MOUNT PLEASANT

H. F. 310

AN ACT to legalize action of the city council of the City of Mount Pleasant, Iowa, in entering into a certain lease with the Mount Pleasant Independent School District relative to the use of a portion of what is known as the Fairgrounds for a term of years for football and other athletic games and practice.

WHEREAS, the City of Mount Pleasant, Iowa, has heretofore duly acquired as a park what is known as the Fairgrounds in said city; and

WHEREAS, there is located on said Fairgrounds an amphitheatre or grandstand, which it is deemed advisable to maintain; and

WHEREAS, it is deemed to the public interest to make said Fairgrounds available for football and other athletic games and events; and

WHEREAS, the City of Mount Pleasant, Iowa, and the Mount Pleasant Independent School District did on February 5, 1941, enter into a certain lease for a term of twenty (20) years, subject to cancellation by either party on twelve (12) months' written notice to the other, for the use of a certain portion of said Fairgrounds for football and other athletic games and events and practice in connection therewith; and

WHEREAS, a question and doubt has arisen as to the legality of and the authority of the City of Mount Pleasant, Iowa, to enter into the aforesaid lease and make and execute the agreements therein; therefore,

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

1 SECTION 1. That the lease as executed on February 5, 1941, by
2 and between the City of Mount Pleasant, Iowa, and the Mount Pleasant
3 Independent School District, relating to the use of what is known as
4 the Fairgrounds in said city, for a term of years for football and
5 other athletic games and events and practice in connection therewith,
6 be and the same is hereby legalized and declared valid.

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 Mount
3 Pleasant Daily News, a newspaper published in Mount Pleasant, Iowa,
4 and in the Mount Pleasant Free Press, a newspaper published in Mt.
5 Pleasant, Iowa, said publications to be without expense to the state.

Approved March 24, 1941.

I hereby certify that the foregoing act was published in the Mount Pleasant Daily News, Mount Pleasant, Iowa, March 29, 1941, and the Mount Pleasant Free Press, Mount Pleasant, Iowa, April 3, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 336

CITY OF OSKALOOSA

H. F. 246

AN ACT to legalize the payment of certain warrants issued by the city of Oskaloosa during the fiscal years of 1937-1938, and 1938-1939.

WHEREAS, there is now outstanding warrants in the sum of fourteen thousand six hundred twenty-nine dollars and seventy-four cents (\$14,629.74), with the interest thereon at two percent (2%) in the amount of seven hundred thirty-five dollars and seventy-four cents (\$735.74), said warrants having been issued for services, goods, wares, and merchandise furnished to and used by said city of Oskaloosa in carrying on the ordinary and necessary functions of its municipal government; and

WHEREAS, the city of Oskaloosa now has in its treasury a sum sufficient to pay in full these warrants plus accrued interest; and

WHEREAS, some doubt has arisen as to the legality of payment of part of these warrants; therefore,

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

1 SECTION 1. The proceedings taken by the city council of the city
2 of Oskaloosa, Mahaska county, Iowa, relating to issuance of said
3 warrants be and the same are hereby declared to be legally sufficient,
4 and said warrants in the total principal sum of fourteen thousand six
5 hundred twenty-nine dollars and seventy-four cents (\$14,629.74), plus
6 accrued interest thereon at the rate of two percent (2%) per annum

7 from their respective dates of receipt by any bank to the time of pay-
 8 ment, but not exceeding a total interest payment of seven hundred
 9 thirty-five dollars and seventy-four cents (\$735.74), are hereby de-
 10 clared to be valid and legal obligations of said city of Oskaloosa, Iowa.

1 SEC. 2. Nothing in this act shall affect pending litigations.

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 Oskaloosa
 3 Daily Herald, a newspaper published at Oskaloosa, Iowa, and in the
 4 Fremont Gazette, a newspaper published at Fremont, Iowa, at no
 5 expense to the state.

Approved March 15, 1941.

I hereby certify that the foregoing act was published in the Oskaloosa Daily Herald, Oskaloosa, Iowa, March 21, 1941, and the Fremont Gazette, Fremont, Iowa, March 20, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 337

TOWN OF RUDD

S. F. 527

AN ACT to legalize and validate the election and all proceedings of the town council and town officials of the town of Rudd, Iowa, in calling and holding a special election in the town of Rudd, Iowa, on the 25th day of October, 1938, on the proposition of erecting and equipping a community building under chapter 33 of the Code and the issuing of bonds in the sum of eight thousand eight hundred dollars (\$8,800) and to authorize the issuance in 1941 of Liberty Memorial Bonds in the sum of six thousand dollars (\$6,000) for such purposes and the levying of an annual tax of two (2) mills per year for twenty (20) years for the payment of such bonds.

WHEREAS, a special election was held in the town of Rudd, Iowa, on October 25, 1938, on the following propositions:

"Shall the Town of Rudd erect and equip a Community Building as provided in Chapter 33 of the Code, and issue bonds in the sum of \$8,800 and ask for a government grant of \$7,200. The bond issue of \$8,800 to be spread over a period of twenty years." and,

WHEREAS, the public measure thus voted upon was carried by a majority of approximately eighty per cent (80%) of the votes cast, such majority being more than two hundred per cent (200%) of the total votes cast at the preceding municipal election, and

WHEREAS, a Community Building has been erected pursuant to said special election with the aid of a Works Progress Administration grant of work and materials totalling ten thousand dollars (\$10,000), which grant reduces the necessary bond issue from eight thousand eight hundred dollars (\$8,800) to six thousand dollars (\$6,000); and

WHEREAS, some questions have arisen as to validity and legality of the election and of the proceedings of the Town Council and Town officials in calling and holding such special election and as to the validity and sufficiency of the authority of the Town of Rudd, Iowa, to contract indebted-

ness and issue Liberty Memorial Bonds and to levy a tax in payment thereof, which questions and all others that may 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 election and all proceedings of the town council
2 of the town of Rudd, Iowa, and of the Mayor and other officials of the
3 town of Rudd, Iowa, in calling and holding the special election held in
4 the town of Rudd, Iowa, on the 25th day of October, 1938, and of the
5 election itself on the proposition of erecting and equipping a com-
6 munity building under chapter thirty-three (33) of the Code and the
7 contracting of indebtedness for such purpose not exceeding eight
8 thousand eight hundred dollars (\$8,800) and issuing bonds for such
9 purpose not exceeding eight thousand eight hundred dollars (\$8,800)
10 and levying a tax annually upon the taxable property in the town of
11 Rudd, Iowa not exceeding two (2) mills per annum for twenty (20)
12 years for the payment of such bonds and interest thereon are hereby
13 validated and legalized notwithstanding any irregularities or omissions
14 in connection therewith and shall constitute full authority for the
15 contracting of indebtedness, (whether before or after the passage of
16 this Act) the issuing in 1941 of Liberty Memorial Bonds in the sum of
17 six thousand dollars (\$6,000) for the purposes set forth in said proposi-
18 tion and the levying of an annual tax of two (2) mills per annum for
19 twenty (20) years on all taxable property in the town of Rudd, Iowa,
20 for the payment of such bonds and the interest thereon and the Liberty
21 Memorial Bonds in the sum of not to exceed six thousand dollars
22 (\$6,000) issued pursuant to said election and this Act are hereby de-
23 clared constitute when so issued, valid general obligations of the
24 town of Rudd, Iowa.

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication without expense to
3 the state in the Rudd Review, a newspaper published at Nora Springs,
4 Iowa, and in the Charles City Daily Press and Evening Intelligencer,
5 a newspaper published at Charles City, Iowa.

Approved April 10, 1941.

I hereby certify that the foregoing act was published in the Rudd Review, Nora Springs, Iowa, April 17, 1941, and the Charles City Daily Press and Evening Intelligencer, Charles City, Iowa, April 16, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 338
CITY OF SPENCER

H. F. 420

AN ACT to legalize and validate proceedings taken by the city council of the City of Spencer, Clay County, Iowa, authorizing and providing for the issuance of bonds for fire station purposes and making provisions for the levy of taxes to pay said bonds.

WHEREAS, the city council of the city of Spencer, Clay County, Iowa, did heretofore enter upon a program of erecting and equipping a fire station

in and for said city, the cost whereof to said city will aggregate \$30,000.00; and

WHEREAS, said city council by resolution heretofore adopted authorized and provided for the issuance of Fire Station Bonds of said city in the amount of \$30,000.00 for the aforesaid purpose, and in and by said resolution also provided for the levy of taxes to pay the principal of and interest upon said bonds; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and concerning the provisions made for the levy of taxes as aforesaid 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 heretofore taken by the city council of
2 the city of Spencer, Iowa, authorizing and providing for the issuance
3 of Fire Station Bonds of said city in the amount of thirty thousand
4 dollars (\$30,000.00) and making provision for the levy of taxes to
5 pay the principal and interest of said bonds are hereby legalized,
6 validated and confirmed, and said Fire Station Bonds issued pursuant
7 to and in accordance with said proceedings are hereby declared to be
8 legal and to constitute valid and binding obligations and indebtedness of
9 said city.

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 Spencer
3 Daily Reporter, a newspaper published in Spencer, Iowa, and in the
4 Spencer Times, a newspaper published in Spencer, Iowa, all without
5 expense to the state.

Approved April 10, 1941.

I hereby certify that the foregoing act was published in the Spencer Daily Reporter, Spencer, Iowa, April 19, 1941, and the Spencer Times, Spencer, Iowa, April 24, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 339

CONSUMERS CONSOLIDATED COAL COMPANY

S. F. 62

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 Consumers Consolidated Coal Company and to provide for the renewal of the charter of the said Consumers Consolidated Coal Company.

WHEREAS the period of the corporate existence of the Consumers Consolidated Coal Company, a Corporation, organized under the laws of the State of Iowa, with its principal place of business in the City of Des Moines, Iowa, expired on the 3rd day of February, 1940, and through inadvertence the same was not renewed within the period prescribed by statute, and,

WHEREAS the Consumers Consolidated Coal Company has continued thereafter to conduct its business and affairs as a Corporation, and,

WHEREAS on the 25th day of April, 1940, the adjourned annual meeting of the stockholders of the said Corporation was called by the President for the purpose of renewing and extending the said Corporation for a period of twenty (20) years from February 3, 1940, and adopting the amended and substituted Articles of Incorporation, and,

WHEREAS, the Consumers Consolidated Coal Company has filed the said Amended and Substituted Articles of Incorporation together with a notice of renewal of the said Corporation with the Secretary of State of the State of Iowa, and has paid the proper renewal fees and recording fees, and has in all other particulars complied with the provisions of the statutes relating to renewals of Corporations, now, therefore,

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

1 SECTION 1. That all proceedings had with respect to the renewal of
2 the corporate existence of the Consumers Consolidated Coal Company,
3 a Corporation, with its principal place of business in Des Moines, Iowa,
4 and all corporate acts of said Corporation, its officers and directors,
5 since the expiration of the corporate existence of said Corporation on
6 the 3rd day of February, 1940, are hereby legalized and shall have the
7 same force and effect as though the said proceedings had been adopted
8 pursuant to law and within the period prescribed by the statute, and
9 shall be held and considered as a renewal and extension of the period
10 of the corporate existence of said Corporation, which expired on Febru-
11 ary 3, 1940, and all corporate acts and proceedings of said Corporation,
12 including the proceedings in connection with the renewal and extension
13 of said Corporation and the adoption of the renewal, amended and
14 substituted Articles of Incorporation, are hereby declared to be valid
15 and legal.

1 SECTION 2. The Secretary of State is hereby authorized and directed
2 to acknowledge and file for record the notice of renewal of said Cor-
3 poration previously delivered to him by said Corporation, and to issue
4 a Certificate of Renewal to the Consumers Consolidated Coal Company,
5 said renewal to extend the corporate existence of said Corporation for
6 a period of twenty (20) years from February 3, 1940, which Certificate
7 of Renewal shall have the same force and effect as though issued upon
8 proper and timely application by said Corporation.

1 SECTION 3. Nothing in this Act shall be deemed or construed to
2 affect pending litigation, if any, involving said Corporation.

1 SECTION 4. This Act being deemed of immediate importance shall
2 take effect and be in force from and after its publication in the Ameri-
3 can Citizen, a newspaper published in Des Moines, Iowa, and in the
4 Plain Talk, a newspaper published at Des Moines, Iowa, without cost
5 to the state.

Approved February 28, 1941.

I hereby certify that the foregoing act was published in the American Citizen, Des Moines, Iowa, March 7, 1941, and the Plain Talk, Des Moines, Iowa, March 6, 1941.

EARL G. MILLER, *Secretary of State.*

CHAPTER 340

HARKER-BEAUMAN & COMPANY

H. F. 437

AN ACT to legalize the acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended and substituted articles of incorporation of Harker-Beauman & Company, of Estherville, Iowa, and to provide for the renewal of the charter of said Harker-Beauman & Company.

WHEREAS, the period of the corporate existence of Harker-Beauman & Company, organized under the laws of this state, with its principal place of business in the city of Estherville, Iowa, expired on the first day of August, 1939, and through inadvertence the same was not renewed within the period prescribed by statute; and

WHEREAS, Harker-Beauman & Company has continued since that date to conduct its business and affairs as a corporation; and

WHEREAS, on the twenty-second day of January, 1941, a special meeting of the stockholders of said corporation was called for the purpose of renewing and extending said corporate existence for a period of twenty years from August 1, 1939, and adopting amended and substituted articles of incorporation; and

WHEREAS, the said Harker-Beauman & Company has now filed said amended and substituted articles of incorporation with the secretary of state and tendered the statutory fees therefor; 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 Harker-Beauman & Company and all corporate
3 acts of said corporation, its officers and directors since the expiration
4 of the corporate existence of said corporation on August 1, 1939, are
5 hereby legalized and shall have the same force and effect as though
6 said proceedings had been adopted pursuant to law and within the
7 period prescribed by statute, and shall be held to be a renewal and ex-
8 tension of the corporate period of said corporation which expired on
9 August 1, 1939, and all corporate acts and proceedings of said corpora-
10 tion, including the proceedings in connection with renewal and exten-
11 sion of said corporation and the adoption of the renewal amended
12 and substituted articles of incorporation are hereby declared to be
13 valid and legal.

1 SEC. 2. The secretary of state is hereby authorized and directed to
2 issue to said Harker-Beauman & Company a certificate of renewal
3 which shall have the same effect as though issued upon proper applica-
4 tion by said corporation, and which shall extend the corporate existence
5 of said corporation for a period of twenty years from August 1, 1939.

1 SEC. 3. Nothing in this act shall be construed as affecting pending
2 litigation involving said corporation.

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 Estherville
3 Enterprise, a newspaper published at Estherville, Iowa, and in the

4 Vindicator & Republican, a newspaper published at Estherville, Iowa,
5 without expense to the state.

Approved April 5, 1941.

I hereby certify that the foregoing act was published in the Estherville Enterprise, Estherville, Iowa, April 10, 1941, and the Vindicator & Republican, Estherville, Iowa, April 10, 1941.

EARL G. MILLER, *Secretary of State.*

SPECIAL LAWS

CHAPTER 341

PETER J. BLOUGH

H. F. 78

AN ACT to authorize the payment of a primary road paving assessment refund warrant held by Peter J. Blough of Black Hawk County.

WHEREAS, Primary Road Paving Assessment District Number Three (3) in Black Hawk county, included certain real estate which belonged to Peter J. Blough and an assessment of two hundred twenty dollars and six cents (\$220.06) was on March 31, 1925, levied by the board of supervisors of Black Hawk county against the real estate belonging to Peter J. Blough on account of certain primary road paving in Black Hawk county, all as provided by law; and,

WHEREAS, in 1927 the primary road law was changed, special assessments for primary road paving were repealed, and all such assessments previously levied were ordered refunded to the property owner; and,

WHEREAS, on February 18, 1930, the county auditor of Black Hawk county, pursuant to law and in payment of a primary road paving assessment refund claim approved by the board of supervisors of Black Hawk county, issued to said Peter J. Blough Warrant No. 333 in the sum of two hundred twenty dollars and six cents (\$220.06) for the refunding of said primary road paving assessment against the Peter J. Blough real estate; and,

WHEREAS, said warrant has never been cashed and is still held by Peter J. Blough; and,

WHEREAS, on October 28, 1935, the board of supervisors of Black Hawk county in conformance with Chapter 44 of the 46th General Assembly, transferred to the primary road fund of the state of Iowa all of the remaining balance of the primary road paving assessment refund fund in the possession of Black Hawk county, and there being no funds now available in the treasury of Black Hawk county for the payment of this Peter J. Blough warrant of two hundred twenty dollars and six cents (\$220.06) and the state highway commission having no authority to pay this warrant; now, therefore,

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

- 1 SECTION 1. The Iowa state highway commission is hereby author-
- 2 ized and directed to make payment from the primary road fund to
- 3 Peter J. Blough of Black Hawk county, Iowa, the sum of two hundred
- 4 twenty dollars and six cents (\$220.06) in payment of primary road
- 5 paving assessment refund warrant No. 333 for said amount, now held
- 6 by said Peter J. Blough.

Approved February 13, 1941.

JOINT RESOLUTIONS

CHAPTER 342

CONSTITUTIONAL AMENDMENT

S. J. R. 1

JOINT RESOLUTION for an amendment 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.

WHEREAS, the Forty-eighth (48th) General Assembly, in regular session and by a majority of the members elected to each of the two houses of said General Assembly, did duly adopt Senate Joint Resolution 1 of said Forty-eighth (48th) General Assembly whereby the said Forty-eighth (48th) General Assembly did agree to a proposed amendment to article seven (VII) of the Constitution of the State of Iowa by adding as section eight (8) of article seven (VII) of the Constitution of the State of Iowa, the following:

“All motor vehicle registration fees and all licenses and excise taxes on motor vehicle fuel, except cost of administration, shall be used exclusively for the construction, maintenance and supervision of the public highways exclusively within the state or for the payment of bonds issued or to be issued for the construction of such public highways and the payment of interest on such bonds.”; and

WHEREAS, said proposed amendment, so agreed to, and the yeas and nays taken thereon, were duly entered in the journals of each of the houses of said General Assembly at the time said action was taken in the respective houses of said Forty-eighth (48th) General Assembly and in the manner required by said Constitution of the State of Iowa; and

WHEREAS, said proposed amendment was by the terms of said Senate Joint Resolution 1 referred to the Forty-ninth (49th) General Assembly, as required by the Constitution of the State of Iowa; and

WHEREAS, said proposed amendment was duly published in the manner and form and for the time provided by the Constitution and the laws of the State of Iowa, and due return and report of such publication has been made by the Secretary of State of the State of Iowa to both houses of this, the Forty-ninth (49th) General Assembly of the State of Iowa; now, therefore,

Be It Enacted 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
 2 amendment having been adopted and agreed to by the Forty-eighth
 3 (48th) General Assembly, thereafter duly published, and now adopted
 4 and agreed to by the Forty-ninth (49th) General Assembly in this
 5 Joint Resolution, the same shall be submitted to the people of the State
 6 of Iowa at the general election in nineteen hundred forty-two (1942)
 7 in the manner required by the Constitution of the State of Iowa and the
 8 laws of the State of Iowa.

Approved March 27, 1941.

CHAPTER 343

CHAPLAINS OF THE GENERAL ASSEMBLY

H. J. R. 1

A JOINT RESOLUTION fixing the compensation of the chaplains of the Forty-ninth 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 chaplains, 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 compensate 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-ninth General Assembly shall be five dollars (\$5.00) for each
 4 House, and that sufficient funds are hereby appropriated to provide
 5 such compensation. No member or employee of the General Assembly
 6 shall 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 Oelwein
 3 Daily Register, a newspaper published at Oelwein, Iowa, and the Argo
 4 Gazette, a newspaper published at West Union, Iowa.

Approved March 10, 1941.

I hereby certify that the foregoing act was published in the Oelwein Daily Gazette, Oelwein, Iowa, March 12, 1941, and the Argo Gazette, West Union, Iowa, March 19, 1941.
 EARL G. MILLER, *Secretary of State.*

CHAPTER 344

DELEGATE TO COUNCIL OF STATE GOVERNMENT

H. J. R. 2

A JOINT RESOLUTION making an appropriation to cover the expenses of the delegate to the fifth general assembly of the council of state government.

WHEREAS, the Speaker of the House appointed the Honorable C. F. Shimanek 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 forty-eight dollars and sixty-five cents (\$148.65) to reimburse C. F.
4 Shimanek for the expense incurred as such delegate and the state
5 comptroller is hereby authorized and directed to issue a state warrant
6 in said sum payable to C. F. Shimanek.

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 Oelwein
3 Daily Register, a newspaper published at Oelwein, Iowa, and the
4 Fayette County Union, a newspaper published at West Union, Iowa.

Approved March 10, 1941.

I hereby certify that the foregoing act was published in the Oelwein Daily Register, Oelwein, Iowa, March 11, 1941, and the Fayette County Union, West Union, Iowa, March 13, 1941.

EARL G. MILLER, *Secretary of State.*

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