

State of Iowa

1949

ACTS AND JOINT RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

Fifty-third General Assembly

OF THE

STATE OF IOWA



CHARLES W. BARLOW
CODE EDITOR

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Published by
THE STATE OF IOWA
Des Moines

L31915

JUL 2 1968

RECEIVED
JUL 2 1968

CERTIFICATE

STATE OF IOWA
Office of Code Editor

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



June, 1949.

Section 622.59 of the 1946 Code of Iowa is as follows:

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

EDITOR'S NOTE

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

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

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

CONTENTS

State Roster	v
Statement of the Condition of the Treasury.....	xxi
Appropriations	1
General Laws (Temporary).....	69
General Laws (Permanent).....	73
Special and Legalizing Acts.....	325
Joint Resolutions	395
Tables	405
Index	415

v
STATE OFFICERS

STATE ROSTER

List of elective state officers, judges of the supreme, district, superior and municipal courts, members of the general assembly, and other state officers, commissions, boards and appointive officers of the state of Iowa, prepared and furnished by the Honorable Melvin D. Synhorst, Secretary of State, for insertion in the published volume of Session Laws for the Fifty-third General Assembly in accordance with the requirements of Code Section 14.10 (3), 1946 Code of Iowa.

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

ELECTIVE OFFICERS

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

STATE OFFICERS—Continued

APPOINTIVE OFFICERS

Name and Office	County, City or Town	Term Ending
ACCOUNTANCY BOARD		
Sidney G. Winter, Chairman.....	Johnson	June 30, 1950
C. B. Knobbe.....	Polk	June 30, 1951
E. L. Stover.....	Black Hawk	June 30, 1949
ADJUTANT GENERAL		
Brig. Gen. Chas. H. Grahl.....	Polk	June 30, 1951
Col. Fred C. Tandy, Acting Assistant.....	Scott	June 30, 1951
AERONAUTICS COMMISSION		
Guy C. Richardson.....	Jefferson	June 30, 1951
George Beaty	Independence	June 30, 1951
Harry Tyler	Villisca	June 30, 1955
Harry Coffie	Estherville	June 30, 1955
P. E. Norris.....	Centerville	June 30, 1953
Norbert E. Locke, Director.....	Polk	
BOARD OF APPEALS FOR EDUCATION, CONTROL AND FAIR BOARD CONTRACTS		
Ray E. Johnson, Comptroller, Chairman.....	Muscatine	
No other appointments of record.		
ARCHITECTURAL EXAMINERS		
John Brooks	Des Moines	June 30, 1952
Charles Altfillich	Decorah	June 30, 1952
Karl M. Waggoner.....	Mason City	June 30, 1952
Arthur Ebeling	Davenport	June 30, 1951
William L. Perkins.....	Chariton	June 30, 1951
ARMORY BOARD		
Charles H. Grahl, Adjutant General.....	Des Moines	To serve at
Colonel O. P. Bennett.....	Mapleton	the pleasure
Colonel Carlton K. Smith.....	Cedar Rapids	of the
Mr. Arthur H. Neumann.....	Des Moines	Governor
Vacancy		
BANKING SUPERINTENDENT		
N. P. Black.....	Dallas	June 30, 1953
H. R. Jackson, Deputy.....	Polk	
BANKING BOARD		
N. P. Black, Banking Superintendent, Chairman.....	Dallas	
Arthur Donhowe	Des Moines	June 30, 1949
J. T. Baylor.....	What Cheer	June 30, 1949
W. R. Remien.....	Atlantic	June 30, 1949
Ray A. Nold.....	Rock Rapids	June 30, 1949
BOARD OF EXAMINERS IN BASIC SCIENCE		
H. Earl Rath.....	Cedar Falls	June 30, 1953
Frederic F. Smith.....	Storm Lake	June 30, 1953
Benjamin H. Peterson.....	Cedar Rapids	June 30, 1951
U. A. Hauber.....	Davenport	June 30, 1951
Frank G. Brooks.....	Mt. Vernon	June 30, 1949
Dr. Leland P. Johnson.....	Des Moines	June 30, 1955
COMMISSION FOR THE BLIND		
Leslie M. Hayes, President.....	Vinton	Ex-officio
C. E. Laustrup.....	Council Bluffs	June 30, 1950
Mrs. King Palmer.....	Des Moines	June 30, 1949

STATE OFFICERS—Continued

Name and Office	County, City or Town	Term Ending
CAR DISPATCHER		
Henry Wichman	Malcolm	At pleasure of Governor
CLERK OF THE SUPREME COURT		
Helen O. Galvin	Marion	
CODE EDITOR		
Charles W. Barlow, Code Editor	Mason City	Dec. 31, 1950
Wayne A. Faupel, Deputy	Clear Lake	
STATE COMPTROLLER		
Ray E. Johnson	Muscatine	To serve at
H. E. Croft, Assistant	Story	the pleasure
G. D. Sarsfield, Assistant	Clay	of Governor
CONSERVATION COMMISSION		
E. B. Gaunitz	Lansing	June 30, 1951
Frank W. Mattes	Odebolt	June 30, 1949
F. J. Poyneer	Cedar Rapids	June 30, 1951
Mrs. Addison Parker	Des Moines	June 30, 1949
E. C. Trost	Ft. Dodge	June 30, 1951
Arthur C. Gingerich	Wellman	June 30, 1953
J. D. Reynolds	Creston	June 30, 1953
G. L. Ziemer, Director	Polk	
CONTROL BOARD		
Robert Jones	Chariton	June 30, 1955
Robert C. Lappen	Des Moines	June 30, 1953
Henry W. Burma	Allison	June 30, 1951
Warren L. Huebner, Secretary	Polk	
CUSTODIAN		
Fred Willis	Polk	Dec. 31, 1950
EDUCATIONAL EXAMINERS		
Jessie M. Parker, Superintendent of Public Instruction, President	Lake Mills	
Malcolm Price	Cedar Falls	June 30, 1949
Earl Roadman	Sioux City	June 30, 1949
Chas. H. Tye	Orange City	June 30, 1949
Jack M. Logan	Waterloo	June 30, 1949
BOARD OF EDUCATION		
H. C. Shull	Sioux City	June 30, 1951
Dwight G. Rider	Ft. Dodge	June 30, 1955
Roy Loudon	Fairfield	June 30, 1951
Mrs. Hiram Houghton, Jr.	Red Oak	June 30, 1951
Richard H. Plock	Burlington	June 30, 1955
V. B. Hamilton	Hampton	June 30, 1955
Halstead M. Carpenter	Monticello	June 30, 1953
Mrs. George L. Kyseth	Clarion	June 30, 1953
W. S. Rupe	Ames	June 30, 1953
<i>Finance Committee of Board</i>		
W. R. Boyd	Cedar Rapids	June 30, 1949
William G. Noth	Des Moines	
David A. Dancer, Secretary	Des Moines	
EMPLOYMENT SECURITY COMMISSION		
J. R. Pefferle	Des Moines	June 30, 1951
Claude M. Stanley	Corning	June 30, 1953

STATE OFFICERS—Continued

Name and Office	County, City or Town	Term Ending
BOARD OF ENGINEERING EXAMINERS		
Henry Wichman, Secretary.....		
Howard R. Green.....	Cedar Rapids	June 30, 1951
A. H. Cunningham.....	Storm Lake	June 30, 1951
Cecil E. Ewen.....	Davenport	June 30, 1949
Maurice C. Miller.....	Des Moines	June 30, 1949
EXECUTIVE COUNCIL		
William S. Beardsley, Governor.....	New Virginia	Dec. 31, 1950
Melvin D. Synhorst, Secretary of State.....	Orange City	Dec. 31, 1950
Chet B. Akers, Auditor of State.....	Ottumwa	Dec. 31, 1950
J. M. Grimes, Treasurer of State.....	Osceola	Dec. 31, 1950
Harry D. Linn, Secretary of Agriculture.....	Des Moines	Dec. 31, 1950
FAIR BOARD		
Ex-officio Members:		
William S. Beardsley, Governor.....		
Harry D. Linn, Secretary of Agriculture.....		
C. E. Friley, President, Iowa State College.....		
Members:		
H. L. Pike, President.....	Whiting	Dec., 1949
W. J. Campbell, Vice President.....	Jesup	Dec., 1949
L. B. Cunningham, Secretary.....	Des Moines	Dec., 1949
N. W. McBeath, Treasurer.....	Des Moines	Dec., 1949
GEOLOGIST		
H. G. Hershey.....	Johnson	
HEALTH DEPARTMENT		
Members:		
E. M. Myers, M.D.....	Woodward	January, 1949
H. R. Storz, M.D.....	Osceola	January, 1949
Prince E. Sawyer, M.D.....	Sioux City	January, 1949
I. M. Crow, M.D.....	Fairfield	January, 1949
Fred Sternagel, M.D.....	West Des Moines	January, 1949
COMMISSIONER OF HEALTH		
Walter L. Bierring, M.D.....	Des Moines	June 30, 1953
<i>Practice Act Examining Boards</i>		
<i>Barber Examiners</i>		
T. F. Thompson.....	Cedar Rapids	June 30, 1949
Lew W. Skinner.....	Council Bluffs	June 30, 1950
L. D. Hamilton.....	Sioux City	June 30, 1951
<i>Chiropractic Examiners</i>		
R. L. Sheeler.....	Council Bluffs	June 30, 1949
C. B. Kerr.....	Ames	June 30, 1951
C. J. Christensen.....	DeWitt	June 30, 1950
<i>Cosmetology Examiners</i>		
Inga Jepson.....	Clinton	June 30, 1949
Mrs. Nina Schneider.....	Council Bluffs	June 30, 1951
Mrs. Mae Davenport.....	Glidden	June 30, 1950
<i>Dental Examiners</i>		
Robert C. Norman.....	Guthrie Center	June 30, 1952
Harry G. Bolks.....	Sioux City	June 30, 1949
C. Herman Stewart.....	Farragut	June 30, 1951
John D. Hemingway.....	Waverly	June 30, 1950
Henry M. Willits.....	Dubuque	June 30, 1953

STATE OFFICERS—Continued

Name and Office	County, City or Town	Term Ending
<i>Embalmer Examiners</i>		
Paul L. McAuley.....	Mason City	June 30, 1950
Frank J. Monohan.....	Cedar Rapids	June 30, 1949
Carl E. Johnson.....	Ottumwa	June 30, 1951
<i>Medical Examiners</i>		
Aldis A. Johnson.....	Council Bluffs	June 30, 1950
Arthur D. Woods.....	State Center	June 30, 1949
M. A. Royal.....	Des Moines	June 30, 1951
<i>Nurse Examiners</i>		
Mother M. Maura.....	Cedar Rapids	June 30, 1951
Dorothy Freriks	Cherokee	June 30, 1952
Adelaide Beers	Burlington	June 30, 1950
Etta H. Rasmussen.....	Cedar Rapids	June 30, 1953
Sister M. Stella.....	Council Bluffs	June 30, 1949
<i>Optometry Examiners</i>		
Alfred J. Meyer.....	Davenport	June 30, 1951
John J. Brady.....	Sheldon	June 30, 1949
Henry W. Knutson.....	Mason City	June 30, 1950
<i>Osteopathic Examiners</i>		
Harold D. Meyer.....	Algona	June 30, 1949
Marvin E. Green.....	Sioux City	June 30, 1950
W. S. Edmund.....	Red Oak	June 30, 1951
<i>Podiatry Examiners</i>		
Harold J. Jones.....	Muscatine	June 30, 1949
C. H. Findley.....	Davenport	June 30, 1951
Cecil L. Moon.....	Waterloo	June 30, 1950
<i>Hospital Advisory Council</i>		
Sister Mary Edmunda.....	Dubuque	June 30, 1952
Dr. D. H. Grau.....	Muscatine	June 30, 1952
Dr. Charles A. Nicoll.....	Panora	June 30, 1952
Mr. Gerhard Hartman.....	Iowa City	June 30, 1951
Dr. C. R. Harken.....	Osceola	June 30, 1951
Mr. X. T. Prentis.....	Mount Ayr	June 30, 1951
Mr. Tom Purcell.....	Hampton	June 30, 1950
Mrs. Cora Abraham.....	Mt. Pleasant	June 30, 1950
Miss Anna C. Carlson.....	Ida Grove	June 30, 1950
Dr. Walter L. Bierring, Commissioner of Health, Chairman, Ex-officio		
STATE HIGHWAY COMMISSION		
F. B. Gilbert.....	State Center	June 30, 1951
Sanford Ziegler	Fairfield	June 30, 1951
Mel M. Graham.....	Audubon	June 30, 1953
Robert Keir	Spencer	June 30, 1951
HISTORY AND ARCHIVES DEPARTMENT		
Claude Cook, Curator.....	Polk	
Emory English, Deputy.....	Polk	
HISTORICAL SOCIETY		
Mrs. Margaret Hinderman.....	Wapello	June 30, 1950
Henry K. Peterson.....	Council Bluffs	June 30, 1950
Mrs. Martha Brunk.....	Des Moines	June 30, 1950
Mrs. Helen Vanderburg.....	Shell Rock	June 30, 1950
Mrs. Lloyd Thurston.....	Osceola	June 30, 1950
O. J. Henderson.....	Webster City	June 30, 1950
Mrs. John Hammill.....	Britt	June 30, 1950
Mrs. O. J. Kirketeg.....	Bedford	June 30, 1950
Mrs. Anna Morrison.....	Grundy Center	June 30, 1950
Nine more to be appointed by the Society.		

STATE OFFICERS—Continued

Name and Office	County, City or Town	Term Ending
INDUSTRIAL COMMISSIONER		
Elmer P. Corwin.....	Muscatine	June 30, 1955
Ralph Young, First Deputy.....	Des Moines	
Charles H. Greenley, Deputy.....	Des Moines	
INSURANCE COMMISSIONER		
Sterling Alexander	Webster City	June 30, 1951
W. H. Sherin, First Deputy.....	Mason City	
Samuel C. Orebaugh, Deputy.....	Des Moines	
IOWA DEVELOPMENT COMMISSION		
Charles E. Dove.....	Dubuque	June 30, 1950
H. W. Schaller.....	Storm Lake	June 30, 1951
Horace G. Hedges.....	Cedar Rapids	June 30, 1952
Malcolm Lomas	Red Oak	June 30, 1952
Karl E. Madden.....	Keokuk	June 30, 1951
Seth Barker	Ottumwa	June 30, 1949
William Yungclass	Webster City	June 30, 1950
LABOR COMMISSION		
M. L. Gilbert.....	Des Moines	June 30, 1951
LAW EXAMINERS		
Robert L. Larson, Chairman.....	Johnson	
H. G. Cartwright.....	Marshalltown	June 30, 1950
Wilson W. Cornwall.....	Spencer	June 30, 1950
Roscoe P. Thoma.....	Fairfield	June 30, 1951
E. P. Donohue.....	New Hampton	June 30, 1951
Leon W. Powers.....	Denison	June 30, 1951
LIBRARY COMMISSION		
William S. Beardsley, Governor.....		
T. G. Garfield, Justice Supreme Court.....		
Jessie M. Parker, Superintendent of Public Instruction		
<i>Librarian, Law</i>		
W. R. C. Kendrick, Law Librarian.....	Des Moines	June 30, 1958
Geraldine Dunham, Deputy.....	Des Moines	
<i>Librarian, Medical</i>		
Dr. Jeannette Dean Throckmorton.....	Des Moines	
<i>Librarian, Traveling</i>		
Blanche A. Smith.....	Warren	
LIQUOR COMMISSION		
A. A. Coburn.....	Cherokee	June 30, 1955
R. F. Swift.....	Harlan	June 30, 1953
George L. Scott.....	West Union	June 30, 1951
W. L. Blake, Secretary.....		
MERIT SYSTEM COUNCIL		
N. T. Chadderdon.....	Marshalltown	Dec. 31, 1949
Gerard Schultz	Indianola	Dec. 31, 1951
J. C. Blodgett.....	Cedar Rapids	Dec. 31, 1950
MINE INSPECTORS		
E. A. Farnsworth.....	Centerville	June 30, 1951
A. Everette Erskine.....	Ottumwa	June 30, 1951
J. E. Jeffreys.....	Des Moines	June 30, 1951
NATURAL RESOURCES COUNCIL		
Chris Jensen	Audubon	June 30, 1951
Ewald G. Trost.....	Fort Dodge	June 30, 1951
Mrs. Addison M. Parker.....	Des Moines	June 30, 1953
Dr. J. Harold Eunis.....	Mt. Vernon	June 30, 1953
H. Garland Hershey.....	Iowa City	June 30, 1955
L. C. Crawford.....	Iowa City	June 30, 1955
Roswell Garst	Coon Rapids	June 30, 1955

STATE OFFICERS—Continued

Name and Office	County, City or Town	Term Ending
PAROLE BOARD		
Mrs. Virginia Bedell.....	Spirit Lake	June 30, 1955
W. E. Jackson.....	Burlington	June 30, 1951
C. E. Godfrey.....	Albia	June 30, 1953
PHARMACY EXAMINERS		
P. J. Jepson.....	Newton	June 30, 1949
Geo. Gillman	Fort Dodge	June 30, 1950
L. R. Henderson.....	Muscatine	June 30, 1951
J. F. Rabe, Secretary.....	Cass	
PRINTING BOARD		
C. B. Akers, State Auditor, Ex-officio.....		
Robert L. Larson, Attorney General, Ex-officio.....		
Melvin D. Synhorst, Secretary of State, Ex-officio.....		
Maurice Crabb	Eagle Grove	
Fred G. Edwards.....	Davenport	June 30, 1950
S. W. Needham, Superintendent.....	Ames	
C. L. Bredt, Assistant.....	Hampton	
PUBLIC SAFETY COMMISSIONER		
Alfred W. Kahl.....	Council Bluffs	June 30, 1951
REAL ESTATE COMMISSION		
Melvin D. Synhorst, Secretary of State, Chairman....		
Hal H. Lang.....	Sioux City	1950
Alfred Dement	Atlantic	1952
Reuben R. Hargrove.....	Bloomfield	1952
Wayne S. Raymond.....	Waterloo	1949
REPORTER OF THE SUPREME COURT		
Charles W. Barlow, Reporter.....	Mason City	Dec. 31, 1950
Alice L. Foarde, Deputy.....	Des Moines	
SOCIAL WELFARE BOARD		
Luke L. Caffrey.....	Cresco	June 30, 1955
Mrs. Mary Huncke.....	Des Moines	June 30, 1953
H. Sam Love.....	Bridgewater	June 30, 1951
SOIL CONSERVATION COMMITTEE		
Kenneth M. Wagner.....	West Liberty	June 30, 1955
Wm. Darbyshire	Rockwell City	June 30, 1953
Chris H. Jensen.....	Audubon	June 30, 1951
TAX COMMISSION		
Warren E. Wells.....	Council Bluffs	June 30, 1953
J. Frank Hamilton.....	Maquoketa	June 30, 1955
Geo. E. Gill.....	Sibley	June 30, 1951
VOCATIONAL EDUCATION AND REHABILITATION		
Jessie M. Parker, Superintendent of Public Instruction, Chairman		
Henry C. Shull.....	Sioux City	
Charles W. Harness.....	Wapello	
WATCHMAKING EXAMINERS		
E. L. Berner.....	Fort Dodge	June 30, 1951
Paul Price	Storm Lake	June 30, 1950
P. Berglund	Sioux City	June 30, 1951
E. M. Miller.....	Charles City	June 30, 1950
Ben Grismore	Corydon	June 30, 1949

JUDICIAL DEPARTMENT

JUDICIAL DEPARTMENT

JUDGES OF THE SUPREME COURT

T. G. Garfield.....	Ames	Dec. 31, 1952
Ralph A. Oliver.....	Sioux City	Dec. 31, 1952
C. F. Wennerstrum.....	Chariton	Dec. 31, 1952
H. J. Mantz.....	Audubon	Dec. 31, 1954
John E. Mulronev.....	Fort Dodge	Dec. 31, 1954
W. A. Smith.....	Dubuque	Dec. 31, 1954
Wm. L. Bliss.....	Mason City	Dec. 31, 1950
Oscar Hale	Wapello	Dec. 31, 1950
Norman R. Hays.....	Knoxville	Dec. 31, 1950

JUDGES OF THE DISTRICT COURT

First Judicial District

James S. Burrows.....	Keokuk	Dec. 31, 1950
J. R. Leary.....	Fort Madison	Dec. 31, 1950

Second Judicial District

Elmer K. Daugherty.....	Ottumwa	Dec. 31, 1950
G. R. Hill.....	Clarion	Dec. 31, 1950
Harold V. Levis.....	Chariton	Dec. 31, 1950
Edward L. Simmons.....	Centerville	Dec. 31, 1950
Heinrich C. Taylor.....	Bloomfield	Dec. 31, 1950

Third Judicial District

Geo. A. Johnston.....	Creston	Dec. 31, 1950
Charles J. Lewis.....	Mt. Ayr	Dec. 31, 1950
Tedford W. Miles.....	Corydon	Dec. 31, 1950

Fourth Judicial District

L. B. Forsling.....	Sioux City	Dec. 31, 1950
Ralph W. Crary.....	Sioux City	Dec. 31, 1950
Geo. W. Prichard.....	Onawa	Dec. 31, 1950
Ralph C. Prichard.....	Sioux City	Dec. 31, 1950

Fifth Judicial District

S. E. Prall.....	Dec. 31, 1950
Earl W. Vincent.....	Guthrie Center	Dec. 31, 1950
Phil R. Wilkinson.....	Winterset	Dec. 31, 1950

Sixth Judicial District

Frank Bechly	Montezuma	Dec. 31, 1950
J. G. Patterson.....	Oskaloosa	Dec. 31, 1950
R. G. Yoder.....	Sigourney	Dec. 31, 1950

Seventh Judicial District

W. L. Keck.....	Maquoketa	Dec. 31, 1950
Glenn D. Kelly.....	Davenport	Dec. 31, 1950
W. A. Newport.....	Davenport	Dec. 31, 1950
Merritt L. Sutton.....	Clinton
Matthew Westrate	Muscatine	Dec. 31, 1950

Eighth Judicial District

Harold D. Evans.....	Iowa City	Dec. 31, 1950
James P. Gaffney.....	Marengo	Dec. 31, 1952

Ninth Judicial District

O. S. Franklin.....	Des Moines	Dec. 31, 1950
Russell Jordan	Des Moines	Dec. 31, 1950
Loy Ladd	Des Moines	Dec. 31, 1950
Joseph E. Meyer.....	Des Moines	Dec. 31, 1950
Edwin C. Moore.....	Des Moines	Dec. 31, 1950
Tom K. Murrow.....	Des Moines	Dec. 31, 1950

Tenth Judicial District

Shannon B. Charlton.....	Manchester.....	Dec. 31, 1950
William T. Evans.....	Waterloo	Dec. 31, 1950
R. W. Hasner.....	Waterloo	Dec. 31, 1950

JUDICIAL DEPARTMENT—Continued

Eleventh Judicial District

Sherwood A. Clock.....	Hampton	Dec. 31, 1950
H. E. Fry.....	Boone	Dec. 31, 1950
John M. Schaupp.....	Fort Dodge	Dec. 31, 1950

Twelfth Judicial District

T. A. Beardmore.....	Charles City	Dec. 31, 1950
Tom Boynton	Forest City	Dec. 31, 1952
William P. Butler.....	Mason City	Dec. 31, 1950
M. H. Kepler.....	Northwood	Dec. 31, 1952

Thirteenth Judicial District

W. H. Antes.....	West Union	Dec. 31, 1950
T. H. Goheen.....	Calmar	Dec. 31, 1952
George B. Richter.....	Waukon	Dec. 31, 1950

Fourteenth Judicial District

Fred M. Hudson.....	Pocahontas	Dec. 31, 1950
Harry E. Narey.....	Spirit Lake	Dec. 31, 1952
G. W. Stillman.....	Algona	Dec. 31, 1950

Fifteenth Judicial District

Harold E. Davidson.....	Clarinda	Dec. 31, 1950
Vernon Johnson	Sidney	Dec. 31, 1952
R. Kent Martin.....	Atlantic	Dec. 31, 1952
John A. Murray.....	Logan	Dec. 31, 1950
Chas. Roe	Council Bluffs	Dec. 31, 1950

Sixteenth Judicial District

F. H. Cooney.....	Carroll	Dec. 31, 1950
R. L. McCord.....	Sac City	Dec. 31, 1950
Bruce M. Snell.....	Ida Grove	Dec. 31, 1950

Seventeenth Judicial District

B. F. Thomas.....	Traer	Dec. 31, 1950
B. O. Tankersley.....	Marshalltown	Dec. 31, 1950

Eighteenth Judicial District

M. C. Hamiel.....	Tipton	Dec. 31, 1950
J. E. Heiserman.....	Anamosa	Dec. 31, 1950
Floyd Philbrick.....	Cedar Rapids	Dec. 31, 1950
G. K. Thompson.....	Cedar Rapids	Dec. 31, 1950

Nineteenth Judicial District

John G. Chalmers.....	Dubuque	Dec. 31, 1950
Milton J. Glenn.....	Dubuque	Dec. 31, 1950

Twentieth Judicial District

Paul H. McCoid.....	Mt. Pleasant	Dec. 31, 1950
E. O. Newell.....	Burlington	Dec. 31, 1952

Twenty-first Judicial District

R. G. Rodman.....	Cherokee	Dec. 31, 1950
O. S. Thomas.....	Rock Rapids	Dec. 31, 1952
M. D. Van Oosterhout.....	Orange City	Dec. 31, 1950

JUDICIAL DEPARTMENT—Continued

JUDGES OF THE MUNICIPAL AND SUPERIOR COURTS

Municipal Courts

JUDGES	ADDRESS	CLERKS	REPORTERS
John Y. Luke.....	Ames.....	Loyall E. Thomas.....	Irene Sogard
Cosgrove Walsh.....	Burlington.....		
W. A. McCullough.....	Clinton.....	Albert J. Meyer.....	
Allan Ardell.....	Council Bluffs.....	Lucille M. Madden.....	
John P. Tinley.....	Council Bluffs.....	Lucille M. Madden.....	
Howard W. Brooks.....	Des Moines.....	Walter R. Priebe.....	Ethel F. Katz
Chas. S. Cooter.....	Des Moines.....	Walter R. Priebe.....	Mrs. Kathryn Miller
Ralph D. Moore.....	Des Moines.....	Walter R. Priebe.....	
Harry B. Grund.....	Des Moines.....	Walter R. Priebe.....	
Ray P. Scott.....	Marshalltown.....	Etta Northrup.....	Minnie E. Grimm
Berry J. Sisk.....	Sioux City.....	Harry E. Harbeck.....	Richard F. Tedrow
George M. Paradise.....	Sioux City.....	Harry E. Harbeck.....	
Geo. J. Sager.....	Waterloo.....	E. W. Koepke.....	
Ben G. Howrey.....	Waterloo.....		

Superior Courts

JUDGES	ADDRESS	CLERKS	REPORTERS
Harry S. Johnson.....	Cedar Rapids.....	Maude M. Krebs.....	
.....	Keokuk.....	Judge acts as clerk..	Kenneth A. Brown
None	Oelwein.....	H. C. Spoo.....	Florence Lawther

CONGRESSIONAL DIRECTORY

United States Senators

Guy M. Gillette.....	Cherokee	Dec. 31, 1954
Bourke B. Hickenlooper.....	Cedar Rapids	Dec. 31, 1950

Representatives in Congress

1. Thos. E. Martin.....	Iowa City	Dec. 31, 1950
2. Henry O. Talle.....	Decorah	Dec. 31, 1950
3. H. R. Gross.....	Waterloo	Dec. 31, 1950
4. Karl M. LeCompte.....	Corydon	Dec. 31, 1950
5. Paul Cunningham.....	Des Moines	Dec. 31, 1950
6. James I. Dolliver.....	Fort Dodge	Dec. 31, 1950
7. Ben F. Jensen.....	Exira	Dec. 31, 1950
8. Charles B. Hoeven.....	Alton	Dec. 31, 1950

GENERAL ASSEMBLY
SENATORS IN GENERAL ASSEMBLY

NAME	Address	Age	Occupation	Dist	Counties Composing District	Former Legislative Service
Augustine, A. E.	Oskaloosa	58	Farmer, Broker	14	Mahaaka	46X 47 48 49 50 50X 51 52 52X
*Bateson, R. R.	Eldora	51	Attorney	37	Hanulton, Hardin, Wright	52 52X
*Bekman, E. K.	Ottumwa	48	Attorney	13	Wapello	48 49 50 50X 51 52 52X
*Benson, Ralph E.	Jefferson	41	Farmer	48	Carroll, Greene, Sac	48 49 50 50X 51 52 52X
*Berg, John P.	Cedar Falls	60	Druggist	38	Black Hawk, Grundy	46 46X 47 48 49 50 50X 51 52 52X
Byers, Frank C.	Cedar Rapids	65	Attorney	26	Linn	43 44 45 45X 46 46X 47 48 49 50 50X 51 52 52X
*Colburn, J. C.	Harlan	55	Farmer	18	Cass, Shelby	49 50 50X 51 52 52X
Doud, Alden L.	Douds	51	Attorney	2	Jefferson, Van Buren	50 50X 51 52 52X
Dykhous, J. T.	Rock Rapids	59	Real Estate, Insurance	24	Lyon, Osceola, Sioux	47 48 49 50 50X 51 52 52X
Elthon, Leo	Fertile	50	Contractor	41	Mitchell, Winnebago, Worth	45 45X 46 46X 47 48 49 50 50X 51 52 52X
*Faul, George	Des Moines	50	Attorney	30	Polk	48 49 50 50X 51 52 52X
*Fishbaugh, Jr., Earl C.	Shenandoah	39	Attorney	7	Fremont, Page	46 46X 47 48 49 50 50X 52 52X
*Foster, Harlan C.	Mount Pleasant	62	Farmer	10	Henry, Washington	47 48 49 50 50X 51 52 52X
Gillespie, Raymond	Dexter	58	Farmer	16	Adair, Madison	52 52X
*Hart, Stanley L.	Keokuk	52	Cooperage Manufacturer	1	Lee	47 48 49 50 50X 51 52 52X
Hattery, John R.	Nevada	51	Lawyer	31	Boone, Story	50 50X 51
*Henningsen, O. H.	Clinton	65	Insurance, Real Estate	22	Clinton	48 49 50 50X 51 52 52X
Hultman, O. N.	Stanton	60	Lumber Dealer	8	Mills, Montgomery	45 45X 46 46X 47 48 51 52 52X
Humbert, Ernest L.	Corning	78	Farmer, Horse Breeder	6	Adams, Taylor	52 52X
Jacobson, Arthur H.	Waukon	38	Attorney	40	Allamakee, Fayette	51 52 52X
Knudson, Herman M.	Clear Lake	61	Printing	43	Cerro Gordo, Franklin, Hancock	46 46X 48 49 50 50X 51 52 52X
*Leo, Richard V.	Dysart	59	Farmer	45	Benton, Tama	45X 48 49 50 50X 51 52 52X
*Linnevold, William	Decorah	71	Farmer, Insurance	42	Howard, Winneshiek	52 52X
*Lord, Herman B.	Muscatine	55	Manufacturer	20	Louisa, Muscatine	52 52X
Lynes, J. Kendall	Plainfield	45	Farmer	39	Bremer, Butler	49 50 50X 51 52 52X
*Martin, Frank D.	Davenport	64	Retired	21	Scott	48 49 50 50X 51 52 52X
*Maytag, Fred	Newton	38	Manufacturer	29	Jasper	52 52X
McCarville, Paul E.	Fort Dodge	47	Attorney	27	Calhoun, Webster	
McMurry, Pearl W.	Corydon	42	Attorney	4	Lucas, Wayne	
Mercer, Leroy S.	Iowa City	59	Publisher	25	Iowa, Johnson	45 45X 46 46X 47 49 50 50X 51 52 52X
*Miller, J. F.	Humboldt	62	Grain Dealer	50	Buena Vista, Humboldt, Pocahontas	48 49 50 50X 51 52 52X
*Myrland, E. C.	Onawa	56	Gasoline and Oil	34	Crawford, Harrison, Monona	52 52X
Perker, Edward S.	Ida Grove	67	Physician and Surgeon	46	Cherokee, Ida, Plymouth	

GENERAL ASSEMBLY

XV

SENATORS IN GENERAL ASSEMBLY—CONTINUED

Prentiss, X. T.	Mount Ayr	52	Merchant	5	Decatur, Ringgold, Union	48 49 50 50X 51
*Reilly, Robert C.	Dubuque	44	Sporting Goods	35	Dubuque	48 49 50 50X 51 52 52X
Ridout, Burl N.	Estherville	38	Restaurant	49	Emmet, Kossuth, Palo Alto	
Risk, Don	Independence	52	Savings & Loan	33	Buchanan, Delaware	
Roberts, Dr., F. M.	Knoxville	79	Physician and Surgeon	15	Marion, Monroe	
Sharp, F. E.	Elkader	54	Attorney	36	Clayton	48 49 50 50X 51 52 52X
*Skourup, W. N.	Burlington	56	Gasoline & Service Co.	9	Des Moines	52 52X
Tudor, J. M.	Olin	61	Farmer	23	Cedar, Jackson, Jones	
Van Eaton, Charles S.	Sioux City	59	Food Stores	32	Woodbury	51 52 52X
Van Patten, Loyd	Indianola	51	Farmer	11	Clarke, Warren	
*Vittetoe, Luke	Sigourney	62	Druggist	12	Keokuk, Poweshiek	50 50X 51 52 52X
Walter, W. Eldon	Beaman	50	Farmer	28	Marshall	49 50 50X 51 52 52X
Watson, DeVere	Council Bluffs	55	Attorney	19	Pottawattamie	49 50 50X 51 52 52X
Watson, Harry E.	Sanborn	42	Farmer	47	Clay, Dickinson, O'Brien	51 52 52X
West, Sherman	Moulton	63	Farmer	3	Appanoose, Davis	
Whitehead, G. E.	Perry	56	Publisher	17	Audubon, Dallas, Guthrie	50 50X 51
*Zastrow, Ralph W.	Charles City	59	Lawyer	44	Chickasaw, Floyd	50 50X 51 52 52X

*Holdover Senators

REPRESENTATIVES IN GENERAL ASSEMBLY

NAME	Address	Age	Occupation	County	Former Legislative Service
Anderson, Carl T.	Wellman	59	Farmer	Washington	
Armstrong, James G.	Waterloo	31	Attorney	Black Hawk	
Aubrey, Dean	Ottumwa	44	Mine Operator	Wapello	51
Avery, A. H.	Spencer	78	Insurance	Clay	44 45X 46 46X 48 49 50 50X 51 52 52X
Bass, Elmer A.	Red Oak	60	Farmer	Montgomery	51 52 52X
Beman, G. A.	Delta	73	Farmer, Insurance	Keokuk	
Berry, R. C.	Pomeroy	72	Farm Manager, Insurance	Calhoun	52 52X
Boothby, Laurence M.	Cleghorn	52	Farmer	Cherokee	
Brookings, Howard E.	Oakland	46	Theatre Owner	Pottawattamie	
Brown, Carroll L.	Rose Hill	35	Farmer	Mahaska	
Brownlie, John	Winterset	67	Farmer	Madison	
Buck, Howard C.	State Center	49	Farmer	Marshall	
Burlingame, Edw. A. Jr.	Elkader	37	Tavern Owner	Clayton	
Burris, C. J.	Maquoketa	43	Restaurant Owner	Jackson	
*Caffrey, Luke L.	Cresco	53	Farmer	Howard	
Clark, G. T.	Knoxville	43	Farmer	Marion	
Clark, Ted	Mystic	28	Merchant	Appanoose	
Clarke, Kingsley M.	Adel	35	Attorney	Dallas	
Cornick, Raymond	New London	59	Farmer	Henry	
Crabb, Mrs. John W.	Jamaica	32	Housewife	Guthrie	
Crosier, Morse E.	Coggon	47	Publisher	Linn	
Davis, J. C.	Oelwein	68	Dentist, Farm Manager	Fayette	51 52 52X
DeGroot, Oliver H.	Humboldt	62	Mayor	Humboldt	52 52X

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	County	Former Legislative Service
Donohue, D. A.	Tipton	37	Real Estate, Insurance	Cedar	50 50X 51 52 52X
Duffy, John L.	Dubuque	49	Attorney	Dubuque	52 52X
Eckels, Penn.	Britt	66	Farmer	Hancock	52 52X
*Everett, Charles H.	Ames	45	Farmer	Story	
Fairchild, Bert K.	Ida Grove	57	Farmer	Ida	
Fandel, William	Rodman	56	Farmer	Palo Alto	
Fiene, George	Nashua	65	Retired Farmer	Chickasaw	52 52X
Foster, James W.	Albia	64	Farmer	Monroe	
Frei, H. R. Jr.	Reinbeck	53	Farmer	Grundy	51 52 52X
Gallup, Lee	Libertyville	52	Farmer	Jefferson	
Goode, Dewey E.	Bloomfield	50	Produce Dealer	Davis	45 45X 46 46X 47 48 49 50 50X
*Graham, Mel M.	Audubon	42	Attorney	Audubon	52 52X
Hanna, Leo B.	Corning	25	Farmer	Adams	
Hansen, John E.	Dedham	59	Banker	Carroll	52 52X
Hanson, A. C.	Inwood	57	Farmer	Lyon	45 45X
Harris, Fay L.	Greenfield	55	Soil Conservation	Adair	
Hendrix, W. C.	Letts	59	Farmer	Muscatine	52 52X
Hicklin, M. F.	Wapello	40	Attorney	Louisa	50 50X 51 52 52X
Hinrichs, Chris F.	Victor	56	Farmer	Iowa	52 52X
Hoschek, Carl	Burlington	56	Brickmason	Des Moines	
Johannes, W. J.	Ashton	58	Banker	Osceola	46 46X 47 48 49 50
Klemesrud, Theo.	Thompson	46	Publisher	Winnebago	50 50X 51 52 52X
Kopriva, Louis L.	Pocahontas	60	Farmer	Pocahontas	
Kosek, Ernest	Cedar Rapids	41	Investment Banker	Linn	52 52X
Kruse, Wm.	Charles City	58	Farmer	Floyd	48 49 50 50X 51 52 52X
Kuester, G. T.	Griswold	60	Farmer	Cass	46 46X 47 48 49 50 50X 51 52 52X
Landsness, J. Oliver	Sioux Rapids	70	Farmer	Buena Vista	52 52X
Langland, C. M.	Spr'g Grove Minn	78	Farmer	Winneshiek	44 51 52 52X
*Lawrence, Edna C.	Ottumwa	42	Housewife	Wapello	52 52X
Leeka, Jay	Thurman	64	Attorney	Fremont	
Lisle, Vern	Clarinda	42	Manufacturer	Page	
Long, Harvey J.	Clinton	54	Wholesale Roofing	Clinton	49 50 50X 51 52 52X
Loss, Casey	Algona	44	Farmer	Kossuth	52 52X
Lucken, J. Henry	Akron	52	Farmer	Plymouth	52 52X
Lynes, William S.	Waverly	55	Drainage Consultant	Bremer	52 52X
McEleney, Leo P.	Clinton	55	Automobile Dealer	Clinton	51 52 52X
Metz, Kathryn C.	Lamoni	44	Newspaper Editor	Decatur	
Meyer, Dwight W.	Odebolt	47	Farmer	Sac	
Miller, Earl A.	Cedar Falls	45	Farmer	Black Hawk	
Miller, George E.	Harlan	72	Retired Farmer	Shelby	40 40X 41 42 42X 43 44 45 45X
Moore, H. A.	New Hartford	66	Farmer	Butler	51 52 52X
Munger, Robert P.	Sioux City	39	Attorney	Woodbury	50 50X

REPRESENTATIVES IN GENERAL ASSEMBLY—Continued

Nelson, Harold F. (Lum)	Sioux City	44	Attorney	Woodbury	49 50 50X 52 52X
Nielsen, Harry	Blencoe	53	Farmer	Monona	
Norland, Norman	Kensett	60	Farmer	Worth	50 50X 51 52 52X
Nystrom, Clifford N.	Boone	45	Implement Dealer	Boone	
Olson, Allert G.	Osage	52	Farmer	Mitchell	51 52 52X
O'Malley, George E.	Des Moines	43	Attorney	Polk	
Palmer, Ernest Jr.	Fort Madison	34	Attorney	Lee	
Patrick, R. A.	Hawarden	48	Farmer	Sioux	52 52X
Paul, George L.	Brooklyn	45	Farmer	Poweshiek	52X
Pieper, Elmer	Waukon	61	Attorney	Allamakee	48 49 50 50X 52 52X
Poston, Gene	Corydon	65	Attorney	Wayne	49 50 50X 51 52 52X
*Pote, Harlan L.	Bedford	47	Druggist	Taylor	
Putney, Lawrence	Gladbrook	49	Hatchery	Tama	51 52 52X
Raim, Joseph G.	Solon	55	Farmer	Johnson	
Rankin, A. E.	Hampton	60	Farm Manager, Insurance	Franklin	52 52X
*Robb, George H.	Estherville	67	Live Stock Dealer	Emmet	50 50X 51 52 52X
Robinson, Glenn E.	Manchester	44	Attorney	Delaware	50 50X 51 52 52X
Schanke, A. M.	Mason City	70	Heating Supplies	Cerro Gordo	
Schwengel, Fred	Davenport	41	Life Insurance	Scott	51 52 52X
Shepard, Ray E.	Chariton	53	Fuel Service	Lucas	51 52 52X
Sherod, Clayton D.	Birmingham	69	Farmer	Van Buren	
Shufflett, Grant A.	Diagonal	57	Banker	Ringgold	46 46X 47
Siefkas, Henry	Osceola	51	Farmer	Clarke	48 49 50 50X 51 52 52X
Sloane, Ted	Des Moines	45	Attorney	Polk	50 50X 51 52 52X
Smith, Roy	Spirit Lake	59	Farmer	Dickinson	
Starrett, Charles P.	Newton	64	Farmer	Jasper	
Stevens, Henry H.	Scranton	55	Farmer	Greene	51 52 52X
Stiffler, Fred	Norwalk	73	Farmer	Warren	
Strawman, C. M.	Anamosa	59	Attorney	Jones	51 52 52X
Tierney, Francis E.	Fort Dodge	32	Attorney	Webster	
Utzig, Arnold	Dubuque	55	Shoe Merchant	Dubuque	50 50X 51 52 52X
Van Zwol, Jacob	Paullina	55	Life Insurance	O'Brien	
Walker, John A.	Williams	36	Farmer	Hamilton	52 52X
Walter, Paul M.	Union	44	Farmer	Hardin	
Ward, Harry	Davenport	66	Retired	Scott	
Washburn, Henry W.	Hastings	49	Farmer	Mills	
Weichman, Harry E.	Newhall	56	Realtor	Benton	47 48 49 50 50X 51 52 52X
Weiss, Albert	Denison	63	Retired Farmer	Crawford	52 52X
Welch, W. H.	Logan	29	Attorney	Harrison	
*Wells, Warren	Council Bluffs	68	Farmer	Pottawattamie	
Weston, L. O.	Stanley	46	Farmer	Buchanan	
Wilson, L. E.	Eagle Grove	59	Funeral Director	Wright	52 52X
Young, John E.	Afton	65	Farmer	Union	

*Resigned

OFFICERS OF THE FIFTY-THIRD GENERAL ASSEMBLY

OFFICERS OF THE HOUSE

<i>Speaker</i> —Gustav T. Kuester.....	Griswold
<i>Speaker Pro Tempore</i> —William Kruse.....	Charles City
<i>Chief Clerk</i> —A. C. Gustafson.....	Des Moines
<i>Assistant Chief Clerk</i> —William R. Kendrick.....	Des Moines
<i>Reading Clerk</i> —Tom Moore King.....	Lineville
<i>Law Clerk</i> —David E. Weichman.....	Newhall
<i>Special Clerk</i> —Madge Clark.....	Des Moines
<i>Special Clerk</i> —Marcella B. DeCarlo.....	Des Moines
<i>Special Clerk</i> —Veda M. Underwood.....	Des Moines
<i>Special Clerk</i> —Mary Marjorie Johnson.....	Des Moines
<i>Journal Clerk</i> —Scott Phelps.....	Sioux City
<i>Journal Clerk</i> —Florence G. Hoffman.....	Des Moines
<i>Journal and Clip Sheet Clerk</i> —Bess Anderson.....	Des Moines
<i>Engrossing Clerk</i> —Gretchen Stockham.....	Des Moines
<i>Enrolling Clerk</i> —Lillian Kanealy.....	Des Moines
<i>Enrolling Clerk</i> —Madeleine M. Burrows.....	Des Moines
<i>Enrolling Clerk</i> —Betty Donohue.....	Des Moines
<i>Clerk of Enrolled Bills</i> —Helen M. Lyman.....	Des Moines
<i>Speaker's Clerk</i> —Lenna T. Boots.....	Marne
<i>Payroll Clerk</i> —Helen Downing.....	Des Moines
<i>Clerk</i> —Sara G. Goodman.....	Des Moines
<i>Clerk</i> —Jeri I. Mills.....	Des Moines
<i>Supervisor of Clerks</i> —Anne Van Laningham.....	Des Moines
<i>File Clerk</i> —K. S. Berry.....	Pomeroy
<i>File Clerk</i> —John Sherman Douglas.....	Polk City
<i>Bill Clerk</i> —Alvin J. Crail.....	Des Moines
<i>Bill Clerk</i> —Thomas H. Davis.....	Des Moines
<i>Bill Clerk</i> —J. E. Eckenbom.....	Des Moines
<i>Supply Clerk</i> —Mary Freels.....	Clinton
<i>Supply Clerk</i> —Jessie Walker.....	Marshalltown
<i>Postmistress</i> —Jean Sellers.....	Ottumwa
<i>Postmistress</i> —Blanche Alldredge.....	Des Moines
<i>Sergeant-at-Arms</i> —Raymond J. Cornell.....	Des Moines
<i>Assistant Sergeant-at-Arms</i> —Walter R. Cook.....	Wadena
<i>Assistant Sergeant-at-Arms</i> —Claude Smith.....	Des Moines
<i>Chief Doorkeeper</i> —C. A. Gardner.....	Murray

OFFICERS OF THE SENATE

<i>President</i> —Kenneth A. Evans.....	Emerson
<i>President Pro Tempore</i> —Richard V. Leo.....	Dysart
<i>Secretary</i> —W. J. Scarborough.....	Des Moines
<i>Assistant Secy. and Journal Clerk</i> —Edna Gillespie.....	Des Moines
<i>Law Clerk</i> —Leslie McElderry.....	West Des Moines
<i>Secretary's Stenographer</i> —Irene Jacobs.....	Des Moines
<i>Reading Clerk</i> —James Bennett.....	Mapleton
<i>Assistant Journal Clerk</i> —Leona Story.....	Des Moines
<i>Secretary's Clerk</i> —Donna Kurtz.....	Fort Dodge
<i>Lieutenant Governor's Clerk</i> —Eleanor Lundberg.....	Des Moines
<i>Engrossing Clerk</i> —Maretta Blanchard.....	Des Moines
<i>Enrolling Clerk</i> —Dorothy Johnson.....	Des Moines
<i>Payroll Clerk</i> —Wanda Murray.....	Des Moines
<i>Special Clerk</i> —Marie Spencer.....	West Des Moines
<i>Special Clerk</i> —Ethel Preston.....	Rock Rapids
<i>Enrolled Bills Clerk</i> —Alice Rippey.....	Des Moines
<i>Enrolled Bills Clerk</i> —Zella Huff.....	Burlington
<i>Enrolled Bills Clerk</i> —Jane Cass.....	Jefferson
<i>Enrolled Bills Clerk</i> —Lois Bates.....	Shenandoah
<i>Supply Clerk</i> —Frank Sacco.....	Des Moines
<i>Secretary's Committee Clerk</i> —Clara Klauer.....	Davenport
<i>Sergeant-at-Arms</i> —Frank Buck.....	Ames
<i>Assistant Sergeant-at-Arms</i> —Walter Keith.....	Des Moines
<i>Assistant Sergeant-at-Arms</i> —Clarence Faulken.....	Des Moines
<i>Bill Clerk</i> —L. J. Essex.....	Des Moines
<i>File Clerk</i> —Floyd Orr.....	Ottumwa
<i>Chief Doorkeeper</i> —Henry Dooley.....	Des Moines
<i>Postmistress</i> —Elsie Kent.....	Des Moines
<i>Postmistress</i> —Gladys Black.....	Des Moines

CONDITION OF STATE TREASURY

Statement of the receipts and expenditures of the public money for the biennial fiscal period beginning July 1, 1946 and ending June 30, 1948, as prepared and furnished by Ray E. Johnson, State Comptroller, for publication with the laws of the Fifty-third General Assembly in accordance with the requirements of Section 18, Article III, of the Constitution of the State of Iowa and Section 14.10 of the Code.

STATEMENT OF THE CONDITION OF THE TREASURY

Receipts, Disbursements and Balances in the Several Funds
for each year of the Biennial Period Ending June 30, 1948

Fiscal Year Ending June 30, 1947

	Balance July 1, 1946	Total Receipts and Transfers	Total Available	Total Warrants Redeemed and Transfers	Balance June 30, 1947
General Revenue ..	\$ 7,003,834.46	\$ 34,312,648.43	\$ 41,316,482.89	\$ 31,296,244.08	\$ 5,977,209.69
Transfers				4,043,029.12	
Trust Funds	15,569,053.11	101,736,425.50	117,305,478.61	101,950,070.74	15,024,170.24
Transfers				331,237.63	
Special Funds	41,377,555.20	122,162,265.28	163,539,820.48	69,944,236.88	58,060,941.66
Transfers				35,534,641.94	
Federal Funds	712,206.51	14,248,103.30	14,960,309.81	13,019,461.92	1,940,847.89
TOTAL	\$64,662,649.28	\$272,459,442.51	\$337,122,091.79	\$256,118,922.31	\$81,003,169.48
Balance July 1, 1946	\$ 64,662,649.28				
Receipts and Transfers		272,459,442.51			
TOTAL			\$337,122,091.79		
Disbursements and Transfers				256,118,922.31	
Balance June 30, 1947					\$ 81,003,169.48

Fiscal Year Ending June 30, 1948

	Balance July 1, 1947	Total Receipts and Transfers	Total Available	Total Warrants Redeemed and Transfers	Balance June 30, 1948
General Revenue ..	\$ 5,977,209.69	\$ 176,750,659.06	\$ 182,727,868.75	\$ 44,537,733.23	\$ 104,882,278.05
Transfers				33,307,857.47	
Trust Funds	15,024,170.24	143,232,973.73	158,257,143.97	110,462,554.34	32,526,074.03
Transfers				15,268,515.60	
Special Funds	58,060,941.66	107,875,588.52	165,936,530.18	91,078,838.84	12,732,667.51
Transfers				62,125,023.83	
Federal Funds	1,940,847.89	2,257,123.23	4,197,971.12	3,643,370.11	554,801.01
TOTAL	\$81,003,169.48	\$430,116,344.54	\$511,119,514.02	\$360,423,893.42	\$150,695,620.60
Balance July 1, 1947	\$ 81,003,169.48				
Receipts and Transfers		430,116,344.54			
TOTAL			\$511,119,514.02		
Disbursements and Transfers				360,423,893.42	
Balance June 30, 1948					\$150,695,620.60

APPROPRIATIONS TO STATE DEPARTMENTS

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

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

LAWS

OF THE

Fifty-third General Assembly

OF THE

STATE OF IOWA

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE
CAPITAL OF THE STATE, BEGUN ON THE TENTH DAY OF
JANUARY, AND ENDED ON THE TWENTIETH DAY OF
APRIL, A. D. 1949, IN THE ONE HUNDRED THIRD
YEAR OF THE STATE

APPROPRIATIONS

CHAPTER 1

DEPARTMENTAL APPROPRIATIONS

H. F. 603

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1949, and ending June 30, 1951, funds for various departments and various divisions thereof, of the state of Iowa, for the purposes provided by law.

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

ATTORNEY GENERAL

1 SECTION 1. For the office of attorney general there is hereby ap-
2 propriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1949, and ending June 30, 1951, the sum
4 of forty-nine thousand seven hundred twenty dollars (\$49,720.00) or
5 so much thereof as may be necessary to be used in the following
6 manner:

7	For salary of attorney general.....	\$ 7,500.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	42,220.00
		<hr/>
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the office of attorney	
12	general	\$ 49,720.00

AUDITOR OF STATE

1	SEC. 2. For the office of auditor of state there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1949, and ending June 30, 1951, the sum of one	
4	hundred twenty-eight thousand three hundred eighty dollars (\$128,-	
5	380.00) or so much thereof as may be necessary to be used in the	
6	following manner:	
7	For salary of state auditor.....	\$ 6,500.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	111,880.00
10	BUILDING AND LOAN DIVISION	
11	For salaries, support, maintenance and miscellaneous	
12	purposes	\$ 10,000.00
13	Grand total of all appropriations for all purposes for	
14	each year of the biennium for the office of auditor of	
15	state	\$ 128,380.00

BOARD OF EDUCATION

1	SEC. 3. 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, 1949, and ending June 30, 1951, the sum	
4	of fifty-eight thousand eight hundred dollars (\$58,800.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of secretary.....	\$ 5,700.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 43,100.00
9		\$ 48,800.00
10	For institution roads.....	\$ 10,000.00
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for the office of board	
13	of education	\$ 58,800.00

BOARD OF PAROLE

1	SEC. 4. For the office of board of parole there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1949, and ending June 30, 1951, the sum of fifty-eight	
4	thousand two hundred twenty-five dollars (\$58,225.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	Board of Parole salaries (3 members at \$3,900.00	
7	each)	\$ 11,700.00
8	For salary of Secretary and Superintendent of	
9	Parole agents	\$ 3,900.00
10	For salaries, support, maintenance and miscellaneous	
11	purposes	42,625.00
12	Grand total of all appropriations for all purposes	
13	for each year of the biennium for the board of parole....	\$ 58,225.00

BOARD OF VOCATIONAL EDUCATION

1 SEC. 5. For the board of vocational education there is hereby ap-
 2 propriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1949, and ending June 30, 1951, the sum
 4 of fifty-five thousand dollars (\$55,000.00) or so much thereof as may
 5 be necessary to be used in the following manner:

6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 55,000.00
<hr/>		
8	Grand total of all appropriations for all purposes	
9	for each year of the biennium for the board of voca-	
10	tional education	\$ 55,000.00

BOARD OF VOCATIONAL EDUCATION
VOCATIONAL REHABILITATION DIVISION

1 SEC. 6. For the board of vocational education vocational rehabili-
 2 tation division there is hereby appropriated from the general fund
 3 of the state for each year of the biennium beginning July 1, 1949, and
 4 ending June 30, 1951, the sum of ninety-five thousand dollars (\$95,-
 5 000.00) or so much thereof as may be necessary to be used in the fol-
 6 lowing manner:

7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 95,000.00
<hr/>		
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the board of voca-	
11	tional education vocational rehabilitation division.....	\$ 95,000.00

BUREAU OF LABOR

1 SEC. 7. For the bureau of labor there is hereby appropriated from
 2 the general fund of the state for each year of the biennium beginning
 3 July 1, 1949, and ending June 30, 1951, the sum of forty-two thousand
 4 three hundred dollars (\$42,300.00) or so much thereof as may be
 5 necessary to be used in the following manner:

6	Salary for commissioner of bureau of labor.....	\$ 4,300.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 38,000.00
<hr/>		
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the bureau of labor.....	\$ 42,300.00

CLERK OF SUPREME COURT

1 SEC. 8. For the office of clerk of supreme court there is hereby ap-
 2 propriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1949, and ending June 30, 1951, the sum
 4 of twelve thousand nine hundred thirty dollars (\$12,930.00) or so
 5 much thereof as may be necessary to be used in the following manner:

6	For salary of chief clerk.....	\$ 4,500.00
7	For salaries, support, maintenance and miscellaneous	

8	purposes	8,430.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of the clerk of	
11	supreme court	\$ 12,930.00

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, 1949, and ending June 30, 1951, the
 4 sum of one hundred eighty-eight thousand five hundred dollars (\$188,-
 5 500.00) or so much thereof as may be necessary to be used in the fol-
 6 lowing manner:

7	GENERAL ADMINISTRATION	
8	For salaries of commissioners (3 at \$5,300.00 each) ..\$	15,900.00
9	For salary of secretary	5,000.00
10	For salaries, support, maintenance and miscellaneous	
11	purposes	74,600.00
12	Total for general administration of the commerce	
13	commission	\$ 95,500.00
14	CLASS RATE CASES	
15	For salaries, support, maintenance and miscellaneous	
16	purposes	5,000.00
17	MOTOR TRANSPORTATION DIVISION	
18	For salaries, support, maintenance and miscellaneous	
19	purposes	65,000.00
20	WAREHOUSE DIVISION	
21	For salaries, support, maintenance and miscellaneous	
22	purposes	23,000.00
23	Grand total of all appropriations for all purposes	
24	for each year of the biennium for the department of	
25	the commerce commission	\$ 188,500.00

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, 1949, and ending June 30, 1951, the
 4 sum of thirty-one thousand forty-two dollars (\$31,042.00) or so much
 5 thereof as may be necessary to be used in the following manner:

6	For salary of director	\$ 3,300.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	27,742.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the office of the com-	
11	mission for the blind	\$ 31,042.00

COMMISSION ON UNIFORM LAWS

1 SEC. 11. For the commission on uniform laws there is hereby ap-
 2 propriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1949, and ending June 30, 1951, the sum
 4 of eight hundred dollars (\$800.00) or so much thereof as may be
 5 necessary to be used in the following manner:

6	For support of the conference of commissioners on	
7	uniform state laws.....	\$ 300.00
8	For traveling expenses of members of the commis-	
9	sion on uniform laws.....	500.00
		<hr/>
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the commission on	
12	uniform laws	\$ 800.00

COUNCIL OF STATE GOVERNMENT

1 SEC. 12. For the council of state government there is hereby ap-
 2 propriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1949, and ending June 30, 1951, the sum
 4 of Four Thousand Dollars (\$4,000.00) or so much thereof as may be
 5 necessary to be used in the following manner:

6	For support of the council of state government.....	\$ 4,000.00
		<hr/>
7	Grand total of all appropriations for all purposes	
8	for each year of the biennium for the council of state	
9	government	\$ 4,000.00

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 be-
 3 ginning July 1, 1949, and ending June 30, 1951, the sum of one hun-
 4 dred twenty-six thousand dollars (\$126,000.00) or so much thereof as
 5 may be necessary to be used in the following manner:

6	For salary of custodian.....	\$ 3,600.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	122,400.00
		<hr/>
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the office of the	
11	custodian	\$ 126,000.00

DEPARTMENT OF AGRICULTURE

1 SEC. 14. For the department of agriculture there is hereby ap-
 2 propriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1949, and ending June 30, 1951, the sum
 4 of six hundred thirty-three thousand nine hundred ten dollars
 5 (\$633,910.00) or so much thereof as may be necessary to be used in
 6 the following manner:

7	MAIN OFFICE	
8	For salary of secretary of agriculture.....	\$ 6,500.00

9	For salaries, support, maintenance and miscellaneous	
10	purposes	203,000.00
11	Total for main office.....	\$ 209,500.00
12	(1) AGRICULTURAL STATISTICS	
13	For state aid	\$ 16,000.00
14	(2) ANIMAL HEALTH AND VETERINARY	
15	For salary of chief of animal health.....	\$ 6,000.00
16	For control and eradication of contagious and in-	
17	fectious livestock diseases including Bang's Disease,	
18	salaries and traveling expenses; assistant state veteri-	
19	narians (per diem and expenses), indemnities and	
20	miscellaneous purposes	\$ 167,000.00
21	Total for animal health and veterinary.....	\$ 173,000.00
22	(3) BARBERRY ERADICATION	
23	For state aid	\$ 5,000.00
24	(4) BEE INSPECTION	
25	For state aid.....	\$ 10,000.00
26	(5) BEEF PRODUCERS' ASSOCIATION	
27	For state aid.....	\$ 7,500.00
28	(6) CORN AND SMALL GRAIN GROWERS' ASSOCIATION	
29	For state aid	\$ 2,750.00
30	(7) CROP PEST	
31	For state aid.....	\$ 10,000.00
32	(8) DAIRY ASSOCIATION	
33	For state aid.....	\$ 7,500.00
34	(9) DAIRY CALF CLUB	
35	For state aid.....	\$ 2,000.00
36	(10) DAIRY SPECIALIST AND BACTERIOLOGIST	
37	For salaries, support, maintenance and miscellaneous	
38	purposes	\$ 45,000.00
39	(11) ENTOMOLOGY	
40	For salaries, support, maintenance and miscellaneous	
41	purposes	\$ 12,500.00
42	(12) HATCHERY INSPECTION	
43	For state hatchery inspection.....	\$ 11,000.00
44	(13) HORSE BREEDERS' ASSOCIATION	
45	For state aid.....	\$ 7,500.00
46	(14) HORTICULTURAL SOCIETIES	
47	For state aid.....	\$ 8,800.00
48	(15) IOWA STATE SHEEP ASSOCIATION	
49	For state aid	\$ 7,500.00
50	(16) MARKET NEWS (POULTRY)	
51	For state aid.....	\$ 5,000.00
52	(17) POULTRY ASSOCIATION, SHORT COURSES AND	
53	ACHIEVEMENT SHOWS	
54	For state aid.....	\$ 18,000.00
55	(18) RESTAURANT HOTEL INSPECTION	
56	For additional inspection of hotels and restaurants,	
57	salaries, support, maintenance and miscellaneous	
58	purposes	\$ 20,000.00

59	(19) SOIL CONSERVATION		
60	For salaries, support and miscellaneous purposes....	\$	35,000.00
61	(20) SWINE BREEDERS' ASSOCIATION		
62	For state aid.....	\$	7,500.00
63	(21) VEGETABLE GROWERS' ASSOCIATION		
64	For state aid.....	\$	5,500.00
65	(22) VETERINARY EXAMINERS		
66	For per diem and expense.....	\$	360.00
67	(23) WEATHER BUREAU		
68	For state aid.....	\$	7,000.00
69	Grand total of all appropriations for all purposes		
70	for each year of the biennium for the department of		
71	agriculture and divisions thereof.....	\$	632,910.00

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		
3	beginning July 1, 1949, and ending June 30, 1951, the sum of three		
4	hundred sixty-seven thousand three hundred twenty-one dollars		
5	(\$367,321.00) or so much thereof as may be necessary to be used in		
6	the following manner:		
7	GENERAL OFFICE (Central Administration)		
8	For salary of commissioner.....	\$	6,500.00
9	For salaries, support, maintenance and miscellaneous		
10	purposes	\$	53,053.00
11	Total for general office.....	\$	59,553.00
12	(1) CANCER CONTROL		
13	For salaries, support, maintenance and miscellaneous		
14	purposes	\$	10,000.00
15	(2) DENTAL HYGIENE		
16	For salaries, support, maintenance and miscellaneous		
17	purposes	\$	3,000.00
18	(3) HOSPITAL SURVEY AND PLANNING		
19	For salaries, support, maintenance and miscellaneous		
20	purposes	\$	25,480.00
21	(4) MATERNAL AND CHILD HEALTH		
22	For salaries, support, maintenance and miscellaneous		
23	purposes	\$	7,350.00
24	(5) PREVENTABLE DISEASES, SERUM CENTER AND		
25	BLOOD BANK		
26	For salaries, support, maintenance and miscellaneous		
27	purposes	\$	21,670.00
28	(6) PUBLIC HEALTH ENGINEERING AND INDUSTRIAL		
29	HYGIENE		
30	For salaries, support, maintenance and miscellaneous,		
31	purposes	\$	70,000.00
32	(7) PUBLIC HEALTH NURSING		
33	For salaries, support, maintenance and miscellaneous		
34	purposes	\$	8,500.00

35	(8) TUBERCULOSIS CONTROL	
36	For salaries, support, maintenance and miscellaneous	
37	purposes	\$ 12,620.00
38	(9) VENEREAL DISEASE CONTROL	
39	For salaries, support, maintenance and miscellaneous	
40	purposes	\$ 15,000.00
41	(10) VITAL STATISTICS	
42	For salaries, support, maintenance and miscellaneous	
43	purposes	\$ 70,000.00
44	Sub-total for public health administrative activities..	\$ 303,173.00
45	LICENSURE AND REGISTRATION	
46	(11) BARBER'S EXAMINING BOARD	
47	For compensation, support, maintenance and miscel-	
48	laneous purposes	\$ 21,693.00
49	(12) CHIROPRACTIC EXAMINING BOARD	
50	For compensation, support, maintenance and miscel-	
51	laneous purposes	\$ 3,000.00
52	(13) COSMETOLOGY EXAMINING BOARD	
53	For compensation, support, maintenance and miscel-	
54	laneous purposes	\$ 22,045.00
55	(14) DENTAL EXAMINING BOARD	
56	For compensation, support, maintenance and miscel-	
57	laneous purposes	\$ 2,195.00
58	(15) EMBALMERS EXAMINING BOARD	
59	For compensation, support, maintenance and miscel-	
60	laneous purposes	\$ 1,850.00
61	(16) LICENSURE AND REGISTRATION (Central	
62	Administration)	
63	For salaries, support, maintenance and miscellaneous	
64	purposes	\$ 8,000.00
65	(17) MEDICAL EXAMINING BOARD	
66	For compensation, support, maintenance and miscel-	
67	laneous purposes	\$ 1,600.00
68	(18) OPTOMETRY EXAMINING BOARD	
69	For compensation, support, maintenance and miscel-	
70	laneous purposes	\$ 1,250.00
71	(19) OSTEOPATHY EXAMINING BOARD	
72	For compensation, support, maintenance and miscel-	
73	laneous purposes	\$ 2,115.00
74	(20) CHIROPODY EXAMINING BOARD	
75	For compensation, support, maintenance and miscel-	
76	laneous purposes	\$ 400.00
77	Sub-total for division of licensure and registration..	\$ 64,148.00
78	Grand total of all appropriations for all purposes	
79	for each year of the biennium for the department of	
80	health and the various divisions thereof.....	\$ 367,321.00

DEPARTMENT OF HISTORY AND ARCHIVES

1 SEC. 16. For the department of history and archives there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1949, and ending June 30, 1951, the
 4 sum of sixty-three thousand nine hundred fifty dollars (\$63,950.00)
 5 or so much thereof as may be necessary to be used in the following
 6 manner:

7	For salary of curator	\$	3,900.00
8	For salaries, support, maintenance and miscellaneous		
9	purposes	\$	59,800.00
10	For Jean Espy Chapter, D. A. R., for memorial on		
11	grave of Timothy Breece, Revolutionary soldier buried		
12	in Lost Creek Cemetery in Lee County.....	\$	250.00

13	Grand total of all appropriations for all purposes		
14	for each year of the biennium for the department of		
15	history and archives.....	\$	63,950.00

DEPARTMENT OF PUBLIC INSTRUCTION

1 SEC. 17. 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, 1949, and ending June 30, 1951, the sum
 4 of two hundred ninety thousand one hundred ten dollars (\$290,110.00)
 5 or so much thereof as may be necessary to be used in the following
 6 manner:

7	GENERAL OFFICE		
8	For salary of superintendent of public instruction....	\$	6,500.00
9	For salaries, support, maintenance and miscellaneous		
10	purposes		88,160.00

11	Total main office.....	\$	94,660.00
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12	(1) GENERAL AID		
13	For salaries, support, maintenance and miscellaneous		
14	purposes	\$	22,500.00

15	Total general aid.....	\$	22,500.00
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16	(2) AID TO HANDICAPPED CHILDREN		
17	For salaries, support, maintenance and miscellaneous		
18	purposes	\$	38,000.00

19	(3) SCHOOL LUNCH PROGRAM		
20	For salaries, support, maintenance and miscellaneous		
21	purposes . . . (Should Federal appropriations be		
22	stopped for public school lunches then this money		
23	should revert to the general fund).....	\$	38,700.00

24	Total school lunch program.....	\$	38,700.00
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25	(4) SUPPLEMENTARY AID		
26	For salaries, support, maintenance and miscellaneous		
27	purposes	\$	11,000.00

28	(5) AID FOR SCHOOL TRANSPORTATION	
29	For salaries, support, maintenance and miscellaneous	
30	purposes	\$ 27,000.00
31	Total aid for school transportation.....	\$ 27,000.00
32	OTHER EXPENSES (Consolidated)	
33	Travel and contingent.....	\$ 35,000.00
34	General office supplies.....	850.00
35	Books and periodicals.....	250.00
36	Bond premiums	650.00
37	Equipment aid for handicapped children.....	10,000.00
38	Improvement of administration and instruction.....	5,000.00
39	Revision and study school courses.....	5,000.00
40	Veterans Educational Program.....	1,500.00
41	Total other expenses.....	\$ 58,250.00
42	Grand total of all appropriations for all purposes	
43	for each year of the biennium for the department of	
44	public instruction and the various divisions thereof....	\$ 290,110.00

VETERANS EDUCATIONAL PROGRAM

1 SEC. 18. There is hereby appropriated from the general fund of
2 the state for the biennium beginning July 1, 1949, and ending June 30,
3 1951, to the department of public instruction the sum of twenty
4 thousand dollars (\$20,000.00) or so much thereof as may be necessary
5 for the use of the veterans education program to be used as a revolving
6 fund to pay salaries and travel of personnel which will be reimbursed
7 by the veterans administration.

8 Total

	\$ 20,000.00
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DEPARTMENT OF PUBLIC SAFETY

1 SEC. 19. For the department of public safety there is hereby ap-
2 propriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1949, and ending June 30, 1951, the sum
4 of one million eight hundred five thousand dollars (\$1,805,000.00) or
5 so much thereof as may be necessary to be used in the following
6 manner:

7 DIVISION OF ADMINISTRATION

8	For salary of commissioner.....	\$ 6,000.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes	\$ 26,000.00
11		\$ 32,000.00

12 (1) DIVISION OF ACCIDENT STATISTICS AND PUBLIC
13 LIABILITY

14	For salaries, support, maintenance and miscellaneous	
15	purposes	\$ 139,500.00

16 (2) DIVISION OF CRIMINAL INVESTIGATION

17	For salary of chief of criminal investigation.....	\$ 5,000.00
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18	For salaries, support, maintenance and miscellaneous	
19	purposes	\$ 77,600.00
		<hr/>
20		\$ 82,600.00
21	(3) DIVISION OF FIRE MARSHAL	
22	For salary of fire marshal.....	\$ 4,100.00
23	For salaries, support, maintenance and miscellaneous	
24	purposes	\$ 32,200.00
		<hr/>
25		\$ 36,300.00
26	(4) DIVISION OF HIGHWAY PATROL	
27	For salary of chief of highway patrol.....	\$ 5,000.00
28	For salaries, support, maintenance and miscellaneous	
29	purposes	\$ 837,000.00
		<hr/>
30		\$ 842,000.00
31	(5) DIVISION OF MOTOR REGISTRATION	
32	For salary of superintendent.....	\$ 4,100.00
33	For salaries, support, maintenance and miscellaneous	
34	purposes	\$ 265,500.00
		<hr/>
35		\$ 269,600.00
36	(6) DIVISION OF OPERATORS AND CHAUFFEURS	
37	LICENSE	
38	For salaries, support, maintenance and miscellaneous	
39	purposes	\$ 247,000.00
40	(7) DIVISION OF RADIO COMMUNICATION	
41	For salary of superintendent.....	\$ 4,100.00
42	For salaries, support, maintenance and miscellaneous	
43	purposes	\$ 103,600.00
		<hr/>
44		\$ 107,700.00
45	(8) DIVISION OF SAFETY EDUCATION	
46	For salaries, support, maintenance and miscellaneous	
47	purposes	\$ 48,300.00
		<hr/>
48	Grand total of all appropriations for all purposes	
49	for each year of the biennium for the department of	
50	public safety and all divisions thereof.....	\$1,805,000.00

DISTRICT COURT JUDGES

1	SEC. 20. For the district court judges there is hereby appropriated	
2	from the general fund of the state for each year of the biennium be-	
3	ginning July 1, 1949, and ending June 30, 1951, the sum of four	
4	hundred eighty-one thousand dollars (\$481,000.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salaries of the judges of the district courts of	
7	Iowa (70 judges).....	\$ 436,000.00
8	For traveling expenses of judges and court reporters	

9	in and out of districts.....	\$ 45,000.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for district court judges	
12	and reporters	\$ 481,000.00

**EMPLOYMENT SECURITY COMMISSION
EMPLOYMENT SERVICE**

1 SEC. 21. For the state employment security commission there is
2 hereby appropriated from the general fund of the state for each year
3 of the biennium beginning July 1, 1949, and ending June 30, 1951, the
4 sum of twenty thousand dollars (\$20,000.00) or so much thereof as
5 may be necessary to be used in the following manner: Provided that
6 this appropriation shall not be expended or made available for ex-
7 penditure in any manner which would permit its substitution for or
8 a corresponding reduction in federal funds which in the absence of
9 this appropriation would be available to finance the expenditures for
10 the administration of the Iowa employment security commission.
11 Provided further that no funds so appropriated shall be used for
12 teachers employment service.

13 For salaries, support, maintenance and miscellaneous
14 purposes including for each member of the Iowa Em-
15 ployment Security Commission the sum of \$800 as
16 salary increase which shall be in addition to the salary
17 now provided for such member in section 96.10, Code
18 of 1946, as amended.....

	\$ 20,000.00
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19	Grand total of all appropriations for all purposes	
20	for each year of the biennium for the Iowa Employ-	
21	ment Security Commission.....	\$ 20,000.00

**EMPLOYMENT SECURITY COMMISSION
OLD AGE AND SURVIVOR'S* INSURANCE SYSTEM
ADMINISTRATION**

1 SEC. 22. For the state employment security commission (old age
2 and survivor's* insurance system administration) there is hereby ap-
3 propriated from the general fund of the state for each year of the
4 biennium beginning July 1, 1949, and ending June 30, 1951, the sum of
5 sixty-five thousand dollars (\$65,000.00) or so much thereof as may be
6 necessary to be used in the following manner:

7 For salaries, support, maintenance and miscellaneous
8 purposes in administration of the old age and sur-
9 vivor's* insurance system.....

	\$ 65,000.00
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10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the old age and sur-	
12	vivor's* insurance system.....	\$ 65,000.00

*According to enrolled Act.

EXECUTIVE COUNCIL

1	SEC. 23. For the office of the executive council there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1949, and ending June 30, 1951, the sum of	
4	three hundred thousand dollars, (\$300,000.00) or so much thereof as	
5	may be necessary to be used in the following manner:	
6	For secretary of executive council.....	\$ 3,600.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 296,400.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the office of the	
11	executive council	\$ 300,000.00

GEOLOGICAL SURVEY

1	SEC. 24. For the office of geological survey there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1949, and ending June 30, 1951, the sum	
4	of eighty-seven thousand ten dollars (\$87,010.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 68,935.00
8	Stream gauging and siltation, salaries, support and	
9	miscellaneous	\$ 18,075.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for geological survey....	\$ 87,010.00

GOVERNOR

1	SEC. 25. For the office of the governor there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1949, and ending June 30, 1951, the sum of twenty-	
4	nine thousand eight hundred dollars (\$29,800.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salary of governor.....	\$ 12,000.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 17,800.00
9	Grand total of all appropriations for all purposes for	
10	each year of the biennium for the office of governor.....	\$ 29,800.00

GRAND ARMY OF THE REPUBLIC

1	SEC. 26. 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, 1949, and ending June	
4	30, 1951, the sum of three thousand seven hundred dollars (\$3,700.00)	
5	or so much thereof as may be necessary to be used in the following	
6	manner:	

7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 3,700.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the department of	
11	the grand army of the republic.....	\$ 3,700.00

HERBERT HOOVER BIRTHPLACE SOCIETY

1	SEC. 27. For the Herbert Hoover birthplace society there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1949, and ending June 30, 1951, the sum	
4	of one thousand six hundred dollars (\$1,600.00) or so much thereof	
5	as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 1,600.00
8	Grand total of all appropriations for all purposes	
9	for each year of the biennium for the Herbert Hoover	
10	birthplace society	\$ 1,600.00

HISTORICAL SOCIETY

IOWA CITY

1	SEC. 28. For the historical society at Iowa City there is appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1949, and ending June 30, 1951, the sum of fifty-	
4	nine thousand six hundred dollars (\$59,600.00) or so much thereof as	
5	may be necessary to be used in the following manner:	
6	For historian	\$ 4,800.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 54,800.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the historical society	
11	at Iowa City.....	\$ 59,600.00

INDUSTRIAL COMMISSION

1	SEC. 29. For the industrial commission there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1949, and ending June 30, 1951, the sum of thirty-	
4	three thousand five hundred eighty-five dollars (\$33,585.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salary of commissioner.....	\$ 5,000.00
7	For salaries, support, maintenance, travel expense,	
8	state share of employment retirement fund and miscel-	
9	laneous purposes	\$ 28,585.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the industrial com-	
12	missioner	\$ 33,585.00

INSURANCE COMMISSION

1	SEC. 30. 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, 1949, and ending June 30, 1951, the sum of	
4	ninety-seven thousand three hundred sixty dollars (\$97,360.00) or	
5	so much thereof as may be necessary to be used in the following man-	
6	ner:	
7	For salary of commissioner.....	\$ 6,500.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	\$ 90,860.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the office of the	
12	insurance commission	\$ 97,360.00

IOWA DEVELOPMENT COMMISSION

1	SEC. 31. For the Iowa development commission there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1949, and ending June 30, 1951, the sum of	
4	eighty thousand dollars (\$80,000.00) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 80,000.00
8	Grand total of all appropriations for all purposes	
9	for each year of the biennium for the Iowa develop-	
10	ment commission	\$ 80,000.00

IOWA REAL ESTATE COMMISSION

1	SEC. 32. For the Iowa real estate commission there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1949, and ending June 30, 1951, the sum	
4	of eighteen thousand six hundred dollars (\$18,600.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of director.....	\$ 3,900.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 14,700.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the Iowa real estate	
11	commission	\$ 18,600.00

LIBRARY COMMISSION

1	SEC. 33. For the library commission there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1949, and ending June 30, 1951, the sum of ninety-	
4	one thousand eight hundred nineteen dollars (\$91,819.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	LAW DIVISION	
7	For salary of librarian.....	\$ 3,900.00

8	For salaries, support, maintenance and miscellaneous	
9	purposes	\$ 20,219.00
10	Total for law division.....	\$ 24,119.00
11	(1) MEDICAL DIVISION	
12	For salary of librarian.....	\$ 3,900.00
13	For salaries, support, maintenance and miscellaneous	
14	purposes	\$ 16,400.00
15	Total for medical division.....	\$ 20,300.00
16	(2) TRAVELING DIVISION	
17	For salary of librarian	\$ 3,600.00
18	For salaries, support, maintenance and miscellaneous	
19	purposes	\$ 43,800.00
20	Total for traveling division.....	\$ 47,400.00
21	Grand total of all appropriations for all purposes	
22	for each year of the biennium for the library commis-	
23	sion	\$ 91,819.00

MINE EXAMINING BOARD

1	SEC. 34. For the mine examining board there is hereby appropri-	
2	ated from the general fund of the state for each year of the biennium	
3	beginning July 1, 1949, and ending June 30, 1951, the sum of three	
4	thousand dollars (\$3,000.00) or so much thereof as may be necessary	
5	to be used in the following manner:	
6	For per diem and expenses.....	\$ 3,000.00
7	Grand total of all appropriations for all purposes	
8	for each year of the biennium for the mine examining	
9	board	\$ 3,000.00

MINE INSPECTORS

1	SEC. 35. 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, 1949, and ending June 30, 1951, the sum of	
4	twenty thousand eight hundred dollars (\$20,800.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of three (3) mine inspectors at \$3,900.00	
7	each	\$ 11,700.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	\$ 9,100.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the department of	
12	mine inspectors	\$ 20,800.00

NATIONAL GUARD AND STATE GUARD

1	SEC. 36. For the national guard and the state guard there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1949, and ending June 30, 1951, the sum	

4	of five hundred fifty thousand dollars (\$550,000.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of adjutant general.....	\$ 6,500.00
7	For salaries	\$ 121,580.00
		<hr/>
8		\$ 128,080.00
9	For support, maintenance and armories.....	\$ 414,920.00
10	For the acquisition and purchase of copies of the	
11	"History of the Thirty-fourth Infantry Division in	
12	World War II" and distribution thereof to the next of	
13	kin of deceased Iowa veterans of such Division and to	
14	the public libraries in the state.....	\$ 7,000.00
		<hr/>
15	Grand total of all appropriations for all purposes	
16	for each year of the biennium for the national guard	
17	and state guard.....	\$ 550,000.00

PHARMACY EXAMINING BOARD

1	SEC. 37. For the pharmacy examining board there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1949, and ending June 30, 1951, the sum	
4	of twenty-seven thousand six hundred thirty-five dollars (\$27,635.00)	
5	or so much thereof as may be necessary to be used in the following	
6	manner:	
7	GENERAL OFFICE	
8	For salary of secretary.....	\$ 3,900.00
9	For salaries, support, maintenance and miscellaneous	
10	purposes	\$ 14,300.00
		<hr/>
11	Total for general office.....	\$ 18,200.00
12	(1) UNIFORM NARCOTIC LAW DIVISION—ILLEGAL	
13	ENFORCEMENT	
14	For salaries, support, maintenance and miscellaneous	
15	purposes in making investigations of illegal sales.....	\$ 6,435.00
16	(2) UNIFORM NARCOTIC LAW DIVISION—LEGAL	
17	ENFORCEMENT	
18	For salaries, maintenance and miscellaneous pur-	
19	poses of legal sales.....	\$ 3,000.00
		<hr/>
20	Grand total of all appropriations for all purposes	
21	for each year of the biennium for the pharmacy ex-	
22	amining board	\$ 27,635.00

PIONEER LAWMAKERS

1	SEC. 38. For the pioneer lawmakers there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1949, and ending June 30, 1951, the sum of fifty	
4	dollars (\$50.00) or so much thereof as may be necessary to be used	
5	in the following manner:	
6	For miscellaneous purposes.....	\$ 50.00
		<hr/>

7 Grand total of all appropriations for all purposes
 8 for each year of the biennium for the pioneer law-
 9 makers\$ 50.00

PRINTING BOARD

1 SEC. 39. For the state printing board there is hereby appropriated
 2 from the general fund of the state for each year of the biennium
 3 beginning July 1, 1949, and ending June 30, 1951, the sum of three
 4 hundred twenty-five thousand eight hundred twenty-two dollars and
 5 fifty cents (\$325,822.50) or so much thereof as may be necessary to
 6 be used in the following manner:

7 GENERAL OFFICE
 8 For salary of superintendent.....\$ 4,800.00
 9 For salaries, support, maintenance and miscellaneous
 10 purposes\$ 25,102.50

11 Total for general office.....\$ 29,902.50

12 Providing that funds appropriated by this section, in the discretion
 13 of the printing board, may be used in supplying paper stock, multi-
 14 graph or mimeograph work for any of the foregoing departments,
 15 bureaus, associations and institutions, any sum so used for supplying
 16 multigraph or mimeograph work to be refunded to the printing board
 17 and returned to the credit of the appropriation made for printing
 18 board general office expense; any sum so used for supplying paper
 19 stock to be refunded to the printing board and returned to the credit of
 20 the appropriation made by this section. These payments shall be
 21 made to the printing board in the same manner as other claims against
 22 such departments are paid, and the printing board shall remit the
 23 proceeds to the treasurer of state on the first secular day of each
 24 calendar month, taking the treasurer's receipt therefor, showing the
 25 same properly credited to the respective appropriations.

26 The following departments are hereby limited to their demands for
 27 printing during the biennial period beginning July 1, 1949, and end-
 28 ing June 30, 1951, to an amount not to exceed the following:

29 (1) PRINTING AND BINDING
 30 For necessary printing and binding authorized by
 31 law for the General Assembly and for all state depart-
 32 ments that have not been provided for in department
 33 appropriations\$ 295,920.00

34 Grand total of all appropriations for all purposes
 35 for each year of the biennium for the state printing
 36 board\$ 325,822.50

37 This section is not to be construed or interpreted to include the
 38 expense of any printing for any of the following departments, bureaus,
 39 boards or associations:

40 Agricultural societies; animal health and veterinary division of
 41 agricultural department for elimination of bovine tuberculosis and
 42 brucellosis; board of accountancy; architectural examiners; banking
 43 department including receivership division; basic science; board of
 44 control institutions; board of education institutions; board of educa-
 45 tional examiners; board of engineering examiners; board of nurse

46 examiners; conservation commission; cosmetology division of depart-
 47 ment of health; farmers' institutes; indigent hospital; hotel and
 48 restaurant fund; Iowa beef producers association; Iowa corn and
 49 small grain growers' association; Iowa department of the Grand Army
 50 of the Republic; Iowa state poultry breeders' association; Iowa swine
 51 breeders' association; Iowa liquor control commission; Iowa unem-
 52 ployment compensation commission; motor vehicle fuel tax division;
 53 psychopathic hospital; short course; state board of vocational educa-
 54 tion; state library and all divisions thereof; state permit board; truck
 55 operators division; and any and every agency, activity, and undertak-
 56 ing that has a fund for general support.

57 Academy of science, \$5,100.00; adjutant general, \$5,000.00; depart-
 58 ment of agriculture, \$36,000.00; attorney general, \$5,000.00; auditor
 59 of state, \$10,000.00; commerce commission, \$9,000.00; comptroller,
 60 \$36,000.00; board of control, \$2,400.00; custodian, \$50.00; board of
 61 education, \$7,500.00; board of educational examiners, \$3,000.00; ex-
 62 ecutive council, \$1,200.00; fair board, \$1,250.00; geological survey,
 63 \$10,000.00; governor, \$4,000.00; health, \$18,000.00; historical, \$4,-
 64 800.00; horticulture, \$4,000.00; industrial commission, \$3,000.00;
 65 public instruction, \$66,000.00; insurance, \$9,000.00; labor, \$2,400.00;
 66 mine, \$800.00; parole, \$600.00; pharmacy, \$1,200.00; real estate com-
 67 mission, \$1,000.00; secretary of state \$10,000.00; clerk of supreme
 68 court, \$2,300.00; supreme court, \$200.00; supreme court reporter,
 69 \$1,000.00; tax commission, \$14,400.00; treasurer, \$10,000.00; it is
 70 however, provided that in case of emergency, the retrenchment and
 71 reform committee may authorize increased amounts where necessary.

REPORTER OF SUPREME COURT
 AND CODE EDITOR

1 SEC. 40. For the department of the reporter of the supreme court
 2 and code editor there is hereby appropriated from the general fund
 3 of the state for each year of the biennium beginning July 1, 1949,
 4 and ending June 30, 1951, the sum of twenty-three thousand five hun-
 5 dred four dollars (\$23,504.00) or so much thereof as may be neces-
 6 sary to be used in the following manner:

7	For salary of code editor.....	\$	5,500.00
8	For salaries, support, maintenance and miscellaneous		
9	purposes	\$	18,004.00

10	Grand total of all appropriations for all purposes		
11	for each year of the biennium for the department		
12	of reporter of supreme court and code editor.....	\$	23,504.00

SECRETARY OF STATE

1 SEC. 41. For the office of secretary of state there is hereby ap-
 2 propriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1949, and ending June 30, 1951, the sum of
 4 thirty-two thousand three hundred seventy dollars (\$32,370.00) or
 5 so much thereof as may be necessary to be used in the following
 6 manner:

7	For salary of secretary of state.....	\$	6,500.00
---	---------------------------------------	----	----------

8	For salaries, support, maintenance and miscellaneous	
9	purposes	\$ 25,870.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the office of secre-	
12	tary of state	\$ 32,370.00

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

1	SEC. 42. For the Iowa soldiers' bonus board there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1949, and ending June 30, 1951, the sum	
4	of four thousand dollars (\$4,000.00) or so much thereof as may be	
5	necessary to be used in the following manner:	
6	For the purpose of administration and aiding in	
7	the education of children of honorably discharged	
8	soldiers, sailors, marines, nurses or other component	
9	part of the military forces of this state or nation.....	\$ 4,000.00
10	Grand total of all appropriations for all purposes	
11	for each year of the biennium for the soldiers' bonus	
12	board	\$ 4,000.00

SPANISH-AMERICAN WAR VETERANS

1	SEC. 43. For the Spanish-American war veterans there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1949, and ending June 30, 1951, the sum	
4	of two thousand five hundred dollars (\$2,500.00) or so much thereof as	
5	may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 2,500.00
8	Grand total of all appropriations for all purposes	
9	for each year of the biennium for the Spanish-Amer-	
10	ican war veterans.....	\$ 2,500.00

STATE COMPTROLLER

1	SEC. 44. For the office of state comptroller there is hereby ap-	
2	propriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1949, and ending June 30, 1951, the sum	
4	of one hundred eight thousand dollars (\$108,000.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For state comptroller salary.....	\$ 6,500.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 101,500.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the office of state	
11	comptroller	\$ 108,000.00

STATE FAIR BOARD

1 SEC. 45. For the state fair board there is hereby appropriated
 2 from the general fund of the state for each year of the biennium
 3 beginning July 1, 1949, and ending June 30, 1951, the sum of fifty
 4 thousand dollars (\$50,000.00) or so much as may be necessary to be
 5 used in the following manner:

6 The salary of the Secretary of the State Fair Board shall be Six
 7 thousand dollars (\$6,000.00) per annum to be paid out of the funds of
 8 the State Fair Board.

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

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

STATE TAX COMMISSION

1 SEC. 46. For the state tax commission there is hereby appropriated
 2 from the general fund of the state for each year of the biennium be-
 3 ginning July 1, 1949, and ending June 30, 1951, the sum of eight
 4 hundred ninety-three thousand dollars (\$893,000.00) or so much
 5 thereof as may be necessary to be used in the following manner:

6	For salary of commissioners (2 persons at \$5,500.00	
7	each)	\$ 11,000.00
8	For the salary of the commissioner whose term ex-	
9	pires June 30, 1953	\$ 5,000.00
10	For salaries, support, maintenance and miscellaneous	
11	purposes	\$ 877,000.00

12	Grand total of all appropriations for all purposes	
13	for each year of the biennium for the state tax com-	
14	mission	\$ 893,000.00

SUPREME COURT

1 SEC. 47. 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, 1949, and ending June 30, 1951, the sum of one hundred eight
 4 thousand dollars (\$108,000.00) or so much thereof as may be neces-
 5 sary to be used in the following manner:

6	For salaries of judges as provided by section 684.17	
7	of the code as amended.....	\$ 78,750.00
8	For salaries, support, maintenance and miscellaneous	
9	purposes	\$ 29,000.00
10	Rules of procedure.....	\$ 250.00

11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for the supreme court....\$	108,000.00

TREASURER OF STATE

1 SEC. 48. For the department of treasurer of state there is hereby
 2 appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1949, and ending June 30, 1951, the sum

4	of fifty-five thousand one hundred dollars (\$55,100.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salary of treasurer.....	\$ 6,500.00
7	For salaries, support, maintenance and miscellaneous	
8	purposes	\$ 48,600.00
9	Grand total of all appropriations for all purposes	
10	for each year of the biennium for the department of	
11	treasurer of state	\$ 55,100.00

CONSERVATION COMMISSION

1	SEC. 49. 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, 1949, and ending June 30, 1951, the	
4	sum of four hundred two thousand dollars (\$402,000.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes of the office and maintenance of state parks,	
8	purchase of land and general improvements and for the	
9	construction and improvements of roads and highways	
10	in said parks	\$ 402,000.00
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium for the conservation	
13	commission	\$ 402,000.00

1 SEC. 50. Section one (1), chapter one hundred thirty-two (132),
 2 Acts of the Fifty-second General Assembly, is amended by striking
 3 from line four (4) the words "forty-five hundred" and by substi-
 4 tuting therefor the words "five thousand", provided, however, the
 5 salary of the member of the Board of Social Welfare, whose term ex-
 6 pires June 30, 1955, shall be forty-five hundred dollars (\$4500.00).

1 SEC. 51. Amend section one hundred seven point thirteen (107.13),
 2 Code 1946, by striking the remainder of the section after the word
 3 "exceed" in line fifteen (15) and by substituting in lieu thereof the
 4 following: "twenty-seven hundred dollars (\$2,700.00) per year."

1 SEC. 52. Section one hundred seven point five (107.5), Code
 2 1946, is hereby repealed and the following enacted in lieu thereof:
 3 "Each member of the commission shall receive the sum of ten dol-
 4 lars for each day actually and necessarily employed in the discharge
 5 of official duties, provided said compensation shall not exceed six
 6 hundred dollars for each fiscal year.

1 SEC. 53. All salaries provided for in this act are in lieu of all
 2 existing statutory salaries, for the positions provided herein, and
 3 shall be payable in equal monthly or semi-monthly installments and
 4 shall be in full compensation for all services except as otherwise ex-
 5 pressly provided.

1 SEC. 54. Notwithstanding the provisions of section fifty-three
 2 (53) of this act, there is hereby appropriated for the Iowa liquor
 3 control commission the sum of nine hundred dollars (\$900.00) for
 4 each year of the biennium, beginning July 1st, 1949 and ending
 5 June 30th, 1951, to be used in the following manner:

6 For each member of the Iowa liquor control com-
 7 mission salaries in addition to the salaries set out in
 8 section one hundred twenty-three point ten (123.10),
 9 Code 1946, as amended, in the sum of three hundred
 10 dollars (\$300.00) per year per member.

1 SEC. 55. Where any provisions of the laws of this state are in
 2 conflict with this act the provisions of this act shall govern for the
 3 biennium.

1 SEC. 56. No department or commission of state shall expend any
 2 funds for the publication or distribution of books or pamphlets or
 3 reports unless the publication thereof be expressly required by law or
 4 approved by the committee on retrenchment and reform.

1 SEC. 57. No increases of compensation shall be effective July 1,
 2 1949, or thereafter, in excess of the April 15th, 1949, rate of compen-
 3 sation except as provided in House File 604.

Approved May 10, 1949.

CHAPTER 2

BOARD OF CONTROL INSTITUTIONS APPROPRIATIONS

H. F. 522

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1949, and ending June 30, 1951, to the board of control for support, maintenance, repairs, replacements or alterations of institutions under said board of control.

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

1 SECTION 1. There is hereby appropriated from the general fund
 2 of the state of Iowa for each year of the biennium beginning July 1,
 3 1949, and ending June 30, 1951, for the board of control of state insti-
 4 tutions for salaries, support, maintenance, repairs, replacements or
 5 alterations and miscellaneous purposes for all institutions under the
 6 control of said board the sum of eight million six hundred fifty-four
 7 thousand two hundred thirty-five dollars (\$8,654,235.00) or so much
 8 thereof as may be necessary to be used for the following purposes
 9 to-wit:

STATE HOSPITAL FOR INSANE

Cherokee

1 SEC. 2. For the state hospital for insane at Cherokee, Iowa, there
 2 is hereby appropriated from the general fund of the State for each
 3 year of the biennium beginning July 1, 1949, and ending June 30,
 4 1951, the sum of nine hundred ninety-five thousand three hundred
 5 and sixty dollars (\$995,360.00) or so much thereof as may be neces-
 6 sary to be used in the following manner:

7 For salaries, support and maintenance.....	\$ 975,360.00
8 For repairs, replacements or alterations.....	20,000.00
9 Total for state hospital for insane, Cherokee.....	\$ 995,360.00

STATE HOSPITAL FOR INSANE

Clarinda

1 SEC. 3. For the state hospital for insane at Clarinda, Iowa, there
 2 is appropriated from the general fund of the state for each year of the
 3 biennium beginning July 1, 1949, and ending June 30, 1951, the sum of
 4 nine hundred fifty thousand eight hundred fifty dollars (\$950,850.00)
 5 or so much thereof as may be necessary to be used in the following
 6 manner:

7	For salaries, support and maintenance.....	\$ 930,850.00
8	For repairs, replacements or alterations.....	20,000.00
9	Total for state hospital for insane, Clarinda.....	\$ 950,850.00

GLENWOOD STATE SCHOOL

Glenwood

1 SEC. 4. For the Glenwood state school at Glenwood, Iowa, there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1949, and ending June 30, 1951, the
 4 sum of nine hundred twenty-five thousand one hundred ten dollars
 5 (\$925,110.00) or so much thereof as may be necessary to be used in
 6 the following manner:

7	For salaries, support and maintenance.....	\$ 905,110.00
8	For repairs, replacements or alterations.....	20,000.00
9	Total for Glenwood state school, Glenwood.....	\$ 925,110.00

STATE HOSPITAL FOR INSANE

Independence

1 SEC. 5. For the state hospital for insane at Independence, Iowa,
 2 there is hereby appropriated from the general fund of the state for
 3 each year of the biennium beginning July 1, 1949, and ending June 30,
 4 1951, the sum of nine hundred eighty-five thousand dollars (\$985,-
 5 000.00) or so much thereof as may be necessary to be used in the
 6 following manner:

7	For salaries, support and maintenance.....	\$ 965,000.00
8	For repairs, replacements or alterations.....	20,000.00
9	Total for state hospital for insane, Independence.....	\$ 985,000.00

STATE HOSPITAL FOR INSANE

Mount Pleasant

1 SEC. 6. For the state hospital for insane at Mount Pleasant, Iowa,
 2 there is hereby appropriated from the general fund of the state for
 3 each year of the biennium beginning July 1, 1949, and ending June 30,
 4 1951, the sum of nine hundred seventy-three thousand four hundred
 5 dollars (\$973,400.00) or so much thereof as may be necessary to be
 6 used in the following manner:

7	For salaries, support and maintenance.....	\$ 953,400.00
8	For repairs, replacements or alterations.....	20,000.00
9	Total for state hospital for insane, Mount Pleasant.....	\$ 973,400.00

STATE HOSPITAL FOR EPILEPTICS AND FEEBLEMINDED

Woodward

1	SEC. 7. For the state hospital for epileptics and feeble-minded at	
2	Woodward, Iowa, there is hereby appropriated from the general fund	
3	of the state for each year of the biennium beginning July 1, 1949,	
4	and ending June 30, 1951, the sum of nine hundred thirteen thousand	
5	four hundred dollars (\$913,400.00) or so much thereof as may be	
6	necessary to be used in the following manner:	
7	For salaries, support and maintenance.....	\$ 893,400.00
8	For repairs, replacements or alterations.....	20,000.00
9	Total for state hospital for epileptics and feeble	
10	minded, Woodward	\$ 913,400.00

SOLDIERS' ORPHANS' HOME

Davenport

1	SEC. 8. For the soldiers' orphans' home, Davenport, Iowa, there	
2	is hereby appropriated from the general fund of the state for each	
3	year of the biennium beginning July 1, 1949, and ending June 30,	
4	1951, the sum of three hundred eighty-four thousand one hundred	
5	dollars (\$384,100.00) or so much thereof as may be necessary to be	
6	used in the following manner:	
7	For salaries, support and maintenance.....	\$ 377,500.00
8	For repairs, replacements or alterations.....	6,600.00
9	Total for soldiers orphans' home, Davenport.....	\$ 384,100.00

IOWA SOLDIERS' HOME

Marshalltown

1	SEC. 9. For the Iowa soldiers' home at Marshalltown, Iowa, there	
2	is hereby appropriated from the general fund of the state for each	
3	year of the biennium beginning July 1, 1949, and ending June 30, 1951,	
4	the sum of three hundred seventy thousand four hundred eighty dollars	
5	(\$370,480.00) or so much thereof as may be necessary to be used in	
6	the following manner:	
7	For salaries, support and maintenance.....	\$ 359,480.00
8	For repairs, replacements or alterations.....	11,000.00
9	Total for Iowa Soldiers' Home at Marshalltown.....	\$ 370,480.00

STATE JUVENILE HOME

Toledo

1 SEC. 10. For the state juvenile home at Toledo, Iowa, there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1949, and ending June 30, 1951, the
 4 sum of two hundred twenty-eight thousand four hundred seventy dol-
 5 lars (\$228,470.00) or so much thereof as may be necessary to be used
 6 in the following manner:

7	For salaries, support and maintenance.....	\$ 222,970.00
8	For repairs, replacements or alterations.....	5,500.00
9	Total for state juvenile home at Toledo.....	\$ 228,470.00

MEN'S REFORMATORY

Anamosa

1 SEC. 11. For the men's reformatory at Anamosa, Iowa, there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1949, and ending June 30, 1951, the
 4 sum of five hundred ninety-three thousand seven hundred eighty dol-
 5 lars (\$593,780.00) or so much thereof as may be necessary to be used
 6 in the following manner:

7	For salaries, support and maintenance.....	\$ 580,580.00
8	For repairs, replacements or alterations.....	13,200.00
9	Total for men's reformatory, Anamosa.....	\$ 593,780.00

TRAINING SCHOOL FOR BOYS

Eldora

1 SEC. 12. For the training school for boys at Eldora, Iowa, there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1949, and ending June 30, 1951, the
 4 sum of three hundred thirty-five thousand dollars (\$335,000.00) or
 5 so much thereof as may be necessary to be used in the following man-
 6 ner:

7	For salaries, support and maintenance	\$ 324,000.00
8	For repairs, replacements or alterations.....	11,000.00
9	Total for training school for boys, Eldora.....	\$ 335,000.00

PENITENTIARY

Fort Madison

1 SEC. 13. For the state penitentiary at Fort Madison, Iowa, there is
 2 hereby appropriated from the general fund of the state for each year
 3 of the biennium beginning July 1, 1949, and ending June 30, 1951,
 4 the sum of seven hundred fifty-four thousand three hundred seventy
 5 dollars (\$754,370.00) or so much thereof as may be necessary to be
 6 used in the following manner:

7	For salaries, support and maintenance.....	\$ 741,170.00
8	For repairs, replacements or alterations.....	13,200.00
9	Total for penitentiary, Fort Madison.....	\$ 754,370.00

TRAINING SCHOOL FOR GIRLS

Mitchellville

1 SEC. 14. For the training school for girls at Mitchellville, Iowa,
 2 there is hereby appropriated from the general fund of the state for
 3 each year of the biennium beginning July 1, 1949, and ending June 30,
 4 1951, the sum of one hundred sixty-seven thousand six hundred ninety-
 5 five dollars (\$167,695.00) or so much thereof as may be necessary to
 6 be used in the following manner:

7	For salaries, support and maintenance.....	\$ 162,195.00
8	For repairs, replacements or alterations.....	5,500.00
9	Total for training school for girls at Mitchellville.....	\$ 167,695.00

WOMEN'S REFORMATORY

Rockwell City

1 SEC. 15. For the women's reformatory at Rockwell City, Iowa,
 2 there is hereby appropriated from the general fund of the state for
 3 each year of the biennium beginning July 1, 1949, and ending June 30,
 4 1951, the sum of seventy-seven thousand two hundred twenty dollars
 5 (\$77,220.00) or so much thereof as may be necessary to be used in the
 6 following manner:

7	For salaries, support and maintenance.....	\$ 71,720.00
8	For repairs, replacements or alterations.....	5,500.00
9	Total for women's reformatory, Rockwell City.....	\$ 77,220.00

Approved March 26, 1949.

CHAPTER 3

BOARD OF CONTROL INSTITUTIONS APPROPRIATION

H. F. 523

AN ACT to appropriate funds from the general fund of the state funds for the institutions under the control of the state board of control.

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

1 SECTION 1. For the institutions under the control of the state
 2 board of control there is appropriated from the general fund of the
 3 state the sum of four million dollars (\$4,000,000.00) to be used in the
 4 following manner to-wit:

5 To supplement any of the appropriations for capital items included
 6 in chapter three (3), Acts of the 49th General Assembly, and any of
 7 the appropriation included in chapter three (3), Acts of the 51st
 8 General Assembly, and any of the appropriation included in chapter
 9 twelve (12), Acts of the 52nd General Assembly, or for any other

10 capital expenditure the board of control may deem necessary for the
11 proper and necessary function of any institution under its control.

1 SEC. 2. Before any of the fund herein appropriated shall be ex-
2 pended it shall be determined by the state board of control with the
3 approval of the joint legislative committee on retrenchment and
4 reform that the expenditure shall be for the best interests of the state.

Approved March 19, 1949.

CHAPTER 4

BOARD OF CONTROL APPROPRIATION

S. F. 470

AN ACT to appropriate from the general fund of the state of Iowa for each year of the biennium beginning July 1, 1949, and ending June 30, 1951, a fund for the office of the 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 of the state of Iowa to the office of the Board of Control the sum of
3 two hundred twenty thousand dollars (\$220,000.00) for each year of
4 the biennium beginning July 1, 1949, and ending June 30, 1951, or so
5 much thereof as may be necessary to be used in the following manner:
6 For salaries, support, maintenance and miscellaneous
7 purposes, including salaries for three (3) board mem-
8 bers at \$6,000.00 each.....\$220,000.00
9 Grand total of all appropriations for all purposes for
10 each year of the biennium for the Board of Control....\$220,000.00

Approved April 2, 1949.

CHAPTER 5

INSTITUTIONAL STATE ROADS APPROPRIATION

S. F. 471

AN ACT to appropriate from the general fund of the state of Iowa for each year of the biennium beginning July 1, 1949, and ending June 30, 1951, a fund for the board of control institutional state roads.

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

1 SECTION 1. There is hereby appropriated from the general fund
2 of the state of Iowa to the board of control for institutional state
3 roads the sum of fifteen thousand dollars (\$15,000.00) for each year
4 of the biennium beginning July 1, 1949, and ending June 30, 1951, or
5 so much thereof as may be necessary to be used in the following
6 manner:
7 For institutional state roads.....\$15,000.00
8 Grand total of all appropriations for all purposes for
9 each year of the biennium for institutional state roads.....\$15,000.00

Approved March 28, 1949.

CHAPTER 6

BOARD OF EDUCATION APPROPRIATIONS

S. F. 514

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1949, and ending June 30, 1951, to the board of education for the support, maintenance, repairs, replacements or alterations 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, 1949, and
3 ending June 30, 1951, for the support, maintenance, repairs, replace-
4 ments or alterations of all institutions under the control of said board,
5 the sum of sixteen million nine hundred seventy-three thousand one
6 hundred seventy-seven dollars (\$16,973,177.00) or so much thereof
7 as may be necessary, and for the following purposes to-wit:

STATE UNIVERSITY OF IOWA

Iowa City

1 SEC. 2. For the state university of Iowa there is hereby appropri-
2 ated from the general fund of the state for each year of the biennium
3 beginning July 1, 1949, and ending June 30, 1951, the sum of five
4 million two hundred three thousand dollars (\$5,203,000.00) or so
5 much thereof as may be necessary to be used in the following manner:

6 For salaries, support, maintenance and miscellaneous	
7 purposes	\$5,000,000.00
8 For repairs, replacements or alterations.....	200,000.00
9 Lakeside Laboratory	3,000.00

10 Total for the state university of Iowa.....\$5,203,000.00

11 In consideration of the increased appropriation to the State Univer-
12 sity of Iowa of approximately forty per cent (40%) over the amount
13 appropriated by the Fifty-second General Assembly, and in view of
14 the extremely critical shortage of medical doctors in the state of Iowa,
15 it is the expressed direction of the Fifty-third General Assembly that
16 the State University Medical School shall do all in its power to increase
17 to maximum capacity the number of medical students enrolled and
18 graduated, beginning with the next school year.

UNIVERSITY HOSPITAL

1 SEC. 3. For the purpose of carrying out the purpose of chapter
2 two hundred fifty-five (255), Code 1946, there is hereby appropriated
3 from the general fund of the state for each year of the biennium
4 beginning July 1, 1949, and ending June 30, 1951, the sum of two
5 million five hundred eighty thousand dollars (\$2,580,000.00) or so
6 much thereof as may be necessary to be used in the following manner
7 under the authority provided in said chapter:

8 For salaries, support, maintenance and for medical	
9 and surgical treatment of indigent patients at the	
10 university hospital	\$2,480,000.00

11	For repairs, replacements or alterations.....	100,000.00
12	Total for the University Hospital.....	<u>\$2,580,000.00</u>

PSYCHOPATHIC HOSPITAL

1 SEC. 4. For the psychopathic hospital there is hereby appropriated
 2 from the general fund of the state for each year of the biennium
 3 beginning July 1, 1949, and ending June 30, 1951, the sum of two
 4 hundred sixty thousand dollars (\$260,000.00) or so much thereof as
 5 may be necessary to expend in the manner and under the authority
 6 provided in chapter two hundred twenty-five (225), Code 1946, pro-
 7 vided however the amounts shall be available in monthly installments
 8 not exceeding twenty-one thousand six hundred sixty-six dollars
 9 (\$21,666.00) and that said installments shall be expended only upon
 10 submission of bills in the manner provided in section two hundred
 11 twenty-five point twenty-eight (225.28) of said chapter:

12	For salaries, support, maintenance and for the care, 13 treatment and maintenance of committed and volun- 14 tary public patients therein.....	<u>\$ 260,000.00</u>
15	Total for the psychopathic hospital.....	<u>\$ 260,000.00</u>

BACTERIOLOGICAL LABORATORY

1 SEC. 5. For the bacteriological laboratory there is hereby appropri-
 2 ated from the general fund of the state for each year of the biennium
 3 beginning July 1, 1949, and ending June 30, 1951, the sum of one hun-
 4 dred thirty-three thousand seven hundred fifty dollars (\$133,750.00)
 5 or so much thereof as may be necessary to be used in the manner and
 6 under the authority provided in chapter two hundred sixty-three
 7 (263), Code 1946:

8	For salaries, support, maintenance and miscellaneous 9 purposes	<u>\$133,750.00</u>
10	Total for bacteriological laboratory.....	<u>\$133,750.00</u>

HOSPITAL-SCHOOL

1 SEC. 6. For the hospital-school there is hereby appropriated from
 2 the general fund of the state for each year of the biennium beginning
 3 July 1, 1949, and ending June 30, 1951, the sum of seventy thousand
 4 dollars (\$70,000.00) or so much thereof as may be necessary to be used
 5 in the manner and under the authority provided in chapter one hun-
 6 dred forty-six (146), Acts of the Fifty-second General Assembly:

7	For salaries, support, maintenance and miscellaneous 8 purposes	<u>\$70,000.00</u>
9	Total for the hospital-school.....	<u>\$70,000.00</u>

IOWA STATE COLLEGE OF AGRICULTURE AND
MECHANIC ARTS

Ames

1 SEC. 7. For the Iowa state college of agriculture and mechanic
2 arts there is hereby appropriated from the general fund of the state
3 for each year of the biennium beginning July 1, 1949, and ending June
4 30, 1951, the sum of five million two hundred fifty thousand dollars
5 (\$5,250,000.00) or so much thereof as may be necessary to be used in
6 the following manner:

7	For general education.....	\$3,000,000.00
8	For research	1,250,000.00
9	For extension	750,000.00
10	For repairs, replacements or alterations.....	250,000.00
		\$5,250,000.00

11 Total for the Iowa state college of agriculture and
12 mechanic arts\$5,250,000.00

IOWA STATE TEACHERS COLLEGE

Cedar Falls

1 SEC. 8. For the Iowa state teachers college there is hereby ap-
2 propriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1949, and ending June 30, 1951, the sum of
4 two million two hundred thirty-four thousand four hundred twenty-
5 seven dollars (\$2,234,427.00) or so much thereof as may be necessary
6 to be used in the following manner:

7	For salaries, support, maintenance and miscellaneous 8 purposes	\$2,109,427.00
9	For repairs, replacements or alterations.....	125,000.00
		\$2,234,427.00

10 Total for the Iowa state teachers college.....\$2,234,427.00

IOWA SCHOOL FOR THE DEAF

Council Bluffs

1 SEC. 9. For the Iowa school for deaf there is hereby appropriated
2 from the general fund of the state for each year of the biennium
3 beginning July 1, 1949, and ending June 30, 1951, the sum of three
4 hundred sixty-six thousand five hundred dollars (\$366,500.00) or so
5 much thereof as may be necessary to be used in the following manner:

6	For salaries, support, maintenance and miscellaneous 7 purposes	\$ 366,500.00
8	For repairs, replacements or alterations.....	10,000.00
		\$ 366,500.00

9 Total for the Iowa school for deaf.....\$ 366,500.00

IOWA SCHOOL FOR BLIND

Vinton

1	SEC. 10. For the Iowa school for blind there is hereby appropriated	
2	from the general fund of the state for each year of the biennium	
3	beginning July 1, 1949, and ending June 30, 1951, the sum of two hun-	
4	dred forty-three thousand five hundred dollars (\$243,500.00) or so	
5	much thereof as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 233,500.00
8	For repairs, replacements or alterations.....	10,000.00
9	Total for the Iowa school for blind.....	\$ 243,500.00

STATE SANATORIUM

Oakdale

1	SEC. 11. For the state sanatorium at Oakdale, Iowa, there is hereby	
2	appropriated from the general fund of the state for each year of the	
3	biennium beginning July 1, 1949, and ending June 30, 1951, the sum	
4	of six hundred thirty-two thousand dollars (\$632,000.00) or so much	
5	thereof as may be necessary to be used in the following manner:	
6	For salaries, support, maintenance and miscellaneous	
7	purposes	\$ 622,000.00
8	For repairs, replacements or alterations.....	10,000.00
9	Total for the state sanatorium, Oakdale, Iowa.....	\$ 632,000.00
10	Grand total of all appropriations to the board of	
11	education for all purposes for all institutions under	
12	said board of education.....	\$16,973,177.00

Approved April 20, 1949.

CHAPTER 7

BOARD OF EDUCATION APPROPRIATIONS

S. F. 523

AN ACT to appropriate from the general fund of the state funds for the institutions under the control of the state board of education.

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

1	SECTION 1. For the following institutions under the control of	
2	the state board of education there is appropriated from the general	
3	fund of the state the sum of two million seven hundred thousand	
4	eight hundred ninety-three dollars (\$2,700,893) or so much thereof	
5	as may be necessary to be used in the following manner, to-wit: To	
6	supplement any appropriations or for any other capital expenditure	
7	the board of education may deem necessary for the proper and neces-	
8	sary function of any institution under its control.	
1	SEC. 2. Said sum shall be allocated in the following amounts:	
2	State University of Iowa.....	\$ 560,000.00
3	Iowa State College.....	96,000.00

4	State Sanatorium at Oakdale.....	250,000.00
5	State Sanatorium at Oakdale to cover overdraft.....	25,893.00
6	Iowa School for the Blind, Vinton, Iowa.....	180,000.00
7	Iowa School for Deaf, Council Bluffs, Iowa.....	100,000.00
8	Iowa State Teachers College.....	1,239,000.00
9	For the Hospital School for Severely Handicapped	
10	Children at Iowa City.....	250,000.00

1 SEC. 3. Before any of the fund herein appropriated shall be ex-
 2 pended it shall be determined by the state board of education with the
 3 approval of the joint legislative committee on retrenchment and
 4 reform that the expenditure shall be for the best interests of the state.

1 SEC. 4. The treasurer of state, with the approval of the state board
 2 of education is hereby empowered to invest any of the funds ap-
 3 propriated by the provisions of section one (1) of this act in securities
 4 of the United States government.

1 SEC. 5. When contracts, plans and specifications for improve-
 2 ments for which this fund is herein appropriated have been accepted
 3 by the state board of education, and approved and certified by the
 4 joint legislative committee on retrenchment and reform, the state
 5 treasurer is authorized and directed to sell sufficient securities herein
 6 provided in section four (4) of this act to cover the cost of said im-
 7 provement.

1 SEC. 6. The board of education and the joint legislative committee
 2 on retrenchment and reform are hereby authorized to obtain federal
 3 grants to the state to be used in connection with the funds above
 4 appropriated or diverted from such construction purpose.

1 SEC. 7. In the event that federal appropriations are made available
 2 to institutions under the board of education for the construction of
 3 educational facilities required in the education and training of war
 4 veterans, the board of education and the joint legislative committee
 5 on retrenchment and reform are hereby authorized to obtain federal
 6 grants to the state to be used in connection with any fund appropri-
 7 ated or diverted to the institutions of higher learning under said board
 8 by acts of the 49th General Assembly, the 51st General Assembly,
 9 the 52nd General Assembly and the 53rd General Assembly, for con-
 10 struction purposes, and the monies so appropriated by said general
 11 assemblies and obtained by said federal grants may be used for the
 12 construction purposes provided for in the several appropriation acts
 13 of said general assemblies, and, in addition thereto, for such other
 14 construction purposes as in the judgment of said board and said joint
 15 legislative committee on retrenchment and reform are necessary or
 16 proper for the education and training of war veterans.

1 SEC. 8. It is hereby declared to be the purpose of the General
 2 Assembly that the college of medicine at the University of Iowa should
 3 undergo such expansion of facilities and increase in equipment as to
 4 accommodate a freshman class of one hundred twenty (120) students,
 5 and such funds as may be required for such project shall be taken
 6 from the unallocated capital funds now on hand and available in the
 7 appropriation for the University of Iowa; such expansion shall be
 8 begun as soon as possible in the ensuing biennium. Pending the com-

9 pletion and obtention of such facilities and the procurement of such
10 equipment, it is the direction of the General Assembly to the Board
11 of Education of the State of Iowa that the college of medicine at the
12 State University of Iowa receive the maximum number of medical
13 students which it can adequately accommodate.

1 SEC. 9. The provisions of all acts or statutes in conflict or incon-
2 sistent with the provisions of this act are hereby repealed.

1 SEC. 10. If any section, subsection, paragraph, sentence, clause
2 or phrase of this act is for any reason held to be unconstitutional or
3 invalid, such unconstitutionality or invalidity shall not affect the con-
4 stitutionality or validity of the remaining portions of this act. The
5 general assembly hereby declares that it would have passed this act
6 and each section, subsection, paragraph, sentence, clause or phrase
7 hereof irrespective of whether any one or more of the sections, para-
8 graphs, sentences, clauses or phrases be declared unconstitutional.

Approved May 18, 1949.

CHAPTER 8

SOCIAL WELFARE APPROPRIATION

H. F. 565

AN ACT to appropriate from the general fund of the state of Iowa for the biennium beginning July 1, 1949, and ending June 30, 1951, to the social welfare department for the purpose of aid to blind fund, aid to dependent children fund, child welfare fund, emergency relief fund and the old age assistance fund.

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

1 SECTION 1. For the social welfare department there is hereby ap-
2 propriated from the general fund of the state for each year of the
3 biennium beginning July 1, 1949, and ending June 30, 1951, the sum
4 of five million one hundred seventy-five thousand dollars
5 (\$5,175,000.00) to be used in the following manner:

6	For aid to blind fund.....	\$ 350,000.00
7	For aid to dependent children fund.....	1,575,000.00
8	For child welfare fund.....	220,000.00
9	For emergency relief fund.....	30,000.00
10	For old age assistance fund (In addition to ten mil- 11 lion dollars (\$10,000,000.00) appropriated for this 12 purpose by Chapter 230, Acts of the 52nd G. A.)....	3,000,000.00

13	Grand total of all appropriations for all purposes 14 for each year of the biennium for the social welfare 15 department	\$5,175,000.00
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1 SEC. 2. No more than the amount herein appropriated to each fund,
2 plus the unexpended balance in each fund on June 30, 1949, shall be
3 expended from state funds for the purposes of each said fund during
4 the biennium beginning July 1, 1949 and ending June 30, 1951.

Approved April 13, 1949.

CHAPTER 9

AID TO DEPENDENT CHILDREN APPROPRIATION

H. F. 357

AN ACT to make a deficiency appropriation to the aid to dependent children department of the social welfare department.

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 sum of four hundred and fifty thousand
3 dollars (\$450,000.00) to be granted to the Aid to Dependent Children
4 Department of the Social Welfare Department as a deficiency ap-
5 propriation, one hundred thousand dollars (\$100,000.00) of said
6 amount to be used to repay a loan from the Social Welfare Depart-
7 ment, borrowed out of the Old Age Assistance Fund.

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 Daily
3 Gate City, a newspaper published at Keokuk, Iowa, and in the Bremer
4 County Independent, a newspaper published at Waverly, Iowa.

Approved March 9, 1949.

I hereby certify that the foregoing act was published in the Daily Gate City, March 16, 1949, and the Bremer County Independent, March 23, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 10

SPECIFIED SCHOOL AID

S. F. 520

AN ACT to make an appropriation to the department of public instruction for specified school aid.

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

1 SECTION 1. There is hereby appropriated to the Department of
2 Public Instruction for each year of the biennium beginning July 1,
3 1949, and ending June 30, 1951, the sum of Six hundred forty-seven
4 thousand five hundred dollars (\$647,500.00), or so much thereof as
5 may be necessary, to be used in the following manner:

6	Aid to Handicapped Children, as provided in Chapter	
7	281, Code 1946, to include twenty thousand dollars	
8	(\$20,000) for hearing tests.....	\$ 526,000
9	Mining Camp School Emergency.....	27,000
10	Mining Camp Schools State Aid.....	45,000
11	Normal Institutes	49,500
12		<hr/> \$ 647,500

Approved April 28, 1949.

CHAPTER 11

SCHOOL TRANSPORTATION AID

S. F. 517

AN ACT to appropriate six million dollars (\$6,000,000) to the department of public instruction for state aid for transportation as provided by chapter two hundred eighty-five (285), Code 1946.

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

1 SECTION 1. There is hereby appropriated to the Department of
2 Public Instruction for each year of the biennium beginning July 1,
3 1949, and ending June 30, 1951, the sum of Three million dollars
4 (\$3,000,000), or so much thereof as may be necessary, for state aid
5 for transportation as provided by Chapter 285, Code 1946.

Approved April 20, 1949.

CHAPTER 12

SCHOOL SUPPLEMENTAL AID

S. F. 516

AN ACT to appropriate four million dollars (\$4,000,000) to the department of public instruction for supplemental aid to certain school districts of the state, as provided by chapter two hundred eighty-six (286), Code 1946.

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

1 SECTION 1. There is hereby appropriated to the Department of
2 Public Instruction for each year of the biennium beginning July 1,
3 1949, and ending June 30, 1951, the sum of Two million dollars
4 (\$2,000,000) or so much thereof as may be necessary for supple-
5 mental aid to such school districts of the state as qualify under the
6 provisions of Chapter Two hundred eighty-six (286), Code 1946.

Approved April 20, 1949.

CHAPTER 13

CLEAR LAKE WATER SURVEY

S. F. 479

AN ACT to make an appropriation from the general fund of the state of Iowa in the sum of fifteen thousand dollars (\$15,000) or so much thereof as may be necessary for the purpose of paying the expense of a survey by the state conservation commission of the water pollution problem and sanitary condition in relation to Clear Lake, and abutting property in Cerro Gordo county, Iowa, and providing reimbursement to the state for funds expended from the appropriation provided.

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

1 SECTION 1. The state conservation commission is hereby author-
2 ized and directed to make a survey of water pollution and sanitation
3 problems arising from conditions due to the drainage of sewage and

4 other contamination into Clear Lake, located in Cerro Gordo County,
5 Iowa. Such survey shall include a comprehensive study of conditions
6 as they exist and recommendation of such measures as may be neces-
7 sary for the protection of public health and the preservation of
8 natural resources in the Clear Lake area.

1 SEC. 2. There is hereby appropriated the sum of fifteen thousand
2 dollars (\$15,000), or so much thereof as may be required, for the
3 making of such study and survey. Said appropriation shall be sub-
4 ject to expenditure by the state conservation commission under the
5 same procedure as has applied to other expenditures of the state con-
6 servation commission.

1 SEC. 3. The state conservation commission shall report the result
2 of its studies to the governor of the state of Iowa and to the mayor
3 and city council of the city of Clear Lake and to the board of super-
4 visors of Cerro Gordo County, Iowa, not later than December 1, 1949.

1 SEC. 4. In the event that the survey recommend action which
2 results in the creation of sanitary districts or drainage districts
3 having as their object the providing of facilities for prevention of the
4 pollution of Clear Lake, the state shall be reimbursed for the cost of
5 the survey by such district or districts in proportion to the benefits
6 received, as determined in the creation of the district or districts in-
7 volved.

1 SEC. 5. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Tripoli
3 Leader, a newspaper published at Tripoli, Iowa, and the Mason City
4 Globe-Gazette, a newspaper published at Mason City, Iowa.

Approved April 20, 1949.

I hereby certify that the foregoing act was published in the Tripoli Leader, May 11,
1949, and in the Mason City Globe-Gazette, May 11, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 14

LANDS AND WATERS DEVELOPMENT

S. F. 502

AN ACT to appropriate from the general fund of the state of Iowa to the state conser-
vation commission funds for lands and waters development.

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

1 SECTION 1. There is hereby appropriated and set out of the gen-
2 eral fund of the state from any moneys not otherwise appropriated,
3 to the state conservation commission the sum of two million seven
4 hundred thousand dollars or so much thereof as may be necessary for
5 construction, acquisition, replacements, alterations and for state
6 parks and reserves, state forests, state waters, for dredging, for
7 artificial lake development, for erosion control, for streams and lake
8 access, for land acquisition and for design and investigation, but said
9 funds appropriated and set aside by this act shall not be expended

10 until it shall be determined by the conservation commission with
 11 approval of the joint legislative committee on retrenchment and
 12 reform that its expenditures shall be for the best interests of the state.

1 SEC. 2. The treasurer of the state of Iowa is hereby empowered to
 2 invest any of the funds so appropriated and set aside by the provi-
 3 sions of section one (1) of this act in securities of the United States
 4 government.

1 SEC. 3. When contracts, plans and specifications for improvements
 2 or purchase of real estate for which funds are herein appropriated
 3 have been accepted by the Conservation Commission, and approved
 4 and certified by the joint legislative committee on retrenchment and
 5 reform of the state of Iowa, the state treasurer is authorized and
 6 directed to sell sufficient securities herein provided in section two
 7 (2) of this act to cover the cost of said improvement.

Approved April 20, 1949.

CHAPTER 15

WORKMEN'S COMPENSATION APPROPRIATION

S. F. 465

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 eighty-five (85), eighty-six (86) and eighty-seven (87), Code 1946.

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

1 SECTION 1. There is hereby appropriated from the general fund
 2 of the State of Iowa not otherwise appropriated, ten thousand dollars
 3 (\$10,000) to be credited to the Industrial Commissioner for use by
 4 him for the payment of workmen's compensation benefits to which
 5 injured state employees are entitled under chapters eighty-five (85),
 6 eighty-six (86) and eighty-seven (87), Code 1946, other than injured
 7 employees of the State Highway Commission, Liquor Control 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, 1949 shall revert to the general fund of the State of
 11 Iowa.

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

Approved March 14, 1949.

I hereby certify that the foregoing act was published in the Waterloo Daily Courier, March 21, 1949, and in the Sumner Gazette, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 16

PRINTING APPROPRIATION

S. F. 476

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

WHEREAS, the fund appropriated for the cost of printing for the Fifty-third General Assembly is now nine thousand five hundred forty-four (\$9,544) dollars overdrawn; and

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

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

1 SECTION 1. There is hereby appropriated an additional sum of
2 forty-five thousand (\$45,000) dollars or so much thereof as may be
3 necessary for the payment of the cost of printing for the Fifty-third
4 General Assembly, and the state comptroller is hereby authorized to
5 issue warrants against said appropriation upon requisition by the
6 superintendent of printing.

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Allison Tribune, a newspaper published at Allison, Iowa, and the
4 Parkersburg Eclipse, a newspaper published at Parkersburg, Iowa.

Approved April 11, 1949.

I hereby certify that the foregoing act was published in the Allison Tribune, May 4, 1949, and in the Parkersburg Eclipse, May 5, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 17

STATE OFFICE BUILDING APPROPRIATION

S. F. 142

AN ACT to appropriate additional funds for erecting and equipping a state office building on the state capitol 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 two million five hundred thousand dollars
3 (\$2,500,000.00), which shall be added to the appropriation made by
4 chapter sixteen (16) of the Acts of the 49th General Assembly of the
5 State of Iowa, and to the appropriation made by chapter ten (10) of
6 the Acts of the 51st General Assembly, and to the appropriation made
7 by chapter three hundred seven (307) of the Acts of the 52nd General
8 Assembly, and shall be expended for the erection and equipping of a
9 state office building in accordance with the provisions of said chapter
10 sixteen (16) of the Acts of the 49th General Assembly of the State of
11 Iowa.

1 SEC. 2. Notwithstanding the provisions of chapter nineteen (19),
 2 Acts of the 50th General Assembly, there shall be created a Legislative
 3 Advisory Committee consisting of three members of the Senate and
 4 three members of the House of Representatives to be appointed by the
 5 respective presiding officers of the Senate and House, for the purpose
 6 of carrying out the legislative intent of this act and of chapter sixteen
 7 (16), Acts of the 49th General Assembly, Chapter ten (10), Acts of
 8 the 51st General Assembly, and Chapter three hundred seven (307),
 9 Acts of the 52nd General Assembly.

10 The term of the Legislative Advisory Committee shall terminate
 11 upon the convening of the Fifty-fourth (54) General Assembly. Any
 12 vacancy occurring on the Legislative Advisory Committee shall be
 13 filled by the presiding officer of the House in the event the vacancy
 14 occurs in the membership of said committee from the House of Repre-
 15 sentatives, and by the Lieutenant Governor, in the event the vacancy
 16 occurs in the membership of said committee from the Senate.

17 In carrying out the provisions of this Act, chapter three hundred
 18 seven (307) in the 52nd General Assembly, chapter sixteen (16) in the
 19 49th General Assembly, and chapter ten (10) of the 51st General
 20 Assembly, the Executive Council of the State of Iowa and the Legis-
 21 lative Advisory Committee shall meet jointly at such places as may
 22 be determined by the Executive Council, and in determining all
 23 matters coming before said meetings it shall require a majority vote of
 24 the members of the joint committee of the Executive Council and of
 25 the Legislative Advisory Committee.

26 The Legislative Advisory Committee shall meet and organize imme-
 27 diately following sine die adjournment of the Fifty-third General As-
 28 sembly, and at the same time and immediately following its organiza-
 29 tion, meet with the Executive Council in order that the committee and
 30 council may advise on carrying out the provisions of this Act, and
 31 the provisions of chapter three hundred seven (307) of the 52nd
 32 General Assembly, chapter ten (10) of the 51st General Assembly and
 33 chapter sixteen (16), Acts of the 49th General Assembly.

1 SEC. 3. Each member of the Legislative Advisory Committee shall
 2 be entitled to actual necessary hotel and traveling expenses incurred
 3 in the discharge of his duties, upon an itemized certification of the
 4 amounts due, filed with the comptroller for audit, and in payment
 5 thereof the comptroller shall issue warrants on the state office building
 6 fund, from which a sufficient amount is hereby set aside for this
 7 purpose. In addition, each member of such Legislative Advisory Com-
 8 mittee shall receive such compensation for time spent in the discharge
 9 of his duties as may be allowed by the General Assembly next conven-
 10 ing.

1 SEC. 4. Insofar as chapter nineteen (19), Acts of the 50th General
 2 Assembly is in conflict with this Act, the same is hereby repealed.

1 SEC. 5. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its publication in the Clayton
 3 County Register, a newspaper published at Elkader, Iowa, and in the
 4 Manly Signal, a newspaper published at Manly, Iowa.

Approved February 4, 1949.

I hereby certify that the foregoing act was published in the Clayton County Register,
 February 10, 1949, and in the Manly Signal, February 17, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 18

PRIMARY ROAD FUND ALLOCATION

H. F. 551

AN ACT to transfer from the general fund of the state of Iowa, to the primary road fund, the sum of five million dollars (\$5,000,000.00), for the use of the primary roads.

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

1 SECTION 1. There is hereby transferred from the general fund of
2 the State of Iowa, to the primary road fund, the sum of five million
3 dollars (\$5,000,000.00). The funds transferred to the primary road
4 fund under this act shall be used for the same purposes and expended
5 in the same manner as other primary road funds.

1 SEC. 2. Section three hundred ten point thirty-one (310.31)
2 Code 1946, shall not apply to the funds transferred to the primary
3 road fund under 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 Oskaloosa Tribune-Press, a newspaper published at Oskaloosa,
4 Iowa, and the Mount Ayr Record-News, a newspaper published at
5 Mount Ayr, Iowa.

Approved April 1, 1949.

I hereby certify that the foregoing act was published in the Oskaloosa Tribune-Press, April 8, 1949, and in the Mount Ayr Record-News, April 7, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 19

WORKMEN'S COMPENSATION OF HIGHWAY EMPLOYEES

H. F. 555

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

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

1 SECTION 1. There is hereby appropriated to the industrial com-
2 missioner from the primary road fund for each year of the biennium
3 beginning July 1, 1949, and ending June 30, 1951, the sum of forty
4 thousand dollars (\$40,000.00) or so much thereof as may be neces-
5 sary for the purpose of paying properly established claims of or on
6 behalf of employees or dependents of employees of the state highway
7 commission who are injured or killed while on duty as provided by
8 chapter 85, code, 1946.

Approved April 1, 1949.

CHAPTER 20

MOTOR VEHICLE FUEL TAX REFUNDS

H. F. 427

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

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

1 SECTION 1. There is hereby appropriated to the state comptroller
2 from motor vehicle fuel tax fund for each year of the biennium
3 beginning July 1, 1949, and ending June 30, 1951, the sum of five
4 thousand dollars (\$5,000.00) or so much thereof as may be necessary
5 for use in employing help and defraying other expenses in writing
6 motor vehicle fuel tax refund warrants and keeping necessary records.

Approved March 19, 1949.

CHAPTER 21

INAUGURAL EXPENSE APPROPRIATION

S. F. 116

AN ACT making appropriation to defray expense of inaugural ceremonies.

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

1 SECTION 1. There is hereby appropriated out of funds of the state
2 treasury, not otherwise appropriated, the sum of eight hundred
3 twenty-nine dollars and ninety cents (\$829.90), or so much thereof as
4 may be necessary, to pay the expenses incurred on account of the
5 inaugural ceremonies and reception. Warrants shall be drawn upon
6 the treasury for the sum herein appropriated in favor of the Adjutant
7 General upon the filing of vouchers therefor with State 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 the
3 Bremer County Independent, a newspaper published in the city of
4 Waverly, Iowa, and the Atlantic News-Telegraph, a newspaper pub-
5 lished in the city of Atlantic, Iowa.

Approved February 3, 1949.

I hereby certify that the foregoing act was published in the Bremer County Independent, March 9, 1949, and the Atlantic News-Telegraph, March 5, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 22

MISCELLANEOUS EXPENSE OF GENERAL ASSEMBLY

H. F. 611

AN ACT making appropriations for payment of miscellaneous expense of the Fifty-third 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

3	so much thereof as may be necessary in payment of miscellaneous	
4	expenses of the Fifty-third General Assembly:	
5	A. C. Gustafson, Chief Clerk of the House, for postage	
6	and miscellaneous expenses after adjournment. (This	
7	shall be in addition to postage left over in the House post	
8	office after the session has adjourned).....	\$ 150.00
9	W. J. Scarborough, Secretary of the Senate, for postage	
10	and miscellaneous expenses after adjournment. (This	
11	shall be in addition to postage left over in the Senate post	
12	office after the session has adjourned).....	100.00
13	Executive council for telephone, telegraph, supplies, post-	
14	age and miscellaneous expense of the General Assembly.....	7,000.00
15	American Signal Corporation, repairs on electric roll	
16	call system (House).....	175.00
17	Bond Clothiers, fifteen coats for pages (House).....	222.95
18	Rollo Bergeson, rental electric typewriter (House).....	50.00
19	Storey-Kenworthy Co., supplies (House).....	2.54
20	Addressograph-Multigraph Corp., supplies (House).....	23.77
21	Edwin Getz, transportation (House).....	12.25
22	Gavel (House).....	7.50
23	Koch Brothers, office supplies (Senate).....	11.55
24	Lenna Mandt, multilith operator, 157 mats @ 50c each	
25	(Senate).....	78.50
26	Frank Sacco, transportation (Senate).....	30.00

1 SEC. 2. There is hereby appropriated a sum sufficient to pay the
2 per diem compensation made necessary by House Concurrent Reso-
3 lution No. 29 for services required of officers and employees of the
4 Fifty-third General Assembly after final adjournment.

1 SEC. 3. There is hereby appropriated to the Executive Council the
2 sum of Seven Thousand Dollars (\$7,000.00) for legislative supplies
3 and equipment purchased for the Fifty-third General Assembly.

1 SEC. 4. There is hereby appropriated an amount necessary to cover
2 the cost of a permanent lighting system in the House Chamber, the
3 reconstruction of windows in the House chamber, reconditioning of
4 committee rooms, numbers one, six and nine, including improvement
5 of the acoustics in room number one, the installation of an electric
6 bulletin board in connection with the voting machine of the House, the
7 installation of an automatic elevator for committee rooms in the rear
8 of the House chamber and repairs or improvements of elevators in the
9 capitol building. All funds hereunder appropriated shall be expended
10 only for the purposes herein set out and only after the plans and cost
11 of such equipment and improvements has had the express approval of
12 the joint legislative committee on retrenchment and reform. The
13 state comptroller is hereby authorized and directed to issue warrants
14 for above upon certification by the joint legislative committee on
15 retrenchment and reform.

1 SEC. 5. There is also appropriated, out of funds not otherwise ap-
2 propriated, an amount sufficient to pay the actual expenses of members
3 of the committee on house chamber improvement, attendant upon

4 meetings of said committee, appointed under the provisions of House
5 Resolution No. 5.

1 SEC. 6. This act being deemed of immediate importance shall be
2 in full force and effect after its passage and publication in Cedar
3 Valley Daily Times, a newspaper published at Vinton, Iowa, and the
4 Rake Register, a newspaper published at Thompson, Iowa.

Approved May 2, 1949.

I hereby certify that the foregoing act was published in the Cedar Valley Daily Times,
May 10, 1949, and in the Rake Register, May 12, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 23

CAPITOL MAINTENANCE APPROPRIATIONS

H. F. 572

AN ACT to appropriate certain funds to the custodian of public buildings and grounds
of the state of Iowa from the general fund of the state for the maintenance and
upkeep of the capitol building and all outlying buildings.

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

1 SECTION 1. There is hereby appropriated to the custodian of public
2 buildings and grounds of the state of Iowa from the general fund
3 of the state of Iowa, not otherwise appropriated, a sum of fifty-five
4 thousand two hundred dollars (\$55,200.00), for the maintenance and
5 upkeep of the capitol building; the Amos Hiatt building; the His-
6 torical building; the Board of Health building, 1014 Des Moines
7 Street; the Board of Education building; the Industrial Commission
8 building, 1007 Des Moines Street; the Bryant School building; the
9 Archives building; and the official residence of the Governor; and
10 grounds surrounding the above named buildings; to be expended
11 under the authority of the Executive Council for the following pur-
12 poses in the respective amounts:

13	Carpet and Linoleum.....	\$ 3,000.00
14	Painting and Decorating.....	5,000.00
15	Repair of Stonework and Sidewalks.....	6,000.00
16	Repair to Heating System and Resetting Boiler.....	6,500.00
17	Replacement of Electric Wiring and Light Fixtures.....	7,000.00
18	Replacement of Lawnmowers and Tractor and Repairs....	2,000.00
19	Repair of Buildings for revolving doors, windows, and 20 general carpenter work.....	10,000.00
21	Repair of Roofs on all Buildings.....	2,500.00
22	Flowers, Plants, Fertilizer, Grass Seed and Weed Killer....	2,200.00
23	Governor's Home Maintenance and Upkeep.....	11,000.00
24	Total	\$55,200.00

Approved April 15, 1949.

CHAPTER 24

INSURANCE DEPARTMENT DELINQUENT TAXES

H. F. 601

AN ACT authorizing the insurance commissioner to pay delinquent old-age and survivors taxes and interest from the current appropriation of the insurance department.

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

1 SECTION 1. The Insurance Commissioner is hereby authorized
2 and directed to pay the sum of six hundred forty-three dollars and
3 twenty-six cents (\$643.26) to the state old-age and survivors' fund
4 from the current appropriation of the Insurance Department in satis-
5 faction of the delinquent old-age and survivors tax and interest due
6 said fund from the Insurance Department in accordance with the pro-
7 visions of Sections 97.6 and 97.8, Code of 1946.

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 Cedar
3 Valley Times, a newspaper published in Vinton, Iowa, and the
4 Lamoni Chronicle, a newspaper published in Lamoni, Iowa.

Approved April 20, 1949.

I hereby certify that the foregoing act was published in the Cedar Valley Times, May 7, 1949, and in the Lamoni Chronicle, May 12, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 25

BONUS BOARD APPROPRIATION

H. F. 573

AN ACT making appropriation for the compensation and expenses of World War II service compensation board as created by section six (6), chapter fifty-nine (59), Acts of the 52nd General Assembly, its assistants and employees, and providing for the reimbursement of such appropriations of the state general fund from compensation created by section three (3), chapter fifty-nine (59), Acts of the 52nd General Assembly.

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 the sum of fifty thousand dollars (\$50,000.00) or
3 so much thereof as may be necessary to pay the salaries and expenses
4 of the World War II Service Compensation Board as created by
5 section six (6) of chapter fifty-nine (59), Acts of the 52nd General
6 Assembly, its assistants and employees, for use until such time as
7 there shall be available to such Board the funds for the foregoing
8 purposes pursuant to the provisions of section seven (7), chapter
9 fifty-nine (59), Acts of the 52nd General Assembly.

1 SEC. 2. When funds shall be available in the service compen-
2 sation fund as created by section three (3), chapter fifty-nine (59),
3 Acts of the 52nd General Assembly for the salaries and expenses of

4 such World War II Service Compensation Board as provided in sec-
5 tion one (1) hereof, there shall be repaid from the service compensa-
6 tion fund to the general fund of the State of Iowa any and all
7 amounts expended from an appropriation provided by this act.

1 SEC. 3. This act being deemed of immediate importance shall
2 be in full force and effect on its publication in the Cedar Valley Times,
3 a newspaper published at Vinton, Iowa, and in the Gazette, a news-
4 paper published at Cedar Rapids, Iowa.

Approved April 1, 1949.

I hereby certify that the foregoing act was published in the Cedar Valley Times, April
4, 1949, and in the Gazette, April 8, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 26

COUNTY FAIR AID APPROPRIATION

H. F. 394

AN ACT to appropriate from the general fund of the state of Iowa for the biennium
beginning July 1, 1949, and ending June 30, 1951, to the state fair board for the
purpose of state aid to agricultural societies.

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

1 SECTION 1. For the state fair board for the purpose of state aid to
2 agricultural societies there is hereby appropriated from the general
3 fund of the state for each year of the biennium beginning July 1,
4 1949, and ending June 30, 1951, the sum of one hundred seventy-
5 five thousand dollars (\$175,000.00) or so much thereof as may be
6 necessary to be used in the following manner:

7 For state aid to agricultural societies.....\$175,000.00.
8 The foregoing appropriation for state aid to agricultural societies
9 shall be deemed conditional on full compliance with all other statutes
10 which regulate and prescribe the conditions under which such aid is
11 payable. In no case shall any county receive more than two thousand
12 two hundred dollars (\$2,200.00). In counties having more than one
13 fair entitled to state aid, the state aid available for the county shall be
14 pro-rated to said fairs on the basis of cash premiums paid by said
15 fairs.

Approved March 11, 1949.

CHAPTER 27

NEBRASKA SNOW REMOVAL

S. F. 477

AN ACT making an appropriation for the purpose of defraying expenses of snow re-
moval in the state of Nebraska.

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 in the state treasury the sum of nine thousand five hundred eighty-

3 seven dollars and eighteen cents (\$9,587.18) to the Iowa state high-
 4 way commission, maintenance division, for defraying expenses for
 5 the removal of snow in the state of Nebraska in accordance with the
 6 provisions of section three (3) of house joint resolution six (6)
 7 passed by the 53rd. General Assembly on January 28, 1949.*

1 SEC. 2. This Act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in The News, a
 3 newspaper published at Plainfield, Iowa, and in the Aplington News,
 4 a newspaper published at Aplington, Iowa.

Approved March 30, 1949.

I hereby certify that the foregoing act was published in The News April 7, 1949, and
 in the Aplington News, April 7, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

*Chapter 314.

CHAPTER 28

COUNCIL OF STATE GOVERNMENTS APPROPRIATION

H. F. 575

AN ACT to make appropriations to Allert G. Olson, Osage, Iowa; Ernest T. Smith,
 Volga, Iowa; Fred Schwengel, Davenport, Iowa; Walter F. Noble, Missouri Valley,
 Iowa; and J. E. Hansen, Dedham, Iowa.

WHEREAS, in the Forty-ninth General Assembly of the state of Iowa,
 House Concurrent Resolution number 18 was adopted providing, among
 other things, for a Senate and House committee on Interstate co-operation,
 which committee members in turn became members of the Iowa Commis-
 sion on Interstate co-operation; and,

WHEREAS, in the Fifty-second General Assembly of the state of Iowa,
 House Concurrent Resolution number 30 was adopted providing, among
 other things, that the Speaker of the House of Representatives appoint five
 (5) members of the House to the House standing committee on Interstate
 co-operation; and,

WHEREAS, pursuant to said House Concurrent Resolution Number 30,
 the Speaker of the House did appoint as delegates to the council of state
 governments, Olson of Mitchell, Chairman, Smith of Clayton, Schwengel
 of Scott, Noble of Harrison and Hansen of Carroll; and,

WHEREAS, Olson of Mitchell, Smith of Clayton, Noble of Harrison and
 Hansen of Carroll did attend the Midwestern Regional Conference of the
 Council of State Governments at French Lick, Indiana, during August,
 1948; and,

WHEREAS, Olson of Mitchell and Schwengel of Scott did attend the
 Ninth Annual Conference of State Governments at Detroit, Michigan,
 during December, 1948; NOW, THEREFORE

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

1 SECTION 1. There is hereby appropriated out of the general fund
 2 of the state of Iowa, to Allert G. Olson, Osage, Iowa, the sum of one

3 hundred sixty-one dollars and sixty-eight cents (\$161.68) in full
4 settlement of all claims which he may have against the state of Iowa
5 on account of services rendered as a delegate to the Council of State
6 Governments.

1 SEC. 2. There is hereby appropriated out of the general fund of
2 the state of Iowa, to Ernest T. Smith, Volga, Iowa, the sum of ninety
3 eight dollars and forty cents (\$98.40) in full settlement of all claims
4 which he may have against the state of Iowa on account of services
5 rendered as a delegate to the Council of State Governments.

1 SEC. 3. There is hereby appropriated out of the general fund of
2 the state of Iowa, to Fred Schwengel, Davenport, Iowa, the sum of
3 fifty-six dollars (\$56.00) in full settlement of all claims which he may
4 have against the state of Iowa on account of services rendered as a
5 delegate to the Council of State Governments.

1 SEC. 4. There is hereby appropriated out of the general fund of
2 the state of Iowa, to Walter F. Noble, Missouri Valley, Iowa, the sum
3 of one hundred forty-four dollars and fifty-two cents (\$144.52) in
4 full settlement of all claims which he may have against the state of
5 Iowa on account of services rendered as a delegate to the Council of
6 State Governments.

1 SEC. 5. There is hereby appropriated out of the general fund of
2 the state of Iowa, to J. E. Hansen, Dedham, Iowa, the sum of one
3 hundred two dollars and ninety-five cents (\$102.95) in full settlement
4 of all claims which he may have against the state of Iowa on account
5 of services rendered as a delegate to the Council of State Govern-
6 ments.

1 SEC. 6. This Act being deemed of immediate importance shall
2 be in full force from and after its publication in the Schaller
3 Herald, a newspaper published at Schaller, Iowa, and in the Waverly
4 Democrat, a newspaper published at Waverly, Iowa.

Approved April 18, 1949.

I hereby certify that the foregoing act was published in the Schaller Herald, May 6,
1949, and in the Waverly Democrat, May 4, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 29

GOVERNOR'S HOME COMMITTEE APPROPRIATION

S. F. 490

AN ACT to make appropriations to Edwin C. Schluter, Clarence, Iowa; Fred Maytag,
Newton, Iowa; John P. Berg, Cedar Falls, Iowa; Carroll L. Brown, Rose Hill, Iowa;
D. A. Donohue, Tipton, Iowa; Allert G. Olson, Osage, 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 Edwin C. Schluter, Clarence, Iowa, the sum of
3 one hundred thirty-seven dollars and fifty cents in full settlement of

4 all claims which he may have against the state of Iowa on account of
5 services rendered as a member of the committee to purchase a gover-
6 nor's home.

1 SEC. 2. There is hereby appropriated out of the general fund of
2 the state of Iowa to Fred Maytag, Newton, Iowa, the sum of one hun-
3 dred eight dollars in full settlement of all claims which he may have
4 against the state of Iowa on account of services rendered as a member
5 of the committee to purchase a governor's home.

1 SEC. 3. There is hereby appropriated out of the general fund of
2 the state of Iowa to John P. Berg, Cedar Falls, Iowa, the sum of one
3 hundred thirty-seven dollars and forty cents in full settlement of all
4 claims which he may have against the state of Iowa on account of
5 services rendered as a member of the committee to purchase a gover-
6 nor's home.

1 SEC. 4. There is hereby appropriated out of the general fund of
2 the state of Iowa to Carroll L. Brown, Rose Hill, Iowa, the sum of
3 sixty-six dollars and fifty cents in full settlement of all claims which
4 he may have against the state of Iowa on account of services rendered
5 as a member of the committee to purchase a governor's home.

1 SEC. 5. There is hereby appropriated out of the general fund of
2 the state of Iowa to D. A. Donohue, Tipton, Iowa, the sum of one hun-
3 dred six dollars and fifty cents in full settlement of all claims which he
4 may have against the state of Iowa on account of services rendered as
5 a member of the committee to purchase a governor's home.

1 SEC. 6. There is hereby appropriated out of the general fund of
2 the state of Iowa to Allert G. Olson, Osage, Iowa, the sum of sixty-
3 seven dollars and forty cents in full settlement of all claims which he
4 may have against the state of Iowa on account of services rendered as
5 a member of the committee to purchase a governor's home.

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

1 SEC. 8. The acceptance of said amounts by the above named parties
2 shall be in full settlement of all claims against the state of Iowa
3 growing out of the above described claims.

1 SEC. 9. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its passage and publication
3 in the Newton Daily News, a newspaper published in Newton, Iowa,
4 and in the Mirror, a newspaper published in Monroe, Iowa.

Approved May 5, 1949.

I hereby certify that the foregoing act was published in the Newton Daily News, May
19, 1949, and in the Mirror, May 19, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 30

INTERIM FLOOD CONTROL COMMITTEE APPROPRIATION

S. F. 345

AN ACT to make appropriations to George Faul, Des Moines, Iowa, DeVere Watson, Council Bluffs, Iowa, Leroy S. Mercer, Iowa City, Iowa, M. F. Hicklin, Wapello, Iowa, W. S. Lynes, Waverly, Iowa, J. E. Hansen, Dedham, Iowa, O. N. Hultman, Stanton, Iowa, R. E. Duffield, Guthrie Center, Iowa, C. J. Knickerbocker, Fairfax, Iowa, William S. Beardsley, New Virginia, Iowa, J. T. Dykhouse, Rock Rapids, Iowa, W. R. Fimmen, Bloomfield, Iowa, Leo Elthon, Fertile, Iowa, Harry E. Watson, Sanborn, Iowa, Mel Graham, Audubon, Iowa and Robert C. Reilly, Dubuque, 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 George Faul, Des Moines, Iowa, the sum of
3 four hundred dollars (\$400.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of services rendered
5 as a member of the Interim Flood Control Committee.

1 SEC. 2. There is hereby appropriated out of the general fund of
2 the State of Iowa, to DeVere Watson, Council Bluffs, Iowa, the sum of
3 two hundred dollars (\$200.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of services rendered
5 as a member of the Interim Flood Control Committee.

1 SEC. 3. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Leroy S. Mercer, Iowa City, Iowa, the sum of
3 one hundred dollars (\$100.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of services rendered
5 as a member of the Interim Flood Control Committee.

1 SEC. 4. There is hereby appropriated out of the general fund of
2 the State of Iowa, to M. F. Hicklin, Wapello, Iowa, the sum of four
3 hundred dollars (\$400.00) in full settlement of all claims which he
4 may have against the State of Iowa on account of services rendered
5 as a member of the Interim Flood Control Committee.

1 SEC. 5. There is hereby appropriated out of the general fund of
2 the State of Iowa, to W. S. Lynes, Waverly, Iowa, the sum of three
3 hundred dollars (\$300.00) in full settlement of all claims which he
4 may have against the State of Iowa on account of services rendered
5 as a member of the Interim Flood Control Committee.

1 SEC. 6. There is hereby appropriated out of the general fund of
2 the State of Iowa, to J. E. Hansen, Dedham, Iowa, the sum of three
3 hundred fifty dollars (\$350.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of services rendered
5 as a member of the Interim Flood Control Committee.

1 SEC. 7. There is hereby appropriated out of the general fund of
2 the State of Iowa, to George Faul, Des Moines, Iowa, the sum of two
3 hundred fifty dollars (\$250.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of services rendered
5 as a member of the Building Code Council.

1 SEC. 8. There is hereby appropriated out of the general fund of
2 the State of Iowa, to O. N. Hultman, Stanton, Iowa, the sum of one

3 hundred dollars (\$100.00) in full settlement of all claims which he
4 may have against the State of Iowa on account of services rendered as
5 a member of the Building Code Council.

1 SEC. 9. There is hereby appropriated out of the general fund of
2 the State of Iowa, to R. E. Duffield, Guthrie Center, Iowa, the sum of
3 two hundred fifty dollars (\$250.00) in full settlement of all claims
4 which he may have against the State of Iowa on account of services
5 rendered as a member of the Building Code Council.

1 SEC. 10. There is hereby appropriated out of the general fund of
2 the State of Iowa, to C. J. Knickerbocker, Fairfax, Iowa, the sum of
3 two hundred fifty dollars (\$250.00) in full settlement of all claims
4 which he may have against the State of Iowa on account of services
5 rendered as a member of the Building Code Council.

1 SEC. 11. There is hereby appropriated out of the general fund of
2 the State of Iowa, to William S. Beardsley, New Virginia, Iowa, the
3 sum of eighty dollars (\$80.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of services ren-
5 dered as a member of the Highway Investigation Committee.

1 SEC. 12. There is hereby appropriated out of the general fund of
2 the State of Iowa, to J. T. Dykhouse, Rock Rapids, Iowa, the sum of
3 Five hundred ten dollars (\$510.00) in full settlement of all claims
4 which he may have against the State of Iowa on account of services
5 rendered as a member of the Highway Investigation Committee.

1 SEC. 13. There is hereby appropriated out of the general fund of
2 the State of Iowa, to W. R. Fimmen, Bloomfield, Iowa, the sum of
3 three hundred forty dollars (\$340.00) in full settlement of all claims
4 which he may have against the State of Iowa on account of services
5 rendered as a member of the Highway Investigation Committee.

1 SEC. 14. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Leo Elthon, Fertile, Iowa, the sum of one hun-
3 dred eighty dollars (\$180.00) in full settlement of all claims which he
4 may have against the State of Iowa on account of services rendered
5 as a member of the Highway Investigation Committee.

1 SEC. 15. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Harry E. Watson, Sanborn, Iowa, the sum of six
3 hundred twenty dollars (\$620.00) in full settlement of all claims
4 which he may have against the State of Iowa on account of services
5 rendered as a member of the Highway Investigation Committee.

1 SEC. 16. There is hereby appropriated out of the general fund of
2 the State of Iowa, to O. N. Hultman, Stanton, Iowa, the sum of one
3 hundred ten dollars (\$110.00) in full settlement of all claims which
4 he may have against the State of Iowa on account of services rendered
5 as a member of the Highway Investigation Committee.

1 SEC. 17. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Mel Graham, Audubon, Iowa, the sum of two
3 hundred eighty dollars (\$280.00) in full settlement of all claims which

4 he may have against the State of Iowa on account of services rendered
5 as a member of the Highway Investigation Committee.

1 SEC. 18. There is hereby appropriated out of the general fund of
2 the State of Iowa to Robert C. Reilly, Dubuque, Iowa, the sum of one
3 hundred twenty dollars (\$120.00) in full settlement of all claims
4 which he may have against the State of Iowa on account of services
5 rendered as a member of the Highway Investigation Committee.

1 SEC. 19. 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. 20. This act being deemed of immediate importance shall be
2 in full force and effect on its publication in the Mediapolis New Era,
3 a newspaper published at Mediapolis, Iowa, and in the Labor News,
4 a newspaper published at Burlington, Iowa.

Approved March 10, 1949.

I hereby certify that the foregoing act was published in the Mediapolis New Era,
March 17, 1949, and in the Labor News, March 25, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 31

LEGISLATIVE ADVISORY COMMITTEE APPROPRIATION

S. F. 344

AN ACT to make appropriations to Stanley L. Hart, Keokuk, Iowa; Fern E. Sharp, Elkader, Iowa; Leroy S. Mercer, Iowa City, Iowa; Harvey J. Long, Clinton, Iowa; Edward J. Morrissey, Valeria, Iowa and Philip T. Hedin, Davenport, 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 Stanley L. Hart, Keokuk, Iowa, the sum of
3 eighty dollars (\$80.00) in full settlement of all claims which he may
4 have against the State of Iowa on account of services rendered as a
5 member of the Legislative Advisory Committee, State Office Building.

1 SEC. 2. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Fern E. Sharp, Elkader, Iowa, the sum of eighty
3 dollars (\$80.00) in full settlement of all claims which he may have
4 against the State of Iowa on account of services rendered as a member
5 of the Legislative Advisory Committee, State Office Building.

1 SEC. 3. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Leroy S. Mercer, Iowa City, Iowa, the sum of
3 eighty dollars (\$80.00) in full settlement of all claims which he may
4 have against the State of Iowa on account of services rendered as a
5 member of the Legislative Advisory Committee, State Office Building.

1 SEC. 4. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Harvey J. Long, Clinton, Iowa, the sum of ninety

3 dollars (\$90.00) in full settlement of all claims which he may have
4 against the State of Iowa on account of services rendered as a member
5 of the Legislative Advisory Committee, State Office Building.

1 SEC. 5. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Edward J. Morrissey, Valeria, Iowa, the sum of
3 ninety dollars (\$90.00) in full settlement of all claims which he may
4 have against the State of Iowa on account of services rendered as a
5 member of the Legislative Advisory Committee, State Office Building.

1 SEC. 6. There is hereby appropriated out of the general fund of
2 the State of Iowa, to Philip T. Hedin, Davenport, Iowa, the sum of
3 one hundred ten dollars (\$110.00) in full settlement of all claims
4 which he may have against the State of Iowa on account of services
5 rendered as a member of the Legislative Advisory Committee, State
6 Office Building.

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

1 SEC. 8. This act being deemed of immediate importance shall be
2 in full force and effect on its publication in the Mediapolis New Era,
3 a newspaper published at Mediapolis, Iowa, and in the Labor News,
4 a newspaper published at Burlington, Iowa.

Approved March 10, 1949.

I hereby certify that the foregoing act was published in the Mediapolis New Era,
March 17, 1949, and in the Labor News, March 25, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 32

ELECTION CONTESTS APPROPRIATION

H. F. 606

AN ACT to make an appropriation for the expenses incurred in the election contest of
James R. Naughton vs. Robert P. Munger; of Roy J. Smith vs. Merwin Smith.

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 General Fund not otherwise appropriated, the sum of Nine hundred
3 fifty-four dollars and forty-two cents (\$954.42), or so much as may
4 be necessary to pay the expenses of the election contest wherein
5 James R. Naughton was the contestant and Robert P. Munger, the
6 incumbent. Warrants shall be drawn for the sums herein appropri-
7 ated in favor of the following persons in amounts as follows:

8	Lawrence McCormick, attorney fees, mileage, lodging	
9	and expenses	\$ 234.50
10	Donald O'Brien, attorney fees, mileage, lodging and	
11	expenses	\$ 214.50
12	S. D. Crary, attorney fees, mileage, lodging and expenses....	\$ 312.56

13	W. H. Thompson, transportation of ballots, meals and	
14	lodging	\$ 44.00
15	Propeck Distributing Company, transportation of ballots,	
16	meals and lodging.....	\$ 123.10
17	Alberta Vietor, reporting, transcripts.....	\$ 25.76
18	Total	\$ 954.42

1 SEC. 2. There is hereby appropriated out of any moneys in the
 2 General Fund not otherwise appropriated, the sum of Four hundred
 3 ninety-four dollars and sixty-eight cents (\$494.68), or so much as
 4 may be necessary to pay the expenses of the election contest wherein
 5 Roy J. Smith was the contestant and Merwin Smith, the incumbent.
 6 Warrants shall be drawn for the sums herein appropriated in favor of
 7 the following persons in amounts as follows:

8	W. B. Bedell, attorney fees, mileage, lodging and expenses..	\$ 285.68
9	Paul I. Namtvedt, attorney fees, mileage, lodging and	
10	expenses	\$ 209.00
11	Total	\$ 494.68

Approved May 2, 1949.

CHAPTER 33

HIGHWAY COMMISSION ACCIDENT CLAIMS

S. F. 500

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

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

1	SECTION 1. There is hereby appropriated out of the General				
2	Fund of the State of Iowa to the following named persons the				
3	amounts set opposite their respective names, to-wit:				
4			Claim	Nature of	
5	Claimant	Address	Number	Claim	Amount
6	Herman Athen	Manly, Iowa	H-1-1949	Damage to	
7				mail box	\$ 4.50
8	Duane Doyle	Delhi, Iowa	H-2-1949	Damage to	
9				auto	31.27
10	L. G. Hawkins	Mason City, Iowa	H-7-1949	Damage to	
11				auto	74.77
12	Mrs. Henry	Clear Lake,	H-12-1949	Damage to	
13	Johnson	Iowa		auto	89.00
14	Robert Freeman	Adel, Iowa	H-13-1949	Damage to	
15				outlet tile	83.15
16	Fred P. Ramsey	Grinnell, Iowa	H-15-1949	Damage to	
17				auto	22.78
18	J. W. Schlampp	Eldora, Iowa	H-18-1949	Damage to	
19				auto	136.64
20	Ole Ashland, Jr.	Clear Lake,	H-21-1949	Damage to	
21		Iowa		auto	43.01

	Claimant	Address	Claim Number	Nature of Claim	Amount
22	E. E. Nicholas	Rock Island,	H-22-1949	Damage to	
23		Illinois		auto	50.66
24	Mrs. Selma Zahn	Oelwein, Iowa	H-24-1949	Damage to	
25				auto	40.26
26	Charles Eads	Grimes, Iowa	H-27-1949	Damage to	
27				auto	25.00
28	Chicago, Rock	Cedar Rapids,	H-33-1949	Damage to	
29	Island & Pacific	Iowa		signal	646.92
30	R. R. Co.				
31	William Miene,	Luana, Iowa	H-34-1949	Broken	
32	Jr.			window	3.63
33	Karl Campbell	Oskaloosa, Iowa	H-36-1949	Damage to	
34				auto	32.62
35	Bernard Jones	Primghar, Iowa	H-37-1949	Damage to	
36				auto	36.69
37	Our Lady of	Elma, Iowa	H-39-1949	Broken	
38	Lourdes Church			stained glass	
39				window	35.00
40	Allen E. Fitcher	Randolph, Iowa	H-40-1949	Damage to	
41				auto	99.90
42	Central Service	Des Moines,	H-42-1949	Damage to	
43	Co.	Iowa		truck-	
44				tractor	168.92
45	John Fast	Linn Grove,	H-43-1949	Damage to	
46		Iowa		head light	17.03
47	Motors Insur-	Omaha, Neb.	H-44-1949	Damage to	
48	ance Corporation			auto	422.14
49	Ernest Viers	Swan, Iowa	H-46-1949	Damage to	
50				auto	49.90
51	Union Trailways	Omaha, Neb.	H-50-1949	Damage to	
52	Co.			semi-trailer	
53				outfit	249.98
54	Kenneth Casebeer	Omaha, Neb.	H-51-1949	Damage to	
55				auto	50.00
56	Merchants' In-	Omaha, Neb.	H-52-1949	Subrogation	
57	vestment Com-			claim; auto	
58	pany			damage	105.00
59	Mary Snyder	Marion, Iowa	H-56-1949	Damage to	
60				auto	25.75
61	Mrs. Joe Kaprich	Rathbun, Iowa	H-58-1949	Personal in-	
62				juries	110.00
63	Melvin Cooley	Cedar Rapids,	H-59-1949	Damage to	
64		Iowa		auto	184.70
65	Paul Rhoten	Nebraska City,	H-62-1949	Damage to	
66		Iowa		truck and	
67				meat cargo	733.90
68	Leonard Lyle Fry	Strawberry	H-63-1949	Damage to	
69		Point, Iowa		auto	50.04
70	Tom Murphy	Lansing, Iowa	H-64-1949	Damage to	
71				auto and	

	Claimant	Address	Claim Number	Nature of Claim	Amount
72				personal	
73				injuries	62.25
74	Walter Rinard	Spring Hill, Ia.	H-65-1949	Damage to	
75				auto	443.34
76	Emmett F. Ryan	Underwood, Ia.	H-66-1949	Damage to	
77				truck	46.26
78	General Mills,	Minneapolis,	H-68-1949	Damage to	
79	Inc.	Minn.		auto	75.10
80	Standard Oil	Des Moines, Ia.	H-71-1949	Damage to	
81	Co.			truck	32.77
82	Walter W. Mayer	Waterloo, Iowa	H-77-1949	Damage to	
83				auto	118.32
84	Paul Angle	Ottumwa, Iowa	H-79-1949	Damage to	
85				auto	49.48
86	Lyle Stark	Sac City, Iowa	H-81-1949	Damages in	
87	Estate			collision re-	
88				sulting in	
89				death of	
90				Lyle Stark	2500.00
91	Hiland Potato	Des Moines, Ia.	H-83-1949	Damage to	
92	Chip Company			truck	10.00
93	D. J. Dhority	Chicago, Ill.	H-84-1949	Damage to	
94				auto	123.70
95	Ed T. Alstrope	Tabor, Iowa	H-86-1949	Damage to	
96				auto	50.00
97	Iowa Mutual	Omaha, Neb.	H-85-1949	Subrogation	
98	Liability Insur-			claim; auto	
99	ance Company			damage	211.79
100	E. G. Paden	Des Moines, Ia.	H-87-1949	Damage to	
101				car	17.55
102	Cletus Pavelka	Belle Plaine,	H-89-1949	Damage to	
103		Iowa		auto	480.31
104	Selz N. Sloan	Omaha, Neb.	H-92-1949	Damage to	
105				auto	16.00
106	Walter J. Bender	Manchester, Ia.	H-95-1949	Damage to	
107				auto	39.00
108	Bert Myers	Ames, Iowa	H-96-1949	Damage to	
109				auto	83.31
110	Samuel G. Taylor	Des Moines, Ia.	H-99-1949	Damage to	
111				auto	45.00
112	Wilson W.	Ottumwa, Iowa	H-101-1949	Damage to	
113	Krause			auto	7.85
114	Paul W. Shirley	Truro, Iowa	H-104-1949	Damage to	
115				auto	14.50
116	John A. Duffy	Des Moines, Ia.	H-105-1949	Damage to	
117				auto	39.15
118	W. P. Switzer	Ames, Iowa	H-106-1949	Damage to	
119				auto	70.18
120	Gaylen S.	Weaver, S. D.	H-107-1949	Damage to	
121	Lovejoy			auto	46.82

	Claimant	Address	Claim Number	Nature of Claim	Amount
122	Howard P. Reese	Des Moines, Ia.	H-108-1949	Damage to auto	31.43
123					
124	Claude Hindel	Estherville, Ia.	H-112-1949	Damage to auto	121.90
125					
126	D. J. Lundahl	Rock Island, Ill.	H-115-1949	Damage to auto	67.10
127					
128	Ben Cline	Ottumwa, Iowa	H-114-1949	Damage to truck	126.87
129					
130	Lloyd Mathes	Oskaloosa, Ia.	H-117-1949	Crop damage	16.50
131					
132	J. Ray Fialka	Cedar Rapids, Iowa	H-118-1949	Auto damage and lost time	226.53
133					
134					
135	Roy Rowland	Garnavillo, Ia.	H-124-1949	Damage to auto	25.00
136					
137	Wm. B. Poinsett	Dubuque, Iowa	H-122-1949	Damage to auto	16.49
138					
139	Brady Transfer & Storage Company	Ft. Dodge, Ia.	H-131-1949	Damage to tractor and semi-trailer	1400.00
140					
141					
142	W. H. Walch & Sons	Elkader, Iowa	H-126-1949	Repair bill; auto damage	14.33
143					
144	L. E. Rice	Kansas City, Mo.	H-127-1949	Damage to auto	48.01
145					
146	Mrs. Edith McCann	Chariton, Ia.	H-128-1949	Cost of clearing right-of-way	1000.00
147					
148					
149	Ervin Harwood	Ottumwa, Iowa	H-129-1949	Damage to auto	337.49
150					
151	Mrs. Eva McDonnell	Ft. Madison, Ia.	H-130-1949	Damage to auto	51.18
152					
153	Mrs. Clara Kelley	Harlan, Iowa	H-132-1949	Damage to auto, personal injuries	430.68
154					
155					
156					
157	Midwest Walnut Co.	Council Bluffs, Iowa	H-133-1949	Damage to auto	12.22
158					
159	F. H. Anderson & Son	Correctionville, Iowa	H-134-1949	Damage to pickup	31.00
160					
161	Highlife Distributing Company	Des Moines, Ia.	H-135-1949	Damage to truck	31.00
162					
163	Gerald West	Sioux City, Ia.	H-136-1949	Damage to semi-trailer tire and labor	92.57
164					
165					
166	Emmett Nace and Evalyn Nace	Victor, Iowa	H-137-1949	Damage to auto; personal injuries	1841.50
167					
168					
169					1000.00

	Claimant	Address	Claim Number	Nature of Claim	Amount
170				Total allowed	2841.50
171					
172	W. M. Asmus	Davenport, Ia.	H-138-1949	Damage to auto	61.61
173					
174	J. H. Reese	Des Moines, Ia.	H-140-1949	Damage to auto	97.60
175					
176	Wesley Buresh	Cedar Rapids, Iowa	H-142-1949	Damage to auto	39.26
177					
178	Ralph Mosier	Farmington, Ia.	H-143-1949	Damage to auto	211.65
179					
180	Leland J. Rodda	Des Moines, Ia.	H-144-1949	Damage to auto	69.14
181					
182	Greene & Son	Des Moines, Ia.	H-145-1949	Damage to truck	56.72
183	Coal Co.				
184	Mrs. Lottie M. Welton	Ottumwa, Ia.	H-147-1949	Damage to auto	201.53
185					
186	Dr. H. E. O'Neal	Tipton, Iowa	H-148-1949	Damage to auto	68.75
187					
188	Wm. F. Gertz, Jr.	Pomeroy, Iowa	H-151-1949	Damage to auto	28.05
189					
190	H. W. Collins	Keokuk, Iowa	H-152-1949	Damage to auto	23.50
191					
192	William Carroll	Ionia, Iowa	H-32-1949	Damage to truck	56.83
193					

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

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

1 SEC. 4. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its passage and publication
 3 in The Burlington Hawk-Eye Gazette, a newspaper published at
 4 Burlington, Iowa, and in The Victor Record, a newspaper published
 5 at Victor, Iowa.

Approved April 20, 1949.

I hereby certify that the foregoing act was published in The Burlington Hawk-Eye Gazette, May 6, 1949, and in The Victor Record, May 12, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 34

GENERAL CLAIMS APPROPRIATIONS

S. F. 511

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

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

1	SECTION 1. There is hereby appropriated out of the General Fund			
2	of the State of Iowa to the following named persons and/or firms the			
3	amounts set opposite their respective names in full settlement of all			
4	claims which they may have against the State of Iowa, to-wit:			
5		Claim	Nature	
6	Claimant	Number	of Claim	Amount
7	Louis C. Harris	2	Refund of fee paid for	
8	Sioux City, Iowa		beer permit	\$ 250.00
9	Hardin County, Iowa	3	Expenses of Eldora Training	
10			School investigation, trials,	
11			and court costs	4612.48
12	American Bottling	4	Refund for unused portion	
13	Works, Des Moines,		of beer permit	125.00
14	Iowa			
15	Ryder Brothers Beverage	5	Refund for unused portion	
16	Co., Dubuque, Iowa		of beer permit	125.00
17	County Treasurer,	6	Unpaid drainage district	
18	Muscatine County		assessments	6190.39
19	Lampert Lumber Com-	10	Damage to auto by state	
20	pany, St. Paul,		institution employee	81.70
21	Minnesota			
22	W. S. Baird Estate	17	Per diem and travel expenses	33.45
23	Council Bluffs, Iowa			
24	Pennsylvania Fire In-	24	Damage to auto	136.37
25	surance Co., by West-			
26	ern Adjustment &			
27	Inspection Co.			
28	H. G. Whiting	25	Accident with Conservation	
29	Spirit Lake, Iowa		Commission car	87.05
30	Harper Implement Com-	26	Damage to tractor by state	
31	pany, Glenwood, Iowa		hospital inmates	452.68
32	Mrs. George Kellogg	30	Personal injury on state	
33	Des Moines, Iowa		fairgrounds	277.00
34	Murphy Bros. Chevrolet	32	Damage to auto by state	
35	Co., Glenwood, Iowa		hospital inmate	4.25
36	Wm. Schroeder	37	Damage to station wagon	16.61
37	Middletown, Iowa			
38	Harriett Willows	38	Death of claimant's mother	
39	Mt. Pleasant, Iowa		while working in a state	
40			institution	1500.00
41	Charles W. Clark	46	Damage to car and person	940.00
42	Glidden, Iowa			
43	Judge C. R. Stafford Es-	55	Expenses prior to death	36.39
44	tate, By A. Wayne			
45	Eckhardt			

	Claimant	Claim Number	Nature of Claim	Amount
46	Fremont County	58	Drainage district assessments	
47	By County Treasurer			435.32
48	Iowa Electric Company	59	Damage to lamppost	175.18
49	Fairfield, Iowa			
50	Pocahontas County	60	Drainage district assessments	
51	By County Treasurer			381.99
52	Wm. F. Bates	63	Damage to truck garden	52.75
53	Davenport, Iowa			
54	Paul B. Shirk	62	Damage to clothing by glass falling from state-occupied building	12.00
55	Des Moines, Iowa			
56				
57	Mrs. Frank Sheets	65	Damage to crop land from opened flood gate	300.00
58	Salix, Iowa			
59	Mrs. G. E. Olmsted	66	Personal injury on state-owned grounds	47.55
60	Des Moines, Iowa			
61	Robert Stoker	67	Personal injury in building used by the state	48.00
62	Des Moines, Iowa		(Medical expense)	
63				
64	Robert Stoker	67-A	Loss of time	42.00
65	Des Moines, Iowa			
66	J. A. Donaldson	68	Damage to truck by state-owned car	268.90
67	Donaldson Transfer Co.			
68	Lincoln, Nebraska			
69	John McTigue	70	Check outlawed by passage of time	2.00
70	Spencer, Iowa			
71	H. J. Martin	71	Damage to fender by Iowa T-B truck	28.97
72	Des Moines, Iowa			
73	Charles E. Hughes	75	Legal work done for State of Iowa	780.00
74	Belle Plaine, Iowa			
75	Herbert Ridgley	76	Damage to auto	37.50
76	Ft. Madison, Iowa			
77	Shuler Coal Company	77	Balance due for coal furnished to Iowa National Guard	1133.86
78	Des Moines, Iowa			
79	Denman Coal Company	78	Balance due for coal	1100.00
80	Des Moines, Iowa			
81	Mrs. John F. Hinz	80	Claimant's husband, a guard at Anamosa, killed by escaping convicts	2500.00
82	Anamosa, Iowa			
83				
84	Dr. Eleanor Hutchinson	82	Injury while employed at Toledo Juvenile Home	646.91
85	Tama, Iowa			
86	Robert Keel	83	Damage to auto	29.60
87	Spencer, Iowa			
88	Linwood Stone Products Co., Buffalo, Iowa	85	Damage to truck garden	30.12
89				
90	Pearl Ambrose	89	Expense account	569.91
91	Cosmetology Dept.			
92	Mrs. Mae R. Davenport	90	Expense account	580.25
93	Cosmetology Dept.			
94	Bud Turner	51	Damage to auto	146.32
95	Fairfield, Iowa			

	Claimant	Claim Number	Nature of Claim	Amount
96	Mrs. Inga Jepsen	91	Expense account	394.35
97	Cosmetology Dept.			
98	Drainage District No. 7	98	Refund of drainage taxes paid on state property	845.98
99	By Holsteen & Holsteen			
100	Merrill Runyan	94	Loss of wages due to false imprisonment	1000.00
101	Ft. Dodge			
102	Scott County	96	Refund of use tax and sales tax	1815.72
103				
104	Muscatine Rural Fire District	97	Sales tax paid on fire truck	188.10
105				
106	Independent School District, Ames, Iowa	98	Use of school facilities by children of Pammel Court, Ames, Iowa	8705.60
107				
108				
109	Teresa Perry	99	Refund on beer permit	250.00
110	St. Lucas, Iowa			
111	Donald Robb	104	Refund on license plate	7.50
112	Corydon, Iowa			
113	Mrs. Aldine Nanke	105	Permanent partial disability resulting from injury to arm while claimant was state hospital patient	500.00
114	Cedar Falls, Iowa			
115				
116				
117	Harold Adair	107	Loss of eye due to accident in ISP	2000.00
118	Ft. Madison, Iowa			
119	City of Des Moines	112	Refund of use tax	1790.61
120	Harold R. Jones	113	Personal injury to claimant in auto accident in state institution	1000.00
121	Dexter, Iowa			
122				
123	Winnebago County	114	Drainage district assessment	458.82
124	Drainage District No. 25			
125	Mrs. Homer Newton	117	Death benefits to widow of State Highway Commission employee	905.51
126	Oskaloosa, Iowa			
127				
128	Clarence Schultz	118	Injury to finger of claimant's daughter at Conservation Commission exhibit	800.00
129	Mason City, Iowa			
130				
131	Independent School District of Iowa City	119	Cost of educating children of GI students living in Finkbine Park	1679.64
132				
133				
134	Floyd James	121	Permanent disability, loss of wages, and nursing care as result of being shot by patrolman.	6669.25
135	Osceola, Iowa			
136				
137				
138				
139	Drs. H. E. Stroy and	122	(Guardian to be appointed) Medical expenses for	
140	H. N. Boden and		Floyd James	339.00
141	Osceola Hospital			
142	Pottawattamie County	124-A	Drainage assessment	55.45
143	By County Treasurer			
144	Mrs. Fannie Bruns	124	Loss of wages as result of accident involving State	
145	Sutherland, Iowa			

	Claimant	Claim Number	Nature of Claim	Amount
146			Conservation truck	150.00
147	Ann Adams	125	Damage to auto by	
148	Des Moines, Iowa		T-B truck	50.00
149	Motor Insurance	126	Damage to Ann Adams'	
150	Corporation		auto; this amount paid by	
151	Des Moines, Iowa		claimant to Ann Adams	316.06
152	W. E. Rains	127	Damage to auto by state	
153	Fairfield, Iowa		hospital auto	209.15
154	City of Davenport	128	Refund of use tax	1329.35
155	Peggy Coady	129	Injury at State Fair	
156	Albia, Iowa		grounds	500.00
157	Town of Maysville	133	Refund of use tax on	
158			purchase of fire truck	103.76
159	Motorola Inc.	135	For supplies furnished; this	
160	Chicago, Illinois		payment to replace lost war-	
161			rant	42.50
162	D. D. Johnson	137	Damage to auto in collision	
163	Omaha, Nebraska		with National Guard truck	300.00
164	Wayne Faupel	139	Services rendered in com-	
165	Des Moines, Iowa		puting and editing 1948 At-	
166			torney General's report	300.00
167	Emmet County Drain-	140	Drainage assessment against	
168	age District No. 70		state-owned land	761.93
169	Willard P. Russell	141	Attorney fee in connection	
170	Toledo, Iowa		with defense of a state	
171			highway patrolman	150.00
172	Moulton Independent	144	Refund of tax on two	
173	School District		school buses purchased	152.19

- 1 SEC. 2. This act being deemed of immediate importance shall
- 2 take effect and be in force from and after its publication in The
- 3 Burlington Hawk-Eye Gazette, a newspaper published in Bur-
- 4 lington, Iowa, and in The Victor Record, a newspaper published in
- 5 Victor, Iowa.

Approved April 20, 1949.

I hereby certify that the foregoing act was published in The Burlington Hawk-Eye Gazette, May 9, 1949, and in The Victor Record, May 19, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 35

OLD-AGE ASSISTANCE FUNERAL CLAIMS

S. F. 510

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

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

- 1 SECTION 1. There is hereby appropriated out of the Old Age
- 2 Assistance Fund of the State of Iowa to the following named persons

3 and/or firms the amounts set opposite their respective names in full
 4 settlement of all claims which they may have against the State of
 5 Iowa, to-wit:

6	Claimant	Claim No.	Nature of Claim— 7 Burial Expense	Amount
8	James Funeral Home			
9	Grinnell, Iowa	12	Olive F. Houvenagle	\$ 34.67
10	L. F. Krabbenhoft			
11	Preston, Iowa	13	Martin Stoddard	100.00
12	E. A. Horrigan & Son			
13	723 Brady St.,			
14	Davenport, Iowa	14	Anna Davis	100.00
15	C. B. Johnston			
16	Lisbon, Iowa	19	Lillian B. Dickey	100.00
17	C. B. Johnston			
18	Lisbon, Iowa	20	Ella Byers Kutz	100.00
19	M. L. Runge			
20	(The Runge Mortuary)			
21	Davenport, Iowa	22	John O. Koehrsen	41.00
22	L. M. Hayden		John Carrington &	100.00
23	Oxford Junction, Iowa	28	Alice Sheldon	150.00
24	John B. Turner & Son			
25	800 2nd Ave. S. E.			
26	Cedar Rapids, Iowa	34	Alice Jane Morehead	36.88
27	Cobb-Warner Funeral Home			
28	Spencer, Iowa	35	Charles J. Krehl	110.00
29	McAuley & Son Funeral Home			
30	8 Adams Ave. So. No. 651			
31	Mason City, Iowa	36	Albert McKoon	150.00
32	White Funeral Home			
33	2505 Grand Avenue			
34	Des Moines, Iowa	39	Caroline Wall Dyer	68.80
35	White Funeral Home			
36	2505 Grand Avenue			
37	Des Moines, Iowa	40	Joseph C. Fritz	75.00
38	Boothby Funeral Home		Henry Ward Beecher	
39	Cherokee, Iowa	41	Zimmerman	150.00
40	Hamilton's Funeral Home			
41	Des Moines, Iowa	42	Lillian Lewis	150.00
42	O. Dale Smith			
43	Grinnell, Iowa	43	T. C. Cessna	150.00
44	Kirkelie, Bernard & Peek			
45	Funeral Directors			
46	Main St. at Navy			
47	Ocean Park, California	47	Ella Patterson	150.00
48	Pursel Funeral Home			
49	Marshalltown, Iowa	50	Dennis Ensminger	150.00
50	Estes Funeral Home			
51	Des Moines, Iowa	52	Lewis Banks	150.00
52	Estes Funeral Home			
53	Des Moines, Iowa	53	George Manuel	113.26

	Claimant	Claim No.	Burial Expense Nature of Claim—	Amount
54	Watts Funeral Service			
55	Lorimor, Iowa	54	C. R. Owens	150.00
56	Oathout Funeral Home			
57	Clinton & Court Streets			
58	Iowa City, Iowa	57	Susie Y. Gibbs	150.00
59	W. K. Bryan Funeral Home			
60	Denison, Iowa	64	Anna Flynn	74.30
61	Heege's Funeral Home			
62	Independence, Iowa	69	Kathryn Roberts	99.77
63	Walker Funeral Home			
64	Clarinda, Iowa	73	Isaac Usher	150.00
65	Borralls Super Value		State Warrant cashed	
66	2302 S. W. 9th St.,		and lost—	
67	Des Moines, Iowa	92	Emma R. Carson	85.20
68	Mason Funeral Home			
69	Pleasantville, Iowa	102	Milton Spurgon	100.00
70	McKee Funeral Home			
71	Laurens, Iowa	111	Ida M. Steel	150.00
72	Kearns Garden Chapel			
73	324 Commercial St.,			
74	Waterloo, Iowa	120	Laura Jane Wharram	150.00
75	Biersborn Furniture Store			
76	Union, Iowa	131	Minnie G. Miller	150.00
77	Biersborn Furniture Store			
78	Union, Iowa	132	Clyde L. Sawin	150.00
79	Glenn Michael			
80	Michael Funeral Home			
81	Pomeroy, Iowa	134	Frank F. Holmes	150.00
82	Biersborn Furniture Store			
83	Union, Iowa	136	Minnie L. Clemens	150.00
84	McGinnis Funeral Home		Adie B. McConnell	
85	Bettendorf, Iowa	142	LeClaire, Iowa	150.00
86	H. O. Tuttle			
87	Tuttle Funeral Service			
88	Runnells, Iowa	143	Mrs. Ella Enyart	150.00

1 SEC. 2. This act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in The Burlington
 3 Hawk-Eye Gazette, a newspaper published in Burlington, Iowa, and
 4 in The Victor Record, a newspaper published in Victor, Iowa.

Approved April 20, 1949.

I hereby certify that the foregoing act was published in The Burlington Hawk-Eye Gazette, May 7, 1949, and in The Victor Record, May 19, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 36

CLAIMS APPROPRIATIONS

S. F. 515

AN ACT to make appropriations to Dubuque Stone Products Company, John Griswold, Louis J. Muehle, Webster county, G. E. Pearson, Cargill, Inc., Oakville Consolidated School District, Gamble Robinson Company, Concrete Materials and Construction Company.

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

1 SECTION 1. There is hereby appropriated out of the Motor Vehicle
2 Fuel Tax Refund Fund of the State of Iowa, to Dubuque Stone Prod-
3 ucts Company, Dubuque, Iowa, Claim #G-72-1949, the sum of ninety
4 and 78/100 dollars (\$90.78) in full settlement of all claims said Com-
5 pany may have against the State of Iowa on account of refund of gas
6 tax.

1 SEC. 2. There is hereby appropriated out of the General Fund of
2 the State of Iowa, to John Griswold, Rockwell City, Iowa, Claim
3 #G-84-1949, the sum of one thousand five hundred dollars (\$1500.00)
4 in full settlement of all claims he may have against the State of Iowa
5 on account of damage to property resulting from State dredging
6 operation, said amount to be paid to the claimant upon presentation of
7 evidence to the Comptroller that such an amount has been expended to
8 restore the property or that a contract for such restoration has been
9 negotiated.

1 SEC. 3. There is hereby appropriated out of the Board of Account-
2 ancancy Trust Fund of the State of Iowa to Louis J. Muehle, Des Moines,
3 Iowa, Claim #G-87-1949, the sum of ninety-two and 3/100 dollars
4 (\$92.03) in full settlement of all claims he may have against the
5 State of Iowa on account of services rendered the Iowa Board of
6 Accountancy.

1 SEC. 4. There is hereby appropriated out of the Motor Vehicle
2 Fuel Tax Refund Fund of the State of Iowa, to Webster County, Claim
3 #G-88-1949, the sum of six hundred seven and 20/100 (\$607.20) in
4 full settlement of all claims said County may have against the State
5 of Iowa on account of refund of gas tax.

1 SEC. 5. There is hereby appropriated out of the Motor Vehicle
2 Fuel Tax Refund Fund of the State of Iowa, to G. E. Pearson, Allen-
3 dorf, Iowa, Claim #G-95-1949, the sum of fifty and 24/100 dollars
4 (\$50.24) in full settlement of all claims he may have against the State
5 of Iowa on account of refund of gas tax.

1 SEC. 6. There is hereby appropriated out of the Motor Vehicle
2 Fuel Tax Refund Fund of the State of Iowa, to Cargill, Inc., Minne-
3 apolis, Minnesota, Claim #G-101-1949, the sum of five thousand two
4 hundred sixty-three and 99/100 dollars (\$5263.99) in full settlement
5 of all claims Cargill, Inc. may have against the State of Iowa on
6 account of refund of tax paid on fuel.

1 SEC. 7. There is hereby appropriated out of the State Sinking Fund
2 of the State of Iowa, to Oakville Consolidated School District, Oak-

3 ville, Iowa, Claim #G-108-1949, the sum of five thousand eight hun-
 4 dred and 9/100 dollars (\$5800.09) in full settlement of all claims
 5 said District may have against the State of Iowa on account of de-
 6 posits in excess of authorized amount.

1 SEC. 8. There is hereby appropriated out of the Oleo-margerine
 2 Tax Refund Account of the State of Iowa, to Gamble Robinson Com-
 3 pany, Minneapolis, Minnesota, Claim #G-116-1949, the sum of three
 4 hundred sixty-two and 70/100 dollars (\$362.70) in full settlement
 5 of all claims said Company may have against the State of Iowa on
 6 account of refund of state tax on oleo-margerine which was sold to the
 7 U. S. government.

1 SEC. 9. There is hereby appropriated out of the Motor Vehicle
 2 Fuel Tax Refund Fund of the State of Iowa, to Concrete Materials
 3 and Construction Company, Cedar Rapids, Iowa, Claim #G-123-1949,
 4 the sum of one thousand four hundred eighty-seven and 96/100 dol-
 5 lars (\$1487.96) in full settlement of all claims said Company may
 6 have against the State of Iowa on account of refund of gas tax.

1 SEC. 10. The State Comptroller is hereby authorized to issue his
 2 warrants to the above named parties in the amounts stated, and the
 3 State Treasurer is hereby directed to pay the same from the desig-
 4 nated funds or accounts of the State of Iowa.

1 SEC. 11. The acceptance of said sums by the above named parties
 2 shall be in full settlement of all claims against the State of Iowa
 3 growing out of the above described claims.

1 SEC. 12. This Act being deemed of immediate importance shall
 2 take effect and be in full force from and after its passage and publica-
 3 tion in The Burlington Hawk-Eye Gazette, a newspaper published in
 4 Burlington, Iowa, and in The Victor Record, a newspaper published
 5 in Victor, Iowa.

Approved May 5, 1949.

I hereby certify that the foregoing Act was published in The Burlington Hawk-Eye
 Gazette, May 16, 1949, and in The Victor Record, May 26, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 37

WAR SURPLUS APPROPRIATION REVERSION

H. F. 600

AN ACT to restore to the general fund of the state certain moneys set aside from the
 emergency relief fund created by section three (3), chapter forty-five (45), Acts of
 the Fiftieth General Assembly as a revolving fund for the use of the state war
 surplus commodities board.

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

1 SECTION 1. The money in the amount of five hundred thousand
 2 dollars (\$500,000.00) set aside by chapter sixty (60), Acts of the
 3 Fifty-first General Assembly, from the emergency relief fund created

4 by section three (3), chapter forty-five (45), Acts of the Fiftieth
 5 General Assembly for a revolving fund for the use of the state war
 6 surplus commodities board, is hereby restored to the general fund of
 7 the state.

1 SEC. 2. In addition to the foregoing sum of five hundred thousand
 2 dollars (\$500,000.00) there is hereby likewise restored to the general
 3 fund of the state all moneys received, or to be received or recovered,
 4 by the state war surplus commodities board from whatever source
 5 received, in its administration of the foregoing fund.

1 SEC. 3. The comptroller is directed to make the transfer of the
 2 foregoing funds upon the books of the comptroller and forthwith
 3 certify such fact to the treasurer of state.

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 Cedar Valley Times, a newspaper published at Vinton, Iowa, and
 4 in the Cedar Rapids Gazette, a newspaper published at Cedar Rapids,
 5 Iowa.

Approved April 20, 1949.

I hereby certify that the foregoing act was published in the Cedar Valley Times, May
 10, 1949, and in the Cedar Rapids Gazette, May 10, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 38

MILITARY SERVICE TAX CREDIT FUND

H. F. 556

AN ACT to restore to the general fund of the state certain monies appropriated by
 chapter two hundred thirty-one (231) Acts of the 52nd General Assembly for the
 establishment of military service tax credit fund and payments to be made there-
 from.

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

1 SECTION 1. The money in the amount of eight hundred thousand
 2 dollars (\$800,000.00) appropriated by section one (1) chapter two
 3 hundred thirty-one (231) Acts of the 52nd General Assembly, is
 4 hereby restored to the General Fund of the State.

1 SEC. 2. The money in the amount of one million three hundred
 2 thousand dollars (\$1,300,000.00) appropriated by section eleven (11),
 3 chapter two hundred thirty-one (231) Acts of the 52nd General As-
 4 sembly, is hereby restored to the General Fund of the State.

1 SEC. 3. The Comptroller is directed to make the transfer of the
 2 foregoing funds upon the books of the Comptroller and forthwith
 3 to certify such fact to the Treasurer of State.

1 SEC. 4. 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 Toledo Chronicle, a newspaper published at Toledo, Iowa and
4 the Cedar Valley Times, a newspaper published at Vinton, Iowa.

Approved March 31, 1949.

I hereby certify that the foregoing act was published in the Toledo Chronicle, April 14, 1949, and in the Cedar Valley Times, April 11, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 39

GENERAL CONTINGENT FUND

S. F. 519

AN ACT creating the general contingent fund of the state for the ensuing biennium and providing for the administration of said fund.

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

1 SECTION 1. The general contingent fund of the state for the
2 biennium beginning July 1, 1949, and ending June 30, 1951, is hereby
3 created and said fund shall consist of the sum of one million dollars
4 hereby appropriated thereto from the general fund of the state. Said
5 contingent fund shall be administered by the joint committee on
6 retrenchment and reform and allocations therefrom may be made
7 only for contingencies arising during the biennium which are legally
8 payable from the funds of the state. No allocation from said fund
9 shall be made for the administration of, or carrying out, the provi-
10 sions of any act passed by the 53rd General Assembly which does not
11 contain an appropriation. Nor shall the committee on retrenchment
12 and reform allocate any funds for any purpose or project which was,
13 or should have been, presented to the general assembly by way of a
14 bill and which failed to become enacted into law. A report of the
15 dispositions made of the fund during the first eighteen months of
16 the biennium shall be made by the committee on retrenchment and
17 reform to the state comptroller prior to the convening of the 54th
18 General Assembly and by him included in the printed budget. Any
19 balance in said contingent fund as of June 30, 1951, shall revert to
20 the general fund of the state.

Approved April 20, 1949.

GENERAL LAWS



GENERAL LAWS

(TEMPORARY)

CHAPTER 40

STATE EMPLOYEES COMPENSATION

H. F. 604

AN ACT relating to the approval of compensation of employees of the state during the biennial fiscal period beginning July 1, 1949, and ending June 30, 1951.

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

1 SECTION 1. During the biennium beginning July 1, 1949, and
 2 ending June 30, 1951, the compensation paid employees of the state
 3 from appropriations made by the General Assembly, except em-
 4 ployees of educational institutions under the State Board of Educa-
 5 tion and employees under the Attorney General, and except salaries
 6 specifically provided for by statute or appropriation acts, shall be
 7 subject to the approval of the comptroller and the executive council.

Approved April 20, 1949.

CHAPTER 41

INCOME TAX RATES

S. F. 210

AN ACT to amend sections four hundred twenty-two point five (422.5), four hundred twenty-two point twelve (422.12), and four hundred twenty-two point thirteen (422.13), Code 1946, relating to decreasing the rate of tax imposed on income; increasing the deductions from the computed tax and relating to returns by individuals for the filing of individual income tax for the years nineteen hundred forty-nine (1949) and nineteen hundred fifty (1950); and also providing for refunds and making such credit applicable to returns on a fiscal year basis.

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

1 SECTION 1. Section four hundred twenty-two point five (422.5),
 2 Code 1946, is amended by inserting a paragraph after line twenty-
 3 four (24) as follows:

4 "The rates herein provided are hereby reduced twenty-five per
 5 cent (25%) on all taxable income earned in 1949 and 1950, and this
 6 provision shall apply to returns made on a fiscal year basis for any
 7 fiscal year beginning after January 1, 1949."

1 SEC. 2. Section four hundred twenty-two point twelve (422.12),
 2 Code 1946, is hereby amended by adding the following paragraph:

3 "For the years 1949 and 1950, the deductions from the computed
 4 tax shall be as follows:

- 5 1. For a single individual, fifteen dollars.
- 6 2. For husband and wife or head of a family, thirty dollars.
- 7 3. For each child under the age of twenty-one years who is actually

8 supported by and dependent upon the taxpayer for his support, an
9 additional seven dollars fifty cents.

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

1 SEC. 3. Amend section four hundred twenty-two point thirteen
2 (422.13), Code 1946, by adding the following:

3 "For the years 1949 and 1950, a return shall be made by an indi-
4 vidual as follows:

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

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

Approved April 20, 1949.

CHAPTER 42

INFORMATION CENTERS FOR VETERANS

H. F. 95

AN ACT to authorize county boards of supervisors in counties having a city having a population of one hundred twenty-five thousand (125,000) or more, or cities having a population of one hundred twenty-five thousand (125,000) or more, or such counties and cities by united action, to appropriate money for information centers for returned veterans.

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

1 SECTION 1. Any county in which there is a city having a popula-
2 tion of one hundred twenty-five thousand (125,000) or more, or any
3 city having a population of one hundred twenty-five thousand (125,-
4 000) or more, or any such above described county and city by united
5 action, may expend and appropriate at the discretion of the city coun-
6 cil of such city or Board of Supervisors of such county, or both, such
7 sums as are necessary to pay the costs and expenses of continuing
8 and maintaining information centers for returned veterans, but not
9 to exceed ten thousand dollars (\$10,000.) per year.

1 SEC. 2. This act shall terminate on April 1, 1951.

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 Plain

3 Talk, a newspaper published at Des Moines, Iowa, and in the Ameri-
4 can Citizen, a newspaper published at Des Moines, Iowa.

Approved March 9, 1949. .

I hereby certify that the foregoing act was published in the Plain Talk, March 17,
1949, and in the American Citizen, March 18, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

GENERAL LAWS**(PERMANENT)****CHAPTER 43****COMPENSATION OF GENERAL ASSEMBLY****H. F. 30**

AN ACT to amend section two point eleven (2.11) and section two point fifteen (2.15), Code 1946, relating to compensation of members of the general assembly.

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

1 SECTION 1. Section two point eleven (2.11), Code 1946, is amended
2 by striking from line four (4) the words "one thousand" and insert-
3 ing in lieu thereof the words "two thousand"; also by striking from
4 line thirteen (13) the word "ten" and inserting in lieu thereof the
5 word "twenty".

1 SEC. 2. Section two point fifteen (2.15), Code 1946, is hereby
2 amended by striking the last three lines thereof and inserting in lieu
3 thereof the following:

4 "To a member whose term of office covers more than fifty session
5 days, two thousand dollars."

Approved May 2, 1949.

CHAPTER 44**STATE SPECIAL RESERVE FUND****H. F. 295**

AN ACT to create a special reserve fund, and to appropriate and set aside to the special reserve fund the sum of thirty million dollars (\$30,000,000.00) out of the general fund, and to provide that the special reserve fund shall be used to augment the general fund as directed by the governor and the committee on retrenchment and reform.

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

1- SECTION 1. There is hereby appropriated and set aside out of the
2 general fund to a special reserve fund, which fund is hereby created,
3 the sum of Thirty million dollars (\$30,000,000.00).

1 SEC. 2. The special reserve fund shall be used to augment the
2 general fund as necessity requires, such necessity to be determined by
3 the Governor and the committee on retrenchment and reform.

1 SEC. 3. When the Governor and the committee on retrenchment
2 and reform have determined that necessity requires the augmenting of
3 the general fund by funds from the special reserve fund, funds in
4 such amounts as they may direct shall be transferred from the special
5 reserve fund to the general fund.

1 SEC. 4. Provisions of all acts or statutes in conflict, or inconsistent
2 with the provisions of this act, are hereby repealed.

1 SEC. 5. This Act being deemed of immediate importance shall
2 become effective upon its publication in the Cedar Valley Times, a
3 newspaper published at Vinton, Iowa, and in the Freeman-Journal, a
4 newspaper published at Webster City, Iowa.

Approved March 11, 1949.

I hereby certify that the foregoing act was published in the Cedar Valley Times,
March 22, 1949, and in the Freeman-Journal, March 22, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 45

LEGALIZING ACTS OF LOCAL NATURE

S. F. 90

AN ACT to amend section seventeen point nineteen (17.19), Code 1946, relating to legalizing acts of local nature.

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

1 SECTION 1. Section seventeen point nineteen (17.19), Code 1946, is
2 hereby amended by striking all of said section and inserting in lieu
3 thereof the following:

4 "A bill which seeks to legalize the acts of any official or board or
5 other official body, in regard to any matter of public nature or for
6 any person or persons, company or corporation, shall not be considered
7 until it is printed as a bill and distributed to members of the general
8 assembly, and the printing shall be without expense to the state. The
9 superintendent of printing shall not order any such bill printed until
10 he has received a deposit to cover the cost thereof at the rate which
11 shall be fixed under the current contract for legislative printing for the
12 bills, and shall exclude from the journals all such bills and the news-
13 paper publication of such bill shall be without expense to the state, and
14 same shall not be published until the cost of same has been paid to the
15 secretary of state."

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 Bayard News, a newspaper published at Bayard, Iowa, and the
4 Dallas County News, a newspaper published at Adel, Iowa.

Approved February 3, 1949.

I hereby certify that the foregoing act was published in The Bayard News, March 10,
1949, and the Dallas County News, March 9, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 46

MAINTENANCE OF GOVERNOR'S HOME

S. F. 191

AN ACT to authorize the custodian of public buildings and grounds of the state of Iowa, under the direction of the governor, to provide and pay for public utilities service, heat, maintenance, minor repairs, and equipment in operating and maintaining the official residence of the governor of Iowa located at 2900 Grand Avenue, Des Moines, Polk county, Iowa. Also to provide an appropriation from the general fund of the state to pay for the same.

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

1 SECTION 1. The custodian of public buildings and grounds of the
2 state of Iowa, under the direction of the governor, is hereby authorized
3 to provide, furnish and pay for public utilities service, heat, mainte-
4 nance, minor repairs, and equipment in operating and maintaining
5 the official residence of the governor of Iowa located at 2900 Grand
6 Avenue, Des Moines, Polk County, Iowa.

1 SEC. 2. There is hereby appropriated out of the general funds of
2 the state of Iowa not otherwise appropriated the sum of seventy-five
3 hundred dollars (\$7500) to the custodian of public buildings and
4 grounds of the state of Iowa to carry out the provisions of section one
5 (1) herein. Requisitions for warrants for the payment of expenses
6 herein provided shall be drawn by the custodian of public buildings
7 and grounds and approved by the state comptroller.

1 SEC. 3. Any unexpended portion of the appropriation herein pro-
2 vided shall revert to the general fund on June 30, 1949.

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 Newton
3 Daily News, a newspaper published at Newton, Iowa, and in the
4 Oskaloosa Tribune-Press, a newspaper published at Oskaloosa, Iowa.

Approved February 4, 1949.

I hereby certify that the foregoing act was published in the Newton Daily News, February 11, 1949, and the Oskaloosa Tribune-Press, February 11, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 47

SUPPLIES FOR STATE DEPARTMENTS

S. F. 309

AN ACT relating to supplies for state departments and to amend section nineteen point twenty-five (19.25), Code 1946.

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

1 SECTION 1. Section nineteen point twenty-five (19.25), Code 1946,
2 is amended by adding to the list of departments entitled to supplies
3 the following: "Real estate commission." .

Approved May 5, 1949.

CHAPTER 48

PURCHASE OF MOTOR VEHICLES BY STATE

S. F. 361

AN ACT relating to the purchase of motor vehicles by the state car dispatcher and to amend section twenty-one point two (21.2), Code 1946.

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

1 SECTION 1. Section twenty-one point two (21.2), Code 1946, is
2 amended by striking from the last line of subsection four (4) the
3 words "twelve hundred dollars" and inserting in lieu thereof the
4 words "two thousand dollars".

Approved April 13, 1949.

CHAPTER 49

SOLDIERS BONUS

S. F. 222

AN ACT relating to the payment of service compensation to persons who served in the armed forces of the United States as provided in chapter fifty-nine (59), Acts of the Fifty-second General Assembly; further providing the manner of the sale of bonds therein authorized, by prohibiting the sale of part of the bonds and by appropriating fifty million dollars (\$50,000,000.00) to the service compensation fund therein created.

WHEREAS, Chapter fifty-nine (59), Acts of the Fifty-second General Assembly relating to the payment of service compensation to persons who served in the Armed Forces of the United States and to the issuance and sale of bonds of the state to procure funds therefor, became effective upon its adoption and approval by the people in the November, 1948 general election; and

WHEREAS, the treasurer of the state of Iowa by said act was authorized and directed to prepare and sell eighty-five million dollars (\$85,000,000.00) of negotiable coupon bonds to bear interest at a rate not to exceed two and one-half percent (2½%) per annum; and

WHEREAS, the form of said bonds has been prescribed and designated in denominations of one thousand dollars (\$1,000.00) each, dated December 2, 1948, but said bonds have not been sold or offered for sale; and

WHEREAS, the method of sale is not definitely prescribed in the act and it is deemed necessary to give the treasurer a specific plan of sale; and

WHEREAS, it is the will of the General Assembly that Fifty million dollars (\$50,000,000.00) of the general fund be used to pay part of the costs of the compensation provided in chapter fifty-nine (59), Acts of the Fifty-second General Assembly; and

WHEREAS, it is the will of the General Assembly that, to the amount of said appropriation, no debt be created against the state of Iowa; and

WHEREAS, it is further the will of the General Assembly that the bonds so issued and sold under the authority of chapter fifty-nine (59),

Acts of the Fifty-second General Assembly do not exceed thirty-five million dollars (\$35,000,000.00) and that they be sold only in groups as needed to finance the cost of the compensation set out in said chapter, 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 of
2 the state not otherwise appropriated, the sum of Fifty million dollars
3 (\$50,000,000.00) to the Service Compensation fund established by
4 chapter fifty-nine (59), Acts of the Fifty-second General Assembly,
5 to pay certain compensation to Iowa Veterans of the Armed Forces
6 of the United States in World War II.

1 SEC. 2. The treasurer of the state of Iowa is hereby authorized
2 and directed to sell Thirty-five million dollars (\$35,000,000.00) of
3 bonds, as provided in chapter Fifty-nine (59), Acts of the Fifty-second
4 General Assembly, and his authority and direction therein to sell in
5 excess of said sum is hereby revoked.

1 SEC. 3. The treasurer of the state of Iowa is hereby directed to sell
2 the bonds referred to in section two (2) hereof as follows:

3 Group 1. To sell immediately Eight million seven hundred fifty
4 thousand dollars (\$8,750,000.00) of bonds, being numbers one (1) to
5 Eight thousand seven hundred fifty (8,750) inclusive, of One thousand
6 dollars (\$1,000.00) each, maturing on or before December 2, 1953, in
7 the manner provided in section two (2), chapter fifty-nine (59), Acts
8 of the Fifty-second General Assembly.

9 Group 2. To sell Eight million seven hundred fifty thousand dollars
10 (\$8,750,000.00) of bonds, being numbers Eight thousand seven hun-
11 dred fifty-one (8,751) to Seventeen thousand five hundred (17,500) in-
12 clusive, of One thousand dollars (\$1,000.00) each, maturing on or be-
13 fore December 2, 1958, in the manner provided in section two (2),
14 Chapter Fifty-nine (59), Acts of the Fifty-second General Assembly,
15 but the sales shall be delayed until the funds appropriated in section
16 one (1) hereof and the proceeds of Group one (1) have all been used
17 for the payment of the compensation provided in said act.

18 Group 3. To sell Eight million seven hundred fifty thousand dol-
19 lars (\$8,750,000.00) of bonds, being numbers seventeen thousand five
20 hundred one (17,501) to twenty-six thousand two hundred fifty (26,-
21 250) inclusive, of One thousand dollars (\$1,000.00) each, maturing on
22 or before December 2, 1963, in the manner provided in section two (2),
23 Chapter Fifty-nine (59), Acts of the Fifty-second General Assembly,
24 but the sales shall be delayed until the funds appropriated in section
25 one (1) hereof and the proceeds of Groups one (1) and two (2) have
26 all been used for the payment of the compensation provided in said
27 act.

28 Group 4. To sell Eight million seven hundred fifty thousand dollars
29 (\$8,750,000.00) of bonds, being numbers twenty-six thousand two
30 hundred fifty-one (26,251) to thirty-five thousand (35,000) inclusive,
31 of One thousand dollars (\$1,000.00) each, maturing on or before De-
32 cember 2, 1968, in the manner provided in section two (2), Chapter
33 Fifty-nine (59), Acts of the Fifty-second General Assembly, but the

34 sales shall be delayed until the funds appropriated in section one (1)
 35 hereof and the proceeds of Groups one (1), two (2) and three (3) have
 36 all been used for the payment of the compensation provided in said Act.

1 SEC. 4. No debt in excess of Thirty-five million dollars (\$35,000,-
 2 000.00) shall be contracted by authority of Chapter fifty-nine (59),
 3 Acts of the Fifty-second General Assembly, and the sale of bonds in
 4 excess of said amount is hereby expressly forbidden.

1 SEC. 5. This act shall be considered completely nonseverable and
 2 no clause, sentence, paragraph, section or part of this act shall be
 3 severable from the whole. If any clause, section, sentence, paragraph
 4 or part of this act shall for any reason be adjudged by any court of
 5 competent jurisdiction to be invalid, such judgment shall invalidate
 6 this act in its entirety.

1 SEC. 6. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its publication in The Evening
 3 Journal, a newspaper published at Washington, Iowa, and the Ames
 4 Daily Tribune, a newspaper published at Ames, Iowa.

Approved March 7, 1949.

I hereby certify that the foregoing act was published in The Evening Journal, March
 9, 1949, and the Ames Daily Tribune, March 9, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 50

MEMORIAL HALLS AND MONUMENTS

S. F. 330

AN ACT to amend chapter thirty-seven (37), Code 1946, relating to memorial halls
 and monuments for soldiers, sailors and marines.

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

1 SECTION 1. Section thirty-seven point two (37.2), Code 1946, is
 2 hereby amended by striking the word "and" in line nine (9) of sub-
 3 section one (1) of said section; further amend said subsection by
 4 inserting after the word "States" in line ten (10) thereof the follow-
 5 ing: "and Marine Corps League American Veterans of World War
 6 II (AMVETS)."

1 SEC. 2. Section thirty-seven point ten (37.10), Code 1946, is
 2 hereby amended by striking the words "and the" from line nine (9)
 3 thereof; further amend said section by inserting after the word
 4 "States" in line ten (10) thereof the following: "and Marine Corps
 5 League American Veterans of World War II (AMVETS)."

1 SEC. 3. Section thirty-seven point twenty-two (37.22), Code 1946,
 2 is hereby amended by striking all after the word "acting" in line
 3 fifteen (15) and inserting in lieu thereof the following: "posts or
 4 chapters of Veterans' of organizations operating under a United
 5 States Congressional Charter, in the county."

1 SEC. 4. Section thirty-seven point twenty-three (37.23), Code
 2 1946, is hereby amended by striking all after the words, "from the"
 3 in line three (3) and inserting in lieu thereof the following: "posts
 4 or chapters which are beneficiaries of such erection, purchase or
 5 improvement, the promissory obligation of such posts or chapters to
 6 repay the amount expended by the commission with or without annual
 7 interest, together with such security as the commission may require."

Approved May 6, 1949.

CHAPTER 51

MEMORIAL HALLS AND MONUMENTS

S. F. 503

AN ACT to amend section thirty-seven point six (37.6), Code 1946, relating to the issuing of bonds for memorial halls and monuments for soldiers, sailors and marines.

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

1 SECTION 1. Amend Section thirty-seven point six (37.6), Code
 2 1946, by striking from line seventeen (17) the word "assessed" and
 3 inserting in lieu thereof the word "actual".

1 SEC. 2. This act shall apply to special charter cities.

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 Garner
 3 Leader & Signal, a newspaper published in the city of Garner, Iowa,
 4 and in the Clear Lake Reporter, a newspaper published in the city of
 5 Clear Lake, Iowa.

Approved May 5, 1949.

I hereby certify that the foregoing act was published in the Garner Leader & Signal, May 18, 1949, and in the Clear Lake Reporter, May 19, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 52

MUNICIPAL PRIMARIES

S. F. 406

AN ACT to amend section forty-three point one hundred fourteen (43.114), Code 1946, relating to the time for holding municipal primaries in certain special charter cities.

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

1 SECTION 1. That section forty-three point one hundred fourteen
 2 (43.114), Code 1946, be amended by adding thereto the following:
 3 "In all cities acting under special charter and having a population
 4 of over fifteen thousand (15,000) and under thirty thousand (30,000),
 5 such municipal primary shall be held on the first Monday in February
 6 of each year."

Approved April 13, 1949.

CHAPTER 53

COMPENSATION OF ELECTION BOARDS

H. F. 136

AN ACT to amend section forty-nine point twenty (49.20), Code 1946, relating to the compensation paid to members of election boards.

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

1 SECTION 1. Section forty-nine point twenty (49.20), Code 1946, is
2 hereby amended by striking from line two (2) the following: "fifty
3 cents", and inserting in lieu thereof the following: "seventy-five
4 cents".

Approved April 20, 1949.

CHAPTER 54

PRINTING ELECTION BALLOTS

H. F. 229

AN ACT to amend section forty-nine point fifty-six (49.56), Code 1946, relating to the cost of printing general election ballots.

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

1 SECTION 1. Section forty-nine point fifty-six (49.56), Code 1946,
2 is hereby amended by striking the words "twenty-five dollars" in
3 line three (3) and inserting in lieu thereof the words "thirty-seven
4 dollars and fifty cents"; and by striking the word "thirty" from line
5 five (5) and inserting in lieu thereof the word "forty-five"; and by
6 striking the word "thirty" from line nine (9) and inserting in lieu
7 thereof the word "forty-five"; also, by striking the word "forty" from
8 line eleven (11) and inserting in lieu thereof the word "sixty".

Approved March 16, 1949.

CHAPTER 55

SPECIAL ELECTION CANDIDATES

S. F. 38

AN ACT to amend sections fifty-six point one (56.1) and fifty-six point eight (56.8), Code 1946, requiring candidates in special elections to file election expense statements.

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

1 SECTION 1. Section fifty-six point one (56.1), Code 1946, is
2 hereby amended by inserting after the comma following the word
3 "municipal" in line two (2) the word "special".

1 SEC. 2. Section fifty-six point eight (56.8), Code 1946, is hereby
2 amended by inserting after the word "campaign" in line four (4)
3 the following: ", special election campaign".

Approved May 5, 1949.

CHAPTER 56
NOTARIES PUBLIC
H. F. 287

AN ACT to amend sections seventy-seven point eight (77.8), and seventy-seven point ten (77.10), Code 1946, relating to notaries public.

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

1 SECTION 1. Section seventy-seven point eight (77.8), Code 1946,
2 is hereby amended by striking from lines three (3), four (4), and
3 five (5) the following: "adjoining the county of his appointment
4 provided he has filed in such adjoining county," and inserting in lieu
5 thereof the following: "of the state, provided he has filed in such
6 county,".

1 SEC. 2. Section seventy-seven point ten (77.10), Code 1946, is
2 hereby amended by striking from lines three (3) and four (4) the
3 following: "and who is not a stockholder in said corporation,".

Approved March 18, 1949.

CHAPTER 57
MILEAGE ALLOWANCE OF STATE AND COUNTY EMPLOYEES
S. F. 427

AN ACT to repeal section seventy-nine point nine (79.9), Code, 1946, and to enact a substitute therefor; and to amend sections twenty-one point four (21.4), three hundred nine point twenty (309.20), three hundred thirty-one point twenty-two (331.22), three hundred thirty-seven point eleven (337.11) and three hundred forty point nineteen (340.19), Code 1946, relating to the mileage allowance of state officers or employees, county engineers, boards of supervisors, sheriffs and coroners.

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

1 SECTION 1. Section seventy-nine point nine (79.9), Code 1946, is
2 hereby repealed and the following is enacted in lieu thereof:
3 "79.9 Charge for use of automobile. When a public officer or
4 employee, other than a state officer or employee, is entitled to be paid
5 for expenses in performing a public duty, no charge shall be made,
6 allowed, or paid for the use of an automobile in excess of seven cents
7 per mile of actual and necessary travel except as otherwise provided."

1 SEC. 2. Section three hundred nine point twenty (309.20), Code
2 1946, is hereby amended by striking the word "five" from line ten
3 (10) thereof and by substituting the word "seven".

1 SEC. 3. Section three hundred thirty-one point twenty-two
2 (331.22), Code 1946, is hereby amended by striking the word "five"
3 from line six (6) thereof and by substituting the word "seven".

1 SEC. 4. Subsection ten (10) of section three hundred thirty-seven
2 point eleven (337.11), Code 1946, is hereby amended as follows: By
3 striking the words "seven and one-half" from line two (2) thereof
4 and by substituting the word "nine"; by striking the words "he shall

5 receive five cents per mile for that portion of the trip outside of the
6 county" from lines ten (10), eleven (11) and twelve (12) thereof;
7 and by striking the words "seven and one-half cents" from line twenty
8 (20) thereof and by substituting the word "nine".

1 SEC. 5. Subsection five (5) of section three hundred forty point
2 nineteen (340.19), Code 1946, is hereby amended by striking the
3 word "five" from line two (2) thereof and by substituting the word
4 "seven".

1 SEC. 6. Section twenty-one point four (21.4), Code 1946, is hereby
2 amended by striking the word "five" from line six (6) thereof and
3 substituting in lieu thereof the word "seven".

1 SEC. 7. Amend section three hundred thirty-seven point eleven
2 (337.11), Code 1946, by striking from line twelve (12) of sub-section
3 ten (10) the semi-colon (;) and inserting in lieu thereof a comma (,).

Approved May 5, 1949.

CHAPTER 58

PROBATION PERIOD OF PUBLIC SAFETY EMPLOYEES

S. F. 185

- AN ACT to amend section eighty point fifteen (80.15), Code 1946, relating to the examination, oath, probation and dismissal of members of the department of public safety.

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

1 SECTION 1. Section eighty point fifteen (80.15), Code 1946, is here-
2 by amended by striking from line nineteen (19) the word "six" and in-
3 serting in lieu thereof the word "twelve" and is further amended by
4 striking from line twenty-four (24) the word "six" and inserting in
5 lieu thereof the word "twelve".

Approved April 28, 1949.

CHAPTER 59

WORKMEN'S COMPENSATION

S. F. 171

- AN ACT to change the maximum allowances for hospital services and supplies and medical and surgical services for which an employer is liable in workmen's compensation cases.

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

1 SECTION 1. Section eighty-five point twenty-seven (85.27), Code
2 1946, as amended by chapter sixty-five (65) of the Laws of the Fifty-
3 second General Assembly, is amended by striking all of the first
4 paragraph after the period (.) in line four (4) of said section eighty-

5 five point twenty-seven (85.27) and by striking sections one (1) and
 6 two (2) of said chapter sixty-five (65) and substituting in lieu
 7 thereof the following: "The amount which may be allowed for
 8 medical and surgical services shall not exceed the sum of five hundred
 9 dollars, and the amount which may be allowed for hospital services
 10 and supplies shall not exceed the sum of one thousand dollars, ex-
 11 cluding therefrom all reasonable charges for necessary services of
 12 special nurses and ambulance charges, which shall be paid in full."

Approved April 11, 1949.

CHAPTER 60

OCCUPATIONAL DISEASE COMPENSATION

S. F. 388

AN ACT to amend section five (5) of chapter seventy-one (71), of the Laws of the Fifty-second General Assembly relating to occupational disease compensation, and providing for furnishing of reasonable medical services to employees who are not disabled.

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

1 SECTION 1. Section five (5) of chapter seventy-one (71), of the
 2 laws of the Fifty-second General Assembly is amended by adding to
 3 the end thereof the following:

4 "If, however, an employee incurs an occupational disease for which
 5 he would be entitled to receive compensation if he were disabled as
 6 provided herein, but is able to continue in employment and requires
 7 medical treatment for said disease, then he shall receive reasonable
 8 medical services therefor, but not in excess of the amount provided in
 9 section eighty-five point twenty-seven (85.27)."

Approved April 28, 1949.

CHAPTER 61

WORKMEN'S COMPENSATION BENEFITS

S. F. 311

AN ACT to amend sections eighty-five point twenty-eight (85.28) and eighty-five point thirty-seven (85.37), as amended, Code 1946, relating to workmen's compensation so as to increase burial expenses from one hundred fifty dollars (\$150.00) to three hundred dollars (\$300.00) and so as to increase the maximum payments from twenty dollars (\$20.00) per week to twenty-four dollars (\$24.00) per week and to increase minimum payments from eight dollars (\$8.00) per week to twelve dollars (\$12.00) per week.

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

1 SECTION 1. Section eighty-five point twenty-eight (85.28), Code
 2 1946, is hereby amended by striking from line four (4) the words
 3 "one hundred fifty dollars" and by substituting in lieu thereof the
 4 words "three hundred dollars".

1 SEC. 2. Section eighty-five point thirty-seven (85.37), Code 1946,
 2 as amended is hereby amended by striking from line eight (8) the
 3 word "twenty" and by substituting in lieu thereof the word "twenty-
 4 four". Also by striking from each of lines eight (8) and ten (10) the
 5 word "eight" and by substituting in lieu thereof the word "twelve".

Approved May 5, 1949.

CHAPTER 62

WORKMEN'S COMPENSATION

H. F. 83

AN ACT to amend sections eighty-five point thirty-three (85.33), and eighty-five point thirty-five (85.35), Code 1946, to provide for the payment of weekly compensation benefits for permanent partial disabilities in addition to temporary disabilities.

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

1 SECTION 1. Section eighty-five point thirty-three (85.33), Code
 2 1946, is repealed and the following is enacted in lieu thereof: "The
 3 employer shall pay to the employee for injury producing temporary
 4 disability and beginning upon the eighth day thereof, weekly compen-
 5 sation benefit payments for a period not exceeding three hundred
 6 (300) weeks, including the periodical increase in cases to which sec-
 7 tion eighty-five point thirty-two (85.32) applies.

8 In the event the employee has suffered an injury causing perma-
 9 nent partial disability for which compensation is payable under the
 10 provisions of section eighty-five point thirty-five (85.35), the em-
 11 ployer shall pay to the employee compensation for a healing period
 12 which shall not be more than twenty-five percent (25%) of the
 13 period during which weekly compensation is required to be paid
 14 under the provisions of said section, or for a period of not more than
 15 twenty (20) weeks, which ever is the lesser."

1 SEC. 2. Section eighty-five point thirty-five (85.35), Code 1946,
 2 is amended by striking from line three (3) thereof the words "date
 3 of injury" and substituting in lieu thereof the words "termination of
 4 the healing period provided in section eighty-five point thirty-three
 5 (85.33)".

Approved April 20, 1949.

CHAPTER 63

SECOND INJURY WORKMEN'S COMPENSATION

S. F. 390

AN ACT to amend section eighty-five point fifty-five (85.55), Code 1946, as amended, relating to and restricting waivers as to benefits payable from the second injury fund.

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

1 SECTION 1. Section eighty-five point fifty-five (85.55), Code 1946,
2 as amended, is hereby further amended by substituting a comma (,)
3 for the period (.) at the end thereof and by adding thereafter the fol-
4 lowing: "provided, however, that such waiver shall not affect the
5 employee's benefits to be paid from the second injury fund under the
6 provisions of section 85.64."

Approved April 28, 1949.

CHAPTER 64

WORKMEN'S COMPENSATION REVIEWS AND APPEALS

S. F. 391

AN ACT to amend chapter eighty-six (86), Code 1946, as amended, relating to the industrial commissioner, workmen's compensation, reviews and appeals.

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

1 SECTION 1. Section eighty-six point twenty-six (86.26), Code
2 1946, is hereby amended by inserting in line three (3) thereof after
3 the word "review" and before the comma (,), the following: "of an
4 arbitration decision".

1 SEC. 2. Section eighty-six point thirty-four (86.34), Code 1946,
2 is hereby amended by inserting after the word "commissioner" in line
3 five (5) the following: "or a deputy commissioner".

1 SEC. 3. Section eighty-six point thirty-four (86.34), Code 1946,
2 is hereby amended by adding thereto the following: "Any party ag-
3 grieved by any decision or order of the Industrial Commissioner or a
4 deputy commissioner on a review of award or settlement as provided in
5 section eighty six point thirty-four (86.34), may appeal to the district
6 court of the county in which the injury occurred and in the same man-
7 ner as is provided in section eighty six point twenty-six (86.26)."

Approved April 28, 1949.

CHAPTER 65

EXCEPTIONS TO EMPLOYMENT SECURITY

H. F. 29

AN ACT to amend section ninety-four point six (94.6), Code 1946, relating to the fees allowed for securing employment in certain instances.

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

1 SECTION 1. Section ninety-four point six (94.6), Code 1946, is
2 hereby amended by striking therefrom the last paragraph, being lines
3 eight (8) to fifteen (15) inclusive and substituting in lieu thereof
4 the following: "The provisions of this section shall not apply to the
5 furnishing or procurement of employment in any profession or occu-
6 pation for which a license, certificate or college degree to engage
7 therein is required by the laws of this state or by the employer, nor
8 to the furnishing or procurement of vaudeville acts, circus acts,
9 theatrical, stage or platform attractions or amusement enterprises."

Approved April 5, 1949.

CHAPTER 66

EMPLOYMENT SECURITY CONTRIBUTIONS

S. F. 389

AN ACT to amend chapter ninety-six (96), Code 1946, by amending section ninety-six point nineteen (96.19), Code 1946, defining the term "employer" and relating to coverage under this chapter; also section ninety-six point fourteen (96.14), Code 1946, relating to the collection of contributions, compromises of contributions, and the filing of notice of lien.

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

1 SECTION 1. Amend section ninety-six point nineteen (96.19), Code
2 1946, by adding to paragraph (g) of subsection six (6) of said sec-
3 tion the following: "Provided, however, that if an employer subject
4 to contributions solely because of the terms of this subsection shall
5 establish proper proof to the satisfaction of the commission that his
6 employees have been and will be duly covered and insured under the
7 unemployment compensation law of another jurisdiction such em-
8 ployer shall not be deemed an employer and such services shall not be
9 deemed employment under this Act."

1 SEC. 2. Amend section ninety-six point fourteen (96.14), Code
2 1946, by striking from line thirty-four (34) of subsection two (2) of
3 said section the words "and preserve the same,".

1 SEC. 3. Further amend section ninety-six point fourteen (96.14),
2 Code 1946, by adding to subsection four (4) the following: "In any
3 case in which the commission finds that the contribution that has been
4 assessed against an employer is of doubtful collectibility or may not
5 be collected in full, the commission may institute a proceeding in the
6 district court in the county in which the enterprise against which
7 such tax is levied is located, requesting authority to compromise such

8 contribution. Notice of the filing of such application shall be given to
 9 the interested parties as the court may prescribe. The court upon
 10 such hearing shall have power to authorize the commission to compro-
 11 mise and settle its claim for such contribution and shall fix the amount
 12 to be received by the commission in full settlement of such claim and
 13 shall authorize the release of the commission's lien for such contri-
 14 bution."

Approved April 28, 1949.

CHAPTER 67

UNEMPLOYMENT COMPENSATION

S. F. 413

AN ACT to amend subsection four (4) of section ninety-six point three (96.3), Code 1946, relating to unemployment compensation so as to increase the maximum benefit payment, and to make other liberalization of benefits.

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

1 SECTION 1. Section ninety-six point three (96.3), Code 1946, as
 2 amended is hereby amended by striking from line seven (7) of sub-
 3 section four (4) the words "twenty dollars" and by substituting in
 4 lieu thereof the words "twenty-two dollars and fifty cents".

1 SEC. 2. Section ninety-six point three (96.3), Code 1946, is hereby
 2 amended by striking from line three (3) of subsection four (4) the
 3 word "twenty-third" and inserting in lieu thereof the word
 4 "twentieth".

Approved May 5, 1949.

CHAPTER 68

EMPLOYMENT SECURITY

H. F. 288

AN ACT to amend chapter seventy-four (74), Acts of the Fifty-second General Assembly, amending chapter ninety-six (96), Code 1946, relating to employment security and providing method for terminating an employer's account and to repeal any and all acts inconsistent with the provisions of this act.

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

1 SECTION 1. Section four (4), of chapter seventy-four (74), Acts
 2 of the Fifty-second General Assembly, is repealed and the following is
 3 enacted in lieu thereof as a subsection to section ninety-six point eight
 4 (96.8), Code 1946: "a. In any case in which the enterprise or business
 5 of a subject employer has been sold or otherwise transferred to a sub-
 6 sequent employing unit or reorganized or merged into a single employ-
 7 ing unit under the provisions of section ninety-six point seven (96.7),
 8 subsection three-b, (3-b), Code 1946, the account of the transferring
 9 employer shall terminate as of the date on which such transfer, re-

10 organization or merger was completed. b. In any case in which the
 11 enterprise or business of a subject employer has been discontinued
 12 otherwise than by sale or transfer to a subsequent employing unit and
 13 such employer has had no employment for a period of one year, the
 14 commission may, on its own motion, terminate said account."

1 SEC. 2. All Acts or parts of Acts in conflict with the provisions of
 2 this Act are hereby repealed.

Approved February 16, 1949.

CHAPTER 69

PUBLIC EMPLOYEES RETIREMENT CONTRIBUTIONS

H. F. 218

AN ACT to amend the law as it appears in chapter ninety-seven (97), Code 1946, and chapter seventy-six (76), Acts of the 52nd General Assembly, relating to old-age and survivor's* insurance of certain public employees and regulating the collections of contributions to said system and the payments of benefits thereunder.

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

1 SECTION 1. Section ninety-seven point forty-five (97.45), Code
 2 1946, is hereby amended by striking the word "forty" in line one (1)
 3 and in line five (5), of subsection four (4), paragraph (a), and sub-
 4 stituting in lieu thereof the word "sixty" in each instance.

1 SEC. 2. Section ninety-seven point forty-five (97.45), Code 1946,
 2 is hereby amended by striking the period (.) after the word "indi-
 3 vidual" in line five (5), of subsection four (4), paragraph (b), and
 4 substituting in lieu thereof a comma (,) and the following: "for the
 5 first five years, plus two per cent per year for the second five years,
 6 three per cent per year for the next ten years and four per cent for each
 7 year after twenty years."

1 SEC. 3. Section ninety-seven point eight (97.8), Code 1946, is
 2 hereby amended by striking the sentence beginning with the word
 3 "for" in line twelve (12), and substituting in lieu thereof the follow-
 4 ing: "For the calendar year 1949 the rate of tax shall be two per cent;
 5 three per cent for the calendar year 1950; four per cent for the calen-
 6 dar year 1951, and shall continue at that rate until the General As-
 7 sembly may determine the amount necessary to make the system
 8 actuarially* sound."

1 SEC. 4. Section ninety-seven point twenty-one (97.21), Code 1946,
 2 is hereby amended by striking the words "eighty-five" in line five (5)
 3 of subsection one (1) and substituting in lieu thereof the words "one
 4 hundred twenty".

1 SEC. 5. Section ninety-seven point twenty-one (97.21), is further
 2 amended by striking the word "fifteen" in line two (2), subsection.

*According to enrolled Act.

3 four (4) paragraph (a) and substituting in lieu thereof the words
4 "twenty-five".

1 SEC. 6. Chapter seventy-six (76), section one (1), of the Acts of
2 the 52nd General Assembly is amended by adding after the figures
3 "1946" in line eleven (11), the following: "or the last quarter of
4 employment."

1 SEC. 7. Amend section ninety-seven point forty-five (97.45), Code
2 1946, by adding a new subsection as follows: "No definition or pro-
3 vision of this chapter shall be construed so as to include temporary
4 employees of the General Assembly of Iowa unless such employees
5 shall make application to the Iowa Employment Security Commis-
6 sion to be covered under the provisions of this chapter."

1 SEC. 8. Amend chapter ninety-seven (97), Code 1946, by adding
2 a new section as follows: "The Iowa Employment Security Commis-
3 sion is hereby authorized and directed to refund to all employees of
4 the Fifty-third General Assembly such sums of money that may have
5 been withheld under the provisions of this chapter upon the applica-
6 tion of such employees as may desire to obtain such refund, and the
7 Iowa Employment Security Commission is further authorized and
8 directed to issue such forms as may be necessary for the filing of an
9 application for a refund."

1 SEC. 9. 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 Farm Bureau News, a newspaper published at Bettendorf, Iowa, and
4 in the Daily Times, a newspaper published at Davenport, Iowa.

Approved April 28, 1949.

I hereby certify that the foregoing act was published in the Farm Bureau News, May
12, 1949, and in the Daily Times, May 7, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 70

PUBLIC SAFETY PEACE OFFICERS RETIREMENT SYSTEM

H. F. 152

AN ACT to provide for the creation, establishment and administration of the Iowa department of public safety peace officers' retirement, accident and disability system; to provide a fund for payment of retirement, accident and disability benefits to members of such system and their dependents; to prescribe the conditions for eligibility to receive such benefits; to provide for contributions by the state of Iowa to such fund; and to repeal all acts and parts of acts in conflict with this act.

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

1 SECTION 1. Definitions of words and phrases. The following
2 words and phrases when used in this act shall, for the purpose of
3 this act, have the meanings respectively ascribed to them in this
4 section, except in those instances where the context clearly indicates
5 a different meaning:

6 1. "System" shall mean the Iowa department of public safety peace
7 officers' retirement, accident and disability system as defined in
8 section two (2) of this act.

9 2. "Peace officer" or "peace officers" shall mean all members of

10 the divisions of highway safety and uniformed force and criminal
11 investigation and bureau of identification in the department of
12 public safety, except clerical workers, who have passed a satisfactory
13 physical and mental examination and have been duly appointed as
14 members of the state department of public safety in accordance with
15 the provisions of section eighty point fifteen (80.15), Code 1946.

16 3. "Member" or "member of system" shall mean a member of the
17 Iowa department of public safety peace officers' retirement, accident
18 and disability system as defined by section three (3) of this act.

19 4. "Board of trustees" shall mean the board provided for in sec-
20 tion five (5) of this act to administer the Iowa department of public
21 safety peace officers' retirement, accident and disability system.

22 5. "Medical board" shall mean the board of physicians provided
23 for in section five (5) of this act.

24 6. "Membership service" shall mean service as a peace officer in
25 the division of highway safety and uniformed forces or the division
26 of criminal investigation and bureau of identification in the depart-
27 ment of public safety rendered since last becoming a member, or,
28 where membership is regained as provided in this act, all of such
29 service.

30 7. "Beneficiary" shall mean any person receiving a pension, an
31 annuity, a retirement allowance or other benefit as provided by this
32 act.

33 8. "Widow" shall mean only such surviving spouse of a marriage
34 consummated prior to retirement of a deceased member from active
35 service.

36 9. "Child" or "children" shall mean only the surviving issue of
37 a deceased active or retired member, or the child or children legally
38 adopted by a deceased member prior to his retirement.

39 10. "Regular interest" shall mean interest at the rate of four per
40 cent per annum, compounded annually.

41 11. "Accumulated contributions" shall mean the sum of all
42 amounts deducted from the compensation of a member and credited
43 to his individual account in the annuity savings fund together with
44 regular interest thereon as provided in section eight (8) of this act.

45 12. "Earnable compensation" or "compensation earnable" shall
46 mean the regular compensation which a member would earn during
47 one year on the basis of the stated compensation for his rank or
48 position.

49 13. "Amount earned" shall mean the amount of money actually
50 earned by a beneficiary in some definite period of time.

51 14. "Average final compensation" shall mean the average earn-
52 able compensation of the member during his last five years of service
53 as a member of the state department of public safety, or if he has
54 had less than five years of such service, then the average earnable
55 compensation of his entire period of service.

56 15. "Annuity" shall mean annual payments for life derived from
57 the accumulated contributions of a member. All annuities shall be
58 payable in monthly installments.

59 16. "Pensions" shall mean annual payments for life derived from
60 the appropriations provided by the state of Iowa. All pensions
61 shall be paid in equal monthly installments.

62 17. "Retirement allowance" shall mean the sum of the annuity
63 and the pension, or any benefits in lieu thereof granted to a member
64 upon retirement.

65 18. "Annuity reserve" shall mean the present value of all pay-
66 ments to be made on account of an annuity, or benefit in lieu of a
67 annuity, granted under the provisions of this act, upon the basis of
68 such mortality tables as shall be adopted by the board of trustees,
69 and regular interest.

70 19. "Pension reserve" shall mean the present value of all pay-
71 ments to be made on account of any pension, or benefit in lieu of a
72 pension, granted under the provisions of this act, upon the basis of
73 such mortality tables as shall be adopted by the board of trustees and
74 regular interest.

75 20. "Actuarial equivalent" shall mean a benefit of equal value,
76 when computed upon the basis of mortality tables adopted by the
77 board of trustees, and regular interest.

78 21. "Department" means the department of public safety of this
79 state.

80 22. "Commissioner" means the commissioner of public safety of
81 this state.

1 **SEC. 2. Creation of system; purpose; name.** There is hereby
2 created and established a retirement or pension system to be known
3 as the Iowa department of public safety peace officers' retirement,
4 accident and disability system. It is the intent and purpose of this
5 act to provide certain retirement and other benefits for the peace
6 officers of the Iowa department of public safety herein named, or
7 benefits to their dependents in amounts and under terms and con-
8 ditions hereinafter set forth. Such system shall be under the man-
9 agement of the board of trustees hereinafter described, and shall
10 transact all of its business, invest all of its funds, and hold all of its
11 cash and security and other property in the name of the Iowa de-
12 partment of public safety peace officers' retirement, accident and
13 disability system. The retirement system so created shall begin
14 operation on the effective date of this act.

1 **SEC. 3. Membership in system.**

2 1. All members of the division of highway safety and uniformed
3 force and the division of criminal investigation and bureau of
4 identification in the department of public safety, excepting the mem-
5 bers of the clerical force, who are employed by the state of Iowa
6 when this act becomes effective, and all persons thereafter employed
7 as a member of such divisions in the department of public safety,
8 except the members of the clerical force, shall be members of this
9 system. Such members shall not be required to make contributions
10 under any other pension or retirement system of the state of Iowa,
11 anything to the contrary notwithstanding.

12 2. Should any member in any period of five consecutive years
13 after last becoming a member, be absent from service for more than
14 four years, or should he withdraw his accumulated contributions or
15 should he become a beneficiary or die, he shall thereupon cease to be
16 a member of this system.

1 **SEC. 4. Service creditable.** The board of trustees shall fix and
2 determine by proper rules and regulations how much service in any
3 year shall be equivalent to one year of service, but in no case shall
4 more than one year of service be creditable for all service in one
5 calendar year, nor shall the board of trustees allow credit as service
6 for any period of more than one month duration during which the
7 member was absent without pay.

8 Any member of the system who has been employed continuously
9 prior to the passage of this act in the division of highway safety and
10 uniformed force or the division of criminal investigation and bureau
11 of identification in the department of public safety, or as a member
12 of the Iowa highway safety patrol, or as a peace officer or a member
13 of the uniformed force in any department or division whose func-
14 tions were transferred to, merged, or consolidated in the department
15 of public safety at the time such department was created, shall re-
16 ceive credit for such service in determining retirement and disability
17 benefits provided for in this act.

1 **SEC. 5. Administration.**

2 1. *Board of trustees.* The general administration and the re-
3 sponsibility for the proper operation of the system and for making
4 effective the provisions of this act are hereby vested in a board of
5 trustees to administer the system. Such board of trustees shall be
6 constituted as follows: The commissioner of public safety, who
7 shall be chairman of said board, the state treasurer, and a member
8 of the system, to be chosen by the members thereof for a term of
9 two years.

10 2. *Voting.* Each trustee shall be entitled to one vote on said board
11 and two concurring votes shall be necessary for a decision by the
12 trustees on any question at any meeting of said board.

13 3. *Compensation.* The trustees shall serve as such without com-
14 pensation, but they shall be reimbursed from the expense fund for all
15 necessary expenses which they may incur through service on the
16 board.

17 4. *Rules and regulations.* The board of trustees shall, from time
18 to time, establish such rules and regulations, not inconsistent with
19 this act, for the administration of funds created by this act and as
20 may be necessary or appropriate for the transaction of its business.

21 5. *Employees.* The board of trustees shall appoint a secretary
22 who may, but need not be, one of its members. It shall engage such
23 stenographic, clerical and other services as shall be required to trans-
24 act the business of the system. The compensation of all persons
25 engaged by the board of trustees, and all other expenses of said
26 board necessary for the operation of the retirement system, shall be
27 paid at such rates and in such amounts as said board of trustees
28 shall approve.

29 6. *Data—records—reports.* The board of trustees shall keep in
30 convenient form such data as shall be necessary for actuarial valu-
31 ation of the various funds of the system and for checking the ex-
32 pense of the system. The secretary of the board shall keep a record
33 of all the acts and proceedings taken by said board, which records
34 shall be open to public inspection, and he shall keep a complete record
35 of the names of all of the members, their ages and length of service,
36 the salary of each member, together with such other facts as may be
37 necessary in the administration of the provisions of this act, and
38 for the purpose of obtaining such facts, he shall have access to the
39 records of the various departments of the state. The board of
40 trustees shall biennially make a report to the state legislature show-
41 ing the fiscal transactions of the system for the preceding biennium,
42 the amount of the accumulated cash and securities of the system, and
43 the last balance sheet showing the financial condition of the system
44 by means of an actuarial valuation of the assets and liabilities of
45 the system.

46 7. *Legal Advisor.* The attorney general of the state of Iowa shall
47 be the legal advisor for the board of trustees.

48 8. *Medical board.* The board of trustees shall designate a medical
49 board to be composed of three physicians who shall arrange for and
50 pass upon the medical examinations required under the provisions
51 of this act and shall report in writing to the board of trustees, its
52 conclusions and recommendations upon all matters duly referred
53 to it.

54 9. *Duties of commissioner of insurance.* The state commissioner
55 of insurance shall be the technical advisor of the board of trustees
56 on matters regarding the operation of the funds created by the pro-
57 visions of this act and shall perform such other duties as are re-
58 quired in connection therewith.

59 10. *Tables—rates.* Immediately after the establishment of this
60 system, the state commissioner of insurance shall make such investi-
61 gation of the mortality, service and compensation experience of the
62 members of the system as he shall recommend and the board of
63 trustees shall authorize, and on the basis of such investigation he
64 shall recommend for adoption by the board of trustees such tables
65 and such rates as are required in subsection eleven (11) of this
66 section. The board of trustees shall adopt tables and certify rates
67 of contributions to be used by the system.

68 11. *Actuarial investigation.* In the year 1952, and at least once
69 in each two year period thereafter, the state commissioner of in-
70 surance shall make an actuarial investigation in the mortality, serv-
71 ice and compensation experience of the members and beneficiaries
72 of the system and shall make a valuation of the assets and liabilities
73 of the funds of the system, and taking into account the results of
74 such investigation and valuation, the board of trustees shall:

75 a. Adopt for the system such mortality and other tables as shall
76 be deemed necessary;

77 b. Certify the rates of contribution payable by the state of Iowa
78 in accordance with section eight (8) of this act.

79 12. *Valuation.* On the basis of such tables as the board of trustees

80 shall adopt, the state commissioner of insurance shall make an an-
81 nual valuation of the assets and liabilities of the funds of the system
82 created by this act.

1 **SEC. 6. Benefits.**

2 1. *Service retirement benefit.* Retirement of a member on a serv-
3 ice retirement allowance shall be made by the board of trustees as
4 follows:

5 a. Any member in service may retire upon his written application
6 to the board of trustees, setting forth at what time, not less than
7 thirty nor more than ninety days subsequent to the execution and
8 filing therefor, he desires to be retired, provided, that the said mem-
9 ber at the time so specified for his retirement shall have attained
10 the age of fifty-five (55) and shall have completed twenty-two (22)
11 years or more of creditable service, and notwithstanding that, during
12 such period of notification, he may have separated from the service.

13 b. Any member in service who has attained the age of sixty-five
14 (65) years, shall be retired forthwith, provided, that upon the re-
15 quest of the commissioner of public safety, the board of trustees may
16 permit such member to remain in service for periods not to exceed
17 one year from the date of the last request from the commissioner of
18 public safety.

19 2. *Allowance on service retirement.* Upon retirement from serv-
20 ice, a member shall receive a service retirement allowance which
21 shall consist of:

22 a. An annuity which shall be the actuarial equivalent of his ac-
23 cumulated contributions at the time of his retirement; and

24 b. A pension given by the state in addition to his annuity which
25 together with his annuity shall make a total service retirement
26 allowance equal to one-half ($\frac{1}{2}$) of his average final compensation.

27 3. *Ordinary disability retirement benefit.* Upon the application
28 of a member in service or of the commissioner of public safety, any
29 member who has had five or more years of membership service shall
30 be retired by the board of trustees, not less than thirty and not more
31 than ninety days next following the date of filing such application,
32 on an ordinary disability retirement allowance, provided, that the
33 medical board after a medical examination of such member shall
34 certify that said member is mentally or physically incapacitated for
35 further performance of duty, that such incapacity is likely to be
36 permanent and that such member should be retired.

37 4. *Allowance on ordinary disability retirement.* Upon retirement
38 for ordinary disability a member shall receive a service retirement
39 allowance if he has attained the age of fifty-five (55), otherwise he
40 shall receive an ordinary disability retirement allowance which shall
41 consist of:

42 a. An annuity which shall be the actuarial equivalent of his ac-
43 cumulated contributions at the time of retirement; and

44 b. A pension which together with his annuity shall make a total
45 retirement allowance equal to ninety (90) percent of one-seventieth
46 ($\frac{1}{70}$) of his average final compensation multiplied by the number
47 of years of membership service, if such retirement allowance ex-

48 ceeds one-fourth ($\frac{1}{4}$) of his average final compensation, otherwise
49 a pension which together with his annuity shall provide a total re-
50 tirement allowance equal to one-fourth ($\frac{1}{4}$) of his average final
51 compensation; provided, however, that no such allowance shall
52 exceed ninety (90) percent of one-seventieth ($\frac{1}{70}$) of his average
53 final compensation multiplied by the number of years which would
54 be creditable to him were his service to continue until the attainment
55 of age fifty-five (55).

56 5. *Accidental disability benefit.* Upon application of a member
57 in service or of the commissioner of public safety, any member who
58 has become totally and permanently incapacitated for duty as the
59 natural and proximate result of an accident or exposure occurring
60 while in the actual performance of duty at some definite time and
61 place shall be retired by the board of trustees, provided, that the
62 medical board shall certify that such member is mentally or phys-
63 ically incapacitated for further performance of duty, that such in-
64 capacity is likely to be permanent and that such member should be
65 retired.

66 6. *Retirement after accident.* Upon retirement for accidental
67 disability a member shall receive a service retirement allowance if
68 he has attained the age of fifty-five (55), otherwise he shall receive
69 an accidental disability retirement allowance which shall consist of:

70 a. An annuity which shall be the actuarial equivalent of his ac-
71 cumulated contributions at the time of his retirement; and

72 b. A pension, in addition to the annuity, of sixty-six and two-
73 thirds ($66\frac{2}{3}$) percent of his average final compensation.

74 7. *Re-examination of beneficiaries retired on account of disability.*
75 Once each year during the first five years following the retirement
76 of a member on a disability retirement allowance, and once in every
77 three-year period thereafter, the board of trustees may, and upon his
78 application shall, require any disability beneficiary who has not yet
79 attained age fifty-five (55) to undergo a medical examination at a
80 place designated by the medical board. Such examination shall be
81 made by the medical board or in special cases, by an additional
82 physician or physicians designated by such board. Should any
83 disability beneficiary who has not attained the age of fifty-five (55)
84 refuse to submit to such medical examination, his allowance may be
85 discontinued until his withdrawal of such refusal, and should his
86 refusal continue for one year all rights in and to his pension may be
87 revoked by the board of trustees.

88 a. Should any beneficiary for disability not incurred in line of
89 duty, be engaged in a gainful occupation paying more than the
90 difference between his retirement allowance and his average final
91 compensation, then the amount of his pension shall be reduced to
92 an amount which together with his annuity and the amount earned
93 by him shall equal the amount of his average final compensation.
94 Should his earning capacity be later changed, the amount of his pen-
95 sion may be further modified, provided, that the new pension shall
96 not exceed the amount of the pension originally granted nor an
97 amount which, when added to the amount earned by the beneficiary
98 together with his annuity, equals the amount of his average final

99 compensation. A beneficiary restored to active service at a salary
100 less than the average final compensation upon the basis of which
101 he was retired at age fifty-five (55) or greater, shall not again be-
102 come a member of the retirement system and shall have his retire-
103 ment allowance suspended while in active service.

104 b. Should a disability beneficiary under age fifty-five (55) be
105 restored to active service at a compensation not less than his aver-
106 age final compensation, his retirement allowance shall cease, he
107 shall again become a member and he shall contribute thereafter at
108 the same rate he paid prior to disability, and any former service
109 on the basis of which his service was computed at the time of his
110 retirement shall be restored to full force and effect and upon his
111 subsequent retirement he shall be credited with all his service as a
112 member.

113 c. The commissioner of public safety may, subject to approval of
114 the medical board, assign any former member of the division of
115 highway safety and uniformed force or the division of criminal in-
116 vestigation and bureau of identification who is retired and drawing
117 a pension for disability under the provisions of this act, to the per-
118 formance of light duties in such division.

119 8. *Ordinary death benefit.* Upon the receipt of proper proofs of
120 the death of a member in service, there shall be paid to such person
121 having an insurable interest in his life as he shall have nominated
122 by written designation duly executed and filed with the board of
123 trustees;

124 a. His accumulated contributions and, if the member has had one
125 or more years of membership service and no pension is payable
126 under the provisions of subsection nine (9) of this section, in addi-
127 tion thereto—

128 b. An amount equal to fifty percent (50%) of the compensation
129 earned by him during the year immediately preceding his death; or

130 If there be no such nomination of beneficiary, the benefits provided
131 in paragraphs (a) and (b) of this subsection eight (8) shall be paid
132 to his estate; or in lieu thereof, at the option of the following bene-
133 ficiaries, respectively, even though nominated as such, there shall be
134 paid a pension which, together with the actuarial equivalent of his
135 accumulated contributions, shall be equal to one-fourth ($\frac{1}{4}$) of the
136 average final compensation of such member, but in no instance less
137 than fifty (50) dollars per month;

138 c. To his widow to continue during her widowhood; or

139 d. If there be no widow, or if the widow dies or remarries before
140 any child of such deceased member shall have attained the age of
141 eighteen (18) years, then to the guardian of his child or children
142 under said age, divided in such manner as the board of trustees in its
143 discretion shall determine, to continue as a joint and survivor
144 pension until every such child dies or attains the age of eighteen
145 (18); or

146 e. If there be no surviving widow or child under age eighteen
147 (18), then to his dependent father and/or mother, as the board of
148 trustees in its discretion shall determine, to continue until remar-
149 riage or death.

150 9. *Accidental death benefit.* If, upon the receipt of evidence and
151 proof that the death of a member was the natural and proximate
152 result of an accident or exposure occurring at some definite time
153 and place while the member was in the actual performance of duty,
154 the board of trustees shall decide that death was so caused in the
155 performance of duty there shall be paid, in lieu of the ordinary
156 death benefit provided in subsection eight (8) of this section, to his
157 estate or to such person having an insurable interest in his life as he
158 shall have nominated by written designation duly executed and filed
159 with the board of* of trustees:

160 a. His accumulated contributions; and in addition thereto—

161 b. A pension equal to one-half ($\frac{1}{2}$) of the average final compen-
162 sation of such member shall be paid to his widow, children or de-
163 pendent parents as provided in paragraphs (c), (d), and (e) of
164 subsection eight (8) of this section.

165 c. If there be no widow, children under the age of eighteen years
166 or dependent parent surviving such deceased member, the death
167 shall be treated as an ordinary death case and the benefit payable in
168 accordance with the provisions of subsection eight (8), paragraph
169 (b) of this section, in lieu of the pension provided in paragraph (b)
170 of this subsection nine (9), shall be paid to his estate.

171 10. *Return of accumulated contributions.* Should a member cease
172 to be a peace officer in the division of highway safety and uniformed
173 force or the division of criminal investigation and bureau of identi-
174 fication in the department of public safety except by death or re-
175 tirement, he shall be paid on demand the amount of his accumulated
176 contributions standing to the credit of his individual account in the
177 annuity savings fund.

178 11. *Optional allowance.* With the provision that no optional
179 selection shall be effective in case a beneficiary dies within thirty (30)
180 days after retirement, in which event such a beneficiary shall be
181 considered as an active member at the time of death, until the first
182 payment on account of any benefit becomes normally due, any bene-
183 ficiary may elect to receive his benefit in a retirement allowance
184 payable throughout life, or he may elect to receive the actuarial
185 equivalent at that time of his retirement allowance in a lesser retire-
186 ment allowance payable throughout life with the provision that an
187 amount in money not exceeding the amount of his accumulated con-
188 tributions shall be immediately paid in cash to such member or some
189 other benefit or benefits shall be paid either to the member or to such
190 person or persons as he shall nominate, provided such cash payment
191 or other benefit or benefits, together with the lesser retirement allow-
192 ance, shall be certified by the state commissioner of insurance to be
193 of equivalent actuarial value to his retirement allowance and shall
194 be approved by the board of trustees; provided, that a cash payment
195 to such member or beneficiary at the time of retirement of an
196 amount not exceeding fifty percent (50%) of his accumulated con-
197 tributions shall be made by the board of trustees upon said member's
198 or beneficiary's election.

*According to enrolled act.

199 12. *Pensions offset by compensation benefits.* Any amounts
 200 which may be paid or payable by the state under the provisions of
 201 any workmen's compensation or similar law to a member or to
 202 the dependents of a member on account of any disability or death,
 203 shall be offset against and payable in lieu of any benefits payable
 204 out of funds provided by the state under the provisions of this act
 205 on account of the same disability or death. In case the present value
 206 of the total commuted benefits under said workmen's compensation or
 207 similar law is less than the pension reserve on the benefits otherwise
 208 payable from funds provided by the state under this act, then the
 209 present value of the commuted payments shall be deducted from
 210 the pension reserve and such benefits as may be provided by the
 211 pension reserve so reduced shall be payable under the provisions
 212 of this act.

213 13. *Pension to widow and children of deceased pensioned mem-*
 214 *ber.* In the event of the death of any member receiving a retirement
 215 allowance under the provisions of subsection two (2), four (4),
 216 and/or six (6) of this section there shall be paid a pension:

217 a. To his widow to continue during her widowhood, equal to one-
 218 half the amount received by such deceased beneficiary, but in no
 219 instance less than fifty (50) dollars per month, and in addition
 220 thereto the sum of twenty dollars (20) per month for each child under
 221 eighteen years of age; or

222 b. In the event of the death of the wife either prior or subsequent
 223 to the death of the member, to the guardian of each surviving child
 224 under eighteen years of age, in the sum of twenty dollars per month
 225 for the support of such child.

226 14. *Appeals from action of the board of trustees.* An appeal may
 227 be taken from any action of the board of trustees acting under the
 228 provisions of this section by any member of the system to the district
 229 court of Polk County within thirty (30) days after he receives writ-
 230 ten notice of the trustees' action. The board of trustees shall be
 231 represented by the attorney general. The appeal shall be taken by
 232 written notice to the chairman of the board of trustees and served
 233 as an original notice. When said notice is so served, it shall with
 234 the return thereon, be filed in the office of the clerk of the said district
 235 court and docketed as other cases, with the member as plaintiff and
 236 the board of trustees as defendant. The court shall hear the appeal
 237 in equity and determine anew all questions submitted to it on appeal
 238 from the determination of the board of trustees. An appeal may be
 239 taken by the member or by the board of trustees to the supreme
 240 court of this state in the same manner appeals are taken in suits in
 241 equity irrespective of the amount involved.

1 SEC. 7. Management of funds.

2 1. The board of trustees shall be the trustees of the several funds
 3 created by this act as provided in section eight (8) hereof and shall
 4 have full power to invest and reinvest such funds subject to the
 5 terms, conditions, limitations and restrictions imposed by subsection
 6 two (2) of this section, and subject to like terms, conditions, limita-
 7 tions, and restrictions said trustees shall have full power to hold,
 8 purchase, sell, assign, transfer, or dispose of any of the securities

9 and investments in which any of the funds created herein shall have
10 been invested, as well as of the proceeds of said investments and any
11 moneys belonging to said funds.

12 2. The investments of the several funds created by this act are
13 hereby limited to interest-bearing bonds issued by the United States,
14 by the state of Iowa, and those issued by counties, school districts,
15 and/or general obligation or limited levy bonds issued by municipal
16 corporations in this state as authorized by law.

17 3. The board of trustees annually shall allow regular interest on
18 the mean amount for the preceding year in each of the funds with the
19 exception of the expense fund. The amount so allowed shall be due
20 and payable to said funds and shall be annually credited thereto by
21 the board of trustees from interest and other earnings on the moneys
22 and other assets of the system. Any additional amount required to
23 meet the interest on the funds of the system shall be paid by the
24 state of Iowa and any excess of earnings over such amount required
25 shall be deductible from the amounts to be contributed by the state
26 of Iowa.

27 4. The treasurer of the state shall be the custodian of the several
28 funds. All payments from said funds shall be made by him only
29 upon vouchers signed by two persons designated by the board of
30 trustees. A duly attested copy of the resolution of the board of
31 trustees designating such persons and bearing on its face specimen
32 signatures of such persons shall be filed with the treasurer of state
33 as his authority for making payments on such vouchers. No voucher
34 shall be drawn unless it shall previously have been allowed by reso-
35 lution of the board of trustees.

36 5. No trustee and no employee of the board of trustees shall have
37 any direct interest in the gains or profits of any investment made
38 by the board of trustees. No trustee shall receive any pay or
39 emolument for his services except as secretary. No trustee or em-
40 ployee of the board of trustees shall directly or indirectly for him-
41 self or as agent in any manner use the assets of the system except
42 to make such current and necessary payments as are authorized by
43 the board of trustees, nor shall any trustee or employee of the board
44 become an endorser or surety or become in any manner an obligor
45 for moneys loaned by or borrowed from the board of trustees.

1 SEC. 8. **Method of financing.** All the assets of the system created
2 and established by this act shall be credited according to the purpose
3 for which they are held to one of five funds, namely, the annuity
4 savings fund, the annuity reserve fund, the pension accumulation
5 fund, the pension reserve fund, and the expense fund.

6 1. *Annuity savings fund.*

7 a. The annuity savings fund shall be the fund in which shall be
8 accumulated contributions from the compensation of the members
9 to provide for their annuities. The rates of contributions payable by
10 members according to their ages when becoming members shall be
11 as follows:

	Age when becoming a member	Rate of contribution
12	20	3.91%
13	21	3.97%
14	22	4.04%
15	23	4.11%
16	24	4.18%
17	25	4.26%
18	26	4.33%
19	27	4.41%
20	28	4.48%
21	29	4.56%
22	30	4.64%
23	31	4.72%
24	32	4.80%
25	33	4.88%
26	34	4.97%
27	35	5.05%
28	36	5.14%
29	37	5.22%
30	38	5.31%
31	39	5.40%
32	40	5.50%

36 b. The proportions so computed for a person at age forty shall
37 be applied to a member who attains a greater age before he becomes
38 a member. The board of trustees shall certify to the state comptroller
39 and the state comptroller shall cause to be deducted from the
40 salary of each member on each and every payroll for each and every
41 pay period, the proportion of the compensation of each member so
42 computed.

43 c. The deductions provided for herein shall be made notwithstanding
44 that the minimum compensation provided by law for any
45 member shall be reduced thereby. Every member shall be deemed to
46 consent to the deductions made and provided for herein, and shall
47 receipt for his full salary or compensation, and payment of salary
48 or compensation less said deduction shall be a full and complete
49 discharge and acquittance of all claims and demands whatsoever
50 for services rendered during the period covered by the payment
51 except as to benefits provided by this act. The state comptroller
52 shall certify to the board of trustees on each and every payroll, or
53 in such other manner as the board of trustees shall prescribe, the
54 amount deducted from each member's salary, and such amounts
55 shall be paid into the respective annuity savings fund and shall be
56 credited together with regular interest thereon to the individual
57 account of the member from whose compensation said deduction was
58 made.

59 d. All taxes or contributions heretofore paid into the old age and
60 survivors' insurance trust fund by a member of the system, together
61 with all taxes or contributions heretofore paid by the member's
62 employers into said fund because of such member's employment in
63 public service, are hereby transferred therefrom and shall be paid

64 into the annuity savings fund and shall be credited to the individual
65 account of such member therein. The state treasurer shall ascertain
66 the amount heretofore paid by such member and employers as afore-
67 said and transfer the amount so paid to the annuity savings fund
68 created by this act.

69 e. Any member may deposit in the annuity savings fund by a
70 single payment or by an increased rate of contribution an amount
71 computed to be sufficient to purchase an additional annuity which
72 together with his prospective retirement allowance at age fifty-
73 five shall provide for him a total retirement allowance of not to
74 exceed one-half of his average final compensation at age fifty-five.
75 Such additional amounts so contributed shall become a part of his
76 accumulated contributions except in the case of ordinary disability
77 retirement when they shall be treated as excess contributions re-
78 turnable to the member with regular interest in cash or as an
79 annuity of equivalent actuarial value. The accumulated contribu-
80 tions of a member withdrawn by him or paid to his estate or desig-
81 nated beneficiary in the event of his death shall be paid from the
82 annuity savings fund. Upon the retirement of a member his
83 accumulated contributions shall be transferred from the annuity
84 savings fund to the annuity reserve fund.

85 2. *Annuity reserve fund.* The annuity reserve fund shall be the
86 fund from which shall be paid all annuities and all benefits in lieu of
87 annuities payable as provided in this act. Should a beneficiary
88 retired on account of disability be restored to active service and
89 again become a member of the system, his annuity reserve shall be
90 transferred from the annuity reserve fund to the annuity savings
91 fund and credited to his individual account therein.

92 3. *Pension accumulation fund.* The pension accumulation fund
93 shall be the fund in which shall be accumulated all reserves for the
94 payment of all pensions and other benefits payable from contribu-
95 tions made by the state and from which shall be paid the lump sum
96 death benefits for all members payable from the said contributions.
97 Contributions to and payments from the pension accumulation fund
98 shall be as follows:

99 a. On account of each member there shall be paid annually into
100 the pension accumulation fund by the state of Iowa an amount equal
101 to a certain percentage of the earnable compensation of the member
102 to be known as the "normal contribution". The rate percent of such
103 contribution shall be fixed on the basis of the liabilities of the re-
104 tirement system as shown by actuarial valuations. Until the first
105 valuation the normal contribution shall be eight percent.

106 b. On the basis of regular interest and of such mortality and
107 other tables as shall be adopted by the board of trustees, the state
108 commissioner of insurance shall make each valuation required by
109 this act and shall immediately after making such valuation, deter-
110 mine the uniform and constant percentage of the earnable compen-
111 sation of the average new entrant, which, if contributed throughout
112 his entire period of active service, would be sufficient to provide for
113 the payment of any death benefit or pension payable on this account.
114 The rate percent so determined shall be known as the "normal con-

115 tribution rate". The normal contribution rate shall be the rate
116 percent of the earnable compensation of all members obtained by
117 deducting from the total liabilities of the fund the amount of the
118 funds in hand to the credit of the fund and dividing the remainder
119 by one percent of the present value of the prospective future com-
120 pensation of all members as computed on the basis of mortality and
121 service tables adopted by the board of trustees and regular interest.
122 The normal rate of contribution shall be determined by the state
123 commissioner of insurance after each valuation.

124 c. The total amount payable in each year to the pension accumu-
125 lation fund shall not be less than the rate percent known as the
126 normal contribution rate of the total compensation earnable by
127 all members during the year, provided, however, that the aggregate
128 payment by the state shall be sufficient when combined with the
129 amount in the fund to provide the pensions and other benefits pay-
130 able out of the fund during the then current year.

131 d. All lump-sum death benefits on account of death in active
132 service payable from contributions of the state shall be paid from the
133 pension accumulation fund.

134 e. Upon the retirement or death of a member an amount equal
135 to the pension reserve on any pension payable to him or on account
136 of his death shall be transferred from the pension accumulation fund
137 to the pension reserve fund.

138 . 4. *Pension reserve fund.* The pension reserve fund shall be the
139 fund in which shall be held the reserves on all pensions granted to
140 members or to their beneficiaries and from which such pensions and
141 benefits in lieu thereof shall be paid. Should a beneficiary retired
142 on account of disability be restored to active service and again be-
143 come a member of the system, his pension reserve shall be trans-
144 ferred from the pension reserve fund to the pension accumulation
145 fund. Should the pension of a disability beneficiary be reduced as
146 a result of an increase in his amount earned, the amount of the an-
147 nual reduction in his pension shall be paid annually into the pension
148 accumulation fund during the period of such reduction.

149 5. *Expense fund.* The expense fund shall be the fund to which
150 shall be credited all money provided by the state of Iowa to pay the
151 administration expenses of the system and from which shall be paid
152 all the expenses necessary in connection with the administration
153 and operation of the system. Biennially the board of trustees shall
154 estimate the amount of money necessary to be paid into the expense
155 fund during the ensuing biennium to provide for the expense of
156 operation of the system.

1 **SEC. 9. Military service exceptions.** Any member who volun-
2 tarily or by induction enters the military service and who is serving
3 in any branch of the armed forces of the United States, shall have
4 the period of such military service included as part of his period of
5 service in the department and shall not be required to continue the
6 contributions required of him under section eight (8) of this act
7 during such period of military service, provided that he shall within
8 six months after he has been granted an honorable discharge from
9 such military service return and resume his duties in the depart-

10 ment, and provided further, that such member shall be declared
11 physically capable of resuming such duties upon examination by
12 the medical board.

1 **SEC. 10. Creation of fund to pay contributions of absent members.**
2 The state shall create a fund for the purpose of paying the contribu-
3 tions to this system of those members who voluntarily or by induc-
4 tion enter the military service or who are serving in the armed
5 forces. Such fund shall be used for the purpose of paying the con-
6 tributions which are required of the members under section nine
7 (9) of this act, for a period during which such member is serving
8 in the armed forces and not later than six months after his honor-
9 able discharge. Should any member fail to return to service with his
10 division within six months after his honorable discharge from the
11 military service, the amount credited to his account in this fund by
12 the state shall revert back to the state and such member or his repre-
13 sentative shall not be entitled to claim any interest in the contribu-
14 tion so made by the state.

1 **SEC. 11. Contributions by the state.**

2 On or before the first day of November in each year, the board of
3 trustees shall certify to the state comptroller the amounts which
4 will become due and payable during the year next following to the
5 pension accumulation fund and the expense fund. The amounts so
6 certified shall be paid by the state comptroller out of the funds ap-
7 propriated for the Iowa department of public safety, to the treas-
8 urer of state, the same to be credited to the system for the ensuing
9 year.

1 **SEC. 12. Exemption from taxation and execution.** The right of
2 any person to a pension, annuity, or retirement allowance, to the
3 return of contributions, the pension, annuity, or retirement allow-
4 ance itself, any optional benefit or death benefit, any other right
5 accrued or accruing to any person under the provisions of this act,
6 and the moneys in the various funds created under this act, are
7 hereby exempt from any tax of the state and shall not be subject to
8 execution, garnishment, attachment, or any other process whatso-
9 ever, and shall be unassignable except as in this act specifically
10 provided.

1 **SEC. 13. Protection against fraud.** Any person who shall know-
2 ingly make any false statement, or shall falsify or permit to be
3 falsified any record or records of the system in any attempt to
4 defraud the system as a result of such act, shall be guilty of a mis-
5 demeanor and shall be punishable therefor under the laws of this
6 state. Should any change or error in records result in any member
7 or beneficiary receiving from the system more or less than he would
8 have been entitled to receive had the records been correct, the board
9 of trustees shall correct such error, and, as far as practicable, shall
10 adjust the payments in such a manner that the actuarial equivalent
11 of the benefit to which such member or beneficiary was correctly
12 entitled, shall be paid.

1 **SEC. 14.** The provisions of this act shall be severable, and if
2 any provision of this act or the application thereof, to any person or

3 circumstances, is held unconstitutional or invalid, such declaration
 4 of unconstitutionality or invalidity shall not affect any other provi-
 5 sion or application of this act which can be given effect without the
 6 invalid provision or application. The legislature hereby declares
 7 that it would have passed the remaining provisions of this act if it
 8 had known that such provision thereof would be declared unconsti-
 9 tutional or invalid.

1 SEC. 15. All laws, or parts of laws, inconsistent or in conflict
 2 herewith are hereby suspended insofar as may be necessary to give
 3 full force and effect to this act.

Approved March 28, 1949.

CHAPTER 71

WATER NAVIGATION REGULATIONS

H. F. 581

AN ACT relating to penalties for violation of water navigation regulations and to amend section one hundred six point twenty-seven (106.27), Code 1946.

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

1 SECTION 1. Section one hundred six point twenty-seven (106.27),
 2 Code 1946, is amended by adding in line two (2) after the word
 3 "chapter" the following: ", for which another penalty is not other-
 4 wise specifically provided,".

Approved April 20, 1949.

CHAPTER 72

OPERATING MOTOR BOAT WHILE INTOXICATED

H. F. 80

AN ACT providing for penalties to be imposed for the operation of a motor boat while intoxicated or while under the influence of narcotic drugs.

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

1 SECTION 1. Amend chapter one hundred six (106), Code 1946, by
 2 adding the following: "Whoever, while in an intoxicated condition
 3 or under influence of narcotic drugs, operates a motor boat upon
 4 the public waters of this state, shall, upon conviction or a plea of
 5 guilty, be punished, for the first offense by a fine of not less than three
 6 hundred dollars nor more than one thousand dollars, or by imprison-
 7 ment in the county jail for a period of not to exceed one year, or by
 8 both such fine and imprisonment; for the second offense by a fine of not
 9 less than five hundred dollars, nor more than one thousand dollars, or
 10 by imprisonment in the penitentiary for a period of not to exceed one
 11 year, or by both such fine and imprisonment; and for a third offense,
 12 and each offense thereafter, by imprisonment in the penitentiary for a
 13 period not to exceed three years.

14 The court shall also in pronouncing sentence provide for the revoca-
 15 tion of the pilot's and/or engineer's license of the defendant, if any,
 16 issued under this chapter, and the immediate surrender of the de-
 17 fendant's liquor permit issued under chapter one hundred twenty-three
 18 (123), Code 1946. The clerk of court shall immediately certify to the
 19 state conservation commission and to the liquor control commission a
 20 true copy of the judgment sentencing the defendant under this section.

21 The court in pronouncing sentence may provide as to the period
 22 during which a pilot's and/or engineer's license as required by this
 23 chapter shall not be issued or reissued to the defendant, provided said
 24 period shall be not less than sixty days nor more than one year from the
 25 date of sentence or revocation. If the court does not so provide the
 26 state conservation commission may issue or reissue such license only
 27 upon application by the defendant after the expiration of a sixty day
 28 period following the date of sentencing.

29 The liquor control commission shall not issue the defendant a new
 30 liquor permit until such time as the court or judge of the court having
 31 original jurisdiction of the defendant for good cause shown shall so
 32 certify to the liquor control commission."

Approved February 24, 1949.

CHAPTER 73

CONSERVATION COMMISSION EMPLOYEES

H. F. 471

AN ACT to amend certain sections of chapter one hundred seven (107), Code 1946, relating to the compensation of members and employees of the state conservation commission.

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

1 SECTION 1. Amend section one hundred seven point thirteen
 2 (107.13) by striking the rest of the section after the word "exceed" in
 3 line fifteen (15) and substituting in lieu thereof the following:
 4 "Twenty-seven Hundred Dollars (\$2700.00) per year.

Approved May 2, 1949.

CHAPTER 74

MUSSELS

S. F. 343

AN ACT to amend chapter one hundred nine (109)*, relating to the taking of mussels.

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

1 SECTION 1. Section one hundred nine point one hundred (109.100),
 2 Code 1946, is hereby repealed and the following enacted in lieu thereof:
 3 "The state waters of Iowa shall be open to the taking of mussels
 4 under the conditions set forth in this chapter, and it shall be unlawful

*"Code 1946" omitted in enrolled Act.

5 for any person, firm or corporation to take, catch, kill or have in
6 possession mussels, except at such times and under such terms, condi-
7 tions and limitations as set forth herein.

8 "The territorial limitations shall be as established by the state
9 conservation commission under authority of section one hundred nine
10 point thirty-nine, Code 1946, and except as provided for in said sec-
11 tion the season shall be June fifteenth to November thirtieth of each
12 year.

13 "Except where the conservation commission shall act in emergency,
14 notice of the change in territorial limitations shall be published at
15 least six months before the open season of each year."

1 SEC. 2. Section one hundred nine point one hundred three
2 (109.103), Code 1946, is hereby amended by striking all of lines six-
3 teen (16), seventeen (17), eighteen (18) and nineteen (19), and en-
4 acting in lieu thereof the following:

5 "It shall be lawful for any person to take mussels by hand, but
6 the use of a fork or any similar instrument with tines in excess of six
7 inches in length is prohibited."

1 SEC. 3. Section one hundred nine point one hundred four
2 (109.104), Code 1946, is hereby amended by striking the words "one
3 and" from line four (4), and all of line five (5) up to the period (.),
4 and inserting in lieu thereof the following:

5 "three inches in the greatest dimension for those species commonly
6 known as 'sandshells', 'muckets', 'creepers', 'grandma', 'pocketbooks',
7 'buckhorns', 'washboards', 'ladyfingers', 'squaw foot', and 'cucumbers',
8 and one and one-half inches in the greatest dimension for all other
9 species, except that prosecution under this section shall not be initi-
10 ated when errors in size exist in less than five per-cent by number,
11 or three per-cent by weight, whichever is greater, of the mussels
12 taken or possessed."

Approved May 6, 1949.

CHAPTER 75

MISSISSIPPI RIVER FISHING

S. F. 216

AN ACT to amend section one hundred nine point one hundred seven (109.107), Code 1946, relating to commercial fishing in the Mississippi river.

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

1 SECTION 1. Section one hundred nine point one hundred seven
2 (109.107), Code 1946, is hereby amended by striking all after the
3 period (.) in line thirty-nine (39).

Approved May 18, 1949.

CHAPTER 76

FISHING LICENSES

H. F. 341

AN ACT to amend section one hundred nine point nineteen (109.19), Code 1946, relating to fish and game licenses for residents of neighboring states.

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

1 SECTION 1. Amend section one hundred nine point nineteen
2 (109.19), Code 1946, by striking from lines sixteen (16) and seven-
3 teen (17) the following: “, but this section shall not apply to com-
4 mercial fishermen on the Mississippi river”.

Approved May 2, 1949.

CHAPTER 77

LICENSED GAME BREEDERS

H. F. 146

AN ACT to permit licensed game breeders to sell pheasants raised by them to markets for the purpose of resale and use for food.

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

1 SECTION 1. Section one hundred nine point sixty-one (109.61),
2 Code 1946, is amended by adding at the end thereof the following:
3 “, except under the following conditions: upon filing with the state
4 conservation commission a facsimile of a stamp of similar type to that
5 used by the United States Department of Agriculture in grading
6 meat, licensed game breeders may sell dressed pheasants to markets
7 for resale providing each pheasant has affixed in a conspicuous and
8 legible manner the imprint of such stamp. Such stamps shall bear
9 the name and license number of the game breeder in letters of at least
10 twelve point type size.

11 Markets selling such stamped pheasants shall maintain the stamp
12 on each and every pheasant until finally sold or disposed of. All mar-
13 kets selling such stamped pheasants shall keep a record showing the
14 total number of pheasants sold together with the name and address
15 of the game breeder from whom purchased and the number of pheas-
16 ants in each such purchase. Markets retailing such stamped pheas-
17 ants, together with their records, shall be subject to inspection by any
18 authorized representative of the state conservation commission at
19 any reasonable hour.

20 Violation of the provisions of this section shall constitute a mis-
21 demeanor and punishment shall be as provided for in section one hun-
22 dred nine point thirty-two (109.32) of the Code.”

Approved March 16, 1949.

CHAPTER 78

FUR-BEARING ANIMALS

S. F. 58

AN ACT to amend section one hundred nine point eighty-seven (109.87), and repeal section one hundred nine point ninety-three* (109.93), Code 1946, relating to open seasons on fur-bearing animals, and providing for an open season on beaver.

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

1 SECTION 1. Section one hundred nine point eighty-seven (109.87),
 2 Code 1946, is amended by striking all of lines twenty-three (23) to
 3 thirty-two (32) inclusive and inserting in lieu thereof the following:
 4 "8. Beaver November 10 to January 10.
 5 Such open season on beaver, badger, mink, raccoon, skunk, opossum,
 6 civet cat, and muskrat to begin at noon on the first day thereof.
 7 9. Red fox or gray fox Continuous open season.
 8 10. Weasel Continuous open season.
 9 11. Ground hog Continuous open season.
 10 12. Wolf, coyote Continuous open season.
 11 13. Otter Continuous closed season."

1 SEC. 2. Further amend section one hundred nine point eighty-
 2 seven (109.87), Code 1946, by adding after line thirty-two (32) the
 3 following: "Taking or attempting to take beaver on private
 4 lands or waters without permission of the owner or tenant shall
 5 constitute a misdemeanor punishable as provided in section one
 6 hundred nine point thirty-two (109.32)."

1 SEC. 3. Section one hundred nine point ninety-three* (109.93),
 2 Code 1946 is hereby repealed.

Approved March 22, 1949.

*Words supplied by code editor, see §3.1 of the Code.

CHAPTER 79

POLLUTION OF STREAMS AND LAKES

H. F. 4

AN ACT to repeal sections one hundred thirty-five point eighteen (135.18), to one hundred thirty-five point twenty-nine (135.29), inclusive, Code 1946, and to enact substitutes therefor, relating to the public health, the pollution of streams and waters and the prevention of such pollution of streams and bodies of water by the department of health; adding provisions relating to sewerage systems and permits for the installation of or change in such systems and the powers and duties of the state department of health in relation thereto; to prevent the discharge of treated or untreated sewerage or waste into state owned lakes; to provide a method of appeal by persons aggrieved and to provide penalties for the violation of any provisions of this Act.

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

1 SECTION 1. Sections one hundred thirty-five point eighteen
 2 (135.18), to one hundred thirty-five point twenty-nine (135.29), in-

3 clusive, Code 1946, are repealed and the following enacted in lieu
4 thereof:

5 Par. 1. The department may, upon its own initiative, study, in-
6 vestigate, or survey any stream, lake, or other body of water within
7 the state and bordering on the state, and may determine ways and
8 means of eliminating, so far as practicable, and necessary, in light
9 of the use to which the water is being, or may be, put, all substances
10 and materials which are rendering the water detrimental to the
11 public health, or unwholesome, or unfit for domestic use or as a public
12 water supply, or deleterious to the health of animals, fish, or aquatic
13 life, or detrimental to the practicable use of the water for recrea-
14 tional purposes, and may determine methods, so far as practicable,
15 and necessary in the light of the use to which the water is being, or
16 may be, put, of controlling the extent of such pollution of said
17 waters. The department shall make such investigations upon the
18 written petition of:

- 19 a. The council of any city or town.
- 20 b. The local board of health.
- 21 c. The trustees of any township.
- 22 d. Twenty-five residents of the state.
- 23 e. Any state agency or agencies.

24 The power vested by this section in the department shall not apply
25 for a period of two (2) years to the lower five thousand feet of any
26 stream flowing into a river at a place where such river forms a part
27 of the boundary line of the state.

28 Par. 2. Whenever such complaint of pollution of any of the afore-
29 said waters is filed with the department, or whenever it acts upon
30 its own initiative, it shall make a full and complete investigation
31 which may include such engineering studies, bacteriological, bio-
32 logical, and chemical analyses of the water and location of the sources
33 of contamination as may be found necessary, and, if the pollution
34 taking into account the use to which the water is being, or may be,
35 put, is found to exist, the department shall make an order fixing the
36 time and place for a hearing which shall be not less than ten days
37 thereafter. Such hearing shall be public and shall be conducted, so
38 far as possible, in the same manner as a court hearing, and every
39 alleged offender shall have the right to appear by counsel, present
40 testimony, and examine witnesses.

41 Par. 3. Notice of the time and place of hearing shall be served
42 upon each alleged offender at least ten days before said hearing in
43 the manner required for the service of notice of the commencement
44 of an ordinary action in a court of record.

45 Par. 4. After such hearing the department may, if it believes
46 the alleged offender is guilty of the charges, enter an order directing
47 such person to desist in the practice found to be the cause of such
48 pollution or corruption, taking into account the use to which the
49 water is being, or may be, put, or it may order a change in the method
50 of passing waste materials into the water so that the same will be
51 rendered innocuous and harmless.

52 Par. 5. No order shall be issued under the provisions of para-
53 graph four (4) of this act without the written approval of a major-
54 ity of the members of the Iowa natural resources council.

55 Par. 6. If any such change is ordered, unless such practice is ren-
56 dering such water dangerous to the public health, a reasonable time
57 shall be granted to the offender in which to put in use the method
58 ordered.

59 Par. 7. The department shall keep a complete record of such
60 proceeding, including all the evidence taken, and such record shall
61 be open to public inspection.

62 Par. 8. An appeal may be taken by the aggrieved party from any
63 order entered in such proceeding to the district court of the county
64 in which the alleged offense was committed. Such appeal shall be
65 perfected by serving a written notice on the commissioner of public
66 health within thirty days of the entry of such order. The hearing
67 on appeal shall be tried as a suit in equity and shall be de novo. The
68 court may receive additional testimony and may affirm, modify, or
69 reverse any such order. The setting aside of any such order of the
70 department by the court upon any such appeal shall not prevent or
71 preclude said department from again instituting proceedings against
72 the same person, firm, corporation or municipality when in its
73 opinion the public health is endangered.

74 Par. 9. Within thirty days after an application for an appeal is
75 filed with the commissioner, he shall make, certify, and file in the
76 office of the clerk of the court to which the appeal is taken, a full
77 and complete transcript of all documents and papers relating to the
78 case.

79 Par. 10. The first term after the appeal is taken shall be the trial
80 term, and if the appeal is taken during a pending term, it shall be
81 triable during such term at any time after ten days from the date
82 that the transcript is filed by the commissioner. The hearing on
83 appeal shall be tried as a suit in equity and shall be de novo.

84 Par. 11. Failure to obey any order made by the department with
85 reference to matters pertaining to the pollution of streams shall con-
86 stitute prima facie evidence of contempt. In such event the depart-
87 ment may certify to the district court of the county in which such
88 disobedience shall occur, or to the district court of Polk county, the
89 fact of such failure. The district court shall then proceed to hear
90 and determine the matter and, if the order be found to be reasonable
91 and lawful, to punish for contempt to the same extent as though
92 such failure were in connection with an order made by the district
93 court which is made punishable by contempt.

94 Par. 12. Any person, firm, or corporation, or any officer or agent
95 thereof, found guilty of contempt under paragraph eleven (11) of
96 this act shall be fined in a sum not to exceed one thousand dollars
97 (\$1000.00). The penalties provided in this paragraph shall be con-
98 sidered as additional to any penalty which may be imposed under
99 the law relative to nuisances or any other statute relating to the

100 pollution of streams or other bodies of water, and a conviction under
101 paragraph eleven (11) of this act shall not be a bar to prosecution
102 under any other penal statute.

103 Par. 13. No sewerage system which proposes to discharge into
104 any of the waters specified in paragraph one (1) of this act, sewage or
105 any other liquid or solid substance of a decomposable, putrescible,
106 oily, acid, or other character which may cause pollution of any of the
107 aforesaid waters of the state, shall be installed until a written permit
108 for such sewerage system has been granted by the department. No
109 changes, additions to, or extensions of any existing sewerage sys-
110 tems discharging into any of the aforesaid waters, including changes
111 of or additions to or extensions of the method of treating or dispos-
112 ing of the sewage, and no extension of or addition to any factory,
113 manufacturing establishment, or business enterprise, the operation
114 of which will substantially increase the amount of polluting material,
115 shall be made until plans for such changes, additions, or extensions
116 shall have been submitted to and a written permit obtained from
117 the department.

118 Par. 14. Plans and specifications for any sewerage system cov-
119 ered by paragraph thirteen (13) of this act shall be submitted to
120 the department before a written permit may be issued, and the con-
121 struction of any such sewerage system shall be in accordance with
122 said plans and specifications as approved by the department. In
123 case it shall be necessary or desirable to make material changes in
124 such plans or specifications, revised plans or specifications together
125 with reasons for the proposed changes will be submitted to the
126 department for a supplemental written permit.

127 Par. 15. The department may require any owner of a sewerage
128 system discharging into any of the aforesaid waters to file with it
129 complete plans of the whole or of any part of such system and any
130 other information and records concerning the installation and oper-
131 ation of such system.

132 Par. 16. The department shall have the right to establish pro-
133 cedure for the review of any reports, plans, specifications, or other
134 data relative to any sewerage system, written permits for which are
135 required by this act, and may make use of such assistance for such
136 review as existing boards, commissions, and departments of the
137 state may be able to render.

138 Par. 17. The department is empowered to adopt and enforce
139 rules and regulations governing the method and manner under which
140 plans, specifications, or other data relative thereto shall be submitted
141 for sewerage systems or for additions or changes to or extensions
142 of such systems.

143 Par. 18. No sewage or any other waste liquid or solid substance
144 of a decomposable, putrescible, oily, chemical, or other character
145 whether treated or untreated shall be discharged directly into any
146 state owned natural or artificial lake, provided, that this paragraph
147 shall not be construed as to prohibit the discharge of adequately

148 treated sewage or wastes into a stream tributary to a lake upon the
 149 written permission of the state department of health and the state
 150 conservation commission.

Approved April 1, 1949.

CHAPTER 80

PRACTICE OF CHIROPODY

S. F. 306

AN ACT to amend chapters one hundred forty-seven (147), one hundred forty-eight (148), and one hundred forty-nine (149), Code 1946, relating to the practice of podiatry in the state of Iowa; to change the name from podiatry to chiropody wherever the same appears therein; and the name of the practitioners from podiatrist to chiropodist; to strike sub-section four (4) of section one hundred forty-nine point three (149.3), Code 1946; to substitute the word four in place of the word three in sub-section two (2) of section one hundred forty-nine point four (149.4), Code 1946; and providing for itinerant chiropodist; and providing for an educational program, or clinic, or its equivalent.

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

1 SECTION 1. Chapter one hundred forty-seven (147), Code 1946, is
 2 hereby amended by striking the word podiatry wherever the same
 3 appears therein, and inserting in lieu thereof, the word chiropody.

1 SEC. 2. Chapter one hundred forty-seven (147), Code 1946, is
 2 hereby amended by striking the word podiatrist wherever the same
 3 appears, therein, and inserting in lieu thereof, the word chiropodist.

1 SEC. 3. Section one hundred forty-seven point seventy-five
 2 (147.75), Code 1946, is hereby amended by striking the word "or"
 3 in the third line thereof, and inserting after the words "itinerant
 4 cosmetologist" in the third line thereof, the following: "or itinerant
 5 chiropodist".

1 SEC. 4. Section one hundred forty-seven point seventy-five
 2 (147.75), Code 1946, is hereby amended by striking the word "or" in
 3 the seventh line thereof, and inserting after the comma in the eighth
 4 line thereof, the following words: "or chiropody".

1 SEC. 5. Section one hundred forty-seven point seventy-six
 2 (147.76), Code 1946, is hereby amended by striking out the word
 3 "or" in the third line thereof, and inserting after the word "cosme-
 4 tologist" in the fourth line thereof, the words "or itinerant
 5 chiropodist".

1 SEC. 6. Section one hundred forty-seven point seventy-seven
 2 (147.77), Code 1946, is hereby amended by striking out the word
 3 "or" in the fourth line thereof, and inserting before the word "for"
 4 in the fifth line thereof, the following: "or licensed chiropodist".
 5 Also amend said section by inserting the words "itinerant chirop-
 6 odist", before the word "or" in the twelfth line thereof.

1 SEC. 7. Section one hundred forty-seven point seventy-eight
 2 (147.78), Code 1946, is hereby amended by inserting after the word
 3 "surgeon," in the fourth line thereof, the word "chiropodist,".

1 SEC. 8. The law, as it appears in subsection eight (8) of section
2 one hundred forty-seven point eighty (147.80), Code 1946, is hereby
3 amended by inserting the words "itinerant chiropodist," after the
4 comma in the third line of said subsection eight (8).

1 SEC. 9. Chapter one hundred forty-eight (148), Code 1946, is
2 hereby amended by striking the word "podiatry" wherever the same
3 appears therein, and inserting in lieu thereof the word "chiropody".

1 SEC. 10. Chapter one hundred forty-eight (148), Code 1946, is
2 hereby amended by striking the word "podiatrist" wherever the
3 same appears therein, and inserting in lieu thereof the word "chi-
4 ropodist".

1 SEC. 11. Chapter one hundred forty-nine (149), Code 1946, is
2 hereby amended by striking the word "podiatry" wherever the same
3 appears therein, and inserting in lieu thereof the word "chiropody",
4 and by striking the word "podiatric" wherever the same appears
5 therein and inserting in lieu thereof the word "chiropodic".

1 SEC. 12. Chapter one hundred forty-nine (149), Code 1946, is
2 hereby amended by striking the word "podiatrist" wherever the
3 same appears therein and inserting in lieu thereof the word "chi-
4 ropodist".

1 SEC. 13. The law, as it appears, in section one hundred forty-nine
2 point three (149.3), Code 1946, is hereby amended by striking there-
3 from all of subsection four (4).

1 SEC. 14. The law, as it appears, in section one hundred forty-nine
2 point four (149.4), Code 1946, is hereby amended by striking the
3 word "three" in the fourth line of subparagraph one (1) of said
4 section, and inserting in lieu thereof the word "four".

Approved April 13, 1949.

CHAPTER 81

LICENSING OF NURSES

H. F. 300

AN ACT to amend sections one hundred forty-seven point sixteen (147.16), one hundred forty-seven point nineteen (147.19), one hundred forty-seven point eighty (147.80), one hundred forty-seven point one hundred seven (147.107) and chapter one hundred fifty-two (152); to repeal sections one hundred fifty-two point one (152.1), one hundred fifty-two point two (152.2), one hundred fifty-two point three (152.3), one hundred fifty-two point four (152.4) and to enact new sections in lieu thereof; Code 1946, all relating to the qualification and term of nurse examiners, the practice of nursing, the licensing of persons to practice nursing, and the license fee required under reciprocal agreements.

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

1 SECTION 1. That section one hundred forty-seven point sixteen
2 (147.16), Code 1946, is amended by striking the period (.) at the
3 end of said section and adding thereto, the following: ", except nurse

4 examiners who shall be so actively engaged for a period of five years,
5 but only the last two of which need be in this state."

1 SEC. 2. That section one hundred forty-seven point nineteen
2 (147.19), Code 1946, is amended by adding after the period (.) in
3 line four (4) thereof the following: "No nurse examiner shall be ap-
4 pointed to more than two consecutive terms."

1 SEC. 3. That section one hundred forty-seven point eighty
2 (147.80), Code 1946, is amended by striking the period (.) at the end
3 of subsection 6, and adding thereto, the following: "except that a
4 license to practice nursing shall be ten dollars (\$10.00)."

1 SEC. 4. That section one hundred forty-seven point one hundred
2 seven (147.107), Code 1946, is amended by adding after the period
3 (.) in line nine (9) thereof, the following: "Notwithstanding the
4 provisions of section* one hundred forty-seven point forty-four
5 (147.44) to one hundred forty-seven point fifty-four (147.54) in-
6 clusive, the conditions for the recognition of any such license issued
7 in another state shall be determined by the board, and it may certify
8 for a license to practice nursing in this state without examinations
9 an applicant who has been duly licensed as a nurse under the laws of
10 another state, territory or foreign country, if in the opinion of the
11 board the applicant meets all the qualifications required for a reg-
12 istered or licensed practical nurse under section eight (8) of this act."

1 SEC. 5. That section one hundred fifty-two point one (152.1),
2 Code 1946, is repealed and that there is enacted in lieu thereof, the
3 following:

4 "For the purpose of this title any person shall be deemed to be
5 engaged in the practice of nursing as a registered nurse who performs
6 any professional services requiring the application of principles of
7 biological, physical or social sciences and nursing skills in the obser-
8 vation of symptoms, reactions and the accurate recording of facts and
9 carrying out of treatments and medication prescribed by licensed
10 physicians in the care of the sick, in the prevention of disease or in the
11 conservation of health.

12 For the purpose of this title the practice of nursing as a licensed
13 practical nurse shall mean the performance of such duties as are re-
14 quired in the physical care of a convalescent, a chronically ill or an
15 aged or infirm patient, and in carrying out such medical orders as are
16 prescribed by a licensed physician or nursing services under the direct
17 supervision of a registered nurse, requiring the knowledge of simple
18 nursing procedures but not requiring the professional knowledge and
19 skills of a registered nurse."

1 SEC. 6. That section one hundred fifty-two point two (152.2),
2 Code 1946, is repealed and that there is enacted in lieu thereof, the
3 following:

4 "The practice of nursing as defined in this chapter shall not confer
5 any authority to practice medicine as defined in chapter one hundred
6 forty-eight (148) or to practice osteopathy or osteopathy and surgery

*According to enrolled act.

7 as defined in chapter one hundred fifty (150) and it shall not include
8 the following:

9 1. The care of sick by domestic servants, housekeepers, nursemaids,
10 companion or household aides, whether employed regularly or because
11 of an emergency or illness, provided such person does not hold himself
12 out or accept employment as a person licensed to practice nursing
13 under this title.

14 2. The domestic administration of family remedies.

15 3. The furnishing of nursing assistance in case of an emergency.

16 4. The performance of nursing services by students enrolled in ac-
17 credited schools of nursing incidental to their courses of study.

18 5. The performance of services by non-professional workers in
19 offices, hospitals or nursing homes under the direct supervision of a
20 physician or nurse licensed under this title provided such person does
21 not hold himself out or accept employment as a person licensed to
22 practice nursing under this title.

23 6. The practice of nursing by a licensed nurse of another state ren-
24 dered to a person temporarily residing in this state.

25 7. The care of the sick rendered in connection with the practice of
26 the religious tenets of any church or order by the adherents thereof
27 which is not performed for hire, or if performed for hire by those
28 who depend upon prayer or spiritual means for healing in the practice
29 of the religion of their church or denomination, so long as they do not
30 otherwise engage in the practice of nursing as practical nurses.

31 8. The practice of nursing by any licensed nurse of another state
32 employed in this state by the Federal government or any bureau,
33 agency or division thereof when performed in the discharge of his
34 official duties.

1 SEC. 7. That section one hundred fifty-two point three (152.3),
2 Code 1946, is repealed and that there is enacted in lieu thereof, the
3 following:

4 "Licenses to practice nursing shall be issued in two classifications,
5 (1) a license to practice nursing as a registered nurse; and (2) a
6 license to practice nursing as a licensed practical nurse.

7 Notwithstanding the provisions of section one hundred forty-seven
8 point three (147.3), every applicant for a license to practice nursing
9 as a registered nurse shall:

10 1. Have attained the age of twenty (20) years;

11 2. Be of good moral character;

12 3. Be a citizen of the United States, or have legally declared his
13 intention of becoming such a citizen;

14 4. Be a graduate of an accredited high school and have completed
15 a course of study in, and hold a diploma issued by a school of nursing
16 for registered nurses approved by the board of nurse examiners; and,

17 5. Pass an examination prescribed by the board of nurse examiners
18 which shall include but not be limited to the subjects of medical nurs-
19 ing, surgical nursing, nursing of children, obstetric and gynecologic
20 nursing, psychiatric nursing and communicable disease nursing.

21 Notwithstanding the provisions of section one hundred forty-
22 seven point three (147.3), every applicant for a license to practice
23 nursing as a licensed practical nurse shall:

- 24 1. Have attained the age of nineteen (19) years;
 25 2. Be of good moral character;
 26 3. Be a citizen of the United States or have legally declared his
 27 intention of becoming a citizen;
 28 4. Have completed a course of study through the tenth grade in
 29 public schools or its equivalent in parochial or secular schools, and
 30 have successfully completed a course of integrated study in and hold
 31 a diploma from a school of nursing for licensed practical nurses ap-
 32 proved by the board of nurse examiners or have successfully com-
 33 pleted at least one year of a course of study in a school of nursing for
 34 registered nurses, and

35 5. Pass an examination on subjects relating to the duties and serv-
 36 ices of a licensed practical nurse as defined in section five (5) of this
 37 act. Said examination, however, shall be based only on the subjects
 38 of sanitation, hygiene and the practical application of bedside practice
 39 which shall reflect a fair test of the applicant's ability to care for
 40 patients in bedside practice.

41 Upon making application therefor, any person meeting the re-
 42 quirements as to age, character and citizenship specified above, shall
 43 be entitled to take the examination for a license as a licensed practical
 44 nurse without the educational training required above, if he has
 45 reputably performed the duties and services of a licensed practical
 46 nurse as defined in section five (5) of this act, for a period of at least
 47 two (2) years in the five (5) years immediately preceding the date of
 48 such application. Such application shall be made on or before July
 49 4, 1951 and the statements of the applicant must be verified by affi-
 50 davits of two physicians licensed under this title.

1 SEC. 8. That section one hundred fifty-two point four (152.4),
 2 Code 1946, is repealed and that there be enacted in lieu thereof, the
 3 following:

4 "No school of nursing for registered nurses shall be approved by
 5 the board of nurse examiners as a school of recognized standing unless
 6 said school is affiliated with a hospital and requires for graduation or
 7 any degree the completion of at least a three (3) years course of
 8 study in subjects prescribed by the board.

9 No school of nursing for licensed practical nurses shall be approved
 10 by the Board of Nurse Examiners as a school of recognized standing
 11 unless said school is affiliated with a hospital and requires for gradu-
 12 ation the completion of at least a one year course of study, integrated
 13 in theory and practice, as prescribed by the board.

14 Nothing in this act shall be construed to prohibit the establish-
 15 ment or maintenance of a school of nursing for practical nurses and
 16 a school of nursing for registered nurses within the same hospital."

1 SEC. 9. That a new section is enacted to immediately follow sec-
 2 tion one hundred fifty-two point four (152.4), Code 1946, to read as
 3 follows:

4 "No person shall practice nursing as a registered nurse as defined
 5 in this chapter or assume the title of registered nurse, or use the
 6 abbreviation "RN" after his name or in any manner hold himself out
 7 or profess to be a registered nurse in this state without first procur-
 8 ing a license under the provisions of this title.

9 No person shall assume the title of licensed practical nurse or use

- 10 the abbreviation "LPN" after his name or in any manner hold him-
 11 self out or profess to be a licensed practical nurse without first pro-
 12 curing a license under the provisions of this title.
 13 "Nothing in this Act shall be construed to prohibit any person not
 14 registered or licensed hereunder from performing nursing services
 15 with or without pay; provided such person does not hold himself out
 16 or profess to be a registered nurse or licensed practical nurse."

Approved March 30, 1949.

CHAPTER 82

ITINERANT PRACTITIONERS UNDER HEALTH DEPARTMENT

S. F. 140

AN ACT to amend section one hundred forty-seven point seventy-seven (147.77), Code 1946, relating to licenses for itinerant practitioners licensed by the department of health.

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

- 1 SECTION 1. Section one hundred forty-seven point seventy-seven
 2 (147.77), Code 1946, is amended by striking from lines two (2) to
 3 five (5), inclusive, the words, "a licensed physician and surgeon,
 4 licensed osteopath, licensed osteopath and surgeon, licensed chiroprac-
 5 tor, or licensed optometrist," and inserting in lieu thereof the words
 6 "any such licensed practitioner".

Approved May 5, 1949.

CHAPTER 83

SALE OF HOG CHOLERA SERUM

H. F. 406

AN ACT to amend section one hundred fifty-five point two (155.2), Code 1946, relating to the practice of pharmacy.

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

- 1 SECTION 1. Section one hundred fifty-five point two (155.2), Code
 2 1946, is hereby amended by striking the period (.) at the end of line
 3 ten (10) and adding the words "or biological products as defined in
 4 chapter one hundred sixty-six (166), Code 1946, or commercial feeds
 5 or stock tonics as defined in chapter one hundred ninety-eight (198),
 6 Code 1946."

- 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 Washing-
 3 ton Journal, a newspaper published at Washington, Iowa, and the
 4 Sioux County Capital, a newspaper published at Orange City, Iowa.

Approved April 4, 1949.

I hereby certify that the foregoing act was published in the Washington Journal, April 23, 1949, and in the Sioux County Capital, April 21, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 84

FALSE CERTIFICATES OF HEALTH FOR ANIMALS

H. F. 337

AN ACT relating to the issuance of false certificates of health for animals and the use of such certificates in connection with transactions involving said animals and to provide a penalty for such issuance or use and to amend chapter one hundred sixty-three (163), Code 1946.

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

1 SECTION 1. Chapter one hundred sixty-three (163), Code 1946,
2 is amended by adding thereto the following:

3 "1. Any veterinarian issuing a certificate of health for an animal
4 knowing that the animal described therein was not the animal from
5 which the tests were made as a basis for the certificate or who other-
6 wise falsifies any such certificate shall be guilty of a misdemeanor
7 and punished as provided in this chapter.

8 "2. Any person, firm, or corporation importing, exporting, or
9 transporting within this state or selling or offering for sale any
10 animal for which a certificate of health has been issued and who
11 uses such certificate in connection with any of said transactions
12 knowing that the animal described in said certificate was not the
13 animal from which the tests were made as a basis for the certificate
14 or who knowingly uses any altered or otherwise false certificate in
15 connection with any of said transactions shall be guilty of a misde-
16 meanor and punished as provided in this chapter."

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 Esther-
3 ville Daily News, a newspaper published at Estherville, Iowa, and in
4 The Osceola Sentinel, a newspaper published at Osceola, Iowa.

Approved May 2, 1949.

I hereby certify that the foregoing act was published in The Estherville Daily News,
May 9, 1949, and in The Osceola Sentinel, May 12, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 85

IDENTIFICATION MARKS ON TESTED ANIMALS

H. F. 336

AN ACT relating to the removal of tags or identification marks on animals tested for disease and to provide a penalty therefor and to amend chapter one hundred sixty-three (163), Code 1946.

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

1 SECTION 1. Chapter one hundred sixty-three (163), Code 1946, is
2 amended by adding thereto the following:

3 "Any person, firm, or corporation removing or altering on any
4 animal, tested or being tested for disease, any tag or mark of identi-
5 fication authorized by the department or inserted by any qualified

6 veterinarian shall be guilty of a misdemeanor and punished as pro-
7 vided in this chapter.”

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 Esther-
3 ville Daily News, a newspaper published at Estherville, Iowa, and in
4 the Osceola Sentinel, a newspaper published at Osceola, Iowa.

Approved May 2, 1949.

I hereby certify that the foregoing act was published in the Estherville Daily News,
May 10, 1949, and in the Osceola Sentinel, May 12, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 86

BRUCELLOSIS

S. F. 449

AN ACT to amend section one (1) of chapter one hundred three (103), Acts of the Fifty-
second General Assembly relating to the control and eradication of brucellosis.

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

1 SECTION 1. Section one (1) of chapter one hundred three (103),
2 Acts of the Fifty-second General Assembly is hereby amended by
3 striking from lines nine (9), ten (10), eleven (11) and twelve (12)
4 the semicolon and words: “; also, a vaccination shall further mean
5 that the calf shall have proved negative to an agglutination test, a
6 blood sample for which shall have been drawn at any time within 20
7 days prior to vaccination”.

8 Said section is hereby further amended by striking from line
9 twenty-two (22) the words “until they shall have reached the age of
10 thirty-eight (38) months” and substitute in lieu thereof the words:
11 “at any time during the period of two (2) years following the date of
12 vaccination”.

Approved May 5, 1949.

CHAPTER 87

COUNTY FAIR AID QUALIFICATION

S. F. 24

AN ACT to amend section one hundred seventy-four point one (174.1), Code 1946,
relating to definition of society for purpose of qualifying for state aid to local fairs.

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

1 SECTION 1. Subsection two (2), of section one hundred seventy-
2 four point one (174.1), Code 1946, is amended by striking the period
3 (.) after the word dollars in line seven (7), subsection two (2), and
4 substituting in lieu thereof a comma (,) and by adding thereto the
5 following: “or any incorporated farm organization authorized to
6 hold an agricultural fair which owns or leases buildings and grounds

7 especially constructed for fair purposes of the value of one hundred
8 and fifty thousand (\$150,000.00) dollars in a county where no other
9 agricultural fair receiving state aid is held."

Approved March 11, 1949.

CHAPTER 88

SUGAR SUBSTITUTES

S. F. 358

AN ACT to amend section one hundred ninety point one (190.1), Code 1946, relating to definitions and standards of adulteration of foods.

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

1 SECTION 1. Section one hundred ninety point one (190.1) is hereby
2 amended by adding thereto the following:

3 "49. Where sugar is given as one of the ingredients in a food
4 product when the definition is established by law or by regulation, the
5 following products may be used as optional ingredients: dextrose
6 (corn sugar) or corn syrup."

Approved May 5, 1949.

CHAPTER 89

CERTIFIED SEED

S. F. 269

AN ACT relating to certified seed and to amend section one hundred ninety-nine point seven (199.7), Code 1946.

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

1 SECTION 1. Amend section one hundred ninety-nine point seven
2 (199.7), Code 1946, by striking all of said section and inserting in
3 lieu thereof the following:

4 "It shall be unlawful for any person to sell, offer for sale or expose
5 for sale in the state:

6 (1) Any agricultural seed, including seed potatoes with a blue tag
7 attached unless same is certified.

8 (2) Any agricultural seed, including seed potatoes, as "Certified"
9 unless:

10 a. Each container bears a label blue in color with the word "certi-
11 fied" thereon.

12 b. Such seed has been certified by a duly constituted state authority
13 or state association in the state in which the seed was produced; said
14 state authority or association to be recognized by the Iowa secretary of
15 agriculture".

Approved April 20, 1949.

CHAPTER 90

IOWA DRUG AND COSMETIC ACT

S. F. 339

AN ACT relating to drugs, devices, and cosmetics, and to prohibit the movement in commerce of adulterated, misbranded drugs, devices, and cosmetics, and to provide for the enforcement thereof, and penalties for violations of the provisions of the Act.

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

1 SECTION 1. This Act may be cited as the Iowa Drug and Cosmetic
2 Act. The Legislative intent is hereby declared to be the enactment
3 of a law which, in its essential provisions, shall be uniform with
4 the Federal Drug and Cosmetic Act and the laws of those states
5 which make similar enactments, and which, through the adoption of
6 regulations conforming to those from time to time promulgated
7 under the said federal Act, will maintain uniformity therewith and
8 insure coordination of the enforcement hereof with that of the
9 said federal Act.

1 SEC. 2. For the purpose of this Act—

2 1. The term "board" means the board of pharmacy examiners
3 provided for in chapter one hundred forty-seven (147), Code 1946.

4 2. The term "person" includes individual, partnership, corpora-
5 tion, and association:

6 3. The term "drug" means (1) articles recognized in the official
7 United States Pharmacopoeia, official Homeopathic Pharmacopoeia
8 of the United States, or official National Formulary, or any supple-
9 ment to any of them; and (2) articles intended for use in the diag-
10 nosis, cure, mitigation, treatment or prevention of disease in
11 man; and (3) articles (other than food) intended to affect the
12 structure or any function of the body of man; and (4) articles
13 intended for use as a component of any articles specified in clause
14 (1), (2), or (3); but does not include devices or their components,
15 parts, or accessories.

16 4. The term "device" (except when used in paragraph ten of this
17 section and section three paragraph seven, and section ten para-
18 graph two, and section thirteen paragraph three* means instruments,
19 apparatus and contrivances, including their components, parts and
20 accessories, intended (1) for use in the diagnosis, cure, mitigation,
21 treatment, or prevention of disease in man; or (2) to affect the
22 structure or any function of the body of man.

23 5. The term "cosmetic" means (1) articles intended to be rubbed,
24 poured, sprinkled, or sprayed on, introduced into, or otherwise
25 applied to the human body or any part thereof for cleansing,
26 beautifying, promoting attractiveness, or altering the appearance,
27 and (2) articles intended for use as a component of any such articles,
28 except that such term shall not include soap.

29 6. The term "official compendium" means the official United
30 States Pharmacopoeia, official Homeopathic Pharmacopoeia of the
31 United States, official National Formulary, or any supplement to
32 any of them.

33 7. The term "label" means a display of written, printed or

*According to enrolled Act.

34 graphic matter upon the immediate container of any article; and a
35 requirement made by or under authority of this Act that any word,
36 statement, or other information appear on the label shall not be
37 considered to be complied with unless such word, statement, or other
38 information also appears on the outside container or wrapper, if
39 any there be, of the retail package of such article, or is easily legible
40 through the outside container or wrapper.

41 8. The term "immediate container" does not include package
42 liners.

43 9. The term "labeling" means all labels and other written, printed,
44 or graphic matter (1) upon an article or any of its containers or
45 wrappers, or (2) accompanying such article.

46 10. If an article is alleged to be misbranded because the labeling
47 is misleading, or if an advertisement is alleged to be false because it
48 is misleading, then in determining whether the labeling or advertise-
49 ment is misleading, there shall be taken into account (among other
50 things,* not only representations made or suggested by statement,
51 words, design, device, sound, or in any combination thereof, but also
52 the extent to which the labeling or advertisement fails to reveal
53 facts material in the light of such representations or material with
54 respect to consequences which may result from the use of the article
55 to which the labeling or advertisement relates under the conditions
56 of use prescribed in the labeling or advertisement thereof or under
57 such conditions of use as are customary or usual.

58 11. The term "advertisement" means all representations dis-
59 seminated in any manner or by any means, other than by labeling,
60 for the purpose of inducing, or which are likely to induce, directly
61 or indirectly, the purchase of drugs, devices, or cosmetics.

62 12. The representation of a drug, in its labeling or advertisement,
63 as an antiseptic shall be considered to be a representation that it is
64 a germicide, except in the case of a drug purporting to be, or repre-
65 sented as, an antiseptic for inhibitory use as a wet dressing, oint-
66 ment, dusting powder, or such other use as involved prolonged
67 contact with the body.

68 13. The term "new drug" means (1) any drug the composition of
69 which is such that such drug is not generally recognized among ex-
70 perts qualified by scientific training and experience to evaluate the
71 safety of drugs, as safe for use under the conditions prescribed,
72 recommended, or suggested in the labeling thereof; or (2) any drug
73 the composition of which is such that such drug, as a result of
74 investigations to determine its safety for use under such conditions,
75 has become so recognized, but which has not otherwise than in such
76 investigations, been used to a material extent or for a material time
77 under such conditions.

78 14. The term "contaminated with filth" applies to any drug,
79 device, or cosmetic not securely protected from dust, dirt, and as far
80 as may be necessary by all reasonable means, from all foreign or
81 injurious contaminations.

82 15. The provisions of this Act regarding the selling of drugs,
83 devices, or cosmetics, shall be considered to include the manufacture,

*According to enrolled Act.

84 production, processing, packing, exposure, offer, possession, and
85 holding of any such articles in the conduct of any drug, or cosmetic
86 establishment.

87 16. The term "federal Act" means the Federal Food, Drug
88 and Cosmetic Act (Title 21 U.S.C. 301 et seq; 52 Stat. 1040 et seq.)

1 SEC. 3. The following acts and the causing thereof within the
2 State of Iowa are hereby prohibited:

3 1. The manufacture, sale, or delivery, holding or offering for sale
4 of any drug, device, or cosmetic that is adulterated or misbranded.

5 2. The adulteration or misbranding of any drug, device, or
6 cosmetic.

7 3. The receipt in commerce of any drug, device, or cosmetic that is
8 adulterated or misbranded, and the delivery or proffered delivery
9 thereof for pay or otherwise.

10 4. The sale, delivery for sale, holding for sale, or offering for
11 sale of any article in violation of section eleven.

12 5. The dissemination of any false advertisement.

13 6. The refusal to permit entry or inspection, or to permit the
14 taking of a sample, as authorized by section sixteen.

15 7. The giving of a guaranty or undertaking which guaranty or
16 undertaking is false, except by a person who relied on a guaranty or
17 undertaking to the same effect signed by, and containing the name
18 and address of the person residing in the State of Iowa from whom
19 he received in good faith the drug, device, or cosmetic.

20 8. The removal or disposal of a detained or embargoed article in
21 violation of section six.

22 9. The alteration, mutilation, destruction, obliteration, or removal
23 of the whole or any part of the labeling, of or the doing of any other
24 act with respect to a drug, device, or cosmetic, if such act is done
25 while such article is held for sale and results in such article being
26 misbranded.

27 10. Forging, counterfeiting, simulating, or falsely representing,
28 or without proper authority using any mark, stamp, tag, label, or
29 other identification device authorized or required by regulations
30 promulgated under the provisions of this Act.

31 11. The using, on the labeling of any drug or in any advertise-
32 ment relating to such drug, of any representation or suggestion that
33 an application with respect to such drug is effective under section
34 eleven, or that such drug complies with the provisions of such section.

1 SEC. 4. In addition to the remedies hereinafter provided the
2 board is hereby authorized to apply to the court for, and such court
3 shall have jurisdiction upon hearing and for cause shown, to grant a
4 temporary or permanent injunction restraining any person from
5 violating any provisions of this Act; irrespective of whether or not
6 there exists an adequate remedy at law.

1 SEC. 5. 1. Any person who violates any of the provisions of this
2 Act shall be guilty of a misdemeanor and shall on conviction thereof
3 be subject to imprisonment for not more than six months in the
4 county jail or a fine of not more than five hundred dollars, or both

5 such imprisonment and fine; but if the violations* is committed after
6 a conviction of such person under this section has become final, such
7 person shall be subject to imprisonment for not more than one year
8 in the county jail, or a fine of not more than one thousand dollars, or
9 both such imprisonment and fine.

10 2. No person shall be subject to the penalties of subsection one
11 of this section, for having violated provisions of this Act if he es-
12 tablishes a guaranty or undertaking signed by, and containing the
13 name and address of the person residing in the State of Iowa from
14 whom he received in good faith the article, to the effect that such
15 article is not adulterated or misbranded within the meaning of this
16 Act, designating this Act.

17 3. No publisher, radio-broadcast licensee, or agency or medium
18 for the dissemination of an advertisement, except the manufacturer,
19 packer, distributor, or seller of the article to which a false adver-
20 tisement relates, shall be liable under this section by reason of the
21 dissemination by him of such false advertisement, unless he has
22 refused, on the request of the board to furnish the board the name
23 and postoffice address of the manufacturer, packer, distributor,
24 seller, or advertising agency, residing in the State of Iowa, who
25 cause him to disseminate such advertisement.

1 SEC. 6. 1. Whenever a duly authorized agent of the board finds or
2 has probable cause to believe, that any drug, device, or cosmetic is
3 adulterated, or so misbranded as to be dangerous or fraudulent,
4 within the meaning of this Act, he shall affix to such article a tag or
5 other appropriate marking, giving notice that such article is, or is
6 suspected of being adulterated or misbranded and has been detained
7 or embargoed, and warning all persons not to remove or dispose of
8 such article by sale or otherwise until permission for removal or dis-
9 posal is given by such agent or the court. It shall be unlawful for
10 any person to remove or dispose of such detained or embargoed
11 article by sale or otherwise without such permission.

12 2. When an article detained or embargoed under subsection one
13 has been found by such agent to be adulterated or misbranded, he
14 shall petition the judge of the municipal, or district court in whose
15 jurisdiction the article is detained or embargoed for a libel for
16 condemnation of such article. When such agent has found that an
17 article so detained or embargoed is not adulterated or misbranded,
18 he shall remove the tag or other marking.

19 3. If the court finds that a detained or embargoed article is
20 adulterated or misbranded, such article shall, after entry of the
21 decree, be destroyed at the expense of the claimant thereof, under
22 the supervision of such agent, and all court costs and fees, and
23 storage and other proper expenses, shall be taxed against the claimant
24 of such article or his agent; provided, that when the adulteration or
25 misbranding can be corrected by proper labeling, or processing of
26 the article, the court, after entry of the decree and after such costs,
27 fees, and expenses have been paid and a good and sufficient bond,
28 conditioned that such article shall be so labeled or processed, has

*According to enrolled Act.

29 been executed, may by order direct that such article be delivered to
30 the claimant thereof for such labeling or processing under the
31 supervision of an agent of the board. The expense of such super-
32 vision shall be paid by the claimant. Such bond shall be returned
33 to the claimant of the article on representation to the court by the
34 board that the article is no longer in violation of this Act, and that
35 the expenses of such supervision have been paid.

1 SEC. 7. It shall be the duty of each attorney general, or county
2 attorney to whom the board reports any violation of this Act, to
3 cause appropriate proceedings to be instituted in the proper courts
4 without delay and to be prosecuted in the manner required by law.
5 Before any violation of this Act is reported to any such attorney for
6 the institution of a criminal proceeding, the person against whom
7 such proceeding is contemplated shall be given appropriate notice
8 and an opportunity to present his views before the board or its desig-
9 nated agent, either orally or in writing, in person, or by attorney,
10 with regard to such contemplated proceeding.

1 SEC. 8. Nothing in this Act shall be construed as requiring the
2 board to report for the institution of proceedings under this Act,
3 minor violations of this Act, whenever the board believes that the
4 public interest will be adequately served in the circumstances by a
5 suitable written notice or warning.

1 SEC. 9. A drug or device shall be deemed to be adulterated—
2 1. (1) If it consists in whole or in part of any filthy, putrid, or
3 decomposed substance; or (2) if it has been produced, prepared,
4 packed, or held under insanitary conditions whereby it may have
5 been contaminated with filth, or whereby it may have been rendered
6 injurious to health; or (3) if it is a drug and its container is com-
7 posed, in whole or in part, of any poisonous or deleterious substance
8 which may render the contents injurious to health; or (4) if it is a
9 drug and it bears or contains, for the purposes of coloring only, a
10 coal-tar color other than one from a batch certified under the author-
11 ity of the federal Act.

12 2. If it purports to be or is represented as a drug the name of
13 which is recognized in an official compendium, and its strength dif-
14 fers from, or its quality or purity falls below, the standard set forth
15 in such compendium. Such determination as to strength, quality, or
16 purity shall be made in accordance with the tests or methods of assay
17 set forth in such compendium, or in the absence of or inadequacy of
18 such tests or methods of assay, those prescribed under authority
19 of the federal Act. No drug defined in an official compendium shall
20 be deemed to be adulterated under this paragraph because it differs
21 from the standard of strength, quality, or purity thereof set forth
22 in such compendium if its difference in strength, quality, or purity
23 from such standard is plainly stated on its label. Whenever a drug
24 is recognized in both the United States Pharmacopoeia and the
25 Homeopathic Pharmacopoeia of the United States it will be subject
26 to the requirements of the United States Pharmacopoeia unless it
27 is labeled and offered for sale as a homeopathic drug, in which case
28 it shall be subject to the provisions of the Homeopathic Pharmaco-

29 poeia of the United States and not to those of the United States
30 Pharmacopoeia.

31 3. If it is not subject to the provisions of paragraph two of this
32 section and its strength differs from, or its purity or quality falls
33 below, that which it purports or is represented to possess.

34 4. If it is a drug and any substance has been (1) mixed or packed
35 therewith so as to reduce its quality or strength; or (2) substituted
36 wholly or in part therefor.

1 SEC. 10. A drug or device shall be deemed to be misbranded—

2 1. If its labeling is false or misleading in any particular.

3 2. If in package form unless it bears a label containing (1) the
4 name and place of business of the manufacturer, packer, or distrib-
5 utor; and (2) an accurate statement of the quantity of the contents in
6 terms of weight, measure, or numerical count; provided, that under
7 clause (2) of this paragraph reasonable variations shall be permitted,
8 and exemptions as to small packages shall be established, by regula-
9 tions prescribed by the board.

10 3. If any word, statement, or other information required by or
11 under authority of this Act to appear on the label or labeling is not
12 prominently placed thereon with such conspicuousness (as compared
13 with other words, statements, designs or devices, in the labeling) and
14 in such terms as to render it likely to be read and understood by the
15 ordinary individual under customary conditions of purchase and use.

16 4. If it is for use by man and contains any quantity of the nar-
17 cotic or hypnotic substance alpha-eucaine, barbituric acid, beta-
18 eucaine, bromal, cannabis, carbromal, chloral, coca, cocaine, codeine,
19 heroin, marihuana, morphine, opium, paraldehyde, peyote, or sul-
20 phonmethane, or any chemical derivative of such substance, which
21 derivative has been by the board after investigation, found to be,
22 and by regulations under this Act, designated as, habit forming,
23 unless its label bears the name and quantity or proportion of such
24 substance or derivative and in juxtaposition therewith the statement
25 "Warning—May be habit forming."

26 5. If it is a drug and is not designated solely by a name recognized
27 in an official compendium unless its label bears (1) the common or
28 usual name of the drug, if such there be; and (2) in case it is fabri-
29 cated from two or more ingredients, the common or usual name of
30 each active ingredient, including the kind and quantity or proportion
31 of any alcohol, and also including, whether active or not, the name
32 and quantity or proportion of any bromides, ether, chloroform, acet-
33 anilid, acetphenetidin, amidopyrine, antipyrine, atropine, hyoscyne,
34 hyoscyamine, arsenic, digitalis and digitalis glycosides, mercury,
35 ouabain, strophanthin, strychnine, thyroid, or any derivative or prep-
36 aration of any such substances, contained therein: provided, that to
37 the extent that compliance with the requirements of clause (2) of
38 this paragraph is impracticable, exemptions shall be established by
39 regulations promulgated by the board.

40 6. Unless its labeling bears (1) adequate directions for use; and
41 (2) such adequate warnings against use in those pathological con-
42 ditions or by children where its use may be dangerous to health, or

43 against unsafe dosage or methods or duration of administration or
44 application in such manner and form, as are necessary for the pro-
45 tection of users: provided that where any requirement of clause (1)
46 of this paragraph, applied to any drug or device, is not necessary for
47 the protection of the public health, the board shall promulgate regu-
48 lations exempting such drug from such requirements.

49 7. If it purports to be a drug the name of which is recognized in
50 an official compendium, unless it is packaged and labeled as pre-
51 scribed therein; provided, that the method of packing may be modified
52 with the consent of the board. Whenever a drug is recognized in
53 both the United States Pharmacopoeia and Homeopathic Pharma-
54 copoeia of the United States, it shall be subject to the requirements
55 of the United States Pharmacopoeia with respect to packaging and
56 labeling unless it is labeled and offered for sale as a homeopathic
57 drug, in which case it shall be subject to the provisions of the Homeo-
58 pathic Pharmacopoeia of the United States, and not to those of the
59 United States Pharmacopoeia.

60 8. If it is found by the board to be a drug liable to deterioration,
61 unless it is packaged in such form and manner, and its label bears
62 a statement of such precautions, as the board shall by regulations
63 require as necessary for the protection of public health. No such
64 regulation shall be established for any drug recognized in an official
65 compendium until the board shall have informed the appropriate
66 body charged with the revision of such compendium of the need for
67 such packaging or labeling requirements and such body shall have
68 failed within a reasonable time to prescribe such requirements.

69 9. (1) If it is a drug and its container is so made, formed, or filled
70 as to be misleading; or (2) if it is an imitation of another drug; or
71 (3) if it is offered for sale under the name of another drug.

72 10. If it is dangerous to health when used in the dosage, or with
73 the frequency or duration prescribed, recommended, or suggested in
74 the labeling thereof.

75 11. If (1) it is a drug sold at retail and contains any quantity of
76 aminopyrine, barbituric acid, pituitary, thyroid, or their deriva-
77 tives, or (2) it is a drug or device sold at retail and its label bears a
78 statement that it is to be dispensed or sold only by or on the pre-
79 scription of a doctor, dentist or veterinarian; unless it is sold on a
80 written prescription signed by a doctor, dentist or veterinarian
81 who is licensed by law to administer such drug or device, and its label
82 bears the name and place of business of the seller, the serial number
83 and date of such prescription, and the name of the doctor, dentist or
84 veterinarian.

85 12. A drug sold on a written prescription signed by a doctor, den-
86 tist or veterinarian (except a drug sold in the course of the conduct
87 of a business of selling drugs pursuant to diagnosis by mail) shall be
88 exempt from the requirements of this section if—

89 (1) such doctor, dentist or veterinarian is licensed by law to
90 administer such drug, and

91 (2) such drug bears a label containing the name and place of
92 business of the seller, the serial number and date of such prescription,
93 and the name of the doctor, dentist or veterinarian.

94 13. If it is a drug for use by man and contains any quantity of the
95 narcotic or hypnotic substance alpha-eucaine, barbituric acid, beta-
96 eucaine, bromal, cannabis, carbromal, chloral, coca, cocaine, heroin,
97 marihuana, morphine, opium, paraldehyde, peyote, or sulphonme-
98 thane, or any chemical derivative of such substances, or such sub-
99 stances as are dangerous and habit forming drugs which derivative
100 or substances have been by the board after investigation found to
101 be and by regulation under this Act designated as dangerous and
102 habit forming drugs, and the sale or dispensation (except on written
103 prescriptions to be filled by pharmacists) of said drugs, derivatives,
104 or substances is made by doctors or dentists incident to their prac-
105 tice, unless the doctor or dentist keeps a dated record of the name,
106 and address of the patient, and amount and name of the drugs,
107 substances or derivatives sold and dispensed each time, and the said
108 sale or dispensation has not been delegated to any person, nurse or
109 attendant.

1 SEC. 11. 1. No person shall sell, deliver, offer for sale, have for sale
2 or give away any new drug unless (1) an application with respect
3 thereto has become effective under section 505 of the federal Act,
4 or (2) when not subject to the federal act unless such drug has been
5 tested and has not been found to be unsafe for use under the condi-
6 tions prescribed, recommended, or suggested in the labeling thereof,
7 and prior to selling or offering for sale such drug, there has been
8 filed with the board an application setting forth (a) full reports of
9 investigations which have been made to show whether or not such
10 drug is safe for use; (b) a full list of the articles used as components
11 of such drug; (c) a full statement of the composition of such drug;
12 and (d) a full description of the methods used in, and the facilities
13 and controls used for, the manufacture, processing, and packing of
14 such drug. The application shall be accompanied by such samples
15 of such drug and of the articles used as components thereof as the
16 board may require, specimens of the labeling proposed to be used
17 for such drug, and a fee of fifty dollars.

18 2. An application provided for in subsection one part (2) shall
19 become effective on the sixtieth day after the filing thereof, except
20 that if the board finds after due notice to the applicant and giving
21 him an opportunity for a hearing, that the drug is not safe for use
22 under the conditions prescribed, recommended, or suggested in
23 the proposed labeling thereof, it shall, prior to the effective date of
24 the application, issue and order refusing to permit the application to
25 become effective.

26 3. This section shall not apply—

27 (1) to a drug intended solely for investigational use by experts
28 qualified by scientific training and experience to investigate the safety
29 in drugs, provided the drug is plainly labeled "For investigational
30 use only"; or

31 (2) to a drug sold in this State at any time prior to the enactment
32 of this Act or introduced into interstate commerce at any time prior
33 to the enactment of the federal Act; or

34 (3) to any drug which is licensed under the virus, serum and toxin
35 Act of July 1, 1902 (U.S.C. 1934 ed. title 42, Chap. 4).

36 4. An order refusing to permit an application under this section
37 to become effective may be revoked by the board.

1 SEC. 12. A cosmetic shall be deemed to be adulterated—

2 1. If it bears or contains any poisonous or deleterious substance
3 which may render it injurious to users under the conditions of use
4 prescribed in the labeling or advertisement thereof, or under such
5 conditions of use as are customary or usual; provided, that this pro-
6 vision shall not apply to coal-tar hair dye, the label of which bears
7 the following legend conspicuously displayed thereon: "Caution—
8 This product contains ingredients which may cause skin irritation
9 on certain individuals and a preliminary test according to accom-
10 panying directions should first be made. This product must not be
11 used for dyeing the eyelashes or eyebrows; to do so may cause blind-
12 ness," and the labeling of which bears adequate directions for such
13 preliminary testing. For the purposes of this paragraph and para-
14 graph five the term "hair dye" shall not include eyelash dyes or eye-
15 brow dyes.

16 2. If it consists in whole or in part of any filthy, putrid, or decom-
17 posed substance.

18 3. If it has been produced, prepared, packed or held under in-
19 sanitary conditions whereby it may have become contaminated with
20 filth, or whereby it may have been rendered unjurious* to health.

21 4. If its container is composed, in whole or in part of any poisonous
22 or deleterious substance which may render the contents injurious to
23 health.

24 5. If it is not a hair dye and it bears or contains a coal-tar color
25 other than one from a batch which has been certified under authority
26 of the federal Act.

1 SEC. 13. A cosmetic shall be deemed to be misbranded—

2 1. If its labeling is false or misleading in any particular.

3 2. If in package form unless it bears a label containing (1) the
4 name and place of business of the manufacturer, packer, or distrib-
5 utor; and (2) an accurate statement of the quantity of the contents in
6 terms of weight, measure, or numerical count; provided, that under
7 clause (2) of this paragraph reasonable variations shall be permitted,
8 and exemptions as to small packages shall be established by regula-
9 tions prescribed by the board.

10 3. If any word, statement or other information required by or
11 under authority of this Act, to appear on the label or labeling is not
12 prominently placed thereon with such conspicuousness (as compared
13 with other words, statements, designs, or devices, in the labeling)
14 and in such terms as to render it likely to be read and understood by
15 the ordinary individual under customary conditions of purchase and
16 use.

17 4. If its container is so made, formed, or filled as to be misleading.

18 5. If it contains any poisonous or deleterious substance and is
19 intended to be used in liquid, powdered or paste form and the label or
20 container does not warn that the contents are dangerous to human
21 life if taken internally.

*According to enrolled Act.

1 SEC. 14. 1. An advertisement of a drug, device, or cosmetic shall
2 be deemed to be false if it is false or misleading in any particular.

3 2. For the purpose of this Act the advertisement of a drug or
4 device representing it to have any effect in albuminuria, appendicitis,
5 arteriosclerosis, blood poison, bone disease, Bright's disease, cancer,
6 carbuncles, cholecystitis,* diabetis,* diphtheria, dropsy, erysipelas,
7 gallstones, heart and vascular diseases, high blood pressure, mastoid-
8 itis, measles, meningitis, mumps, nephritis, otitis media, paralysis,
9 pneumonia, poliomyelitis (infantile paralysis), prostate gland dis-
10 orders, pyelitis, scarlet fever, sexual impotence, sinus infection, small-
11 pox, tuberculosis, tumors, typhoid, uremia, venereal disease, shall also
12 be deemed to be false, except that no advertisement not in violation of
13 subsection one shall be deemed to be false under this subsection if it
14 is disseminated only to doctors, dentists or veterinarians, or appears
15 only in the scientific periodicals of these professions, or is dissem-
16 inated only for the purpose of public-health education by persons
17 not commercially interested, directly or indirectly, in the sale of
18 such drugs or devices: provided, that whenever the board determines
19 that an advance in medical science has made any type of self-medica-
20 tion safe as to any of the diseases named above, the board shall by
21 regulation authorize the advertisement of drugs having curative or
22 therapeutic effect for such disease, subject to such conditions and
23 restrictions as the board may deem necessary in the interests of pub-
24 lic health: provided, that this subsection shall not be construed as
25 indicating that self-medication for disease other than those named
26 herein is safe or efficacious.

1 SEC. 15. 1. The authority to promulgate regulations for the effi-
2 cient enforcement of this Act is hereby vested in the board. The board
3 is hereby authorized to make the regulations promulgated under this
4 Act conform, insofar as practicable, with those promulgated under
5 the federal Act.

6 2. Hearings authorized or required by this Act shall be conducted
7 by the board or such officer, agent or employee as the board may
8 designate for the purpose.

9 3. Before promulgating any regulations contemplated by section
10 ten paragraphs two, four, five, six, seven, eight, eleven and thirteen,
11 or section fourteen paragraph two, the board shall give appropriate
12 notice of the proposal and of the time and place for a hearing. The
13 regulation so promulgated shall become effective on a date fixed by
14 the board (which date shall not be prior to thirty days after its
15 promulgation). Such regulation may be amended or repealed in the
16 same manner as is provided for its adoption, except that in the case
17 of a regulation amending or repealing any such regulation the board,
18 to such an extent as it deems necessary in order to prevent undue
19 hardship, may disregard the foregoing provisions regarding notice,
20 hearing or effective date.

1 SEC. 16. The board or its duly authorized agent shall have free
2 access at all reasonable hours to any factory, warehouse, or estab-
3 lishment, in which drugs, devices, or cosmetics are manufactured,

*According to enrolled Act.

4 processed, packed, or held for introduction into commerce, or to
5 enter any vehicle being used to transport or hold such drugs, devices,
6 or cosmetics in commerce, for the purpose:

7 (1) of inspecting such factory, warehouse, establishment, or ve-
8 hicle to determine if any of the provisions of this Act are being
9 violated; and

10 (2) to secure samples of any drug, device, or cosmetic after pay-
11 ing or offering to pay for such sample. It shall be the duty of the
12 board to make or cause to be made examinations of samples secured
13 under the provisions of this section to determine whether or not any
14 provision of this Act is being violated.

1 SEC. 17. 1. The board may cause to be published from time to time
2 reports summarizing all judgments, decrees, and court orders which
3 have been rendered under this Act, including the nature of the charge
4 and the disposition thereof.

5 2. The board may also cause to be disseminated such information
6 regarding drugs, devices, and cosmetics as the board deems neces-
7 sary in the interest of the public health and the protection of the
8 consumer against fraud. Nothing in this section shall be construed
9 to prohibit the board from collecting, reporting, and illustrating the
10 results of the investigations of the board.

1 SEC. 18. Any analysis of drugs, devices, or cosmetics deemed
2 necessary by the board in the enforcement of this Act shall be made
3 by the state chemist when requested by said board.

1 SEC. 19. The provisions of this act shall not apply to any person,
2 firm or corporation subject to the federal food, drug and cosmetics
3 act.

1 SEC. 20. If any provision of this Act is declared unconstitutional
2 or the applicability thereof to any person or circumstance is held
3 invalid, the constitutionality of the remainder of the Act and appli-
4 cability thereof to other persons and circumstances shall not be
5 affected thereby.

Approved May 5, 1949.

CHAPTER 91

ANTIFREEZE FOR MOTOR VEHICLES

S. F. 147

AN ACT relating to anti-freeze; to provide that no anti-freeze shall be sold, exposed for sale, or held with intent to sell within this state until inspected by the department of agriculture and found to comply with the provisions of this Act; to provide inspection fees and distribution of the same; to provide that the department shall be authorized to make rules and regulations; to prohibit certain matters in advertising; to define terms; to provide how this Act may be cited; and to provide penalties.

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

1 SECTION 1. As used in this act, unless the context or subject
2 matter otherwise requires: (1) "Anti-freeze" shall include all sub-

3 stances and preparations intended for use as the cooling medium, or
4 to be added to the cooling liquid, in the cooling system of internal com-
5 bustion engines to prevent freezing of the cooling liquid or to lower its
6 freezing point; and (2) "person" shall include individuals, partner-
7 ships, corporations, companies and associations.

1 SEC. 2. An anti-freeze shall be deemed to be adulterated: (1) If
2 it consists in whole or in part of any substance which will render it
3 injurious to the cooling system of an internal combustion engine or
4 will make the operation of the engine dangerous to the user; or (2) if
5 its strength, quality, or purity falls below the standard of strength,
6 quality, or purity under which it is sold.

1 SEC. 3. An anti-freeze shall be deemed to be misbranded; (1) If
2 its labeling is false or misleading in any particular; or (2) if in pack-
3 age form it does not bear a label containing the name and place of busi-
4 ness of the manufacturer, packer, seller or distributor and an accurate
5 statement of the quantity of the contents in terms of weight or measure
6 on the outside of the package.

1 SEC. 4. Before any anti-freeze shall be sold, exposed for sale, or
2 held with intent to sell within this state, a sample thereof must be
3 inspected by the Department of Agriculture. Upon application of the
4 manufacturer, packer, seller or distributor and the payment of
5 a fee of twenty dollars (\$20.00) for each brand of anti-freeze sub-
6 mitted, the department shall inspect the anti-freeze submitted. If
7 the anti-freeze is not adulterated or misbranded, if it meets the stand-
8 ards of the department, and is not in violation of this act, the de-
9 partment shall give the applicant a written permit authorizing the sale
10 of such anti-freeze in this state until the formula or labeling of the
11 anti-freeze is changed in any manner.

12 If the department shall at a later date find that the product to be
13 sold, exposed for sale or held with intent to sell has been materially
14 altered or adulterated, a change has been made in the name, brand or
15 trade-mark under which the anti-freeze is sold, or it violates the
16 provisions of this act, the department shall notify the applicant and
17 the permit shall be cancelled forthwith.

1 SEC. 5. The Department of Agriculture shall enforce the provi-
2 sions of this act by inspections, chemical analysis, or any other ap-
3 propriate methods. All samples for inspection or analysis shall be
4 taken from stocks in the state or intended for sale in the state or
5 the department through its agents may call upon the manufacturer or
6 distributor applying for an inspection of an anti-freeze to supply
7 such samples thereof for analysis. The department, through its
8 agents, shall have free access by legal means during business hours
9 to all places of business, buildings, vehicles, cars and vessels used in
10 the manufacture, transportation, sale or storage of any anti-freeze,
11 and it may open by legal means any box, carton, parcel, or package,
12 containing or supposed to contain any anti-freeze and may take there-
13 from samples for analysis.

1 SEC. 6. The Department of Agriculture shall have authority to
2 promulgate such rules and regulations as are necessary to promptly
3 and effectively enforce the provisions of this act.

1 SEC. 7. The Department of Agriculture may furnish upon request
2 a list of the brands and trade-marks of anti-freeze inspected by the
3 department during the calendar year which have been found to be
4 in accord with this act.

1 SEC. 8. No advertising literature relating to any anti-freeze sold
2 or to be sold in this state shall contain any statement that the anti-
3 freeze advertised for sale has met the requirements of the department
4 of agriculture until such anti-freeze has been given the laboratory
5 test and inspection of the department, and found to meet all the
6 standard requirements and not to be in violation of this act. Then
7 such statement may be contained in any advertising literature where
8 such brand or trademark of anti-freeze is being advertised for sale,
9 and such statement may be used on all regular containers of such
10 anti-freeze.

1 SEC. 9. Whenever the Department of Agriculture shall discover
2 any anti-freeze is being sold or has been sold in violation of this act,
3 the facts shall be furnished to the Attorney General who shall insti-
4 tute proper proceedings.

1 SEC. 10. All fees provided for in this act shall be collected by the
2 Secretary of the Department of Agriculture and remitted to the state
3 treasury.

1 SEC. 11. If any person, partnership, corporation, or association
2 shall violate the provisions of this act, such person, partnership, cor-
3 poration or association shall be deemed guilty of a misdemeanor and,
4 upon conviction thereof, shall be punished according to the general
5 provisions of title ten (10), Code 1946, and the department may
6 after due hearing cancel registration.

1 SEC. 12. This act may be cited as the "Iowa Anti-Freeze 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 Advocate-Republican, a newspaper published at Audubon, Iowa,
4 and The Guthrie Center Times, a newspaper published at Guthrie
5 Center, Iowa.

Approved March 22, 1949.

I hereby certify that the foregoing act was published in the Advocate-Republican,
April 7, 1949, and in The Guthrie Center Times, April 7, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 92

SOYBEANS

S. F. 28

AN ACT fixing the standard weight per bushel for soybeans.

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

1 SECTION 1. Section two hundred ten point ten (210.10), Code
2 1946, is amended by adding thereto the following:

3 "Soybeans60".

Approved April 7, 1949.

CHAPTER 93

WEIGHTS AND MEASURES

H. F. 335

AN ACT to amend sections two hundred ten point sixteen (210.16), two hundred ten point eighteen (210.18), two hundred twelve point two (212.2), and chapter two hundred fifteen (215), relating to standard weights and measures, sales of certain commodities from bulk and inspection of weights and measures and regulation thereof by the state department of agriculture; and to amend section two hundred fourteen point two (214.2) and section two hundred fourteen point three (214.3), Code 1946, relating to yearly licenses for scales, gasoline pumps and meters.

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

1 SECTION 1. Section two hundred ten point sixteen (210.16), Code
2 1946, is hereby repealed and the following enacted in lieu thereof:
3 "The standard weights of flour when sold in package form shall be as
4 follows: two (2), five (5), ten (10), twenty-five (25), fifty (50), or
5 one hundred (100) pounds."

1 SEC. 2. Section two hundred ten point eighteen (210.18), Code
2 1946, is hereby amended by adding thereto the following paragraph:
3 "All commodities bought or sold in package form shall be labeled in
4 compliance with the general provisions for labeling provided for in
5 sections 189.9 to 189.16, inclusive, of the Code unless otherwise pro-
6 vided for in this chapter."

1 SEC. 3. Section two hundred twelve point two (212.2), Code 1946,
2 is hereby repealed and the following enacted in lieu thereof: "No
3 person shall deliver any bulk commodities, other than liquids, by
4 vehicle unless otherwise provided for without each such delivery
5 being accompanied by duplicate delivery tickets, on each of which
6 shall be written in ink or other indelible substance the actual weight
7 distinctly expressed in pounds, the gross weight of the load, the tare
8 of the delivery vehicle, and the net amount in weight of the com-
9 modity, with the names of the purchaser and the dealer from whom
10 purchased."

1 SEC. 4. Amend chapter two hundred fifteen (215) by adding the
2 following thereto: "It shall be unlawful to install a livestock or
3 truck scale or a hopper scale, used for commercial purposes in this
4 state, unless said scale is so installed that the same is easily acces-
5 sible for inspection and testing by equipment of the state department
6 of agriculture and with due regard to size and capacity thereof.
7 Every scale manufacturer or dealer shall, upon selling a scale of the
8 above types in Iowa, submit to the department of agriculture upon
9 forms provided by said department, the make, capacity of the scale,
10 the date of sale, and the date and location of its installation.

11 The weight indicating dial or beams on counter scales used to weigh
12 articles sold at retail shall be so located that the reading dial indi-
13 cating the weight shall at all times be visible to the public.

14 Any person, firm, or corporation engaging in any scale repair work
15 for hire in this state shall first file with the department of agricul-
16 ture a bond of the form required by chapter sixty-four (64), Code
17 1946, in the sum of one thousand dollars conditioned to guarantee the

18 workmanship and faithful performance of the assumed task and pro-
 19 viding for liquidated damages for failure to perform such conditions.
 20 Such person, firm, or corporation, on depositing with the department
 21 of agriculture a bond in the amount of one thousand dollars shall be
 22 furnished a certificate authorizing them to do what is known as scale
 23 repair work, or installation of new scales in the state of Iowa. This
 24 certificate shall be valid until revoked by the secretary of agriculture.

25 All new weigh beams or dials on what is known as livestock scales
 26 used for determining the weight in buying or selling livestock shall
 27 be in not over five (5) pound graduations.

28 No scale known in the commercial field as a truck or livestock scale
 29 shall be installed in the State of Iowa without first being approved
 30 by the state department of agriculture. Said approval being based
 31 upon the recommendations of the U.S. Bureau of Standards. All
 32 motor truck scales, livestock scales, and grain dump scales, hereafter
 33 installed and regardless of capacity shall have a clearance of not less
 34 than four (4) feet from the finished floor line of scale pit to the bot-
 35 tom of the "I" beam of the scale bridge.

36 Scale pit shall have proper room for inspector or service man to
 37 repair or inspect scale. Scale pit shall remain dry at all times and
 38 adequate drainage shall be provided for the purpose of inspecting
 39 and cleaning.

40 It shall be unlawful for any person, firm, or corporation to use such
 41 a scale for weighing commodities the gross weight of which is greater
 42 than the factory rated capacity. The capacity of the scale shall
 43 be stamped by the manufacturer on each weigh beam or dial. The
 44 capacity of the scale shall be posted so as to be visible to the public.

45 Any person, firm or corporation engaged in scale repair work for
 46 hire shall use only test weights sealed by the state department of
 47 agriculture in determining the effectiveness of his repair work and
 48 said test weights shall be sealed as to their accuracy once each year.
 49 Provided, however, that it shall be unlawful for such person to hold
 50 himself out as an official scale inspector or to use said test weights
 51 except to determine the accuracy of scale repair work done by him
 52 and he shall be entitled to no fee for their use. A fee shall be charged
 53 and collected at time of inspection for the inspection of such weights
 54 as follows:

55	All weights up to and including 25 pounds.....	\$.75 each
56	All weights up to and including 50 pounds.....	1.50 each
57	Over 50 pounds capacity, up to and including 100 pounds	2.00 each
58	Over 100 pounds capacity, up to and including 500 pounds	3.00 each
59	Over 500 pounds capacity, up to and including 1000 pounds	5.00 each

60 The fee for all tank calibrations shall be as follows:

61	100 gallons up to and including 300 gallons.....	\$ 3.00
62	301 " " " " " 500 gallons.....	5.00
63	501 " " " " " 1000 "	7.50
64	1001 " " " " " 2000 "	10.00
65	2001 " " " " " 3000 "	12.00
66	3001 " " " " " 4000 "	14.00
67	4001 " " " " " 5000 "	16.00
68	5001 " " " " " 6000 "	18.00

69 6001 gallons up to and including 7000 gallons..... 20.00
 70 7001 " and up..... 25.00
 71 No calibration will be required of any tank which is not used for the
 72 purpose of measuring, or which is equipped with a meter, nor shall
 73 vehicle tanks loaded from meters and carrying a printed ticket show-
 74 ing gallonage be required to be calibrated.
 75 The secretary of agriculture may after consultation and with the
 76 advice of U. S. bureau of standards establish specifications and tol-
 77 erances for weights and measures and weighing and measuring de-
 78 vices, and said specifications and tolerances shall be legal specifications
 79 and tolerances in this state, and shall be observed in all inspections
 80 and tests.

1 SEC. 5. Section two hundred fourteen point two (214.2), Code
 2 1946, is hereby amended and revised to read as follows:
 3 "Every person who shall use or display for use any public scale,
 4 pump or meter used in measuring the quantity of gasoline or fuel oil
 5 sold to consumer customers shall secure a license for said scale, pump
 6 or meter from the department.

1 SEC. 6. Section two hundred fourteen point three (214.3), Code
 2 1946, is hereby amended and revised to read as follows:

3 "The license for a public scale shall expire on December thirty-
 4 first (31st) of each year, and for a gasoline pump or meter on June
 5 thirtieth (30th) of each year.

6 A fee for each said license shall be three dollars (\$3.00) per annum
 7 provided, however, that the fee for gasoline pumps and meters shall
 8 be one dollar and fifty cents (\$1.50) per annum if paid within one (1)
 9 month from the date said license is due.

10 A license fee on every gasoline pump and meter is due the day any
 11 such pump or meter is placed in operation."

Approved April 5, 1949.

CHAPTER 94

MENTALLY ILL PERSONS

H. F. 584

AN ACT to amend chapter two hundred eighteen (218), Code 1946, by adding thereto a provision authorizing the board of control to provide services and facilities for the scientific observation, rechecking and treatment of mentally ill persons within the state and providing an appropriation therefor.

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

1 SECTION 1. Chapter two hundred eighteen (218), Code 1946, is
 2 hereby amended by adding thereto the following:

3 (a) The board of control is authorized to provide services and
 4 facilities for the scientific observation, rechecking and treatment of
 5 mentally ill persons within the state. Application by, or on behalf of,
 6 any person for such services and facilities shall be made to the board
 7 of control on forms furnished by the board. The time and place of
 8 admission of any person to out-patient or clinical services and facil-

9 ities for scientific observation, rechecking and treatment and the use
 10 of such services and facilities for the benefit of persons who have
 11 already been committed as insane shall be in accordance with rules
 12 and regulations adopted by the board of control.

13 (b) There is hereby appropriated to the board of control from
 14 the general fund of the state, from funds not otherwise appropriated,
 15 the sum of five hundred thousand dollars (\$500,000.00), or so much
 16 thereof as is necessary, for the purpose of carrying out the provisions
 17 of this act for the biennium ending June 30, 1951.

18 (c) All funds expended under the provisions of this act shall be
 19 subject to the approval of the retrenchment and reform committee.

Approved April 20, 1949.

CHAPTER 95

BUSINESS MANAGERS AT INSTITUTIONS

S. F. 238

AN ACT relating to business managers at institutions operating under the board of control.

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

1 SECTION 1. Sections one (1) and two (2) of chapter one hundred
 2 fourteen (114), Acts of the 52nd General Assembly are hereby
 3 repealed.

Approved May 18, 1949.

CHAPTER 96

BOARD OF CONTROL PREAUDIT OF CLAIMS

H. F. 198

AN ACT to transfer from the state comptroller to the state board of control all duties pertaining to the abstracting and certifying claims of institutions for payment, and prescribing uniform accounts for institutions under its control and to provide for the pre-audit of claims against said board in the offices of the state board of control.

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

1 SECTION 1. All duties of the state comptroller, with regard to
 2 institutions under the state board of control, in respect to abstracting
 3 and certifying claims for payment and the keeping of a central sys-
 4 tem of accounts are hereby transferred to said board.

1 SEC. 2. Section eight point six (8.6), Code 1946, is amended by
 2 adding the following:

3 "For the purpose of performing the duties of the comptroller pro-
 4 vided in this chapter as applied to the state board of control, the
 5 comptroller shall assign an employee of his office to check and audit

6 all claims against the state board of control before such claims are
7 approved by the board. He shall keep all records and accounts relating
8 to the expenditures of the board. He shall, in the checking and auditing
9 of claims against the board and keeping the records and accounts of the
10 board, be under the direction and supervision of the comptroller,
11 and act as an agent of said comptroller. The state board of control
12 shall furnish said employee of the comptroller with office space and
13 such help and assistants as may be necessary to properly perform the
14 duties therein specified."

1 SEC. 3. The board of control shall prescribe and install in all state
2 institutions under its supervision the most modern, complete, and
3 uniform system of accounts, records, and reports possible, which
4 system, among other matters, shall clearly show the detailed facts
5 relative to the handling and uses of all purchases.

1 SEC. 4. When vouchers for expenditures other than salaries have
2 been duly audited as provided for in section eight point six (8.6),
3 Code 1946, the secretary of the state board of control shall prepare
4 in duplicate, an abstract showing the name, residence, and amount
5 due each claimant and the institution and fund thereof on account of
6 which the payment is made. The correctness of said abstracts shall,
7 under seal of the board, be certified by said secretary and by at least
8 one member of the board. The original abstract shall be delivered to
9 the state comptroller. The duplicate shall be retained in the office of
10 the board of control.

1 SEC. 5. Upon such certificate the state comptroller shall, if the
2 institution named has sufficient funds, issue his warrants upon the
3 state treasurer, for the amounts and to the claimants indicated
4 thereon. The comptroller shall deliver the warrants thus issued to
5 the board, who will cause same to be transmitted to the payees thereof.

1 SEC. 6. At the close of each month, the chief executive officer of
2 each institution or business manager of each institution having the
3 same, shall prepare and forward to the board a monthly pay roll
4 which shall show the name of each officer and employee, the monthly
5 pay, time paid for, the amount of pay, and any deductions. In no
6 event shall a substitute be permitted to receive compensation in the
7 name of the employee for whom he is acting.

1 SEC. 7. After said pay roll has been audited as provided for in
2 section eight point six (8.6), Code 1946, and approved by the board,
3 abstracts thereof shall be prepared, certified to, and filed with the
4 state comptroller and in the records of the board and warrants issued
5 thereon as provided in case of disbursements other than salaries,
6 except that the comptroller shall draw one warrant in favor of the
7 executive head of the institution or business manager of each insti-
8 tution having the same for the sum total of said pay roll.

1 SEC. 8. Subsection seven (7) of section five (5), chapter four (4),
2 Acts of the Forty-fifth General Assembly is hereby repealed.

1 SEC. 9. Section two hundred seventeen point twelve (217.12),
2 Code 1946, is hereby repealed.

Approved April 20, 1949.

CHAPTER 97

WOODWARD STATE HOSPITAL AND SCHOOL

H. F. 202

AN ACT to amend chapter two hundred twenty-three (223), Code 1946, relating to the title of the state institution at Woodward.

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

1 SECTION 1. Strike from chapter two hundred twenty-three (223),
2 Code 1946, wherever it appears, the title "Hospital for Epileptics and
3 School for Feeble-minded" and insert in lieu thereof the following
4 title, "Woodward State Hospital and School".

1 SEC. 2. Hereafter the "Hospital for Epileptics and School for
2 Feeble-minded" shall be entitled "The Woodward State Hospital and
3 School".

Approved March 17, 1949.

CHAPTER 98

PATIENTS AT GLENWOOD AND WOODWARD

H. F. 201

AN ACT to amend chapter two hundred twenty-three (223) Code 1946, relating to discharge of patients from the Glenwood State School and the Woodward State Hospital and School.

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

1 SECTION 1. Add the following section to chapter two hundred
2 twenty-three (223), Code 1946; "The board of control may at any
3 time return any inmate to its parent or guardian even though com-
4 mitted by a court, but shall notify the clerk of the district court of
5 the county to which such inmate is to be paroled, and if the parole or
6 release is for one year or permanent such notice shall be sent to said
7 clerk thirty (30) days before the release of such patient".

Approved March 22, 1949.

CHAPTER 99

TRANSFEREES FROM STATE MENTAL HOSPITALS

S. F. 348

AN ACT to amend chapter two hundred twenty-seven (227), Code of 1946, relating to transferees from state hospitals for the insane to county or private institutions for the insane and to provide state aid for the support of such patients and to provide an appropriation therefor.

WHEREAS, there is now an excess of some 1500 patients above normal capacity in the four mental hospitals of the state, and

WHEREAS, some 2000 of these patients are old, senile and strictly custodial patients beyond any reasonable hope of remedial relief, and

WHEREAS, this surplus patient load makes it practically impossible to house, attend or give medical attention, properly and adequately to new patients or those in residence who might conceivably be benefited by prompt and proper care and treatment, and

WHEREAS, nearly two-thirds of the county homes in Iowa now have approximately 2000 patients transferred from the mental hospitals and yet have beds available for more than 2000 additional patients for custodial care, and

WHEREAS, custodial care in the county homes averages approximately \$500 per patient per year less than in the state hospitals for comparable care of custodial patients, and

WHEREAS, it would seem that the state must either transfer some additional 1500 of these custodial patients to the county homes or take out of the county homes all mental patients previously transferred, and return them to the state hospitals, thus necessitating accommodations for 3300 to 3500 additional custodial patients at the state hospitals, and

WHEREAS, such a step would require at least two more state hospitals at a cost of not less than \$10,000,000 with additional increased support and maintenance cost, and

WHEREAS, many of the county homes in Iowa have demonstrated over a period of years that they have the facilities, knowledge and desire to care for their own custodial patients in the county homes, and

WHEREAS, the Board of Control does and should have authority to establish certain minimum standards of care required for such custodial patients, and

WHEREAS, it is believed that in order to accomplish the purposes desired and to encourage the counties to make the necessary arrangements for such transfers the State of Iowa should absorb a portion of the expense incurred by the counties providing such needed and adequate care for its custodial patients as is prescribed by the Board of Control.

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

1 SECTION 1. Section two hundred twenty-seven point eleven
2 (227.11), Code 1946, is hereby amended by inserting after the word
3 "insanity" in line eight (8) the words "or from senility".

1 SEC. 2. Chapter two hundred twenty-seven (227), Code 1946, is
2 hereby amended by adding thereto the following new sections:

3 1. "For each patient heretofore or hereafter received on transfer
4 from a state hospital for the insane under the provisions of section
5 227.11, or committed to a county home by a commission of insanity
6 the county shall be entitled to receive the amount of three dollars
7 (\$3.00) per week for each patient from the state mental aid fund
8 hereinafter provided for."

9 2. "There is hereby created as a permanent fund in the office of the
10 treasurer of state a fund to be known as the state mental aid fund,
11 and for the purpose of establishing and maintaining said fund for
12 each fiscal year beginning July 1, 1949, there is appropriated thereto

13 from funds in the general fund, not otherwise appropriated, the sum
 14 of five hundred thousand dollars (\$500,000.00). Any balance in said
 15 fund on June 30th of the second fiscal year shall revert to the general
 16 fund."

17 3. "The state aid herein provided for shall be paid to the claimant
 18 county upon a verified claim being filed quarterly with the board of
 19 control setting forth the total of weekly patient care furnished to
 20 transferees in county or private institutions from the county fund
 21 for the insane. Approval of said verified claim by the board of con-
 22 trol shall be authority for the state comptroller to issue a warrant
 23 upon the state mental aid fund payable to the claimant county which
 24 shall be credited by that county to the county fund for the insane
 25 levied under the provisions of section 230.24."

Approved April 20, 1949.

CHAPTER 100

PROBATION OFFICERS

H. F. 306

AN ACT to amend section two hundred thirty-one point twelve (231.12), Code 1946, relating to the appointment of probation officers (in juvenile court) and their salaries and expenses.

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

1 SECTION 1. Section two hundred thirty one point twelve (231.12),
 2 Code 1946, is hereby amended by adding after the period in line eight
 3 (8) thereof the following sentences:— "For use of an automobile in
 4 the discharge of their duties within the particular county or counties
 5 for which they are appointed such officers may receive the mileage rate
 6 provided by law, or, in lieu thereof, they may receive a monthly allow-
 7 ance in such amounts as the judge or judges of the juvenile court may
 8 determine and order. For use of an automobile outside the county
 9 or counties for which they have been appointed such officers shall be
 10 paid the regular mileage rate."

Approved April 20, 1949.

CHAPTER 101

IOWA ANNIE WITTENMYER HOME

H. F. 359

AN ACT to amend chapter two hundred forty-four (244), Code 1946, as amended by the Acts of the Fifty-second (52nd) General Assembly, relating to the title of the state institution for children at Davenport, Iowa.

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

1 SECTION 1. Strike from chapter two hundred forty-four, (244),
 2 Code 1946, as amended by the Acts of the Fifty-second (52nd) Gen-

3 eral Assembly, wherever they appear, the words "Iowa soldiers' or-
 4 phans home" and insert in lieu thereof the following words: "The
 5 Iowa Annie Wittenmyer Home".

1 SEC. 2. Hereafter the Iowa soldiers' orphans home shall be en-
 2 titled "The Iowa Annie Wittenmyer Home".

Approved April 20, 1949.

CHAPTER 102

BOARD OF CONTROL RESTRICTIONS

S. F. 207

AN ACT to amend section two hundred forty-seven point twenty-one (247.21), Code 1946, relating to paroles.

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

1 SECTION 1. Amend Section two hundred forty-seven point twenty-
 2 one (247.21), Code 1946, by adding to subsection two (2), thereof
 3 the following:

4 "The Board of parole shall not, however, accept the custody, care
 5 and supervision of any person paroled from a sentence to a term in a
 6 county jail."

Approved May 5, 1949.

CHAPTER 103

UNIFORM SUPPORT OF DEPENDENTS LAW

S. F. 305

AN ACT authorizing and prescribing the procedure for civil proceedings to compel the support of dependent wives, children and poor relatives within and without the state.

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

1 SECTION 1. This Act may be cited and referred to as the uniform
 2 support of dependents law.

3 The purpose of this uniform Act is to secure support in civil pro-
 4 ceedings for dependent wives, children and poor relatives from
 5 persons legally responsible for their support.

1 SEC. 2. As used in this Act, unless the context shall require other-
 2 wise, the following terms shall have the meanings ascribed to them
 3 by this section:

4 (a) "State" shall mean and include any state, territory or posses-
 5 sion of the United States and the District of Columbia.

6 (b) "Court" shall mean and include a family court, domestic rela-
 7 tions court, children's court, municipal court and any other court, by
 8 whatever name known, in any state having reciprocal laws or laws

9 substantially similar to this Act upon which jurisdiction has been
10 conferred to determine the liability of persons for the support of de-
11 pendents within and without such state.

12 (c) "Child" includes a step child, foster child or legally adopted
13 child and means a child actually or apparently under seventeen years
14 of age, and a child over seventeen years of age who is unable to main-
15 tain himself and is likely to become a public charge.

16 (d) "Dependent" shall mean and include a wife, child, mother,
17 father, grandparent or grandchild who is in need of and entitled to
18 support from a person who is declared to be legally liable for such
19 support by the laws of the state or states wherein the petitioner and
20 the respondent reside.

21 (e) "Petitioner" shall mean and include each dependent person
22 for whom support is sought in a proceeding instituted pursuant to
23 this Act.

24 (f) "Respondent" shall mean and include each person against
25 whom a proceeding is instituted pursuant to this Act.

26 (g) "Petitioner's Representative" shall mean and include a cor-
27 poration counsel, county attorney, state's attorney, commonwealth
28 attorney and any other public officer, by whatever title his public
29 office may be known, charged by law with the duty of instituting,
30 maintaining or prosecuting a proceeding under this Act or under
31 the laws of the state or states wherein the petitioner and the re-
32 spondent reside.

33 (h) "Summons" shall mean and include a subpoena, warrant, cita-
34 tion, order or other notice, by whatever name known, provided for
35 by the laws of the state or states wherein the petitioner and the re-
36 spondent reside as the means for requiring the appearance and at-
37 tendance in court of the respondent in a proceeding instituted
38 pursuant to this Act.

39 (i) "Initiating state" shall mean the state of domicile or residence
40 of the petitioner.

41 (j) "Responding state" shall mean the state wherein the respond-
42 ent resides or is domiciled or found.

1 SEC. 3. For the purpose of this Act: (a) A husband in one state
2 is hereby declared to be liable for the support of his wife and any
3 child or children under seventeen years of age and any other depend-
4 ent residing or found in the same state or in another state having
5 substantially similar or reciprocal laws, and, if possessed of suffi-
6 cient means or able to earn such means, may be required to pay for
7 their support a fair and reasonable sum according to his means, as
8 may be determined by the court having jurisdiction of the respond-
9 ent in a proceeding instituted under this Act.

10 (b) A mother in one state is hereby declared to be liable for the
11 support of her child or children under seventeen years of age resid-
12 ing or found in the same state or in another state having substan-
13 tially similar or reciprocal laws, whenever the father of such child
14 or children is dead, or cannot be found, or is incapable of supporting
15 such child or children, and, if she is possessed of sufficient means or
16 able to earn such means, she may be required to pay for the support

17 of such child or children a fair and reasonable sum according to her
18 means, as may be determined by the court having jurisdiction of the
19 respondent in a proceeding instituted under this Act.

20 (c) The parents in one state are hereby declared to be severally
21 liable for the support of a child seventeen years of age or older
22 residing or found in the same state or in another state having sub-
23 stantially similar or reciprocal laws, whenever such child is unable
24 to maintain himself and is likely to become a public charge.

25 (d) A child or children born of parents who, at any time prior
26 or subsequent to the birth of such child, have entered into a civil or
27 religious marriage ceremony, shall be deemed the legitimate child
28 or children of both parents, regardless of the validity of such mar-
29 riage.

30 (e) A child or children born of parents who held or hold them-
31 selves out as husband and wife by virtue of a common law marriage
32 recognized as valid by the laws of the initiating state and of the
33 responding state shall be deemed the legitimate child or children of
34 both parents.

35 (f) A woman who was or is held out as his wife by a man by
36 virtue of a common law marriage recognized as valid by the laws of
37 the initiating state and of the responding state shall be deemed the
38 legitimate wife of such man.

39 (g) Notwithstanding the fact that the respondent has obtained
40 in any state or country a final decree of divorce or separation from his
41 wife or a decree dissolving his marriage, the respondent shall be
42 deemed legally liable for the support of any dependent child of such
43 marriage.

1 SEC. 4. For the purposes of this Act: (a) The court shall have
2 jurisdiction regardless of the state of last residence or domicile of
3 the petitioner and the respondent and whether or not the respondent
4 has ever been a resident of the initiating state or the dependent
5 person has ever been a resident of the responding state.

6 (b) The court of the responding state shall have the power to
7 order the respondent to pay sums sufficient to provide necessary
8 food, shelter, clothing, care, medical or hospital expenses, expenses
9 of confinement, expenses of education of a child, funeral expenses
10 and such other reasonable and proper expenses of the petitioner as
11 justice requires, having due regard to the circumstances of the
12 respective parties.

13 (c) The courts of both the initiating state and the responding
14 state shall have the power to order testimony to be taken in either or
15 both of such states by deposition or written interrogatories, and to
16 limit the nature of and the extent to which the right so to take testi-
17 mony shall be exercised, provided that the respondent is given a
18 full and fair opportunity to answer the allegations of the petitioner.

1 SEC. 5. A proceeding to compel support of a dependent may be
2 maintained under this Act in any of the following cases:

3 (a) Where the petitioner and the respondent are residents of or
4 domiciled or found in the same state.

5 (b) Where the petitioner resides in one state and the respondent
6 is a resident of or is domiciled or found in another state having sub-
7 stantially similar or reciprocal laws.

8 (c) Where the respondent is not and never was a resident of or
9 domiciled in the initiating state and the petitioner resides or is
10 domiciled in such state and the respondent is believed to be a resi-
11 dent of or domiciled in another state having substantially similar or
12 reciprocal laws.

13 (d) Where the respondent was or is a resident of or domiciled in
14 the initiating state and has departed or departs from such state
15 leaving therein a dependent in need of and entitled to support under
16 this act and is believed to be a resident of or domiciled in another
17 state having substantially similar or reciprocal laws.

1 SEC. 6. (a) A proceeding under this act shall be commenced by
2 a petitioner by filing a verified petition in the court in the county of
3 the state wherein he resides or is domiciled, showing the name, age,
4 residence and circumstances of the petitioner, alleging that he is in
5 need of and is entitled to support, from the respondent, giving his
6 name, age, residence and circumstances, and praying that the re-
7 spondent be compelled to furnish such support.

8 (b) If the respondent be a resident of or domiciled in such state
9 and the court has or can acquire jurisdiction of the person of the
10 respondent under existing laws in effect in such state, such laws shall
11 govern and control the procedure to be followed in such proceeding.

12 (c) If the respondent be not a resident of or domiciled in or
13 cannot be found in such state, a judge of such court shall certify
14 that a verified petition has been filed in his court in a proceeding
15 against the respondent under this act to compel the support of the
16 petitioner, that a summons, duly issued out of his court for service
17 upon the respondent has been returned with an affidavit to the effect
18 that the respondent cannot with due diligence be located or served
19 with such process in the initiating state, that the respondent is be-
20 lieved to be residing or domiciled in the responding state and that,
21 in his opinion, the respondent should be compelled to answer such
22 petition and should be dealt with according to law, and he shall
23 transmit such certificate and exemplified copies of such petition and
24 summons to the appropriate court in the responding state.

25 (d) Any judge of a court in the county of the responding state in
26 which the respondent resides or is domiciled or found, upon pres-
27 entation to him of such certificate and exemplified copies of such
28 petition and summons, shall fix a time and place for a hearing on such
29 petition and shall issue a summons out of his court, directed to the
30 respondent, duly requiring him to appear at such time and place.

31 (e) It shall not be necessary for the petitioner or the petitioner's
32 witnesses to appear personally at such hearing, but it shall be the
33 duty of the petitioner's representative of the responding state to
34 appear on behalf of and represent the petitioner at all stages of the
35 proceeding.

36 (f) If at such hearing the respondent controverts the petition
37 and enters a verified denial of any of the material allegations thereof,

38 the judge presiding at such hearing shall stay the proceedings and
39 transmit to the judge of the court in the initiating state a transcript
40 of the clerk's minutes showing the denials entered by the respondent.

41 (g) Upon receipt by the judge of the court in the initiating state
42 of such transcript, such court shall take such proof, including the
43 testimony of the petitioner and the petitioner's witnesses and such
44 other evidence as the court may deem proper, and, after due de-
45 liberation, the court shall make its recommendation, based on all
46 of such proof and evidence, and shall transmit to the court in the
47 responding state an exemplified transcript of such proof and evi-
48 dence and of its proceedings and recommendation in connection
49 therewith.

50 (h) Upon the receipt of such transcript, the court in the respond-
51 ing state shall resume its hearing in the proceeding and shall give
52 the respondent a reasonable opportunity to appear and reply.

53 (i) Upon the resumption of such hearing, the respondent shall
54 have the right to examine or cross-examine the petitioner and the
55 petitioner's witnesses by means of depositions or written interroga-
56 tories, and the petitioner shall have the right to examine or cross-
57 examine the respondent and the respondent's witnesses by means
58 of depositions or written interrogatories.

59 (j) If a respondent, duly summoned by a court in the responding
60 state, wilfully fails without good cause to appear as directed in the
61 summons, he shall be punished in the same manner and to the same
62 extent as is provided by law for the punishment of a defendant or
63 witness who wilfully disobeys a summons or subpoena duly issued
64 out of such court in any other action or proceeding cognizable by
65 said court.

66 (k) If, on the return day of the summons, the respondent appears
67 at the time and place specified therein and fails to answer the peti-
68 tion or admits the allegations thereof, or, if, after a hearing has
69 been duly held by the court in the responding state in accordance
70 with the provisions of this section, such court has found and deter-
71 mined that the prayer of the petitioner, or any part thereof, is
72 supported by the evidence adduced in the proceeding, and that the
73 petitioner is in need of and entitled to support from the respondent,
74 the court shall make and enter an order directing the respondent to
75 furnish support to the petitioner and to pay therefor such sum as the
76 court shall determine, having due regard to the parties' means and
77 circumstances. An exemplified copy of such order shall be trans-
78 mitted by the court to the court in the initiating state and such copy
79 shall be filed with and made a part of the records of such court in
80 such proceeding. The court shall place the respondent on probation
81 on such terms and conditions as the court may deem proper or
82 necessary to assure faithful compliance by the respondent with such
83 order. The court shall also have power to require the respondent
84 to furnish recognizance in the form of a cash deposit or surety bond
85 in such amount as the court may deem proper and just to assure the
86 payment of the amount required to be paid by the respondent for the
87 support of the petitioner.

88 (l) The court making such order shall have the power to direct

89 the respondent to make the payments required thereby at specified
 90 intervals to the probation department or bureau of the court and to
 91 report personally to such department or bureau at such times as may
 92 be deemed necessary and the respondent shall at all times be under
 93 the supervision of such department or bureau.

94 (m) A respondent who shall wilfully fail to comply with or violate
 95 the terms or conditions of the support order or of his probation shall
 96 be punished by the court in the same manner and to the same extent
 97 as is provided by law for a contempt of such court or a violation of
 98 probation ordered by such court in any other suit or proceeding
 99 cognizable by such court.

100 (n) Upon the receipt of a payment made by the respondent pur-
 101 suant to the order of the court of the responding state in any pro-
 102 ceeding under this act, the probation department or bureau of such
 103 court shall forthwith transmit the same to the court of the initiating
 104 state.

105 (o) The probation department or bureau of the court in the re-
 106 sponding state shall, not later than thirty days following the end of
 107 each fiscal year, furnish to the court of the initiating state an itemized
 108 statement under oath of all payments made by the respondent during
 109 such fiscal year for the support of the petitioner in such proceeding.

110 (p) The court of the initiating state shall receive and accept all
 111 payments made by the respondent to the probation department or
 112 bureau of the court of the responding state and transmitted by the
 113 latter on behalf of the respondent. Upon receipt of any such pay-
 114 ment, and under such rules as the court of the initiating state may
 115 prescribe, the court, or its probation department or bureau, as the
 116 court may direct, shall deliver such payment to the dependent person
 117 entitled thereto, take a proper receipt and acquittance therefor, and
 118 keep a permanent record thereof.

1 SEC. 7. It shall be the duty of all petitioners' representatives of
 2 this state to appear in this state on behalf of and represent the
 3 petitioner in every proceeding pursuant to this act, at the time the
 4 petition is filed and at all stages of the proceeding thereafter, and to
 5 obtain and present such evidence or proof as may be required by the
 6 court in the initiating state or the responding state.

1 SEC. 8. This act shall be construed to furnish an additional or
 2 alternative civil remedy and shall in no way affect or impair any
 3 other remedy, civil or criminal, provided in any other statute and
 4 available to the petitioner in relation to the same subject matter.

1 SEC. 9. This act shall be so interpreted and construed as to
 2 effectuate its general purpose to make uniform the law of the states
 3 which enact it.

1 SEC. 10. If any part of this act or the application thereof to any
 2 person or circumstances is adjudged invalid by a court of competent
 3 jurisdiction, such judgment shall not affect or impair the validity
 4 of the remainder of such act or the application thereof to other
 5 persons and circumstances.

1 SEC. 11. This Act being deemed of immediate importance shall
 2 be in full force and effect after its publication in the Marshalltown
 3 Times-Republican, a newspaper published at Marshalltown, Iowa,
 4 and in the Messenger & Chronicle, a newspaper published at Fort
 5 Dodge, Iowa.

Approved April 28, 1949.

I hereby certify that the foregoing act was published in the Marshalltown Times-Republican, May 9, 1949, and in the Messenger & Chronicle, May 9, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 104

COUNTY POOR FUND LEVY

H. F. 379

AN ACT relating to increasing the amount of the poor fund in each county by increasing the levy therefor.

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

1 SECTION 1. Chapter one hundred forty-three (143), Laws of the
 2 Fifty-second General Assembly, is hereby amended by striking from
 3 line seven (7) of section one (1), the words "one and one-half" and
 4 inserting in lieu thereof, the word "three".

Approved May 2, 1949.

CHAPTER 105

BOARD OF EDUCATIONAL EXAMINERS

H. F. 441

AN ACT to amend chapter two hundred sixty (260), Code 1946, and to repeal section eight (8) of chapter one hundred twenty-six (126), Acts of the Fifty-first General Assembly, relating to the board of educational examiners; and to provide a biennial appropriation for the operating cost of the board of educational examiners; and to provide for furnishing of supplies for the board of educational examiners by the state executive council.

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

1 SECTION 1. Section two hundred sixty point fifteen (260.15), Code
 2 1946, and section eight (8) of chapter one hundred twenty-six (126),
 3 Acts of the Fifty-first General Assembly, are hereby repealed and the
 4 following substituted in lieu thereof: "Applications for the issuance
 5 or renewal of all teachers' certificates shall be made to the superin-
 6 tendent of public instruction. All fees for the issuance or renewal of
 7 such certificates shall be paid to the superintendent of public instruc-
 8 tion who shall deposit each fee received from these sources with the
 9 treasurer of state to be credited to the general revenue fund. In the
 10 event that an application for the issuance or renewal of a certificate
 11 is not approved, the state superintendent of public instruction shall

12 remit such fee or fees to the applicant by a state comptroller's warrant
13 issued by him on the general revenue fund not otherwise appropriated
14 upon certification of the state superintendent of public instruction that
15 such fee or fees have not been earned."

1 SEC. 2. Section two hundred sixty point twenty-seven (260.27),
2 Code 1946, is hereby amended by striking the entire section and
3 substituting in lieu thereof the following: "All expenditures author-
4 ized to be made by the board of educational examiners shall be certi-
5 fied by the superintendent of public instruction to the state comp-
6 troller, and if found correct, he shall approve the same and draw
7 warrants therefor upon the treasurer of state from the funds
8 appropriated for that purpose."

1 SEC. 3. Section two hundred sixty point eleven (260.11), Code
2 1946, is amended by adding thereto the following: "The expiration
3 date of each original or renewed certificate shall be June 30 and this
4 expiration date shall be determined by counting each fraction of a
5 year during the term of such certificate following the date of issuance
6 as one full year."

1 SEC. 4. Section two hundred sixty point twelve (260.12), sub-
2 section one (1), Code 1946, is amended by striking from line twelve*
3 (12) the words: "for at least nine months".

1 SEC. 5. Section two hundred sixty point twenty-one (260.21),
2 Code 1946, is amended by striking from lines eleven (11) and twelve
3 (12) the words: "for at least nine months".

1 SEC. 6. Section nineteen point twenty-five (19.25), Code 1946,
2 is hereby amended by adding the board of educational examiners as
3 item thirty-seven (37) in the list of state departments entitled to
4 receive supplies from the executive council.

1 SEC. 7. There is hereby appropriated to the board of educational
2 examiners for each year of the biennium beginning July 1, 1949 and
3 ending June 30, 1951, the sum of forty-nine thousand five hundred
4 dollars (\$49,500.00).

1 SEC. 8. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the *Rake*
3 *Register*, a newspaper published at Thompson, Iowa, and the *Coggon*
4 *Monitor*, a newspaper published at Coggon, Iowa.

Approved May 2, 1949.

*Line 9 probably intended.

I hereby certify that the foregoing act was published in the *Rake Register*, May 12, 1949, and in the *Coggon Monitor*, May 12, 1949.

MELVIN D. SYNHORST, *Secretary of State*.

CHAPTER 106

BOARD OF EDUCATION LAND DISPOSAL

S. F. 249

AN ACT to provide a uniform method of disposal of state lands not needed by the state board of education as provided in section two hundred sixty-two point nine (262.9), Code 1946.

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

- 1 SECTION 1. Section two hundred sixty-two point nine (262.9),
- 2 Code 1946, is amended by adding at the end of subsection five (5) the
- 3 following: "A disposal of such real estate shall be made upon such
- 4 terms, conditions and consideration as the board may recommend and
- 5 subject to the approval of the executive council. All transfers shall
- 6 be by state patent in the manner provided by law."

Approved April 20, 1949.

CHAPTER 107

MATERNITY AND INFANCY AID

H. F. 166

AN ACT to repeal chapter two hundred sixty-five (265), Code 1946, relating to federal maternity and infancy aid.

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

- 1 SECTION 1. Chapter two hundred sixty-five (265), Code 1946, is
- 2 hereby repealed.

Approved February 3, 1949.

CHAPTER 108

COUNTY BOARD OF EDUCATION

H. F. 245

AN ACT relating to nomination papers in behalf of candidates for the county board of education.

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

- 1 SECTION 1. Section six (6) of chapter one hundred forty-seven
- 2 (147), Acts of the 52d General Assembly, is hereby amended by
- 3 striking from lines fifteen and sixteen (15 and 16) the words and
- 4 figures "six hundred seventy-four (674)" and inserting in lieu thereof
- 5 the following:
- 6 "forty-three point seventeen (43.17)".

Approved February 14, 1949.

CHAPTER 109

REORGANIZATION OF SCHOOL DISTRICTS

S. F. 15

AN ACT to amend section two hundred seventy-four point thirty-nine (274.39), and section two hundred seventy-four point forty-two (274.42), Code 1946, and providing for reorganization of certain school districts affected by flood control projects.

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

1 SECTION 1. Section two hundred seventy-four point thirty-nine
2 (274.39), Code 1946, is amended by striking all of said section pre-
3 ceding the comma in line seven (7) thereof and inserting in lieu
4 thereof the following: "Whenever the federal government, or any
5 agency or department thereof shall have heretofore located or shall
6 hereafter locate in any county an ordnance plant or other project
7 which may be deemed desirable for the development of the national
8 defense or for the purpose of flood control".

1 SEC. 2. Section two hundred seventy-four point forty-two
2 (274.42), Code 1946, is amended by striking all of said section pre-
3 ceding the comma in line six (6) thereof and inserting in lieu thereof
4 the following: "Whenever the federal government, or any agency or
5 department thereof shall have heretofore located or shall hereafter
6 locate in any county an ordnance plant or other project which may be
7 deemed desirable for the development of the national defense or for
8 the purpose of flood control".

1 SEC. 3. Section two hundred seventy-four point forty-two
2 (274.42), Code 1946, is further amended by adding thereto the fol-
3 lowing: "In any case where any school district affected by any project
4 relating to national defense or flood control includes territory in more
5 than one county, or where it is deemed advisable to incorporate in
6 another county, the county boards of education of all counties involved
7 shall meet jointly for the purpose of taking action as provided in this
8 section."

1 SEC. 4. Chapter two hundred seventy-four (274), Code 1946, is
2 amended by adding to said chapter the following section: "When any
3 school district is enlarged or modified under the provisions of sections
4 two hundred seventy-four point forty-two (274.42) to two hundred
5 seventy-four point forty-four (274.44), inclusive, such district shall be
6 entitled to receive reimbursement for loss of taxes as provided by chap-
7 ter two hundred eighty-four (284), Code 1946. The county board of
8 education shall, when enlarging, modifying or reorganizing any school
9 district as provided under the provisions of sections two hundred
10 seventy-four point forty-two (274.42) to two hundred seventy-four
11 point forty-four (274.44), inclusive, designate which lands each dis-
12 trict, as enlarged, modified or reorganized, shall be entitled to make
13 application for reimbursement for loss of taxes as provided by chapter
14 two hundred eighty-four (284), Code 1946."

Approved March 9, 1949.

CHAPTER 110

BOUNDARIES OF SCHOOL DISTRICTS

S. F. 163

AN ACT to amend section four (4) of chapter one hundred fifty (150), Acts of the Fifty-second General Assembly relating to the change of boundaries of school districts in certain instances.

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

1 SECTION 1. Section four (4) of chapter one hundred fifty, Acts of
2 the Fifty-second General Assembly is hereby amended by adding
3 thereto the following: "The provisions of this section shall not apply
4 when any city or town of the first or second class having therein an
5 independent school district, extends its corporate limits so as to in-
6 clude the whole or a part of a contiguous school district. In such
7 cases the boundaries of the districts may be changed by concurrent
8 action of the boards of directors of the affected districts so that all or
9 a part of the territory included within the boundaries of such city,
10 so extended, shall become a part of the independent school district
11 therein. The concurrent action of the boards to become effective shall
12 have the approval of the county board of education and the state de-
13 partment of public instruction."

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 Ames Daily Tribune, a newspaper published in the city of Ames,
4 Iowa, and the Boone News-Republican, a newspaper published in the
5 city of Boone, Iowa.

Approved April 11, 1949.

I hereby certify that the foregoing act was published in the Ames Daily Tribune, April 28, 1949, and in the Boone News-Republican, April 28, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 111.

SCHOOL PUPIL TRANSPORTATION

S. F. 60

AN ACT relating to the transportation of public school children and to amend sections two hundred seventy-nine point nineteen (279.19) and two hundred eighty-two point twelve (282.12), Code 1946.

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

1 SECTION 1. Section two hundred seventy-nine point nineteen
2 (279.19), Code 1946, is hereby amended by inserting after the period
3 (.) in line fourteen (14) the following: "When and where trans-
4 portation may be necessary under this section, the board may require
5 the parents to have their child or children meet, by the shortest pos-
6 sible route, a public school bus as provided in section two hundred
7 seventy-nine point twenty (279.20) and operating on an approved
8 route to the public school designated for them to attend up to two and

9 one-half miles and the board shall reimburse the parents according to
10 the following schedule:

- 11 1. Up to $1\frac{1}{8}$ miles, no reimbursement
- 12 2. Over $1\frac{1}{8}$ miles, up to $1\frac{1}{2}$ miles, fifty cents per day
- 13 3. Over $1\frac{1}{2}$ miles, up to 2 miles, seventy-five cents per day
- 14 4. Over 2 miles, up to $2\frac{1}{2}$ miles, one dollar per day.

15 In the event a public school is designated for attendance outside
16 their district or sub-district and to which there is no established
17 transportation services, the parents may be required to transport or
18 arrange for such transportation for their child or children to the
19 public school designated by the board for them to attend up to two
20 and one-half miles, then such parents shall be reimbursed for their
21 outlay as provided in schedule four (4). Transportation costs in-
22 curred in requiring parents to transport children to meet a bus are
23 not subject to state reimbursement."

1 SEC. 2. Section two hundred eighty-two point twelve, (282.12),
2 Code 1946, is hereby amended by adding the following: "Parents
3 may be required to provide transportation to meet a bus as provided
4 in section two hundred seventy-nine point nineteen (279.19) of the
5 Code. Transportation cost incurred in requiring parents to trans-
6 port children to meet a bus are not subject to state reimbursement."

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 Moulton
3 Weekly Tribune, a newspaper published at Moulton, Iowa, and in the
4 Bloomfield Democrat, a newspaper published at Bloomfield, Iowa.

Approved April 11, 1949.

I hereby certify that the foregoing Act was published in the Moulton Weekly Tribune,
May 18, 1949, and in the Bloomfield Democrat, April 28, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

The code sections amended by this Act were repealed by chapter 116, §18, hereof as of July 4, 1949.

CHAPTER 112

SCHOOL EMPLOYEES SICK LEAVE

S. F. 180

AN ACT to allow sick leave for all public school employees, to specify a definite minimum allowance and to provide for an accumulation of unused time within a school district.

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

1 SECTION 1. Public school employees are granted leave of absence
2 for personal illness or injury with full pay in the following minimum
3 amounts:

- 4 1. The first year of employment.....5 days.
- 5 2. The second year of employment.....6 days.
- 6 3. The third year of employment.....7 days.
- 7 4. The fourth year of employment.....8 days.
- 8 5. The fifth and subsequent years of employment.....9 days.

9 The above amounts shall apply only to consecutive years of em-

10 ployment in the same school district and unused portions shall
 11 be cumulative to a maximum of thirty-five days. The school board
 12 shall, in each instance, require such reasonable evidence as it may
 13 desire confirming the necessity for such leave of absence.

Approved April 15, 1949.

CHAPTER 113

ADMISSION TO PUBLIC SCHOOLS

S. F. 446

AN ACT to fix standards for the admission of children to public school work in the year preceding the first grade and in the first grade.

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

1 SECTION 1. That on and after July 1, 1952, the conditions of ad-
 2 mission to public schools for work in the school year immediately
 3 preceding the first grade and in the first grade shall be as follows:

4 No child under the age of six years on the fifteenth of November
 5 of the current school year shall be admitted to any public school
 6 unless the board of directors of the school (or the county board of
 7 education) shall have adopted and put into effect courses of study
 8 for the school year immediately preceding the first grade, approved
 9 by the department of public instruction and shall have employed a
 10 teacher or teachers for this work with standards of training approved
 11 by the department of public instruction.

1 SEC. 2. No child shall be admitted to school work for the year
 2 immediately preceding the first grade unless he is five years of age on
 3 or before the fifteenth of November of the current school year.

1 SEC. 3. No child shall be admitted to the first grade unless he is
 2 six years of age on or before the fifteenth of November of the current
 3 school year; except that a child under six years of age who has been
 4 admitted to school work for the year immediately preceding the first
 5 grade under conditions approved by the department of public instruc-
 6 tion, or who has demonstrated the possession of sufficient ability to
 7 profit by first-grade work on the basis of tests or other means of
 8 evaluation recommended or approved by the department of public in-
 9 struction, may be admitted to first grade at any time before December
 10 31.

1 SEC. 4. Nothing in this Act shall prohibit a school board from
 2 requiring the attainment of a greater age than the age requirements
 3 herein set forth.

Approved April 13, 1949.

CHAPTER 114

MAXIMUM SCHOOL TUITION RATE

S. F. 392

AN ACT providing that the superintendent of public instruction shall determine the maximum tuition rate to be charged for students, elementary or high school, residing within another school district or corporation; and to amend certain existing Code sections pertaining to tuitions.

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

1 SECTION 1. The superintendent of public instruction shall de-
 2 termine a maximum tuition rate to be charged for students, elemen-
 3 tary or high school, residing within another school district or cor-
 4 poration. This maximum tuition rate shall be determined in the
 5 following manner: Classify all schools, elementary and secondary,
 6 located in school districts or corporations with populations of one
 7 thousand (1,000) to fourteen thousand nine hundred ninety-nine
 8 (14,999), inclusive, according to monthly per pupil costs. In such
 9 classification the school that falls within the seventy-fifth (75th)
 10 percentile of the monthly per pupil cost shall form the basis. Using
 11 this figure the elementary and high school tuition rates for the suc-
 12 ceeding year shall be determined so that the rate for the high school
 13 student is one and seventy-five hundredths (1.75) times the rate for
 14 the elementary student.

15 The superintendent of public instruction shall, after July 1st but
 16 before September 1st of each year, notify every school in the state,
 17 affected by this section, what the computed maximum tuition rate
 18 shall be for the ensuing year.

19 Nothing in this section shall prevent the corporation or district in
 20 which the student resides from paying a tuition in excess of the
 21 maximum computed tuition rates, if the actual per pupil cost so war-
 22 rants, but in no case may the receiving district or corporation demand
 23 more than the maximum rate.

1 SEC. 2. Amend section two hundred seventy-nine point eighteen
 2 (279.18) by striking in line ten (10) "ten dollars per month," and
 3 inserting in lieu thereof: "the maximum tuition rate as determined
 4 by the superintendent of public instruction, as provided in this Act."

1 SEC. 3. Amend section two hundred eighty-two point twenty
 2 (282.20) by striking in lines twelve (12) and thirteen (13) the
 3 words "seventeen dollars per month," and inserting in lieu thereof
 4 the following: "the maximum tuition rate as determined by the
 5 superintendent of public instruction as provided in this Act."

Approved March 14, 1949.

CHAPTER 115

REIMBURSEMENT OF TAX LOSS BY SCHOOLS

S. F. 347

AN ACT to amend section two hundred eighty-four point two (284.2), and two hundred eighty-four point three (284.3), Code 1946, providing for the basis of computation for reimbursement of school districts for loss of taxes.

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

1 SECTION 1. Amend section two hundred eighty-four point two
2 (284.2), Code 1946, by inserting a colon “(:)” immediately follow-
3 ing the word “made” in line three (3), and by inserting parenthesis
4 one parenthesis “(1)” immediately in front of the word “on” in line
5 three (3), and by striking the period (.) following the word “district”
6 in line fifteen (15), and inserting in lieu thereof the following:
7 “, or (2), if said land or any part thereof is being operated by a
8 municipal corporation for veterans or public housing purposes, and
9 said municipal corporation does not furnish school facilities for ten-
10 ants’ children of school age, then the municipal corporation shall be
11 obligated to provide its proportionate share of the education and
12 building costs of the school district in which said project is located
13 and the computation provided for in section two hundred eighty-four
14 point one (284.1) shall be made on the basis of the proportion the
15 number of pupils attending said school district from said land bears
16 to the total number of pupils attending said school district. The use
17 of either computation provided for in this section shall be determined
18 on the basis of whichever is the greater.”

1 SEC. 2. Amend section two hundred eighty-four point three
2 (284.3), Code 1946, by inserting after the comma (,) in line eleven
3 (11) the following: “except, that where the lands belong to a mu-
4 nicipal corporation and the computation provided for in section two
5 hundred eighty-four point two (284.2) (2) applies, it shall be the
6 duty of the county board of supervisors to compute the amount due a
7 school district, as provided in said sections two hundred eighty-
8 four point two (284.2) (1) and two hundred eighty-four point two
9 (284.2)* (2), and forthwith certify the computed amount to the
10 council of the proper municipal corporation, and the amounts due
11 shall be payable as follows, to wit; the municipal corporation shall
12 pay the amount shown by the computation provided under section two
13 hundred eighty-four point two (284.2) (1), and shall in addition
14 pay the amount in excess thereof as computed under section two
15 hundred eighty-four point two (284.2) (2)”.

1 SEC. 3. This act being deemed of immediate importance shall be in
2 full force from and after its passage and publication in the Sioux
3 City Journal-Tribune, a newspaper published in Sioux City, Iowa,
4 and in the Anthon Herald, a newspaper published in Anthon, Iowa.

Approved March 12, 1949.

*Numerals supplied by code editor, see §3.1 of the Code.

I hereby certify that the foregoing act was published in the Sioux City Journal-Tribune March 24, 1949, and in the Anthon Herald, March 23, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 116

SCHOOL TRANSPORTATION

S. F. 417

AN ACT to amend chapters two hundred eighty-five (285), two hundred seventy-six (276), two hundred seventy-nine (279), and two hundred eighty-two (282), Code 1946, relating to schools and transportation of pupils who attend public schools and the funds provided therefor.

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

1 SECTION 1. Section two hundred eighty-five point one (285.1),
2 Code 1946, is hereby repealed and the following enacted in lieu
3 thereof:

4 "1. The board of directors in every school district shall provide
5 transportation or the costs thereof for all resident pupils attending
6 public school, kindergarten through twelfth grade, who reside more
7 than one (1) mile from the school designated by the board for at-
8 tendance, except as hereinafter provided:

9 "a. Elementary pupils residing inside the limits of a village, town
10 or city under 20,000 population wherein the designated school is lo-
11 cated must live more than two (2) miles from the school designated
12 for attendance to be entitled to transportation.

13 "b. Elementary pupils residing in a district wherein is located a
14 city of 20,000 or more in population must live more than two (2)
15 miles from the public school designated for attendance to be entitled
16 to transportation.

17 "c. Elementary pupils residing in a rural independent district, a
18 rural township district, or a consolidated district not operating a
19 central school, when the school in the district or subdistrict is in
20 operation, must live more than two (2) miles from the school in
21 their own district or subdistrict to be entitled to transportation.

22 "(1) Boards at their discretion may provide transportation for
23 resident elementary children attending public school who live less
24 than the distance at which transportation is required.

25 "d. High school pupils residing in a district containing a village,
26 town, or city under 20,000 population wherein a high school is located
27 and outside the limits of the village, town, or city shall be entitled
28 to transportation as provided in this section.

29 "e. High school pupils residing in a district containing a city of
30 20,000 population or over must live more than three (3) miles from
31 high school designated for attendance to be entitled to transporta-
32 tion thereto.

33 "(1) Boards at their discretion may provide transportation for
34 all high school pupils residing inside the corporate limits of any
35 town, village, or city, and more than two (2) miles from desig-
36 nated high school.

37 "2. Any pupil may be required to meet a school bus on the ap-
38 proved route a distance of not to exceed three-fourths of a mile
39 without reimbursement.

40 "3. In any district where transportation by school bus is imprac-
41 ticable or where school bus service is not available, the board may

42 require the parents or guardian to transport their children to the
43 school designated for attendance. The parent or guardian shall be
44 reimbursed for such transportation service for elementary pupils
45 by the board of resident district for the distance one way from the
46 pupil's residence to the school designated for attendance at the rate
47 of twenty-eight cents per mile per day irrespective of number of
48 children transported. For high school pupils, the parent or guardian
49 shall be reimbursed forty dollars per pupil per year for such service,
50 provided however no family shall receive more than eighty dollars
51 per year for transporting the members of the family who attend
52 high school.

53 "4. In all districts where unsatisfactory roads or other conditions
54 make it advisable, the board at its discretion may require the parent
55 or guardian to transport their children up to two (2) miles to con-
56 nect with a vehicle of transportation. The parent or guardian shall
57 be reimbursed for such transportation by the board of resident
58 district at the rate of twenty-eight cents per mile per day, one way,
59 per family for the distance from pupil's residence to the bus route.

60 "5. Where transportation by school bus is impracticable or not
61 available or other existing conditions warrant it, arrangements may
62 be made for use of common carriers according to uniform standards
63 established by the state superintendent of public instruction. The
64 cost shall be the actual cost of service not to exceed forty dollars per
65 pupil per year.

66 "6. When the school designated for attendance of pupils is en-
67 gaged in the transportation of pupils, the sending or designating
68 school shall use these facilities and pay the pro rata cost of trans-
69 portation except that a district sending pupils to another school may
70 make other arrangements when it can be shown that such arrange-
71 ments will be more efficient and economical than to use facilities of
72 the receiving school, providing such arrangements are approved by
73 the county board of education.

74 "7. If a board closes either elementary or high school facilities
75 and is approved by the county board of education to operate its own
76 transportation equipment, the full cost of transportation shall be
77 paid by the board for all pupils living beyond the statutory walking
78 distance from the school designated for attendance.

79 "8. Transportation service may be suspended upon any day or
80 days, due to inclemency of the weather, conditions of roads, or the
81 existence of other conditions, by the board of the school district
82 operating the buses, when in their judgment it is deemed advisable.

83 "9. Distance to school or to a bus route shall in all cases be meas-
84 ured on the public highway only and over the most passable and
85 safest route as determined by the county board of education, start-
86 ing in the roadway opposite the private entrance to the residence of
87 the pupil and ending in the roadway opposite the entrance to the
88 school grounds or designated point on bus route.

89 "10. The board in any district providing transportation for non-
90 resident pupils shall collect the pro rata cost of transportation from
91 the district of pupil's residence for all properly designated pupils
92 so transported.

93 "11. Boards in districts operating buses may transport nonresident
94 pupils who attend public school, kindergarten through junior college,
95 who are not entitled to free transportation provided they collect the
96 pro rata cost of transportation from the parents.

97 "12. The pro rata cost of transportation shall be based upon the
98 actual cost for all the children transported in all school buses. It
99 shall include one-seventh (1/7) of the original net cost of the bus
100 and such other items as shall be determined and approved by the
101 superintendent of public instruction but no part of the capital out-
102 lay cost for school buses and transportation equipment for which
103 the school district is reimbursed from state funds or that portion
104 of the cost of the operation of any school bus used in transporting
105 pupils to and from extra curricular activities shall be included in
106 determining said pro rata cost. In any district where because of
107 unusual conditions, the cost of transportation is in excess of the
108 actual operating cost of the bus route used to furnish transportation
109 to non-resident pupils, the board of the local district may charge a
110 cost equal to the cost of other schools supplying such service to that
111 area, upon receiving approval of the state director of school trans-
112 portation. Capital outlay for school buses and transportation equip-
113 ment shall be excluded from the capital outlay in determining tuition
114 costs as provided in section two hundred seventy-nine point eighteen
115 (279.18), and section two hundred eighty-two point twenty (282.20),
116 Code 1946.

117 "13. When a local board fails to pay transportation costs due to
118 another school for transportation service rendered, the board of the
119 creditor corporation shall file a sworn statement with the county
120 board of education specifying the amount due. The county board
121 of education shall check such claim and if the claim is valid shall
122 certify to the county auditor. The auditor shall transmit to the
123 county treasurer an order directing him to transfer the amount of
124 such claim from the funds of the debtor corporation to the creditor
125 corporation and the treasurer shall pay the same accordingly.

126 "14. The state superintendent of public instruction may review
127 all transportation arrangements to see that they meet all legal and
128 established uniform standard requirements.

129 "15. Every school district required by law to provide transpor-
130 tation shall be reimbursed by the state for transportation costs
131 incurred in amount and manner as provided in this chapter. How-
132 ever, no state reimbursement shall be made to school districts to
133 cover costs incurred in transporting pupils from home to a bus route,
134 or any others not entitled to free transportation, but who are trans-
135 ported at the expense of the home district or the parents."

1 SEC. 2. Section two hundred eighty-five point two (285.2), Code
2 1946, is hereby amended as follows:

3 1. Strike from lines three (3) and four (4) the word "eighteen"
4 and insert the word "thirty".

5 2. Strike from line four (4) subsection one a (1 a) the word
6 "eighteen" and insert the word "thirty".

- 7 3. Strike from line four (4) subsection one b (1 b) the word
8 "eighteen" and insert the word "thirty".
- 9 4. Strike from line five (5) subsection one b (1 b) the word
10 "nineteen" and insert the word "thirty-one".
- 11 5. Strike from line three (3) subsection one c (1 c) the word
12 "nineteen" and insert the word "thirty-one".
- 13 6. Strike from lines four (4) and five (5) subsection one c (1 c)
14 the word "twenty-one" and insert the word "thirty-three".
- 15 7. Strike from line four (4) subsection one d (1 d) the word
16 "seventeen" and insert the word "thirty".
- 17 8. Strike from line four (4) subsection one e (1 e) the word
18 "sixteen" and insert the word "twenty-nine".
- 19 9. Strike from line one (1) subsection two b (2 b) the word
20 "eighteen" and insert the word "thirty".
- 21 10. Strike from line three (3) subsection three (3) the word
22 "eighteen" and insert the word "thirty".
- 23 11. Strike from line six (6) of the last paragraph the "semicolon
24 (;)" and all that follows and substituting in lieu thereof a "period
25 (.)" together with the following: "In school districts where trans-
26 portation by school bus is not practicable or available, and approved
27 special transportation arrangements are made, the distribution
28 formula shall be waived and the reimbursement from the state for
29 such costs shall be twenty-three dollars (\$23.00) per pupil per school
30 year, except that in no event shall any district be reimbursed in any
31 amount in excess of the actual cost per pupil per year.
32 "Reimbursement from the state for transportation costs incurred
33 shall be paid to:
- 34 "1. Districts for transportation provided to its own school for
35 all pupils entitled to free transportation.
- 36 "2. Districts for transportation provided to another school for all
37 pupils entitled to free transportation.
- 38 "3. Districts for transportation provided to pupils residing in
39 one district and who are entitled to transportation but are trans-
40 ported to a school other than to the school which is operating the
41 transportation equipment.
- 42 "When the pupils from the sending district are transported by
43 the receiving district the reimbursement will be made to the re-
44 ceiving district and shall constitute a credit to the sending district
45 on the cost of transportation. The receiving district in billing the
46 sending district shall bill only for the difference between the state
47 reimbursement and the actual approved cost of transportation.
- 48 "The appropriation for transportation shall be used to reimburse
49 school districts for cost incurred in the amount and manner as are
50 provided in this chapter. In the event the balance is insufficient to
51 reimburse the district in full for the approved claims, the amount
52 available shall be pro-rated to the several districts in ratio to amount
53 earned."

1 SEC. 3. Section two hundred eighty-five point four (285.4), Code
2 1946, is hereby repealed and the following enacted in lieu thereof:

3 "On or before July 8, 1949, the board in districts not maintaining
4 high school facilities shall by record action designate the school or
5 schools for attendance of all high school pupils from their respective
6 districts. In making designations, the local board shall give con-
7 sideration to the wishes of the majority of the patrons, the adequacy
8 of the facilities and curricular offerings and available bus service
9 to avoid duplication of transportation facilities to different re-
10 ceiving schools.

11 "When a board closes its elementary school facilities for lack of
12 pupils or by action of the board, it shall, if there is a school bus
13 service available in the area, designate for attendance the school
14 operating the buses, provided the board of such school is willing to
15 receive them and the facilities and curricular offerings are adequate.
16 The board of the district where the pupils reside may with the
17 approval of the county board of education, subject to legal limita-
18 tions and established uniform standards, designate another rural
19 school and provide their own transportation if the transportation
20 costs will be less than to use the established bus service.

21 "All designations must be submitted to the county board of educa-
22 tion on or before July 15, for review and approval. The county
23 board of education shall after due investigation alter or change
24 designations to make them conform to legal requirements and estab-
25 lished uniform standards for making designations and for locating
26 and establishing bus routes. After designations are made, they will
27 remain the same from year to year except that on or before July 15,
28 of each year, the rural board or parents may petition the county board
29 for a change of designation to another school. Appeals from the
30 decision of the county board on designations may be made by either
31 the parents or board to the state superintendent of public instruction
32 as provided in section two hundred eighty-five point twelve (285.12)
33 and section two hundred eighty-five point thirteen (285.13), Code
34 1946."

1 SEC. 4. Section two hundred eighty-five point five (285.5), Code
2 1946, is hereby amended by striking the entire section and substi-
3 tuting in lieu thereof the following:

4 "1. Contracts for school bus service with private parties shall be
5 in writing and be for the transportation of children who attend
6 public school. Such contracts shall define the route, the length of
7 time, service contracted for, the compensation, the vehicle to be
8 used. The contract shall prescribe the duties of the contractor and
9 driver of the vehicles and shall provide that every person in charge
10 of a vehicle conveying children to and from school shall be at all
11 times subject to any rules said board shall adopt for the protection
12 of the children, or to govern the conduct of the persons in charge of
13 said conveyance. Contracts may be made for a period not to ex-
14 ceed three years.

15 "The contract shall provide that the contractor will sell the equip-
16 ment to the board should he desire to terminate the contract, pro-
17 vided the board should desire to purchase said equipment, the price
18 of the equipment to be determined by an appraisal board composed

19 of one person appointed by the school board, one appointed by the
20 owner of the equipment, and a third selected by these two.

21 "2. The contractor shall operate the vehicle himself or provide a
22 driver who must be approved by the board. The contractor and
23 driver shall be subject to all laws and prescribed standards for
24 school bus drivers. Failure to comply shall constitute grounds for
25 dismissal of the driver or cancellation of the contract if the board
26 so desires.

27 "3. All vehicles of transportation provided by contractor shall
28 be inspected, approved and certified before being put into operation.

29 "4. All contracts may be terminated by either party on a ninety-
30 day notice.

31 "5. The state superintendent of public instruction shall prepare
32 a uniform contract containing provisions not in conflict with this
33 act which shall be used by all schools in contracting for transpor-
34 tation service.

35 "6. All contractors shall carry liability insurance in amounts
36 and kind as provided in the official contract.

37 "7. All contracts for transportation service and for drivers of
38 school-owned and operated buses shall be made with someone outside
39 the board except where no other transportation service is available,
40 a board member may transport own children.

41 "8. Private buses other than common carriers not used exclusively
42 in transportation of pupils while under contract to a school district
43 shall meet all requirements for school owned buses, as to construc-
44 tion and operation.

45 "9. All bus drivers for school owned equipment shall be under
46 contract with the board. The superintendent of public instruction
47 shall prepare a uniform contract containing provision not in conflict
48 with this act which shall be used by all school boards in contracting
49 with drivers of school owned vehicles."

1 SEC. 5. Section two hundred eighty-five point eight (285.8), Code
2 1946, is hereby amended by repealing subsection four (4) and en-
3 acting the following in lieu thereof:

4 "4. Inspect or cause to be inspected all vehicles used as school
5 buses to transport school children to determine if such vehicles meet
6 all legal and established standards of construction and can be
7 operated with safety, comfort, and economy. When it is determined
8 that further use of such vehicles is dangerous to the pupils trans-
9 ported and to the safety and welfare of the traveling public, the
10 department of public instruction shall order such vehicle to be with-
11 drawn from further use on a specified date. School buses which
12 do not conform to the requirements of the department of public in-
13 struction may be issued a temporary certificate of operation provided
14 that such school buses can be operated with safety, and provided
15 further that no such certificate shall be issued for a period in excess
16 of one year. All equipment can be required to be altered, or safety
17 equipment added in order to make vehicles reasonably safe for
18 operation. New buses after initial inspection and approval shall be
19 issued a seal of inspection. After each annual inspection a seal of

20 inspection and approval shall be issued. Said seals shall be mounted
21 on the lower right hand corner of the windshield."

1 SEC. 6. Section two hundred eighty-five point eight (285.8), Code
2 1946, is hereby further amended with additional new subsections as
3 follows:

4 "6. Prescribe uniform standards and regulations:

5 "a. for the efficient operation and maintenance of school trans-
6 portation equipment and for the protection of the health and safety
7 of children transported.

8 "b. for locating and establishing bus routes.

9 "c. for procedures and requirements in making designations.

10 "d. for standard of safety in construction of school transportation
11 equipment.

12 "e. for procedures for purchase of buses.

13 "f. for qualification of school bus drivers.

14 "g. as deemed necessary for the efficient administration of this
15 act.

16 "7. Review all transportation arrangements when deemed neces-
17 sary and shall disapprove any arrangements that are not in con-
18 formity with the law and established standards and require the
19 same to be altered or changed so that they do conform.

20 "8. Conduct schools of instruction for transportation personnel
21 as needed or requested."

1 SEC. 7. Section two hundred eighty-five point nine (285.9), Code
2 1946, is hereby amended by repealing subsection two (2) and en-
3 acting the following new sections in lieu thereof:

4 "2. Review and approve all transportation arrangements between
5 districts in the county and in all districts in the county not operating
6 high schools. If such transportation arrangements, designations,
7 and contracts are not in conformity to law or established uniform
8 standards for the locating and operating of bus routes, the county
9 board shall, after receiving all facts, make such alterations or changes
10 as necessary to make the arrangements, designations, and contracts
11 conform to the legal and established requirements and shall notify
12 local board of such action.

13 "3. Approve all bus routes outside the boundary of the district
14 of the school operating buses.

15 "4. When a local board fails to make designations and other
16 necessary arrangements for transportation as required by law, the
17 county board shall, after due notice to the local board, make neces-
18 sary arrangements in conformity with law and established require-
19 ments. Notice shall be given to the local board of the arrangements
20 as made. The arrangements shall be binding on the local board
21 which shall pay the costs for service as arranged."

1 SEC. 8. Section two hundred eighty-five point ten (285.10), Code
2 1946, is hereby amended by enacting the following new subsections:

3 "6. May purchase liability insurance or such other coverage as
4 deemed necessary to protect the driver or any authorized employee

5 from liability incurred by said driver or employee as a result of
6 operating the bus and for damages or accident resulting in injury
7 or death to the pupils or employees being legally transported.

8 "7. When a school qualifies to purchase buses, they may be pur-
9 chased as follows:

10 "a. from such funds as may be available in the general fund.

11 "b. may purchase buses and enter into contract to pay for such
12 buses over a five year period as follows: one-fourth of the cost
13 when bus is delivered and the balance in equal annual installments,
14 plus simple interest due. The interest rate shall be the lowest rate
15 available and shall not exceed four per cent (4%) simple interest.
16 The bus shall serve as security for balance due.

17 "Bus bodies and chassis shall be purchased on separate contracts.

18 "8. A board shall be eligible to purchase buses as follows:

19 "a. Boards in consolidated and independent districts, who have
20 sufficient resident pupils they are required to transport to warrant
21 the purchase of transportation equipment, may purchase buses
22 needed to provide such transportation.

23 "b. Board in rural township districts desiring to close schools
24 and transport children to schools outside district may apply to the
25 county board of education for approval of bus routes and for ap-
26 proval to purchase bus. If approved, they may purchase the buses
27 needed to provide transportation. Once approved, to purchase buses,
28 the board may purchase replacements without approval of the county
29 board. Additional equipment must be approved by County Board
30 of Education.

31 "c. Boards in independent and consolidated districts who propose
32 to establish transportation service for nonresident pupils must
33 obtain approval from the county board of education for establishing
34 of bus routes and for the purchasing of additional buses to provide
35 service as approved. Such approval shall be granted only when such
36 schools have sufficient pupils to transport to guarantee near capacity
37 utilization of the buses. Replacement of equipment to operate on
38 approved routes may be purchased without county board approval."

1 SEC. 9. Section two hundred eighty-five point eleven (285.11),
2 Code 1946, is hereby amended by adding the following new subsec-
3 tions:

4 "6. The boards shall take advantage of all tax exemptions on fuel,
5 equipment, and of such other economies as are available.

6 "7. The use of school buses shall be restricted to transporting
7 pupils to and from school and to and from extra curricular activities
8 sponsored by the school when such extra curricular activity is under
9 the direction of a qualified member of the faculty and a part of the
10 regular school program. School employees of districts operating
11 buses may be transported to and from school and approved activities
12 which they are required to attend as a result of their responsibilities.

13 "8. No bus shall leave the public highway to receive or discharge
14 pupils.

15 "9. Bus routes shall be established only to give service to properly
16 designated pupils.

17 "10. Bus drivers for school buses must present a certificate of
18 physical fitness each year before being permitted to operate any
19 vehicles transporting children to and from school.

20 "11. Bus driver must hold a regular or special chauffeur's license
21 and in addition, a special school bus driver permit issued by the
22 department of public instruction."

1 SEC. 10. Section two hundred eighty-five point twelve (285.12),
2 Code 1946, is hereby repealed and the following is enacted in lieu
3 thereof:

4 "In the event of a disagreement between a school patron and the
5 board of the school district, the patron if dissatisfied with the decision
6 of the district board, may appeal the same to the county board of
7 education, notifying the secretary of the district in writing within
8 ten days of the decision of the board and by filing an affidavit of
9 appeal with the county board of education within the ten day period.
10 The affidavit of appeal shall include the reasons for the appeal and
11 points at issue. The secretary of the local board on receiving notice
12 of appeal shall certify all papers to the county board of education
13 which shall hear same within ten days of the receipt of the papers
14 and decide same within three days of the conclusion of the hearing
15 and shall immediately notify all parties of decision. Either party
16 may appeal the decision of the county board to the state superin-
17 tendent of public instruction by notifying the opposite party and the
18 county superintendent of schools in writing within five days after
19 receipt of notice of decision of the county board of education and
20 shall file with the state superintendent of public instruction an
21 affidavit of appeal, reasons for appeal, facts involved in disagree-
22 ment. The county superintendent of schools shall, within ten days
23 of said notice, file with the state superintendent of public instruc-
24 tion all records and papers pertaining to the case, including action of
25 the county board of education. The state superintendent of public
26 instruction shall hear the appeal within fifteen days of the filing of
27 the records in his office, notifying all parties and the county superin-
28 tendent of schools of the time of hearing. The state superintendent
29 of public instruction shall forthwith decide the same, and his decision
30 shall be final. The state superintendent shall notify all parties of
31 his decision and return all papers with a copy of the decision to the
32 county superintendent of schools."

1 SEC. 11. Section two hundred eighty-five point fifteen (285.15),
2 Code 1946, is hereby amended by striking the period (.) in line
3 twelve (12) and adding the following: "and the rights to collect
4 transportation costs from school or parents while operating in such
5 illegal manner. Any superintendent, board, or board member who
6 knowingly operates or permits to be operated any school bus trans-
7 porting public school pupils in violation of any school transportation
8 law shall be deemed guilty of a misdemeanor."

1 SEC. 12. Section two hundred seventy-nine point sixteen
2 (279.16), Code 1946, is hereby repealed and the following enacted
3 in lieu thereof:

4 "If a school is closed for lack of pupils, the board of directors of
5 such school corporation shall designate an approved public school or
6 schools for attendance and shall see that necessary arrangements
7 are made with the designated school or schools for school facilities
8 and transportation. The resident district shall be responsible for
9 the tuition and for transportation as required by law for all pupils
10 attending the designated school. Immediately, on the closing of the
11 school, the secretary of the board of education shall notify the
12 parents of the school designated for attendance. Designations shall
13 be made as provided in chapter two hundred eighty-five (285)."

1 SEC. 13. Section two hundred eighty-two point seven (282.7),
2 Code 1946, is hereby repealed and the following enacted in lieu
3 thereof:

4 "The board of directors in any school district may by record
5 action discontinue any or all of its school facilities. When such
6 action has been taken, the board shall designate an appropriate ap-
7 proved public school or schools for attendance. Tuition shall be
8 paid by the resident district as required in section two hundred
9 seventy-nine point eighteen (279.18) and section two hundred
10 eighty-two point twenty (282.20), Code 1946, for all pupils attend-
11 ing designated school, except that high school pupils may attend
12 school of choice and be entitled to tuition, but must attend school
13 designated for attendance to qualify for transportation. Designa-
14 tions shall be made as provided in chapter two hundred eighty-
15 five (285)."

1 SEC. 14. Section two hundred eighty-two point eight (282.8),
2 Code 1946, is hereby repealed and the following enacted in lieu
3 thereof:

4 "The board of directors of school districts located near the state
5 boundaries may designate a school or schools of equivalent standing
6 across the state line for attendance of both elementary and high
7 school pupils when the public school in the adjoining state is nearer
8 than any appropriate public school in Iowa, as provided in section
9 two hundred eighty-two point seventeen (282.17), Code 1946. Ar-
10 rangements shall be subject to reciprocal agreements made between
11 the state superintendent of public instruction of the respective
12 states subject to statutory limitations as to tuition and transporta-
13 tion. A person attending school in another state shall continue to
14 be treated as a pupil of the district of his residence in the appor-
15 tionment of the current school fund and the payment of state aid."

1 SEC. 15. Section two hundred eighty-two point eighteen (282.18),
2 Code 1946, is hereby amended by adding in line seven (7) after the
3 word "tuition" the words "and transportation when required by
4 law."

1 SEC. 16. Section two hundred eighty-two point twenty-two
2 (282.22), Code 1946, is hereby amended by striking all the sections

3 beginning with line ten (10) and enacting the following in lieu
4 thereof:

5 "In such case the cost of the tuition and transportation, when
6 required by law, shall be paid by the treasurer of the state as pro-
7 vided in section two hundred eighty-two point thirty-three (282.33),
8 Code 1946."

1 SEC. 17. Section two hundred eighty-two point twenty-three
2 (282.23), Code 1946, is hereby amended by adding in line fifteen
3 (15) after the word "tuition" the words "and transportation when
4 required."

1 SEC. 18. The following sections are hereby repealed: two hun-
2 dred seventy-six point twenty-six (276.26), two hundred seventy-
3 six point twenty-seven (276.27), two hundred seventy-six point
4 twenty-eight (276.28), two hundred seventy-six point twenty-nine
5 (276.29), two hundred seventy-six point thirty (276.30), two hun-
6 dred seventy-six point thirty-one (276.31), two hundred seventy-
7 nine point nineteen (279.19), two hundred seventy-nine point twenty
8 (279.20), two hundred eighty-two point nine (282.9), two hundred
9 eighty-two point ten (282.10), two hundred eighty-two point eleven
10 (282.11), two hundred eighty-two point twelve (282.12), two hun-
11 dred eighty-two point thirteen (282.13), two hundred eighty-two
12 point fourteen (282.14), two hundred eighty-two point fifteen
13 (282.15), two hundred eighty-two point sixteen (282.16), Code 1946.

Approved April 20, 1949.

CHAPTER 117

STATE AID FOR SCHOOLS H. F. 224

AN ACT to amend chapter one hundred fifty-two (152), Acts of the 52nd General Assembly, providing for the use of state funds to supplement funds of school districts and for the assistance of public school districts of the state in financing their activities under the title of general school aid and to make an appropriation for state aid provided for in this act.

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

1 SECTION 1. Section three (3) of chapter one hundred fifty-two
2 (152), Acts of the Fifty-second General Assembly, is hereby amended
3 by striking the word and figure "eleven (11)" in line two (2), and
4 substituting in lieu thereof the word and figure "seventeen (17)";
5 by striking the word and figure "fourteen (14)" in line three (3)
6 and substituting the word and figure "twenty (20)"; and by striking
7 the period in line four (4) and substituting a comma and adding the
8 following: "twenty-five (25) cents per day for each junior college
9 student carrying twelve (12) or more semester hours of college work."

1 SEC. 2. Section four (4) of chapter one hundred fifty-two (152),
2 Acts of the Fifty-second General Assembly, is hereby amended by
3 striking the word and figure "eleven (11)" in line one (1) of para-
4 graph one (1) and substituting in lieu thereof the word and figure

5 "seventeen (17)"; by striking the word and figure "fourteen (14)" in
6 line one (1) of paragraph two (2) and substituting in lieu thereof
7 the word and figure "twenty (20)"; by adding a new paragraph three
8 (3) as follows: "Multiply twenty-five (25) cents by the average
9 daily enrollment of junior college students carrying twelve (12) or
10 more semester hours of college work. Multiply this product by the
11 actual number of days school was officially in session, not to exceed
12 one hundred eighty (180) days."

1 SEC. 3. Section four (4) of chapter one hundred fifty-two (152),
2 Acts of the Fifty-second General Assembly is further amended by re-
3 numbering paragraph three (3) as paragraph four (4) and amend-
4 ing by striking the words and figure "one (1) and" in line one (1)
5 and the word and figure "two (2)" in line two (2), and substituting
6 in lieu thereof the words and figures "one (1), two (2) and three (3)".

1 SEC. 4. There is hereby appropriated from the general fund of
2 the state the sum of twelve million (12,000,000) dollars for each year
3 of the biennium, beginning July 1, 1949, and ending June 30, 1951,
4 to pay the General School Aid provided for in this act. The funds
5 made available by this appropriation shall apply for the reimburse-
6 ment to the several school districts of the state based on average
7 daily attendance for the school year ending June 30, 1949, and the
8 school year ending June 30, 1950.

1 SEC. 5. The school levy in each year of the ensuing biennium shall
2 be based upon the school levy of the preceding year reduced by an
3 amount equivalent to the increased state aid to that district provided
4 by this act over and above the amount appropriated by the Fifty-
5 second (52nd) General Assembly after reflecting any increase or
6 decrease in cost of operation caused by: (1) change in enrollment,
7 (2) tuition, (3) number of persons employed, (4) normal repairs,
8 (5) cost of fuel, (6) salary schedule, (7) rents and new items of
9 expenditure.

1 SEC. 6. Amend section six (6), chapter one hundred fifty-two
2 (152), Acts of the Fifty-second General Assembly, by inserting the
3 following sentence after the period (.) after the word "chapter" in
4 line three (3): "The necessary expenses incurred by the department
5 of public instruction in the administration of this act may be paid
6 from the appropriation therefor."

Approved April 15, 1949.

CHAPTER 118

SCHOOL ATHLETIC FIELDS AND GARAGES

H. F. 153

AN ACT to amend section two hundred ninety-six point one (296.1), Code 1946, relating to indebtedness of school districts; to provide for the procuring and improving of a site for an athletic field, school bus garage or improving a site already owned for an athletic field.

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

1 SECTION 1. Section two hundred ninety-six point one (296.1),
2 Code 1946, is hereby amended by adding, after the comma following
3 the word "owned" in line eight (8) the following: "or for the pur-
4 pose of procuring and improving a site for an athletic field or im-
5 proving a site already owned for an athletic field."

1 SEC. 2. Section two hundred ninety-six point one (296.1), Code
2 1946, is further amended by inserting after the comma after the word
3 "gymnasium", the words "school bus garage,".

1 SEC. 3. This Act being deemed of immediate importance shall be
2 in full force from and after its publication in the Farm Bureau News,
3 a newspaper published at Bettendorf, Iowa, and in the Sibley Gazette-
4 Tribune, a newspaper published at Sibley, Iowa.

Approved March 17, 1949.

I hereby certify that the foregoing act was published in the Farm Bureau News, March 24, 1949, and in the Sibley Gazette-Tribune, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 119

SCHOOL GENERAL FUND

H. F. 587

AN ACT to amend chapter one hundred fifty-five (155) of the Laws of the Fifty-second General Assembly, relating to the amount that school districts may levy for the general fund of school districts.

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

1 SECTION 1. Amend chapter one hundred fifty-five (155) of the
2 Laws of the Fifty-second General Assembly, by striking the period
3 (.) and quotation marks (") in line nine (9) and inserting in lieu
4 thereof a comma (,) and by adding thereto the following: "provided
5 that corporations not maintaining an approved high school and which
6 have tuition pupils attending high school in other districts may levy
7 such an additional amount as will be necessary to pay the cost of
8 tuition for such pupils."

Approved April 20, 1949.

CHAPTER 120

HANDICAPPED PERSONS LISTED

S. F. 127

AN ACT relating to the recording of deaf, blind, or severely handicapped persons by the assessor.

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

1 SECTION 1. Section seven (7) of chapter one hundred forty-six
2 (146), Acts of the 52d General Assembly, is hereby repealed.

1 SEC. 2. Section twenty-nine (29) of chapter two hundred forty
2 (240), Acts of the 52d General Assembly, is hereby amended by in-
3 serting after the word, "blind" in line six (6) the following:
4 "or severely handicapped".

Approved February 8, 1949.

CHAPTER 121

HIGHWAY COMMISSION ATTORNEY

H. F. 120

AN ACT to amend section three hundred seven point nine (307.9), Code 1946, as amended, relating to the salary of the special assistant attorney general assigned to the state highway commission.

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

1 SECTION 1. Section three hundred seven point nine (307.9), Code
2 1946, as amended by chapter one hundred fifty-eight (158), Acts of
3 the 52nd General Assembly, is hereby amended by striking from
4 lines nine (9) and ten (10) the words "at five thousand dollars
5 (\$5,000) per annum" and substituting in lieu thereof the words "by
6 the State Highway Commission subject to the approval of the Attor-
7 ney General,".

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 Sac Sun, a newspaper published at Sac City, Iowa, and in the
4 Oakland Acorn, a newspaper published at Oakland, Iowa.

Approved March 26, 1949.

I hereby certify that the foregoing act was published in the Sac Sun, April 21, 1949, and in the Oakland Acorn, April 14, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 122

ROAD USE TAX FUND

H. F. 392

AN ACT to provide funds for the construction and maintenance of highways, to create in the state treasury, a road use tax fund, to provide income in the road use tax fund, to provide for the division, allocation, and expenditure of the road use tax fund, to amend chapter three hundred ten (310), Code 1946, relating to farm to market roads, to amend chapter three hundred thirteen (313), Code 1946, relating to primary roads, to amend chapter three hundred twenty-one (321), Code 1946, relating to the registration of motor vehicles, to amend chapter three hundred twenty-four (324), Code 1946, relating to motor vehicle fuel tax, to amend chapter three hundred twenty-six (326), Code 1946, relating to the taxation of certificated motor vehicle carriers, to amend chapter four hundred twenty-two (422), Code 1946, relating to the sales tax, and to amend chapter four hundred twenty-three (423), Code 1946, relating to the use tax.

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

- 1 SECTION 1. There is hereby created, in the state treasury, a road
2 use tax fund. Said road use tax fund shall embrace and include:
- 3 a. All the net proceeds of the registration of motor vehicles under
4 chapter three hundred twenty-one (321), Code 1946, as amended by
5 the Acts of the Fifty-second (52nd) General Assembly.
- 6 b. All the net proceeds of the motor vehicle fuel tax or license fees
7 under chapter three hundred twenty-four (324), Code 1946, as
8 amended by the Acts of the Fifty-second (52nd) General Assembly.
- 9 c. All of the net proceeds of the compensation tax on motor vehicle
10 certificated carriers under chapter three hundred twenty-six (326),
11 Code 1946.
- 12 d. All revenue derived from the use tax, under chapter four hun-
13 dred twenty-three (423), Code 1946, as amended by the Acts of the
14 Fifty-second (52nd) General Assembly, on motor vehicles, trailers,
15 and motor vehicle accessories and equipment, as same may be col-
16 lected as provided by section four hundred twenty-three point seven
17 (423.7).
- 18 e. Revenues derives* from the sales tax, under chapter four hun-
19 dred twenty-two (422), Code 1946, in an amount equal to ten percent
20 (10%) of the net revenues collected under Division IV of said chap-
21 ter.
- 22 f. Any other funds which may by law be credited to the road use
23 tax fund.

- 1 SEC. 2. The treasurer of the state shall, on the first day of each
2 month, credit all road use tax funds which have come into his hands,
3 to the primary road fund, the secondary road construction fund of
4 the counties, the farm to market road fund, and the street construc-
5 tion fund of cities and incorporated towns, respectively, in the fol-
6 lowing manner and amounts:
- 7 (a) To the primary road fund, forty-two percent (42%).
- 8 (b) To the secondary road construction fund of the counties,
9 thirty-five percent (35%).
- 10 (c) To the farm to market road fund, fifteen percent (15%).

*According to enrolled act.

11 (d) To the street construction fund of the cities and incorporated
12 towns of the state, eight percent (8%).

1 SEC. 3. The treasurer of state shall, on the first day of each month,

2 (a) Apportion among the counties of the state, in the ratio that
3 the area of each county bears to the total area of the state, the thirty-
4 five percent (35%) of the road use tax funds which he has credited
5 to the secondary road construction fund of the counties, and shall
6 remit to the treasurer of each county the amount so apportioned to
7 said county.

8 (b) Apportion among the cities and incorporated towns of the
9 state, in the ratio which the population of each city or town, as shown
10 by the latest available federal census, bears to the total population of
11 all such cities and towns in the state, the eight percent (8%) of the
12 road use tax funds which he has credited to the street construction
13 fund of the cities and towns, and shall remit to the city clerk of each
14 such city or town the amount so apportioned to such city or town.

1 SEC. 4. The treasurer of state shall, each month, certify to the
2 state highway commission,

3 (a) The amount which he has received and credited to the road
4 use tax fund from each source of revenue creditable to the said road
5 use tax fund.

6 (b) The amount of the road use tax fund which he has credited to
7 (1) the primary road fund, (2) the secondary road construction fund
8 of the counties, (3) the farm to market road fund, and (4) the street
9 construction fund of the cities and incorporated towns.

10 (c) The amount of the federal aid primary and urban funds which
11 he has received from the federal government and credited to the pri-
12 mary road fund.

13 (d) The amount of federal aid secondary road funds which he has
14 received from the federal government and credited to the farm to
15 market road fund.

1 SEC. 5. The road use tax funds credited to the farm to market
2 road fund by the treasurer of state, are hereby divided as follows, and
3 are to be known respectively as:

4 (a) Area allotment farm to market roads funds, sixty per cent
5 (60%); and

6 (b) Equalization farm to market road funds, forty per cent (40%).

7 (c) All such funds distributed on need basis, shall be reported to
8 each county auditor of the state by January 1st of each year, setting
9 forth all amounts distributed to each county in the state on the need
10 basis.

11 All farm to market road funds, except funds which under section
12 three hundred ten point twenty (310.20), Code 1946, come from any
13 county's allotment of the road use tax funds, shall be allotted among
14 the counties by the state highway commission. Area allotment farm
15 to market road funds and federal aid secondary road funds received
16 by the state, shall be allotted among all the counties of the state in
17 the ratio that the area of each county bears to the total area of the
18 whole state.

19 The equalization farm-to-market road fund shall be used for such
 20 construction and reconstruction of farm-to-market roads and bridges
 21 as is necessary to accomplish a uniformity of relief for the improve-
 22 ment of such roads and bridges among the counties of the state. Each
 23 county seeking relief from the equalization farm-to-market road fund
 24 shall make application to the state highway commission on or before
 25 July 1 each year, showing cause for need of such relief. The state
 26 highway commission shall take into consideration all costs such as
 27 the cost of grading, bridges, culverts, drainage, surface material and
 28 labor required to complete said farm-to-market roads in all counties.
 29 In allotting equalization farm-to-market road funds among counties,
 30 the state highway commission shall also take into consideration exist-
 31 ing unobligated credit balances in each county's farm-to-market road
 32 fund at the time such allotments are made. Allotments of equaliza-
 33 tion road funds shall be made to the counties in the ratio that each
 34 county's requirements bears to the requirements of the state as a
 35 whole. The state highway commission shall make such allotments
 36 as are required to carry out the objects of this section.

1 SEC. 6. The street construction fund of the cities and incorporated
 2 towns, which fund is hereby created, shall be used for the construc-
 3 tion, reconstruction, repair, and maintenance of roads and streets in
 4 such cities and towns.

1 SEC. 7. Section three hundred thirteen point three (313.3), Code
 2 1946, is hereby amended and revised to read as follows:

3 "There is hereby created a primary road fund which shall include
 4 and embrace

5 a. All road use tax funds which are by law credited to the primary
 6 road fund.

7 b. All federal aid primary and urban road funds received by the
 8 state.

9 c. All other funds which may by law be credited to the primary
 10 road fund".

1 SEC. 8. Section three hundred thirteen point seven (313.7), Code
 2 1946, is hereby amended by striking all of said section after the first
 3 sentence thereof.

1 SEC. 9. Section three hundred ten point one (310.1), Code 1946,
 2 is hereby amended by striking subsection three (3) of said section
 3 and substituting the following in lieu thereof:

4 "3. 'County's allotment of road use tax fund' or 'allotment of road
 5 use tax fund' shall mean that part of the road use tax fund allotted
 6 to any county by the treasurer of state from the portion of the state
 7 road use tax fund which he has credited to the secondary road con-
 8 struction fund of the counties."

1 SEC. 10. Section three hundred ten point three (310.3) Code
 2 1946, is hereby amended by renumbering subsection two (2) of said
 3 section as subsection three (3), and by inserting in said section the
 4 following as subsection two (2):

5 "2. All road use tax funds by law credited to the farm to market
 6 road fund."

1 SEC. 11. Section three hundred ten point five (310.5), Code 1946,
2 as amended by section one (1) of chapter one hundred sixty-two
3 (162), Acts of the Fifty-second General Assembly, is hereby repealed.

1 SEC. 12. Section three hundred ten point seven (310.7), Code
2 1946, is hereby amended by striking all of said section after the first
3 sentence thereof.

1 SEC. 13. Section three hundred ten point twenty (310.20), Code
2 1946, is hereby amended by striking from lines five (5) and six (6) of
3 said section the words "motor fuel license fees", and substituting in
4 lieu thereof the words "road use tax funds".

1 SEC. 14. Section three hundred ten point thirty-one (310.31),
2 Code 1946, is hereby repealed.

1 SEC. 15. Section three hundred twenty-one point one hundred
2 forty-five (321.145), Code 1946, is hereby amended by striking the
3 words "primary road" from line thirteen (13) of said section and
4 substituting in lieu thereof the words "road use tax."

1 SEC. 16. Section three hundred twenty-one point one hundred
2 forty-six (321.146), Code 1946, is hereby amended by striking from
3 lines four (4) and five (5) of said section the words "primary road"
4 and substituting in lieu thereof the words "road use tax".

1 SEC. 17. Section three hundred twenty-one point one hundred
2 forty-seven (321.147), Code 1946, is hereby repealed.

1 SEC. 18. The treasurer of state shall maintain in the road use
2 tax fund in the state treasury, of the funds collected as provided in
3 chapter three hundred twenty-one (321), Code 1946, or as said chap-
4 ter may be amended, a cash balance sufficient, when added to the cash
5 balance of receipts in the road use tax fund from other sources, to
6 pay the anticipated expenditures from the road use tax fund for the
7 ensuing month.

8 When necessary to restore the balance in the road use tax fund in
9 the state treasury, he shall draw upon the treasurer of each county of
10 the state in proportion to the amounts in their possession, respec-
11 tively, of the funds collected under the provisions of chapter three
12 hundred twenty-one (321), Code 1946, or as said chapter may be
13 amended, and credited to the road use tax fund, a sum sufficient in
14 the aggregate to restore the cash balance in the road use tax fund.
15 Such drafts shall be honored by the treasurer of each county upon
16 presentation.

1 SEC. 19. Section three hundred twenty-four point sixty-three
2 (324.63), Code 1946, as amended by Acts of the Fifty-second General
3 Assembly is hereby repealed and the following is enacted in lieu
4 thereof:

5 "The net proceeds of the four cents per gallon license fees and
6 penalties collected under the provision of this chapter, shall be
7 credited to the road use tax fund".

1 SEC. 20. Section three hundred twenty-six point thirteen (326.13),
2 Code 1946, is hereby amended by striking all of said section after the

3 word "be" in line six (6) of said section and substituting the follow-
4 ing in lieu thereof: "credited to the road use tax fund".

1 SEC. 21. Section three hundred twenty-six point fourteen (326.14),
2 Code 1946, is hereby repealed.

1 SEC. 22. Section four hundred twenty-two point sixty-two
2 (422.62), Code 1946, as amended by section one (1) of chapter two
3 hundred thirty (230), Acts of the Fifty-second General Assembly, is
4 hereby amended by striking the word "to" following the word "treas-
5 urer" in line six (6) of said section, and inserting the following punctu-
6 ation and words in lieu thereof:

7 "Ten percent (10%) of the net receipts collected under Division IV
8 of this chapter shall be credited by the treasurer of state to the road
9 use tax fund. The remainder of the proceeds of the fees, taxes, in-
10 terest and penalties collected under this chapter, shall".

1 SEC. 23. Section four hundred twenty-three point twenty-four
2 (423.24), Code 1946, as amended by section four (4) of chapter two
3 hundred thirty (230), Acts of the Fifty-second General Assembly, is
4 hereby repealed and the following is enacted as a substitute therefor:

5 "All revenue arising under the operation of this chapter, derived
6 from the use tax on motor vehicles, trailers, and motor vehicle ac-
7 cessories and equipment, as same may be collected as provided by
8 section four hundred twenty-three point seven (423.7), shall be credited
9 to the road use tax fund. All other revenue arising under the opera-
10 tion of this chapter shall be credited to the general fund of the state".

1 SEC. 24. Section three hundred nine point ten (309.10), Code 1946,
2 is hereby amended by adding thereto the following:

3 "8. The payment of the cost in the establishment, construction, re-
4 construction, surfacing, resurfacing, grading, construction of bridges
5 and culverts, the elimination, protection, or improvement of bridges
6 and culverts, the elimination, protection, or improvement of railroad
7 crossings, the acquiring of additional right of way and all other ex-
8 penses incurred in the construction, reconstruction or improvement
9 of secondary or farm to market roads in said county."

1 SEC. 25. Where a tract of land is owned by a corporation organized
2 under the provisions of chapter four hundred ninety-one (491), Code
3 1946, with assets of the value of one million dollars (\$1,000,000.00)
4 or more, and owned by individuals owning not more than one (1) share
5 each of the voting stock of the corporation and having one or more
6 platted villages located within the territorial limits of said tract of
7 land, all of the territory within the plats of said villages with their
8 addition or subdivisions shall, for the purposes of this act, be deemed
9 to be one incorporated town. All funds to become due to said villages
10 so consolidated shall be paid to the county auditor of the county in
11 which said tract of land and said villages are situated. Said fund
12 shall, thereupon, be administered and expended by the county board
13 of supervisors of said county for the construction, re-construction,
14 repair, and maintenance of roads and streets within the plats of such
15 villages in the same manner and with the same powers and duties as
16 city or town councils in cities and incorporated towns. In the event

17 the population of such villages shall not have been separately enumer-
 18 ated in the federal census, then said county board of supervisors shall
 19 cause a census of said villages to be taken as soon as may be after this
 20 act becomes effective, which census shall be used in lieu of the federal
 21 census provided for in Sec. 3 (b).

1 SEC. 26. This act shall not apply to revenue collected previous to
 2 July 1, 1949. It shall apply to revenue collected on and after July
 3 1, 1949.

1 SEC. 27. This act being deemed of immediate importance, shall
 2 be in full force and effect from and after its passage and publication
 3 in Davis County Republican, a newspaper published at Bloomfield,
 4 Iowa, and the Coggon Monitor, a newspaper published at Coggon,
 5 Iowa.

Approved March 28, 1949.

I hereby certify that the foregoing act was published in the Davis County Republican,
 April 5, 1949, and in the Coggon Monitor, April 7, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 123

SECONDARY ROAD TAX LEVY

H. F. 316

AN ACT to amend section three hundred nine point eleven (309.11), Code 1946, relating to optional maintenance levies of secondary roads.

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

1 SECTION 1. Section three hundred nine point eleven (309.11),
 2 Code 1946, is hereby amended by striking the word "five" in line
 3 one (1) of subsection two (2) and inserting in lieu thereof the word
 4 "eight". Provided, that no county shall be required, as a condition
 5 precedent to being eligible to receive farm-to-market road funds on
 6 an equalization basis, to levy in excess of five mills.

Approved April 13, 1949.

CHAPTER 124

SECONDARY ROAD SURVEYS

S. F. 256

AN ACT to amend section three hundred nine point thirty-five (309.35), Code 1946, relating to the surveys required for construction of secondary roads.

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

1 SECTION 1. Section three hundred nine point thirty-five (309.35),
 2 Code 1946, is hereby amended by striking from line four (4) the
 3 words "and draining" and inserting in lieu thereof the words "ex-
 4 clusive of bridges and culverts."

Approved March 30, 1949.

CHAPTER 125

ROADS AND HIGHWAYS

H. F. 43

AN ACT to amend, revise, consolidate, and codify certain sections of chapters, three hundred nine (309) three hundred ten (310) and three hundred thirteen (313), Code 1946, relating to secondary roads, farm to market roads, and primary roads.

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

1 SECTION 1. Section three hundred nine point thirty-nine (309.39)
2 Code 1946, is hereby amended by striking the second and the third
3 paragraphs of said section and the following is enacted as a new
4 code section:

5 "The board or commission having charge of the receipt of bids and
6 the award of contracts for the construction, reconstruction, improve-
7 ment, repair, or maintenance of any highway, may require, for any
8 highway contract letting, that each bidder shall file with said board
9 or commission a statement showing his financial standing, his equip-
10 ment, and his experience in the execution of like or similar work.
11 Said statements shall be on standard forms prepared by the state
12 highway commission and shall be filed with said board or commission
13 previous to the letting at which such bidder expects to bid. The
14 board or commission may, in advance of the letting, notify the bidder
15 as to the amount and the nature of the work for which he is deemed
16 qualified to bid.

1 SEC. 2. Section three hundred nine point forty (309.40) Code
2 1946, is hereby amended by striking the last sentence of said section;
3 Sections three hundred nine point fifty-seven (309.57), three hundred
4 ten point fifteen (310.15), and three hundred thirteen point eleven
5 (313.11), Code 1946, are hereby repealed, and the following enacted
6 as a new code section:

7 "In the award of contracts for the construction, reconstruction,
8 improvement, repair or maintenance of any highway, the board or
9 commission having charge of awarding such contracts shall give due
10 consideration not only to the prices bid but also to the mechanical or
11 other equipment and the financial responsibility and experience in the
12 performance of like or similar contracts. The board or commission
13 may reject any or all bids, or may let by private contract or build by
14 day labor, at a cost not in excess of the lowest bid received. Upon the
15 completion of any contract or project on either the farm-to-market or
16 secondary road system, the county engineer shall file with the county
17 auditor a statement showing the total cost thereof with certificate that
18 said work has been done in accordance with the plans and specifica-
19 tions. All contracts shall be in writing and shall be secured by a
20 bond for the faithful performance thereof as provided by law."

1 SEC. 3. Section three hundred nine point ninety-two (309.92)
2 Code 1946, is hereby repealed; Section three hundred ten point
3 fourteen (310.14), Code 1946 is hereby amended by striking the last
4 two sentences of said section; section three hundred thirteen point ten
5 (313.10), Code 1946, is hereby amended by striking the last two

6 sentences of said section, and the following is enacted as a new code
7 section:

8 "No state or county official or employee, elective or appointive shall
9 be directly or indirectly interested in any contract for the construc-
10 tion, reconstruction, improvement or maintenance of any highway,
11 bridge or culvert, or the furnishing of materials therefor. The letting
12 of a contract in violation of the foregoing provisions shall invalidate
13 the contract and such violation shall be a complete defense to any
14 action to recover any consideration due or earned under the contract
15 at the time of its termination."

1 SEC. 4. Sections three hundred ten point seventeen (310.17),
2 three hundred thirteen point fifteen (313.15), and three hundred nine
3 point fifty-nine (309.59), Code 1946 are hereby repealed and the
4 following is enacted as a new code section:

5 "All claims for construction, reconstruction, improvement, repair,
6 or maintenance on any highway shall be itemized on voucher forms
7 prepared for that purpose, sworn to by the claimants, certified to by
8 the engineer in charge, and then forwarded to the board or commis-
9 sion in control of that highway for final audit and approval. Claims
10 payable from the farm to market road fund shall be approved by both
11 the board of supervisors and the state highway commission. Upon
12 approval by the Highway Commission of vouchers which are payable
13 from the farm to market road fund, or from the primary road fund,
14 as the case may be, such vouchers shall be forwarded to the state
15 comptroller, who shall draw warrants therefor, and said warrants
16 shall be paid by the treasurer of the state from the farm to market
17 road fund or from the primary road fund, as the case may be.

18 If the engineer makes such certificate or a member of the board or
19 commission approves such claim when said work has not been done in
20 accordance with the plans and specifications, and said work be not
21 promptly made good without additional cost, he shall be liable on his
22 bond for the amount of such claim."

1 SEC. 5. Sections three hundred nine point sixty (309.60) and
2 three hundred thirteen point sixteen (313.16) Code 1946, are hereby
3 repealed and the following is enacted as a new code section:

4 "Partial payments may be made on highway contract work during
5 the progress thereof, but no such partial payment shall be deemed
6 final acceptance of the work nor a waiver of any defect therein. The
7 approval of any claim by the board or commission in control of the
8 work, or highway on which the work is located, may be evidenced by
9 the signature of the chairman of said board or commission, or of a
10 majority of the members of said board or commission, on the indi-
11 vidual claims or on the abstract of a number of claims with the indi-
12 vidual claims attached to said abstract."

1 SEC. 6. Sections three hundred nine point forty-five (309.45) and
2 three hundred ten point twenty-one (310.21), Code 1946, are hereby
3 repealed and the following is enacted as a new code section:

4 "The board or commission in control of any secondary road or any
5 primary road is authorized, subject to approval of the council, to
6 eliminate danger at railroad crossings and to construct, reconstruct,

7 improve, repair, and maintain any road or street which is an extension of such road within any town or city, including cities under special charter. Provided, that this authority shall not apply to the extensions of secondary roads located in cities over twenty-five hundred population, where the houses or business houses average less than two hundred feet apart.

13 The phrase 'subject to the approval of the council' as it appears in this section, shall be construed as authorizing the council to consider said proposed improvement only in its relationship to municipal improvements such as sewers, water lines establishing grades, change of established street grades, sidewalks and other public improvements. The locations of such road extensions shall be determined by the board or commission in control of such road or road system."

1 SEC. 7. Sections three hundred ten point twenty-five (310.25) and 2 three hundred thirteen point thirty-five (313.35), Code 1946, are 3 hereby repealed and the following is enacted as a new code section:

4 "Whenever any public highway located along the corporate line of 5 any town or city, including cities under special charter, is an extension of a farm to market road, or of a primary road, it may be included in the farm to market road system or the primary road system, 6 as the case may be, and may be constructed, reconstructed, improved, 7 repaired, and maintained as a part of said road system."

1 SEC. 8. Section three hundred nine point forty-four (309.44), 2 Code 1946, is hereby repealed and the following is enacted as a new 3 code section:

4 "Officers, employees, and contractors in charge of improvement or 5 maintenance work on any highway shall not cut down or injure any 6 tree growing by the wayside which does not materially obstruct the 7 highway, or tile drains, or interfere with the improvement or maintenance of the road, and which stands in front of any town lot, farm- 8 yard orchard or feed lot, or any ground reserved for any public use. 9 Nor shall they destroy or injure reasonable ingress or egress to any 10 property, or turn the natural drainage of the surface water to the 11 injury of adjoining owners. It shall be their duty to use strict 12 diligence in draining the surface water from the public road in its 13 natural channel. To this end they may enter upon the adjoining 14 lands for the purpose of removing from such natural channel obstructions that impede the flow of such water."

1 SEC. 9. Section three hundred nine point sixty-two (309.62), 2 Code 1946, is hereby repealed and the following is enacted as a new 3 code section:

4 "Whenever it may become necessary in grading the highways to 5 make a cut which will disturb, or fill which will cover up, a government 6 or other established corner or land monument, it shall be the duty of 7 the engineer to establish permanent witness corners or monuments, 8 and make a record of the same, which shall show the distance and 9 direction the witness corner is from the corner disturbed or covered 10 up. When said construction work is completed the engineer shall 11 permanently re-establish said corner or monument. A failure to

12 perform said duties shall subject the engineer to a fine of not less
13 than ten dollars nor more than fifty dollars to be collected on his bond."

1 SEC. 10. Section three hundred nine point sixty-five (309.65),
2 Code 1946, is hereby repealed and the following is enacted as a new
3 code section:

4 "The board or commission in control of any highway or highway
5 system, or the engineer or any other person employed by said board
6 or commission, may after written notice to the owner and to the
7 occupant, enter upon private land and make surveys, borings and
8 excavations thereon, for the purpose of determining whether gravel
9 or other material exists on said land of suitable quality and in suffi-
10 cient quantity, to warrant the purchase or condemnation of said land
11 or part thereof and roadway thereto to secure such material for the
12 improvement or maintenance of such highway or highway system.
13 Any damage caused by such entry, survey, borings and excavations
14 shall be determined by agreement or in the manner provided for the
15 award of damages in condemnation of land for highway purposes.
16 No such prospecting shall be done within twenty rods of the dwelling
17 house or buildings on said land without written consent of the owner."

1 SEC. 11. Section three hundred nine point seventy-two (309.72),
2 Code 1946, is hereby repealed and the following is enacted as a new
3 code section:

4 "The board or commission in control of any highway or bridge
5 bordering on or crossing a state line is authorized to confer and agree
6 with the board or official of such border state, or subdivision of such
7 state, having control of such highway or bridge relative to the inter-
8 state connection, the plans for the improvement, and maintenance,
9 the division of work and the apportionment of cost of such highway
10 or bridge."

1 SEC. 12. Section three hundred nine point ninety (309.90), Code
2 1946, is hereby repealed and the following is enacted as a new code
3 section:

4 "Telephone, telegraph, electric transmission and pipe lines may
5 be permitted to use any highway bridge on or across a state line on
6 such terms and conditions as the boards, commissions, or officials
7 jointly constructing, maintaining or operating such bridge may
8 jointly determine. No discrimination shall be made in the use of such
9 bridge as between such utilities. Joint use of telephone, telegraph,
10 electric transmission or pipe lines may not be required. No grant
11 to any public utility to use such bridge shall in any way interfere with
12 the use of such bridge by the public for highway purposes."

Approved May 5, 1949.

CHAPTER 126

ROAD AND BRIDGE CONSTRUCTION CONTRACTS

H. F. 569

AN ACT to amend chapter one hundred sixty-one (161), Acts of Fifty-second General Assembly, relating to limitations on advertisements and lettings on contracts of road and bridge construction, work and material therefor.

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

1 SECTION 1. Chapter one hundred sixty-one (161), Acts of the
2 Fifty-second General Assembly, is hereby amended by striking the
3 words "three thousand" in line three (3), and inserting in lieu thereof
4 the words "five thousand".

Approved April 20, 1949.

CHAPTER 127

FARM TO MARKET ROADS

H. F. 42

AN ACT to amend, revise and codify chapter three hundred ten (310), Code 1946, as amended by chapter one hundred sixty-two (162), Laws of the Fifty-second General Assembly, relating to farm to market roads.

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

1 SECTION 1. Section three hundred ten point nine (310.9), Code
2 1946, as amended by section two (2), chapter one hundred sixty-two
3 (162) of the Fifty-second General Assembly is hereby amended, re-
4 vised and codified to read as follows:

5 310.9. "Before approving any farm to market road project the
6 state highway commission shall satisfy itself that the county engineer's
7 office in that county is organized, equipped and financed to discharge
8 satisfactorily the duties herein required. Before any county can
9 receive any portion of the farm to market road fund allotted on an
10 equalization basis, such county must have made every reasonable
11 effort by the levy of local taxes and otherwise to provide funds for
12 the improvement of its secondary road system."

1 SEC. 2. Section three hundred ten point ten (310.10), Code 1946,
2 is hereby amended, revised and codified to read as follows:

3 310.10. "The farm to market road system shall embrace those main
4 secondary roads (not including roads within cities and towns) which
5 connect rural areas with each other and with the towns, cities, and
6 primary roads, and which have heretofore been designated as farm
7 to market roads under Sections three hundred ten point nine (310.9),
8 as amended, and section three hundred ten point ten (310.10), Code
9 1946. Said road system may, with consent of the state highway com-
10 mission, be changed and modified by the board of supervisors.

11 When all farm to market roads in any county have been built to
12 established grade, bridged and surfaced in a manner suited to the

13 traffic thereon, additional mileage may be added to the farm to market
14 road system in said county."

1 SEC. 3. Section three hundred ten point eleven (310.11), Code
2 1946, is hereby amended, revised and codified to read as follows:

3 310.11. "Any county having complied with the provisions of this
4 chapter may by its board of supervisors submit to the state highway
5 commission for its approval project statements for the construction,
6 reconstruction, or improvement of farm to market roads."

1 SEC. 4. Section three (3) of chapter one hundred sixty-two (162),
2 laws of the Fifty-second General Assembly is hereby repealed.

1 SEC. 5. Sections three hundred ten point twelve (310.12), three
2 hundred ten point twenty-six (310.26), and three hundred ten point
3 thirty (310.30), Code 1946, are hereby repealed.

1 SEC. 6. Section three hundred ten point fourteen (310.14), Code
2 1946, is hereby amended by inserting after the period (.) following
3 the word "contract" in line thirteen (13) of said section the following:

4 "Provided, that the state highway commission shall determine and
5 advise the county board as to any approved farm to market road
6 project which is to be financed without the use of Federal funds. On
7 such project the above procedure shall be reversed. The county board
8 shall advertise for bids, and, subject to concurrence by the state high-
9 way commission, award contract for the construction work."

1 SEC. 7. Section three hundred ten point nineteen (310.19), Code
2 1946, is hereby amended by striking the last sentence of said section.

1 SEC. 8. Section three hundred ten point twenty-two (310.22), Code
2 1946, is hereby amended by striking the word "such" in line six (6)
3 of said section and substituting in lieu thereof the word "either".
4 Also amend said section by striking the word "shall" in line seven (7)
5 thereof and substituting in lieu thereof the word "may".

6 Also amend said section by adding thereto the following:

7 "Should the board of supervisors request the state highway com-
8 mission to acquire the right of way on any farm to market road proj-
9 ect, the said commission shall proceed to the acquisition of said right
10 of way under the same laws and in the same manner as though said
11 project were a primary road project."

1 SEC. 9. Section three hundred ten point twenty-seven (310.27),
2 Code 1946, is hereby amended by striking the words "one year" in
3 line five (5) of said section and substituting in lieu thereof the words
4 "three years."

1 SEC. 10. Section three hundred ten point twenty-eight (310.28),
2 Code 1946, is hereby amended by striking the words "out of the Com-
3 mission's support fund or" in lines eight (8) and nine (9) of said
4 section.

Approved April 18, 1949.

CHAPTER 128

SECONDARY ROAD RESEARCH

H. F. 54

AN ACT to establish a fund for financing engineering studies and research projects in connection with the construction and maintenance of secondary roads.

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

1 SECTION 1. Notwithstanding the provisions of Section three hun-
2 dred ten point four (310.4), Code 1946, the state highway commission
3 is hereby authorized to set aside each year not to exceed one and one-
4 half percentum (1½%) of the receipts in the farm-to-market road
5 fund in a fund to be known as the secondary road research fund.

1 SEC. 2. The secondary road research fund shall be used by the
2 state highway commission solely for the purpose of financing engi-
3 neering studies and research projects which have as their objective
4 the more efficient use of funds and materials that are available for
5 the construction and maintenance of secondary roads, including
6 bridges and culverts located thereon.

1 SEC. 3. The research projects and engineering studies authorized
2 herein shall be conducted in cooperation with the county engineers.
3 Once each year the highway commission shall file a report with the
4 Governor and county engineers showing the work accomplished and
5 projects undertaken under this act, and copies of a biennial report
6 of the same for the use and benefit of the General Assembly shall be
7 filed with the Chief Clerk of the House of Representatives and the
8 Secretary of the Senate on or before January 31 of each odd-num-
9 bered year.

Approved April 1, 1949.

CHAPTER 129

SECONDARY ROAD ASSESSMENT DISTRICTS

H. F. 524

AN ACT to repeal chapter three hundred eleven (311), Code 1946, as amended by chapter one hundred sixty-three (163), Laws of the Fifty-second General Assembly, relating to secondary road assessment districts, and to repeal section five (5) of chapter one hundred sixty-three (163), Acts of the Fifty-second (52nd) General Assembly, and to enact a substitute therefor.

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

1 SECTION 1. Section five (5) of chapter one hundred sixty-three
2 (163), Acts of the Fifty-second (52nd) General Assembly is hereby
3 repealed.

1 SEC. 2. Chapter three hundred eleven (311), Code 1946, as
2 amended by chapter one hundred sixty-three (163), laws of the Fifty-
3 second (52nd) General Assembly, is hereby repealed.

1 SEC. 3. Power to establish. In order to provide for the graveling,
2 oiling, or other suitable surfacing of secondary roads, the board of

3 supervisors shall have power, on petition, to establish secondary road
4 assessment districts.

1 SEC. 4. Width of district. Any such secondary road assessment
2 district shall be not more than one-half mile wide on each side of the
3 road or roads to be improved by said district.

1 SEC. 5. Amount of assessment. Special assessments in the aggre-
2 gate amount of not less than twenty-five per cent of the total esti-
3 mated cost of surfacing any road included in a secondary road
4 assessment district project shall be apportioned and levied on the
5 lands included in said secondary road assessment district.

1 SEC. 6. County line road. Whenever it is desired to surface a
2 secondary road on a county line, as a secondary road assessment dis-
3 trict project, the board of supervisors of any county concerned may
4 establish an assessment district in its county, and levy and collect
5 special assessments for the payment of that portion of the estimated
6 cost of such project assessable against lands in that county. Each
7 county shall pay its share of the cost of said project as provided in
8 this act, in the same manner as though the project were located
9 wholly within that county.

1 SEC. 7. Project in city or town. Any road or street which is a
2 continuation of a secondary road within any city or town and which
3 the county board desires to improve by graveling, oiling, or other
4 suitable surfacing, may by resolution of the county board and con-
5 currence by the council of the city or town be improved as a second-
6 ary road assessment district project or part thereof as herein pro-
7 vided. The lands within such city or town abutting on or adjacent to
8 such street or road may be included within such secondary road
9 assessment district and assessed on account of such improvement
10 upon the same basis and in the same manner as though such lands
11 were located outside of a city or town.

1 SEC. 8. Petition—information required. The petition for a
2 secondary road assessment district proposing to establish such district
3 shall intelligently describe the road or roads proposed to be improved,
4 the nature of the proposed improvement, the percentage of the esti-
5 mated cost of the surfacing of said road proposed to be assessed
6 against the property in the said district and the lands proposed to be
7 included in such district.

8 Such petition shall be signed by thirty-five per cent of the owners
9 of the lands within such proposed district, or by thirty-five per cent
10 of the owners of the land within such proposed district who reside
11 within said county.

1 SEC. 9. When any owner or group of owners of not less than
2 seventy-five per cent (75%) of the lands adjacent to, or abutting upon
3 any secondary road or roads shall, on or before December first of any
4 year petition the board of supervisors of their county for the im-
5 proving by graveling or other suitable surfacing, of said road or
6 roads, and for the assessment of not less than fifty per cent (50%)
7 (or such greater portion as may be provided in said petition) of the
8 cost of such improving, by graveling or other suitable surfacing, to

9 the lands adjacent to, or abutting upon said road or roads, the board
10 of supervisors shall, in the order in which such petitions were filed
11 with it, include and give preference to said project or projects in the
12 secondary road construction program of said county for the ensuing
13 year.

14 The board of supervisors shall proceed during the ensuing year
15 with the construction and completion of said project under the same
16 procedure as is prescribed generally for the improvement of second-
17 ary roads by assessment, and shall, as the law may provide, establish
18 a special secondary road assessment district and assess against the
19 lands included therein not less than fifty percent (50%) (or such
20 greater portion as may be provided in said petition) of the engineer's
21 estimated cost of the surfacing of the road or roads included in said
22 project against all the lands adjacent to or abutting upon the said
23 road or roads.

24 Provided, that should the owner or owners of all the lands included
25 in any special secondary road assessment district under this section,
26 subscribe and deposit with the county treasurer an amount not less
27 than fifty percent (50%) (or such greater portion as may be provided
28 in said petition) of the engineer's estimated cost of the surfacing of
29 the road or roads included in said project, the board of supervisors
30 shall not establish such special assessment district as herein provided,
31 but shall accept the said donations in lieu of an assessment, and shall
32 otherwise proceed to the improvement of said road or roads as herein
33 provided.

34 Upon the completion of such road or roads, and the satisfaction of
35 all claims in relation thereto, any balance then remaining of the funds
36 provided by the sponsors shall be returned to them according to their
37 respective interests, providing all guarantees made by such sponsors
38 have been fulfilled.

39 Any road or roads so improved by graveling or other suitable
40 surfacing under the provisions of this section shall be maintained by
41 the county from the secondary road fund.

1 SEC. 10. County engineer's report. Upon the filing of such peti-
2 tion with the county auditor proposing the establishment of such
3 secondary road assessment district, the county engineer shall file
4 a report thereon with the county auditor, which report shall
5 include:

6 a. An estimate of the cost of the surfacing proposed on the road
7 or roads included in such proposed district.

8 b. A plat of said proposed district which plat shall show the road
9 or roads proposed to be improved, the various tracts and parcels or*
10 real estate included in said proposed district, and the ownership of
11 such lands.

12 c. An approximately equitable apportionment of not less than
13 twenty-five per cent of the estimated cost of said improvement among
14 the tracts and parcels of real estate included in such proposed district.

15 d. A statement whether all of the secondary roads to be surfaced in
16 said proposed secondary road assessment district project have been
17 built to permanent grade and properly drained.

*According to enrolled Act.

18 e. Any information the county engineer may deem pertinent.

1 SEC. 11. Publicly owned real estate. In making said apportion-
2 ment, real estate owned by the state, county or any city or town, shall
3 be treated as other real estate, but no other publicly owned real es-
4 tate shall be included. In apportioning benefits to real estate owned
5 by a town, city, the county or the state, no consideration shall be
6 given to the buildings thereon.

1 SEC. 12. Estimate and apportionment—presumption. Said esti-
2 mated cost shall carry the presumption, in the absence of a contrary
3 showing, that the same correctly represents the probable cost of said
4 project as nearly as can be determined in advance of the actual doing
5 and completion of the work. Said apportionment shall carry the
6 presumption, in the absence of a contrary showing, that the same is
7 fair, just, equitable, and in proportion to the benefits and not in excess
8 thereof.

1 SEC. 13. Hearing—notice. The board of supervisors shall fix a
2 time for hearing on the proposal for the establishment of said second-
3 ary road assessment district and on the apportionment of not less
4 than twenty-five per cent of the estimated cost of the proposed im-
5 provement, and shall cause the county auditor to publish notice of said
6 hearing. Said notice shall state,
7 1. The time and place of hearing,
8 2. The road or roads proposed to be improved,
9 3. The type of surfacing proposed,
10 4. The estimated cost of the proposed improvement,
11 5. A description of the lands lying within said proposed district,
12 6. The ownership of said lands as shown by the transfer books in
13 the auditor's office,
14 7. A statement of the amount apportioned to each tract or parcel
15 of real estate as shown by the engineer's report,
16 8. That at said hearing the amount apportioned to any tract or
17 parcel of land may be increased or decreased without further notice,
18 9. That all objections to the establishment of said district, to the
19 said apportionment report, or to the proceedings relating thereto
20 must be specifically made in writing and filed with the county auditor
21 on or before noon of the day set for such hearing, and
22 10. That a failure to make and file such objections will be deemed
23 a conclusive waiver of all such objections.

1 SEC. 14. Publication of notice. Such notice shall be published
2 once each week for two successive weeks in some newspaper published
3 in the county as near as practicable to said district. The last publica-
4 tion shall be not less than five days previous to said hearing. Proof
5 of such publication shall be made by the publisher by affidavit filed
6 with the county auditor.

1 SEC. 15. Errors in notice or apportionment report. Any omission
2 or error in said apportionment report or notice with respect to any
3 tract or parcel of real estate or the description thereof, or the name
4 of the owner, or the amount of the assessment apportioned thereto,
5 shall work no loss of jurisdiction on the part of the board over such
6 proceeding. Such omission or error shall only affect the particular

7 tract of real estate or person in question. If, before or after the board
8 has entered its final order in the establishment of the said district or
9 in the apportionment proceedings, such omission or error is dis-
10 covered, the board shall fix a time for a hearing as to such party or
11 real estate and shall cause service of notice to be made upon them,
12 either by publication as in this act provided, or by personal service in
13 the time and manner required for service of original notices in the
14 district court. After such hearing the board shall proceed as to such
15 person or land as though such omission or error had not occurred.

1 SEC. 16. Appearance. The appearance of any interested party,
2 either in writing or personally, or by authorized agent, before the
3 board of supervisors at any stage of the pending proceedings for a
4 secondary road assessment district shall be deemed a full appearance.
5 Only interested parties shall have the right to appear in such proceed-
6 ings. All persons so appearing shall state for whom they appear.
7 The clerk of the board shall make definite entry accordingly in the
8 minutes of the board.

1 SEC. 17. Hearing—adjournment—order. Hearings on the pro-
2 posed establishment of said district may be adjourned from time to
3 time without loss of jurisdiction by the board. On final hearing the
4 board shall proceed to a determination of said matters. It may reject,
5 approve, or modify and approve said proposal. The board may ex-
6 clude lands from the district or may add lands thereto or otherwise
7 modify the proposal.

8 Should the proposal be approved in whole or in part, the board shall
9 establish such district. The order of the board establishing such dis-
10 trict shall state the road or roads to be improved, the type of improve-
11 ment, and the lands included in said district. Said order shall be
12 final. No lands shall thereafter be added to or excluded from said
13 district.

1 SEC. 18. Final hearing—assessment levied. On final hearing the
2 board shall hear and determine all objections filed. The board may
3 increase, diminish, annul, or affirm the apportionment made in said
4 report, or any part thereof, as may appear to the board to be just and
5 equitable.

6 On the final determination the board shall levy such assessments
7 and all installments thereof upon the real estate within said district
8 as finally established. The entire amount of said assessment shall be
9 then due and payable, and bear interest at six per cent per annum
10 commencing twenty days from the date of said levy, and shall be
11 collected at the next succeeding March semiannual payment of ordi-
12 nary taxes.

1 SEC. 19. Assessments over ten dollars—waiver. If any owner
2 other than the state or a county, city or town, of any tracts of land on
3 which the assessment is more than ten dollars, shall, within twenty
4 days from the date of said assessment, agree in writing filed in the
5 office of the county auditor, that in consideration of his having the
6 right to pay his assessment in installments, he will not make any
7 objection of illegality or irregularity as to said assessment upon his
8 said real estate, and will pay the same with six per cent interest

9 thereon, then and in that case said assessment shall be payable in
10 ten equal installments. The first installment shall be payable on the
11 date of such agreement. The other installments with interest on the
12 whole amount unpaid shall be paid annually thereafter at the same
13 time and in the same manner as the March semiannual payment of
14 ordinary taxes.

15 An owner of land who has availed himself of said ten-year option
16 may at any time discharge his assessment by paying the balance then
17 due on all unpaid installments, with interest on the entire amount of
18 the unpaid installments for thirty days in advance.

1 SEC. 20. Assessment delinquent—penalties. All such taxes shall
2 become delinquent on the first day of March next after their maturity,
3 shall bear the same interest, the same penalties, and be attended with
4 the same rights and remedies for collection, as ordinary taxes.

1 SEC. 21. Assessment ten dollars or less. Assessments of ten dol-
2 lars or less against any tract of land, and assessments against lands
3 owned by the state, county, city or town, shall be due and payable
4 from the date of levy by the board of supervisors, or in the case of
5 any appeal, from the date of final confirmation of the levy by the
6 court.

7 In case of assessments on lands owned by the county, the same shall
8 be paid from the county general fund. In case of assessments on
9 lands owned by the state, the same shall be paid out of any funds in
10 the state treasury not otherwise appropriated. In case of assessments
11 on lands owned by a city or town, the same shall be paid from the city
12 or town general fund.

1 SEC. 22. Variation between estimated and actual cost. Any vari-
2 ation between the engineer's estimated cost and the actual cost of a
3 secondary road assessment district project shall in no way affect the
4 validity of the assessment. It is the intent of this Act that the assess-
5 ment shall be based on the estimated cost and not on the actual cost.

1 SEC. 23. Procedures. The preparation and approval of plans and
2 specifications, the advertising for bids, the award and approval of
3 contract, the supervision and inspection of construction work, and
4 the approval and payment of claims on any secondary road assessment
5 district project, shall be conducted in the manner provided in the laws
6 for secondary road construction work generally.

1 SEC. 24. Road graded and drained. Any such secondary road shall
2 be built to permanent grade and drained in a manner approved by the
3 county engineer before being surfaced, as provided in this Act.

1 SEC. 25. Payment of construction costs. The total cost of any
2 secondary road assessment district project shall in the first in-
3 stance be paid out of the secondary road fund of said county. Any
4 assessments which are paid in cash and in anticipation of which
5 assessments no certificates have been issued, shall be transferred to the
6 secondary road fund.

7 If no special assessment certificates are issued and sold on account
8 of any particular secondary road assessment district, the special
9 assessments on lands included in that district, and the interest on such

10 assessments when collected, shall be transferred to the secondary
11 road fund of said county. If certificates are issued and sold in antici-
12 pation of the special assessments levied on any such district as herein
13 provided, the proceeds of such certificates shall be credited to the
14 secondary road fund of said county. In that event, the special assess-
15 ments in anticipation of which certificates have been issued, and the
16 interest on such assessments shall, when collected, be used to retire
17 such certificates.

1 SEC. 26. Appeal from assessment. Any owner of land in a second-
2 ary road assessment district may appeal to the district court from
3 the order of the board of supervisors in levying the assessment against
4 his real estate, by filing with the county auditor within fifteen days
5 of the date of such levy, a bond conditioned to pay all costs in case the
6 appeal is not sustained, and a written notice of appeal wherein he
7 shall, with particularity, point out the specific objection which he
8 desires to lodge against such levy. The appearance term shall be the
9 trial term. Said appeal shall have precedence over all other business
10 of the term except criminal matters. The appeal shall be heard as in
11 equity. The court may raise or lower the assessment in question and
12 make an equitable assessment in the judgment of the court. The clerk
13 of the district court shall, upon the entry of the final order of the
14 court, certify such final order to the county auditor. The board of
15 supervisors shall at once so adjust the assessments as to comply with
16 the final order of the court.

1 SEC. 27. Appeal docketed. When an appeal is taken, the county
2 auditor shall at once make a transcript of the notice of appeal and
3 appeal bond and transmit the same to the district court. The ap-
4 pellant shall, on or before the first day of the first term of the court,
5 after taking said appeal, docket said appeal and file a petition setting
6 forth the order or decision of the board of supervisors appealed from,
7 and his specific objections thereto. A failure to comply with either
8 of these requirements shall be deemed a conclusive waiver of the ap-
9 peal and in such case the court shall dismiss the same. Appellee need
10 not file answer, but may do so.

1 SEC. 28. Assessments certified to county treasurer. When the
2 board of supervisors has entered its final order as to the amounts of
3 all special assessments on a given improvement, the county auditor
4 shall at once certify a list of such assessments and a list of real estate
5 upon which each assessment has been levied, with the specific desig-
6 nation of the district embracing such real estate, to the county treas-
7 urer, who shall enter each assessment on the tax books and continue
8 such entry until such assessment is paid.

9 Each special assessment and all installments thereof shall be a lien
10 upon the real estate upon which it is levied from the date of such cer-
11 tificate by the county auditor to the same extent and in the same man-
12 ner as taxes levied for state and county purposes. Changes in the
13 amount of any special assessment by reason of any ruling of the dis-
14 trict court on appeals, shall be likewise certified and the county
15 treasurer shall make the proper correction on his books.

1 SEC. 29. Each district separate unit. Each assessment district
2 shall be considered a unit and all funds received by the county treas-

3 urer for or on behalf of such unit shall be carried as a distinct and
4 separate account and under the same specific name as that used by the
5 board in establishing such unit.

1 SEC. 30. Certificates anticipating assessments. In order to render
2 immediately available that amount of the estimated cost of an im-
3 provement which has been specially assessed, the board may issue
4 road certificates in the name of the county in an aggregate amount
5 not exceeding the then unpaid amount of the special assessment levied
6 in said district. Each issue of certificates shall be under, and in ac-
7 cordance with, a duly adopted resolution of the board and which shall
8 recite (1) the name or designation of the road district on account of
9 which the certificates are issued; (2) that a stated amount (naming
10 the amount) has been specially assessed against the lands within said
11 district; (3) that a stated amount of said aggregate special assess-
12 ment has not yet been paid (naming the unpaid amount); (4) that it
13 is necessary to render such unpaid amount immediately available; (5)
14 the number of road certificates authorized and the specific amount
15 of each certificate; (6) the specific numbering or designation of such
16 certificates; (7) the rate of interest which each certificate shall bear
17 from date, to-wit, not to exceed six per cent per annum; (8) the fact
18 that said certificates are payable solely from the proceeds of the
19 special assessments which have been levied on the lands within said
20 districts; (9) that each certificate shall be payable on or before the
21 first day of January of the first year following the maturity of the last
22 installment of such special assessments, and that interest thereon
23 shall be paid annually; (10) the authorization to the chairman of the
24 board, and to the county auditor, respectively, to sign and counter-
25 sign each of said certificates.

1 SEC. 31. Sale of certificates. Upon the signing of each of said certifi-
2 cates by the chairman of the board, said certificates shall be delivered
3 to the county auditor, who shall countersign the same, charge the
4 county treasurer with the amount thereof, and deliver the same to the
5 latter officer, who shall be responsible therefor on his bond. The treas-
6 urer may apply said certificates in payment of any warrants duly
7 authorized and issued for surfacing the roads within said district, or
8 he may sell the same for the best attainable price and for not less than
9 par, plus accrued interest, and credit the proceeds to the secondary road
10 fund. Such certificates shall be retired in the order of the consecutive
11 numbering thereof.

1 SEC. 32. Certificates registered—payment. The county treasurer
2 shall, in connection with the road account for said district, enter the
3 name and postoffice address of all persons to whom any of said cer-
4 tificates are issued, with a particular designation of the certificates
5 delivered to each person. Any subsequent holder may present his
6 certificate to the county treasurer and cause his name and postoffice
7 address to be entered in lieu of that of such former holder. Whenever
8 the fund for such particular district has money to pay the first re-
9 tirable certificate or certificates, the county treasurer shall, by mail,
10 as shown by his records, promptly notify the holder of such certificate

11 of such fact and that from and after ten days after the mailing of such
12 letter all interest on such certificates will cease.

1 SEC. 33. Previous assessments not invalidated. The passage of
2 this Act, the provisions hereof, and the repeal of sections hereby re-
3 pealed, shall not in manner affect or invalidate any secondary road
4 district assessments levied before this Act became effective, or any
5 certificate in anticipation of such assessments issued before or after
6 this Act becomes effective.

7 Said assessments and taxes shall be collected and applied to the
8 purpose for which they were levied. Certificates in anticipation or*
9 such assessments may be issued. The proceeds of such certificates
10 shall be applied to the purpose intended, and such certificates issued
11 before or after this Act becomes effective shall be paid in conformance
12 with the provisions of this Act.

Approved April 20, 1949.

*According to enrolled Act.

CHAPTER 130

PRIMARY AND COUNTY ROAD BONDS

H. F. 46

AN ACT to repeal chapters three hundred twelve (312), three hundred fourteen (314),
and three hundred sixteen (316), Code 1946, relating to primary road bonds and
county road bonds.

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

1 SECTION 1. Chapters three hundred twelve (312), three hundred
2 fourteen* (314), and three hundred sixteen (316), Code 1946, are
3 hereby repealed.

Approved April 18, 1949.

*According to enrolled Act.

CHAPTER 131

FUNDS FROM FEDERAL GOVERNMENT

H. F. 426

AN ACT to allocate funds received from the United States under the Act admitting the
state of Iowa to the Union.

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

1 SECTION 1. All revenue accrued or accruing to the state of Iowa
2 on or after January 26, 1949, from the sale of public lands within the
3 state, under Acts of Congress approved March 3, 1845 supplemental
4 to the Act for the admission of the states of Iowa and Florida into the
5 Union, chapters 75 and 76 (Fifth Statutes, pages 788 and 790), shall
6 be placed in the primary road fund.

Approved April 7, 1949.

CHAPTER 132

HIGHWAY COMMISSION EXPENDITURES

S. F. 396

AN ACT authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1949, and ending June 30, 1951, and amending section three hundred thirteen point five (313.5), Code 1946.

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

1 SECTION 1. The state highway commission is hereby authorized
2 to expend from the primary road fund for each year of the biennium
3 beginning July 1, 1949, and ending June 30, 1951, not to exceed eight
4 million nine hundred sixty thousand dollars (\$8,960,000.00) or so
5 much thereof as may be necessary to be used in the following manner:

6 For support of the state highway commission, engi-	
7 neering, testing materials and administration of primary	
8 and secondary road work.....	\$1,460,000.00
9 For maintenance of primary road system.....	\$7,500,000.00

1 SEC. 2. The state highway commission is further authorized to
2 expend under the supervision and direction of the attorney general
3 from the primary road fund for each year of the biennium beginning
4 July 1, 1949, and ending June 30, 1951, not to exceed fifteen thousand
5 dollars (\$15,000.00) or so much thereof as may be necessary for the
6 purpose of paying costs and expenses of litigation arising from or
7 pertaining to primary roads or farm-to-market roads. Any balance
8 unused during the first fiscal year of the biennium shall be carried over
9 and augment the amount authorized for the second year of the bien-
10 nium, and at the end of the biennium any balance shall revert to the
11 primary road fund.

1 SEC. 3. Section three hundred thirteen point five (313.5), Code
2 1946, is hereby amended by striking from line five (5) the word
3 "inspection" and in line sixteen (16) the word "inspection".

Approved March 15, 1949.

CHAPTER 133

MISSISSIPPI RIVER BRIDGES

S. F. 467

AN ACT to amend chapter one hundred sixty-seven (167), Acts of the Fifty-second General Assembly, relating to interstate bridges across the Mississippi river.

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

1 SECTION 1. Section one (1) of chapter one hundred sixty-seven
2 (167), Laws of the Fifty-second General Assembly, is hereby
3 amended by striking the words "that part" in lines one (1) and two
4 (2) of said section and substituting in lieu thereof the word "one-
5 half" and by striking the words "lying within the boundaries of the
6 State of Iowa" in lines three (3) and four (4) of said section.

1 SEC. 2. Section two (2) of chapter one hundred sixty-seven
 2 (167), Laws of the Fifty-second General Assembly, is hereby
 3 amended by striking from lines seven (7) and eight (8) of said sec-
 4 tion the following: "that portion of the bridge being within such
 5 adjoining state" and substituting in lieu thereof "the remaining one-
 6 half of said bridge and approaches" and by striking all of lines ten
 7 (10) and eleven (11) of said section and substituting in lieu thereof
 8 "and all approaches."

1 SEC. 3. Section three (3) of chapter one hundred sixty-seven
 2 (167), Laws of the Fifty-second General Assembly, is hereby amended
 3 by striking from lines three (3) and four (4) of said section the fol-
 4 lowing: "within the State of Iowa".

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 Allamakee Journal, a newspaper published at Lansing, Iowa, and
 4 in the Waukon Republican and Standard, a newspaper published at
 5 Waukon, Iowa.

Approved April 11, 1949.

I hereby certify that the foregoing act was published in The Allamakee Journal, May
 4, 1949, and in the Waukon Republican and Standard, May 3, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 134

DESTRUCTION OF WEEDS

H. F. 448

AN ACT to amend chapter three hundred seventeen (317), Code 1946, and chapter one
 hundred sixty-eight (168) Acts of the Fifty-second General Assembly, relating to
 the control and destruction of growing weeds, vines, brush or other growth includ-
 ing noxious weeds.

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

1 SECTION 1. Section three hundred seventeen point three (317.3),
 2 Code 1946, is hereby repealed and the following enacted in lieu
 3 thereof:

4 "The board of supervisors of each county shall annually appoint a
 5 county weed commissioner who shall be a person not otherwise em-
 6 ployed by the county and one who is familiar with the various types
 7 of weeds and the recognized methods for their control and elimina-
 8 tion. The county weed commissioner's appointment shall be effective
 9 as of March 1 and continue for a term of one year unless he is sooner
 10 removed from office as provided for by law. The county weed com-
 11 missioner may, with the approval of the board of supervisors, appoint
 12 a deputy or such number of deputies as are necessary to carry out
 13 the purposes of this chapter. The name and address of the person
 14 appointed as county weed commissioner shall, within ten (10) days
 15 of the making of the appointment, be certified to the county auditor
 16 and to the secretary of agriculture. The board of supervisors shall
 17 fix the compensation of the county weed commissioner and his depu-

18 ties, if any, and in addition to said compensation, they shall be paid
19 their necessary travel expense; said compensation and expense shall
20 be paid from the county general fund."

1 SEC. 2. Section three hundred seventeen point four (317.4), Code
2 1946, is hereby amended by striking from lines four (4), five (5)
3 and six (6) the comma and words ", insofar as applicable, to the
4 county, town, and city weed commissioners" and inserting in lieu
5 thereof the words "to the county weed commissioners and their
6 deputies".

7 Said section is hereby further amended by striking from line seven
8 (7) thereof the word "jurisdictions" and inserting in lieu thereof
9 the word "counties".

10 Said section is hereby further amended by striking from line
11 eleven (11) the word and comma "jurisdiction," and inserting in lieu
12 thereof the words: "county, including those growing within the
13 limits of incorporated towns and cities,".

14 Said section is hereby further amended by adding at the end
15 thereof the following: "Upon the filing of a complaint with the
16 county weed commissioner, he or his deputies shall have the right at
17 any time to enter upon any land in his county without the consent of
18 the owner or one in possession or control thereof for the purpose of
19 determining whether any noxious weeds are growing thereon and
20 the facts as to the state of compliance with the weed control program,
21 order or orders."

1 SEC. 3. Section three hundred seventeen point five (317.5), Code
2 1946, is hereby repealed.

1 SEC. 4. Section three hundred seventeen point six (317.6), Code
2 1946, and section three (3) of chapter one hundred sixty-eight (168),
3 Acts of the Fifty-second General Assembly are hereby repealed and
4 the following enacted in lieu thereof: "In case of a substantial
5 failure by the owner or person in possession or control of any land
6 to comply with any order of destruction pursuant to the provisions
7 of this chapter, the county weed commissioner, his deputies and em-
8 ployees acting under his direction shall have full power and authority
9 to enter upon any land within their county for the purpose of destroy-
10 ing noxious weeds. Such entry may be made without the consent of
11 the landowner or person in possession or control of the land but actual
12 work of destruction shall not be commenced until five (5) days after
13 the service of a notice in writing on the landowner and on the person
14 in possession or in control of the land. The notice shall state the facts
15 as to failure of compliance with the county program of weed destruc-
16 tion order or orders made by the board of supervisors and shall be
17 served in the same manner as an original notice except as hereinafter
18 provided. The notice may be served by the weed commissioner, his
19 deputies or any person designated in writing by the weed commis-
20 sioner and filed in the office of the county auditor. Provided, how-
21 ever, that service on persons living temporarily or permanently out-
22 side of the county may be made by sending the written notice of non-
23 compliance by registered mail to said person at the last known address
24 to be ascertained, if necessary, from the last tax list in the county
25 treasurer's office. Where any person, firm or corporation owning

26 land within the county has filed a written instrument in the office of
 27 the county auditor designating the name and address of its agent, the
 28 notice herein provided may be served on that agent. In computing
 29 time hereunder it shall be from the date of service as evidenced on
 30 the return or if made by registered mail, from the date of mailing as
 31 evidenced by the Registered Mail Book at the Postoffice where mailed.

1 SEC. 5. Section three hundred seventeen point eight (317.8),
 2 Code 1946, is hereby amended by striking from subsection two (2)
 3 thereof the comma and all that part of the subsection following the
 4 word "pest" in line four (4) and inserting in lieu thereof a period (.).

1 SEC. 6. Section three hundred seventeen point ten (317.10), Code
 2 of 1946, is hereby amended by striking from lines eight (8) and nine
 3 (9) the words: "prevent said weeds from blooming or coming to
 4 maturity" and inserting in lieu thereof the words: "be prescribed
 5 in the program of weed destruction order or orders made by the
 6 board of supervisors".

1 SEC. 7. Section three hundred seventeen point thirteen (317.13),
 2 Code of 1946, is hereby amended by striking from line seven (7) the
 3 words: "in five years".

4 Said section is hereby further amended by striking from line eleven
 5 (11) the word "cutting" and inserting in lieu thereof the word "de-
 6 struction".

1 SEC. 8. Section three hundred seventeen point fourteen (317.14),
 2 Code 1946, is hereby amended by striking from said section in lines
 3 five (5) to thirteen (13), inclusive, the following sentences: "In
 4 cases where the cost appears likely to exceed twenty-five dollars, notice
 5 to the property owners shall be by registered letters. Provided, how-
 6 ever, that where any railroad company has filed a written instrument
 7 in the county auditor's office, designating the name and address of
 8 its agent, the county auditor shall send, by registered mail, a copy of
 9 said notice to such agent."

10 Said section is further amended by striking from lines twenty (20)
 11 and twenty-one (21) the words: "to be taxed to the owner of the
 12 property" and inserting in lieu thereof the words: "will be taxed
 13 against the real estate on which the noxious weeds are destroyed".

1 SEC. 9. Section three hundred seventeen point sixteen (317.16),
 2 Code of 1946, and section eleven (11) of chapter one hundred sixty-
 3 eight (168), Acts of the Fifty-second General Assembly are hereby
 4 repealed and the following enacted in lieu thereof:

5 "In case of a substantial failure to comply by the date prescribed in
 6 any order of destruction of weeds made pursuant to the provisions of
 7 this chapter, the weed commissioner or his deputies shall, subsequent
 8 to the time after service of the notice provided for in three hundred
 9 seventeen point six (317.6) enter upon the land and cause such weeds
 10 to be destroyed. The actual cost and expense of such cutting, burn-
 11 ing or otherwise destroying of said weeds, the cost of serving notice
 12 and special meetings or proceedings, if any, shall be paid from the
 13 county general fund and, together with the additional assessment to
 14 apply toward costs of supervision and administration, be recovered

15 by an assessment against the tract of real estate on which the weeds
16 were growing, as provided in section 317.20."

1 SEC. 10. Section three hundred seventeen point eighteen (317.18),
2 Code 1946, is hereby amended by striking from line five (5), the word
3 "mowed" and inserting in lieu thereof the words "cut, burned or
4 otherwise destroyed".

5 Said section is further amended by inserting following the word
6 "cut" in lines twelve (12), thirteen (13) and eighteen (18) the words
7 "burned or otherwise destroyed".

8 Said section is further amended by inserting following the word
9 "cut" in line sixteen (16) the words "burn or otherwise destroy".

1 SEC. 11. Section three hundred seventeen point nineteen (317.19),
2 Code 1946, is hereby amended by inserting following the word "cut"
3 in line eight (8) the words "burn or otherwise destroy".

1 SEC. 12. Section nine (9) of Chapter one hundred sixty-eight
2 (168), Acts of the Fifty-second General Assembly is hereby amended
3 by inserting after the period in line five (5) the following: "When-
4 ever equipment or materials so purchased are used on private property
5 within the corporate limits of cities or towns by the weed commis-
6 sioner, the cost of materials used and an amount to be fixed by the
7 board of supervisors for the use of said equipment shall be returned
8 to this one-fourth ($\frac{1}{4}$) mill fund by the county treasurer upon the
9 collection of the special assessment taxed against said property. In
10 the certification to the county auditor and the county treasurer by the
11 clerk of the board of supervisors this apportionment shall be desig-
12 nated along with the special tax assessed under the provisions of
13 section 317.20."

1 SEC. 13. Section three hundred seventeen point twenty (317.20),
2 Code 1946, is hereby amended by striking from line four (4) the
3 figure "317.17" and inserting in lieu thereof the figure "317.18".

4 Said section is further amended by inserting following the word
5 "against" in line eight (8) the words: "the land".

6 Said section is further amended by striking all that part of sub-
7 section 1 preceding the comma in line six (6) and inserting in lieu
8 thereof the following: "Annually, after the weed commissioner has
9 completed his program of destruction of weeds by reason of non-
10 compliance by persons responsible therefor, the board of supervisors
11 shall determine as to each tract of real estate the actual cost of labor
12 and materials used by the commissioner in cutting, burning or other-
13 wise destroying said weeds, the cost of serving notice and special
14 meetings or proceedings, if any. To the total of all such sums ex-
15 pended, they shall add an amount equal to twenty-five per cent (25%)
16 thereof to compensate for the cost of supervision and administration
17 and assess the resulting sum against said tract of real estate by a
18 special tax".

1 SEC. 14. Subsection two (2) of section three hundred seventeen
2 point twenty (317.20), Code 1946, is hereby amended by inserting
3 after the word "assessed" in line four (4) the words: "which shall
4 be in accord with the assessor's records".

5 Subsection three (3) of section three hundred seventeen point
6 twenty (317.20), Code 1946, is hereby amended by inserting after
7 the word "assessments" in line two (2) the words: "which time
8 shall not be later than December 15 of the year".

1 SEC. 15. Cities and towns of twenty-five hundred (2,500) or more
2 population shall have the power by ordinance to provide for the
3 cutting or destroying by the property owners, of all weeds, vines,
4 brush or other growth which constitute a health, safety or fire hazard
5 and to provide for such destruction by the city or town and for the
6 assessment of the cost and expenses thereof to the property in the
7 event of the owner's failure to comply after due notice. Any such
8 ordinance shall provide for notice to be served upon the property
9 owner prior to the incurring of any cost of destruction by the city
10 or town and further prescribe the method of certification of all costs
11 of destruction and expenses, which amount shall be a debt due the
12 corporation from the owner and shall be assessed against said prop-
13 erty and be a lien thereon and collected as in the case of special
14 assessments."

Approved March 31, 1949.

CHAPTER 135

MOTOR VEHICLES AND LAW OF THE ROAD

S. F. 353

AN ACT to amend chapter three hundred twenty-one (321), Code 1946, to amend section seven (7) of chapter one hundred seventy-five (175), Acts of the 52nd General Assembly, and to amend section one (1) of chapter one hundred seventy-seven (177), Acts of the 52nd General Assembly, relating to motor vehicles and law of road.

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

1 SECTION 1. Amend section three hundred twenty-one point one
2 (321.1), Code 1946, sub-section twenty-six (26) by striking from
3 lines three (3) and four (4) the words "of municipal departments"
4 and inserting in lieu thereof the following: "owned by the United
5 States, this state or any sub-division of this state or any municipality
6 therein,".

1 SEC. 2. Amend section three hundred twenty-one point twenty-
2 three (321.23), Code 1946, by striking from lines nine (9) and ten
3 (10) the words "as may be in his possession or under his control".

4 Further amend by adding the following new subsection:

5 "3. In the event an applicant for registration of a foreign vehicle
6 is able to furnish evidence of ownership to the department, although
7 unable to surrender a certificate of title, the department may issue a
8 non-transferrable and non-negotiable certificate of registration upon
9 receipt of the required registration fee. Upon surrender to the de-
10 partment of the certificate of title, the department shall issue in lieu
11 of such non-transferrable and non-negotiable certificate of registra-

12 tion, a transferrable and negotiable certificate of registration for
13 such vehicle."

1 SEC. 3. Amend section three hundred twenty-one point one hun-
2 dred six (321.106), Code 1946, by inserting after the period in line
3 twelve (12) the following:

4 "For the purposes of this chapter, the fee so computed for an
5 original registration in this state shall be deemed the annual registra-
6 tion fee for that year."

1 SEC. 4. Amend section three hundred twenty-one point one hun-
2 dred nine (321.109), Code 1946, by inserting after the word "ve-
3 hicles" in line two (2) the words "including vehicles designated by
4 manufacturers as station wagons,".

1 SEC. 5. Amend section three hundred twenty-one point one hun-
2 dred seventy-six (321.176), Code 1946, by striking all of subsection
3 two (2) and inserting in lieu thereof the following:

4 "2. Any person while operating a farm tractor or implement of
5 husbandry to or from the home farm buildings to any adjacent or
6 nearby farm land for the exclusive purpose of conducting farm
7 operations."

1 SEC. 6. Amend section three hundred twenty-one point one hundred
2 eighty (321.180), Code 1946, by inserting after the word "chauffeur"
3 in line fifteen (15) the words "who is at least twenty-one (21) years of
4 age, and".

1 SEC. 7. Further amend section three hundred twenty-one point
2 one hundred eighty (321.180), Code 1946, by adding the following:

3 "The department, upon receiving proper application, may in its
4 discretion, issue a restricted instruction permit effective for a re-
5 stricted period of not to exceed five months, if such applicant is at
6 least fourteen years of age and is enrolled in a driver training program
7 approved by the department. Such instruction permit shall entitle
8 the permittee when he has such permit in his immediate possession to
9 operate a motor vehicle only when an instructor approved by the de-
10 partment is occupying a seat beside the permittee. Each applicant
11 applying for an instruction permit under an approved driver training
12 program shall furnish a certificate of eligibility and such certificate
13 shall be valid only when signed by an approved instructor."

1 SEC. 8. Amend by striking section three hundred twenty-one
2 point one hundred ninety-seven (321.197), Code 1946, and inserting
3 in lieu thereof the following:

4 "Expiration of chauffeur's license. Every chauffeur's license issued
5 hereunder shall expire annually on the licensee's date of birth. Per-
6 sons whose birthdays occur on February 29th shall be deemed to occur
7 on March 1st, for the purpose of this section. Any chauffeur's license
8 issued to be valid for the calendar year 1949, shall be extended to the
9 next birthday of the licensee in the year 1950, and shall be renewed on
10 or before that date upon payment of the license fees required by law.
11 The department in its discretion may waive the examination of any
12 such applicant previously licensed as a chauffeur under this chapter,
13 provided that such person satisfactorily passes a vision test as pre-

14 scribed by the department. All applications for the renewal of a
15 chauffeur's license made after January 1st, 1950, shall be made under
16 the direct supervision of a uniformed member of the department and
17 shall be approved by such uniformed member."

1 SEC. 9. Amend section three hundred twenty-one point two hun-
2 dred eighteen (321.218), Code 1946, by adding the following:

3 "The department, upon receiving the record of the conviction of any
4 person under this section upon a charge of driving a motor vehicle
5 while the license of such person was suspended or revoked, shall
6 extend the period of suspension or revocation for an additional like
7 period, and the department shall not issue a new license during such
8 additional period."

1 SEC. 10. Amend section three hundred twenty-one point two hun-
2 dred eighty-eight (321.288), Code 1946, by adding thereto the fol-
3 lowing:

4 "4. When approaching and passing a fusee, flares, red reflector
5 electric lanterns, red reflectors or red flags displayed in accordance
6 with section three hundred twenty-one point four hundred forty-eight
7 (321.448)."

1 SEC. 11. Amend section one (1), chapter one hundred seventy-five
2 (175), Acts of the 52nd General Assembly by adding thereto the
3 following:

4 "The driver of a vehicle about to enter or cross a highway from a
5 private road or driveway shall stop such vehicle immediately prior to
6 driving on said highway and shall yield the right-of-way to all vehicles
7 approaching on said highway."

1 SEC. 12. Amend section three hundred twenty-one point three
2 hundred twenty-four (321.324), Code 1946, by striking the comma
3 (,) after the word "vehicle" in line two (2) and inserting in lieu
4 thereof the following:

5 "with any lamp or device displaying a red light or flashing red
6 light from directly in front thereof, or".

1 SEC. 13. Amend section three hundred twenty-one point four
2 hundred twenty-three (321.423), Code 1946, by inserting after the
3 word "except" in line two (2) the following:

4 "on authorized emergency vehicles or".

1 SEC. 14. Amend by striking section three hundred twenty-one
2 point four hundred thirty-eight (321.438), Code 1946, and inserting
3 in lieu thereof the following:

4 "No person shall drive any motor vehicle equipped with a wind-
5 shield, sidewings, or side or rear windows which do not permit clear
6 vision."

1 SEC. 15. Amend section three hundred twenty-one point four
2 hundred forty-eight (321.448), Code 1946, by adding the following:

3 "Each of the red flags required under this section shall be not less
4 than sixteen inches square."

1 SEC. 16. Amend section one (1), of chapter one hundred seventy-
 2 seven (177), Acts of the 52nd General Assembly, by inserting after
 3 the comma (,) following the word "semi-trailer" in line fourteen (14)
 4 the words "nor any other combination of vehicles coupled together,".

Approved May 18, 1949. •

CHAPTER 136

REGISTRATION OF MOTOR VEHICLES

S. F. 184

AN ACT to amend section three hundred twenty-one point twenty (321.20), and section three hundred twenty-one point one hundred thirty (321.130), Code 1946, relating to application for registration of motor vehicles.

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

1 SECTION 1. Section three hundred twenty-one point twenty
 2 (321.20), Code 1946, is hereby amended by inserting after the comma
 3 (,) following the word "vehicle" in line five (5) of subsection two (2)
 4 the following: "Manufacturer's identification number".

1 SEC. 2. Section three hundred twenty-one point one hundred
 2 thirty (321.130), Code 1946, is hereby amended by inserting after the
 3 word "vehicles" in line three (3) the words "or house trailers or semi-
 4 trailers".

5 Further amend said section by inserting after the word "vehicles"
 6 in line four (4) the words "or house trailers or semitrailers".

7 Further amend said section by inserting after the word "vehicle"
 8 in line five (5) the words "or house trailer or semitrailer".

9 Further amend said section by inserting after the word "vehicle" in
 10 lines eight (8) and nine (9) the words "or house trailer or semi-
 11 trailer".

12 Further amend said section by inserting after the word "vehicle"
 13 in line 10 the words "or house-trailer or semitrailer".

1 SEC. 3. Further amend section three hundred twenty-one point
 2 one hundred thirty (321.130), Code 1946, by striking the period (.) in
 3 line eleven (11) and adding thereto the following: "or unless the
 4 same is actually being used for dwelling purposes for more than six
 5 (6) months during each calendar year."

Approved May 6, 1949.

CHAPTER 137

NONRESIDENT MOTOR VEHICLE LESSEES

S. F. 76

AN ACT to amend section three hundred twenty-one point fifty-three (321.53), Code 1946, relating to permits to non-resident owners of motor vehicles.

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

1 SECTION 1. Amend section three hundred twenty-one point fifty-
 2 three (321.53), Code 1946, by adding thereto the following: "A

3 non-resident who leases a vehicle from a resident owner shall not be
 4 considered a non-resident owner of such vehicle for the purpose of
 5 exemption under this section."

Approved April 20, 1949.

CHAPTER 138

MOTOR VEHICLE REGISTRATION FEES

H. F. 430

AN ACT to amend chapter three hundred twenty-one (321), Code 1946, as amended by chapter one hundred seventy-five (175), Acts of 52 General Assembly, relating to registration of motor vehicles.

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

1 SECTION 1. Section three hundred twenty-one point one hundred
 2 nine (321.109), Code 1946, is hereby amended by inserting after the
 3 period (.) and preceding the word "provided" in line eight (8) of
 4 said section the following:

5 "The weight of a motor vehicle, fixed by the department for regis-
 6 tration purposes, shall include the weight of a battery, heater,
 7 bumpers, spare tire, and wheel."

1 SEC. 2. Section three hundred twenty-one point one hundred
 2 thirteen (321.113), Code 1946, as amended by chapter one hundred
 3 seventy-five (175), Acts of 52 General Assembly, is hereby repealed
 4 and the following is enacted in lieu thereof:

5 "After said motor vehicle has been registered five times, that part
 6 of the registration fee which is based on the value of the vehicle shall
 7 be,

8 Seventy-five percent of the rate as fixed when new;

9 After six times, fifty percent;

10 After eight times, that part of the registration fee based on the
 11 value of said vehicle shall be ten percent (10%). Where the ninth
 12 registration fee for a motor vehicle has been computed and fixed by
 13 the department prior to the effective date of this act, there shall be
 14 added to such registration fee, in lieu of the ten percent provided for
 15 herein, one dollar if such registration fee has been computed and
 16 fixed at fifteen dollars or less and two dollars if such registration fee
 17 has been computed and fixed at more than fifteen dollars."

1 SEC. 3. Section three hundred twenty-one point one hundred
 2 twelve (321.112), Code 1946, is hereby amended by striking the word
 3 "seven" (7) in line four (4) and substituting the word "ten" (10)
 4 in lieu thereof.

1 SEC. 4. The provisions of this act shall not apply to the registra-
 2 tion fees to be paid on such vehicles for the year 1949, but shall apply
 3 to the registration fees to be paid on such vehicles for the year 1950
 4 and each year thereafter. In computing the number of registrations,
 5 only one registration per year shall be allowed.

Approved April 7, 1949.

CHAPTER 139

TRUCK FEES AND SPEED LIMIT

H. F. 561

AN ACT to amend chapter three hundred twenty-one (321), Code 1946, relating to registration fees for trucks, truck tractors, road tractors, semi-trailers and trailers, and to amend section three (3) of chapter one hundred seventy-seven (177), Acts of the 52nd General Assembly, relating to the speed of trucks.

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

1 SECTION 1. Section three hundred twenty-one point one hundred
2 nineteen (321.119), Code 1946, is hereby repealed, and the following
3 is enacted as a substitute therefor:

4 "For motor trucks equipped with pneumatic tires, the annual regis-
5 tration fee shall be,

6 For a gross weight of three tons or less, twenty-five dollars
7 (\$25.00).

8 For a gross weight exceeding three tons and not exceeding five
9 tons, forty dollars (\$40.00).

10 For a gross weight exceeding five tons and not exceeding six tons,
11 seventy dollars (\$70.00).

12 For a gross weight exceeding six tons and not exceeding seven tons,
13 ninety-five dollars (\$95.00).

14 For a gross weight exceeding seven tons and not exceeding eight
15 tons, one hundred twenty dollars (\$120.00).

16 For a gross weight exceeding eight tons and not exceeding nine
17 tons, one hundred fifty-five dollars (\$155.00).

18 For a gross weight exceeding nine tons and not exceeding ten
19 tons, one hundred ninety dollars (\$190.00).

20 For a gross weight exceeding ten tons and not exceeding eleven
21 tons, two hundred twenty-five dollars (\$225.00).

22 For a gross weight exceeding eleven tons and not exceeding twelve
23 tons, two hundred sixty-five dollars (\$265.00)."

1 SEC. 2. Section three hundred twenty-one point one hundred
2 twenty (321.120), Code 1946, is hereby repealed and the following
3 is enacted as a substitute therefor:

4 "For motor trucks equipped with two or more solid rubber tires,
5 the annual registration fee shall be the fee for motor trucks of the
6 same gross weight equipped with pneumatic tires, plus twenty-five
7 percent thereof."

1 SEC. 3. Section three hundred twenty-one point one hundred
2 twenty-one (321.121), Code 1946, is hereby repealed and the follow-
3 ing is enacted as a substitute therefor:

4 "The annual registration fee for all motor trucks with pneumatic
5 tires and a gross weight in excess of twelve tons, shall be the fee for
6 a truck having a gross weight of twelve tons, and in addition thereto,
7 twenty-five dollars (\$25.00) for each ton of gross weight over twelve
8 tons."

1 SEC. 4. Section three hundred twenty-one point one hundred
2 twenty-two (321.122), Code 1946, is hereby repealed and the follow-
3 ing is enacted as a substitute therefor:

4 "1. The annual registration fee for a truck tractor or road tractor
5 drawing or designed to draw a semitrailer, or trailer, shall be based
6 on the combined gross weight of such combination, and the amount
7 of such annual registration fee shall be:

8 For a combined gross weight of six tons or less, forty dollars
9 (\$40.00).

10 For a combined gross weight exceeding six tons and not exceeding
11 seven tons, sixty-five dollars (\$65.00);

12 For a combined gross weight exceeding seven tons and not ex-
13 ceeding eight tons, ninety dollars (\$90.00);

14 For a combined gross weight exceeding eight tons and not exceed-
15 ing nine tons, one hundred twenty-five dollars (\$125.00);

16 For a combined gross weight exceeding nine tons and not exceeding
17 ten tons, one hundred sixty dollars (\$160.00);

18 For a combined gross weight exceeding ten tons and not exceeding
19 eleven tons, one hundred ninety-five dollars (\$195.00);

20 For a combined gross weight exceeding eleven tons and not exceed-
21 ing twelve tons, two hundred thirty-five dollars (\$235.00);

22 For a combined gross weight exceeding twelve tons, the fee for a
23 combined gross weight of twelve tons and in addition thereto twenty-
24 five dollars for each ton over twelve tons.

25 2. For semitrailers the annual registration fee shall be:

26 For each semitrailer drawn by a truck, road tractor or truck tractor,
27 with a combined gross weight of twelve tons or less, thirty dol-
28 lars, (\$30.00).

29 For each semitrailer drawn by a truck, road tractor or truck tractor,
30 with a combined gross weight exceeding twelve tons, sixty dol-
31 lars, (\$60.00).

32 3. For truck tractors or road tractors equipped with two or more
33 solid rubber tires, the annual registration fee shall be the fee for
34 truck tractors or road tractors with pneumatic tires and of the same
35 combined gross weight, plus twenty-five percent thereof.

36 4. Nothing herein shall be construed to require a license for the
37 operation of a rubber tired farm tractor not for hire upon the public
38 highways.

1 SEC. 5. A tolerance above the maximum legal weight of any axle
2 or vehicle or combination of vehicles may be allowed as follows:

3 Three per cent on any axle, including tandem axles.

4 Eight per cent of the gross weight on any particular group of axles.

5 Eight per cent on the total gross weight of a vehicle or combination
6 of vehicles.

7 The weight on any one axle of a vehicle which is transporting live-
8 stock may exceed the legal maximum weight given in this chapter
9 providing that the gross weight on any particular group of axles on
10 such vehicle does not exceed the gross weight allowable under this
11 chapter for such group of axles.

1 SEC. 6. The provisions of this act shall not apply to the registra-
2 tion fees to be paid on such vehicles for the year 1949, but shall apply
3 to the registration fees to be paid on such vehicles for the year 1950
4 and each year thereafter.

1 SEC. 7. Amend section three (3), of chapter one hundred seventy-

2 seven (177), Acts of the 52nd General Assembly, by striking from
3 line four (4) the words "forty-five" and inserting in lieu thereof the
4 word "fifty".

Approved April 13, 1949.

CHAPTER 140

SPECIAL EQUIPMENT REGISTRATION FEES

H. F. 560

AN ACT to amend sections three hundred twenty-one point one hundred eighteen (321.118) and three hundred twenty-one point one hundred twenty-three (321.123), Code 1946, relating to registration fee on corn shellers, feed grinders and trailers.

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

1 SECTION 1. Amend section three hundred twenty-one point one
2 hundred eighteen (321.118), Code 1946, by striking the word "fifteen"
3 in line three (3), and inserting in lieu thereof the word "forty" and
4 by striking the words "twenty-five" in line five (5) and inserting in
5 lieu thereof the word "forty".

1 SEC. 2. Amend section three hundred twenty-one point one hun-
2 dred twenty-three (321.123), Code 1946, by striking all after the
3 word "in" in line six (6) to and including the period (.) in line eight
4 (8), and inserting in lieu thereof the following:

5 "Transporting produce, farm products or supplies hauled to and
6 from market, five (5) dollars".

7 Further amend section three hundred twenty-one point one hun-
8 dred twenty-three (321.123), Code 1946, by striking the word "one"
9 in line ten (10) and inserting in lieu thereof the word "three".

10 Further amend section three hundred twenty-one point one hun-
11 dred twenty-three (321.123), Code 1946, by striking the word "three"
12 in line thirteen (13) and inserting in lieu thereof the word "ten".

13 Further amend section three hundred twenty-one point one hun-
14 dred twenty-three (321.123), Code 1946, by striking the word "ten"
15 in line fifteen (15) and inserting in lieu thereof the word "twenty".

16 Further amend section three hundred twenty-one point one hundred
17 twenty-three (321.123), Code 1946, by striking the word "twenty-five"
18 in line seventeen (17) and inserting in lieu thereof the word "thirty".

19 Further amend section three hundred twenty-one point one hun-
20 dred twenty-three (321.123), Code 1946, by striking the word
21 "thirty" in line twenty (20) and inserting in lieu thereof the word
22 "forty".

23 Further amend section three hundred twenty-one point one hun-
24 dred twenty-three (321.123), Code 1946, by striking the word "thirty-
25 five" in line twenty-two (22) and inserting in lieu thereof the word
26 "fifty".

27 Further amend section three hundred twenty-one point one hun-
28 dred twenty-three (321.123), Code 1946, by striking the word "forty"
29 in line twenty-five (25) and inserting in lieu thereof the word "sixty".

30 Further amend section three hundred twenty-one point one hun-

31 dred twenty-three (321.123), Code 1946, by striking the word "fifty"
 32 in line twenty-seven (27) and inserting in lieu thereof the word
 33 "seventy".

34 Further amend section three hundred twenty-one point one hun-
 35 dred twenty-three (321.123), Code 1946, by striking the word "sixty"
 36 in line thirty (30) and inserting in lieu thereof the word "eighty".

37 Further amend section three hundred twenty-one point one hun-
 38 dred twenty-three (321.123), Code 1946, by striking the word "twenty"
 39 in line thirty-five (35) and inserting in lieu thereof the word "thirty".

40 Further amend section three hundred twenty-one point one hun-
 41 dred twenty-three (321.123), Code 1946, by striking the word
 42 "thirty" in line thirty-seven (37) and inserting in lieu thereof the
 43 word "forty".

44 Further amend section three hundred twenty-one point one hun-
 45 dred twenty-three (321.123), Code 1946, by striking the words
 46 "thirty-five" in line thirty-nine (39) and inserting in lieu thereof the
 47 word "fifty".

48 Further amend section three hundred twenty-one point one hun-
 49 dred twenty-three (321.123), Code 1946, by striking the word "fifty"
 50 in line forty-two (42) and inserting in lieu thereof the word "sixty".

51 Further amend section three hundred twenty-one point one hun-
 52 dred twenty-three (321.123), Code 1946, by striking the word "sixty"
 53 in line forty-four (44) and inserting in lieu thereof the word
 54 "seventy".

55 Further amend section three hundred twenty-one point one hun-
 56 dred twenty-three (321.123), Code 1946, by striking the word "sev-
 57 enty" in line forty-six (46) and inserting in lieu thereof the word
 58 "eighty".

59 Further amend section three hundred twenty-one point one hun-
 60 dred twenty-three (321.123), Code 1946, by striking the word
 61 "eighty" in line forty-nine (49) and inserting in lieu thereof the word
 62 "ninety".

1 SEC. 3. The provisions of this act shall not apply to the registra-
 2 tion fees to be paid on such corn shellers, feed grinders and trailers
 3 for the year 1949, but shall apply to the registration fees to be paid
 4 on such corn shellers, feed grinders and trailers for the year 1950
 5 and each year thereafter.

Approved April 5, 1949.

CHAPTER 141
 DRIVERS' LICENSES
 S. F. 174

AN ACT to amend chapter one hundred seventy (170), Acts of the 52nd General As-
 sembly, relating to drivers' licenses.

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

1 SECTION 1. Section one (1) of chapter one hundred seventy (170),
 2 Acts of the 52nd General Assembly, is amended by striking lines

3 fifteen to eighteen (15-18), inclusive, and inserting the following:
 4 "Each operator's license issued after July 5, 1948 shall expire two
 5 years from the licensee's birthday anniversary occurring in the year of
 6 issuance. For the purposes of this section the birthday anniversary
 7 of a person born on February 29 shall be deemed to occur on March 1."

Approved February 8, 1949.

CHAPTER 142

BUS SPEED LIMITS

H. F. 408

AN ACT to amend section three hundred twenty-one point two hundred eighty-seven (321.287), Code 1946, relating to the bus speed limits.

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

1 SECTION 1. Section three hundred twenty-one point two hundred
 2 eighty-seven (321.287), Code 1946, is hereby amended by striking
 3 all of lines five (5) and six (6) and inserting in lieu thereof the fol-
 4 lowing: "fifty-five miles per hour during the day time or at a greater
 5 rate of speed than fifty miles per hour during the night time.* "Night
 6 time" means from one-half hour after sunset to one-half hour before
 7 sunrise, except at any other hour or any time when due to weather
 8 or other conditions there is not sufficient light to make persons and
 9 vehicles clearly discernible at a distance of more than five hundred
 10 feet. No school bus shall be operated in violation of section 321.377.

Approved April 18, 1949.

*According to enrolled Act.

CHAPTER 143

CENTER LINES ON HIGHWAYS

S. F. 182

AN ACT to amend section three hundred twenty-one point three hundred four (321.304), Code 1946, relating to motor vehicles and law of road.

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

1 SECTION 1. Subsection three (3) of section three hundred twenty-
 2 one point three hundred four (321.304), Code 1946, is hereby amended
 3 by adding after the word "line" where it first appears in line three (3)
 4 thereof the following: "or off-center line".

Approved April 13, 1949.

CHAPTER 144

SCHOOL BUSES

S. F. 435

AN ACT to amend chapter three hundred twenty-one (321), Code 1946, motor vehicles and law of road and relating to school buses.

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

1 SECTION 1. Section three hundred twenty-one point three hundred
2 fifty-four (321.354), Code 1946, is hereby amended by striking the
3 period (.) in line fifteen (15) and inserting a semicolon (;) and
4 adding the following: "Provided however, school buses may stop on
5 highway for receiving and discharging pupils and all other vehicles
6 shall stop for school buses which are stopped to receive or discharge
7 pupils, as provided in section three hundred twenty-one point three
8 hundred seventy-two (321.372)."

1 SEC. 2. Section three hundred twenty-one point three hundred
2 seventy-two (321.372), Code 1946, is hereby repealed and the fol-
3 lowing enacted in lieu thereof:

4 "(1) The driver of any school bus used to transport children to
5 and from a public school shall, when stopping to receive or discharge
6 pupils, turn on the flashing stop warning signal lights at a distance
7 of not less than three hundred (300) feet, nor more than five hundred
8 (500) feet from the point where said pupils are to be received or dis-
9 charged from the bus. At the point of receiving or discharging pupils
10 the driver of the bus shall bring bus to a stop and extend the stop
11 arm. After receiving or discharging pupils, the bus driver shall turn
12 off the flashing stop warning lights, retract the stop arm and then
13 proceed on the route. No school bus shall stop to load or unload
14 pupils unless there is at least three hundred (300) feet of clear vision
15 in each direction.

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

21 "(3) The driver of any vehicle when meeting a school bus on
22 which the stop warning signal lights are flashing shall reduce the
23 speed of said vehicle to not more than twenty (20) miles per hour,
24 and shall bring said vehicle to a complete stop when school bus
25 stops and stop signal arm is extended and said vehicle shall remain
26 stopped until stop arm is retracted after which driver may pro-
27 ceed with due caution.

28 "The driver of any vehicle overtaking a school bus shall not pass
29 a school bus when flashing stop warning signal lights are flashing
30 and shall bring said vehicle to a complete stop not closer than fifteen
31 (15) feet of the school bus when it is stopped and stop arm is extended,
32 and shall remain stopped until the stop arm is retracted and school
33 bus resumes motion, or until signalled by the driver to proceed.

34 "This section shall not apply to 'business' and 'residence' districts
35 but shall apply in suburban districts of cities and towns."

1 SEC. 3. Section three hundred twenty-one point three hundred
2 seventy-three (321.373), Code 1946, is hereby repealed and the fol-
3 lowing enacted in lieu thereof:

4 "Every school bus except private passenger vehicles used as school
5 buses shall be constructed and equipped to meet the following stand-
6 ards:

7 "(1) All structural parts of the school bus body shall be all steel,
8 or of other metal with a strength equivalent to all steel, as certified
9 by bus body manufacturers. Suitable insulation materials shall be
10 used. The bus body shall be of sufficient strength to support the
11 entire weight of a fully loaded bus on its top or side if overturned.

12 "(2) The body shall be painted national school bus chrome.

13 "(3) There shall be but one compartment with seats arranged on
14 each side of the bus body with an aisle at least twelve (12) inches
15 wide between said seats. The aisle shall not be blocked by placing
16 seats or other obstructions therein, nor shall any seat or obstruction
17 be permitted at any time across the emergency exit.

18 "(4) A service door at least twenty-four (24) inches wide and
19 forty-eight (48) inches high, the lower and upper panels of which
20 shall be composed of safety glass, shall be placed on the front right
21 side, opposite the driver.

22 "(5) The front door or doors shall be under the control of, and
23 operated by the driver.

24 "(6) There shall be an emergency door in the center of the rear
25 end of the body, at least twenty-four (24) inches wide and forty-eight
26 (48) inches high provided with an easily operated safety catch not
27 controlled from the driver's seat, but protected from accidental re-
28 lease. The emergency door in pusher and transit type school buses
29 shall be located as provided in the "standards of construction" estab-
30 lished for such vehicles.

31 "(7) There shall be ample windows on each side.

32 "(8) There shall be ample roof ventilators.

33 "(9) It shall be equipped with an approved fresh air, hot water or
34 combustion type heater of sufficient capacity to adequately heat the
35 bus.

36 "(10) There shall be a comfortable seat for each child.

37 "(11) The fuel tank shall be located, filled, drained, and vented
38 outside the bus body.

39 "(12) Bumpers both front and rear shall be fastened directly to
40 the chassis.

41 "(13) Each bus shall carry the words 'School Bus' in black letters
42 at least eight (8) inches high on front of the bus above the windshield
43 and rear of bus above the windows or emergency door.

44 "(14) Each school bus shall be equipped with a stop signal arm at
45 least twenty (20) inches long mounted on the left side of bus. The
46 sign shall have the word 'stop' printed on both sides in black letters
47 at least five (5) inches high on national school bus chrome background.

48 "(15) All school buses shall be equipped with four (4) flashing
49 stop warning signal lights with a visible lens area of not less than
50 twenty-eight (28) square inches and of sufficient intensity to be
51 visible at least five hundred (500) feet in bright sunlight. The lights
52 in front shall display an amber light. The lights on the rear shall

53 display a red light. The two (2) amber flashing stop warning lights
 54 shall be mounted on the front of the bus body with the center
 55 line of the lamps not less than two (2) feet to the right or left of the
 56 center line of the bus and above the top line of the windshield. The
 57 two (2) red flashing stop warning lights shall be mounted on the rear
 58 of the bus body with the center line of the lamps not less than two (2)
 59 feet to the right or left of the center line of the bus above the top line
 60 of the rear windows or emergency door. The top of the flashing stop
 61 warning lights shall be kept below the top line of the bus roof. The
 62 lights shall be actuated manually with a switch mounted on the
 63 steering column.

64 "(16) A vehicle designed as a passenger car and any other vehicle
 65 designed to haul eight (8) pupils or less when being used as a school
 66 bus shall be equipped with a sign bearing the words 'School Bus' in at
 67 least six (6) inch black letters on national school bus chrome back-
 68 ground and shall meet only such other requirements of this section
 69 and of established standards for construction as are deemed neces-
 70 sary by the superintendent of public instruction.

71 "(17) Vehicles owned by private parties, used as school buses,
 72 must reverse or cover the words 'School Bus' when vehicle is not in
 73 use as a school bus and flashing stop warning signals shall be used
 74 only as provided in section three hundred twenty-one point three hun-
 75 dred seventy-two (321.372), Code 1946."

1 SEC. 4. Section three hundred twenty-one point three hundred
 2 seventy-four (321.374), Code 1946, is hereby repealed and the fol-
 3 lowing enacted in lieu thereof:

4 "No vehicle shall be put into service as a school bus until it is given
 5 an original inspection to determine if it meets all legal and estab-
 6 lished uniform standards of construction for the protection of the
 7 health and safety of children to be transported. Vehicles which are
 8 approved shall be issued a seal of approval by the superintendent of
 9 public instruction. All vehicles used as school buses shall be given a
 10 safety inspection at least once a year. Buses passing the inspection
 11 shall be issued an inspection seal of approval by the superintendent of
 12 public instruction. The seal of original inspection and the annual
 13 seal of inspection shall be affixed to the lower right hand corner of
 14 the windshield."

1 SEC. 5. Section three hundred twenty-one point three hundred
 2 seventy-five (321.375), Code 1946, is hereby repealed and the follow-
 3 ing enacted in lieu thereof: "The drivers of school buses must: be at
 4 least sixteen years of age, be physically and mentally competent, not
 5 possess personal or moral habits which would be detrimental to the
 6 best interests of safety and welfare of the children transported, have
 7 an annual physical examination and meet all established requirements
 8 for physical fitness.

9 "Use of alcoholic beverages or immoral conduct on the part of the
 10 driver shall automatically cancel his contract and his re-employment
 11 for the balance of the year is hereby prohibited."

1 SEC. 6. Section three hundred twenty-one point three hundred
 2 seventy-six (321.376), Code 1946, is hereby repealed and the follow-
 3 ing enacted in lieu thereof:

4 "The driver of every school bus shall have a regular or special
5 chauffeur's license issued by the department of public safety, and in
6 addition thereto, must hold a school bus driver's permit issued by the
7 department of public instruction.

8 "Notwithstanding the provision of subsection two (2) of section
9 three hundred twenty-one point one hundred seventy-seven (321.177),
10 the department of public safety is hereby authorized to issue a special
11 chauffeur's license to a person sixteen years of age to operate a school
12 bus on request of local school board and recommendation of the state
13 superintendent of public instruction."

1 SEC. 7. Section three hundred twenty-one point three hundred
2 seventy-eight (321.378), Code 1946, is hereby amended by striking
3 the number three hundred twenty-one point three hundred seventy-
4 three (321.373) in line two (2) and substituting in lieu thereof the
5 number, "three hundred twenty-one point three hundred seventy-two
6 (321.372)."

1 SEC. 8. Section three hundred twenty-one point three hundred
2 eighty (321.380), Code 1946, is hereby amended by striking the num-
3 ber "three hundred twenty-one point three hundred seventy-three
4 (321.373)" from line three (3) and substituting in lieu thereof the
5 number, "three hundred twenty-one point three hundred seventy-
6 two (321.372)."

1 SEC. 9. That section three hundred twenty-one point two hundred
2 forty-nine (321.249) be and it is hereby amended by striking the
3 word "and" in the first line of the said section, and inserting after the
4 word "towns" in the first line of said section "and counties".

5 Further amend said section by inserting after the word "streets"
6 in the fifth line of the said section the following: "in such cities and
7 towns and highways in counties".

Approved April 20, 1949.

CHAPTER 145

MOTOR VEHICLE ACCIDENT RESPONSIBILITY

S. F. 231

AN ACT to amend chapter one hundred seventy-two (172), Acts of the Fifty-second General Assembly relating to the giving of proof of financial responsibility and security by owners and operators of motor vehicles.

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

1 SECTION 1. Chapter one hundred seventy-two (172) Acts of the
2 Fifty-second General Assembly is hereby amended by adding at the
3 end of subsection (a) of section two (2) the following:

4 "Such hearings shall be held before the commissioner or his duly
5 authorized agent as early as practicable within not to exceed twenty
6 days after receipt of such request in the county wherein the request-
7 ing person resides unless the commissioner and such person agree that
8 such hearing may be held in some other county. Upon such hearing
9 the commissioner or his duly authorized agent may administer oaths

10 and may issue subpoenas for the attendance of witnesses and the
 11 production of relevant books and papers and may require an examina-
 12 tion under oath of the person requesting such hearing."

1 SEC. 2. Further amend chapter one hundred seventy-two (172),
 2 Acts of the Fifty-second General Assembly by striking all of lines
 3 thirty-one (31) and thirty-two (32) of section five (5), and inserting
 4 in lieu thereof the following:

5 "4. To such owner if such owner is at the time of such accident
 6 qualified as a self-insurer under section thirty-four (34) of this Act,
 7 or to any such operator operating such motor vehicle for such self-
 8 insurer."

1 SEC. 3. Further amend chapter one hundred seventy-two (172),
 2 Acts of the Fifty-second General Assembly, by striking the period at
 3 the end of section six (6) and inserting in lieu thereof the following:
 4 "; provided, however, in the event there shall be any default in the
 5 payment of any installment under any confession of judgment, then,
 6 upon notice of such default, the commissioner shall forthwith suspend
 7 the license and registration or non-resident's operating privilege of
 8 such person defaulting which shall not be restored unless and until the
 9 entire amount provided for in said confession of judgment has been
 10 paid; and provided, further, that in the event there shall be any
 11 default in the payment of any installment under any duly acknowl-
 12 edged written agreement, then, upon notice of such default, the com-
 13 missioner shall forthwith suspend the license and registration or non-
 14 resident's operating privilege of such person defaulting which shall
 15 not be restored unless and until:

16 1. Such person deposits and thereafter maintains security as re-
 17 quired under section five (5) of this Act in such amount as the com-
 18 missioner may then determine; or

19 2. One year shall have elapsed following the date when such secur-
 20 ity was required and during such period no action upon such agree-
 21 ment has been instituted in a court in this state."

1 SEC. 4. Further amend chapter one hundred seventy-two (172),
 2 Acts of the Fifty-second General Assembly by striking all of section
 3 thirty-three (33) and inserting in lieu thereof the following: "Excep-
 4 tions. This Act shall not apply with respect to any motor vehicle
 5 owned by the United States, this state, or any political subdivision
 6 of this state, or any municipality therein, nor to any operator, except
 7 for section four (4) of this Act, while on official duty operating such
 8 motor vehicle; nor, except for section four (4) and section twenty-six
 9 (26) of this Act, with respect to any motor vehicle which is subject
 10 to the requirements of section three hundred twenty-five point twenty-
 11 six (325.26), and section three hundred twenty-seven point fifteen
 12 (327.15), Code 1946."

1 SEC. 5. Further amend chapter one hundred seventy-two (172),
 2 by striking the period at the end of line eight (8) of section thirty-
 3 four (34), and adding the following:

4 "for damages arising out of the ownership, maintenance, or use
 5 of any vehicle owned by such person."

6 Also amend by adding following the word "judgment" in line eleven

7 (11) of section thirty-four (34) the following:
 8 "for damages arising out of the ownership, maintenance, or use of
 9 any vehicle owned by such self-insurer".

1 SEC. 6. Further amend chapter one hundred seventy-two (172) by
 2 inserting after the figure "3" in line thirty-three (33) of section
 3 twenty-nine (29), the words "of subsection (a)".

1 SEC. 7. Further amend chapter one hundred seventy-two (172) by
 2 striking the word "of" in line eleven (11) of section five (5) and in-
 3 serting in lieu thereof the word "or".

Approved April 20, 1949.

CHAPTER 146

MOTOR VEHICLE DEALERS

S. F. 180

AN ACT to amend section three hundred twenty-two point fourteen (322.14), Code 1946, relating to motor vehicle dealers.

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

1 SECTION 1. Section three hundred twenty-two point fourteen
 2 (322.14), Code 1946, is hereby amended by striking all of lines eight
 3 (8) through thirteen (13) inclusive.

Approved April 20, 1949.

CHAPTER 147

MOTOR VEHICLE DEALERS' TRANSFERS

S. F. 179

AN ACT to amend chapter three hundred twenty-two (322), Code 1946, relating to motor vehicle dealers.

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

1 SECTION 1. Chapter three hundred twenty-two (322), Code 1946, is
 2 hereby amended by adding the following:
 3 "It shall be unlawful for any person, who is engaged in the business
 4 of selling motor vehicles at retail, to sell or transfer the ownership
 5 of any registered motor vehicle unless he immediately gives notice to
 6 the county treasurer, upon the form on the reverse side of the cer-
 7 tificate of registration, stating the date of such transfer, the name
 8 and post-office address, with street number if in a city, of the person
 9 to whom transferred, the registration number, and such other infor-
 10 mation as the department may require.

11 It shall be unlawful for any person, who is engaged in the business
 12 of selling motor vehicles at retail, to purchase or otherwise acquire
 13 the ownership of a registered motor vehicle unless he shall join with

14 the former owner of such motor vehicle in a notice of transfer to
 15 the county treasurer, upon the form on the reverse side of the cer-
 16 tificate of registration, and shall at the same time make application
 17 for the transfer of the motor vehicle and for a new certificate of
 18 registration."

1 SEC. 2. Section three hundred twenty-two point nine (322.9),
 2 Code 1946, is hereby amended by adding thereto the following:

3 "The department is further authorized to revoke or suspend the
 4 license of any licensee if, after notice and hearing, it finds that such
 5 licensee has been convicted or has forfeited bail on three charges of:
 6 1. Failing to give the required notice to the county treasurer,
 7 upon the form on the reverse side of the certificate of registra-
 8 tion, of any transfer of ownership of any registered motor vehicle
 9 sold or transferred by such licensee; and/or

10 2. Failing to join in a notice of transfer to the county treasurer
 11 with the former owner of a registered vehicle which such licensee
 12 has purchased or otherwise acquired the ownership of; and/or

13 3. Failing to make application to the county treasurer for the
 14 transfer of, and for a new certificate of registration for, any regis-
 15 tered motor vehicle, which such licensee has purchased or otherwise
 16 acquired the ownership of; provided, however, that the provisions of
 17 this paragraph shall not apply with respect to any such violations,
 18 convictions or forfeitures of bail occurring prior to the effective
 19 date of this act."

Approved May 18, 1949.

CHAPTER 148

REGISTRATION OF AIRCRAFT

S. F. 380

AN ACT to amend chapter three hundred twenty-eight (328), sections three hundred
 twenty-eight point twenty (328.20), three hundred twenty-eight point twenty-one
 (328.21), three hundred twenty-eight point twenty-five (328.25) and three hundred
 twenty-eight point thirty-five (328.35), Code 1946, relating to the registration of
 aircraft and the fees therefor, the reporting of transfers of ownership of aircraft,
 penalties for failure to register aircraft or report the transfer of ownership of air-
 craft and the lien and collection of such fees and penalties.

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

1 SECTION 1. Section three hundred twenty-eight point twenty
 2 (328.20), Code 1946, is hereby amended by striking from line two (2)
 3 thereof, the words "and operated" and by inserting in lieu thereof,
 4 the words "either wholly or in part by persons residing".

1 SEC. 2. Sub-section one (1) of section three hundred twenty-eight
 2 point twenty-one (328.21), Code 1946, is hereby amended by striking
 3 from line one (1) thereof, the words "and second registrations" and
 4 by inserting in lieu thereof, the word "registration".

1 SEC. 3. Sub-section two (2) of section three hundred twenty-eight
 2 point twenty-one (328.21), Code 1946, is hereby amended by striking

3 from lines one (1) and two (2) thereof, the words "two times" and
4 by inserting in lieu thereof, the word "once" and is further amended
5 by striking from line four (4), thereof, the word "three" and by in-
6 serting in lieu thereof, the word "two", and is further amended by
7 striking from line five (5) thereof, the word "four" and by inserting
8 in lieu thereof, the word "three".

1 SEC. 4. Section three hundred twenty-eight point twenty-five
2 (328.25), Code 1946, is hereby amended by striking all of said section
3 following the word "aircraft" in line four (4) thereof, and by insert-
4 ing in lieu thereof, the following: "might otherwise be subject."

1 SEC. 5. Chapter three hundred twenty-eight (328), Code 1946, is
2 hereby amended by adding thereto, the following new sections:

3 Non-resident owners of aircraft operated within this state for the
4 intrastate transportation of persons or property for compensation
5 or the furnishing of services for compensation or for the intrastate
6 transportation of merchandise, shall register each such aircraft and
7 pay the same fees therefor as is required with referencé to like air-
8 craft owned by residents of this state.

9 Upon the transfer of ownership of any registered aircraft, the
10 owner shall immediately give notice to the commission upon the form
11 on the reverse side of the certificate of registration, stating the date
12 of such transfer, the name and post office address with street number,
13 if in a city, of the person to whom transferred, the number of the
14 registration certificate and such other information as the commission
15 may require.

16 The purchaser of the aircraft shall join in the notice of transfer
17 to the commission and shall, at the same time, make application for a
18 new certificate of registration.

19 The commission, if satisfied of the genuineness and regularity of
20 such transfer, shall register said aircraft in the name of the trans-
21 feree and issue a new certificate of registration as provided in this
22 chapter.

23 If a transfer of ownership of an aircraft subject to registration
24 is not completed, as herein provided, within five days of the actual
25 change of possession, a penalty of five dollars shall accrue against
26 said aircraft and no certificate of registration therefor shall there-
27 after issue until said penalty is paid.

28 All registration fees provided for in this chapter shall be and con-
29 tinue a lien against the aircraft for which said fees are payable until
30 such time as they are paid as provided by law, with any accrued
31 penalties.

32 The lien of the original registration fee shall attach at the time the
33 same is first payable as provided by law and the lien of all renewals
34 of registration shall attach on July 1, of each year thereafter.

35 The collection of all fees and penalties provided for in the chapter
36 may be enforced against any aircraft or they may be collected by suit
37 against the owner who shall remain personally liable therefor until
38 such time as the transfer thereof shall be reported to the commission or
39 until such time as the identity of such aircraft as an aircraft has been
40 entirely eliminated and all fees and penalties to such date shall be paid.

41 On August first of each year, a penalty of five per cent of the annual

42 registration fee shall be added to all fees not paid by that date, and
 43 five per cent of the annual registration fee shall be added to such fees
 44 on the first day of each month thereafter, that the same remains un-
 45 paid until paid, provided that said penalty in no case shall be less
 46 than one dollar.

47 Such delinquency shall begin and penalty accrue the first of the
 48 month following the purchase of a new aircraft and the first of the
 49 month following the date aircraft are brought into the state, except
 50 as herein otherwise provided.

51 The commission, if it finds that a delinquency in registration was
 52 excusable and upon making a record of such finding and the reasons
 53 for such delinquency, shall have the power to waive or reduce any of
 54 the penalties provided for delinquent registrations.

1 SEC. 6. Section three hundred twenty-eight point thirty-five
 2 (328.35), Code 1946, is hereby amended by striking therefrom sub-
 3 section two (2) thereof, and inserting in lieu thereof, the following:
 4 "An aircraft which is owned by a resident of this state but which is
 5 continuously located and operated beyond the boundaries of the
 6 state."

1 SEC. 7. Sub-section six (6) of section three hundred twenty-eight
 2 point thirty-five (328.35), Code 1946, is hereby amended by inserting
 3 in line one (1) thereof, following the word "non-resident" and before
 4 the word "operating.", the word "airman".

1 SEC. 8. This Act being deemed of immediate importance shall be-
 2 come effective upon its publication in the Wapello Republican, a news-
 3 paper published at Wapello, Iowa, and in the Clarinda Herald-Journal,
 4 a newspaper published at Clarinda, Iowa.

Approved March 30, 1949.

I hereby certify that the foregoing act was published in the Wapello Republican, April
 7, 1949, and in the Clarinda Herald-Journal, April 7, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 149

STATE AVIATION FUND

S. F. 379

AN ACT to amend section three hundred twenty-eight point thirty-six (328.36), Code
 1946, relating to the state aviation fund and the transfer from said fund to the
 general fund of the sum of \$34,674.43 on June 30, 1949.

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

1 SECTION 1. Section three hundred twenty-eight point thirty-six
 2 (328.36), Code 1946, is hereby amended by striking therefrom all of
 3 said section following the period in line five (5) thereof.

1 SEC. 2. On June 30, 1949, there shall be transferred from the state
 2 aviation fund to the general fund of the state of Iowa the sum of
 3 \$34,674.43, and the comptroller is hereby directed to make the transfer

4 on the books in his office and to certify to the treasurer of the state the
 5 fact that the transfer has been made and has been so entered upon
 6 the books in his office. The transfer, when made as herein provided,
 7 shall relieve the state aviation fund of all liability to the general fund
 8 of the state and shall be in full acquittance and satisfaction of all
 9 moneys payable from the state aviation fund to the general fund of
 10 the state.

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 Baxter New Era, a newspaper published at Baxter, Iowa, and in The
 4 Colfax Tribune, a newspaper published at Colfax, Iowa.

Approved May 18, 1949.

I hereby certify that the foregoing Act was published in the Baxter New Era, May
 25, 1949, and in The Colfax Tribune, May 26, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 150

OPERATING AIRCRAFT WHILE INTOXICATED

S. F. 156

AN ACT to amend chapter one hundred eighty-one (181), Acts of the Fifty-second
 General Assembly relating to the operation of aircraft while under the influence
 of intoxicating liquors or habit forming drugs or in a careless or reckless manner
 and the penalties therefor.

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

1 SECTION 1. Section two (2) of chapter one hundred eighty-one
 2 (181), Acts of the Fifty-second General Assembly is hereby amended
 3 by striking from line one (1) thereof, the word "violates" and by in-
 4 serting in lieu thereof, the words "operates an aircraft in a careless
 5 or reckless manner in violation of".

1 SEC. 2. Chapter one hundred eighty-one (181), Acts of the Fifty-
 2 Second General Assembly is further amended by adding thereto, the
 3 following section:

4 "Sec. 3. Any person who operates any aircraft, while in an in-
 5 toxicated condition or under the influence of narcotic drugs in viola-
 6 tion of this Act, shall, upon conviction or a plea of guilty, be punished
 7 for the first offense by a fine of not less than three hundred dollars
 8 nor more than one thousand dollars, or by imprisonment in the
 9 county jail for a period not to exceed one year, or by both such fine
 10 and imprisonment; for the second offense by a fine of not less than
 11 five hundred dollars, nor more than one thousand dollars, or by im-
 12 prisonment in the penitentiary for a period of not to exceed one year,
 13 or by both such fine and imprisonment; and for a third offense by im-
 14 prisonment in the penitentiary for a period not to exceed three years.

15 The court, in pronouncing sentence, shall provide for the immediate
 16 surrender of any liquor permit issued to the defendant under chapter
 17 one hundred twenty-three, Code 1946, which chapter is identified as

18 the "Iowa Liquor Control Act". The sentence shall further provide
 19 that a true copy of the judgment sentencing the defendant shall be
 20 forthwith certified by the clerk of court to the Iowa Liquor Control
 21 Commission. The Liquor Control Commission shall not thereafter
 22 issue to the defendant a liquor permit until such time as the court
 23 or judge of the court having original jurisdiction of the defendant
 24 for good cause shown shall so certify to the Iowa Liquor Control
 25 Commission."

Approved May 5, 1949.

CHAPTER 151

COMPENSATION OF COUNTY OFFICERS

H. F. 521

AN ACT to amend sections one (1) four (4) and seven (7) of chapter one hundred eighty-three (183), Laws of the Fifty-second General Assembly, relating to the compensation of members of the boards of supervisors and certain deputy auditors, treasurers, recorders, sheriffs and clerks.

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

1 SECTION 1. Section one (1) of chapter one hundred eighty-three
 2 (183), Laws of the Fifty-second General Assembly, is hereby
 3 amended by striking from line three (3) the word "seven" and by
 4 inserting in lieu thereof the word "eight", and by striking from line
 5 thirteen (13) the words and figures "thirty-five hundred* (\$3,500)"
 6 and inserting in lieu thereof the words and figures "four thousand*
 7 (\$4,000)".

1 SEC. 2. Section seven (7) of chapter one hundred eighty-three
 2 (183), Laws of the Fifty-second General Assembly, is hereby
 3 amended as follows:

4 "1. By striking from subsection three (3) the words 'but not to
 5 exceed three thousand dollars'.

6 "2. By striking from subsection four (4) the words 'but not to
 7 exceed thirty-three hundred dollars'.

8 "3. By striking from line four (4) of subsection five (5) the word
 9 'four' and by inserting in lieu thereof the word 'six'."

1 SEC. 3. Section four (4) of chapter one hundred eighty three
 2 (183), laws of the Fifty-second General Assembly, is hereby amended
 3 by adding at the end of subsection three (3) the following: "The
 4 chief deputy shall receive seventy-five per cent (75%) of the amount
 5 of the salary of the sheriff, but not to exceed thirty-six hundred dol-
 6 lars (\$3,600)."

1 SEC. 4. Section four (4) of chapter one hundred eighty-three
 2 (183), laws of the Fifty-second General Assembly, is hereby amended
 3 by striking from line two (2) of subsection four (4) the following:
 4 "the chief deputy and for."

Approved May 2, 1949.

*According to enrolled Act.

CHAPTER 152

COUNTY TREASURER REPORTS

H. F. 200

AN ACT relating to the publication of the reports of the county treasurer and to amend section three hundred forty-nine point sixteen (349.16), Code 1946.

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

1 SECTION 1. Section three hundred forty-nine point sixteen
2 (349.16), Code 1946, is amended by adding after the word "county"
3 in line three (3) of subsection three (3) the following:
4 "and the current cash balance in each fund in his office together
5 with the total of warrants outstanding against each of said funds as
6 shown by the warrant register in the auditor's office."

Approved March 31, 1949.

CHAPTER 153

BENEFITED WATER DISTRICTS

S. F. 27

AN ACT to amend section three hundred fifty-seven point nineteen (357.19), Code 1946, relating to the assessment of property in benefited water districts.

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

1 SECTION 1. Section three hundred fifty-seven point nineteen
2 (357.19), Code 1946, is amended by adding thereto the following:
3 "Notwithstanding the provisions of this section the final assessment
4 may be but not in excess of one and one-half dollars per lineal foot of
5 abutting frontage for all unimproved property, and may be but not in
6 excess of four dollars per lineal foot of abutting frontage for all im-
7 proved property. Each parcel of improved property having a front-
8 age of more than one hundred (100) feet per unit of improvement
9 shall be assessed as unimproved property on the frontage in excess of
10 one hundred (100) feet. For the purpose of this act improved prop-
11 erty shall be considered to be any property having one habitable
12 dwelling or one business building thereon."

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 Plainfield News, a newspaper published at Plainfield, Iowa, and
4 in the American Citizen, a newspaper published at Des Moines, Iowa.

Approved March 11, 1949.

I hereby certify that the foregoing act was published in the Plainfield News, March 17, 1949, and in the American Citizen, March 18, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

• CHAPTER 154
SANITARY DISTRICTS

H. F. 386

AN ACT to amend section three hundred fifty-eight point one (358.1), Code 1946, relating to the incorporation of sanitary districts.

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

1 SECTION 1. Section three hundred fifty-eight point one (358.1),
2 Code 1946, is hereby amended by striking the words "incorporated
3 cities or towns", as they appear in lines two (2) and three (3), and
4 inserting in lieu thereof the following:
5 "cities, towns or villages".

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 Pioneer-Republican, a newspaper published at Marengo, Iowa,
4 and the North English Record, a newspaper published at North
5 English, Iowa.

Approved March 25, 1949.

I hereby certify that the foregoing act was published in the Pioneer-Republican, April 14, 1949, and in the North English Record, April 14, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 155

SALE OF UNUSED CEMETERIES

H. F. 71

AN ACT relating to the sale of unused and unnecessary cemeteries.

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

1 SECTION 1. Amend section three-hundred fifty-nine point thirty-
2 seven (359.37), Code 1946, by adding thereto the following para-
3 graph:
4 "The trustees, after such land has been advertised for sealed bids
5 by the trustees, shall have authority to sell and dispose of any lands
6 or parcels of lands heretofore dedicated for cemetery purposes and
7 which are no longer necessary for such purposes, for the reason that
8 no burials are being made in such cemetery, provided that any portion
9 of said cemetery in which burials have been made shall be kept and
10 maintained by said trustees. The proceeds from such sales shall be
11 deposited in the tax fund established in accordance with section
12 three hundred fifty-nine point thirty (359.30), to be used for the
13 purposes of that fund."

Approved March 11, 1949.

CHAPTER 156 -

TOWNSHIP FIRE PROTECTION

H. F. 55

AN ACT to amend section three hundred fifty-nine point forty-three (359.43), Code 1946, relating to annual levy by township trustees for fire protection.

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

- 1 SECTION 1. Section three hundred fifty-nine point forty-three
- 2 (359.43), Code 1946, is amended by striking the word "one" in line
- 3 two (2) of said section and inserting in lieu thereof the words "one
- 4 and one-half".

Approved March 11, 1949.

CHAPTER 157

ABANDONED TOWNS

S. F. 172

AN ACT relating to abandoned towns and to amend section three hundred sixty-two point eighteen (362.18), Code 1946.

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

- 1 SECTION 1. Section three hundred sixty-two point eighteen
- 2 (362.18), Code 1946, is amended by striking from lines six and seven
- 3 (6 and 7) the words, "within sixty days from the taking effect of
- 4 this section".

Approved May 5, 1949.

CHAPTER 158

MAYOR PRO TEMPORE

S. F. 244

AN ACT to amend the law as it appears in section three hundred sixty-three point eighteen (363.18), Code 1946, relating to the powers and duties of the mayor, by adding thereto subsection nine (9), providing for the appointment of a mayor pro tempore with limited powers.

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

- 1 SECTION 1. That section three hundred sixty-three point eighteen
- 2 (363.18), Code 1946, be and is hereby amended by adding thereto
- 3 subsection nine (9), as follows:
- 4 "9. *Mayor pro tem.* He shall designate one member of the council
- 5 as mayor pro tempore subject to the approval of a majority of the
- 6 council. Said mayor pro tempore shall be vice-president of the coun-
- 7 cil and give bond in the sum of five hundred dollars. In the case of
- 8 absence or inability of the mayor to act he shall perform the duties of
- 9 mayor except as otherwise herein provided. The Mayor pro tempore

10 shall have no power to employ or discharge any officer or employee
 11 that the Mayor has power to appoint or employ but said Mayor pro
 12 tempore shall have the right to cast a vote as a member of the council.

1 SEC. 2. All laws or parts of laws in conflict herewith are hereby
 2 repealed to the extent of said conflict.

1 SEC. 3. This act shall apply to special charter cities.

Approved March 16, 1949.

CHAPTER 159

GROUP INSURANCE FOR CITY EMPLOYEES

H. F. 149

AN ACT authorizing city councils in certain cities to procure group insurance, hospital, or medical service for employees of such cities, to establish plans and funds for such purposes and to administer the same.

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

1 SECTION 1. The city council in any city now or hereafter having a
 2 population of one hundred twenty-five thousand (125,000) inhabitants
 3 or more, including cities under commission plan of government, may
 4 establish plans for and procure group insurance, hospital or medical
 5 service for the employees of such city.

1 SEC. 2. The funds for such plans shall be created from the follow-
 2 ing sources:

3 (a) Contributions from employees who elect to participate in any
 4 such plan; and

5 (b) Contributions authorized by the city council from the general
 6 fund of said city in amounts not exceeding the aggregate amounts
 7 assessed against and collected from employees who elect to participate
 8 in any such plan. The funds for each plan shall be kept separately.

1 SEC. 3. All employees participating in any such plan shall be
 2 assessed and required to pay an amount to be fixed by the city council
 3 not to exceed the 2% which shall be contributed by the city according
 4 to the plan adopted, and the amount so assessed shall be deducted and
 5 retained out of the wages or salary of such employees.

1 SEC. 4. Participation in any such plan shall be optional with all
 2 employees eligible to the benefits thereof as provided by the rules and
 3 regulations adopted by the city council pursuant thereto. Election to
 4 participate therein shall be in writing signed by the employee and
 5 filed with the city council.

1 SEC. 5. The fund for each plan shall be under the control and shall
 2 be expended under the directions of the city council and shall be used
 3 solely for the purpose of administering and carrying out the provisions
 4 of the plan adopted by the city council.

1 SEC. 6. The city council may contract with a non-profit corpora-
 2 tion operating under the provisions of chapter 514 of the Code or

3 with a legal reserve life insurance company with respect of a group
 4 insurance plan, which may include life, health, hospitalization and
 5 disability insurance during period of active service of such em-
 6 ployees, with the right of any employee to continue such life insur-
 7 ance in force after termination of active service at such employee's
 8 sole expense; and may contract with a nonprofit corporation operating
 9 under and governed by the provisions of chapter five hundred four-
 10 teen (514) of the Code with respect of any hospital or medical
 11 service plan.

1 SEC. 7. "Employee" as used in this act is defined to be a person
 2 employed by the city on a weekly, monthly or yearly basis and who is
 3 actually performing duties under such employment, except the
 4 members or the employees in the police department, fire department
 5 and the waterworks.

1 SEC. 8. The city council of cities establishing any such plan under
 2 this act shall administer such plan and formulate and establish rules
 3 and regulations for the operation thereof, not inconsistent with the
 4 provisions of this act.

1 SEC. 9. 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. 10. The decisions of the city council upon all matters upon
 2 which the said city council is empowered to act, under and pursuant
 3 to the provisions hereof, shall be final and conclusive, in the absence
 4 of fraud, and no appeal shall be allowed therefrom nor shall such
 5 decisions of the city council, in the absence of fraud, be reviewed, en-
 6 joined or set aside by any court.

Approved May 2, 1949.

CHAPTER 160

CIVIL SERVICE

S. F. 372

AN ACT to amend section three hundred sixty-five point seventeen (365.17), Code 1946, relating to civil service.

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

1 SECTION 1. Section three hundred sixty-five point seventeen
 2 (365.17), Code 1946, is hereby amended by adding thereto the follow-
 3 ing:

4 "Except with respect to appointment or employment in the police
 5 or fire department, the civil service commission may waive the resi-
 6 dence requirement as set out in paragraph one (1), in examinations

7 for positions requiring technical or scientific knowledge when appli-
 8 cants for such positions are not available who can meet the residence
 9 requirement."

Approved May 5, 1949.

CHAPTER 161

WATERWORKS CIVIL SERVICE

H. F. 121

AN ACT authorizing boards of waterworks trustees in cities of Iowa to adopt resolution placing employees under civil service and providing in such case that the civil service commission in such cities shall have charge and control of the procedure and to amend chapters three hundred sixty-five (365) and three hundred ninety-eight (398), Code 1946.

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

1 SECTION 1. Chapter three hundred sixty-five (365), Code 1946,
 2 is amended by adding the following: "In cities where Board of
 3 Waterworks Trustees have adopted resolution placing its employees
 4 under the provisions of chapter three hundred sixty-five as to civil
 5 service, the Civil Service Commissioner appointed and acting under
 6 said chapter shall have charge and control of the civil service pro-
 7 cedure as to such employees and the provisions and procedure of chap-
 8 ter three hundred sixty-five (365) shall apply in such cases."

1 SEC. 2. Chapter three hundred ninety-eight (398), Code 1946,
 2 is amended by adding thereto the following: "The Board of Trustees
 3 of the Waterworks of any city having a municipal waterworks plant
 4 or securing one hereafter are hereby granted authority to adopt
 5 resolution providing that its employees shall be subject to and shall
 6 have all the rights and privileges as to civil service rights as set out
 7 and provided in chapter three hundred sixty-five (365). The Civil
 8 Service Commission in such cities shall have charge and control of
 9 the procedure with reference to such employees, all as provided and
 10 set out in chapter three hundred sixty-five (365)."

Approved April 18, 1949.

CHAPTER 162

FIRE FIGHTING OUTSIDE CITIES AND TOWNS

H. F. 424

AN ACT to amend section three hundred sixty-eight point thirty (368.30), Code 1946, relating to the extension of a municipality's jurisdiction outside its limits for fire fighting and other emergency purposes.

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

1 SECTION 1. Section three hundred sixty-eight point thirty
 2 (368.30), Code 1946, is hereby amended by striking the first sen-

3 tence thereof commencing with line one (1), and ending with the word
4 "municipality" in line nine (9) thereof, and enacting in lieu thereof
5 the following:

6 "Any city or town may by ordinance provide terms and conditions
7 under which its fire fighting equipment and firemen may respond to
8 calls for fire fighting or other emergency assistance outside its cor-
9 porate limits, and when so engaged such equipment and men shall be
10 considered within their jurisdiction, and the city or town shall have
11 the same governmental immunity as when operating within its cor-
12 porate limits."

1 SEC. 2. This act shall apply to special charter cities.

1 SEC. 3. This act being deemed of immediate importance shall be-
2 come effective upon its publication in the Rake Register, a newspaper
3 published at Thompson, Iowa, and in the Solon Economist, a news-
4 paper published at Solon, Iowa.

Approved March 26, 1949.

I hereby certify that the foregoing act was published in the Rake Register, April 7,
1949, and in the Solon Economist, April 14, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 163

COUNTY LIBRARY SERVICE

S. F. 273

AN ACT to amend or revise sections four hundred four point five (404.5), Code 1946,
three hundred seventy-eight point eleven (378.11), three hundred seventy-eight
point thirteen (378.13), and three hundred seventy-eight point fifteen (378.15),
Code 1946, and sections two (2), nine (9), ten (10), thirteen (13), fourteen (14),
and fifteen (15) of chapter one hundred ninety-three (193), Acts of the Fifty-second
General Assembly, relating to contracts for library service and the establishment
and maintenance of libraries.

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

1 SECTION 1. Section three hundred seventy-eight point eleven
2 (378.11), Code 1946, is hereby amended by inserting after the word
3 "county" in line four (4) the following:
4 "or with the trustees of any county library district".

1 SEC. 2. Section three hundred seventy-eight point thirteen
2 (378.13), Code 1946, is hereby amended and revised to read as fol-
3 lows:
4 "such contracts shall provide for the rate of tax to be levied during
5 the period thereof. They may, by mutual consent of the contracting
6 parties, be terminated at any time. They may also be terminated
7 by a majority of the electors, represented by either of the contracting
8 parties, voting on a proposition to terminate which shall be submitted
9 by the governing body upon a written petition of electors in a number
10 not less than five per cent (5%) of those who voted in the area for
11 governor at the last general election.

12 "The proposition may be submitted at any election provided by law
13 which covers the area of that seeking to terminate the contract. The
14 petition shall be presented to the governing body not less than forty
15 (40) days before the election at which the question is to be sub-
16 mitted."

1 SEC. 3. Section two (2) of chapter one hundred ninety-three
2 (193), Acts of the Fifty-second General Assembly, is hereby amended
3 and revised to read as follows:

4 "A county library district may be established composed of one
5 county or two or more adjacent counties and may include or exclude
6 the entirety of a city or town partly within one of the counties.

7 "Electors residing within the proposed district in a number not less
8 than five per cent (5%) of those voting for governor within said
9 district at the last general election may petition the board of super-
10 visors of the county or counties for the establishment of such county
11 library district. Said petition shall clearly designate the area to be
12 included in the district.

13 "The board of supervisors of each county containing area within
14 the proposed district shall submit the proposition to the electors
15 within their respective counties at any general or primary election
16 provided said election occurs not less than forty (40) days after the
17 filing of the petition.

18 "A county library district shall be established, if a majority of the
19 electors, voting on the proposition and residing outside of cities and
20 towns maintaining a free public library as provided by section three
21 hundred seventy-eight point one (378.1), Code 1946, favor it.

22 "The result of the election within cities and towns maintaining a
23 free public library under the above mentioned provision shall be con-
24 sidered separately, and no such city or town shall be included within
25 the county library district unless a majority of its electors, voting
26 on the proposition, favor its inclusion. In such cases the boundaries
27 of an established district may vary from those of the proposed district.

28 "After the establishment of a county library district other areas
29 may be included by mutual agreement of the board of trustees of the
30 county library district and the governing body of the area sought to
31 be included."

1 SEC. 4. Section nine (9) of chapter one hundred ninety-three
2 (193), Acts of the Fifty-second General Assembly, is hereby amended
3 by adding thereto the following subdivision:

4 "4. By contracting for library service with the trustees of a free
5 public library of any city or town".

1 SEC. 5. Section nine (9) of chapter one hundred ninety-three
2 (193), Acts of the Fifty-second General Assembly is hereby amended
3 by inserting after the word "books" in lines three (3), five (5) and
4 seven (7) the words "and other educational materials".

1 SEC. 6. Section ten (10) of chapter one hundred ninety-three
2 (193), Acts of the Fifty-second General Assembly is hereby amended
3 by adding thereto the following:

4 "Such library treasurer shall be required to furnish a bond con-
5 ditioned as provided by section sixty-four point two (64.2), Code

6 1946, in such amount as agreed upon by the boards of supervisors and
7 the cost thereof shall be paid by the counties.”.

1 SEC. 7. Section thirteen (13) of chapter one hundred ninety-three
2 (193), Acts of the Fifty-second General Assembly is amended by
3 striking therefrom the sentence beginning in line four (4) and ending
4 in line nine (9), and substituting in lieu thereof the following:

5 “The board of library trustees shall on or before July 10 of each
6 year make an estimate of the amount it deems necessary for the
7 maintenance of the county library and shall transmit said estimate
8 in dollars to the board or boards of supervisors and to the city and
9 town councils within the district.”.

1 SEC. 8. Section fourteen (14) of chapter one hundred ninety-
2 three (193), Acts of the Fifty-second General Assembly is hereby
3 amended and revised to read as follows:

4 “Chapter three hundred seventy-eight (378), Code 1946, is amended
5 by adding thereto as a new section the following:

6 ‘Electors of that part of any county residing outside of cities and
7 towns in a number of not less than twenty-five per cent (25%) of
8 those who voted for governor at the last general election in said area
9 may petition the board of supervisors to submit the proposition of
10 requiring the board of supervisors to provide library service for them
11 and their area by contract as provided by section three hundred
12 seventy-eight point eleven (378.11), Code 1946.

13 “Thereafter it shall be the duty of the board of supervisors to sub-
14 mit the proposition to the voters of the county residing outside of
15 cities and towns at the next nearest election, primary or general,
16 provided, however, that said petition shall have been filed not less
17 than forty (40) days prior to the date of the election at which the
18 question is to be submitted.

19 ‘If a majority of those voting upon the proposition favor it the
20 board of supervisors shall within thirty (30) days thereafter appoint
21 a board of library trustees from residents of the petitioning area and
22 whose number, term of office, vacancies and qualifications, other than
23 residence, shall be the same as provided for trustees of free public
24 libraries in cities and towns. Vacancies shall be filled by the board of
25 supervisors.

26 “The board of trustees is authorized to contract with trustees of
27 any library for library use or service for the benefit of the residents
28 and area represented by it. The contract so executed shall have all
29 the force and effect of one executed by a board of supervisors under
30 the provisions of section three hundred seventy-eight point eleven
31 (378.11), Code 1946.

32 “The board of supervisors shall thereafter levy annually on the
33 taxable property of the county outside of cities and towns, a tax of
34 not more than one (1) mill to create a fund to fulfill the contract
35 obligations of the trustees appointed by it.”

1 SEC. 9. Section fifteen (15) of chapter one hundred ninety-three
2 (193), Acts of the Fifty-second General Assembly is hereby amended
3 and revised to read as follows:

4 “The provisions of this act pertaining to the establishment of a

5 county library district shall not apply to any area receiving library
6 service from any city or town library under the provisions of chapter
7 three hundred seventy-eight (378), Code 1946, unless the petition for
8 a county library district shall, in addition to the required signatures
9 of electors, be signed by the governing body of the area receiving
10 library service under contract.”.

1 SEC. 10. Chapter one hundred ninety-three (193), Acts of the
2 Fifty-second General Assembly is hereby amended by adding thereto
3 as a new paragraph the following:

4 “Whenever a county library district is established the board of
5 trustees thereof shall assume all the obligations of the existing con-
6 tracts made by cities, towns, townships, school corporations or
7 counties to receive library service from free public libraries.”.

1 SEC. 11. Section three hundred seventy-eight point fifteen
2 (378.15), Code 1946, is hereby amended by striking the word “one-
3 fourth” in line five (5) and inserting in lieu thereof the word “one”.

1 SEC. 12. Section four hundred four point five (404.5), Code 1946,
2 is hereby amended by striking from line three (3) of subsection
3 twenty-one (21) the word “one-fourth” and substituting in lieu
4 thereof the word “one”.

Approved May 18, 1949.

CHAPTER 164

WATER FRONT LAND IN CITIES AND TOWNS

H. F. 19

AN ACT to amend section three hundred eighty-four point three (384.3), Code 1946, relating to the purchase or acquisition by condemnation of lands by dock boards in cities and towns.

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

1 SECTION 1. Subsection two (2) of section three hundred eighty-
2 four point three (384.3), Code 1946, is amended by inserting after the
3 word “harbor,” in line seven (7) the words “water front,”.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect from and after its publication in the Telegraph Herald, a news-
3 paper published at Dubuque, Iowa, and the Dyersville Commercial, a
4 newspaper published at Dyersville, Iowa.

Approved February 5, 1949.

I hereby certify that the foregoing act was published in the Telegraph Herald, February 15, 1949, and the Dyersville Commercial, March 2, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 165

DAMAGES FROM STREET CHANGES

H. F. 448

AN ACT to repeal sections three hundred eighty-nine point twenty-three (389.23) to three hundred eighty-nine point thirty (389.30) inclusive, Code 1946, and to enact substitutes therefor, and to establish a method of determining the damage sustained by the owner of property abutting on any street or alley in cities and towns resulting from a change in the established grade of any street or alley in cities or towns, or resulting from the construction of viaducts, overhead crossings, or underpasses facilitating highway travel, which may be built in or over streets or alleys in cities and towns.

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

1 SECTION 1. Sections three hundred eighty-nine point twenty-
2 three (389.23), three hundred eighty-nine point twenty-four
3 (389.24), three hundred eighty-nine point twenty-five (389.25), three
4 hundred eighty-nine point twenty-six (389.26), three hundred eighty-
5 nine point twenty-seven (389.27), three hundred eighty-nine point
6 twenty-eight (389.28), three hundred eighty-nine point twenty-nine
7 (389.29), and three hundred eighty-nine point thirty (389.30),
8 Code 1946, are hereby repealed.

1 SEC. 2. Whenever the Iowa state highway commission or any city
2 or town in the state of Iowa, or both jointly, shall undertake the con-
3 struction, within any city or town, of a street grade change or of a
4 viaduct overhead crossing or underpass, in any street or alley
5 whether the construction in fact causes a change of grade or not, the
6 owner of any property abutting on said street or alley at the place of
7 such construction, shall be entitled to receive from the city or town
8 within which such construction is being made, as the case may be,
9 damages by reason of any injury to the owner's right to ingress and
10 egress to such property, or by reason of deprivation of light, air, or
11 view which may be occasioned by such construction.

1 SEC. 3. For the determination of the damage or injury referred
2 to in section three hundred eighty-nine point twenty-two (389.22),
3 Code 1946, and under this Act, the procedure set forth in and pre-
4 scribed by chapter four hundred seventy-two (472), Code 1946, as
5 amended, relating to the condemnation of private property for works
6 of internal improvement shall govern and control.

1 SEC. 4. Appeals from such awards of damage shall be allowed as
2 provided in chapter four hundred seventy-two (472), Code 1946, and
3 shall be in conformity with the provisions thereof.

1 SEC. 5. This act being deemed of immediate importance shall be
2 in full force and effect upon and after its publication in the Council
3 Bluffs Nonpareil, a newspaper published at Council Bluffs, Iowa, and
4 the Oakland Acorn, a newspaper published at Oakland, Iowa.

Approved April 13, 1949.

I hereby certify that the foregoing act was published in the Council Bluffs Nonpareil,
April 29, 1949, and in the Oakland Acorn, May 5, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 166

SIDEWALKS IN CITIES AND TOWNS

H. F. 195

AN ACT to amend section three hundred eighty-nine point thirty-seven (389.37), Code 1946, relating to temporary sidewalks in cities and towns.

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

- 1 SECTION 1. Section three hundred eighty-nine point thirty-seven
- 2 (389.37), Code 1946, is hereby amended by striking the word "sixty
- 3 cents" in line six (6) and inserting in lieu thereof the following:
- 4 "one dollar".

Approved May 2, 1949.

CHAPTER 167

PARKING METER REVENUES

S. F. 9

AN ACT to repeal section three (3) of chapter two hundred six (206), Acts of the Fifty-second General Assembly, and to enact a substitute in lieu thereof, relating to parking meter revenues and the collection and allocation thereof, prohibiting the sale of any automotive supplies or services on any off-street parking area and providing a penalty for the violation thereof and making specific revisions relative to certain cities and towns.

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

- 1 SECTION 1. Section three (3) of chapter two hundred six (206),
- 2 Acts of the Fifty-second General Assembly, is repealed and the fol-
- 3 lowing enacted in lieu thereof.
- 4 "Sec. 3. Funds derived from the operation of parking meters shall
- 5 be used for the following purposes and none other, to-wit:
- 6 1. Payment of the cost of acquisition and installation of meters
- 7 purchased.
- 8 2. Payment of the cost of maintenance and repair of meters, the
- 9 collection of meter taxes, and the enforcement of traffic laws in the
- 10 parking meter district.
- 11 3. Payment of the purchase and installation costs of other park-
- 12 ing or traffic control devices installed on such portions of streets as
- 13 are equipped with parking meters.
- 14 4. Payment of the cost of acquiring by purchase, lease or similar
- 15 arrangement of parking lots or other off-street parking areas, in-
- 16 cluding operation, enlargement or improvement thereof or the facili-
- 17 ties thereof, within four tenths of a mile of the metered portion of
- 18 the streets within the meter district.
- 19 5. Retirement of revenue bonds issued pursuant to the provisions
- 20 of this chapter; and cities and towns may pledge such funds not re-
- 21 quired for the payment of costs under sub-sections one (1), two (2)
- 22 and three (3) hereof to the payment of such bonds.
- 23 Until such time as there shall have been provided adequate park-
- 24 ing lots or other off-street parking areas in any city or town operat-

25 ing parking meters, all revenues derived from the operation of such
26 parking meters or other similar devices not required for the payment
27 of costs under sub-sections one (1), two (2) and three (3) hereof
28 shall be expended for the acquisition of such facilities, provided, how-
29 ever that the total expenditures for items 2 and 3 shall not exceed 25%
30 of the total meter income and provided further that such funds may be
31 retained and accumulated for such purpose for such length of time and
32 in such amount as may be reasonably necessary to effectuate such
33 program of acquisition of parking lots or other off-street parking
34 areas. No part of the street area in any parking meter district shall
35 be set aside or used for parking purposes at a charge less than the
36 ordinary charge for parking throughout the parking meter district,
37 except such part of the street area in any parking meter district set
38 aside for the vehicles used by any person, firm, or corporation engaged
39 in public passenger transportation which are required by law to pay a
40 tax (for the use of the streets)."

1 SEC. 2. Any sale of automotive supplies or services other than
2 service incidental to the mere parking of cars by the city, a lessee of
3 the city, or by any other person, firm or corporation on any parking
4 lot or other off-street parking area, whether such service be paid for
5 in full or in part in money or for any other consideration, is prohibited
6 and any such sale shall constitute a misdemeanor and be punished as
7 such.

1 SEC. 3. Sections one (1) and two (2) of this act shall apply to cities
2 acting under special charter except those having a population of less
3 than 30,000.

1 SEC. 4. Sections one (1) and two (2) of this act shall not be
2 applicable to cities and towns having a population of less than
3 10,000, however, such cities shall have power and authority to use the
4 funds received from the operation of parking meters to pay the cost of
5 acquiring, operating, maintaining and repairing the same, and also to
6 pay the cost of acquiring and operating other parking and traffic
7 control devices. Any of such funds remaining thereafter may be used
8 either to purchase, lease or otherwise acquire parking lots or other
9 off-street parking areas for the parking of vehicles, or said remaining
10 funds may also be used for the retirement of revenue bonds issued for
11 the purpose of acquiring parking lots, in the event the revenue from
12 said parking lots is insufficient to pay the cost of retiring said bonds,
13 or for any other lawful purpose.

1 SEC. 5. Section four (4) of this Act shall be applicable to cities
2 acting under special charter having a population of less than 30,000.

1 SEC. 6. If any of the provisions of this Act shall be held invalid or
2 unconstitutional such invalidity or unconstitutionality shall not affect
3 other provisions of this Act and to these ends the provisions of this Act
4 are declared to be severable.

Approved April 11, 1949.

CHAPTER 168
STREET AND SEWER IMPROVEMENTS
S. F. 242

AN ACT to provide an alternative method and procedure for street and sewer improvements in cities and towns, including those organized and operating under special charter and for the levy of special assessments against benefited property in connection therewith and authorizing the issuance of bonds payable from such special assessments.

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

- 1 SECTION 1. Definitions. The following words or terms as used in
2 this Act shall have the respective meanings as stated:
- 3 1. Municipality. A city or town of any class, size or form of gov-
4 ernment, including a city or town organized and operating pursuant
5 to a special charter.
- 6 2. Council. The council, board of aldermen or other similar gov-
7 erning body of the municipality. The word clerk shall include
8 recorder.
- 9 3. Repair. The repair, reconstruction or resurfacing of a public
10 improvement.
- 11 4. Street. Any public street, highway, boulevard, avenue, alley,
12 parkway, or public place within the limits of such municipality.
- 13 5. Lot. Any lot, part of lot, tract or parcel of land.
- 14 6. Public improvements. Public improvements as referred to in
15 this Act shall include the principal structures or works and their
16 accessories of:
- 17 a. Sanitary, storm or combined sewers;
18 b. Drainage conduits, channels or levees;
19 c. Street grading, paving, curbing, guttering and surfacing with
20 oil, oil and gravel, or chloride;
21 d. Street lighting fixtures and connections;
22 e. Sewage pumping stations and disposal or treatment plants;
23 f. Underground connections to private property for gas, water,
24 sewers or electricity;
25 g. Permanent sidewalks;
26 h. Extensions to the water main system of waterworks systems.
- 27 7. Cost. The total cost of a public improvement may include the
28 cost of engineering, preliminary reports, estimates, plans, specifica-
29 tions, notices, legal services, the acquisition of lands, consequential
30 damages or costs, easements, rights-of-way, construction, super-
31 vision, inspection, testing and the printing and publishing notices and
32 proceedings, interest during construction, and for not more than six
33 months thereafter; and printing and sale of bonds or certificates.
- 34 8. Construction. All materials, labor, acts, operations and services
35 necessary to the completion of a public improvement from its incep-
36 tion to its completion.
- 37 9. Oil. Any asphaltic or bituminous material suitable for road
38 building purposes.
- 39 10. Gravel. Gravel, crushed rock, cinders, shale or similar mate-
40 rial suitable for road building purposes.
- 41 11. Main sewer. Any sewer that is commonly referred to as an
42 intercepting sewer, outfall sewer, or trunk sewer.

43 12. Lateral sewer. Any sewer which contributes sewage or surface
44 water to a main sewer or outlet.

45 13. Sewer system. The main sewers, lateral sewers, drainage con-
46 duits or channels within a sewer district including connections to
47 private property.

48 14. District. The lots or area within the boundaries of a district
49 as established by the council for the purpose of the assessment of cost
50 of a public improvement.

51 15. Privately owned property. All property except streets, prop-
52 erty owned by the United States, and property owned by the municipi-
53 ality.

54 16. Abutting lot. A lot which abuts or joins the street in which
55 the public improvement is located or which abuts the right-of-way of
56. said improvement.

57 17. Adjacent lot. Any lot which is not an abutting lot.

58 18. Proposal. A legal bid as received on work advertised as pro-
59 vided in this Act.

60 19. Paving. The word paving as used in this Act shall include
61 any kind of hard surfacing including, but not limited to, concrete,
62 bituminous concrete, brick, stabilized gravel or crushed stone or com-
63 binations of such materials, together with the necessary base. Paving
64 shall not include surfacing with oil, oil and gravel or chloride.

65 20. Engineer. A professional engineer registered in the State of
66 Iowa authorized by the council to render service in connection with
67 the public improvement.

68 21. Railways. The word railways shall not include street railways.

1 SEC. 2. Grant of power. Municipalities shall have the power to
2 construct or repair public improvements within and extending outside
3 their corporate limits and may assess all or any portion of the cost
4 thereof to private property within the municipality in the manner
5 and amounts as provided in this Act and subject to the limitations as
6 provided herein; except that the construction of permanent surfacing,
7 curbs, gutters, pavement or sidewalks shall not be ordered unless such
8 improvement when fully completed shall be to established grade. The
9 council may include as a part of a public improvement connections
10 from gas, water, steam heating pipes, sewers and underground
11 electric construction to the curb line of abutting property or by sep-
12 arate proceeding under any other law require same to be made or
13 to be relocated or repaired before the permanent improvement of a
14 street.

1 SEC. 3. Power of condemnation. Municipalities shall have the
2 power to condemn, in the manner provided for the condemnation of
3 lands for its needs, right-of-way through private property adequate
4 for the construction, repair and maintenance of all public improve-
5 ments authorized by this Act.

1 SEC. 4. Preliminary resolution. When the council shall deem it
2 necessary to construct or repair any public improvement or improve-
3 ments under the provisions of this Act and to assess the cost thereof
4 to private property, it shall adopt a preliminary resolution generally
5 describing the type or alternative types of improvement or improve-

6 ments proposed and the beginning and terminal points thereof, or
7 otherwise indicating the general location thereof, and directing the
8 engineer to prepare and file with the clerk of the municipality pre-
9 liminary plans and specifications for the work, an estimated total cost
10 thereof and a plat and schedule. A single resolution may embrace one
11 improvement only or two or more classes of improvements so related
12 by location or otherwise as to make it advisable in the opinion of the
13 council to proceed with all thereof simultaneously. An improvement
14 need not be continuous and may be in more than one locality or street
15 and that portion of a street may be excluded which has been improved
16 by any railway or which the municipality may be authorized under
17 the franchise or contract with such railway to require it to improve.
18 The resolution may generally describe the property which the council
19 at that time deems will be specially benefited thereby and may also
20 specify a particular proportion of the cost which the council at that
21 time deems should be assessed against the benefited property. Such
22 resolution may give any short and convenient designation to the pub-
23 lic improvement specified therein so as to distinguish it from any
24 other similar improvement and proceedings and thereafter it shall be
25 sufficient to refer to such improvement by such designation in all
26 proceedings thereafter taken under the provisions of this Act. The
27 preliminary plans and specifications need only be in sufficient detail
28 to advise any person interested of the general nature, character and
29 type of the improvement. The estimate of the cost of any public im-
30 provement shall set forth in one item the estimated amount to be paid
31 the contractor and separately the estimated cost of making and col-
32 lecting the assessments, engineering, inspection, interest during the
33 construction period, legal fees and other costs.

1 SEC. 5. Requirements of plat. The plat as prepared and filed by
2 the engineer shall show the following information:

3 1. The boundaries of the district embracing the lots proposed to
4 be assessed;

5 2. The location of each lot under separate ownership within the
6 district including the property of all railways subject to assessment;

7 3. The actual location and terminal points of all major parts of
8 the improvement proposed to be assessed.

1 SEC. 6. Requirements of schedule. The schedule as filed by the
2 engineer shall show the following detailed information for each lot
3 within the district:

4 1. A description of each lot or portion thereof within the district
5 and the name of the owner of each respective lot as shown by the
6 transfer books in the office of the county auditor of the county in
7 which such lot is located.

8 2. The valuation of each lot including the improvements thereon
9 as shown by the records of assessment in the city or county assessor's
10 office, as the case may be.

11 3. The amount proposed to be assessed to each lot.

12 4. The amount of deficiency, if any, between the amount proposed
13 to be assessed and the proportion of the estimated total cost of the
14 public improvement allocated to each lot.

1 SEC. 7. The council of such municipality shall have authority to
 2 contract for the services of engineers to prepare the necessary esti-
 3 mates, plats and schedules and other services in connection with any
 4 public improvement under the provisions of this Act and provision
 5 shall be made for payment of such services as a part of the cost of the
 6 respective improvements or such municipality may pay for such
 7 services from any other legally available funds.

1 SEC. 8. Plat, schedule and estimate adopted. When the plat,
 2 schedule and estimate of cost have been so filed the council may, before
 3 adopting a proposed resolution of necessity as hereinafter provided,
 4 cause the estimate, valuation or assessment of any lot or the bound-
 5 aries of the district as reported by the engineer to be amended or
 6 revised and adopt the same as revised or amended, or may adopt the
 7 same as filed.

1 SEC. 9. Introduction of proposed resolution of necessity. Upon
 2 the adoption of the plat, schedule and estimate, if the council then
 3 determines to proceed with the proposed public improvement or any
 4 part thereof, it shall cause to be prepared and introduced a proposed
 5 resolution of necessity and fix a date for hearing for the owners of
 6 property subject to assessment within the proposed district and give
 7 public notice of the time and place of such hearing. The proposed
 8 resolution of necessity shall include a statement that there is on file
 9 in the office of the clerk an estimated total cost of the proposed work
 10 and a preliminary plat and schedule showing the description of each
 11 lot proposed to be assessed, the actual valuation of each lot as shown
 12 by the records of assessment in city or county assessor's office, as the
 13 case may be, the amount proposed to be assessed to each lot for the
 14 proposed improvement, and the date, time and place when the council
 15 will hear objections or endorsements of property owners subject to
 16 assessment, as to the making of the proposed improvement, as to the
 17 boundaries established for the district, the cost of the improvement or
 18 the amount proposed to be assessed against any individual lot within
 19 the district.

1 SEC. 10. Notice to property owners. The clerk shall cause public
 2 notice of the time and place of the hearing to be given by two publica-
 3 tions in some newspaper published in the municipality, the first publi-
 4 cation of which shall be not less than fifteen nor more than twenty-
 5 five days prior to the date fixed for consideration; but if there is no
 6 such newspaper published within the municipality, such notices shall
 7 be given by posting copies thereof in at least two public places within
 8 its corporate limits. The U. S. Post Office and the regular meeting
 9 place of the council shall be considered as public places. The form
 10 of the published or posted notice may be substantially as follows:

11 NOTICE TO PROPERTY OWNERS

12 Notice is hereby given that there is now on file for public inspection
 13 in the office of the clerk of, Iowa, a proposed
 14 resolution of necessity, an estimate of cost and a plat and schedule
 15 showing the amounts proposed to be assessed against each and every
 16 lot and the valuation thereof within a district as approved by the

17 council of, Iowa, for a
 18 improvement of the type and in the location
 19 as follows:

20
 21 The council (or other governing body) will meet at.....
 22 o'clockM. on, 19....., at the.....
 23 at which time the owners of property subject to assessment for the pro-
 24 posed improvement or any other person having an interest in the
 25 matter may appear and make objection to or endorsement of the
 26 making of the proposed public improvement, to the boundaries of the
 27 proposed district, to the cost, to the amount proposed to be assessed
 28 against any lot or to the final adoption of a resolution of necessity.

29 Unless property owners have written objections to the proposed
 30 assessment on file with the clerk prior to the time fixed herein for the
 31 public hearing they shall be deemed to have waived all objections
 32 thereto. .

33
 34 Clerk.

1 SEC. 11. Hearing. The council shall meet at the time and place
 2 specified in the published or posted notice and shall cause to be read
 3 all written objections or endorsements theretofore filed and may hear
 4 any oral objections and endorsements from the owners of property or
 5 other persons having an interest in the matter. The council may at
 6 such scheduled meeting or at a subsequent meeting and after hearing
 7 and considering objections and endorsements, adopt the resolution of
 8 necessity as proposed or may amend the same and adopt the resolution
 9 as amended. Any amendment to the proposed resolution of necessity
 10 which extends the boundaries of the district to include lots not shown
 11 on the proposed plat and schedule shall not be effective as to such
 12 extension until a notice of hearing of objections for the revised district
 13 has been published or posted as provided in this Act and a hearing held
 14 by the council as provided in such notice or until signed waiver of such
 15 notice and hearing from the owners of all property affected or included
 16 by such amendment shall have been filed with the clerk.

1 SEC. 12. Adoption of the detailed plans and specifications. After
 2 the adoption of a resolution of necessity, the council may, by resolu-
 3 tion, order and direct detailed plans, specifications, notice to bidders
 4 and form of contract for the proposed work to be prepared by the
 5 engineer and filed with the clerk. Upon the approval by the council of
 6 such plans, specifications, notice to bidders and form of contract, the
 7 council may, by resolution, order the work included in the resolution
 8 of necessity as adopted and direct publication of the notice for con-
 9 struction bids.

1 SEC. 13. Notice for bids. A notice of a public letting for the con-
 2 struction or repair of a public improvement shall be given by two
 3 publications in a newspaper published within the municipality, the first
 4 of which shall be not less than twelve days before the date set for re-
 5 ceiving bids, which notice shall state the time and place for filing pro-
 6 posals, the time and place when such proposals will be opened and con-
 7 sidered by the council, as nearly as practicable the nature and extent
 8 of the work, the kinds of materials to be used, when the work shall be

9 begun and the date of completion thereof, the terms and method of
10 payment and a statement that each bidder shall accompany his bid
11 with a cashier's or certified check on an Iowa bank in an amount at
12 least equal to ten per cent of the engineer's estimated total cost of the
13 improvement as security that the bidder will enter into the contract
14 for the work bid upon and will furnish a corporate surety bond ac-
15 ceptable to the council for the faithful performance of the contract.

16 If there be no newspaper published in the municipality such notice
17 for bids shall be given by two publications in a newspaper of general
18 circulation within the municipality.

19 The notice for bids may provide that bids will be received for fur-
20 nishing all labor and material required to complete all parts of the pro-
21 posed work under one contract, or for parts thereof in separate and
22 specified sections.

1 SEC. 14. Award of contract or rejection of bids. The council, after
2 opening and recording the proposals as received may, by resolution,
3 award the contract to the bidder determined to be the lowest bidder,
4 or may reject any or all bids and order readvertisement for bids for
5 the work on any specified section or sections thereof in the manner as
6 hereinbefore provided.

7 The check of the successful bidder shall be retained by the municipi-
8 pality until the prescribed contract has been entered into and bond filed
9 and the contract and bond approved by the council. If the successful
10 bidder fails to sign the contract and furnish bond within ten days after
11 the award of contract to him, the check may be cashed and the funds
12 therefrom retained by the municipality as agreed liquidated damages.
13 The check of the unsuccessful bidders shall be returned to such bidders
14 by the clerk and a receipt therefor obtained and placed on file in
15 his office.

1 SEC. 15. Bond of contractor. Each contractor for a public im-
2 provement shall give bond to the municipality with corporate sureties
3 to be approved by the council, for the faithful performance of the
4 contract, in a sum equal to the contract price and suit on such bond
5 may be brought in the county in which the council may hold its sessions.

1 SEC. 16. Underground connections required. The council shall
2 have power to require the connections from gas, water, and steam
3 heating pipes, sewers, and underground electric construction, to the
4 curb line of abutting property, to be made before the permanent im-
5 provement of the street and, if such improvements have already been
6 made, to regulate the making of such connections, fix the charges
7 therefor, and make all needful rules in relation thereto, and the use
8 thereof. If the owners of property on such streets fail to make such
9 connections in the manner and within the time fixed by the council, it
10 may cause the same to be made, and assess the cost thereof against the
11 property for which they are made. The council shall direct the clerk
12 to certify the actual cost of the connection to each lot, to the county
13 auditor who shall place the amount so certified on the tax list to be
14 collected as other taxes against such lot.

1 SEC. 17. Water connections. Board of waterworks trustees.
2 Before any municipality having a board of waterworks trustees
3 orders any street permanently improved by paving, graveling, or

4 macadamizing, the council shall notify the board of the proposed reso-
5 lution of necessity. The board shall report to the council the lots and
6 names of the owners and the requirements in respect to connections
7 from any water mains or pipes to the curb line of the abutting prop-
8 erty and thereupon the council may pass a resolution requiring the
9 respective owners of the said abutting property to make said connec-
10 tions in the manner required by the rules of the board, and fixing a
11 time therefor. Notice thereof shall be given by one publication in some
12 newspaper of general circulation in such municipality of the time and
13 place of hearing objections to or endorsements of the proposed im-
14 provement, which shall be at least ten days prior to the time fixed in
15 said resolution. If there is no such newspaper published within the
16 municipality, such notice shall be given by posting copies thereof in
17 at least two public places within its corporate limits.

18 If the owner fails to put in the said water connections before the
19 time fixed or within such additional time, not exceeding thirty days,
20 as may be granted by the council, the board of waterworks trustees
21 shall put in said connections and certify the actual cost thereof to the
22 council. The council shall direct the clerk to certify the actual cost
23 of the connection to each lot, to the county auditor who shall place the
24 amount so certified on the tax list to be collected as other taxes
25 against such lot.

1 SEC. 18. State park and institutional roads. Municipalities may
2 assess the cost of a public improvement which extends through or
3 abuts upon lands owned by the state and the state, through the ex-
4 ecutive council, shall pay such portion of the cost of making said im-
5 provement through or along such lands as provided hereinafter.
6 Payment of such assessments shall be made by the executive council
7 from any funds of the state not otherwise appropriated.

8 When a state park or institutional road abutting on state lands is
9 improved by paving or the construction of curb and gutter and
10 permanent surfacing the state shall pay one-half the total assessed
11 cost of that portion of the improvement abutting on such lands, lots,
12 parts or portions thereof when a public improvement other than
13 paving or curb and gutter and permanent surfacing is constructed on
14 a state or park or institutional road abutting on state lands, the coun-
15 cil may assess the cost of making said improvement along such lands
16 as would be legally assessable against said lands were said lands other-
17 wise privately owned which amount shall be determined by the city
18 council.

19 Any municipality in which any state building may be situated shall
20 permit the officers in charge of such building and the persons con-
21 structing or improving the same to construct sewers therefor through
22 or under any of its streets, or to connect the same with its sewer
23 system under the same regulations that are provided for sewer con-
24 nections to private property.

1 SEC. 19. Monthly payments to contractor. When the specified
2 duration of time for the performance of a construction contract for a
3 public improvement exceeds sixty days, the municipality may con-
4 tract to pay the contractor monthly estimates based on ninety per cent
5 of the engineer's estimated value of the acceptable work completed

6 on such contract in warrants drawn on any fund from which such
7 work may be paid. Such warrants shall draw four per cent interest
8 per annum from and after the date of presentation for payment. If
9 such fund is depleted, anticipatory warrants may be issued and if the
10 collection of taxes or special assessments, or income from the sale of
11 bonds applicable to the public improvement shall be after the end of
12 the fiscal year in which the warrants are issued, said warrants shall
13 be held to be not in violation of section four hundred four point seven-
14 teen (404.17), Code 1946.

1 SEC. 20. Inspection and acceptance of work. All work included in
2 the construction or repair of a public improvement under this Act
3 shall be subject to inspection by and approval of an engineer for the
4 municipality, and within ten days after the final completion and
5 acceptance of the work by the engineer, he shall file with the clerk a
6 certificate stating that such work has been completed in accordance
7 with the construction contract and the total cost of such completed
8 construction or repair work. The council shall at its next regular
9 meeting and within ten days from the date of filing of such engineer's
10 certificate, by resolution, accept or reject the work and after ac-
11 ceptance of the work shall, at the same meetings or within ten days
12 thereafter, ascertain the total cost thereof and shall by resolution
13 determine the proportion or amount of such cost to be assessed
14 against private property within the assessment district. Upon final
15 completion and acceptance of the work by the council any amounts
16 due the contractor shall be paid by the delivery to him of warrants
17 issued in a like manner.

1 SEC. 21. Filing of assessment schedule. After the adoption of the
2 resolution by the council fixing the amount to be assessed against
3 private property, the engineer shall, within thirty days thereafter,
4 file with the clerk an assessment schedule showing the name of the
5 owner and a description of each lot to be assessed, together with the
6 valuation thereof as theretofore fixed by the council and the amount
7 to be assessed against each such lot.

1 SEC. 22. Adoption and certification of assessment schedule. Within
2 ten days from the date of filing of the assessment schedule by the
3 engineer the clerk shall cause a notice to be published in some news-
4 paper of general circulation within the municipality stating that
5 the assessment schedule is on file in the office of the city clerk and that
6 the council will consider same on a date to be contained in said notice,
7 which said date shall be not less than twenty (20) nor more than
8 thirty (30) days from the date of the filing of the assessment sched-
9 ule, which said notice will set the place of hearing and which said
10 notice shall be published two times prior to said hearing. If there is
11 no such newspaper within the municipality, such notice shall be given
12 by posting copies thereof in at least two public places within its
13 corporate limits, the council shall consider same and adopt it as pre-
14 pared or make any changes therein found necessary and adopt it in
15 revised form. Such resolution as finally adopted shall confirm and
16 levy the assessments, shall state the number of annual installments,
17 not exceeding fifteen, into which the assessments of \$10.00 or more
18 are to be divided, the rate of interest and the time when such assess-

19 ments are payable, and shall direct the clerk to certify such schedule
20 as finally adopted to the auditor of the county, or of each of the
21 counties in which the property assessed is located; and thereupon the
22 county auditor shall place such assessments on the tax list of the
23 county with the amounts to be assessed against each lot within such
24 assessment schedule as certified.

1 SEC. 23. Assessment of cost. The cost of construction or repair
2 of a public improvement, except for that part of which railways are
3 liable or which is to be otherwise paid, shall be assessed against all lots
4 within the assessment district in accordance to the special benefits con-
5 ferred upon the property thereby and not in excess of such benefits.

1 SEC. 24. Limitations on assessment costs. No special assessment
2 against any lot, for any public improvement as defined herein, shall be
3 in excess of the estimated amount of such assessment as shown on the
4 preliminary plat and schedule as adopted by the council and no such
5 assessment shall exceed twenty-five per cent of the value of the lot as
6 shown by the plat and schedule theretofore approved by the council.

7 Special assessments for the construction or repair of underground
8 connections to private property for gas, water, sewers or electricity
9 shall be assessed to each lot fronting on the proposed street improve-
10 ment for the actual cost of each such connection to such lot.

1 SEC. 25. Deficiencies. If the special assessment which may be
2 levied against any lot shall be insufficient to pay its proportion of the
3 cost of the improvement the deficiency, if for a street improvement,
4 may be paid out of the general fund, the improvement fund, or the
5 street construction fund of the municipality, and if for a sewer, may
6 be paid out of its general fund, its improvement fund or its sewer
7 fund. If there be property against which no special assessment can
8 be levied or collected, the portion of the cost of the improvement
9 which might otherwise be assessed against such property shall be
10 paid in like manner.

1 SEC. 26. Assessments against railway companies. Railway com-
2 panies operating within the limits of streets in municipalities shall
3 provide a suitable foundation for their track between the rails and
4 one foot outside of each rail, and may be assessed for the construc-
5 tion or repair of paving between the rails of their track or tracks, and
6 for one foot outside of each rail thereof in the amount that the cost
7 of such pavement exceeds the area cost of the remainder of the pave-
8 ment on such street.

9 All construction and maintenance of the pavement between the
10 rails and one foot outside of the rails of the railway company and any
11 construction or repairs made necessary by the operation of the rail-
12 way company shall be made by such company and if not so made the
13 municipality shall have the power to do such construction work or
14 make such repairs as may be necessary and assess the cost thereof to
15 such railway company in the manner provided herein for the assess-
16 ment of costs thereof against abutting property.

17 The right-of-way of any railway company shall be subject to special
18 assessments for all public improvements specified in this chapter as
19 is other private property, and such assessment shall constitute a debt

20 due personally from the railway company owning or leasing such
21 right-of-way. Any such assessment against a railway company shall
22 be a paramount lien upon the track thereof within the corporate
23 limits of the municipality. No part of the lien of any railway shall be
24 released from the lien for any part of any unpaid assessment until
25 the whole assessment shall have been paid.

1 SEC. 27. Installments, payment, delinquency. The first install-
2 ment of each assessment, or total amount thereof, if it be less than ten
3 dollars, with interest on the whole assessment from date of acceptance
4 of the work by the council, shall become due and be payable on January
5 1 next succeeding the date of such levy unless the assessment is filed
6 with the county auditor less than sixty days prior to such next suc-
7 ceeding January 1 in which event the due date shall be the second
8 succeeding January 1 after the date of levy. The succeeding annual
9 installments, with interest on the whole amount unpaid shall respec-
10 tively become due on January 1 annually thereafter at the same time
11 and in the same manner as the March semi-annual payment of ordi-
12 nary taxes.

13 All future installments of an assessment may be paid on the due
14 date of an installment upon terms of the principal amount thereof
15 plus interest thereon to the succeeding June 1st and plus the amount
16 of premiums, if any, required to be paid on such succeeding June 1st
17 for redemption of bonds prior to maturity that may have been issued
18 for account of such improvement.

19 All such assessment with interest shall become delinquent after the
20 thirty-first day of March next after their due date, and shall bear the
21 same interest with the same penalties as ordinary taxes, and when
22 collected the said interest and penalties shall be credited to the same
23 fund as the said special assessment.

24 Upon the payment of any assessment or installment thereof in-
25 terest shall be computed and collected as aforesaid up to the first day
26 of June following the date of such payment. All assessments shall
27 constitute liens on the lots assessed from the date they are certified
28 to the county auditor and such liens shall have the same preferences
29 and priorities as liens for ordinary taxes; provided, that in no case
30 shall the owner of any lot be liable for an assessment greater than
31 provided for in section twenty-four (24) of this Act.

1 SEC. 28. Limitation on litigation and right of appeal. Any person,
2 firm or corporation interested in any property included in any dis-
3 trict under the provisions of this Act shall have the right within
4 twenty days from the date of adoption of a resolution of necessity, or
5 the spread of such assessments as is described and set forth in section
6 twenty-two (22) of this Act, as hereinbefore required, by petition
7 filed in the district court of the county in which such property is
8 located, to question any action or proceedings preliminary to or in
9 connection therewith including any action taken on written objections
10 filed at the hearing provided for in section 11 and section twenty-two
11 (22) of the Act and failure to file such petition within such twenty
12 days shall constitute a waiver to thereafter assert such right or litigate
13 such question. Filing such petition shall not operate as a stay of
14 further action or proceedings by the council unless there is also filed

15 a bond in an amount equal to five per cent of plaintiff's assessment
16 appealed from and in no event less than two hundred fifty dollars,
17 conditioned for the payment of all costs which may be adjudged
18 against plaintiff and with surety approved by the court. Such peti-
19 tion shall be received, filed, and action had thereon in the district
20 court as for other ordinary actions. Nothing herein set forth shall be
21 construed to deny the property owner a right of appeal to the district
22 court on the grounds of fraud or to deny him the right to avail him-
23 self of such other legal remedy including certiorari as set out in
24 chapter six hundred sixty-two (662), Code 1946.

1 SEC. 29. Payments of assessments. Assessments levied and certi-
2 fied under the provisions of this Act and installments thereof and
3 interest thereon shall be payable at the office of the county treasurer
4 of the county wherein the property assessed is located, and assessments
5 may be there paid in full and without interest within thirty days after
6 the date of certification thereof to the county auditor.

1 SEC. 30. Special assessment bonds. At any time and from time
2 to time after the contract or contracts for the construction or repair
3 of a public improvement have been executed the municipality may by
4 resolution of the council authorize and issue bonds of the municipality
5 in anticipation of the collection of special assessments, provided, that
6 the aggregate principal amount of such bonds issued prior to the
7 certification of the assessment roll to the county auditor, as herein-
8 before provided, shall not exceed seventy per cent of the total amount
9 of such assessments as shown by the preliminary plat and schedule,
10 and provided also, that the total principal amount of bonds issued
11 for account of any public improvement shall not exceed the total
12 amount of special assessments. All such bonds shall be negotiable
13 and shall recite on their face that they have been issued under the
14 provisions of this Act and are payable as to both principal and in-
15 terest solely from the proceeds of the special assessments levied for
16 account of the public improvement. Such bonds shall bear interest
17 at a rate not exceeding five per cent and shall mature serially on June
18 1 of the years in which any of such principal is scheduled to become
19 due and shall contain a provision that the municipality reserves the
20 right and option of calling and redeeming any or all of the bonds
21 on June 1 of each year prior to maturity upon such terms as are
22 specified therein. The proceeds of the special assessments and interest
23 collected thereon shall be used and applied by the treasurer of the
24 municipality to the payment of the interest on the bonds and to the
25 retirement of the principal as rapidly as such proceeds are collected.
26 Said bonds shall be sold for not less than par and the proceeds,
27 exclusive of accrued interest, shall be used and applied to the pay-
28 ment of the cost of the public improvement. After all of the bonds
29 for account of a particular improvement have been paid and retired
30 any excess of proceeds of special assessments may be rebated to the
31 owners of the property assessed in proportion to the assessments
32 against the respective lots or may be transferred to the fund of the
33 municipality from which deficiencies on such improvement were paid
34 or if there are no deficiencies to the general fund of the city.

1 SEC. 31. Tax sale. Property against which a special assessment
2 has been levied for public improvements may be sold for any sum of
3 principal or interest due and delinquent at any regular or adjourned
4 tax sale, in the same manner, with the same forfeitures, penalties,
5 and right of redemption, and certificates and deeds on such sales shall
6 be made in the same manner and with like effect, as in case of sales
7 for the nonpayment of ordinary taxes. The purchaser at such sale
8 shall take the property charged with the lien of the remaining unpaid
9 installments and interest. At any such sale where bonds have been
10 issued in anticipation of such special assessments and interest the
11 municipality may be a purchaser and be entitled to all the rights of
12 purchasers at tax sales. The proceeds subsequently realized from
13 sales of any property so purchased by the municipality shall be
14 credited to the improvement fund, the general fund or the street con-
15 struction fund of the municipality.

1 SEC. 32. Improvement fund. The whole or any part of the cost of
2 the construction or repair of any public improvement may be paid
3 under the provisions of sections three hundred ninety-six point
4 twenty-two (396.22) and three hundred ninety-six point twenty-three
5 (396.23), Code 1946, or they may be paid from the improvement fund
6 and the municipality shall have the power by resolution to levy at one
7 time upon all the taxable property therein the percentage or amount
8 of annual improvement fund taxes necessary to pay the same not
9 exceeding in any one year the maximum annual limit of said taxes.

1 SEC. 33. Relevy. When by reason of nonconformity to any law or
2 resolution, or by reason of any omission, informality, or irregularity,
3 any special tax or assessment levied is determined by the council to
4 be invalid or is adjudged illegal, the council shall have power to cor-
5 rect the same by resolution, and may reassess and relevy the same,
6 with the same force and effect as if done at the proper time and in the
7 manner provided by law or by the resolution relating thereto.

1 SEC. 34. Joint municipal and state improvements. The provisions
2 of this Act shall apply to any street improvement undertaken jointly
3 by the municipality with the state highway commission pursuant to
4 the provisions of section three hundred thirteen point twelve (313.12)
5 to section three hundred thirteen point twenty-three (313.23) in-
6 clusive, Code 1946, and any such municipality may assess and pay its
7 portion of the cost of such street improvement as herein provided, but
8 any requirement of this Act in respect to approval of detailed plans
9 and specifications, calling for construction bids, awarding construc-
10 tion contracts and acceptance of the completed improvement shall
11 be carried out by such municipality with the state highway commis-
12 sion as may be provided in any agreement entered into as permitted
13 by section three hundred thirteen point twenty-two (313.22), Code
14 1946.

1 SEC. 35. Savings clause. This Act shall not repeal any other law
2 relating to the subject matter hereof but shall be deemed to provide
3 a supplemental and alternative method of procedure and if any sec-

4 tion or provision of this Act be declared unlawful it shall not affect
5 the remainder thereof.

1 SEC. 36. Special charter municipalities. This Act shall also apply
2 to cities and towns organized and operating under special charters.

Approved May 18, 1949.

CHAPTER 169

SEWER ASSESSMENTS

S. F. 243

AN ACT to amend the law as it appears in section three hundred ninety-one point forty-two (391.42), Code 1946, relating to the cost of sewers and relating to the limitation on the cost thereof assessable to abutting property, and to adjacent property.

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

1 SECTION 1. That section three hundred ninety-one point forty-
2 two (391.42), Code 1946, be amended by striking out the words "and
3 not in excess of three dollars per linear foot of sewer", as said words
4 appear in lines nine (9) and ten (10) of said section.

1 SEC. 2. All laws or parts of laws in conflict herewith are hereby
2 repealed to the extent of any such conflict.

Approved April 20, 1949.

CHAPTER 170

SEWER SYSTEMS IN ANNEXED CITIES AND TOWNS

H. F. 413

AN ACT authorizing cities comprised of annexed cities or towns to create and establish a sewer system and provide for the expense thereof under the provisions of either chapter three hundred fifty-eight* (358), or three hundred ninety-one* (391), Code 1946.

WHEREAS, in the early history of Iowa many small cities and towns were established, and

WHEREAS, economic progress, improved transportation, advanced communication, and the general welfare of the people resulted in the annexation to other cities and towns of close proximity, and

WHEREAS, the annexation of cities and towns was provided for by statute, and one of the legal requirements was that each city or town should discharge its own existing indebtedness, and

WHEREAS, many cities and towns entered into articles of annexation, and incorporated in such articles agreements which were wholly beyond the provisions and intent of such annexation statutes, and

*Words supplied by code editor, see §3.1 of the Code.

WHEREAS, agreements were made in some instances prohibiting tax levies for joint sewers or water systems which were to serve the city or town as constituted pursuant to such annexation, and

WHEREAS, the health, welfare, and sanitation of such consolidated areas, is deemed to be of vital public importance and

WHEREAS, the consolidation of improvements for the benefit of the public has been adopted by the state and its people as sound policy from a social and economic standpoint, Now, Therefore,

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

1 SECTION 1. It is hereby declared to be the public policy of this
2 state to require adequate sanitation facilities and sewer systems for
3 all cities or towns comprised of annexed cities or towns.

1 SEC. 2. Cities comprised of cities and towns which were annexed
2 each to the other are hereby authorized to construct and repair sani-
3 tary sewers, and maintain any and all sewers under the provisions of
4 either chapter three hundred fifty-eight* (358) or chapter three
5 hundred ninety-one* (391), Code 1946, regardless of any Article or
6 Articles of annexation containing provisions which might be con-
7 strued to prohibit such construction of sewers by any city or town.

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

Approved March 22, 1949.

I hereby certify that the foregoing act was published in the Clinton Herald, March 24, 1949, and in the DeWitt Observer, March 31, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 171

SEWAGE TREATMENT PLANTS

S. F. 491

AN ACT to amend sections three hundred ninety-four point one (394.1), three hundred ninety-four point three (394.3), and three hundred ninety-four point six (394.6), Code 1946, relating to self-liquidating improvements and providing for the financing of the construction of sewage treatment plants, and providing for the application of the provisions of chapter three hundred ninety-four (394), Code 1946, by sanitary districts incorporated under the provisions of chapter three hundred fifty-eight (358), Code 1946.

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

1 SECTION 1. Section three hundred ninety-four point one (394.1),
2 Code 1946, is amended by inserting after the word "towns" in line
3 one (1) thereof the following: "and sanitary districts incorporated
4 under the provisions of chapter three hundred fifty-eight (358), Code
5 1946".

1 SEC. 2. Section three hundred ninety-four point one (394.1), Code
2 1946, is further amended by inserting after the word "town" in line
3 five (5) thereof the following: "or sanitary districts".

1 SEC. 3. Section three hundred ninety-four point one (394.1), Code
2 1946, is further amended by inserting after the word "town" in line
3 fifteen (15) thereof the following: "or sanitary districts".

1 SEC. 4. Section three hundred ninety-four point three (394.3),
2 Code 1946, is amended by inserting after the word "town" in line nine
3 (9) thereof the following: ", or in the case of sewage treatment
4 plants in any sanitary district by the trustees of such sanitary dis-
5 trict".

1 SEC. 5. Section three hundred ninety-four point six (394.6), Code
2 1946, is amended by inserting after the word "towns" in line one (1)
3 thereof the following: "and sanitary districts incorporated under the
4 provisions of chapter three hundred fifty-eight (358), Code 1946".

1 SEC. 6. Section three hundred ninety-four point six (394.6), Code
2 1946, is further amended by inserting after the word "towns" in line
3 five (5) thereof the following: "and sanitary districts". .

1 SEC. 7. Section three hundred ninety-four point six (394.6), Code
2 1946, is further amended by inserting after the word "towns" in line
3 eleven (11) thereof the following: "and sanitary districts".

1 SEC. 8. Section three hundred ninety-four point six (394.6), Code
2 1946, is further amended by inserting after the word "towns" in line
3 fifteen (15) thereof the following: "and sanitary districts".

1 SEC. 9. Section three hundred ninety-four point six (394.6), Code
2 1946, is further amended by inserting after the word "town" in line
3 nineteen (19) thereof the following: "or sanitary district".

1 SEC. 10. The provisions of this chapter shall be deemed to apply
2 to the construction, equipment, operation and maintenance of any
3 sewage treatment plant or plants, by any sanitary district operating
4 under the provisions of chapter three hundred fifty-eight (358), Code
5 1946; and any such sanitary district may, in addition, use the power
6 conferred upon it by chapter three hundred fifty-eight (358), Code
7 1946, to apply any of the provisions of this chapter relating to the
8 construction, equipment, operation and maintenance of any sewage
9 treatment plant or plants of such sanitary district, or any combina-
10 tion of the power relating to sewage treatment plants granted such
11 sanitary district by the provisions of the chapter and chapter three
12 hundred fifty-eight (358), Code 1946.

1 SEC. 11. This act shall apply to cities under special charter.

Approved April 6, 1949.

CHAPTER 172

FLOOD PROTECTION IN CITIES AND TOWNS

H. F. 8

AN ACT to amend chapter three hundred ninety-five (395), Code 1946, relating to protection from floods by cities and towns, by amending sections three hundred ninety-five point one (395.1), three hundred ninety-five point two (395.2), three hundred ninety-five point twelve (395.12), three hundred ninety-five point eighteen (395.18), and three hundred ninety-five point twenty-five (395.25), and by adding additional provisions to said chapter.

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

1 SECTION 1. Section three hundred ninety-five point one (395.1),
 2 Code 1946, is amended by striking all of said section and by sub-
 3 stituting in lieu thereof the following: "Cities and towns are hereby
 4 empowered to establish a flood control system for the protection or
 5 reclamation of property situated within the limits of such cities or
 6 towns, from floods or highwaters and to protect property in such
 7 cities from the effects of flood water, whenever the establishment of
 8 such a flood control system shall, in the judgment of the city council,
 9 or other governing body, of such city, be conducive to public conven-
 10 ience and welfare, and such cities and towns may in accordance with
 11 the provisions of this chapter, deepen, widen, straighten, alter, change,
 12 divert, or otherwise improve watercourses within their limits, by
 13 constructing levees, embankments, or conduits, and improve, widen
 14 and establish streets, alleys, and boulevards across and adjacent to
 15 the abandoned or new channel or conduit and provide for the pay-
 16 ment of the cost and maintenance of such flood control activities under
 17 the terms of this chapter.

18 "The establishment, construction and operation of a flood control
 19 system as authorized by this section is declared to be a local improve-
 20 ment, conferring special benefits upon property affected thereby."

1 SEC. 2. Section three hundred ninety-five point two (395.2), Code
 2 1946, is amended by adding after the word "may" in line one (1) the
 3 following: ", acquire by gift"; and by striking from line three (3)
 4 the words "outside of" and by substituting in lieu thereof the words
 5 "within or without"; and by adding to said section the following:
 6 "All provisions of the law relating to the condemnation of lands for
 7 public purposes shall apply to the provisions hereof in and so far as
 8 applicable."

1 SEC. 3. Section three hundred ninety-five point twelve (395.12),
 2 Code 1946, is amended by striking from line seven (7) thereof the
 3 figures "391.37" and by substituting in lieu thereof the words and
 4 figures "391.34 to 391.37 inclusive".

1 SEC. 4. Section three hundred ninety-five point eighteen (395.18),
 2 Code 1946, is amended by striking all of said section and by substitut-
 3 ing in lieu thereof the following: "The title to all lands purchased,
 4 condemned or donated hereunder for the purposes of establishing a
 5 flood control system for the protection or reclamation of property
 6 shall be taken in the name of the city or town and if thereafter
 7 it shall be deemed advisable to sell any portion of the land purchased,

8 condemned or otherwise acquired, the proceeds of such sale shall be
 9 placed to the credit of the flood control system and shall be applied to
 10 the cost of construction and operation of the system. Any income
 11 from any such lands, while title is held by the city or town shall be
 12 placed to the credit of the flood control system and shall be applied to
 13 the cost of the construction and operation of the system."

1 SEC. 5. Section three hundred ninety-five point twenty-five
 2 (395.25), Code 1946, is amended by striking from lines one (1) and
 3 two (2) thereof the words "Cities having twenty-five thousand popu-
 4 lation or more" and by substituting in lieu thereof the following:
 5 "Cities and towns and special charter cities".

1 SEC. 6. Chapter three hundred ninety-five (395), Code 1946, is
 2 amended by adding thereto the following: "Any city or town that
 3 shall establish a flood control system pursuant to this chapter may for
 4 the purpose of providing funds for the operation and maintenance
 5 thereof levy an annual special assessment against all real property
 6 in the area comprising the improvement district. Such special assess-
 7 ment shall be apportioned among the several lots or parcels of real
 8 property in the benefited area, in proportion to the benefit conferred.
 9 Such special assessment for the operation and maintenance of any
 10 flood control system authorized by this chapter shall be made in the
 11 same limitations as required by this chapter for the original special
 12 assessment for any such improvement."

1 SEC. 7. Chapter three hundred ninety-five (395), Code 1946, is
 2 further amended by adding thereto the following: "All special as-
 3 sessments for the purpose of providing funds for the operation and
 4 maintenance of a flood control system shall be levied at one time by
 5 resolution of the council on property affected thereby. The provi-
 6 sions of section three hundred ninety-one point sixty-one (391.61),
 7 Code 1946, shall apply to the certification of such levy. The provisions
 8 of sections three hundred ninety-one point fifty-eight (391.58), three
 9 hundred ninety-one point sixty (391.60), three hundred ninety-one
 10 point sixty-two (391.62), three hundred ninety-one point sixty-three
 11 (391.63), three hundred ninety-one point sixty-four (391.64), three
 12 hundred ninety-one point sixty-five (391.65), three hundred ninety-
 13 one point sixty-six (391.66), three hundred ninety-one point sixty-
 14 seven (391.67), and three hundred ninety-one point sixty-eight
 15 (391.68), Code 1946, shall apply to the collection of such assessments,
 16 provided, in the case of special assessments for maintenance and
 17 operation of any flood control system, such assessments shall be due
 18 and payable within thirty (30) days after the certification of such
 19 levy if the amount of the assessment is ten dollars (\$10.00) or less,
 20 and the entire amount of such assessment if in excess of ten dollars
 21 (\$10.00) shall be due and payable at the same time and in the same
 22 manner as the March semi-annual payment of ordinary taxes. The
 23 provisions of sections four hundred four point twenty-two (404.22)
 24 and four hundred four point twenty-three (404.23), Code 1946, shall
 25 apply to special assessments as provided by this act."

1 SEC. 8. Chapter three hundred ninety-five (395), Code 1946, is
 2 further amended by adding thereto the following: "Any city or town

3 may contract with any railroad company for the use of railway rights
 4 of way, and embankments, and other railroad property which can be
 5 utilized for the purpose of flood protection or control by such city,
 6 as part of its flood control system, for any period not exceeding
 7 ninety-nine years.”

Approved March 16, 1949.

CHAPTER 173

BRIDGES AND VIADUCTS IN CITIES AND TOWNS

S. F. 265

AN ACT to authorize a city or town to issue bonds for the payment of its portion of the cost of construction of bridges, viaducts, and grade separations on primary road extensions.

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

1 SECTION 1. Whenever the state highway commission constructs or
 2 aids in the construction of bridges, viaducts and grade separations
 3 on extensions of primary roads in any city or town, such city or town
 4 is hereby authorized to contract indebtedness and issue bonds in the
 5 manner provided in chapter three hundred ninety-six (396), Code
 6 1946, for the payment of its portion of the cost of such construction
 7 including damages to abutting property owners.

1 SEC. 2. This Act being deemed of immediate importance shall be
 2 in full force and effect upon and after its publication in the Nonpareil,
 3 a newspaper published at Council Bluffs, Iowa, and The Oakland
 4 Acorn, a newspaper published at Oakland, Iowa.

Approved March 30, 1949.

I hereby certify that the foregoing act was published in the Nonpareil, April 5, 1949, and in The Oakland Acorn, April 7, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 174

OFF-STREET PARKING TAX

S. F. 337

AN ACT to amend chapters four hundred four (404) and four hundred eight (408), Code 1946, relating to powers of cities and towns to levy taxes for off street parking facilities and issue bonds in anticipation of such taxes.

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

1 SECTION 1. Amend section four hundred four point five (404.5),
 2 Code 1946, by adding thereto the following:
 3 “34. Whenever parking lots shall have been authorized or estab-
 4 lished as provided in chapter two hundred six (206), Acts of the
 5 Fifty-second General Assembly, in lieu of the tax provided for in

6 section three hundred ninety point two (390.2), Code 1946, there may
 7 be levied a tax not exceeding one-half ($\frac{1}{2}$) mill, the proceeds of which
 8 shall be credited to and known as the "parking lot fund". Such fund
 9 shall be used only to acquire or improve real estate, including the
 10 erection or improvement of buildings thereon or for any or all said
 11 purposes for the parking of vehicles, and including the payment of
 12 bonds and interest thereon issued in anticipation of the collection of
 13 such tax. Such fund shall be used to meet maturities of such bonds
 14 and interest thereon from year to year, but only to the extent that
 15 after the application of all net returns available from the income of
 16 said parking lots or parking meters, or both, as specified by law, the
 17 same shall be required to meet such maturing bonds or interest
 18 thereon."

1 SEC. 2. Amend section four hundred eight point ten (408.10),
 2 Code 1946, by inserting after the word "protection," in line ten (10)
 3 thereof the following words: "the parking lot fund".

Approved April 20, 1949.

CHAPTER 175

TAX LEVY FOR ART FUNDS

S. F. 102

AN ACT to amend section four hundred four point five (404.5), subsection twenty-nine (29), Code 1946, relating to art funds in certain cities and towns.

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

1 SECTION 1. Subsection twenty-nine (29) of section four hundred
 2 four point five (404.5), Code 1946, is repealed and the following
 3 enacted in lieu thereof:
 4 "Any city having a population of seventy five thousand (75,000)
 5 or more, not exceeding one-fourth mill, which shall be used for the
 6 purchase, construction, maintenance, and operation of a place for
 7 the exhibition of works of art and for the purchase of works of art,
 8 or for the support of an established art gallery, museum, institute,
 9 or center conducted for the use and benefit of the public and not for
 10 profit."

Approved March 15, 1949.

CHAPTER 176

LIBRARY TAX

H. F. 108

AN ACT to amend section four hundred four point five (404.5), subsection nineteen (19), Code 1946, relating to public libraries and providing for an increase in permissible tax levy for library purposes.

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

1 SECTION 1. Section four hundred four point five (404.5), sub-
2 section nineteen (19), Code 1946, is hereby amended by striking
3 from lines two (2) and three (3) the following: "one and one-
4 fourth" and inserting in lieu thereof the word "two".

1 SEC. 2. Section four hundred four point five (404.5), subsection
2 nineteen (19), Code 1946, is further amended by striking from line
3 five (5), the word "two" and inserting in lieu thereof the word
4 "three".

1 SEC. 3. Section four hundred four point five (404.5), subsection
2 nineteen (19), Code 1946, is hereby amended by striking from lines
3 seven (7) to sixteen (16), inclusive the following: "Provided that
4 said maintenance levy may be not to exceed two and one-half mills in
5 any city of more than ten thousand population and less than seventy-
6 five thousand population and having situated therein a state owned
7 educational institution with a regular attendance of more than three
8 thousand students, and also a state commission regularly employing
9 more than one hundred heads of families."

Approved March 26, 1949.

CHAPTER 177

FIRE FUND LEVY

H. F. 238

AN ACT to amend section four hundred four point five (404.5), Code 1946, to raise the limitation on the power to levy annually special taxes for the fire fund.

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

1 SECTION 1. Section Four hundred four point five (404.5), Code
2 1946, is hereby amended by striking from line one (1) of sub-section
3 eight (8) of said section, the words "three-eighths" and substituting
4 in lieu thereof the word "one".

Approved April 20, 1949.

CHAPTER 178

CITY HALL FUNDS

H. F. 260

AN ACT to amend section one (1), chapter two hundred sixteen (216), Acts of the Fifty-second General Assembly, relating to general powers of cities, special charter cities, and towns to levy special taxes to build, purchase or remodel a city or town hall.

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

1 SECTION 1. Section one (1), chapter two hundred sixteen (216),
2 Acts of the Fifty-Second General Assembly is hereby amended by
3 striking from line five (5) the word "one" and inserting in lieu thereof
4 the word "two".

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 Pierson Progress, a newspaper published at Pierson, Iowa, and in
4 Correctionville News, a newspaper published at Correctionville, Iowa.

Approved February 8, 1949.

I hereby certify that the foregoing act was published in the Pierson Progress, February 17, 1949, and the Correctionville News, February 17, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 179

POLICE DEPARTMENT MAINTENANCE LEVY

H. F. 544

AN ACT to amend section four hundred four point five (404.5), Code 1946, relating to police department maintenance funds.

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

1 SECTION 1. Amend subsection 32 of section four hundred four
2 point five (404.5), Code 1946, by striking the words "three and one-
3 half" in line four (4) and substituting in lieu thereof the following:
4 "four".

1 SEC. 2. Amend sub-section thirty-two (32) of section four hun-
2 dred four point five (404.5), Code 1946, by striking the period after
3 the word "levy" in line eighteen (18) and adding the following:
4 " , provided, however, that upon the adoption of a police department
5 maintenance fund, as herein provided, the said general fund in cities
6 with a population of seventy thousand (70,000) or more shall be
7 reduced one-half (1/2) the amount of the total levy for the said
8 police department maintenance fund."

1 SEC. 3. This act shall apply to special charter cities.

Approved May 2, 1949.

CHAPTER 180

JAILS AND FIRE STATIONS

S. F. 149

AN ACT to amend section four hundred seven point three (407.3), Code 1946, relating to the incurring of indebtedness by cities and towns.

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

- 1 SECTION 1. Subsection five (5) of section four hundred seven point
- 2 three (407.3) Code 1946, is hereby amended by inserting after the
- 3 word "halls" in line two (2) thereof a comma and the words, "jails,
- 4 police stations or fire stations."

Approved March 22, 1949.

CHAPTER 181

CITY OR TOWN PLATS

S. F. 236

AN ACT relating to abstracts of title filed with town or city plats.

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

- 1 SECTION 1. That section four hundred nine point nine (409.9),
- 2 Code 1946, be amended by striking from lines one (1) and two (2)
- 3 thereof the following: "Have attached thereto a complete abstract
- 4 of title accompanied by" and inserting in lieu thereof the following:
- 5 "be accompanied by a complete abstract of title and".

- 1 SEC. 2. That section four hundred nine point twelve (409.12),
- 2 Code 1946, be amended by striking from line two (2) thereof the
- 3 words "the abstract".

- 1 SEC. 3. The failure to record an abstract of title or the attorney's
- 2 opinion in connection with a town or city plat heretofore filed shall
- 3 not affect the validity of such plat.

Approved May 5, 1949.

CHAPTER 182 .

POLICE AND FIREMEN RETIREMENT SYSTEMS

H. F. 133

AN ACT to amend sections four hundred ten point ten (410.10) and four hundred eleven point six (411.6), Code 1946, relating to retirement systems for policemen and firemen and benefits thereunder.

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

- 1 SECTION 1. Subsection one (1) of section four hundred ten point
- 2 ten (410.10), Code 1946, is hereby amended by striking from line

3 three (3) thereof the word "thirty" and by inserting in lieu thereof
4 the word "fifty".

1 SEC. 2. Paragraph (b) of subsection eight (8) of section four
2 hundred eleven point six (411.6), Code 1946, is hereby amended by
3 striking from line fourteen (14) thereof the word "thirty" and by
4 inserting in lieu thereof the word "fifty".

1 SEC. 3. Paragraph (a) of subsection thirteen (13) of section four
2 hundred eleven point six (411.6), Code 1946, is hereby amended by
3 striking from line four (4) thereof the word "thirty" and by insert-
4 ing in lieu thereof the word "fifty".

Approved March 22, 1949.

CHAPTER 183

MUNICIPAL COURT BAILIFFS

S. F. 322

AN ACT to amend section four hundred eleven point three (411.3), Code 1946, relating to retirement systems and providing that same apply to deputy bailiffs in municipal courts with civil service rights in cities having a population of one hundred twenty-five thousand (125,000) or more, and providing for assessments to be paid by deputy bailiffs of municipal courts with civil service rights in cities having a population of one hundred twenty-five thousand (125,000) or more.

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

1 SECTION 1. Section four hundred eleven point three (411.3), Code
2 1946, is amended by adding an additional section thereto, as follows:
3 "Any deputy bailiff of municipal courts in cities having a popula-
4 tion of one hundred twenty-five thousand (125,000) or more, who
5 after having passed the required civil service examination, and was
6 certified and appointed as such, shall for the purpose of this chapter
7 be deemed a member of the Police Department within the purview of
8 section four hundred eleven point one (411.1), Code 1946, and is
9 hereby given the right, if he so desires, to become a member of the
10 Police Retirement System as set forth in this chapter by first paying
11 to the treasurer of said fund three per cent (3%) of the total salary
12 which was received by said deputy bailiff to the time of coming under
13 the provisions of this chapter, and in addition thereto, shall be re-
14 quired to pay annually in monthly installments to the treasurer of
15 said fund an amount equal to the rates provided by section four
16 hundred eleven point eight (411.8), Code 1946, so long as said deputy
17 bailiff shall be employed as such."

1 SEC. 2. All laws or parts of laws in conflict herewith insofar as
2 they conflict, are hereby repealed.

Approved May 6, 1949.

CHAPTER 184

POLICE AND FIREMEN RETIREMENT SYSTEMS

H. F. 145

AN ACT to amend section four hundred eleven point six (411.6), Code 1946, relating to retirement systems for policemen and firemen and benefits thereunder.

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

1 SECTION 1. Paragraph (b) of subsection eight (8) of section four
2 hundred eleven point six (411.6), Code 1946, is hereby amended by
3 inserting in line fourteen (14) thereof, following the word "dollars"
4 and before the word "per", the words "plus the sum of ten dollars"
5 for each child under eighteen years of age".

Approved March 22, 1949.

CHAPTER 185

MAYORS AND COUNCILMEN

S. F. 278

AN ACT to amend section four hundred sixteen point forty-one (416.41), Code 1946, relating to and providing for the salaries of the mayor and councilmen of certain cities now or hereafter organized under chapter four hundred sixteen (416), Code 1946, relating to cities under the commission form of government and to amend section four hundred sixteen point twelve (416.12), Code 1946, relating to the election of the mayor and councilmen of certain cities.

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

1 SECTION 1. Subsection one (1) of section four hundred sixteen
2 point forty-one (416.41), Code 1946, is hereby amended as follows:
3 1. By striking from line fourteen (14) of said subsection the
4 words "three thousand" and inserting in lieu thereof the words
5 "forty-five hundred."
6 2. By striking from line seventeen (17) of said subsection the
7 words "twenty-five hundred" and inserting in lieu thereof the words
8 "thirty-seven hundred fifty."

1 SEC. 2. Subsection two (2) of section four hundred sixteen point
2 forty-one (416.41), Code 1946, is hereby amended as follows:
3 1. By striking from line four (4) of said subsection the words
4 "thirty-five hundred" and inserting in lieu thereof the words "fifty-
5 two hundred fifty."
6 2. By striking from line five (5) of said subsection the words
7 "twenty-eight" and inserting in lieu thereof the words "forty-two."

1 SEC. 3. Subsection three (3) of section four hundred sixteen point
2 forty-one (416.41), Code 1946, is hereby amended as follows:
3 1. By striking from line three (3) of said subsection the word
4 "four" and inserting in lieu thereof the word "six."
5 2. By striking from line five (5) of said subsection the words
6 "thirty-two" and inserting in lieu thereof the words "forty-eight."

1 SEC. 4. Subsection four (4) of section four hundred sixteen point
2 forty-one (416.41), Code 1946, is hereby amended as follows:

3 1. By striking from line four (4) of said subsection the words
4 "forty-five hundred" and inserting in lieu thereof the words "sixty-
5 seven hundred fifty."

6 2. By striking from line five (5) of said subsection the words
7 "thirty-five hundred" and inserting in lieu thereof the words "fifty-
8 two hundred fifty."

1 SEC. 5. Subsection five (5) of section four hundred sixteen point
2 forty-one (416.41), Code 1946, is hereby amended as follows:

3 1. By striking from line three (3) of said subsection the words
4 "five thousand" and inserting in lieu thereof the words "seventy-five
5 hundred."

6 2. By striking from line four (4) of said subsection the words
7 "forty-two" and inserting in lieu thereof the words "sixty-three."

1 SEC. 6. Section four hundred sixteen point twelve (416.12), Code
2 1946, is amended by striking from lines two (2), six (6), and seven
3 (7) the words "twenty-five thousand" and inserting in lieu thereof
4 the words "thirty thousand". This section shall not apply to com-
5 mission form cities now having more than two councilmen.

1 SEC. 7. The mayor and councilmen of all cities affected by this act
2 shall fix the compensation for their term of office by ordinance im-
3 mediately following the effective date of this act, notwithstanding
4 the express provisions of section three hundred sixty-three point
5 forty-six (363.46), Code 1946, or any other provisions of law. The
6 population figures used as a basis for determining the salaries affected
7 by this act shall be those of the more recent federal census.

1 SEC. 8. This Act shall go into effect on April 1, 1949, following
2 its publication in the Labor News, a newspaper published at Bur-
3 lington, Iowa, and in the Mediapolis New Era, a newspaper published
4 at Mediapolis, Iowa.

Approved May 5, 1949.

Pursuant to an Attorney General's opinion of May 12, 1949, the provisions of Section 8, of the foregoing Act, have been disregarded and the Act will be effective from July 4, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 186

CITY MANAGER PLAN

H. F. 435

AN ACT to amend chapter four hundred nineteen (419), Code 1946, relating to the city manager plan by popular election; providing for the election and terms of council members under the city manager plan.

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

1 SECTION 1. Section four hundred nineteen point eleven (419.11),
2 Code 1946, is hereby amended and revised to read as follows: "At the
3 first regular biennial election, after the organization of any city or

4 town under provisions of this chapter, in all such cities and towns
 5 where three councilmen are to be elected, one councilman shall be
 6 elected for the term of two years, and two for the term of four years.
 7 When four councilmen are to be elected, as provided in section four
 8 hundred nineteen point eight (419.8), one shall be elected from each
 9 township for the term of two years, and one from each township for
 10 the term of four years; and in cities where five councilmen are to be
 11 elected, two shall be elected for two years, and three for four years."

1 SEC. 2. Section four hundred nineteen point twelve (419.12),
 2 Code 1946, is hereby amended and revised to read as follows: "At
 3 the next regular biennial municipal election and biennially thereafter,
 4 there shall be elected a member or members of the council for the term
 5 of four years to succeed those whose terms of office will expire the
 6 first Monday in April following such election."

1 SEC. 3. Nothing herein shall affect the terms of office for which
 2 councilmen have been elected prior to the passage of this act.

Approved April 15, 1949.

CHAPTER 187

UTILITIES IN SPECIAL CHARTER CITIES

S. F. 146

AN ACT to amend section four hundred twenty point two hundred ninety-seven (420.297), Code of 1946, relating to public utilities in special chartered cities.

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

1 SECTION 1. That section four hundred twenty point two hundred
 2 ninety-seven (420.297) be and is hereby amended by adding thereto
 3 the following:

4 "When once established such cities shall continue under the pro-
 5 visions hereof regardless of change of population."

Approved April 13, 1949.

CHAPTER 188

SHORT FORM INCOME TAX RETURN

H. F. 487

AN ACT to amend section four hundred twenty-two point twenty-one (422.21), Code 1946, relating to forms for income tax returns prepared by the state tax commission and providing that such tax commission may simplify income tax returns by the adoption of schedules for the simplification of deductions and computation of taxes due.

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

1 SECTION 1. Section four hundred twenty-two point twenty-one
 2 (422.21), Code 1946, is hereby amended by adding to such section
 3 the following:

4 "The state tax commission is hereby authorized and directed to
 5 make available to persons required to make personal income tax
 6 returns under the provisions of this chapter, and when such income
 7 is derived mainly from salaries and wages or from the operation of a
 8 business or profession, a form which shall take into consideration
 9 the normal deductions and credits allowable to any such taxpayer,
 10 and which will permit the computation of the tax payable without
 11 requiring the listing of specific deductions and credits. In arriving
 12 at schedules for payment of taxation under such forms the state
 13 tax commission shall as nearly as possible base such schedules upon
 14 a total of deductions and credits which will result in substantially
 15 the same payment as would have been made by such taxpayer were
 16 he to specifically list his allowable deductions and credits. In lieu of
 17 such return any taxpayer may elect to list permissible deductions and
 18 credits as provided by law. It is the intent and purpose of this pro-
 19 vision to simplify the procedure of collection of personal income tax,
 20 and the commission shall have the power in any case when it deems it
 21 necessary or advisable to require any taxpayer, who has made a
 22 return in accordance with the schedule herein provided for, to make
 23 an additional return in which all deductions and credits are specifi-
 24 cally listed. The commission may revise the schedules adopted in
 25 connection with such simplified form whenever such revision is
 26 necessitated by changes in Federal income tax laws, or to maintain
 27 the collection of substantially the same amounts from taxpayers as
 28 would be received were the specific listing of deductions and credits
 29 required."

Approved May 18, 1949.

CHAPTER 189

RETAIL SALES TAX

H. F. 247

AN ACT to provide a definition for "place of business" with reference to retail sales tax.

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

1 SECTION 1. Amend section four hundred twenty-two point forty-
 2 two (422.42), Code 1946, by adding thereto the following sub-
 3 section:

4 " 'Place of business' shall mean any warehouse, store, place, office,
 5 building or structure where goods, wares or merchandise are offered
 6 for sale at retail or where any taxable amusement is conducted or
 7 each office where gas, water, heat, communication or electric services
 8 are offered for sale at retail.

9 Where a retailer or amusement operator sells merchandise by
 10 means of vending machines or operates music or amusement devices
 11 by coin operated machines at more than one location within the state,
 12 the office, building or place where the books, papers and records of the
 13 taxpayer are kept shall be deemed to be the taxpayer's place of
 14 business."

Approved April 1, 1949.

CHAPTER 190

RETAIL SALES TAX

H. F. 237

AN ACT to amend section four hundred twenty-two point forty-two (422.42), Code of 1946, defining "sales at retail" subject to the Iowa retail sales tax.

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

1 SECTION 1. Section four hundred twenty-two point forty-two
2 (422.42), Code 1946, is amended by adding thereto the following
3 subsections:
4 "Sales of building materials, supplies and equipment to owners,
5 contractors, subcontractors or builders, for the erection of buildings
6 or the alteration, repair or improvement of real property, are retail
7 sales in whatever quantity sold.
8 The use within this state of tangible personal property by the
9 manufacturer thereof, as building materials, supplies or equipment,
10 in the performance of construction contracts or for any other purpose
11 except for resale or processing, shall, for the purpose of this division,
12 be construed as a sale at retail thereof by the manufacturer who shall
13 be deemed to be the consumer of such tangible personal property.
14 The tax shall be computed upon the cost to him of the fabrication or
15 production thereof."

Approved April 1, 1949.

CHAPTER 191

TAXATION ON RESALE OF PERSONAL PROPERTY

H. F. 385

AN ACT to amend section four hundred twenty-two point forty-five (422.45), Code 1946, relating to sales tax exemptions; to provide that the collection of excessive sales tax on sales of traded-in tangible personal property shall be deemed a waiver of the exemption.

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

1 SECTION 1. Amend section four hundred twenty-two point forty-
2 five (422.45), Code 1946, by adding at the end of sub-section five (5)
3 a new sentence as follows: "A retailer who collects sales tax on the
4 selling price of traded-in tangible personal property in excess of the
5 tax due from the purchaser shall be deemed to have thereby waived
6 the right to claim the exemption provided for in this subsection and
7 the tax so collected shall be due to the State of Iowa and remitted to
8 the state tax commission, as provided by this chapter, and be credited
9 to the state road tax fund."

Approved April 20, 1949.

CHAPTER 192

SPECIAL TAX FUND CORRECTION

S. F. 351

AN ACT to repeal section four hundred twenty-two point seventy (422.70), Code 1946, relating to apportionment of revenue from the state sales tax.

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

- 1 SECTION 1. Section four hundred twenty-two point seventy
2 (422.70), Code 1946, is hereby repealed.

Approved May 18, 1949.

CHAPTER 193

USE TAX

S. F. 297

AN ACT to amend chapter four hundred twenty-three (423), Code 1946, relating to use tax by providing for a credit for the occupational tax, defining "readily obtainable" and "street railways".

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

- 1 SECTION 1. Section four hundred twenty-three point twenty-five
2 (423.25), Code 1946, is hereby repealed and the following enacted in
3 lieu thereof:
4 "If any person who causes tangible personal property to be brought
5 into this state has already paid a tax in another state in respect to
6 the sale or use of such property, or an occupation tax in respect
7 thereto, in an amount less than the tax imposed by this title, the pro-
8 visions of this title shall apply, but at a rate measured by the differ-
9 ence only between the rate herein fixed and the rate by which the
10 previous tax on the sale or use, or the occupation tax, was computed.
11 If such tax imposed and paid in such other state is equal to or more
12 than the tax imposed by this title, then no tax shall be due in this state
13 on such personal property."

- 1 SEC. 2. Amend section four hundred twenty-three point one
2 (423.1), Code 1946, by adding at the end thereof the following:

3 "10. 'Readily obtainable in Iowa' shall mean kept in Iowa for sale
4 or manufactured in Iowa for sale as distinguished from being obtain-
5 able by giving an order to an agent in Iowa for delivery from some
6 point outside the state of Iowa."

7 "11. 'Street railways' shall mean and include urban transportation
8 systems."

- 1 SEC. 3. The provisions of this act shall be applicable hereafter
2 beginning with the quarter ending June 30, 1949, and every return
3 and payment for said quarter shall be under the provisions of this act.

- 1 SEC. 4. This act being deemed of immediate importance shall be
2 in full force and effect on its publication in the Northwood Anchor &

- 3 Index, a newspaper published at Northwood, Iowa, and in the Plain
4 Talk, a newspaper published at Des Moines, Iowa.

Approved May 18, 1949.

I hereby certify that the foregoing act was published in the Northwood Anchor & Index, May 26, 1949, and in the Plain Talk, May 26, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 194

AGRICULTURAL LAND CREDIT APPROPRIATION

H. F. 419

AN ACT to amend section four hundred twenty-six point one (426.1), Code 1946, relating to the appropriation for agricultural land tax credit.

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

- 1 SECTION 1. Section four hundred twenty-six point one (426.1),
2 Code 1946, is hereby amended by striking from line nine (9) the
3 words "five hundred thousand" and substituting in lieu thereof the
4 words "five million".

Approved April 13, 1949.

CHAPTER 195

TAX EXEMPTIONS OF EDUCATIONAL INSTITUTIONS

S. F. 186

AN ACT to amend section four hundred twenty-seven point one (427.1), Code 1946, and providing for the procedure to be followed in claiming of exemption from taxation of real estate owned by educational institutions of this state as a part of their endowment fund.

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

- 1 SECTION 1. Section four hundred twenty-seven point one (427.1),
2 Code 1946, is amended by adding the following after the period at the
3 end of subsection eleven (11):
4 "Every educational institution claiming an exemption under the
5 provisions of this subsection shall file with the assessor not later
6 than February first of the year for which such exemption is requested,
7 a statement upon forms to be prescribed by the state tax commission,
8 describing and locating the property upon which such exemption is
9 claimed."

Approved May 5, 1949.

CHAPTER 196

MILITARY SERVICE TAX EXEMPTIONS

H. F. 99

AN ACT to amend section four hundred twenty-seven point three (427.3) and four hundred twenty-seven point five (427.5), Code 1946, relating to military service exemptions.

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

1 SECTION 1. Subsection four (4) of section four hundred twenty-
2 seven point three (427.3), Code 1946, is hereby amended by inserting
3 after the word "honorably" in line two (2) of subsection four (4)
4 the following: "separated, retired, furloughed to a reserve, placed on
5 inactive status, or".

1 SEC. 2. Section four hundred twenty-seven point five (427.5),
2 Code 1946, is hereby amended by inserting after the word "military"
3 in line eleven (11) the following: "certificate of satisfactory serv-
4 ice, order transferring to inactive status, reserve, retirement, or order
5 of separation from service, or".

6 Further amend section four hundred twenty-seven point five
7 (427.5), Code 1946, by inserting after the word "said" in line four-
8 teen (14) the following: "evidence of satisfactory service, separa-
9 tion, retirement, furlough to reserve, inactive status, or".

10 Further amend section four hundred twenty-seven point five
11 (427.5), Code 1946, by striking from line fifteen (15) the words
12 "said discharge" and inserting in lieu thereof the words "the same".

13 Further amend section four hundred twenty-seven point five
14 (427.5), Code 1946, by striking from lines fifteen (15) and sixteen
15 (16) the words "of said discharge" and inserting in lieu thereof the
16 word "thereof".

17 Further amend section four hundred twenty-seven point five
18 (427.5), Code 1946, by inserting before the word "honorable" in line
19 twenty-two (22) the following: "certificate of satisfactory service,
20 order of separation, retirement, furlough to reserve, inactive status,
21 or".

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 Seymour
3 Herald, a newspaper published at Seymour, Iowa, and the Chariton
4 Herald-Patriot, a newspaper published at Chariton, Iowa.

Approved April 7, 1949.

I hereby certify that the foregoing act was published in The Seymour Herald, April 21, 1949, and in the Chariton Herald-Patriot, April 21, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 197

MONEYS AND CREDITS TAX EXEMPTION

S. F. 201

AN ACT to repeal section four hundred twenty-nine point four (429.4), Code 1946, and to enact a substitute therefor relating to moneys and credits and the actual value of such property which any person is required to have listed or assessed.

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

1 SECTION 1. Section four hundred twenty-nine point four (429.4),
 2 Code 1946, is repealed and the following substituted in lieu thereof:
 3 "In making up the amount of moneys and credits, corporation
 4 shares or stocks which any person is required to list, to have listed
 5 or assessed, including actual value of building and loan shares, he
 6 will be entitled to deduct from the actual value thereof the gross
 7 amount of all debts in good faith owing by him, and in addition
 8 thereto an amount of five thousand dollars (\$5,000.00)."

Approved May 5, 1949.

CHAPTER 198

COUNTY ASSESSORS

S. F. 320

AN ACT amending chapter two hundred forty (240), Laws of the 52nd General Assembly, relating to the appointment of county assessors, providing for the appointment of county assessors and providing for the manner of assessment of real and personal property in the state of Iowa, and amending chapter one hundred eighty-three (183), Laws of the 52nd General Assembly, relating to the compensation of assessors and auditors and to the tax levy to defray the expense of the county assessor's office in certain counties.

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

1 SECTION 1. Section one (1) of chapter two hundred forty (240),
 2 Laws of the 52nd General Assembly, is hereby amended by striking
 3 all following the word "created" in line two (2) thereof, inserting a
 4 period, and adding thereto the following:
 5 "All chief deputy assessors who have qualified for office under the
 6 provisions of chapter two hundred forty (240), Laws of the 52nd
 7 General Assembly, are hereby declared to be the county assessors of
 8 their respective counties, and their terms shall expire January 1,
 9 1950, except as otherwise herein provided."

1 SEC. 2. Section two (2) of chapter two hundred forty (240),
 2 Laws of the 52nd General Assembly, is hereby repealed, and the fol-
 3 lowing enacted in lieu thereof:

4 "Not less than ninety (90) days before the expiration of the regular
 5 term of any county assessor, the county auditor is hereby authorized
 6 to call a meeting of a conference as provided by the provisions of
 7 section three (3), chapter two hundred forty (240), Laws of the
 8 52nd General Assembly, for the purpose of determining whether or
 9 not the conference board desires to reappoint the incumbent county

10 assessor for a new term of four (4) years or whether or not a new
11 examination shall be held to provide eligibles for appointment as
12 county assessor. The conference board shall have the power to re-
13 appoint the incumbent assessor without re-examination if it sees fit
14 to do so, and procedure for such appointment shall be similar to that
15 provided for the appointment by the conference of members of the
16 board of review. If such conference decides upon a reappointment of
17 the incumbent assessor, notice of such reappointment shall be certi-
18 fied to the state tax commission."

1 SEC. 3. Unless a reappointment has been certified to the state tax
2 commission as provided herein, whenever a vacancy shall occur in
3 the office of the county assessor or not later than sixty (60) days be-
4 fore the expiration of the term of any county assessor, the state tax
5 commission shall cause to be held an examination for county assessors
6 in the county seat of said county. Notice of such examination shall
7 be posted in a prominent position in the court house of such county
8 seat and notice of such examination shall be published once in at
9 least three (3) newspapers of general circulation in each county. In
10 the event there are less than three (3) newspapers of general cir-
11 culation in the county, publication made in available newspapers shall
12 be deemed sufficient. Persons desirous of taking such examination
13 shall notify the state tax commission in writing at least twenty (20)
14 days before the date fixed by the tax commission for such examina-
15 tion. The examination shall be open to all persons residents of the
16 county for at least one (1) year, who desire to present themselves
17 and who have notified the commission as above provided and who are
18 qualified voters and residents of the county. The examination shall
19 be conducted under rules and regulations prescribed by the state tax
20 commission. It shall cover the general field of laws pertaining to the
21 assessment of property taxation in Iowa; laws pertaining to tax ex-
22 emption; the principles of valuation of real estate; laws pertaining to
23 the assessment of personal property and the duties and powers in
24 general of assessors. There shall be taken into consideration in the
25 grading of candidates the executive ability, physical condition, ex-
26 perience and general reputation of the candidate.

27 The state tax commission shall certify as rapidly as possible to the
28 appointive conference of the county concerned, the names of eligibles
29 for appointment as county assessor. This list of names shall include
30 all persons who have passed examinations at a grade of not less
31 than seventy per cent (70%). The same provision as to examina-
32 tion and certification shall apply when the appointment is to be
33 made of any full time deputy assessor by the county assessor, and the
34 same examination may be taken by candidates either for the office
35 of assessor or the position of full time deputy assessor.

36 In the event that no person taking an examination is found to be
37 qualified by the state tax commission, a new examination shall be
38 called in the same manner as the original examination and in the
39 event that no applicant is found eligible in the second examination,
40 the conference as provided by the provisions of Section Three (3),
41 Chapter 240, Laws of the 52nd General Assembly shall appoint the
42 county assessor or full time deputy assessor as the case may be, but

43 such appointee shall have been a resident of such county for the year
44 preceding the date of such appointment.

45 Certification shall be made to the county auditor of the county
46 for which the examination has been held, of the eligibility or in-
47 eligibility of the persons who have taken the examination. Upon
48 receipt of such certification the county auditor shall call a conference
49 as provided by the provisions of section three (3), chapter two hun-
50 dred forty (240), Laws of the 52nd General Assembly, which con-
51 ference shall select from the eligible list the county assessor or full
52 time deputy assessor as the case may be. The term of any county
53 assessor thus selected shall be for four (4) years from the expiration
54 of the term of his predecessor, except that in the case of any vacancy,
55 not due to termination of a four (4) year term, the appointment
56 shall be effective only for the balance of the term of the assessor who
57 is succeeded in office, provided that when the unexpired term is less
58 than one (1) year, the successor shall serve for the unexpired term
59 plus four (4) years. Full time deputy assessors shall serve at the
60 pleasure of the county conference. In the selection of an assessor or
61 full time deputy assessor by the conference, the same procedure shall
62 apply as to that for selection of members of the county boards of
63 review.

64 Section three (3) of chapter two hundred forty (240), Laws of the
65 52nd General Assembly, is also amended by inserting in line forty-one
66 (41) after the word "town" and before the word "and" the words
67 "or township", and by striking from line forty-eight (48) thereof the
68 words "county board of supervisors" and inserting in lieu thereof the
69 words "county auditor" and by striking from line fifty (50) thereof
70 the words "the county auditor" and inserting in lieu thereof the
71 words "any member of the county board of review" and by striking
72 from line sixty-three (63) the words "board of supervisors" and
73 inserting in lieu thereof the words "county auditor".

1 SEC. 4. Section four (4) of chapter two hundred forty (240),
2 Laws of the 52nd General Assembly, is hereby repealed and the fol-
3 lowing enacted in lieu thereof:

4 "Sec. 4. Each member of the county board of review shall receive
5 compensation for his services at the rate of ten dollars (\$10.00) per
6 day for the periods they are in session, plus mileage and actual ex-
7 pense incurred in carrying out their duties. Qualified members of
8 the county conference as provided by section three (3) of chapter two
9 hundred forty (240), Laws of the 52nd General Assembly, as
10 amended, shall be entitled to mileage and actual expense when away
11 from their homes in the performance of their duties. Expenses in-
12 curred under the provisions of this section shall be paid from the
13 general fund of the county prior to January 1, 1950, and subsequently
14 shall be paid from the county assessor fund."

1 SEC. 5. Section five (5) of chapter two hundred forty (240), Laws
2 of the 52nd General Assembly, is hereby amended by striking from
3 line two (2) thereof the words "chief deputy assessor" and insert-
4 ing in lieu thereof the words "county auditor" and by striking from
5 line three (3) thereof the word "auditor" and inserting in lieu thereof

6 the word "assessor" and by striking from lines four (4) and five (5)
7 thereof the words "and the qualified list has been exhausted or is no
8 longer in effect".

1 SEC. 6. Section six (6) of chapter two hundred forty (240), Laws
2 of the 52nd General Assembly, is hereby repealed.

1 SEC. 7. Section seven (7) of chapter two hundred forty (240),
2 Laws of the 52nd General Assembly, is hereby repealed and the fol-
3 lowing enacted in lieu thereof:

4 "Sec. 7. The provisions of chapter twenty-four (24), Code of
5 Iowa, 1946, shall apply to the preparation of budgets and the certi-
6 fying of taxes for the maintenance of the county assessor's office, of
7 the county boards of review and of the conference board. The county
8 assessor shall prepare a proposed budget for the county assessor's
9 office, and submit same to the county conference board which shall
10 approve, disapprove, or adjust said budget. The county conference
11 shall certify the tax levy required for operation of the office as pro-
12 vided by chapter twenty-four (24), Code 1946, and the conference as
13 created by the provisions of section three (3), chapter two hundred
14 forty (240), Laws of the 52nd General Assembly, as amended, is
15 hereby declared the certifying board as defined by section twenty-
16 four point two (24.2) of the Code. Any tax for the maintenance of
17 the office of the county assessor and other assessment procedure,
18 shall be levied only upon taxing districts of the county which are
19 assessed by the county assessor, except that in any county now or
20 hereafter having a population of more than one hundred ninety-
21 thousand (190,000) whose board of supervisors has contracted or
22 may contract for the employment of expert appraisers to assist the
23 county assessor in determining the value of property for taxation,
24 the board of supervisors may levy a special tax against all the taxable
25 property in the county and appropriate and expend the same for the
26 purpose of paying the cost of such services, or return the same to
27 funds from which transfers were made for such purpose. Section
28 eight (8) of chapter two hundred forty (240), Laws of the 52nd
29 General Assembly, is hereby repealed, effective as to taxes levied for
30 collection in 1950 and each year thereafter."

1 SEC. 8. Section ten (10) of chapter two hundred forty (240),
2 Laws of the 52nd General Assembly, is hereby repealed and the fol-
3 lowing enacted in lieu thereof:

4 "Sec. 10. Compensation of deputies and assistants shall be fixed
5 by the county conference and such deputies and assistants shall re-
6 ceive actual necessary expenditures as approved by the county as-
7 sessor and their appointment shall be subject to the approval of the
8 county conference."

1 SEC. 9. The county board of supervisors shall provide adequate
2 office space for the office of county assessor, including such services
3 as are ordinarily afforded in any county office. The cost of equipment
4 and supplies shall be included in the budget prepared by the county
5 conference.

1 SEC. 10. Section twenty (20) of chapter two hundred forty (240),
2 Laws of the 52nd General Assembly, is hereby amended by striking
3 from lines six (6) and seven (7) thereof the words "county board of
4 supervisors" and inserting in lieu thereof the words "county con-
5 ference as created by section three (3), Laws of the 52nd General
6 Assembly, as amended". Section twenty (20) is also amended by
7 adding thereto "and the cost of such shall be paid from the county
8 assessor fund, and provisions for costs of such service shall be made
9 in the preparation of the budget for the county assessor's office."
10 Section eleven (11) of chapter two hundred forty (240), Laws of the
11 52nd General Assembly, is hereby amended by striking the period at
12 the end of line 45 of said section and inserting a comma and adding
13 thereto the following: "turn the completed assessor's books and
14 records required for the preparation of the tax list over to the county
15 auditor when the Board of Review has concluded its hearings and
16 assist the auditor in the preparation of the tax lists, and as far as
17 possible, in conducting the office of the county assessor, the county
18 assessor shall work in conjunction with and use the facilities of the
19 county auditor's office."

1 SEC. 11. As of the effective date of this Act all eligibility lists which
2 have been certified by the state tax commission under the provisions
3 of chapter two hundred forty (240), Laws of the 52nd General As-
4 sembly, are hereby declared to be void and of no effect.

1 SEC. 12. Section four hundred forty-two point three (442.3),
2 Code 1946, as amended by section forty-seven (47) of chapter two
3 hundred forty (240), Laws of the 52nd General Assembly, is hereby
4 amended by striking from lines one (1) and two (2) thereof the
5 words "clerk of the city or clerk of the district Court" and inserting
6 in lieu thereof the following: "the county assessor or the city asses-
7 sor". Section forty-seven (47), chapter two hundred forty (240),
8 Laws of the 52nd General Assembly, is hereby repealed.

1 SEC. 13. As of the effective date of this Act no further compen-
2 sation shall be paid to the county auditors of the state under the
3 provisions of subsection fourteen (14) of section two (2), chapter
4 one hundred eighty-three (183), Laws of the 52nd General Assembly,
5 and the duties of the auditor as ex officio county assessor shall be
6 terminated, and the auditor shall forthwith turn over to the county
7 assessor all records used in his office as county assessor and the county
8 assessor shall assume any duties theretofore performed by the county
9 auditor as ex officio county assessor.

1 SEC. 14. Section ten (10) of chapter one hundred eighty-three
2 (183), Laws of the 52nd General Assembly, is hereby repealed and
3 the following enacted in lieu thereof:
4 "The county conference as established by the provisions of section
5 three (3), chapter two hundred forty (240), Laws of the 52nd Gen-
6 eral Assembly, shall fix the salary of the county assessor which shall
7 not be less than that of the salary of the county auditor in each
8 county but the salary of the county assessor until January 1, 1950,
9 shall be the same as the salary of the county auditor in each county
10 and the salaries as determined by the county conference shall become
11 effective as of January 1, 1950."

1 SEC. 15. If any provision of this Act is declared unconstitutional
 2 or the applicability thereof is invalid, the constitutionality and
 3 validity of the remainder of this Act shall not be affected thereby.
 4 Nothing contained in this Act shall affect the validity of any tax
 5 levies authorized for collection during the year 1949 under the pro-
 6 visions of chapter two hundred forty (240), Laws of the 52nd
 7 General Assembly.

1 SEC. 16. Section eleven (11) of chapter two hundred forty (240),
 2 Laws of the Fifty-second General Assembly, is amended by striking
 3 therefrom the last section* of sub-section two (2). Section fifty-
 4 two (52) of chapter two hundred forty (240), Laws of the Fifty-
 5 second General Assembly is amended by striking from line three (3)
 6 the words "and are not specifically referred to in this act".

1 SEC. 17. This Act being deemed of immediate importance, shall
 2 take effect and be in force from and after its passage and publication
 3 in the Postville Herald, a newspaper published in the city of Post-
 4 ville, Iowa, and the Mount Ayr Record-News, a newspaper published
 5 in the city of Mount Ayr, Iowa.

Approved April 11, 1949.

I hereby certify that the foregoing act was published in the Postville Herald, April
 27, 1949, and in the Mount Ayr Record-News, April 28, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

*According to enrolled Act.

CHAPTER 199

TAXATION OF OMITTED PROPERTY

S. F. 117

AN ACT to amend sections four hundred forty-three point six (443.6), four hundred
 forty-three point seven (443.7), four hundred forty-three point eight (443.8), and
 four hundred forty-three point eleven (443.11), Code 1946, relating to assessing
 and listing for taxation omitted property, by the assessor.

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

1 SECTION 1. Section four hundred forty-three point six (443.6),
 2 Code 1946, is amended by adding after the word "and" in line three
 3 (3) thereof the words "the assessor or auditor".

1 SEC. 2. Section four hundred forty-three point seven (443.7),
 2 Code 1946, is amended by adding after the comma (,) following the
 3 word "property" in line two (2) thereof the words "assessor or".

1 SEC. 3. Section four hundred forty-three point eight (443.8),
 2 Code 1946, is amended by adding after the word "said" in line two
 3 (2) thereof the words "assessor or".

1 SEC. 4. Section four hundred forty-three point eleven (443.11),
 2 Code 1946, is amended by adding after the word "the" in line three
 3 (3) thereof the words "assessor or"; and by adding after the word
 4 "the" in line four (4) thereof the words "assessor or".

1 SEC. 5. In the event such assessment of omitted property is made
 2 by the assessor after the tax records have passed into the hands of the
 3 auditor or treasurer, such correction or assessment shall be entered on
 4 the records by the auditor or treasurer.

Approved May 6, 1949.

CHAPTER 200

PERSONAL TAX PENALTY CORRECTION

S. F. 136

AN ACT to amend section four hundred forty-five point forty (445.40), Code 1946, relating to penalty on unpaid personal taxes.

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

1 SECTION 1. Section four hundred forty-five point forty (445.40),
 2 Code 1946, is amended by striking from line five (5) the words, "one
 3 percent" and inserting in lieu thereof the words, "three-fourths of
 4 one percent".

Approved May 5, 1949.

CHAPTER 201

PUBLICATION OF TAX SALE NOTICE

H. F. 168

AN ACT to amend section four hundred forty-six point twelve (446.12), Code 1946, relating to proof of publication of tax sale notice.

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

1 SECTION 1. Section four hundred forty-six point twelve (446.12),
 2 Code 1946, is amended by striking from lines twelve (12) and
 3 thirteen (13) the words, "three successive" and inserting in lieu
 4 thereof the words, "two consecutive".

Approved March 12, 1949.

CHAPTER 202

LEVEE AND DRAINAGE DISTRICTS

S. F. 18

AN ACT to amend chapters four hundred fifty-five (455) and four hundred fifty-seven (457), Code 1946, relating to the construction, maintenance, repairs, improvements, operation and financing of levee and drainage districts.

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

1 SECTION 1. Section four hundred fifty-five point seven (455.7),
 2 Code 1946, is amended by striking all of said section and by substitut-

3 ing in lieu thereof the following: "Two or more owners of lands
4 named in the petition described in section four hundred fifty-five
5 point nine (455.9), may file in the office of the county auditor a peti-
6 tion for the establishment of a levee or drainage district, including a
7 district which involves only the straightening of a creek or river. If
8 the district described in the petition is a subdistrict, one or more
9 owners of land affected by the proposed improvement may petition for
10 such district."

1 SEC. 2. Section four hundred fifty-five point eight (455.8), Code
2 1946, is hereby repealed.

1 SEC. 3. Subsection one (1) of section four hundred fifty-five point
2 nine (455.9), Code 1946, is amended by striking all of said subsection
3 and by substituting in lieu thereof the following: "An intelligible
4 description, by congressional subdivision or otherwise, of the lands
5 suggested for inclusion in the district."

1 SEC. 4. Subsection three (3) of section four hundred fifty-five point
2 nine (455.9), Code 1946, is amended by striking all of said subsection
3 and by substituting in lieu thereof the following: "That the public
4 benefit, utility, health, convenience, or welfare will be promoted by the
5 suggested improvements."

1 SEC. 5. Subsection four (4) of section four hundred fifty-five point
2 nine (455.9), Code 1946, is amended by striking all of said subsection
3 and by substituting in lieu thereof the following: "The suggested
4 starting point, route, terminus and lateral branches of the proposed
5 improvements."

1 SEC. 6. Section four hundred fifty-five point one hundred ten
2 (455.110), Code 1946, is amended by adding to said section the fol-
3 lowing: "Drainage warrants, bonds or improvement certificates
4 when so issued shall be in such amounts as the auditor determines,
5 not however, in amounts in excess of one thousand dollars (\$1,000.00).
6 All of the provisions of this section shall, when applicable, apply to
7 repair work and improvement work in the same force and effect as to
8 original construction."

1 SEC. 7. Section four hundred fifty-five point twelve (455.12), Code
2 1946, is amended by striking the comma after the word "adjourned"
3 in line three (3) and by substituting in lieu thereof the following:
4 "examine the petition and if it be found sufficient in form and sub-
5 stance, shall".

1 SEC. 8. Section four hundred fifty-five point twenty (455.20), Code
2 1946, is amended by striking all of lines nineteen (19), twenty (20),
3 and twenty-one (21) and by substituting in lieu thereof the following:
4 "other persons whom it may concern, and without naming individuals
5 all actual occupants of the land in the proposed district, of".

1 SEC. 9. Section four hundred fifty-five point thirty-four (455.34),
2 Code 1946, is amended by striking from lines seventeen (17) and
3 eighteen (18) the words "or the remonstrators".

1 SEC. 10. Section four hundred fifty-five point thirty-five (455.35),

2 Code 1946, is amended by striking from line fourteen (14) the word
3 "seventy" and by substituting in lieu thereof the word "sixty".

1 SEC. 11. Section four hundred fifty-five point thirty-eight (455.38),
2 Code 1946, is amended by striking from line three (3) the word "shall"
3 and by substituting in lieu thereof the word "may".

1 SEC. 12. Section four hundred fifty-five point forty (455.40), Code
2 1946, is amended by striking from lines twelve (12), thirteen (13),
3 and fourteen (14), the words ", which shall not be prior to the date on
4 which the assessments shall be fixed by the board".

1 SEC. 13. Section four hundred fifty-five point sixty-eight (455.68),
2 Code 1946, is amended by striking all of said section and by substi-
3 tuting in lieu thereof the following: "When one-half or more of all
4 assessments for a drainage or levee district have been paid and it is
5 ascertained that there will be a surplus in the district fund after all
6 assessments have been paid, the board may refund to the owner of each
7 tract of land, not more than fifty percent (50%) of his proportionate
8 part of such surplus. When all construction work has been completed
9 and all cost paid, and all assessments have been paid in full, the board
10 may refund, to the owner of each tract of land, his proportionate part
11 of any surplus funds except such portion of the surplus as the board
12 considers should be retained for a sinking fund to pay future mainte-
13 nance and repair costs."

1 SEC. 14. Section four hundred fifty-five point sixty-nine (455.69),
2 Code 1946, is hereby repealed.

1 SEC. 15. Section four hundred fifty-five point seventy-two (455.72),
2 Code 1946, is amended by striking all of lines six (6) to nineteen (19),
3 both inclusive, and by substituting in lieu thereof the following: "as
4 a basis for the expense of any repair, improvement, or extension which
5 may have become necessary, they shall order a new classification of all
6 land in such district by resolution, and shall appoint three commis-
7 sioners who shall have the qualifications as provided in section four
8 hundred fifty-five point forty-five (455.45)."

1 SEC. 16. Section four hundred fifty-five point seventy-four
2 (455.74), Code 1946, is amended by striking all of lines six (6) and
3 seven (7) and by substituting in lieu thereof the following: "of the
4 costs and expenses of such repairs, improvements or extensions and file
5 a report".

1 SEC. 17. Section four hundred fifty-five point eighty-one (455.81),
2 Code 1946, is amended by adding thereto the following:
3 "Before such bonds shall be issued, the governing body of the
4 district shall cause an action for declaratory judgment to be brought
5 in the district court of the county in which the bonds are to be issued,
6 asking that their legality be confirmed. The court shall fix a date for
7 hearing thereon and notice thereof shall be given to the owners of
8 each lot or tract of land within the district, which shall be affected
9 by an assessment to pay the proposed bonds, as shown by the transfer
10 books in the auditors office; also to the holders of liens of record upon
11 said lands; and to all persons to whom it may concern without naming

12 them specifically. Such notice shall be given by publication once each
13 week for two (2) consecutive weeks in a newspaper of general circu-
14 lation within the county, the last publication date of which shall be
15 not less than twenty (20) days before the date set for such hearing.
16 After the entry of the declaratory judgment adjudicating the validity
17 of such bonds, the approval of the district court shall be endorsed on
18 the bonds before their issuance."

1 SEC. 18. Section four hundred fifty-five point eighty-seven
2 (455.87), Code 1946, is amended by adding after the word "bonds," in
3 line four (4) the following: "or if default shall occur by reason of
4 non-payment of assessments,".

1 SEC. 19. Section four hundred fifty-five point one hundred twenty-
2 eight (455.128), Code 1946, is amended by adding after the word
3 "adopt" in line five (5) the following: ", with or without a petition
4 from owners of the proposed annexed lands,".

1 SEC. 20. Section four hundred fifty-five point one hundred thirty
2 (455.130), Code 1946, is amended by striking all of said section and
3 by substituting in lieu thereof the following: "After such annexation
4 is made the board shall levy upon the annexed lands an assessment
5 sufficient to equal the assessment for benefit originally paid by the
6 lands of equal classification, plus their proportionate share of the costs
7 of any enlargement or extension of drains required to serve the an-
8 nexed lands."

1 SEC. 21. Section four hundred fifty-five point one hundred thirty-
2 five (455.135), Code 1946, is amended by striking all of said section
3 and by substituting in lieu thereof the following: "When any levee or
4 drainage district shall have been established and the improvement
5 constructed, the same shall be at all times under the supervision of
6 the board of supervisors except as otherwise provided for control and
7 management by a board of trustees and it shall be the duty of the board
8 to keep the same in repair. The board at any time on its own motion,
9 without notice, may order done whatever is necessary to restore or
10 maintain a drainage or levee improvement in its original efficiency or
11 capacity, and for that purpose may remove silt and debris, repair any
12 damaged structures, remove weeds and other vegetable growth, and
13 whatever else may be needed to restore or maintain such efficiency or
14 capacity. If in maintaining and repairing tile lines the board finds
15 from the engineer's report it is more economical to construct a new
16 line than to repair the existing line, such new line may be considered to
17 be a repair. Provided, however, if the estimated cost of repair ex-
18 ceeds fifty per cent (50%) of the original total cost of the district, the
19 board shall set a date for a hearing on the matter of making such re-
20 pairs, and shall give notice as provided in sections four hundred fifty-
21 five point twenty (455.20) to section four hundred fifty-five point
22 twenty-four (455.24) inclusive, Code 1946. At such hearing the
23 board shall hear objections to the feasibility of such repairs, following
24 the hearing the board shall order made such repairs as it deems de-
25 sirable and feasible. Any interested party shall have the right of
26 appeal from such orders in the manner provided in this chapter.

27 In the case of minor repairs not in excess of five hundred dollars
28 (\$500.00) where the board finds that the same will result in a saving
29 to the district it may cause the same to be done by secondary road
30 equipment and labor of the county and then reimburse the secondary
31 road maintenance fund from the drainage district fund thus benefited.

32 When the board deems it necessary it may repair or reconstruct the
33 outlet of any private tile line which empties into a drainage ditch of
34 any drainage district and assess the costs in each case against the
35 land served by the private tile line.

36 When the board determines that improvements, which differ from
37 the repairs referred to in the preceding paragraphs, are necessary or
38 desirable, it may appoint an engineer to make such surveys as seem
39 appropriate to determine the nature and extent of such improve-
40 ments, and to file a report showing what improvements are recom-
41 mended and their estimated costs, which report may be amended
42 before final action. Such improvements may include enlarging, re-
43 opening, widening, deepening, straightening or lengthening any
44 drain, changing its location or improving or enlarging the outlet
45 for better service; converting all or any part of any drain from an
46 open ditch to a closed drain; installing surface pipe for open ditches;
47 enlarging, altering, or improving pumping plants; leveling spoil
48 banks, or constructing settling basins. If the estimated cost of the
49 improvements does not exceed twenty-five per cent (25%) of the
50 original cost of the district, the board may order the work done
51 without notice. The board shall not divide proposed improvements
52 into separate programs in order to avoid the twenty-five per cent
53 (25%) limitation herein fixed for making improvements without
54 notice. If the board deems it desirable to make improvements where
55 the estimated cost exceeds twenty-five per cent (25%) of the original
56 total cost of the district, it shall set a date for a hearing on the matter
57 of constructing such improvements and also on the matter of whether
58 there shall be a reclassification of benefits for the cost of such improve-
59 ments, and shall give notice as provided in section four hundred
60 fifty-five point twenty (455.20) to section four hundred fifty-five
61 point twenty-four (455.24), inclusive, Code 1946. At such hearing
62 the board shall hear objections to the feasibility of such improve-
63 ments and such arguments for or against a reclassification as may
64 be presented by or for any taxpayer of the district. Following the
65 hearing the board shall order made such improvements as it deems de-
66 sirable and feasible, and shall also determine whether there should be a
67 reclassification of benefits for the cost of such improvement. If it is
68 determined that such reclassification of benefits should be made the
69 board shall proceed as provided in section four hundred fifty-five
70 point forty-five (455.45), Code 1946. Any interested party shall
71 have the right of appeal from such orders in the manner provided in
72 this chapter. Provided, however, that the provisions of this section
73 shall not affect the procedures of section four hundred fifty-five point
74 one hundred forty-two (455.142) covering the common outlet.

75 Where under the laws in force prior to 1904, drainage ditches and
76 levees were established and constructed without fixing at the time
77 of establishment a definite boundary line for the body of land to be
78 assessed for the cost thereof, the body of land which was last assessed

79 to pay for the repair thereof shall also be considered as the estab-
80 lished district for the purpose of this section."

1 SEC. 22. Section four hundred fifty-five point one hundred thirty-
2 six (455.136), Code 1946, is amended by striking all of said section
3 and by substituting in lieu thereof the following: "The costs of the
4 repair or improvements provided for in section four hundred fifty-
5 five point one hundred thirty-five (455.135), shall be paid for out of
6 the funds of the levee or drainage district. If the funds on hand are
7 not sufficient to pay such expenses, the board within two years shall
8 levy an assessment sufficient to pay the outstanding indebtedness and
9 leave the balance which the board determines is desirable as a sink-
10 ing fund to pay maintenance and repair expenses."

1 SEC. 23. Section four hundred fifty-five point one hundred thirty-
2 seven (455.137), Code 1946, is hereby repealed.

1 SEC. 24. Section four hundred fifty-five point one hundred thirty-
2 eight (455.138), Code 1946, is hereby repealed.

1 SEC. 25. Section four hundred fifty-five point one hundred thirty-
2 nine (455.139), Code 1946, is hereby repealed.

1 SEC. 26. Section four hundred fifty-five point one hundred forty
2 (455.140), Code 1946, is hereby repealed.

1 SEC. 27. Section four hundred fifty-five point one hundred forty-
2 one (455.141), Code 1946, is amended by striking all of said section
3 and by substituting in lieu thereof the following: "When an assess-
4 ment for improvements as provided in section four hundred fifty-
5 five point one hundred thirty-five (455.135), exceeds twenty-five per
6 cent (25%) of the original assessment and the original or subsequent
7 assessment or report of the benefit commission as confirmed did not
8 designate separately the amount each tract should pay for the main
9 ditch and tile lateral drains then the board shall order a reclassi-
10 fication in accordance with the principles and rules set forth in sec-
11 tion four hundred fifty-five point forty-eight (455.48)."

1 SEC. 28. Section four hundred fifty-five point one hundred forty-
2 two (455.142), Code 1946, is amended by striking from line nine (9)
3 thereof the words and figures "sections four hundred fifty-five point
4 one hundred forty (455.140) and four hundred fifty-five point one
5 hundred forty-one (455.141) and" and by substituting in lieu thereof
6 the word* and figure "section four hundred fifty-five point one hun-
7 dred thirty-five (455.135)".

1 SEC. 29. Section four hundred fifty-five point one hundred forty-
2 six (455.146), Code 1946, is amended by striking from line two (2)
3 the word "ten" and by substituting in lieu thereof the word "twenty-
4 five".

1 SEC. 30. Section four hundred fifty-five point one hundred forty-
2 seven (455.147), Code 1946, is amended by striking from line three
3 (3) the word "ten" and by substituting in lieu thereof the word
4 "twenty-five".

*According to enrolled Act.

1 SEC. 31. Subsection six (6) of section four hundred fifty-five
2 point one hundred fifty-three (455.153), Code 1946, is amended by
3 striking all of said subsection and by substituting in lieu thereof the
4 following: "Such other provisions as the board deems necessary."

1 SEC. 32. Section four hundred fifty-five point one hundred fifty-
2 six (455.156), Code 1946, is amended by striking all of said section
3 and by substituting in lieu thereof the following: "When a drainage
4 district is established and a satisfactory outlet cannot be obtained
5 except through lands in an adjoining county, or when an improved
6 outlet cannot be obtained except through lands downstream from
7 the district boundary, the board shall have the power to purchase a
8 right of way, to construct and maintain such outlets, and to pay
9 all necessary costs and expenses out of the district funds. The board
10 shall have similar authority relative to the construction and main-
11 tenance of silt basins upstream from the district boundary. In case
12 the board and the owners of the land required for such outlet or silt
13 basin cannot agree upon the price to be paid as compensation for the
14 land taken or used, the board is hereby empowered to exercise the
15 right of eminent domain in order to procure such necessary right
16 of way."

1 SEC. 33. Section four hundred fifty-five point one hundred sixty-
2 seven (455.167), Code 1946, is amended by striking from lines six
3 (6) and seven (7) the words "not to exceed, however, five dollars
4 per day each,".

1 SEC. 34. Section four hundred fifty-seven point twenty-two
2 (457.22), Code 1946, is amended by adding thereto the following:
3 "Drainage warrants, bonds or improvement certificates when so
4 issued shall be in such amounts as the auditor determines not how-
5 ever in amounts in excess of one thousand dollars (\$1,000.00)."

1 SEC. 35. Section four hundred fifty-seven point twenty-three
2 (457.23), Code 1946, is amended by striking from line five (5) of
3 said section the words "which by joint action", and by substituting in
4 lieu thereof the words "and the auditors of the county".

1 SEC. 36. Section four hundred fifty-five point fifty-one (455.51),
2 Code 1946, is amended by adding the following new sub-section:
3 "4. Any specific benefits other than those derived from the drain-
4 age of agricultural lands shall be separately stated."

1 SEC. 37. Section four hundred fifty-five point forty (455.40),
2 Code 1946, is hereby amended by striking from lines twenty-five (25)
3 and twenty-six (26) the following words: "of such notice as the
4 board may prescribe."

5 Further amend section four hundred fifty-five point forty (455.40),
6 Code 1946, by striking the period in line twenty-eight (28) and
7 adding the following: ", giving only the type of proposed construc-
8 tion or repairs, estimated amount, date of letting, amount of bidder's
9 bond, and the name and address of the county auditor."

1 SEC. 38. Section four hundred fifty-five point one hundred sixty-
2 eight (455.168), Code 1946, is hereby repealed.

Approved March 9, 1949.

CHAPTER 203

NATURAL RESOURCES COUNCIL

H. F. 2

AN ACT relating to flood control and water resources, creating the Iowa natural resources council, providing for the membership and personnel of said council, prescribing the powers, duties and functions of the council and making an appropriation therefor; amending sections four hundred sixty-nine point one (469.1), four hundred sixty-nine point two (469.2), four hundred sixty-nine point three (469.3), four hundred sixty-nine point nine (469.9), four hundred sixty-nine point ten (469.10), four hundred sixty-nine point fifteen (469.15), four hundred sixty-nine point twenty-six (469.26), one hundred eight point seven (108.7), one hundred sixty point seven (160.7), one hundred nine point fifteen (109.15), one hundred eleven point four (111.4), one hundred eleven point eighteen (111.18), one hundred twelve point three (112.3), one hundred twelve point seven (112.7), Code 1946, and by repealing sections four hundred sixty-nine point twenty-eight (469.28) and four hundred sixty-nine point twenty-nine (469.29) enacting a substitute for said section four hundred sixty-nine point twenty-nine (469.29), Code 1946, all relating to natural resources, flood control and water resources, mill dams and races and the powers, duties and functions of the council, and to provide certain penalties for violations of this Act.

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

1 SECTION 1. **Definitions.** As used in this act, council means "Iowa
2 Natural Resources Council";

3 "Flood plains" means the area adjoining the river or stream, which
4 has been or may be hereafter covered by flood water;

5 "Floodway" means the channel of a river or stream and those por-
6 tions of the flood plains adjoining the channel, which are reasonably
7 required to carry and discharge the flood water or flood flow of any
8 river or stream;

9 "Council floodway" means a floodway designated and established
10 by order of the council, fixing its length and landside limits;

11 "Person" means any natural person, firm, partnership, association,
12 corporation, State of Iowa, any agency of the state, municipal cor-
13 poration, political subdivision of the State of Iowa, legal entity, drain-
14 age district, levee district, public body, or other district or units
15 maintained or to be constructed by assessments, or the petitioners of
16 a proceeding, pending in any court of the state affecting flood control;

17 "Due notice" means a notice of not less than thirty days by one
18 publication in an official newspaper published in each county in which
19 the property affected is located.

1 SEC. 2. **Declaration of policy.** It is hereby recognized that the
2 protection of life and property from floods, the prevention of damage
3 to lands therefrom and the conservation of the water resources of the
4 state by the considered and proper use thereof, is of paramount im-
5 portance to the welfare and prosperity of the people of the state, and,
6 to realize these objectives it is hereby declared to be the policy of
7 the state to correlate and vest the powers of the state in a single
8 agency with the duty and authority to establish and enforce an ap-
9 propriate comprehensive state-wide plan for the control of water and
10 the protection of the surface and underground water resources of the
11 state. In the formulation of this plan the resultant effect thereof on
12 other resources of the state shall be recognized and included in such
13 plan.

1 **SEC. 3. Creation.** There is hereby created and established an
2 Iowa Natural Resources Council. The council is established as an
3 agency of the state government to promote the policies set forth in
4 this act and shall represent the State of Iowa in all matters within
5 the scope of this act.

1 **SEC. 4. Appointment.** The council shall consist of seven members
2 who shall be electors of the State of Iowa and shall be selected from
3 the State of Iowa at large solely with regard to their qualifications
4 and fitness to discharge the duties of office and without regard to their
5 political affiliation. The members of the council shall be appointed
6 by the governor with the approval of two-thirds of the members of
7 the senate in executive session and shall be appointed for overlapping
8 terms of six years. The terms of two members of the council shall
9 expire on the first day of July, 1951; the terms of two members shall
10 expire on July 1, 1953; and the terms of three members shall expire
11 on July 1, 1955. At the expiration of such terms all appointments
12 shall be for terms of six years.

1 **SEC. 5. Vacancies.** Vacancies occurring while the general assem-
2 bly is in session shall be filled for the unexpired portion of the term
3 as full-term appointments are filled. Vacancies occurring while the
4 general assembly is not in session shall be filled by the governor, but
5 such appointments shall terminate at the end of thirty days after the
6 convening of the next general assembly.

1 **SEC. 6. Removal.** The governor may, with the approval of the
2 senate, during a session of the general assembly, remove any member
3 of the council for malfeasance in office or for any cause that renders
4 him ineligible for membership or incapable or unfit to discharge the
5 duties of his office and his removal when so made shall be final.

1 **SEC. 7. Compensation and expenses.** Each member of the council
2 not otherwise in the full-time employment of any public body, shall
3 receive the sum of twenty-five dollars (\$25.00) for each day actually
4 and necessarily employed in the discharge of official duties provided
5 such compensation shall not exceed one thousand dollars (\$1000.00)
6 for any fiscal year. In addition to the compensation hereinbefore
7 described, each member of the council shall be entitled to receive the
8 amount of his travelling and other necessary expenses actually in-
9 curred while engaged in the performance of any official duties, when
10 so authorized by the council. No member of the council shall have
11 any direct financial interest in, or profit by any of the operations of
12 the council.

1 **SEC. 8. Organization, meetings and rules.** The council shall or-
2 ganize by the election of a chairman and shall meet at the seat of
3 government on the first Monday in the months of January, April,
4 July and October, and at such other times and places as it may deem
5 necessary. The chairman shall be elected annually at the meeting of
6 the council in July. Meetings may be called by the chairman and
7 shall be called by the chairman on the request of four members of the
8 council. The majority of the council shall constitute a quorum and
9 the concurrence of a majority of the council in any matter within
10 their duties shall be required for its determination. The council shall

11 adopt such rules and regulations as it may deem necessary to transact
12 its business and for the administration and exercise of its powers and
13 duties.

1 **SEC. 9. Director.** The council shall choose a director who shall not
2 be a member of the council and shall fix the compensation of such
3 director, which shall be payable out of the funds appropriated to the
4 council. The director shall be qualified by training and experience.
5 The term of office of the director shall be during the pleasure of the
6 council. The director shall serve as the executive officer of the council
7 and shall have charge of the work of the council subject to its orders
8 and directions.

1 **SEC. 10. Employees.** The director, with the approval of the coun-
2 cil is empowered to employ, discharge, and fix the salaries of such
3 technical, clerical, stenographic and such other employees and as-
4 sistants as may be required. All of such employees shall be paid from
5 funds appropriated to the council.

1 **SEC. 11. Bonds.** The council shall provide for the execution of
2 surety bonds for all members and employees who shall be entrusted
3 with funds and property and the premiums on all such surety bonds
4 shall be paid from the funds appropriated to the council.

1 **SEC. 12. Warrants.** The comptroller is directed to draw warrants
2 on the treasurer of the state for all disbursements authorized by this
3 act upon duly itemized and verified vouchers bearing the approval of
4 the director of the council.

1 **SEC. 13. Reports, accounting and recommendations.** The council
2 shall make a report to the governor of its activities for the preceding
3 biennial period, including therein an itemized statement of all re-
4 cepts and disbursements and such other information pertaining to
5 its work as may be of value.

6 The council in its biennial report shall make such recommendations
7 for amendments to this act, or for other legislation as it deems ap-
8 propriate.

9 The council shall report to the governor at any time required, the
10 results accomplished since its last report, pending plans and the
11 status of any work or plans in progress.

1 **SEC. 14. Departmental cooperation.** The council may request and
2 receive from any department, division, board, bureau, commission,
3 public body, or agency of the state, or of any political subdivision
4 thereof, or from any organization, incorporated or unincorporated,
5 which has for its object the control or use of any of the water re-
6 sources of the state, such assistance and data as will enable the council
7 to properly carry out its activities and effectuate its purposes here-
8 under. The council shall reimburse such agencies for special expense
9 resulting from expenditures not normally a part of the operating ex-
10 penses of any such agency.

11 The council, its agents and other employees may enter upon any
12 lands or waters in the state for the purpose of making any investiga-
13 tion, examination, or survey contemplated by this act.

1 **SEC. 15. Eminent domain.** The council shall have the right to ex-
2 ercise the power of eminent domain. All the provisions of law relat-
3 ing to condemnation of lands for public state purposes shall apply to
4 the provisions hereof in and so far as applicable. The executive
5 council shall institute and maintain such proceedings.

6 The council may accept gifts, contributions, donations and grants,
7 and use the same for any purpose within the scope of this act.

1 **SEC. 16. Title to lands and other property.** The title to all lands,
2 easements, or other interest therein, or other property or rights
3 acquired by the council shall be approved by the attorney general and
4 taken in the name of the State of Iowa.

1 **SEC. 17. Functions and duties.** The council shall establish a com-
2 prehensive state-wide program of flood control; and a comprehensive
3 state-wide program for the conservation, development and use of the
4 water resources of the state.

1 **SEC. 18. Jurisdiction.** The council shall have jurisdiction over
2 the public and private waters in the state and the lands adjacent
3 thereto necessary for the purposes of carrying out the provisions of
4 this act. The council shall make a comprehensive study and investi-
5 gation of all pertinent conditions of the areas in the state affected by
6 floods; determine the best method and manner of establishing flood
7 control; adopt and establish a comprehensive plan for flood control
8 for all the areas of the state subject to floods; and determine the best
9 and most practical method and manner of establishing and con-
10 structing the necessary flood control works. The council may con-
11 struct flood control works or any part thereof. The council is author-
12 ized to perform such duties in cooperation with other states or any
13 agency thereof or with the United States or any agency of the United
14 States, or with any person as defined in this act.

15 The council shall procure and obtain flood control works from and
16 through or by cooperation with the United States, or any agency of
17 the United States, by cooperation with and action of the cities, towns
18 and other subdivisions of the state, under the laws of the state relat-
19 ing to flood control and water use, and by cooperation with and action
20 of landowners in areas affected thereby.

21 The council shall make surveys and investigations of the water re-
22 sources of the state and of the problems of agriculture, industry,
23 conservation, health, stream pollution and allied matters as they
24 relate to flood control and water resources, and shall make and formu-
25 late plans and recommendations for the further development, pro-
26 tection and preservation of the water resources of the state.

1 **SEC. 19. Unlawful acts—powers of council.** It shall be unlawful
2 to suffer or permit any structure, dam, obstruction, deposit or exca-
3 vation to be erected in or on any floodway, which will adversely affect
4 the efficiency of or unduly restrict the capacity of the floodway, and
5 the same are declared to be and to constitute public nuisances, pro-
6 vided, however, that this provision shall not apply to dams con-
7 structed and operated under the authority of chapter four hundred
8 sixty-nine (469), Code 1946, as amended.

9 The council shall have the power to commence, maintain and prose-
10 cute any appropriate action to enjoin or abate a nuisance, including

11 any of the foregoing nuisances and any other nuisance which ad-
12 versely affects flood control.

13 In the event any person desires to erect, make, use or maintain, or
14 to suffer or permit, a structure, dam, obstruction, deposit or excava-
15 tion, other than a dam, constructed and operated under the authority
16 of chapter four hundred sixty-nine (469), Code 1946, as amended, to
17 be erected, made, used or maintained in or on any floodway, and it is
18 uncertain as to whether it will adversely affect the efficiency of or
19 unduly restrict the capacity of the floodway, such person may file a
20 verified written application with the council, setting forth the
21 material facts, and the council on hearing, shall enter an order, deter-
22 mining the fact and permitting or prohibiting the same.

23 The council shall have the power to remove or eliminate any struc-
24 ture, dam, obstruction, deposit or excavation in any floodway which
25 adversely affects the efficiency of or unduly restricts the capacity of
26 the floodway, by an action in condemnation, and in assessing the
27 damages in such proceeding, the appraisers and the court shall take
28 into consideration whether the structure, dam, obstruction, deposit
29 or excavation is lawfully in or on the floodway.

1 **SEC. 20. Additional powers—licensing of dams.** After the effec-
2 tive date of this act the term "council", as used in chapter four hun-
3 dred sixty-nine (469), Code 1946, shall be construed to refer to the
4 "Iowa Natural Resources Council" unless specifically otherwise pro-
5 vided.

1 **SEC. 21. Additional powers.** Section four hundred sixty-nine point
2 one (469.1), Code 1946, is amended by striking from lines eight (8)
3 and nine (9) thereof the words "executive council" and by inserting
4 in lieu thereof the words "Iowa Natural Resources Council".

1 **SEC. 22. Additional powers.** Subsection six (6) of section four
2 hundred sixty-nine point two (469.2), Code 1946, is amended by
3 striking from line two (2) thereof the words "executive council" and
4 by inserting in lieu thereof the words "Iowa Natural Resources
5 Council"; section four hundred sixty-nine point two (469.2), Code
6 1946, is further amended by striking from lines eight (8) and nine (9)
7 the words "executive council" and by inserting in lieu thereof the
8 words "Iowa Natural Resources Council".

1 **SEC. 23. Additional powers.** Section four hundred sixty-nine point
2 three (469.3), Code 1946, is amended by striking from lines four (4)
3 and five (5) thereof the words "executive council" and by inserting in
4 lieu thereof the words "Iowa Natural Resources Council".

1 **SEC. 24. Additional powers.** Section four hundred sixty-nine
2 point nine (469.9), Code 1946, is amended by striking from line seven
3 (7) thereof the words "executive council" and by inserting in lieu
4 thereof the words "Iowa Natural Resources Council"; section four
5 hundred sixty-nine point nine (469.9), Code 1946, is further amended
6 by striking from line ten (10) thereof the words "executive council"
7 and by inserting in lieu thereof the words "Iowa Natural Resources
8 Council".

1 **SEC. 25. Additional powers.** Section four hundred sixty-nine point
2 ten (469.10), Code 1946, is amended by striking from line two (2)

3 thereof the words "executive council" and by inserting in lieu thereof
4 the words "Iowa Natural Resources Council"; section four hundred
5 sixty-nine point ten (469.10), Code 1946, is further amended by in-
6 serting after the word "dams" in line eleven (11) thereof the words
7 "of any character or for any purpose"; section four hundred sixty-
8 nine point ten (469.10), Code 1946, is further amended by striking
9 from lines twelve (12) and thirteen (13) thereof the words "execu-
10 tive council" and by inserting in lieu thereof the words "Iowa Natural
11 Resources Council".

1 **SEC. 26. Additional powers.** Section four hundred sixty-nine point
2 twenty-six (469.26), Code 1946, is amended by striking from line
3 six (6) thereof the words "executive council" and by inserting in lieu
4 thereof the words "Iowa Natural Resources Council".

1 **SEC. 27. Receivership.** Section four hundred sixty-nine point
2 fifteen (469.15), Code 1946, is amended by inserting before the word
3 "council" in line eleven (11), the words "state executive".

1 **SEC. 28. Mill dams and races.** Section four hundred sixty-nine
2 point twenty-eight (469.28), Code 1946, is repealed.

1 **SEC. 29. Mill dams and races.** Section four hundred sixty-nine
2 point twenty-nine (469.29), Code 1946, is repealed and the following
3 is enacted in lieu thereof: "All licenses and permits issued by the
4 state executive council prior to the effective date of this act are
5 hereby declared to be in full force and effect and all of the powers of
6 administration relating to licenses or permits heretofore issued are
7 hereby vested in the Iowa Natural Resources Council."

1 **SEC. 30. Council floodway.** The council may by order establish
2 a floodway as a council floodway and alter, change, or revoke and
3 terminate the same. In the order establishing the council floodway,
4 the council shall fix the length thereof at any practical distance, and
5 fix the width or the landside limits thereof, so as to include portions
6 of the flood plains adjoining the channel, which with the channel, are
7 reasonably required to efficiently carry and discharge the flood waters
8 or flood flow of such river or stream. No order establishing a council
9 floodway shall be issued until due notice of the proposed establish-
10 ment of such floodway shall have been given and public hearings
11 afforded, and opportunity given for the presentation of all protests
12 against the establishment of such floodway. In establishing any
13 council floodway, the council shall avoid to the greatest possible
14 degree the evacuation of persons residing in the area of any floodway
15 and the removal of any residential structures occupied by such persons
16 in the area of any floodway. All of the area within a council flood-
17 way shall be the floodway for all purposes of this act.

1 **SEC. 31. Flood control works co-ordinated.** All works of any na-
2 ture for flood control in the state, which are hereafter established and
3 constructed, shall be co-ordinated in design, construction and opera-
4 tion, according to sound and accepted engineering practice so as to
5 effect the best flood control obtainable throughout the state. No per-
6 son shall construct or install any works of any nature for flood control
7 unless and until the proposed works and the plans and specifications

8 therefor are approved by the council. The interested persons shall
9 file a verified written application with the council therefor, and the
10 council on hearing shall consider all the pertinent facts relating to the
11 proposed works which will affect flood control in the state and shall
12 determine whether the proposed works in the plans and specifications
13 will be in aid of and acceptable as part of, or will adversely affect and
14 interfere with flood control in the state, and shall enter an order
15 approving or disapproving the application, plans and specifications.
16 In the event of disapproval, the order shall set forth the objectionable
17 features so that the proposed works and the plans and specifications
18 therefor may be corrected or adjusted to obtain the approval of the
19 council.

20 The provisions of this section shall apply to all drainage districts,
21 soil conservation districts, projects undertaken by the state conserva-
22 tion commission, all public agencies including counties, cities, towns
23 and all political subdivisions of the State of Iowa and to all privately
24 undertaken projects relating to or affecting flood control.

1 **SEC. 32. Appeal.** Any person aggrieved by any of the acts or
2 orders of the council shall have the right to appeal therefrom to the
3 district court at the seat of government or the district court of any
4 county in which the property affected is located, by filing with the
5 council a notice of such appeal within thirty days from the date of
6 such action or order. The notice of appeal shall state the grounds of
7 appeal. When an appeal is taken, the council shall forthwith cause to
8 be made a certified transcript of all proceedings had and all orders
9 made and shall file the same with the clerk of the district court where
10 the appeal is pending.

11 Upon such appeal being perfected, it shall be brought on for trial
12 at any time by either party upon ten days notice to the other, and
13 shall be tried by the court de novo. At such trial the burden of proof
14 that any acts and orders of the council from which appeal is taken are
15 reasonable and necessary shall be upon the council. If the court shall
16 determine that the order appealed from is reasonable and necessary,
17 it shall be affirmed. If the court finds that the order appealed from is
18 unjust, unreasonable or not supported by the evidence it shall make
19 such order to take the place of the order appealed from as is justified
20 by the record before it.

21 Any person aggrieved may appeal to the supreme court from the
22 judgment of the district court made therein as in a civil action.

23 The pendency of any such appeal shall not stay the operation of
24 the order of the council but the district court or the supreme court in
25 their discretion may suspend the operation of the council order pend-
26 ing determination of the appeal, provided, the appellant shall file an
27 appropriate bond approved by the court.

1 **SEC. 33. Executive prerogatives.** The council shall have no ex-
2 ecutive prerogatives outside of its own duties and functions as set
3 out by this act and shall not disturb the work, functions or authority
4 of any of the several state or local agencies and institutions, provided
5 the powers conferred upon the council by this act shall not be exer-
6 cised by any other of the agencies or institutions.

1 **SEC. 34. Approval required.** Section one hundred eight point
2 seven (108.7), Code 1946, is amended by adding thereto the following:
3 "Any action taken by the commission under the provisions of this
4 section shall be subject to the approval of the Iowa Natural Resources
5 Council."

1 **SEC. 35. Approval required.** Section one hundred sixty point seven
2 (160.7), Code 1946, is amended by adding to subsection three (3) of
3 said section the following: "The approval of the Iowa Natural Re-
4 sources Council shall be required on any project which relates to or in
5 any manner affects flood control."; section one hundred sixty point
6 seven (160.7), Code 1946, is further amended by adding to subsection
7 seven (7) of said section the following: "The approval of the Iowa
8 Natural Resources Council shall be required on any project which
9 relates to or in any manner affects flood control."

1 **SEC. 36. Injury to dams.** Section one hundred nine point fifteen
2 (109.15), Code 1946, is amended by striking from lines five (5) and
3 six (6) thereof the words "state conservation director" and by insert-
4 ing in lieu thereof the words "Iowa Natural Resources Council".

1 **SEC. 37. Approval required.** Section one hundred eleven point
2 four (111.4), Code 1946, is amended by inserting after the period
3 in line eight (8) thereof the following: "No such permit shall be
4 issued without approval of the Iowa Natural Resources Council."

1 **SEC. 38. Approval required.** Section one hundred eleven point
2 eighteen (111.18), Code 1946, is amended by inserting after the period
3 in line five (5) thereof the following: "The exercise of this juris-
4 diction shall be subject to the approval of the Iowa Natural Resources
5 Council in matters relating to or in any manner affecting flood control."

1 **SEC. 39. Approval required.** Section one hundred twelve point
2 three (112.3), Code 1946, is amended by striking from line four (4)
3 thereof the words "executive council" and by inserting in lieu thereof
4 the words "Iowa Natural Resources Council."

1 **SEC. 40. Dams and spillways.** Section one hundred twelve point
2 seven (112.7), Code 1946, is amended by striking from lines five (5)
3 and six (6) thereof the words ", with the consent of the executive
4 council,".

1 **SEC. 41. Appropriation.** There is hereby appropriated annually
2 from the general fund of the state for the period beginning with the
3 passage of this act the sum of fifty thousand dollars (\$50,000.00),
4 which shall be used solely to effectuate the provisions of this act.

1 **SEC. 42.** Whoever is convicted of erecting, causing or continuing
2 a common or public nuisance, as provided in this Act, shall be fined
3 not exceeding one hundred dollars (\$100.00) or be imprisoned in the
4 county jail not exceeding thirty (30) days.

1 **SEC. 43. Severability.** The provisions of this act shall be deemed
2 severable as far as practical, and should any part be declared invalid
3 or unconstitutional, the remaining parts of this act shall not be
4 affected thereby.

1 SEC. 44. 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 Eddyville Tribune, a newspaper published at Eddyville, Iowa, and
 4 in The Daily Tribune, a newspaper published at Missouri Valley,
 5 Iowa.

Approved March 31, 1949.

I hereby certify that the foregoing act was published in the Ames Daily Tribune,
 April 16, 1949, and in the Boone News-Republican, April 16, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

Pursuant to authority vested in the undersigned, Secretary of State, The Daily
 Tribune, Missouri Valley, Iowa, being non-existent and the Eddyville Tribune, Eddyville,
 Iowa, having refused to publish; the following two papers, Ames Daily Tribune, Ames,
 Iowa, and Boone News-Republican, Boone, Iowa, are designated to publish the foregoing
 act.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 204

SOIL CONSERVATION AND FLOOD CONTROL

H. F. 9

AN ACT providing for the establishment of districts having for their purpose the pro-
 tection of land from damage by soil erosion or floods; for the inclusion in such
 districts of drainage districts heretofore or hereafter organized when the inclusion
 of such districts is deemed advisable and for the purpose of generally benefiting the
 public by a more efficient control of the water resources of the state; amending
 sections four hundred fifty-five point nine (455.9), four hundred fifty-five point
 eighteen (455.18), four hundred fifty-five point forty-seven (455.47), four hundred
 fifty-five point fifty-one (455.51), four hundred fifty-five point fifty-six (455.56),
 Code 1946, all relating to levee and drainage districts.

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

1 SECTION 1. The conservation of the soil resources of the State of
 2 Iowa, the proper control of water resources of the state and the pre-
 3 vention of damage to property and lands through the control of floods,
 4 the drainage of surface waters or the protection of lands from over-
 5 flow shall be presumed to be a public benefit and conducive to the
 6 public health, convenience and welfare and essential to the economic
 7 wellbeing of the state.

1 SEC. 2. The board of supervisors of any county shall have juris-
 2 diction, power and authority at any regular, special or adjourned
 3 session to establish, subject to the provisions of this act, districts
 4 having for their purpose soil conservation and the control of flood
 5 waters and to cause to be constructed as hereinafter provided, such
 6 improvements and facilities as shall be deemed essential for the ac-
 7 complishment of the purpose of soil conservation and flood control.
 8 Such board shall also have jurisdiction, power and authority at any
 9 regular, special or adjourned session to establish, in the same manner
 10 that the districts hereinabove referred to are established, districts
 11 having for their purpose soil conservation in mining areas within
 12 the county, and provide that anyone engaged in removing the surface
 13 soil over any bed or strata of coal in such district for the purpose of

14 obtaining such coal shall replace the surface soil as nearly as prac-
15 ticable to its original position, and provide that, upon abandonment
16 of such removal operation, all surface soil shall be so replaced. This
17 section shall apply only to surface soil so removed after the effective
18 date of this act, and then only if it is essential for the accomplishment
19 of the purpose of soil conservation and flood control within the purview
20 of this act.

1 SEC. 3. Such districts shall have the power to combine in their
2 functions activities affecting soil conservation, flood control and
3 drainage, or any of these objects, singly or in combination with an-
4 other.

1 SEC. 4. If any levee or drainage district or improvement estab-
2 lished either by legal proceedings or by private parties shall desire
3 to include in the activities of such district soil conservation or
4 flood control projects, the board upon petition, as for the establish-
5 ment of an original levee or drainage district, shall establish a new
6 district covering and including such old district and improvement
7 together with any additional lands deemed necessary. All outstand-
8 ing indebtedness of the old levee or drainage district shall be assessed
9 only against the lands included therein.

1 Sec. 5. No district shall be established by any board of supervisors
2 under this act unless the organization of such district is approved
3 by the commissioners of any soil conservation district established
4 under the provisions of chapter one hundred sixty (160), Code 1946,
5 and which is included all or in part within such district, nor shall any
6 such district be established without the approval of the state conser-
7 vation commission and the Iowa natural resources council.

1 SEC. 6. In the organization, operation and financing of districts
2 established under this chapter, the provisions of chapters four hun-
3 dred fifty-five (455), four hundred fifty-six (456), four hundred
4 fifty-seven (457), four hundred fifty-eight (458), four hundred fifty-
5 nine (459), four hundred sixty (460), four hundred sixty-one (461),
6 four hundred sixty-two (462), four hundred sixty-three (463), four
7 hundred sixty-four (464), four hundred sixty-five (465), four hun-
8 dred sixty-six (466), and four hundred sixty-seven (467), Code 1946,
9 shall apply.

1 SEC. 7. Section four hundred fifty-five point nine (455.9), Code
2 1946, is amended by striking the period in line two (2) of subsection
3 two (2) and by inserting the following: "or subject to erosion or
4 flood danger."

1 SEC. 8. Section four hundred fifty-five point eighteen (455.18),
2 Code 1946, is amended by adding thereto the following subsection:
3 "Where the proposed district contemplates as its object flood control
4 or soil conservance the engineer shall include in his report data
5 describing any soil conservance or flood control improvements, the
6 nature thereof, and such other additional data as shall be prescribed
7 by the Iowa natural resources council."

1 SEC. 9. Section four hundred fifty-five point forty-seven (455.47),
2 Code 1946, is amended by striking the period at the end of said sec-

3 tion and by adding thereto the following: "and relieves and protects
4 the same from damage by erosion."

1 SEC. 10. Section four hundred fifty-five point fifty-one (455.51),
2 Code 1946, is amended by adding the following to subsection two (2)
3 thereof: "For erosion protection and control or flood control."

1 SEC. 11. Section four hundred fifty-five point fifty-six (455.56),
2 Code 1946, is amended by inserting after the word "drainage" in lines
3 one (1) and two (2) thereof the words ", erosion or flood control".

1 SEC. 12. Wherever any of the provisions of chapters four hundred
2 fifty-five (455), four hundred fifty-six (456), four hundred fifty-
3 seven (457), four hundred fifty-eight (458), four hundred fifty-
4 nine (459), four hundred sixty (460), four hundred sixty-one (461),
5 four hundred sixty-two (462), four hundred sixty-three (463), four
6 hundred sixty-four (464), four hundred sixty-five (465), four hun-
7 dred sixty-six (466), and four hundred sixty-seven (467), Code 1946,
8 refer to the word "drainage", the word shall be deemed to include in
9 its meaning soil erosion and flood control or any combination of drain-
10 age, flood control and soil erosion control. The term "drainage dis-
11 trict" shall be considered to include districts having as their purpose
12 soil conservancy or flood control or any combination thereof, and the
13 words "drainage certificates" or "drainage bonds" shall be deemed to
14 include certificates or bonds issued in behalf of any district organized
15 under the provisions of this act; and any procedure provided by
16 these chapters in connection with the organization, financing and
17 operation of any drainage district shall be applicable to the organ-
18 ization, financing and operation of districts organized under this act.

1 SEC. 13. The provisions of this act shall be deemed severable as
2 far as practical, and should any part be declared invalid or unconsti-
3 tutional, the remaining parts of the act shall not be affected thereby.

Approved April 2, 1949.

CHAPTER 205

DRAINAGE AND LEVEE DISTRICTS

H. F. 10

AN ACT to amend sections four hundred sixty-two point fifteen (462.15), four hundred sixty-two point nineteen (462.19), four hundred sixty-two point twenty-seven (462.27), four hundred sixty-two point thirty-one (462.31), four hundred sixty-two point thirty-two (462.32), four hundred sixty-two point thirty-three (462.33), and four hundred sixty-two point thirty-five (462.35), Code 1946, relating to management of drainage or levee districts by trustees and to provide compensation for trustees.

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

1 SECTION 1. Section four hundred sixty-two point fifteen (462.15),
2 Code 1946, is amended by striking all of said section and by substitut-
3 ing in lieu thereof the following: "Each elector shall write or print

4 on a blank ballot, furnished by the election board, his choice for
5 trustee for each election district for which a trustee is to be elected."

1 SEC. 2. Section four hundred sixty-two point nineteen (462.19),
2 Code 1946, is amended by striking from lines one (1) and two (2)
3 the words "except as provided in section four hundred sixty-two
4 point twenty (462.20), the", and by substituting in lieu thereof the
5 word "The".

1 SEC. 3. Section four hundred sixty-two point twenty-seven
2 (462.27), Code 1946, is amended by striking from lines eight (8)
3 and nine (9) the words "unless otherwise specially provided." and
4 by substituting in lieu thereof the following: "including the power
5 to acquire lands for right of way for ditches and settling basins
6 within or without the district and to annex lands to the district,
7 except as provided in section four hundred sixty-two point twenty-
8 eight (462.28)."

1 SEC. 4. Section four hundred sixty-two point thirty-one (462.31),
2 Code 1946, is hereby repealed.

1 SEC. 5. Section four hundred sixty-two point thirty-two (462.32),
2 and section four hundred sixty-two point thirty-three (462.33), Code
3 1946, is hereby repealed.

1 SEC. 6. Section four hundred sixty-two point thirty-five (462.35),
2 Code 1946, is amended by striking the word "three" in line two (2)
3 and by substituting in lieu thereof the word "seven".

Approved March 15, 1949.

CHAPTER 206

MUTUAL DRAINS

H. F. 11

AN ACT to amend chapter four hundred sixty-five (465), Code 1946, relating to individual drainage rights and mutual drains, by amending section four hundred sixty-five point one (465.1), and by adding additional provisions to said chapter.

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

1 SECTION 1. Section four hundred sixty-five point one (465.1),
2 Code 1946, is amended by striking all of lines one (1) to twelve (12),
3 inclusive, and by substituting in lieu thereof the following: "When
4 the owner of any land desires to construct any levee, open ditch, tile
5 or other underground drain, for agricultural or mining purposes, or
6 for the purposes of securing more complete drainage or a better outlet
7 across the lands of others or across the right of way of a railroad
8 or highway, or when two or more landowners desire to construct a
9 drain to serve their lands, he or they may file with the township clerk
10 of the township".

1 SEC. 2. Chapter four hundred sixty-five (465), Code 1946, is
2 amended by adding thereto the following: "When the records of any

3 mutual drain are incomplete or have been lost, or when the owner of
4 any land affected by such mutual drain believes that the apportion-
5 ment of costs or damages is inequitable or that repair or reconstruc-
6 tion is needed, such owner may petition the board of trustees for
7 relief. The trustees shall notify all affected parties of such petition,
8 and set a date for a hearing on the petition. The trustees may ad-
9 journ the proceedings from day to day, but no adjournment shall be
10 for more than ten days, and may order such engineering examina-
11 tions, reclassifications of lands and appraisals of damages as they
12 deem necessary. At the completion of the hearing the trustees shall
13 reestablish the original records or establish a revised record and
14 basis for apportionment of costs and damages as they find equitable
15 and advisable, and may order such repairs or reconstruction as they
16 find to be needed. All cost of such reestablishment or revisions of
17 records, and of the needed repair or reconstruction shall be appor-
18 tioned in accordance with the basis established."

1 SEC. 3. Chapter four hundred sixty-five (465), Code 1946, is
2 further amended by adding thereto the following: "Whenever a
3 landowner fails to pay the cost apportioned as provided in section
4 two (2) of this act, or whenever a repair or reconstruction ordered
5 as provided in section two (2) of this act is not made within reason-
6 able time, and in such other instances as the trustees desire, the
7 trustees may transmit a copy of the records and procedures of such
8 mutual drain to the board of supervisors of the county in which the
9 mutual drain is located, together with a request that such mutual
10 drain be established as a drainage district. Upon receipt of such
11 transcript and request, the board of supervisors by resolution shall
12 establish such mutual drain as a drainage district; all proceedings
13 thereafter shall be as provided for other legally established districts."

1 SEC. 4. Chapter four hundred sixty-five (465), Code 1946, is
2 further amended by adding thereto the following: "The decisions
3 and actions of the trustees under section three (3) of this act may be
4 appealed as provided in sections four hundred sixty-five point nine
5 (465.9), four hundred sixty-five point ten (465.10), and four hun-
6 dred sixty-five point eleven (465.11)."

1 SEC. 5. Chapter four hundred sixty-five (465), Code 1946, is
2 further amended by adding thereto the following: "When the lands
3 served by a mutual drain are within the boundary of an established
4 drainage district, a complete record of the proceeding relating to
5 such mutual drain shall be filed with, and as a part of, the records of
6 such established district."

1 SEC. 6. Chapter four hundred sixty-five (465), Code 1946, is
2 further amended by adding thereto the following: "If the records
3 referred to in section five (5) of this act are incomplete or have been
4 lost, the board may reestablish such records so as to proportion future
5 costs and damages in proportion to the benefits and damages received
6 because of the construction of such mutual drains and improvements
7 thereof, and may order such surveys, engineering reports, reclassi-
8 fication of lands and appraisal of damages as they deem necessary.
9 All costs of such proceedings shall be assessed against the benefited
10 lands."

1 SEC. 7. Chapter four hundred sixty-five (465), Code 1946, is
 2 further amended by adding thereto the following: "Upon receipt of
 3 a petition, signed by the owners of the lands served by a mutual
 4 drain, requesting that such drain be combined with an established
 5 drainage district, the board shall hold a hearing with due notice to
 6 the owners of all lands affected by said mutual drain, and if the board
 7 finds it desirable it may by resolution make such mutual drains a part
 8 of the established district. Such hearing and resolution may be con-
 9 tinued as the board deems necessary for the collection of additional
 10 information as provided in section six (6) of this act. Such combi-
 11 nation with an established district shall constitute dissolution of the
 12 mutual drain, and shall be so recorded, after which such mutual drain
 13 shall be a part of the district drain in all respects."

Approved March 11, 1949.

CHAPTER 207

STATE SOIL CONSERVATION COMMITTEE

H. F. 5

AN ACT to amend subsections one (1) and three (3) of section one hundred sixty point four (160.4), Code 1946, relating to the membership, functions and compensation of members of the state soil conservation committee.

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

1 SECTION 1. Subsection one (1) of section one hundred sixty point
 2 four (160.4), Code 1946, is amended by striking from line eight (8)
 3 the word "four" and by substituting in lieu thereof the word "six";
 4 and by striking from line twelve (12) the word "Three" and by
 5 substituting in lieu thereof the word "Five"; and by striking from
 6 line fourteen (14) the words "three appointed" and by substituting
 7 in lieu thereof the words "five appointive".

1 SEC. 2. Subsection three (3) of section one hundred sixty point
 2 four (160.4), Code 1946, is amended by striking from line twenty-
 3 eight (28) the word "one" and by substituting in lieu thereof the
 4 word "two".

Approved March 17, 1949.

CHAPTER 208

SOIL CONSERVATION

H. F. 294

AN ACT to appropriate from the general fund of the state of Iowa to the state soil conservation committee the sum of two hundred and fifty thousand dollars (\$250,000) for each year of the biennium beginning July 1, 1949 and ending June 30, 1951 to carry on soil conservation work in soil conservation districts which are organized under the soil conservation district law chapter one hundred sixty (160), Code of Iowa 1946, and to amend said chapters.*

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

1 SECTION 1. There hereby is appropriated and set out of the gen-
2 eral fund of the State of Iowa to the State Soil Conservation Com-
3 mittee the sum of two hundred and fifty thousand dollars (\$250,000)
4 annually for the biennium beginning July 1, 1949 and ending June
5 30, 1951 to carry on soil conservation work in soil conservation dis-
6 tricts organized under the soil conservation districts law of the State
7 of Iowa. These funds will be used as follows:

8 1. Aid to soil conservation districts for district commissioners ex-
9 penses, stationery, postage and other uses as they may be author-
10 ized by the State Soil Conservation Committee; Five hundred dollars
11 (\$500.) per district. Total \$50,000

12 2. Personnel (Technicians and Clerical personnel), and their neces-
13 sary expenses including office rental, equipment and materials to be
14 assigned to the soil conservation districts by the State Soil Conser-
15 vation Committee on a need basis; Two hundred thousand* (\$200,000).

1 SEC. 2. To amend Chapter one hundred sixty (160), Code of Iowa
2 1946 by adding to subsection four (4) of section one hundred sixty
3 point four (160.4), a new paragraph as follows: "To render financial
4 aid and assistance to soil conservation districts organized hereunder
5 for the purpose of carrying out the policy stated in this chapter."

Approved April 28, 1949.

*According to enrolled Act.

CHAPTER 209

FEDERAL RECEIPTS FROM FLOOD CONTROL

H. F. 12

AN ACT to provide for the distribution and expenditure of funds which may be received from the federal government as a share of federal receipts from the operation of flood control projects.

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

1 SECTION 1. Whenever there shall be payable by the federal gov-
2 ernment to counties or school districts of the state any sums of money
3 because of the fact that such school districts or counties are entitled
4 to a share of the receipts from the operation of the federal govern-
5 ment of flood control projects within any county of the state, such pay-
6 ments shall be payable to the county treasurer of any county in which
7 such payments become due.

1 SEC. 2. Upon receipt of any such payments or payment by the
 2 county treasurer thirty percent (30%) of such amount shall be
 3 credited to the secondary road construction fund as provided by
 4 section three hundred nine point eight (309.8), Code 1946. Any
 5 amount so credited to the secondary road construction fund shall be
 6 allocated for construction and maintenance or either construction or
 7 maintenance of secondary roads of the county which are principally
 8 affected by the construction of such federal flood control projects, and
 9 the board of supervisors shall determine which roads of the county
 10 are deemed to be principally affected and the amounts which shall be
 11 expended from these funds derived from the federal government on
 12 such roads.

1 SEC. 3. The remaining seventy percent (70%) of any such pay-
 2 ments or payment received from the federal government shall be
 3 credited to the county board of education fund as created by section
 4 thirteen (13) of chapter one hundred forty-seven (147), Acts of the
 5 Fifty-Second General Assembly, and the county board of education
 6 shall determine the districts of the county which are principally
 7 affected in their activities by the federal flood control project in-
 8 volved and shall allocate to the general fund of each said school
 9 district the amount of such federal payments paid to the county
 10 board of education fund deemed to be the equitable share of each such
 11 district and the amount allocated to each school district shall be paid
 12 over by the county board of education to the treasurer of such school
 13 district.

Approved March 19, 1949.

CHAPTER 210

COMMON CARRIER FREE PASSES

S. F. 175

AN ACT to amend section four hundred seventy-nine point ninety-eight (479.98), Code 1946, relating to the issuance of free passes by common carriers.

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

1 SECTION 1. Section four hundred seventy-nine point ninety-eight
 2 (479.98), Code 1946, is amended by striking lines one (1) to seven
 3 (7), inclusive, and by substituting in lieu thereof the following:
 4 "Every common carrier of passengers within the provisions of
 5 sections four hundred seventy-nine point ninety-three (479.93) to
 6 four hundred seventy-nine point ninety-seven (479.97), inclusive,
 7 shall, whenever so requested by the Iowa state commerce commis-
 8 sion, file with the commission a sworn statement showing the names
 9 of all persons within this state holding, or to whom during the pre-
 10 ceeding year such carrier issued,".

1 SEC. 2. Section four hundred seventy-nine point ninety-eight
 2 (479.98), Code 1946, is further amended by striking from line

3 thirteen (13) the word "council" and inserting in lieu thereof the
4 word "commission".

Approved May 5, 1949.

CHAPTER 211

RENEWAL OF CORPORATION CHARTERS

S. F. 257

AN ACT relating to the renewal of articles of incorporation of corporations for pecuniary profit and to amend sections four hundred ninety-one point twenty-five (491.25) and four hundred ninety-one point twenty-eight (491.28), Code 1946.

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

1 SECTION 1. Section four hundred ninety-one point twenty-five
2 (491.25), Code 1946, is amended by adding at the end thereof the fol-
3 lowing:

4 "The secretary of state shall issue to each such corporation a notice
5 of expiration of its corporate existence at least three months prior
6 to the time its corporate existence will expire unless renewed. Said
7 notice shall be sent by registered mail addressed to the principal place
8 of business designated in the articles of incorporation and return
9 receipt demanded."

1 SEC. 2. Section four hundred ninety-one point twenty-eight
2 (491.28), Code 1946, is amended by adding thereto the following:

3 "Whenever, after timely notice has been received that its articles
4 of incorporation will expire and the corporate existence of any cor-
5 poration has expired and not been renewed within the period pre-
6 scribed by statute, said corporation thereafter files with the secre-
7 tary of state amended and substituted articles of incorporation for
8 the purpose of renewing and extending its corporate existence, the
9 secretary of state shall cause said corporation to file satisfactory
10 proof that no judgments against said corporation or the stockholders
11 thereof are outstanding which may be liens against said corporation
12 and that there is no pending litigation involving said corporation or
13 the corporate existence of said corporation. Upon the filing of said
14 proof the secretary of state may acknowledge and file for record the
15 amended and substituted articles of said corporation and issue a cer-
16 tificate of renewal upon the payment of the renewal fees required by
17 statute, however the secretary of state shall charge and collect an addi-
18 tional ten percent of said renewal fees for each month or major frac-
19 tion thereof said corporation was delinquent in renewal of its
20 corporate existence as a penalty, but in no instance shall such addi-
21 tional delinquency fee be less than one hundred dollars (\$100.00)
22 and not more than one thousand dollars (\$1000.00). Said certificate
23 of renewal when issued shall have the same force and effect as though
24 issued upon proper and timely application by said corporation and it
25 shall date from the expiration of the corporate period which it suc-
26 ceeds."

Approved April 7, 1949.

CHAPTER 212

UNAUTHORIZED INSURERS PROCESS ACT

S. F. 360

AN ACT relating to insurers not authorized to transact business in this state; providing for actions in this state against and for the service of process upon such insurers; prescribing how a defense may be made by such insurers; and providing for the allowance of attorneys fees in actions against such insurers.

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

1 SECTION 1. This act may be cited as the Iowa Unauthorized In-
2 surers Process Act.

1 SEC. 2. The purpose of this act is to subject certain insurers to
2 the jurisdiction of courts of this state in suits by or on behalf of
3 insureds or beneficiaries under insurance contracts. The legislature
4 declares that it is a subject of concern that many residents of this
5 state hold policies of insurance issued or delivered in this state by
6 insurers while not authorized to do business in this state, thus pre-
7 senting to such residents the often insuperable obstacle of resorting
8 to distant forums for the purpose of asserting legal rights under such
9 policies. In furtherance of such state interest, the legislature herein
10 provides a method of substituted service of process upon such in-
11 surers and declares that in so doing it exercises its power to protect
12 its residents and to define, for the purpose of this statute, what con-
13 stitutes doing business in this state, and also exercises powers and
14 privileges available to the state by virtue of Public Law 15, 79th
15 Congress of the United States, Chapter 20, 1st Sess., S. 340, as
16 amended, which declares that the business of insurance and every
17 person engaged therein shall be subject to the laws of the several
18 states.

1 SEC. 3. (a) Any of the following acts in this state, effected by
2 mail or otherwise, by an unauthorized foreign or alien insurer:
3 (1) the issuance or delivery of contracts of insurance to residents
4 of this state or to corporations authorized to do business therein,
5 (2) the solicitation of applications for such contracts, (3) the col-
6 lection of premiums, membership fees, assessments or other consider-
7 ations for such contracts, or (4) any other transaction of insurance
8 business, is equivalent to and shall constitute an appointment by such
9 insurer of the commissioner of insurance and his successor or suc-
10 cessors in office, to be its true and lawful attorney, upon whom may
11 be served all lawful process in any action, suit, or proceeding insti-
12 tuted by or on behalf of an insured or beneficiary arising out of any
13 such contracts of insurance, and any such act shall be signification of
14 its agreement that such service of process is of the same legal force
15 and validity as personal service of process in this state upon such
16 insurer.

17 (b) Such service of process shall be made by delivering to and
18 leaving with the commissioner of insurance or some person in ap-
19 parent charge of his office two copies thereof and the payment to him
20 of such fees as may be prescribed by law. The commissioner of in-
21 surance shall forthwith mail by registered mail one of the copies of
22 such process to the defendant at its last known principal place of

23 business, and shall keep a record of all process so served upon him.
24 Such service of process is sufficient, provided notice of such service
25 and a copy of the process are sent within ten days thereafter by
26 registered mail by plaintiff or plaintiff's attorney to the defendant
27 at its last known principal place of business, and the defendant's
28 receipt, or receipt issued by the postoffice with which the letter is
29 registered, showing the name of the sender of the letter and the name
30 and address of the person to whom the letter is addressed, and the
31 affidavit of the plaintiff or plaintiff's attorney showing a compliance
32 herewith are filed with the clerk of the court in which such action
33 is pending on or before the date the defendant is required to appear,
34 or within such further time as the court may allow.

35 (c) Service of process in any such action, suit or proceeding shall
36 in addition to the manner provided in subsection (b) of this section
37 be valid if served upon any person within this state who, in this
38 state on behalf of such insurer, is

39 (1) soliciting insurance, or

40 (2) making, issuing or delivering any contract of insurance, or

41 (3) collecting or receiving any premium, membership fee, assess-
42 ment or other consideration for insurance; and a copy of such process
43 is sent within ten days thereafter by registered mail by the plaintiff
44 or plaintiff's attorney to the defendant at the last known principal
45 place of business of the defendant, and the defendant's receipt, or
46 the receipt issued by the postoffice with which the letter is registered,
47 showing the name of the sender of the letter and the name and address
48 of the person to whom the letter is addressed, and the affidavit of the
49 plaintiff or plaintiff's attorney showing a compliance herewith are filed
50 with the clerk of the court in which such action is pending on or before
51 the date the defendant is required to appear, or within such further
52 time as the court may allow.

53 (d) No plaintiff or complainant shall be entitled to a judgment
54 by default under this section until the expiration of thirty days from
55 date of the filing of the affidavit of compliance.

56 (e) Nothing in this section contained shall limit or abridge the
57 right to serve any process, notice or demand upon any insurer in any
58 other manner now or hereafter permitted by law.

1 SEC. 4. (a) Before any unauthorized foreign or alien insurer
2 shall file or cause to be filed any pleading in any action, suit or pro-
3 ceeding instituted against it, such unauthorized insurer shall either
4 (1) deposit with the clerk of the court in which such action, suit or
5 proceeding is pending cash or securities or file with such clerk a bond
6 with good and sufficient sureties, to be approved by the court, in an
7 amount to be fixed by the court sufficient to secure the payment of any
8 final judgment which may be rendered in such action; or (2) procure
9 a certificate of authority to transact the business of insurance in this
10 state.

11 (b) The court in any action, suit, or proceeding, in which service
12 is made in the manner provided in subsections (b) or (c) of section 2
13 may, in its discretion, order such postponement as may be necessary
14 to afford the defendant reasonable opportunity to comply with the
15 provisions of subsection (a) of this section and to defend such action.

16 (c) Nothing in subsection (a) of this section is to be construed to

17 prevent an unauthorized foreign or alien insurer from filing a motion
 18 to quash a writ or to set aside service thereof made in the manner
 19 provided in subsections (b) or (c) of section 2 hereof on the ground
 20 either (1) that such unauthorized insurer has not done any of the
 21 acts enumerated in subsection (a) of section 2, or (2) that the person
 22 on whom service was made pursuant to subsection (c) of section 2
 23 was not doing any of the acts therein enumerated.

1 SEC. 5. In any action against an unauthorized foreign or alien
 2 insurer upon a contract of insurance issued or delivered in this state
 3 to a resident thereof or to a corporation authorized to do business
 4 therein, if the insurer has failed for thirty days after demand prior
 5 to the commencement of the action to make payment in accordance
 6 with the terms of the contract, and it appears to the court that such
 7 refusal was vexatious and without reasonable cause, the court may
 8 allow to the plaintiff a reasonable attorney fee and include such fee in
 9 any judgment that may be rendered in such action. Such fee shall
 10 not exceed twelve and one-half per cent of the amount which the court
 11 or jury finds the plaintiff is entitled to recover against the insurer,
 12 but in no event shall such fee be less than twenty-five dollars. Failure
 13 of an insurer to defend any such action shall be deemed prima facie
 14 evidence that its failure to make payment was vexatious and without
 15 reasonable cause.

1 SEC. 6. If any provision of this act or the application thereof to
 2 any person or circumstances is held invalid, such invalidity shall not
 3 affect other provisions or applications of the act which can be given
 4 effect without the invalid provision or application, and to this end the
 5 provisions of this act are declared to be severable.

Approved May 18, 1949.

CHAPTER 213

EXAMINATION OF INSURANCE COMPANIES

S. F. 151

AN ACT relating to the examination of insurance companies and to repeal sections five hundred seven point two (507.2), five hundred seven point eighteen (507.18), five hundred fifteen point one hundred thirty (515.130), and five hundred eighteen point thirty-six (518.36), Code 1946, and to enact in lieu thereof a new section.

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

1 SECTION 1. Sections five hundred seven point two (507.2), five
 2 hundred seven point eighteen (507.18), five hundred fifteen point one
 3 hundred thirty (515.130) and five hundred eighteen point thirty-
 4 six (518.36), Code 1946, are hereby repealed and the following enacted
 5 in lieu thereof: "The insurance commissioner may at any time ex-
 6 amine or inquire into the affairs of any insurance company authorized
 7 or seeking to be authorized to transact business in the state of Iowa.
 8 Domestic companies shall be examined at least once for each three
 9 year period."

Approved May 10, 1949.

CHAPTER 214

INSURANCE EXAMINERS' COMPENSATION

S. F. 189

AN ACT to repeal section five hundred seven point four (507.4), Code 1946, and chapter two hundred fifty-five (255), Acts of the Fifty-second General Assembly, and to enact a substitute therefor, relating to the per diem compensation of insurance examiners and assistants.

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

1 SECTION 1. Section five hundred seven point four (507.4), Code
2 1946, and chapter two hundred fifty-five (255), Acts of the Fifty-
3 Second General Assembly are hereby repealed, and the following en-
4 acted in lieu thereof:

5 "The commissioner of insurance is hereby authorized to appoint
6 insurance examiners, at least one of whom shall be an experienced
7 actuary, and at least one of whom shall be an experienced and compe-
8 tent fire insurance accountant, and who, while conducting examina-
9 tions, shall possess all the powers conferred upon the commissioner of
10 insurance for such purposes. The entire time of the examiners shall
11 be under the control of the said commissioner, and shall be employed
12 as he may direct.

13 "The said commissioner may, when in his judgment it is advisable,
14 appoint assistants to aid in making examinations. Said examiners
15 shall be compensated on the basis of the normal work week of the
16 Iowa department of insurance at a per diem to be fixed by the com-
17 missioner which shall be in such amount as not to exceed the aggre-
18 gate sum of one hundred twenty dollars per week in the examination
19 of domestic companies and one hundred fifty dollars per week in the
20 examination of foreign companies. Assistant examiners shall be
21 compensated on the basis of the normal work week of the Iowa in-
22 surance department at a per diem to be fixed by the commissioner
23 which shall be in such amount as not to exceed the aggregate sum of
24 ninety dollars per week. Said compensation shall be paid from funds
25 in the state treasury upon certification of the commissioner, which
26 shall be reimbursed as provided in sections five hundred seven point
27 eight (507.8) and five hundred seven point nine (507.9)."

Approved May 18, 1949.

CHAPTER 215

GROUP INSURANCE FOR STUDENTS AND TEACHERS

S. F. 212

AN ACT to amend chapter two hundred fifty-six (256), Acts of the Fifty-second General Assembly, relating to group insurance and amending the law to extend its coverage to include students, teachers, administrators and officials of an association.

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

1 SECTION 1. Subsection two (2) of section two (2), of chapter two
2 hundred fifty-six (256), Acts of the Fifty-second General Assembly,

3 is amended by inserting immediately after paragraph (e) a para-
4 graph as follows:

5 "An association, the members of which are students, teachers,
6 administrators or officials of any elementary or secondary school or
7 of any college, to insure the members thereof. For the purpose of this
8 paragraph the students, teachers, administrators or officials of or
9 for any such school or college shall constitute an association."

1 SEC. 2. Subsection two (2) of section two (2), of chapter two
2 hundred fifty-six (256), Acts of the Fifty-second General Assembly,
3 is further amended by striking the comma (,) after the word "com-
4 pany" in line seventeen (17) of said subsection two (2) and by in-
5 serting immediately after the word "company" the following:

6 "or an association, the members of which are students, teachers,
7 administrators or officials of any elementary or secondary school or
8 of any college,".

Approved March 14, 1949.

CHAPTER 216

LAWYERS' GROUP INSURANCE

S. F. 240

AN ACT to amend chapter two hundred fifty-six (256), Acts of the Fifty-second General Assembly, relating to group insurance and amending the law to extend its coverage to include a lawyer's* association.

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

1 SECTION 1. Subsection two (2) of section two (2) of chapter two
2 hundred fifty-six (256), Acts of the Fifty-second General Assembly,
3 is amended by inserting a new paragraph following paragraph (2)
4 thereof as follows:

5 "A lawyer's* association to insure its members."

1 SEC. 2. Subsection two (2) of section two (2) of chapter two
2 hundred fifty-six (256), Acts of the Fifty-second General Assembly,
3 is further amended by striking the comma (,) after the word "associa-
4 tion" in line eighteen (18) of said subsection two (2) and by inserting
5 immediately after the word "association" the following:

6 "or lawyer's* association,".

Approved March 11, 1949.

*According to enrolled Act.

CHAPTER 217

TAXATION OF INSURANCE INVESTMENTS

S. F. 152

AN ACT to amend section five hundred eleven point eight (511.8), Code 1946, relating to investments of life insurance companies and associations and to the assessment of certain intangible property owned by life insurance companies and associations.

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

1 SECTION 1. Subsection five (5) of section five hundred eleven
2 point eight (511.8), Code 1946, is amended by adding thereto the
3 following:

4 "Any investments in preferred stocks or guaranteed stocks made
5 under the provisions of this subsection shall be considered as moneys
6 and credits for purposes of taxation and their assessment shall be sub-
7 ject to deductions for indebtedness as provided by law in the case
8 of assessment of moneys and credits in general. This provision shall
9 be effective as to assessments made during the year 1947 and
10 thereafter."

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 Plain
3 Talk, a newspaper published at Des Moines, Iowa, and in the Charles
4 City Daily Press, a newspaper published at Charles City, Iowa.

Approved April 28, 1949.

I hereby certify that the foregoing act was published in the Plain Talk, May 12, 1949, and in the Charles City Daily Press, May 6, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 218

DEPOSITS BY INSURANCE COMPANIES

S. F. 359

AN ACT to amend section five hundred eleven point eight (511.8), Code 1946, by adding a new paragraph to subsection thirteen (13) relating to the deposits of insurance companies with the insurance commissioner.

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

1 SECTION 1. Section five hundred eleven point eight (511.8), Code
2 1946, is amended by adding the following paragraph to subsection
3 thirteen (13) thereof: "The commissioner of insurance may receive
4 on deposit securities of alien companies authorized to do business in
5 the state of Iowa, for the purpose of securing its policyholders in
6 the state of Iowa and the United States. The provisions hereof not
7 inconsistent with the deposit agreement shall apply to the deposits of
8 such alien companies."

Approved May 10, 1949.

CHAPTER 219

FIRE INSURANCE CONTRACTS

S. F. 138

AN ACT relating to fire insurance contracts.

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

1 SECTION 1. Section five hundred fifteen point one hundred five
2 (515.105), Code 1946, is amended by striking from line two (2) the
3 words and figures, "to 515.104, inclusive," and inserting in lieu thereof,
4 "and 515.102".

1 SEC. 2. Section five hundred fifteen point one hundred eight
2 (515.108), Code 1946, is amended by striking from line two (2) the
3 words and figures, "section 515.99 or in section 515.107" and inserting
4 in lieu thereof, "section 1 of chapter 263, Acts 52nd G. A."

1 SEC. 3. Sections five hundred fifteen point one hundred forty-five
2 (515.145) and five hundred fifteen point one hundred forty-six
3 (515.146), Code 1946, are amended by striking from line two (2)
4 of each section the following: ", 515.143,".

Approved May 18, 1949.

CHAPTER 220

LIMITATION OF INSURANCE RISKS

S. F. 139

AN ACT relating to combination and limitation of insurance risks.

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

1 SECTION 1. Section three (3) of chapter two hundred sixty-one
2 (261), Acts of the Fifty-second General Assembly, is hereby repealed.

1 SEC. 2. Section five hundred fifteen point forty-nine (515.49),
2 Code 1946, as amended is further amended by adding a new sub-
3 section as follows:

4 "8. Any company organized under this chapter or authorized to
5 transact in the state the kinds of insurance business specified in any
6 subsection of section five hundred fifteen point forty-eight (515.48)
7 may insure and reinsure risks of every kind or description specified in
8 said section providing it maintains a surplus to policy holders of not
9 less than five hundred thousand dollars."

10 Said section five hundred fifteen point forty-nine (515.49), Code
11 1946, as amended is further amended by adding at the end thereof
12 the following:

13 "Wherever section five hundred fifteen point forty-eight (515.48),
14 Code 1946, is referred to herein said section shall be deemed to in-
15 clude all amendments or modifications thereof."

Approved May 18, 1949.

CHAPTER 221

LIMITATION OF INSURANCE RISKS

S. F. 134

AN ACT to amend section five hundred fifteen point forty-nine (515.49), Code 1946, relating to limitations on insurance risks.

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

- 1 SECTION 1. Section five hundred fifteen point forty-nine (515.49),
- 2 Code 1946, as amended is further amended by striking from line four
- 3 (4) the word, "nine".

Approved May 10, 1949.

CHAPTER 222

SHORT RATE INSURANCE TABLES

S. F. 94

AN ACT to repeal section five hundred fifteen point eighty-two (515.82), Code 1946, relating to tables of the short rates applicable in event of the forfeiture or cancellation of policies of insurance other than life, and to enact a substitute therefor.

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

- 1 SECTION 1. Section five hundred fifteen point eighty-two (515.82),
- 2 Code 1946, is hereby repealed and the following enacted in lieu
- 3 thereof:
- 4 "The commissioner of insurance shall prepare and promulgate
- 5 tables of the short rates provided for in sections five hundred fifteen
- 6 point eighty (515.80) and five hundred fifteen point eighty-one
- 7 (515.81), for the various kinds and classes of insurance governed
- 8 by the provisions of this chapter, which, when promulgated, shall be
- 9 for the guidance of all companies covered in this chapter and shall
- 10 be the rate to be given in any notice therein required. No company
- 11 shall discriminate unfairly between like assureds in the rate or rates
- 12 so provided."

Approved May 18, 1949.

CHAPTER 223

BANK EXAMINERS AND DEPUTY SUPERINTENDENT

S. F. 223

AN ACT to amend sections five hundred twenty-four point six (524.6) and five hundred twenty-four point seven (524.7), Code 1946, relating to the appointment of, and salaries of, the deputy superintendent of banking and state bank examiners.

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

- 1 SECTION 1. Section five hundred twenty-four point six (524.6),
- 2 Code 1946, is hereby amended by striking from lines three (3) and

3 four (4) thereof the words "to hold office for a term of two years,";
4 and by striking from line twenty-three (23) thereof the words "for
5 a term not exceeding one year".

1 SEC. 2. Section five hundred twenty-four point seven (524.7),
2 Code 1946, is hereby amended by striking from such section all after
3 the period (.) in line five (5) thereof and inserting in lieu thereof the
4 following: "The state banking board in fixing the salaries of such
5 examiners and the deputy superintendent of banking shall prescribe
6 certain classifications of such employees in accordance with their ex-
7 perience and qualifications so as to establish the following progressive
8 positions of 'beginners', 'assistant examiners', 'examiners', 'senior
9 examiners' and 'deputy superintendent of banking', with salary
10 ranges for each patterned after and following, as may be deemed
11 feasible, desirable and practical by the state banking board, those of
12 the national banking department or the board of governors of the
13 Federal Reserve System or of the Federal Deposit Insurance Corpo-
14 ration. In no event, however, shall the salary of any such senior
15 examiner exceed a maximum of seventy-two hundred dollars (\$7,-
16 200.00) per year or the maximum salary of the deputy superintendent
17 of banks seventy-five hundred dollars (\$7,500.00) per year."

1 SEC. 3. This Act being deemed of immediate importance shall be
2 in full force and effect on its publication in the Anamosa Eureka, a
3 newspaper published at Anamosa, Iowa, and in the Churdan Reporter,
4 a newspaper published at Churdan, Iowa.

Approved March 26, 1949.

I hereby certify that the foregoing act was published in the Anamosa Eureka, April
14, 1949, and in the Churdan Reporter, April 14, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 224

BUILDING AND LOAN ASSOCIATIONS

S. F. 188

AN ACT to amend section five hundred thirty-four point nineteen (534.19), and section
five hundred thirty-four point thirty-nine (534.39), Code 1946, relating to loans,
investments, members and powers of building and loan, and savings and loan
associations.

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

1 SECTION 1. Section five hundred thirty-four point nineteen
2 (534.19), Code 1946, is amended by adding thereto the following addi-
3 tional subsection:
4 "Any such association may buy and sell vendors' real estate con-
5 tracts; provided, however, that all such contracts shall contain for-
6 feiture provisions as provided for in chapter six hundred fifty-six
7 (656), and provided further that the requirements for loans as set
8 forth in section five hundred thirty-four point thirty-two (534.32)
9 shall be applicable to making and buying of such contracts, except
10 that at the time of purchase of such vendors' contracts the associa-

11 tion shall not purchase any such contract for more than seventy-five per
 12 cent (75%) of the value of the real estate therein described appraised
 13 as required by section five hundred thirty-four point thirty-two
 14 (534.32). No association shall hereafter invest more than fifteen
 15 per cent (15%) of its assets in such vendors' contracts authorized
 16 by this subsection.

1 SEC. 2. Section five hundred thirty-four point thirty-nine (534.39),
 2 Code 1946, is amended by inserting after the words "any borrower"
 3 in line one (1) the words "or vendor contract purchaser".

Approved May 5, 1949.

CHAPTER 225

DEMAND ITEMS TO BANKS

S. F. 86

AN ACT relating to the collection, payment and dishonor of demand items by banks and the revocation of credit for, and payment of, such items.

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

1 SECTION 1. In any case in which a bank receives, other than for
 2 immediate payment over the counter, a demand item payable by, at or
 3 through such bank and gives credit therefor before midnight of the
 4 day of receipt, such bank may have until midnight of its next business
 5 day after receipt within which to dishonor or refuse payment of such
 6 item. Any credit so given, together with all related entries on the books
 7 of the receiving bank, may be revoked by returning the item, or if
 8 the item is held for protest or at the time is lost or is not in the pos-
 9 session of the bank, by giving written notice of dishonor, nonpayment,
 10 or revocation; provided that such item or notice is dispatched in the
 11 mails or by other expeditious means not later than midnight of the
 12 bank's next business day after the item was received. For the purpose
 13 of determining when notice of dishonor must be given or protest made
 14 under the law relative to negotiable instruments, an item duly pre-
 15 sented credit for which is revoked as authorized by this act, shall be
 16 deemed dishonored on the day the item or notice is dispatched. A
 17 bank, revoking credit pursuant to the authority of this act, is entitled
 18 to refund of, or credit for, the amount of the item.

1 SEC. 2. For the purposes of this act: (a) An item received by a
 2 bank on a day other than its business day, or received on a business
 3 day after its regular business hours or during afternoon or evening
 4 periods when it has reopened or remained open for limited functions,
 5 shall be deemed to have been received at the opening of its next busi-
 6 ness day; (b) The term "credit" includes payment, remittance, advice
 7 of credit, or authorization to charge and, in cases where the item is re-
 8 ceived for deposit as well as for payment, also includes the making of
 9 appropriate entries to the receiving bank's general ledger without
 10 regard to whether the item is posted to individual customers' ledgers.

1 SEC. 3. This Act being deemed of immediate importance shall be in
 2 full force and effect on its publication in the Northwood Anchor &
 3 Index, a newspaper published at Northwood, Iowa, and in The Ameri-
 4 can Citizen, a newspaper published at Des Moines, Iowa.

Approved February 8, 1949.

I hereby certify that the foregoing act was published in the Northwood Anchor &
 Index, February 17, 1949, and in The American Citizen, February 18, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 226

CIGARETTE SALES ACT

S. F. 199

AN ACT to prevent unfair trade practices in the sale of cigarettes; to prohibit sales of cigarettes below cost; to protect and stabilize the collection of taxes on the sale of cigarettes and of revenues from the licensing of persons engaged in the sale of cigarettes; to confer powers and duties on the Iowa state tax commission and on persons, as herein defined, engaged in the sale of cigarettes at wholesale or retail; and to provide remedies and imposing penalties for violations thereof.

WHEREAS, unfair, dishonest and fraudulent business practices exist in transactions involving the sale of, or offer to sell, cigarettes in the wholesale and retail trades in this State which are demoralizing and disorganizing the said trades, and

WHEREAS, offering for sale, or sale of cigarettes below cost in the wholesale and retail trade with intent to injure competitors, destroy or lessen competition, is deemed an unfair and deceptive business practice, and

WHEREAS, such practices affect collection of taxes and license fees imposed on distributors, wholesalers, retailers and persons engaged in the sale of cigarettes, and

WHEREAS, it is hereby declared to be the policy of this State and the purpose of this Act to protect the public by prohibiting such sales.

NOW, THEREFORE,

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

1 SECTION 1. Short title. This act shall be known and cited as the
 2 "Iowa Unfair Cigarette Sales Act".

1 SEC. 2. Definitions. When used in any part of this act, the fol-
 2 lowing words, terms and phrases shall have the meaning ascribed to
 3 them except where the context clearly indicates a different meaning:
 4 a. "Cigarettes" shall mean and include any roll for smoking, made
 5 wholly or in part of tobacco, irrespective of size or shape and whether
 6 or not such tobacco is flavored, adulterated or mixed with any other
 7 ingredient, the wrapper or cover of which is made of paper or any
 8 other substance or material except tobacco.

9 b. "Person" shall mean and include any individual, firm, associa-
 10 tion, company, partnership, corporation, joint stock company, club
 11 agency, syndicate, or anyone engaged in the sale of cigarettes.

12 c. "Wholesaler" means and includes any person who acquires ciga-
 13 rettes for the purpose of sale to retailers or to other persons for
 14 resale, and who maintains an established place of business when any
 15 part of the business is the sale of cigarettes at wholesale to persons
 16 licensed under this Act, and where at all times a stock of cigarettes
 17 is available to retailers for resale.

18 d. "Retailer" means any person who is engaged in this State in
 19 the business of selling, or offering to sell, cigarettes at retail.

20 e. "Sale" and "sell" shall mean and include any transfer for a con-
 21 sideration, exchange, barter, gift, offer for sale and distribution in
 22 any manner or by any means whatsoever.

23 f. "Sell at wholesale", "sale at wholesale", and "wholesale sales"
 24 shall mean and include any sale or offer for sale made in the course of
 25 trade or usual conduct of the wholesaler's business to a retailer for the
 26 purpose of resale.

27 g. "Sell at retail", "sale at retail" and "retail sales" shall mean and
 28 include any sale or offer for sale for consumption or use made in the
 29 ordinary course of trade of the seller's business.

30 h. "Basic cost of cigarettes" shall mean whichever of the two fol-
 31 lowing amounts is lower, namely, (1) the true invoice cost of ciga-
 32 rettes to the wholesaler or retailer, as the case may be, or (2) the
 33 lowest replacement cost of cigarettes to the wholesaler or retailer in
 34 the quantity last purchased, less, in either case, all trade discounts
 35 and customary discounts for cash, plus the full face value of any
 36 stamps which may be required by any cigarette tax act of this State,
 37 unless included by the manufacturer in his list price.

38 i. (1) "Cost to wholesaler" shall mean the basic cost of the ciga-
 39 rettes plus the cost of doing business by the wholesaler, as defined in
 40 this Act.

41 (2) The cost of doing business by the wholesaler is presumed to
 42 be four per centum (4%) of the basic cost of said cigarettes in the
 43 absence of proof of a lesser or higher cost, plus cartage to the retail
 44 outlet, if furnished or paid for by the wholesaler. Such cartage cost
 45 is presumed to be one-half of one per cent ($\frac{1}{2}$ of 1%) of the basic
 46 cost of the cigarettes in the absence of proof of a lesser or higher cost.

47 j. (1) "Cost to the retailer" shall mean the basic cost of the ciga-
 48 rettes involved to the retailer plus the cost of doing business by the
 49 retailer as defined in this Act.

50 (2) The cost of doing business by the said retailer is presumed to
 51 be eight per centum (8%) of the basic cost of cigarettes in the absence
 52 of proof of a lesser or higher cost.

53 (3) If any retailer in connection with his purchase of any ciga-
 54 rettes shall receive the discounts ordinarily allowed upon purchases by
 55 a retailer and in whole or in part discounts ordinarily allowed upon
 56 purchases by a wholesaler, the cost of doing business by the retailer
 57 with respect to the said cigarettes shall be, in the absence of proof
 58 of a lesser or higher cost of doing business, the sum of the cost of
 59 doing business by the retailer and, to the extent that he shall have
 60 received the full discounts allowed to a wholesaler, the cost of doing
 61 business by a wholesaler as hereinabove defined in subdivision i (2).

1 SEC. 3. Sales at less than cost; penalty. a. It shall be unlawful
 2 for any wholesaler or retailer to offer to sell, or sell, at wholesale or

3 retail, cigarettes at less than cost to such wholesaler or retailer, as
4 the case may be, as defined in this Act. Any wholesaler or retailer
5 who violates the provisions of this Section shall be guilty of a misde-
6 meanor and be punishable by fine of not less than one hundred dollars
7 (\$100.00), nor more than five hundred dollars (\$500.00).

8 b. Evidence of advertisement, offering to sell, or sale of ciga-
9 rettes by any wholesaler or retailer at less than cost to him as defined
10 by this Act shall be evidence of a violation of this Act.

1 SEC. 4. Combination sales. In all offers for sale or sales involving
2 cigarettes and any other item at a combined price, and in all offers for
3 sale, or sales, involving the giving of any gift or concession of any
4 kind whatsoever (whether it be coupons or otherwise), the whole-
5 saler's or retailer's combined selling price shall not be below the cost
6 to the wholesaler or the cost to the retailer, respectively, of the total
7 of all articles, products, commodities, gifts and concessions included
8 in such transactions; if any such articles, products, commodities, gifts
9 or concessions, shall not be cigarettes, the basic cost thereof shall be
10 determined in like manner as provided in subdivision "h" of Section 2.

1 SEC. 5. Sales by a wholesaler to a wholesaler. When one whole-
2 saler sells cigarettes to any other wholesaler, the former shall not be
3 required to include in his selling price to the latter, the cost to the
4 wholesaler, as defined by Section 2 of this Act, but the latter whole-
5 saler, upon resale to a retailer, shall be subject to the provisions of
6 the said Section.

1 SEC. 6. Sales exceptions. The provisions of this Act shall not
2 apply to a sale at wholesale or a sale at retail made (a) in an isolated
3 transaction; (b) where cigarettes are offered for sale, or sold in a
4 bona fide clearance sale for the purpose of discontinuing trade in such
5 cigarettes and said offer to sell, or sale shall state the reason therefor
6 and the quantity of such cigarettes offered for sale, or to be sold;
7 (c) where cigarettes are offered for sale, or sold as imperfect or
8 damaged, and said offer to sell, or sale shall state the reason therefor
9 and the quantity of such cigarettes offered for sale, or to be sold.

1 SEC. 7. Transactions permitted to meet lawful competition.
2 a. Any wholesaler may advertise, offer to sell or sell cigarettes at a
3 price made in good faith to meet the price of a competitor who is sell-
4 ing the same article at the cost to the competing wholesaler as defined
5 by this Act. Any retailer may offer to sell or sell cigarettes at a price
6 made in good faith to meet the price of a competitor who is selling at
7 the cost to the said competing retailer as defined in this Act. The
8 price of cigarettes offered for sale, or sold under the exceptions speci-
9 fied in Section 6 shall not be considered the price of a competitor
10 and shall not be used as a basis for establishing prices below
11 cost, nor shall the price established at a bankrupt or forced sale
12 be considered the price of a competitor within the purview of this
13 Section.

14 b. In the absence of proof of the actual cost to a competing whole-
15 saler or to a competing retailer, as the case may be, such cost shall
16 be the lowest cost to wholesalers or the lowest cost to retailers, as the

17 case may be, within the same trading area as determined by a cost
18 survey made pursuant to Section 8-b.

1 SEC. 8. Admissible evidence. a. In determining cost to the
2 wholesaler and cost to the retailer the court shall receive and consider
3 as bearing on the bona fides of such cost, evidence that any person
4 complained against under any of the provisions of this Act purchased
5 the cigarettes involved in the complaint before the Court, at a ficti-
6 tious price, or upon terms, or in such a manner, or under such in-
7 voices, as to conceal the true cost, discounts or terms of purchase, and
8 shall also receive and consider as bearing on the bona fides of such
9 cost, evidence of the normal, customary and prevailing terms and dis-
10 counts in connection with other sales of a similar nature in the trade
11 area or State.

12 b. Cost Survey. Where a cost survey pursuant to recognized sta-
13 tistical and cost accounting practices has been made for the trading
14 area in which a violation of this Act is committed or charged, to de-
15 termine and establish the lowest cost to wholesalers or the lowest
16 cost to retailers within the area, the cost survey shall be deemed
17 competent evidence in any action or proceeding under this Act to
18 establish actual cost to the wholesaler or actual cost to the retailer
19 complained against. In such surveys to determine cost to the whole-
20 saler or retailer there shall be included in the cost of doing business
21 without limitation, labor, rent, depreciation, sales costs, compensa-
22 tion, maintenance of equipment, cartage, licenses, taxes, insurance
23 and other expenses.

•
1 SEC. 9. Sales outside ordinary channels of business; effect. In
2 establishing the basic cost of cigarettes to a wholesaler or a retailer,
3 it shall not be permissible to use the invoice cost or the actual cost
4 of any cigarettes purchased at a forced, bankrupt, or close out sale,
5 or other sale outside of the ordinary channels of trade.

1 SEC. 10. The State Tax Commission, or any person or persons
2 injured by any violation, or who would suffer injury from any
3 threatened violation of this Act, may maintain an action in any
4 equity court to enjoin such actual or threatened violation. If a viola-
5 tion or threatened violation of this Act shall be established, the court
6 shall enjoin such violation or threatened violation, and, in addition
7 thereto, the court shall assess in favor of the plaintiff and against the
8 defendant the costs of suit including reasonable attorney's fees.
9 Where alleged and proved, the plaintiff, in addition to such injunctive
10 relief and costs of suit, including reasonable attorney's fees, shall be
11 entitled to recover from the defendant the actual damages sustained
12 by him.

1 SEC. 11. State Tax Commission; powers and duties. The State
2 Tax Commission may adopt rules and regulations for the enforce-
3 ment of this Act and it is empowered to and may from time to time
4 undertake and make or cause to be made such cost surveys for the
5 State or such trading area or areas as it shall deem necessary and it
6 shall be permissible to use such cost survey as provided in sections
7 7-b and 8-b of this Act.

8 Said Commission may, upon notice and after hearing, suspend or
 9 revoke any permit issued under the provisions of The Cigarette Tax
 10 Act and the rules and regulations of the Commission promulgated
 11 thereunder, for failure of the permit holder to comply with any pro-
 12 vision of this Unfair Cigarette Sales Act or any rule or regulation
 13 adopted thereunder. The suspension or revocation of a permit shall
 14 be for a period of not less than six (6) months from the date of sus-
 15 pension or revocation, and no permit shall be issued for the location
 16 designated in the suspended or revoked permit, during the period
 17 of suspension or revocation.

18 Any person aggrieved by the decision, order or finding of the Com-
 19 mission relative to suspending or revoking any such permit, may
 20 appeal therefrom to the District Court in the same manner and sub-
 21 ject to the same procedure as is provided in Section 422.55, Code 1946,
 22 except that the judgment of the District Court shall be final.

1 SEC. 12. Partial unconstitutionality. The provisions of this Act
 2 shall be deemed to be severable and if for any reason any provision
 3 shall be determined to be unconstitutional or invalid, such determina-
 4 tion shall not be held to affect any other provision hereof. And no
 5 such determination shall be deemed to invalidate or render ineffectual
 6 any of the other provisions of this Act.

1 SEC. 13. This Act being deemed of immediate importance shall be
 2 in full force and effect after publication in The Monitor Coggon, a
 3 newspaper published at Coggon, Iowa, and The Clarinda Herald, a
 4 newspaper published at Clarinda, Iowa.

Approved April 8, 1949.

I hereby certify that the foregoing act was published in The Monitor Coggon, April
 28, 1949, and in The Clarinda Herald, April 21, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 227

RIGHT OF WAY IN ABANDONED CHANNEL

H. F. 449

AN ACT to amend section five hundred sixty-eight point ten (568.10), Code 1946, relat-
 ing to the preservation of rights of way in the event of sale of abandoned channel
 or bed of any navigable stream.

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

1 SECTION 1. Section five hundred sixty-eight point ten (568.10),
 2 Code 1946, is amended by adding at the end thereof the following:
 3 "Any such sale shall be subject to the permanent right of a utility
 4 association, company or corporation to continue in possession of a
 5 right of way for its underground and serial* plant, including cables,
 6 wires, poles, fixtures, piers and abutments, where such right of way
 7 has existed on lands which have become subject to sale under section
 8 five hundred sixty-eight point one (568.1)."

Approved March 18, 1949.

*According to enrolled Act, "aerial" probably intended.

CHAPTER 228

PREMARITAL TEST RECORDS

H. F. 508

AN ACT to amend section five hundred ninety-six point three (596.3), Code 1946, relating to the destruction of pre-marital health blanks used in obtaining marriage licenses.

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

1 SECTION 1. Section five hundred ninety-six point three (596.3),
2 Code 1946, is hereby amended by adding the following: "Said blanks
3 may be destroyed by the clerk of the district court two years after
4 the laboratory date thereon."

Approved April 2, 1949.

CHAPTER 229

JUSTICE OF THE PEACE FEES

S. F. 137

AN ACT to repeal section six hundred one point one hundred thirty-one (601.131), Code 1946, and enact a substitute therefor relating to fees of justices of the peace and constables, and to repeal chapter two hundred eighty-two (282), Acts of the 52nd General Assembly.

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

1 SECTION 1. Section six hundred one point one hundred thirty-one
2 (601.131), Code 1946, is hereby repealed and the following enacted in
3 lieu thereof;
4 "1. Justices of the peace and constables in townships having a
5 population of ten thousand or more shall pay into the county treasury
6 all criminal fees collected in each year.
7 2. Justices of the peace and constables in townships having a popu-
8 lation of under ten thousand shall pay into the county treasury all
9 criminal fees collected in each year in excess of the following sums:
10 a. In townships having a population of four thousand and under
11 ten thousand, justices one thousand dollars; constables eight hundred
12 dollars.
13 b. In townships having a population of under four thousand,
14 justices seven hundred fifty dollars; constables six hundred twenty-
15 five dollars.
16 3. In townships having a population of ten thousand or more,
17 justices of the peace and constables shall receive in full compensation
18 for their services performed in criminal cases during the year, the
19 following sums which shall be paid monthly out of the county treasury:
20 a. In townships having a population of forty thousand or more,
21 justices twenty-two hundred fifty dollars; constables eighteen hun-
22 dred seventy-five dollars.
23 b. In townships having a population of twenty-eight thousand and
24 under forty thousand, justices eighteen hundred seventy-five dollars;
25 constables fifteen hundred dollars.

26 c. In townships having a population of twenty thousand and under
 27 twenty-eight thousand, justices fifteen hundred dollars; constables
 28 twelve hundred fifty dollars.

29 d. In townships having a population of ten thousand and under
 30 twenty thousand, justices twelve hundred fifty dollars; constables
 31 one thousand dollars.

32 4. Justices and constables in all townships having a population of
 33 ten thousand and over shall retain such civil fees as may be allowed
 34 by the board of supervisors, not to exceed five hundred dollars per
 35 annum, and in townships having a population over fifty thousand,
 36 not to exceed one thousand dollars per annum for expenses of their
 37 offices actually incurred, and shall pay into the county treasury all
 38 the balance of the civil fees collected by them.

1 SEC. 2. Chapter two hundred eighty-two (282), Acts of the 52nd
 2 General Assembly, is hereby repealed.

Approved April 20, 1949.

CHAPTER 230

JUDGMENT LIENS

H. F. 89

AN ACT to amend section six hundred two point forty-three (602.43), Code 1946, and relating to the duration of liens of judgments transcribed from municipal courts to district courts.

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

1 SECTION 1. Section six hundred two point forty-three (602.43),
 2 Code 1946, is hereby amended by inserting after the word "county"
 3 in line six (6) thereof the words "for a period ending ten years after
 4 date of entry of such judgments in a Municipal Court."

Approved March 26, 1949.

CHAPTER 231

MUNICIPAL COURT REPORTERS

H. F. 158

AN ACT to further amend section six hundred two point forty-six (602.46), Code 1946, as amended by chapter two hundred eighty-four (284), Acts of the Fifty-second General Assembly, relating to compensation of municipal court reporters.

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

1 SECTION 1. Section six hundred two point forty-six (602.46),
 2 Code 1946, as amended by chapter two hundred eighty-four (284),
 3 Acts of the Fifty-second General Assembly, is further amended by
 4 inserting after the comma (,) at the end of line seven (7) the follow-
 5 ing: "in cities and towns having a population of less than seventy

6 thousand (70,000), and twelve dollars and fifty cents (\$12.50) per
7 day in cities and towns having a population of seventy thousand
8 (70,000) or more.”

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 Spencer Times, a newspaper published at Spencer, Iowa, and the
4 Lamoni Chronicle, a newspaper published at Lamoni, Iowa.

Approved April 15, 1949.

I hereby certify that the foregoing act was published in the Spencer Times, April 28,
1949, and in the Lamoni Chronicle, April 21, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 232

MUNICIPAL AND SUPERIOR COURT JUDGES

S. F. 83

AN ACT to amend section six hundred two point forty-nine (602.49), Code 1946,
relating to the salaries of the judges of the municipal court of the state of Iowa,
and to amend chapter two hundred eighty-six (286) Acts of the Fifty-second
General Assembly, relative to salaries of judges of superior courts.

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

1 SECTION 1. Section six hundred two point forty-nine (602.49),
2 Code 1946, is amended by striking therefrom lines one (1) to seven
3 (7), both inclusive, and that part of line eight (8) up to and including
4 the period, and substituting in lieu thereof the following:

5 “The annual salary of each municipal judge shall be four thousand
6 three hundred seventy-five dollars in cities of less than thirty thou-
7 sand population; five thousand dollars in cities of thirty thousand and
8 less than seventy-five thousand population; and five thousand two
9 hundred and fifty dollars in cities of seventy-five thousand or more
10 population.”

1 SEC. 2. Chapter two hundred eighty-six (286), Acts of the Fifty-
2 second General Assembly, is hereby amended by striking from line
3 four (4) the words “forty-seven hundred fifty dollars” and inserting
4 in lieu thereof “five thousand dollars”.

Approved April 20, 1949.

CHAPTER 233

MUNICIPAL COURT EMPLOYEES

S. F. 81

AN ACT to amend chapter two hundred eighty-five (285), Acts of the Fifty-second
General Assembly, relating to salaries of municipal court employees.

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

1 SECTION 1. Chapter two hundred eighty-five (285), Acts of the
2 Fifty-second General Assembly, is hereby amended as follows:

- 3 By striking from section one (1), line four (4) the words "twenty-
4 two", and inserting in lieu thereof the words "twenty-seven".
5 By striking from section one (1), line six (6), the words "twenty-
6 seven" and inserting in lieu thereof the words "thirty-two".
7 By striking from section one (1), line eight (8), the words "thirty-
8 two", and inserting in lieu thereof the words "thirty-seven".
9 By striking from section one (1), line ten (10), the words "two
10 thousand", and inserting in lieu thereof the words "twenty-five hun-
11 dred".
12 By striking from section one (1), line twelve (12), the words
13 "twenty-two", and inserting in lieu thereof the words "twenty-seven".
14 By striking from section one (1), line fourteen (14), the words
15 "twenty-five hundred", and inserting in lieu thereof the words "three
16 thousand".

1 SEC. 2. This Act being of immediate importance, shall be in
2 full force and effect from and after its publication in the Tripoli
3 Leader, a newspaper published at Tripoli, Iowa, and in the Winne-
4 bago-Hancock Summit, a newspaper published at Forest City, Iowa.

Approved April 20, 1949.

Pursuant to authority vested in the undersigned, Secretary of State, the Winnebago-Hancock Summit, Forest City, Iowa, being non-existent, the following paper, Forest City Summit Continuing The Winnebago-Hancock Summit, Forest City, Iowa, is designated to publish the foregoing act.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing act was published in the Tripoli Leader, May 4, 1949, and in the Forest City Summit Continuing The Winnebago-Hancock Summit, May 12, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 234

MUNICIPAL COURT JUDGES

S. F. 292

AN ACT to amend section six hundred two point five (602.5), Code 1946, relating to the number of municipal court judges in cities having more than thirty thousand and less than fifty thousand inhabitants.

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

- 1 SECTION 1. Amend section six hundred two point five (602.5),
2 Code 1946, as follows:
3 1. Strike from line three (3) of said section the word "thirty" and
4 insert the word "forty".
5 2. Strike from line five (5) of said section the word "thirty" and
6 insert the word "forty".
7 3. Strike from line six (6) of said section the word "fifty" and in-
8 sert the word "sixty".
9 4. Strike from line eight (8) of said section the word "fifty" and
10 insert the word "sixty".

Approved April 20, 1949.

CHAPTER 235

JUDGES RETIREMENT SYSTEM

H. F. 279

AN ACT to provide a pension and annuity retirement system for judges of the district court and the supreme court; to provide for the administration of such system; to provide for contributions by such judges and for contributions from the state to raise funds for such system; and to repeal conflicting laws.

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

1 SECTION 1. A retirement system is hereby created and established
2 to be known as the "Judicial Retirement System", hereinafter called
3 the "System".

1 SEC. 2. The state comptroller shall be vested with authority to
2 administer the system and may promulgate rules therefor not incon-
3 sistent with the provisions of this Act.

1 SEC. 3. This Act shall not apply to any judge of the district or
2 supreme court until he gives notice in writing, while serving as such
3 a judge, to the state comptroller and treasurer of state, of his purpose
4 to come within its purview. Such notice shall be given within one
5 year after the effective date hereof or within one year after any date
6 on which he takes oath of office as such judge.

1 SEC. 4. Each judge coming within the purview of this Act shall,
2 on or before retirement, pay to the state comptroller for deposit with
3 the state treasurer to the credit of a fund to be known as the "Judicial
4 Retirement Fund" a sum equal to three (3) percent of his basic sal-
5 ary for services as such judge for the total period of service as a
6 judge of a district or supreme court before the date of said notice,
7 and after the date of the notice there shall be deducted and withheld
8 from the basic salary of each judge coming within the purview of
9 this Act a sum equal to three (3) percent of such basic salary. Pro-
10 vided that the maximum amount which any judge shall be required
11 to contribute for past service shall not exceed for district judges
12 \$3,000.00 and for supreme court judge \$4,000.00. The amounts so
13 deducted and withheld from the basic salary of each said judge shall
14 be paid to the state comptroller for deposit with the treasurer of
15 state to the credit of the judicial retirement fund, and said fund is
16 hereby appropriated for the payment of annuities, refunds, and allow-
17 ances herein provided. The judges of the district and supreme court
18 coming within the provisions of this Act shall be deemed to consent
19 and agree to the deductions from basic salary as provided herein, and
20 payment less such deductions shall be a full and complete discharge
21 and acquittance of all claims and demands whatsoever for all regular
22 services rendered by such judges during the period covered by such
23 payment, except the right to the benefits to which they shall be en-
24 titled under the provisions of this Act. The state shall contribute a
25 sum not exceeding three (3) percent of the basic salary of all judges
26 for the years 1949 and 1950 and thereafter such sums as may be
27 necessary over the amount contributed by the judges to finance the
28 system.

1 SEC. 5. No person shall be entitled to receive an annuity under
2 this Act unless he shall have contributed, as herein provided, to the
3 judicial retirement fund for the entire period of his service as a judge
4 of either or both the district and supreme courts.

1 SEC. 6. Any person who shall have become separated from service
2 as a judge of the district or supreme court and who has had an aggre-
3 gate of at least six years of service as a judge of either or both the
4 district and supreme courts and shall have attained the age of sixty-
5 seven (67) years, and who shall have otherwise qualified as provided
6 in this Act, shall be entitled to an annuity as hereinafter provided.

1 SEC. 7. The annuity of a judge under this system shall be an
2 amount equal to two (2) percent of his average annual basic salary
3 as a judge of either or both the district and supreme courts, multiplied
4 by his years of service as a judge of either or both the district and
5 supreme courts, but no such annuity shall exceed an amount equal
6 to forty per centum (40%) of the salary that he is receiving at the
7 time he becomes separated from such service.

1 SEC. 8. The amounts deducted and withheld from the basic salary
2 of each judge of the district or supreme court for the credit of the
3 judicial retirement fund and all amounts paid into such fund by each
4 judge shall be credited to the individual account of such judge. In
5 the event a judge of the district or supreme court becomes separated
6 from service as such judge before he completes an aggregate of six
7 years of service as a judge of either or both the district and supreme
8 courts, the total amount of his contribution to the fund shall be re-
9 turned to said judge or his legal representatives, and in the event
10 a judge who has completed an aggregate of six years or more of serv-
11 ice as a judge of either or both the district and supreme courts, dies
12 before retirement, the total amount of his contribution to the fund
13 shall be paid in one sum to his legal representatives, and in the event
14 an annuitant under this section dies, without having received in an-
15 nuities an amount equal to the total amount remaining to his credit
16 at the time of his separation from service, the amount remaining to
17 his credit shall be paid in one sum to his legal representatives.

1 SEC. 9. Annuities granted under the terms of this Act shall be due
2 and payable in monthly installments on the last business day of each
3 month following the month or other period for which the annuity
4 shall have accrued and shall continue during the life of the annuitant
5 and payment of all annuities, refunds, and allowances granted here-
6 under shall be made by checks or warrants drawn and issued by the
7 state comptroller. Applications for annuities shall be in such form
8 as the state comptroller may prescribe.

1 SEC. 10. No annuity shall be paid to any person entitled to receive
2 an annuity hereunder while he is serving as a state officer or employee.

1 SEC. 11. So much of the judicial retirement fund as may not be
2 necessary to be kept on hand for the making of disbursements under
3 this Act shall be invested by the state treasurer in securities of the
4 United States government and the earnings therefrom shall be
5 credited to said fund.

1 SEC. 12. All laws in conflict with the provisions of this Act are,
2 to the extent of such conflict, repealed.

1 SEC. 13. This Act being deemed of immediate importance shall be
2 in full force and effect on its publication in the Coggon Monitor, a
3 newspaper published at Coggon, Iowa, and in the Register, a news-
4 paper published at Rake, Iowa.

Approved April 18, 1949.

Pursuant to authority vested in the undersigned, Secretary of State, the Register, Rake, Iowa, being non-existent, the following paper, The Rake Register, Thompson, Iowa, is designated to publish the foregoing act.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing act was published in The Rake Register, May 12, 1949, and in the Coggon Monitor, May 5, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 236

DISTRICT COURT JUDGES

S. F. 281

AN ACT to amend section six hundred five point one (605.1), Code 1946, relating to salaries of judges of the district court.

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

1 SECTION 1. Section six hundred five point one (605.1), Code, 1946,
2 is amended by striking from lines two (2) and three (3), the words,
3 "six thousand dollars per year" and substituting in lieu thereof the
4 following: "seven thousand dollars per year, provided that the com-
5 pensation of judges during the terms existing at the time of the
6 passage of this act shall be at the rate of six thousand dollars per
7 year until the end of said existing terms."

Approved April 20, 1949.

CHAPTER 237

DISTRICT COURT JUDGES' ALLOWANCES

H. F. 34

AN ACT to amend section six hundred five point two (605.2), Code 1946, relating to daily expense allowances for judges of the district court.

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

1 SECTION 1. Section six hundred five point two (605.2), Code 1946
2 is hereby amended by striking from line seven (7) the word "four"
3 and inserting in lieu thereof the word "six".

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

3 in Buffalo Center Tribune, a newspaper published at Buffalo Center,
4 Iowa, and the Lake Mills Graphic, a newspaper published at Lake
5 Mills, Iowa.

Approved March 31, 1949.

I hereby certify that the foregoing act was published in the Buffalo Center Tribune,
April 14, 1949, and in the Lake Mills Graphic, April 13, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 238

COURT REPORTERS

S. F. 371

AN ACT to amend section six hundred five point eleven (605.11), Code 1946, relating
to shorthand reporters fee for transcription of official notes.

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

1 SECTION 1. Section six hundred five point eleven (605.11), Code
2 1946, is hereby amended by striking from lines two (2) and three (3)
3 the words "eight cents per hundred words" and inserting in lieu
4 thereof the following: "such compensation as shall be fixed by rule of
5 the Supreme Court".

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force and effect on its publication in the Anamosa Eureka, a
3 newspaper published at Anamosa, Iowa, and in the Plain Talk, a
4 newspaper published at Des Moines, Iowa.

Approved March 22, 1949.

I hereby certify that the foregoing act was published in the Anamosa Eureka, March
24, 1949, and in the Plain Talk, March 31, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

BY SUPREME COURT ORDER, MAY TERM 1949.

"The compensation of shorthand reporters for transcribing their official notes is hereby fixed at forty
cents per page for the original, twenty cents per page for the first carbon copy, and ten cents per page
for each additional carbon copy.

A page of transcript shall consist of not less than twenty-five lines written on paper at least 8½x11
inches in size, prepared for binding on the left side, with margins of not more than 1¼ inch on the left
nor ¾ inch on the right. Type shall be standard pica with ten letters to the inch. Questions and answers
shall each begin a new line. Indentations for speakers or paragraphs shall not be more than ten spaces
from left margin. Pages shall be numbered consecutively in the upper right hand corner. Testimony of
a new witness may be started on a new page where the prior witness' testimony ends below the center
of the preceding page. Transcripts shall be indexed as to witnesses and exhibits."

CHAPTER 239

JURORS' FEES

H. F. 382

AN ACT to amend section six hundred seven point five (607.5), Code 1946, relating
to fees of jurors.

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

1 SECTION 1. Section six hundred seven point five (607.5), Code
2 1946, is amended by striking from line one (1) thereof the word
3 "Jurors" and substituting therefor the words "Petit jurors".

1 SEC. 2. Section six hundred seven point five (607.5), Code 1946,
 2 is further amended by adding thereto the following new paragraph:
 3 "Grand jurors shall receive for each day's service or attendance,
 4 seven dollars (\$7.00), and for each mile traveled in the performance
 5 of their duties, seven cents (7c)."

Approved April 20, 1949.

CHAPTER 240

DISTRIBUTIVE SHARE OF SURVIVING SPOUSE

H. F. 38

AN ACT to amend section six hundred thirty-six point thirty-two (636.32), Code 1946, relating to distributive share of surviving spouse when decedent dies intestate and without issue.

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

1 SECTION 1. Section six hundred thirty-six point thirty-two
 2 (636.32), Code 1946, is hereby amended by striking the words
 3 "seventy-five hundred dollars" in lines three (3) and six (6) and
 4 inserting in lieu thereof the words "fifteen thousand dollars".

Approved March 26, 1949.

CHAPTER 241

COMPENSATION OF PERSONAL REPRESENTATIVES

S. F. 122

AN ACT to amend section six hundred thirty-eight point twenty-seven (638.27), Code 1946, relating to compensation affidavits of executors, administrators, guardians, trustees, receivers or attorneys.

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

1 SECTION 1. Section six hundred thirty-eight point twenty-seven
 2 (638.27), Code 1946, is amended by inserting after the first "with" in
 3 line seventeen (17) the following words: "a regular and bona fide
 4 law partner or with".

Approved February 9, 1949.

CHAPTER 242

WANTON NEGLECT OF CHILDREN

H. F. 281

AN ACT making wanton neglect on the part of a parent of his or her child unlawful and providing penalty therefor.

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

1 SECTION 1. Wanton neglect on the part of a parent in the care or
2 supervision of his or her child under the age of eighteen years shall
3 be unlawful.

1 SEC. 2. "Wanton neglect" as contemplated by the foregoing sec-
2 tion is wilful neglect of such a nature, arising under such circum-
3 stances as a parent of ordinary intelligence actuated by normal and
4 natural concern for the welfare of the child would not permit or be
5 a party to.

1 SEC. 3. A violation of section one (1) of this act shall be punish-
2 able by a fine of not exceeding one hundred dollars or by imprison-
3 ment in the county jail not exceeding thirty days.

1 SEC. 4. Juvenile courts shall have jurisdiction in the prosecution
2 of the offense set forth herein, though the defendant or defendants in
3 such actions be adults. Said proceedings in juvenile court shall be
4 commenced by filing a sworn complaint or information and the mat-
5 ter shall be tried summarily and without a jury. Provided, however,
6 that prior to the filing of such complaint or information the proba-
7 tion officer for the territory in question, or the county attorney, shall
8 make such investigation as he may deem necessary, and no such
9 complaint or information shall be filed without the approval of such
10 probation officer or county attorney, except by order of a judge of
11 the juvenile court. Any defendant convicted upon such trial shall
12 have the right of appeal and trial de novo, including the right of trial
13 by jury, in the District Court, the same as in case of appeals thereto
14 from the Justice Courts.

1 SEC. 5. This Act being deemed of immediate importance shall be
2 in full force and effect on its publication in the Evening Democrat, a
3 newspaper published at Ft. Madison, Iowa, and in the Gate City, a
4 newspaper published at Keokuk, Iowa.

Approved March 25, 1949.

I hereby certify that the foregoing act was published in the Evening Democrat, April 9, 1949, and in the Gate City, April 9, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 243

FINGERPRINTING AT STATE INSTITUTIONS

H. F. 169

AN ACT to amend chapter seven hundred forty-nine (749), Code 1946, relating to the bureau of criminal identification.

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

1 SECTION 1. Chapter seven hundred forty-nine (749), Code 1946,
2 is hereby amended by adding the following:

3 "It shall be the duty of the wardens of the penitentiary and men's
4 reformatory, and superintendents of the women's reformatory, the
5 Iowa training school for boys, and the Iowa training school for girls,
6 to take or procure the taking of the fingerprints, and, in the case of the
7 penitentiary, men's reformatory, and women's reformatory only,
8 bertillon photographs of any person received on commitment to their
9 respective institutions, and to forward such fingerprint records and
10 photographs within ten days after the same are taken to the division
11 of criminal investigation and bureau of identification, Iowa depart-
12 ment of public safety, and to the federal bureau of investigation.

13 It shall also be the duty of the said wardens and superintendent to
14 procure the taking of five by seven inch photographic negative show-
15 ing a full length view of each convict, prisoner or inmate of the peni-
16 tentiary, men's reformatory, and women's reformatory in his or her
17 release clothing immediately prior to his or her discharge from the
18 institution either upon expiration of sentence or commitment or on
19 parole, and to forward such photographic negative within two days
20 after the same is taken to the division of criminal investigation and
21 bureau of identification, Iowa department of public safety."

Approved April 7, 1949.

CHAPTER 244

INTERSTATE EXTRADITION

H. F. 433

AN ACT to repeal chapter seven hundred fifty-nine (759) Code of Iowa 1946, and to enact a substitute therefor relating to uniform procedure on interstate extradition.

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

1 SECTION 1. Where appearing in this act, the term "Governor" in-
2 cludes any person performing the functions of Governor by authority
3 of the law of this state. The term "Executive Authority" includes
4 the Governor, and any person performing the functions of Governor
5 in a state other than this state, and the term "State", referring to a
6 state other than this state, includes any other state or territory, organ-
7 ized or unorganized, of the United States of America.

1 SEC. 2. Subject to the provisions of this act, the provisions of
2 the Constitution of the United States controlling, and any and all
3 acts of Congress enacted in pursuance thereof, it is the duty of the

4 Governor of this state to have arrested and delivered up to the Exec-
5 utive Authority of any other state of the United States any person
6 charged in that state with treason, felony, or other crime, who has
7 fled from justice and is found in this state.

1 SEC. 3. No demand for the extradition of a person charged with
2 crime in another state shall be recognized by the Governor unless in
3 writing alleging, except in cases arising under Section 6, that the
4 accused was present in the demanding state at the time of the com-
5 mission of the alleged crime, and that thereafter he fled from the
6 state, and accompanied by a copy of an indictment found or by in-
7 formation supported by affidavit in the state having jurisdiction of
8 the crime, or by a copy of an affidavit made before a magistrate there,
9 together with a copy of any warrant which was issued thereupon; or
10 by a copy of a judgment of conviction or of a sentence imposed in ex-
11 ecution thereof, together with a statement by the Executive Authority
12 of the demanding state that the person claimed has escaped from
13 confinement or has broken the terms of his bail, probation or parole.
14 The indictment, information, or affidavit made before the magistrate
15 must substantially charge the person demanded with having com-
16 mitted a crime under the law of that state; and the copy of in-
17 dictment, information, affidavit, judgment of conviction or sentence
18 must be authenticated by the Executive Authority making the de-
19 mand.

1 SEC. 4. When a demand shall be made upon the Governor of this
2 state by the Executive Authority of another state for the surrender
3 of a person so charged with crime, the Governor may call upon the
4 Attorney General or any prosecuting officer in this state to investi-
5 gate or assist in investigating the demand, and to report to him the
6 situation and circumstances of the person so demanded, and whether
7 he ought to be surrendered.

1 SEC. 5. When it is desired to have returned to this state a person
2 charged in this state with a crime, and such person is imprisoned or
3 is held under criminal proceedings then pending against him in an-
4 other state, the Governor of this state may agree with the Executive
5 Authority of such other state for the extradition of such person before
6 the conclusion of such proceedings or his term of sentence in such
7 other state, upon condition that such person be returned to such other
8 state at the expense of this state as soon as the prosecution in this
9 state is terminated.

10 The Governor of this state may also surrender on demand of the
11 Executive Authority of any other state any person in this state who
12 is charged in the manner provided in Section 23 of this act with
13 having violated the laws of the state whose Executive Authority is
14 making the demand, even though such person left the demanding
15 state involuntarily.

1 SEC. 6. The Governor of this state may also surrender, on demand
2 of the Executive Authority of any other state, any person in this state
3 charged in such other state in the manner provided in Section 3 with
4 committing an act in this state, or in a third state, intentionally re-
5 sulting in a crime in the state whose Executive Authority is making

6 the demand, and the provisions of this act not otherwise inconsistent,
7 shall apply to such cases, even though the accused was not in that
8 state at the time of the commission of the crime, and has not fled
9 therefrom.

1 SEC. 7. If the Governor decides that the demand should be compl-
2 lied with, he shall sign a warrant of arrest, which shall be sealed
3 with the state seal, and be directed to any peace officer or other person
4 whom he may think fit to entrust with the execution thereof. The
5 warrant must substantially recite the facts necessary to the validity
6 of its issuance.

1 SEC. 8. Such warrant shall authorize the peace officer or other
2 person to whom directed to arrest the accused at any time and any
3 place where he may be found within the state and to command the
4 aid of all peace officers or other persons in the execution of the war-
5 rant, and to deliver the accused, subject to the provisions of this act
6 to the duly authorized agent of the demanding state.

1 SEC. 9. Every such peace officer or other person empowered to
2 make the arrest, shall have the same authority, in arresting the ac-
3 cused, to command assistance therein, as peace officers have by law in
4 the execution of any criminal process directed to them, with like
5 penalties against those who refuse their assistance.

1 SEC. 10. No person arrested upon such warrant shall be delivered
2 over to the agent whom the Executive Authority demanding him
3 shall have appointed to receive him unless he shall first be taken
4 forthwith before a judge of a court of record in this state, who shall
5 inform him of the demand made for his surrender and of the crime
6 with which he is charged, and that he has the right to demand and
7 procure legal counsel; and if the prisoner or his counsel shall state
8 that he or they desire to test the legality of his arrest, the judge of
9 such court of record shall fix a reasonable time to be allowed him
10 within which to apply for a writ of habeas corpus. When such writ
11 is applied for, notice thereof, and of the time and place of hearing
12 thereon, shall be given to the prosecuting officer of the county in
13 which the arrest is made and in which the accused is in custody, and
14 to the said agent of the demanding state.

1 SEC. 11. Any officer who shall deliver to the agent for extradition
2 of the demanding state a person in his custody under the Governor's
3 warrant, in wilful disobedience to the last section, shall be guilty of
4 a misdemeanor and, on conviction, shall be fined not more than
5 \$100.00 or be imprisoned not more than thirty days.

1 SEC. 12. The officer or persons executing the Governor's warrant
2 of arrest, or the agent of the demanding state to whom the prisoner
3 may have been delivered may, when necessary, confine the prisoner
4 in the jail of any county or city through which he may pass; and
5 the keeper of such jail must receive and safely keep the prisoner until
6 the officer or person having charge of him is ready to proceed on his
7 route, such officer or person being chargeable with the expense of
8 keeping.

9 The officer or agent of a demanding state to whom a prisoner may
10 have been delivered following extradition proceedings in another
11 state, or to whom a prisoner may have been delivered after waiving
12 extradition in such other state, and who is passing through this state
13 with such a prisoner for the purpose of immediately returning such
14 prisoner to the demanding state may, when necessary, confine the
15 prisoner in the jail of any county or city through which he may pass;
16 and the keeper of such jail must receive and safely keep the prisoner
17 until the officer or agent having charge of him is ready to proceed on
18 his route, such officer or agent, however, being chargeable with the
19 expense of keeping; provided, however, that such officer or agent shall
20 produce and show to the keeper of such jail satisfactory written evi-
21 dence of the fact that he is actually transporting such prisoner to the
22 demanding state after a requisition by the Executive Authority of
23 such demanding state. Such prisoner shall not be entitled to demand
24 a new requisition while in this state.

1 SEC. 13. Whenever any person within this state shall be charged
2 on the oath of any credible person before any judge or magistrate of
3 this state with the commission of any crime in any other state and,
4 except in cases under Section 6, with having fled from justice, or
5 with having been convicted of a crime in that state and having es-
6 caped from confinement, or having broken the terms of his bail, pro-
7 bation or parole, or whenever complaint shall have been made before
8 any judge or magistrate in this state setting forth on the affidavit of
9 any credible person in another state that a crime has been committed
10 in such other state and that the accused has been charged in such state
11 with the commission of the crime, and, except in cases arising under
12 Section 6, has fled from justice, or with having been convicted of a
13 crime in that state and having escaped from confinement, or having
14 broken the terms of his bail, probation or parole and is believed to be
15 in this state, the judge or magistrate shall issue a warrant directed
16 to any peace officer commanding him to apprehend the person named
17 therein, wherever he may be found in this state, and to bring him
18 before the same or any other judge, magistrate or court who or which
19 may be available in or convenient of access to the place where the
20 arrest may be made, to answer the charge or complaint and affidavit,
21 and a certified copy of the sworn charge or complaint and affidavit
22 upon which the warrant is issued shall be attached to the warrant.

1 SEC. 14. The arrest of a person may be lawfully made also by
2 any peace officer or a private person, without a warrant upon reason-
3 able information that the accused stands charged in the courts of a
4 state with a crime punishable by death or imprisonment for a term
5 exceeding one year, but when so arrested the accused must be taken
6 before a judge or magistrate with all practicable speed and complaint
7 must be made against him under oath setting forth the ground for
8 the arrest as in the preceding section; and thereafter his answer shall
9 be heard as if he had been arrested on a warrant.

1 SEC. 15. If from the examination before the judge or magistrate
2 it appears that the person held is the person charged with having com-
3 mitted the crime alleged and, except in cases arising under Section
4 6, that he has fled from justice, the judge or magistrate must, by a

5 warrant reciting the accusation, commit him to the county jail for
6 such a time not exceeding thirty days and specified in the warrant,
7 as will enable the arrest of the accused to be made under a warrant
8 of the Governor on a requisition of the Executive Authority of the
9 state having jurisdiction of the offense, unless the accused give bail as
10 provided in the next section, or until he shall be legally discharged.

1 SEC. 16. Unless the offense with which the prisoner is charged
2 is shown to be an offense punishable by death or life imprisonment
3 under the laws of the state in which it was committed, a judge or
4 magistrate in this state may admit the person arrested to bail by bond,
5 with sufficient sureties, and in such sum as he deems proper, con-
6 ditioned for his appearance before him at a time specified in such
7 bond, and for his surrender, to be arrested upon the warrant of the
8 Governor of this state.

1 SEC. 17. If the accused is not arrested under warrant of the Gov-
2 ernor by the expiration of the time specified in the warrant or bond,
3 a judge or magistrate may discharge him or may recommit him for
4 a further period not to exceed sixty days, or a judge or magistrate
5 judge may again take bail for his appearance and surrender, as pro-
6 vided in Section 16, but within a period not to exceed sixty days after
7 the date of such new bond.

1 SEC. 18. If the prisoner is admitted to bail, and fails to appear
2 and surrender himself according to the conditions of his bond, the
3 judge, or magistrate by proper order, shall declare the bond forfeited
4 and order his immediate arrest without warrant if he be within this
5 state. Recovery may be had on such bond in the name of the state as
6 in the case of other bonds given by the accused in criminal proceed-
7 ings within this state.

1 SEC. 19. If a criminal prosecution has been instituted against such
2 person under the laws of this state and is still pending the Governor,
3 in his discretion, either may surrender him on demand of the Execu-
4 tive Authority of another state or hold him until he has been tried and
5 discharged or convicted and punished in this state.

1 SEC. 20. The guilt or innocence of the accused as to the crime of
2 which he is charged may not be inquired into by the Governor or in
3 any proceeding after the demand for extradition accompanied by a
4 charge of crime in legal form as above provided shall have been pre-
5 sented to the Governor, except as it may be involved in identifying
6 the person held as the person charged with the crime.

1 SEC. 21. The Governor may recall his warrant of arrest or may
2 issue another warrant whenever he deems proper.

1 SEC. 22. Whenever the Governor of this state shall demand a
2 person charged with crime or with escaping from confinement or
3 breaking the terms of his bail, probation or parole in this state, from
4 the Executive Authority of any other state, or from the chief justice
5 or an associate justice of the Supreme Court of the District of Colum-
6 bia authorized to receive such demand under the laws of the United
7 States, he shall issue a warrant under the seal of this state, to some

8 agent, commanding him to receive the person so charged if delivered
9 to him and convey him to the proper officer of the county in this state
10 in which the offense was committed.

1 SEC. 23. When the return to this state of a person charged with
2 crime in this state is required, the prosecuting attorney shall present
3 to the Governor his written application for a requisition for the re-
4 turn of the person charged, in which application shall be stated the
5 name of the person so charged, the crime charged against him, the
6 approximate time, place and circumstances of its commission, the
7 state in which he is believed to be, including the location of the ac-
8 cused therein at the time the application is made and certifying that,
9 in the opinion of the said prosecuting attorney the ends of justice re-
10 quire the arrest and return of the accused to this state for trial and
11 that the proceeding is not instituted to enforce a private claim.

12 When the return to this state is required of a person who has been
13 convicted of a crime in this state and has escaped from confinement
14 or broken the terms of his bail, probation or parole, the prosecuting
15 attorney of the county in which the offense was committed, the parole
16 board, or the warden of the institution or sheriff of the county, from
17 which escape was made, shall present to the Governor a written
18 application for a requisition for the return of such person, in which
19 application shall be stated the name of the person, the crime of which
20 he was convicted, the circumstances of his escape from confinement
21 or of the breach of the terms of his bail, probation or parole, the state
22 in which he is believed to be, including the location of the person
23 therein at the time application is made.

24 The application shall be verified by affidavit, shall be executed in
25 duplicate and shall be accompanied by two certified copies of the in-
26 dictment returned, or information and affidavit filed, or of the com-
27 plaint made to the judge or magistrate, stating the offense with which
28 the accused is charged, or of the judgment of conviction or of the
29 sentence. The prosecuting officer, parole board, warden or sheriff
30 may also attach such further affidavits and other documents in
31 duplicate as he shall deem proper to be submitted with such applica-
32 tion. One copy of the application, with the action of the Governor
33 indicated by endorsement thereon, and one of the certified copies of
34 the indictment, complaint, information, and affidavits or of the judg-
35 ment of conviction or of the sentence shall be filed in the office of the
36 Governor to remain of record in that office. The other copies of all
37 papers shall be forwarded with the Governor's requisition.

1 SEC. 24. When the punishment of the crime shall be the confine-
2 ment of the criminal in the penitentiary, the expenses shall be paid
3 out of the state treasury, on the certificate of the Governor and war-
4 rant of the Comptroller; and in all other cases they shall be paid out
5 of the county treasury in the county wherein the crime is alleged to
6 have been committed. The expenses shall be the fees paid to the
7 officers of the state on whose Governor the requisition is made, and
8 all necessary and actual traveling expenses incurred in returning the
9 prisoner.

1 SEC. 25. Any person arrested in this state charged with having
2 committed any crime in another state or alleged to have escaped

3 from confinement, or broken the terms of his bail, probation or parole
 4 may waive the issuance and service of the warrant provided for in
 5 sections 7 and 8 and all other procedure incidental to extradition pro-
 6 ceedings, by executing or subscribing in the presence of a judge of
 7 any court of record within this state a writing which states that he
 8 consents to return to the demanding state; provided, however, that
 9 before such waiver shall be executed or subscribed by such person it
 10 shall be the duty of such judge to inform such person of his rights to
 11 the issuance and service of a warrant of extradition and to obtain a
 12 writ of habeas corpus as provided for in Section 10.

13 If and when such consent has been duly executed it shall forthwith
 14 be forwarded to the office of the Governor of this state and filed
 15 therein. The judge shall direct the officer having such person in
 16 custody to deliver forthwith such person to the duly accredited agent
 17 or agents of the demanding state, and shall deliver or cause to be
 18 delivered to such agent or agents a copy of such consent; provided,
 19 however, that nothing in this Section shall be deemed to limit the
 20 rights of the accused person to return voluntarily and without for-
 21 mality to the demanding state, nor shall this waiver procedure be
 22 deemed to be an exclusive procedure or to limit the powers, rights
 23 or duties of the officers of the demanding state or of this state.

1 SEC. 26. Nothing in this act contained shall be deemed to consti-
 2 tute a waiver by this state of its right, power or privilege to try such
 3 demanded person for crime committed within this state, or of its
 4 right, power or privilege to regain custody of such person by extra-
 5 dition proceedings or otherwise for the purpose of trial, sentence or
 6 punishment for any crime committed within this state, nor shall any
 7 proceedings had under this act which result in, or fail to result in,
 8 extradition be deemed a waiver by this state of any of its rights,
 9 privileges or jurisdiction in any way whatsoever.

1 SEC. 27. After a person has been brought back to this state by,
 2 or after waiver of extradition proceedings, he may be tried in this
 3 state for other crimes which he may be charged with having com-
 4 mitted here as well as that specified in the requisition for his extra-
 5 dition.

1 SEC. 28. The provisions of this act shall be so interpreted and
 2 construed as to effectuate its general purposes to make uniform the
 3 law of those states which enact it.

1 SEC. 29. If any provision of this act or the application thereof
 2 to any person or circumstances is held invalid, such invalidity shall
 3 not affect other provisions or applications of the act which can be
 4 given effect without the invalid provision or application, and to this
 5 end the provisions of this act are declared to be severable.

1 SEC. 30. Chapter seven hundred fifty-nine (759), Code 1946, is
 2 hereby repealed.

1 SEC. 31. All Acts and parts of acts inconsistent with the provi-
 2 sions of this act and not expressly repealed herein are hereby re-
 3 pealed.

1 SEC. 32. This act may be cited as the Uniform Criminal Extra-
2 dition Act.

1 SEC. 33. This act being deemed of immediate importance shall be
2 of full force and effect from and after its passage and publication in
3 the Times-Republican, a newspaper published at Corydon, Iowa, and
4 the Times-Press, a newspaper published at Bedford, Iowa.

Approved April 5, 1949.

I hereby certify that the foregoing act was published in the Times-Republican, April 21, 1949, and in the Times-Press, April 21, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 245

CLERK OF GRAND JURY

H. F. 132

AN ACT to amend section seven hundred seventy point twenty-one (770.21), Code 1946, and as amended by chapter 301, Acts regular session Fifty-second General Assembly relating to compensation of clerk of the grand jury and to provide compensation for such clerks in counties having a population of one hundred fifty thousand (150,000) or over.

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

1 SECTION 1. That section seven hundred seventy point twenty-one
2 (770.21), Code 1946, is further amended by adding immediately after
3 the word "over" in line sixteen (16), the following:
4 "and less than one hundred fifty thousand (150,000) inhabitants."

1 SEC. 2. That said section is further amended by adding to said
2 section the following:
3 "In counties having a population of one hundred fifty thousand
4 (150,000) and over, such clerks shall receive an annual salary of
5 Thirty-six hundred dollars (\$3600.00)."

Approved May 2, 1949.

SPECIAL AND LEGALIZING ACTS



SPECIAL AND LEGALIZING ACTS

CHAPTER 246

LAND PATENT

S. F. 310

AN ACT authorizing a patent to issue to the southwest quarter (SW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of section twenty-one (21) township ninety-one (91) north range thirteen (13) west of 5th P.M., Bremer county, Iowa.

WHEREAS, it appears that on the 23rd day of March, 1850, the United States of America granted to the State of Iowa the following described premises, to-wit:

“The Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of section twenty-one (21) Township ninety-one (91) North Range thirteen (13) West of 5th P. M., Bremer County, Iowa”,
and

WHEREAS, it further appears that the School Fund sold the foregoing described premises to Thomas V. Ogden on the 29th day of April, 1854, and

WHEREAS, it appears that the above described property or portions thereof have since that time been sold and resold through a chain of title since the afore mentioned sale to Thomas V. Ogden, and

WHEREAS, it appears that no certificate of purchase or patent for said land has ever been issued to the said Thomas V. Ogden or to any other person, and

WHEREAS, it appears that the State of Iowa claims no ownership in the foregoing described land although the apparent legal title thereto still remains in the State of Iowa, and

WHEREAS, the present owner and owners of the above described premises or portions thereof now in possession of said land together with the several previous grantors and grantees, has been in open, actual, notorious, and adverse possession of said land and the parts thereof for more than fifty (50) years last past.

NOW, THEREFORE,

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

1 SECTION 1. That the Governor and the Secretary of State of the
2 State of Iowa are hereby authorized, empowered and directed to
3 issue a patent to Thomas V. Ogden, conveying the Southwest Quarter
4 (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of section twenty-one
5 (21) Township ninety-one (91) North Range thirteen (13) West of
6 5th P. M., Bremer County, Iowa, for the use and benefit of the succes-
7 sive owners of said land.

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

3 County Independent, a newspaper published at Waverly, Iowa, and in
4 the Tripoli Leader, a newspaper published at Tripoli, Iowa.

Approved March 10, 1949.

I hereby certify that the foregoing act was published in the Bremer County Independent, March 23, 1949, and in the Tripoli Leader, March 16, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 247

PENITENTIARY LAND TO BE SOLD

H. F. 25

AN ACT authorizing the executive council to sell certain lands belonging to the state of Iowa situated in section twenty-eight (28), township sixty-eight (68) north, range four (4) west of the fifth principal meridian, Lee county, Iowa.

WHEREAS, the state of Iowa is the owner of the following described real estate, to-wit:

That part of the east one-half ($E\frac{1}{2}$) of the southeast quarter ($S.E.\frac{1}{4}$) of section twenty-eight (28), township sixty-eight (68) north, range four (4) west of the fifth principal meridian, Lee county, Iowa, lying on the west side of primary road number eighty-eight (88) except any right held by the Washington township school district in one-half ($\frac{1}{2}$) acre on which a brick school building now stands and contains forty-six point fifteen (46.15) acres more or less, which land was used in connection with the penitentiary at Fort Madison, Iowa and

WHEREAS, said land is no longer desired for use in that connection:

NOW, THEREFORE

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

1 SECTION 1. That the executive council be and hereby is authorized
2 and empowered to sell at public or private sale all of the following
3 described real estate:

4 That part of the east one-half ($E\frac{1}{2}$) of the southeast quarter
5 ($S.E.\frac{1}{4}$) of section twenty-eight (28), township sixty-eight (68)
6 north, range four (4) west of the fifth principal meridian, Lee county,
7 Iowa, lying on the west side of primary road number eighty-eight
8 (88) except any right held by the Washington township school dis-
9 trict in one-half ($\frac{1}{2}$) acre on which a brick school building now
10 stands and contains forty-six point fifteen (46.15) acres more or less,
11 at such price and upon such terms as the said executive council shall
12 deem most advantageous to the state of Iowa.

1 SEC. 2. That funds accruing from such sale shall be deposited
2 with the state treasurer to the credit of the general fund.

1 SEC. 3. The governor and secretary of state are hereby author-
2 ized to execute all necessary deeds of conveyance required to convey
3 said premises to the purchaser.

1 SEC. 4. This act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in Evening
 3 Democrat, a newspaper published in the city of Fort Madison, Iowa,
 4 and in The Donnellson Review, a newspaper published in the city of
 5 Donnellson, Iowa.

Approved March 12, 1949.

I hereby certify that the foregoing act was published in the Evening Democrat,
 March 22, 1949, and in The Donnellson Review, April 16, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 248

INDEPENDENCE STATE HOSPITAL LAND EXCHANGE

H. F. 552

AN ACT to authorize the exchange of certain land now used in connection with the Independence State Hospital for certain farm land adjoining, and to provide for an appropriation therefor.

WHEREAS, certain land described as follows:

"The Southwest quarter (SW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) and the Northwest quarter (NW $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of section seven (7), township eighty-eight (88) North, range nine (9) West of the 5th P. M., containing eighty (80) acres more or less."

is practically surrounded by lands belonging to the state of Iowa and is now owned by one Herman C. Aaberg and referred to in this act as the Aaberg tract; and

WHEREAS, the owner of the Aaberg tract has made an offer in writing to exchange said land for the following adjoining tract described as follows:

"The South half (S $\frac{1}{2}$) of the Northwest quarter (NW $\frac{1}{4}$) of section seven (7), township eighty-eight (88) North, range nine (9) West of the 5th P. M., containing eighty (80) acres more or less."

now owned by the state and referred to in this act as the state tract; and

WHEREAS, the board of control of state institutions is of the opinion that it is to the best interests in the management of said hospital to have the farm lands in conjunction therewith more compactly located and that they will have no need for the state tract if the Aaberg tract is made a part of the farm lands of said institution; and

WHEREAS, the institution would have no need for the farm buildings and lot fences now located on the Aaberg tract, now wherefore,

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

1 SECTION 1. The executive council is hereby authorized to negotiate
 2 an exchange with Herman C. Aaberg or his successor in interest of
 3 the tracts of farm land described in the preamble of this act and to
 4 pay from the funds hereinafter appropriated the sum of one thousand

5 dollars (\$1,000.00) to Herman C. Aaberg or his successor in interest,
6 to apply on the expense of removing all farm buildings and lot fences
7 from the tract of farm land to be acquired by the state hereunder.

1 SEC. 2. Said tracts of land shall be surveyed by a person agreed
2 upon by the interested parties and any difference in acres shall be
3 adjusted on the basis of two hundred dollars (\$200.00) per acre for
4 each acre or fraction thereof in excess of the smaller tract. The right
5 to possession of the respective tracts of lands to be exchanged here-
6 under shall be as of March 1, 1950.

1 SEC. 3. Herman C. Aaberg or his successor shall upon furnishing
2 to the executive council a warranty deed and evidence of merchantable
3 title to the Aaberg tract, and upon completion of the adjustment for
4 differences in acreage, be entitled to receive the payment of one
5 thousand dollars (\$1,000.00) herein authorized and a patent from
6 the state of Iowa in the manner prescribed by law to the state tract as
7 described in the preamble of this act.

1 SEC. 4. The governor and secretary of state are hereby authorized
2 to execute all necessary instruments to convey the state tract to
3 Herman C. Aaberg or his successor in interest.

1 SEC. 5. There is hereby appropriated out of any unappropriated
2 funds in the state general fund a sum sufficient to carry out the pro-
3 visions of this act, but not to exceed the sum of two thousand dollars
4 (\$2,000.00) and any part thereof not used shall revert to the general
5 fund.

1 SEC. 6. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Lamoni
3 Chronicle, a newspaper published at Lamoni, Iowa, and in the Don-
4 nellson Review, a newspaper published at Donnellson, Iowa.

Approved April 15, 1949.

I hereby certify that the foregoing act was published in the Lamoni Chronicle,
May 5, 1949, and in the Donnellson Review, May 5, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 249

GLENWOOD STATE SCHOOL LAND PURCHASE

H. F. 557

AN ACT to authorize the purchase of certain farm land adjoining the Glenwood State School, and to provide for an appropriation therefor.

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

1 SECTION 1. That the executive council of the state of Iowa is
2 hereby authorized to acquire in the name of the state of Iowa, for the
3 use and benefit of the board of control of state institutions, certain
4 farm land adjoining the Glenwood State School consisting of one
5 hundred twenty (120) acres more or less, according to government
6 survey at the unit price of one hundred twenty-five dollars (\$125.00)
7 per acre but not to exceed a total sum of fifteen thousand dollars
8 (\$15,000.00), and legally described as follows:

9 "All that part of the southeast quarter (SE $\frac{1}{4}$) of section twenty-
10 four (24) lying east and north of the center line of the creek running
11 through said quarter section in township seventy-two (72) north,
12 range forty-three (43) west of the 5th P. M. containing one hun-
13 dred twenty acres more or less."

1 SEC. 2. There is hereby appropriated out of any unappropriated
2 funds in the general fund a sum sufficient to carry out the provisions
3 of this act, but not to exceed the sum of fifteen thousand dollars
4 (\$15,000.00). The comptroller shall draw upon said fund to the
5 extent of the determined purchase price upon certification from the
6 council that warranty deed and evidence of merchantable title has
7 been received by them from the grantor.

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 Spencer Times, a newspaper published at Spencer, Iowa, and the
4 Signal Leader, a newspaper published at Garner, Iowa.

Approved April 15, 1949.

Pursuant to authority vested in the undersigned, secretary of state, the Signal Leader, Garner, Iowa, being non-existent, the following paper, The Garner Leader and Signal and Garner Herald, Garner, Iowa, is designated to publish the foregoing act.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing act was published in the Spencer Times, May 12, 1949, and in The Garner Leader and Signal and Garner Herald, May 18, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 250

SALE OF SUBMERGED LAND IN SCOTT COUNTY

H. F. 24

AN ACT to authorize the sale and conveyance to Aluminum Company of America of certain submerged land in Scott county, Iowa below ordinary high water mark of Mississippi River.

WHEREAS the State of Iowa is the owner of all that part of the bed of the Mississippi River hereinafter described, lying westerly of the center line of the main channel of said river and extending westerly to the ordinary high water mark of said river on the westerly or Iowa shore or bank of the said river within the State of Iowa; and,

WHEREAS under the provisions of section one hundred eleven point eighteen (111.18), Code 1946, the Iowa state conservation commission has jurisdiction of all meandered streams and lakes of the State of Iowa and of state lands bordering thereon; and,

WHEREAS Iowa state conservation commission filed with the executive council of the State of Iowa a recommendation of said commission that real estate hereinafter described comprising a portion of the Mississippi River bed along the easterly border of the State of Iowa be sold and conveyed to Aluminum Company of America, a Pennsylvania corporation authorized to transact business in the State of Iowa and having a place of business in Scott County, Iowa for the amount of five thousand two hundred fifty and no/100 dollars (\$5,250.00); and,

WHEREAS the executive council of the State of Iowa has approved the sale by the State of Iowa to Aluminum Company of America of said real estate for Five Thousand two hundred fifty and no/100 dollars (\$5,250.00); and,

WHEREAS the attorney general of the State of Iowa has ruled that legislative action is necessary in order to lawfully convey the said land;

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

1 SECTION 1. That the action of the Iowa state conservation com-
2 mission recommending the sale and of the executive council of the
3 State of Iowa approving the sale to Aluminum Company of America
4 of certain real estate in Scott County in the State of Iowa, lying river-
5 ward and below the ordinary high water mark on the westerly or
6 Iowa bank or shore of said Mississippi River, hereby is approved and
7 confirmed and upon receipt from Aluminum Company of America of
8 the consideration of Five Thousand two hundred fifty and no/100
9 dollars (\$5,250.00), which is on the basis of three hundred dollars
10 (\$300.00) per acre for the said land, the governor and the secretary
11 of state of the State of Iowa, with the great seal of the state attached,
12 pursuant to the provisions of section one hundred eleven point thirty-
13 three (111.33), Code 1946, hereby are authorized to execute and
14 deliver, in the name of the State of Iowa, a patent conveying to said
15 Aluminum Company of America, its successors and assigns, the fol-
16 lowing described real estate located in Scott County, in the State of
17 Iowa, to-wit:

18 Part of section twenty-five (25) and part of section twenty-six
19 (26), all in township seventy-eight (78) north, range four (4) east
20 of the fifth principal meridian in Scott County in the State of Iowa,
21 more particularly described as:

22 Commencing at the northeasterly corner of the real estate conveyed
23 by Universal Atlas Cement Company to Aluminum Company of
24 America by warranty deed which is recorded in Scott County Iowa
25 records in book eighty-six (86) of land deeds commencing on page
26 five hundred nine (509), which northeasterly corner is the place of
27 beginning of the premises herein described; thence running south
28 fifty-one (51) degrees thirty-eight (38) minutes east six hundred
29 ten (610) feet, more or less, to what is known as the wharf line, which
30 is the line extended northerly of the outboard face of a "T" shaped
31 wharf or dock; thence south forty (40) degrees forty-six (46)
32 minutes west along the outboard face of said wharf line twenty-five
33 hundred twenty-five (2525) feet; thence northwesterly and measured
34 at a right angle to said wharf line one hundred ten (110) feet, more
35 or less, to the ordinary high water mark line on the Iowa bank of the
36 Mississippi River; thence northerly on and along the ordinary high
37 water mark line on the Iowa bank of the Mississippi River to the
38 place of beginning, bearings in this description being referred to true
39 north and said parcel containing seventeen point five (17.5) acres,
40 more or less.

1 SEC. 2. This Act, being deemed of immediate importance shall be
2 in force and effect on its publication in the Farm Bureau News, a

3 newspaper published at Bettendorf, Iowa, and in The Davenport
4 Democrat and Leader, a newspaper published at Davenport, Iowa.

Approved February 5, 1949.

I hereby certify that the foregoing act was published in the Farm Bureau News, February 17, 1949, and in The Davenport Democrat and Leader, February 10, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 251

KEOKUK NATIONAL CEMETERY

H. F. 432

AN ACT to authorize the dedication of certain lands owned by the city of Keokuk, Iowa to the United States of America for the purpose of expanding and enlarging the national cemetery in Keokuk, Iowa.

WHEREAS, the city of Keokuk, Iowa is the owner of portions of land surrounding and abutting the national cemetery of the United States of America located in Keokuk, Iowa, and,

WHEREAS, the city of Keokuk, Iowa is desirous of dedicating these certain lands to the United States of America for the purpose of enlarging the aforesaid national cemetery, and,

WHEREAS, the United States of America is desirous of accepting such dedication of said certain lands provided that said dedication is approved by the General Assembly of the State of Iowa,

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

1 SECTION 1. That the city of Keokuk, Iowa is hereby authorized to
2 dedicate to the United States of America the following described un-
3 improved real property, to-wit:

4 Block 100 except that part lying South of Sixteenth Street, and
5 Blocks 101, 102, 103, 109 and 110 in Mason's Lower Addition to the
6 City of Keokuk, Lee County, Iowa, together with streets and alleys
7 within and adjacent thereto described as follows:

8 That portion of "H" Street between the south line of Keokuk
9 Avenue and the north line extended of alleys in Blocks 108 and 109,
10 Mason's Lower Addition. That portion of "I" Street between the
11 south line of Keokuk Avenue and the north line of Elm Street. That
12 portion of Locust Street between the west line of "H" Street and the
13 east line of "K" Street. That portion of Walnut Street between the
14 west line of "H" Street and the east line of "K" Street. Alleys
15 running east and west through Blocks 100, 101, 102, 103, 109 and
16 110, Mason's Lower Addition to the City of Keokuk, Iowa.

17 That portion of "G" Street between the south line of Keokuk Avenue
18 and the north line of alley in Block 108, Mason's Lower Addition
19 extended and the northerly line of South 16th Street.

20 Subject to a reservation to the grantor to construct, operate,
21 maintain, renew and remove an underground sanitary sewer system
22 on that portion of the premises conveyed herein described as fol-
23 lows: Beginning at the Northeast corner of Block 109, Mason's Lower

24 Addition to the City of Keokuk, Iowa, thence west 116 feet, thence
 25 southeasterly to the southeast corner of said Block 109, thence north
 26 along the east line of said Block 109 to the northeast corner thereof,
 27 the point of beginning.

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 Donnellson Review, a newspaper published at Donnellson, Iowa,
 4 and in the West Point Bee, a newspaper published at West Point, Iowa.

Approved March 16, 1949.

I hereby certify that the foregoing act was published in the Donnellson Review,
 March 24, 1949, and in the West Point Bee, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 252

SINCLAIR REFINING COMPANY EASEMENT

H. F. 307

AN ACT authorizing the executive council of the state of Iowa to execute a right of way easement to the Sinclair Refining Company, a Maine corporation, for the installation and maintenance of a pipe line for the transportation of petroleum products on, over and through certain state lands in Lee county, Iowa.

WHEREAS, the Sinclair Refining Company, a Maine corporation, is engaged in the interstate transportation of crude petroleum and by-products thereof which are of tremendous importance to the public welfare of the people of the entire United States; and

WHEREAS, said company had prior to and during the year 1948 acquired the right of way for the installation and maintenance of an eight-inch pipe line across all lands in the state of Iowa except certain state-owned prison farm lands operated in connection with the state penitentiary at Fort Madison, Lee county, Iowa; and

WHEREAS, the board of control of state institutions did, on or about the fourth day of October, 1948, informally authorize said company to proceed across a portion of said lands near the right of way of the Atchison, Topeka and Santa Fe Railway Company; and

WHEREAS, it was agreed between said company and the members of the board of control of state institutions that a fair and reasonable consideration for said right of way was four hundred and nine dollars (\$409.00); and

WHEREAS, said company in accordance with said authorization has laid an eight-inch pipe line for a distance of two hundred seventy-two (272) rods through said state-owned lands and is now ready to deliver a check payable to the state of Iowa in the sum of four hundred and nine dollars (\$409.00);

NOW THEREFORE

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

1 SECTION 1. That the executive council of the state of Iowa be and
 2 the same is hereby authorized to execute a right of way easement on,

3 over and through the following described state-owned land, to wit:
 4 That part of the southwest quarter (S.W. $\frac{1}{4}$) and of the west one-
 5 half (W. $\frac{1}{2}$) of the southeast quarter (S.E. $\frac{1}{4}$) of section twenty-
 6 nine (29) township sixty-seven (67) north, range five (5) west of
 7 the fifth p. m. lying south of the right of way of the Atchison, Topeka
 8 and Santa Fe Railway Company
 9 to the Sinclair Refining Company, a Maine corporation, granting the
 10 right to lay, maintain, inspect, operate, repair, replace, and remove one
 11 eight-inch pipe line for the transportation of crude petroleum and by-
 12 products thereof.

1 SEC. 2. The right of way easement herein authorized shall be
 2 conditioned to provide for reversion of all rights therein granted if
 3 said pipe line is abandoned by non-user for a period of five (5) con-
 4 tinuous years. Said council shall have the power to determine the
 5 exact location of said right of way by requiring the submission of a
 6 plat from the company.

1 SEC. 3. Upon execution and delivery of said right of way ease-
 2 ment the secretary of the executive council shall accept consideration
 3 therefor in the amount of four hundred and nine dollars (\$409.00),
 4 which sum shall be deposited with the treasurer of state and be
 5 credited to the state general fund.

1 SEC. 4. This act being deemed of immediate importance shall be
 2 in full force from and after its publication in the Evening Democrat,
 3 a newspaper published at Fort Madison, Iowa, and in the West Point
 4 Bee, a newspaper published at West Point, Iowa.

Approved March 17, 1949.

I hereby certify that the foregoing act was published in the Evening Democrat, March 25, 1949, and in the West Point Bee, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 253

OFFICE BUILDING ADVISORY COMMITTEE

S. F. 25

AN ACT to amend chapter three hundred seven* (307), Acts of the 52nd General Assembly, relating to state office building.

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

1 SECTION 1. Section two (2), Chapter 307, Acts of the 52nd General
 2 Assembly, is hereby amended by striking from lines eight (8) and nine
 3 (9) all preceding the word "any" in line nine (9), and inserting in lieu
 4 thereof the following:
 5 "The legislative office building advisory committee appointed under
 6 the provisions of this Act shall, not later than thirty days after the
 7 convening of the 53rd General Assembly, make a report in duplicate to
 8 the Speaker of the House and to the Lieutenant Governor as the
 9 presiding officer of the Senate, reviewing in general the activities of
 10 such committee up to date, and giving in brief, the present status of

*Words supplied by code editor, see §3.1 of the Code.

11 the office building program, setting out in detail all bids accepted or
12 still pending.

13 No vacancy shall be deemed to exist upon this committee because of
14 the termination of any member's term as a member of the General
15 Assembly, and such committee shall stand discharged at the expiration
16 of thirty (30) days from the convening of the Fifty-third General As-
17 ssembly."

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 Daily Gate
3 City, a newspaper published at Keokuk, Iowa, and in the Iowa City
4 Press Citizen, a newspaper published at Iowa City, Iowa.

Approved January 12, 1949.

I hereby certify that the foregoing act was published in the Daily Gate City, January
15, 1949, and the Iowa City Press Citizen, January 15, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 254

STATE GOVERNMENT REORGANIZATION COMMISSION

S. F. 363

AN ACT relating to the reorganization of all agencies, boards, commissions and depart-
ments of the state government; providing for the appointment of a commission to
determine and make recommendations with reference thereto; and providing an
appropriation for the purposes thereof.

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

1 SECTION 1. There is hereby created a commission to be composed
2 of nine (9) members, three of which shall be members of the Senate,
3 who shall be appointed by the Lieutenant Governor, three of which
4 shall be members of the House of Representatives, who shall be ap-
5 pointed by the Speaker of the 53rd General Assembly, and three to be
6 appointed by the governor. Any vacancy in the membership of the
7 commission shall be filled by appointment in the same manner, by
8 the same official and from the same group as original appointments.

1 SEC. 2. The commission shall organize by electing a chairman
2 and may meet at such times and places as may be ordered by resolu-
3 tion, upon the call of the chairman or upon call by three members of
4 the commission.

1 SEC. 3. The commission created by this Act shall be known as the
2 "Governmental Reorganization Commission".

1 SEC. 4. The commission shall examine into the organization of all
2 offices, agencies, boards, commissions and departments of the state
3 government and shall determine and recommend what changes therein
4 are necessary to accomplish the following purposes:

5 (1) to reduce expenditures and promote economy to the fullest
6 extent consistent with the efficient operation of the state government;

7 (2) to increase the efficiency of the operations of the state govern-
8 ment to the fullest extent practicable within the available revenues;

9 (3) to group, coordinate, and consolidate judicial districts, agencies
10 and functions of the government, as nearly as may be, according to
11 major purposes;

12 (4) to reduce the number of offices, agencies, boards, commissions
13 and departments by consolidating those having similar functions
14 under a single head, and to abolish such offices, agencies, boards, com-
15 missions and departments, or functions thereof, as may not be neces-
16 sary for the efficient and economical conduct of the state government;
17 and

18 (5) to eliminate overlapping and duplication of effort on the part
19 of such offices, agencies, boards, commissions and departments of the
20 state government.

1 SEC. 5. The General Assembly declares that the public interest
2 demands the carrying out of the purposes specified in section four (4)
3 and that such purposes will be accomplished in great measure by
4 proceeding under the provisions of this Act.

1 SEC. 6. The commission shall between December 1, 1950, and
2 December 15, 1950, report to the Governor their findings together
3 with their detailed recommendations and shall present for the con-
4 sideration of the 54th General Assembly a bill or bills designed to
5 accomplish the purposes set forth in section four (4). The Governor
6 shall cause to be printed the necessary number of copies of said re-
7 port and shall mail copies of said printed report to the elected mem-
8 bers of the 54th General Assembly on or before January 1, 1951.

1 SEC. 7. The commission shall have the power to employ such as-
2 sistants and clerical help as it may deem advisable, and it shall be
3 furnished suitable office space by the executive council.

1 SEC. 8. It shall be the duty of each office, agency, board, commis-
2 sion or department of the state government, to make available for
3 examination by the commission, its records and files and to furnish
4 within a reasonable time to be fixed by the commission, information
5 and reports as the commission may determine necessary for its pur-
6 poses.

1 SEC. 9. The members of the commission shall receive their actual
2 expenses to be audited by the comptroller and such compensation as
3 may be determined and allowed by the 54th General Assembly. Com-
4 pensation of employees and the expenses of the commission shall be
5 paid from the state treasury upon certificate of the chairman of the
6 commission.

1 SEC. 10. The commission shall have power to subpoena witnesses,
2 administer oaths, take testimony and keep a record of its proceedings.
3 It shall also have power to make all necessary rules and regulations
4 for the conduct of its business and proceedings. Witnesses shall be
5 allowed the same per diem and mileage as allowed witnesses in dis-
6 trict court proceedings.

1 SEC. 11. All offices, agencies, boards, commissions and depart-
2 ments of the state government, including the State College, the State

3 University, and the State Teachers' College, shall conduct the neces-
4 sary research work requested by the commission and for its use.

1 SEC. 12. The commission shall enter upon its duties as soon as
2 the membership has been appointed and shall cease to exist and this
3 Act shall cease and determine as of date April 1, 1951.

1 SEC. 13. There is hereby appropriated from funds in the state
2 treasury, not otherwise appropriated, the sum of thirty thousand dol-
3 lars (\$30,000) to pay the expenses of the commission.

1 SEC. 14. This Act being deemed of immediate importance shall be
2 in full force and effect on its publication in the Mount Ayr Record-
3 News, a newspaper published at Mount Ayr, Iowa, and in the North-
4 wood Anchor & Index, a newspaper published at Northwood, Iowa.

Approved April 2, 1949.

I hereby certify that the foregoing act was published in the Mount Ayr Record-News,
April 14, 1949, and in the Northwood Anchor & Index, April 14, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 255

CORPORATIONS LEGALIZED

S. F. 211

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

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

1 SECTION 1. Any corporation organized under the laws of this state
2 which, prior to January 1, 1949, issued capital stock for property
3 without complying with section four hundred ninety-two point six
4 (492.6), Code 1946, and obtaining approval pursuant to section four
5 hundred ninety-two point seven (492.7), Code 1946, may within
6 ninety (90) days after the effective date of this act, make applica-
7 tion for the approval of the issuance of such stock.

1 SEC. 2. Any corporation organized under the laws of this state
2 which prior to January 1, 1949, failed to comply with the provisions
3 of section four hundred ninety-two point nine (492.9), Code 1946,
4 but which subsequently did in the first annual corporation report filed
5 by such corporation following such failure, correctly report the
6 amount of its capital stock issued, may within ninety (90) days after
7 the effective date of this act, file with the Secretary of State of Iowa,
8 a certificate as to unreported issues; and such certificates shall have
9 the same force and effect as certificates filed within the time required
10 by the provisions of said section four hundred ninety-two point nine
11 (492.9), Code 1946.

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

1 SEC. 4. This act being deemed of immediate importance, shall be
2 effective from and after the date of its publication, as required by

3 law in the Jefferson Bee, a newspaper published at Jefferson, Iowa,
 4 and The American Citizen, a newspaper published at Des Moines,
 5 Iowa.

Approved April 7, 1949.

I hereby certify that the foregoing act was published in the Jefferson Bee, May 3, 1949, and in The American Citizen, May 6, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 256

GOVERNOR'S APPOINTMENTS LEGALIZED

S. F. 508

AN ACT to legalize the appointments of certain public officials by the governor of Iowa which have been confirmed by the senate.

WHEREAS, the laws of Iowa provide that the governor of Iowa shall appoint certain public officials subject to confirmation by the senate, and,

WHEREAS, the time within which such appointments are directed to be made varies in certain of the statutes, and,

WHEREAS, due largely to press of business, such appointments to be made by the governor have been delayed and some were made after the expiration of the time prescribed therefor, and,

WHEREAS, it is the desire of the legislature to remove any doubt as to the timeliness of such appointments and the legality of same; therefore,

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

1 SECTION 1. All appointments to public office made by the governor
 2 of Iowa during the session of the fifty-third General Assembly which
 3 have been confirmed by the senate during said session, are hereby
 4 declared to be legal and valid for the offices and terms included in
 5 said appointments, and to be of the same force and effect as if such
 6 appointments had been made by the governor within the time pre-
 7 scribed by law and thereafter confirmed by the senate during said
 8 session.

1 SEC. 2. Nothing herein contained shall affect any provision of
 2 law relative to the filling of vacancies between sessions of the general
 3 assembly.

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 Bremer
 3 County Independent, a newspaper published at Waverly, Iowa, and in
 4 the Clarksville Star, a newspaper published at Clarksville, Iowa.

Approved May 5, 1949.

I hereby certify that the foregoing act was published in the Bremer County Independent, May 18, 1949, and in the Clarksville Star, May 19, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 257

TOWN OF ALLERTON LEGALIZING ACT

S. F. 118

AN ACT to legalize and validate proceedings taken by the town council of the town of Allerton, Iowa, authorizing and constructing certain sewers for the said town of Allerton, Iowa, and to authorize the payment for the same in the amount of five thousand five hundred fifty-one dollars and sixteen cents (\$5,551.16).

Whereas, the town of Allerton, Iowa, in August, 1947, constructed certain sewers in said town at a cost of five thousand five hundred fifty-one dollars and sixteen cents (\$5,551.16) and

Whereas, doubt has arisen as to the legality of the proceedings taken by the said council in authorizing and constructing said sewers, and it is deemed advisable to put said doubt and all others that might arise concerning the construction of said sewers and payment therefor forever at rest; now therefore

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

1 SECTION 1. That all proceedings heretofore taken by the town
2 council of Allerton, Iowa, for the authorization and construction of
3 said sewers for the said town of Allerton, Iowa, are hereby legalized,
4 validated and confirmed, and that said town of Allerton, Iowa through
5 its proper officers is hereby authorized and empowered to expend the
6 amount of five thousand five hundred fifty-one dollars and sixteen
7 cents (\$5,551.16) in payment of the cost of construction of said sewers
8 and constitutes a valid and binding obligation of said town.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Times-
3 Republican, a newspaper published in Corydon, Iowa, and in The Sey-
4 mour Herald, a newspaper published in Seymour, Iowa, without ex-
5 pense to the State of Iowa.

Approved March 9, 1949.

I hereby certify that the foregoing act was published in The Times-Republican, March 17, 1949, and in The Seymour Herald, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 258

TOWN OF BELLEVUE LEGALIZING ACT

S. F. 485

AN ACT to legalize and validate the proceedings of the town council of Bellevue, Bellevue, Iowa, authorizing and providing for the issuance, sale and delivery of memorial building bonds by the town council of Bellevue, for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of the town of Bellevue; and, for the transfer of the memorial building bond fund for the purpose of purchasing and equipping a veterans' memorial park and playground at Bellevue, Iowa.

WHEREAS, at a special election held December 17, 1945, the voters of the town of Bellevue authorized the issuance of bonds in the sum of twenty

thousand dollars (\$20,000.00) to be used as a fund to purchase and equip a memorial building, and,

WHEREAS, said bonds were issued and sold in the amount of twenty thousand dollars (\$20,000.00), and,

WHEREAS, no suitable building was available to carry out the intentions of said election, and, the town council, deeming it advisable to carry out the intentions of the above special election, did call another special election on the question of transferring the above fund for the purchase of another suitable memorial, and,

WHEREAS, at this special election held March 16, 1949, the voters of the town of Bellevue did authorize the transfer of, and the town council did transfer, the said twenty thousand dollars (\$20,000.00) from the memorial building fund to be used for the purpose of purchasing and equipping a veterans' memorial park and playground, and,

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings, it is deemed advisable to put said doubts and all others that might arise concerning the same forever at rest: NOW,

THEREFORE:

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

1 SECTION 1. All proceedings heretofore taken by the town council
2 of Bellevue, Iowa, authorizing and providing for the issuance, sale
3 and delivery of memorial building bonds by the town council of
4 Bellevue, Iowa, providing for the levy and collection of annual taxes to
5 pay the interest on and the principal of said bonds, and the trans-
6 ferring of the memorial building bond fund for the purpose of pur-
7 chasing and equipping a veterans' memorial park and playground, are
8 hereby legalized, validated and confirmed, and said memorial building
9 bonds issued, sold and delivered pursuant to and in accordance with
10 said proceedings are hereby declared to be legal and to constitute valid
11 and binding obligations of the town of Bellevue.

1 SEC. 2. This Act being deemed of immediate importance shall be
2 in full force from and after its publication in the Bellevue Herald, a
3 newspaper published at Bellevue, Iowa, and in The Bellevue Leader, a
4 newspaper published at Bellevue, Iowa, without expense to the state.

Approved April 20, 1949.

I hereby certify that the foregoing act was published in the Bellevue Herald, May 26, 1949, and in The Bellevue Leader, May 26, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 259

CITY OF BETTENDORF LEGALIZING ACT

H. F. 176

AN ACT to authorize and legalize the city council of the city of Bettendorf, Iowa, to make a permanent transfer of funds in the amount of twenty thousand four hundred forty-two dollars and thirty-seven cents from the fund now known as the "Twenty Third Street Paving Fund" to the "Consolidated Fund."

WHEREAS, the city of Bettendorf, Iowa, through its city council and, as provided for by law, issued a fifty thousand dollar bond issue of which thirty thousand dollars was to be for "city improvement" and twenty thousand dollars for "city grading" and

WHEREAS, the city official charged with the keeping of the city's official records erroneously wrote and designated in the city's official book the entire fund as the "Twenty Third Street Paving Fund", which writing and designation was an entire misnomer and

WHEREAS, the express official recorded intention of the city council was to expend the moneys, raised from such bond issue, for general maintenance and repair of existing city streets and to have such moneys placed in the "Consolidated Fund" and

WHEREAS, because of such erroneous designation, the loss of use of such funds has seriously hampered the regular and necessary street maintenance and improvements and other vitally necessary city improvements and

WHEREAS, it would be for the best interest and welfare of the city to grant this transfer of twenty thousand four hundred forty-two dollars and thirty-seven cents from what is now known as the "Twenty Third Street Paving Fund" to the "Consolidated Fund",
now, therefore

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

1 SECTION 1. That the city council of the city of Bettendorf, Iowa is
2 hereby authorized to transfer funds in the amount of twenty thousand
3 four hundred forty-two dollars and thirty-seven cents from the fund
4 now known and designated as the "Twenty Third Street Paving
5 Fund" to the "Consolidated Fund".

1 SEC. 2. This act being deemed of immediate importance shall be
2 in force and effect from and after its passage and publication in the
3 Farm Bureau News, a newspaper published in the city of Bettendorf,
4 Iowa, and in the Davenport Democrat, a newspaper published in the
5 city of Davenport, Iowa, such publication to be without expense to
6 the state.

Approved March 9, 1949.

I hereby certify that the foregoing act was published in the Farm Bureau News, March 24, 1949, and in the Davenport Democrat, March 24, 1949.

MELVIN D. SYNHORST, Secretary of State.

CHAPTER 260

TOWN OF BLUE GRASS LEGALIZING ACT

H. F. 595

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of bonds in connection with the construction of a waterworks by the town of Blue Grass, Scott county, Iowa, and the provisions made for the payment of said bonds, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said town.

WHEREAS, at an election held in and for the town of Blue Grass, Scott County, Iowa, on March 4, 1949, there was submitted to the voters of said town the proposition of establishing and erecting a municipal waterworks in said town and contracting indebtedness and issuing bonds for such purpose not to exceed fifty thousand dollars (\$50,000), and over sixty per cent of the votes cast for and against said proposition were favorable thereto; and,

WHEREAS, for the purpose of paying the cost of erecting said waterworks, the town council of said town did thereafter, by resolutions and in reliance upon said election, authorize and provide for the issuance, sale and delivery of water revenue bonds of said town in the principal amount of twenty-one thousand dollars (\$21,000), payable as to both principal and interest from the future net revenues of said waterworks, and, also, for the issuance, sale and delivery of waterworks bonds of said town in the principal amount of twenty-nine thousand dollars (\$29,000), for the payment of which, as to both principal and interest, provision was made for the levy and collection of annual taxes on all the taxable property, in said town; and,

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said bonds and proceedings and the provisions made for the payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the town council
2 of the town of Blue Grass, in Scott County, Iowa, authorizing
3 and providing for the issuance, sale and delivery of waterworks bonds
4 in the amount of twenty-nine thousand dollars (\$29,000) by the said
5 town of Blue Grass, Iowa, and providing for the levy and collection
6 of annual taxes to pay the interest on and the principal of said bonds
7 are hereby legalized, validated and confirmed and said waterworks
8 bonds issued, sold and delivered pursuant to and in accordance with
9 said proceedings are hereby declared to be legal and to constitute
10 valid and binding obligations of said town.

1 SEC. 2. That all proceedings heretofore taken by the town council
2 of the town of Blue Grass, in Scott County, Iowa, authorizing and
3 providing for the issuance, sale and delivery of water revenue bonds
4 in the amount of twenty-one thousand dollars (\$21,000) by the said
5 town of Blue Grass, Iowa, and providing for the payment of the
6 principal of and interest on said bonds from the future net revenues
7 of the municipal waterworks of said town are hereby legalized,
8 validated and confirmed and said water revenue bonds issued, sold and

9 delivered pursuant to and in accordance with said proceedings are
 10 hereby declared to be legal and to constitute valid and binding obliga-
 11 tions of said town payable only from such future revenues, but said
 12 bonds shall not be a corporate indebtedness of said town, nor shall said
 13 town be authorized to levy ad valorem taxes to pay either principal
 14 thereof or interest thereon.

1 SEC. 3. This Act being deemed of immediate importance shall take
 2 effect from and after its publication in the Davenport Democrat and
 3 Leader, a newspaper published in Davenport, Iowa, and in the Daily
 4 Times, a newspaper published in Davenport, Iowa, all without ex-
 5 pense to the state.

Approved April 20, 1949.

I hereby certify that the foregoing act was published in the Davenport Democrat
 and Leader, May 26, 1949, and in the Daily Times, May 28, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 261

TOWN OF CALAMUS LEGALIZING ACT

H. F. 593

AN ACT to legalize and validate the proceedings authorizing and providing for the
 issuance, sale and delivery of town hall bonds by the town of Calamus, in Clinton,*
 Iowa, and the provisions made for the levy and collection of taxes to pay said bonds
 and declaring said bonds issued pursuant to said proceedings to be enforceable obli-
 gations of said town.

WHEREAS, at an election held in and for the town of Calamus, Clinton
 County, Iowa, on September 8, 1948, there was submitted to the voters
 of said town the proposition of constructing a town hall and acquiring
 a site therefor in said town and contracting indebtedness and issuing
 bonds of said town for such purpose not exceeding six thousand eight
 hundred dollars, and over sixty per cent of the votes cast for and against
 said proposition were favorable thereto; and

WHEREAS, the town council of said town did thereafter, by resolution
 and in reliance upon said election, authorize and provide for the issuance,
 sale and delivery of town hall bonds of said town in the principal amount
 of six thousand eight hundred dollars for the purpose of paying the cost of
 constructing a town hall and acquiring a site therefor in said town, and by
 said resolution provided for the payment of the interest on and principal
 of said bonds by the levy and collection of annual taxes on all the taxable
 property in said town; and

WHEREAS, doubts have arisen concerning the validity and legal suffi-
 ciency of said bonds and proceedings and the provisions made for the
 payment of same, and it is deemed advisable to put said doubts and all
 others that might arise concerning same forever at rest; now, therefore,

*According to enrolled Act.

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

1 SECTION 1. That all proceedings heretofore taken by the town
2 council of the town of Calamus, in Clinton County, Iowa, authorizing
3 and providing for the issuance, sale and delivery of town hall bonds by
4 the said town of Calamus, Iowa, and providing for the levy and col-
5 lection of annual taxes to pay the interest on and the principal of
6 said bonds are hereby legalized, validated and confirmed and said town
7 hall bonds issued, sold and delivered pursuant to and in accordance
8 with said proceedings are hereby declared to be legal and to constitute
9 valid and binding obligations of said town.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Coggon
3 Monitor, a newspaper published in Coggon, Iowa, and in the Farm-
4 Bureau News, a newspaper published in Bettendorf, Iowa, all without
5 expense to the state.

Approved April 13, 1949.

I hereby certify that the foregoing act was published in the Coggon Monitor, May 12, 1949, and in the Farm-Bureau News, May 12, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 262

TOWN OF CRYSTAL LAKE LEGALIZING ACT

H. F. 102

AN ACT to legalize and validate the proceedings of the town council of the town of Crystal Lake, in Hancock county, Iowa, in calling and holding an election on March 25, 1946, on the proposition of creating and establishing a municipal water works plant and system in said town, and on the proposition of issuing general obligation bonds of said town, and water works revenue bonds for the purpose of constructing said improvement, and the extension thereof and provisions made for levying and collecting of taxes for the payment of said general obligation bonds and declaring the general obligation bonds and water works revenue bonds, issued pursuant to said proceedings, to be enforceable* obligations of said town.

WHEREAS, the town of Crystal Lake, in Hancock County, Iowa, did heretofore, by resolution, and in reliance upon a municipal election heretofore held on the 25th day of March, 1946, in said town, authorize and provide for the issuance and delivery of five thousand five hundred dollars (\$5,500.00) general obligation bonds of said town and for the issuance and delivery of nine thousand one hundred dollars (\$9,100.00) of water works revenue bonds, payable solely and only out of the revenue of the town's water works system, which said bonds were issued on or about June 1, 1947, and thereafter, by resolution, said Town Council made extension to said water works system by resolution bearing date of September 16, 1947, and provided for and issued its water works revenue bonds in the amount of four thousand dollars (\$4,000.00) additional to the sum of nine thousand one hundred dollars (\$9,100.00), all of which said bonds were issued for the purpose of completing the construction of said water works system and the extension thereof, and by resolution provided for the payment of the interest on all of said general obligation

*According to enrolled Act.

bonds by the levy and collection of annual taxes on taxable property in said town for the purpose of paying the principal and interest on five thousand five hundred dollars (\$5,500.00) of general obligation bonds of said town, and by resolution provided for the pledging of the property of said water works system and of the future earnings thereof in payment of the water works revenue bonds in the amounts of nine thousand one hundred dollars (\$9,100.00) and four thousand dollars (\$4,000.00), respectively, together with the interest thereon; and

WHEREAS, said election carried by more than ninety-eight percent (98%), there being eighty-seven (87) votes cast in the affirmative and two (2) votes cast in the negative at said municipal election; and

WHEREAS, doubts have arisen as to the validity and legal sufficiency of said bonds, proceedings, and election as to the authority to levy and collect the taxes to pay the principal and interest of said general obligation bonds as the same will mature, and doubts have arisen as to the validity and legal sufficiency of the proceedings of said town as to the authority to issue water works revenue bonds and pledge the property and future earnings of said plant and water works system for the payment of the same as they mature with interest and it is deemed advisable to put said doubts, and all others, to rest, and to cure any irregularities that might have arisen, or may arise concerning the same, and to put any doubts concerning the same forever at rest;

NOW, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the town of
2 Crystal Lake, in Hancock County, Iowa, and the municipal election
3 of March 25, 1946, providing for the issuance and delivery of general
4 obligation bonds of said town and for the pledging of the property of
5 said water works system and the future earnings thereof, as provided
6 by chapter three hundred ninety-seven (397) of the 1946 Code of
7 Iowa, and providing for the levy and collection of an annual tax to
8 pay the principal and interest on the general obligation bonds of
9 said town, and the pledging of the property of said water works sys-
10 tem and plant and of the future earnings of said water works system
11 for payment of the water works revenue bonds of said town, with
12 interest, be and they are hereby legalized, validated and confirmed,
13 and the general obligation bonds and water works revenue bonds
14 issued and delivered pursuant to and in accordance with said pro-
15 ceedings are hereby declared to be legal and valid acts and to consti-
16 tute valid and binding obligations of said town of Crystal Lake, Iowa.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in full force from and after its passage and publication
3 in the Britt News Tribune, a newspaper published at Britt, Iowa, and
4 the Klemme Times, a newspaper published in Klemme, Iowa, all with-
5 out expense to the state of Iowa.

Approved March 11, 1949.

I hereby certify that the foregoing act was published in the Britt News Tribune, March 30, 1949, and in the Klemme Times, March 30, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 263

TOWN OF DURANT LEGALIZING ACT

-H. F. 559

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of community center bonds by the town of Durant, in the county of Cedar, state of Iowa, and the provisions made for the levy and collection of taxes to pay said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said town.

WHEREAS, the town council of the town of Durant, in Cedar county, Iowa, did heretofore, by resolution and in reliance upon an election theretofore held in and for said town, authorize and provide for the issuance, sale and delivery of community center bonds of said town in the principal amount of ten thousand dollars (\$10,000.00) for the purpose of establishing, erecting and equipping a community center in and for said town and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all the taxable property in said town; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said bonds and proceedings and the provisions made for the payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest; NOW, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the town
2 council of the town of Durant, in Cedar county, Iowa, authorizing and
3 providing for the issuance, sale and delivery of community center
4 bonds by the said town of Durant, Iowa, and providing for the levy
5 and collection of annual taxes to pay the interest on and the principal
6 of said bonds are hereby legalized, validated and confirmed and said
7 community center bonds issued, sold and delivered pursuant to and
8 in accordance with said proceedings are hereby declared to be legal
9 and to constitute valid and binding obligations of said town.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Durant
3 News, a newspaper published at Durant, Iowa, and The Democrat &
4 Leader, a newspaper published at Davenport, Iowa, all without ex-
5 pense to the state.

Approved April 2, 1949.

I hereby certify that the foregoing act was published in the Durant News, April 7, 1949, and in The Democrat & Leader, April 8, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 264

TOWN OF GARRISON LEGALIZING ACT

H. F. 567

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of waterworks bonds by the town of Garrison, in Benton county, Iowa, and the provisions made for the levy and collection of taxes to pay said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said town.

WHEREAS, the town council of the town of Garrison, in Benton county, Iowa, did heretofore, by resolution and in reliance upon an election theretofore held in and for said town, authorize and provide for the issuance, sale and delivery of waterworks bonds of said town in the principal amount of eight thousand dollars (\$8,000) for the purpose of extending and reconstructing the municipal waterworks in and for said town and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all the taxable property in said town, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said bonds and proceedings and the provisions made for the payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest,

NOW THEREFORE

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

1 SECTION 1. That all proceedings heretofore taken by the town
2 council of the town of Garrison, in Benton county, Iowa, authorizing
3 and providing for the issuance, sale and delivery of waterworks bonds
4 by the said town of Garrison, Iowa, and providing for the levy and
5 collection of annual taxes to pay the interest on and the principal of
6 said bonds are hereby legalized, validated and confirmed and said
7 waterworks bonds issued, sold and delivered pursuant to and in ac-
8 cordance with said proceedings are hereby declared to be legal and
9 to constitute valid and binding obligations of said town.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Cedar
3 Valley Times, a newspaper published in Vinton, Iowa, and in the
4 Belle Plaine Union, a newspaper published in Belle Plaine, Iowa, all
5 without expense to the state.

Approved April 13, 1949.

I hereby certify that the foregoing act was published in the Cedar Valley Times, May 26, 1949, and in the Belle Plaine Union, June 2, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 265

CITY OF GLENWOOD LEGALIZING ACT

S. F. 69

AN ACT to legalize and validate proceedings taken by the city council of the city of Glenwood, Mills county, Iowa, authorizing and providing for the construction of extensions and improvements to its municipal water works and the issuance and sale of municipal water works revenue bonds to defray the cost thereof and pledging the net future revenues to pay said bonds and to legalize and validate said bonds.

WHEREAS, during the year 1947 the City Council of the City of Glenwood, Mills County, Iowa, constructed extensions and improvements to the Municipal Water Works of said city to meet the increased needs of the community for water and entered into contracts for materials and labor and incidental costs thereof, and has issued warrants in payment thereof, and

WHEREAS, the City Council on the 4th day of December, 1947, adopted Resolution No. 618 for the issuance and sale of Revenue Bonds in the amount of twenty-five thousand dollars (\$25,000.00) for the purpose of defraying the costs to that amount of the said extensions and improvements and in said proceedings provided for the pledge of the net future revenues of said utility to pay the principal of and interest on said bonds, and at a meeting of said council on the 14th day of January, 1948, accepted an offer for the sale of the said bonds, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the said Municipal Water Works Revenue Bonds, the proceedings and contracts, notices given and publications or omissions thereof and concerning the provisions pledging the net revenue of said utility as aforesaid and it is deemed advisable to put said doubts and all others that might arise forever at rest;

NOW, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the City
2 Council of the City of Glenwood, Iowa, in connection with the exten-
3 sions and improvements of the municipal water works and contracts
4 therefor, referred to in the preamble hereof, and authorizing and pro-
5 viding for the issuance and sale of municipal Water Works Revenue
6 Bonds of said city in the amount of twenty-five thousand dollars
7 (\$25,000.00), and pledging the net future earnings of said utility to
8 pay the principal and interest on said bonds are hereby legalized,
9 validated and confirmed and said Water Works Revenue Bonds of the
10 City of Glenwood, Iowa, are hereby declared to be legal and to con-
11 stitute valid and binding obligations of said City according to their
12 tenor.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Glenwood
3 Opinion-Tribune, a newspaper published in Glenwood, Iowa, and in

4 the Mills County Times, a newspaper published in Glenwood, Iowa, said
5 publications to be without cost to the State of Iowa.

Approved February 3, 1949.

Pursuant to authority vested in the undersigned, secretary of state, the Glenwood Opinion-Tribune, Glenwood, Iowa, and the Mills County Times, Glenwood, Iowa, being non-existent, the following two papers, The Glenwood Opinion, Glenwood, Iowa, and The Glenwood Tribune, Glenwood, Iowa, are designated to publish the foregoing act.
MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing act was published in The Glenwood Opinion, April 12, 1949, and in The Glenwood Tribune, April 14, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 266

CITY OF LEMARS LEGALIZING ACT

H. F. 345

AN ACT to legalize and validate the acts done and proceedings taken by the board of park commissioners of the city of LeMars, in Plymouth county, Iowa, in expending funds of said city for park purposes, in authorizing and providing for the issuance and delivery of park bonds of said board, and in making provisions for the levy and collection of taxes to pay the principal of said bonds and the interest thereon.

WHEREAS, the board of park commissioners of the city of LeMars Iowa, has authorized and issued park bonds of said board known as series #4 on which there is a balance unpaid of fifteen thousand dollars (\$15,000.00) and interest thereon and has provided for the levy and collection of taxes to take care of the same; and

WHEREAS, the board of park commissioners of the city of LeMars, has issued warrants in the sum of six thousand dollars (\$6,000.00) and which have been stamped "Unpaid for lack of funds" and which are now held by the First National Bank in LeMars; and

WHEREAS, the board of park commissioners of the city of LeMars has authorized and issued park bonds of said board known as series #5 of said board in the sum of twenty-one thousand dollars (\$21,000.00) for the purpose of refunding the balance of the bonds in bond series #4 of said board in the sum of fifteen thousand dollars (\$15,000.00) after giving consideration to five hundred ninety-two dollars and forty-four cents (\$592.44) in the sinking fund of said bond series #4, and for the purpose of funding outstanding warrants of said board of park commissioners now held by the First National Bank in LeMars in the sum of six thousand dollars (\$6,000.00), and has provided for the levy and collection of an additional tax to pay the principal of said bonds in bond series #5, and the interest as it falls due, all in accordance with and in compliance to chapter three hundred seventy (370), Code 1946; and

WHEREAS, doubts have arisen as to the legal sufficiency of the proceedings, expenditures and acts of said board in connection therewith, and their authority to issue said bonds and to provide and collect the additional levy for the purpose of paying the principal of said bonds and the interest thereon and it is deemed advisable to put said doubts and all others that may arise, forever at rest; now, therefore:

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

1 SECTION 1. That the actions of the board of park commissioners
2 of the city of LeMars, Plymouth County, Iowa, and the proceedings
3 taken by said board in the incurring of an indebtedness of six thou-
4 sand dollars (\$6,000.00), and in the issuance of warrants for said
5 indebtedness, and in funding the same through bond series #5 of
6 said board, and in refunding fifteen thousand dollars (\$15,000.00)
7 of bond series #4 of said board, all by the issuance of bond series
8 #5 of said board, in the aggregate sum of twenty-one thousand dol-
9 lars (\$21,000.00), and in providing for the levy and collection of an
10 additional tax against all of the taxable property in the city of LeMars,
11 Iowa, to pay the principal and interest of said bond series #5, be, and
12 all of the same, are hereby legalized and validated; and all of said
13 bonds in bond series #5, in the aggregate sum of twenty-one thou-
14 sand dollars (\$21,000.00), be, and each of them, are hereby declared to
15 constitute a legal, valid and binding indebtedness and obligation of
16 said board of park commissioners; and the levy made by said board
17 of park commissioners of the city of LeMars, Iowa, for the purpose of
18 retiring all of said bonded indebtedness is hereby declared to be a
19 valid, legal and binding additional levy of said board of park com-
20 missioners.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force from and after its publication in the LeMars Semi-
3 Weekly Sentinel, a newspaper published in the city of LeMars, Iowa,
4 and the LeMars Globe-Post, a newspaper published in the city of
5 LeMars, Iowa, all without expense to the state.

Approved March 18, 1949.

I hereby certify that the foregoing act was published in the LeMars Semi-Weekly
Sentinel, April 1, 1949, and in the LeMars Globe-Post, March 31, 1949.

MELVIN D. SYNEORST, *Secretary of State.*

CHAPTER 267

CITY OF MAQUOKETA LEGALIZING ACT

H. F. 389

AN ACT to legalize and validate the proceedings authorizing and providing for the
issuance, sale and delivery of municipal swimming pool bonds by the city of Ma-
quoketa, Iowa, and the provisions made for the levy of taxes for the payment of
said bonds and declaring said bonds issued pursuant to said proceedings to be
enforceable obligations of said city.

WHEREAS, the city council of the city of Maquoketa, in Jackson
county, Iowa, did heretofore, by resolutions and in reliance upon an elec-
tion theretofore held in and for said city, authorize and provide for the
issuance, sale and delivery of municipal swimming pool bonds of said city
in the principal amount of thirty thousand dollars (\$30,000) for the
purpose of completing the establishment of a swimming pool in and for
said city and by said resolutions provided for the payment of the interest
on and principal of said bonds by the levy and collection of annual taxes
on all the taxable property in said city; and,

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and bonds and the provisions made for the payment of the same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest; NOW, THEREFORE

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

1 SECTION 1. That all proceedings heretofore taken by the city
2 council of the city of Maquoketa, Iowa, authorizing and providing
3 for the issuance, sale and delivery of municipal swimming pool bonds
4 by the city of Maquoketa, Iowa, and providing for the levy and col-
5 lection of annual taxes to pay the interest on and principal of said
6 bonds are hereby legalized, validated and confirmed and said municipi-
7 pal swimming pool bonds issued, sold and delivered pursuant to and in
8 accordance with said proceedings are hereby declared to be legal and
9 to constitute valid and binding obligations of said city.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Jackson
3 Sentinel, a newspaper published at Maquoketa, Iowa, and in the Ana-
4 mosa Journal, a newspaper published at Anamosa, Iowa, all without
5 expense to the state.

Approved March 22, 1949.

I hereby certify that the foregoing act was published in the Jackson Sentinel, April 8, 1949, and in the Anamosa Journal, April 14, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 268

TOWN OF MILO LEGALIZING ACT

S. F. 382

AN ACT to legalize and validate the proceedings taken by the town council of the town of Milo, Iowa, authorizing and providing for the construction, repair and improvement to its electrical transmission system, and the issuance and sale of revenue bonds to defray the cost thereof and pledging the future revenue to pay said bonds.

WHEREAS, during the year 1948, the town council of Milo, Iowa, adopted proceedings pursuant to the provisions of section three hundred ninety-seven point sixteen (397.16) to section three hundred ninety-seven point nineteen (397.19), both inclusive, Code 1946, as amended, providing for the repair, improvement and rebuilding of part of the existing electrical transmission system owned by said town of Milo to meet the increased needs of the community for electrical current, and entered into a contract or agreement with the Evans Construction Company of Early, Iowa, on or about December 14, 1948, for the materials and labor required in making such improvements and repairs at a total cost of seven thousand two hundred sixty-nine dollars and one cent (\$7,269.01), to be paid solely and only from the cash available from the earnings of said utility and from the proceeds of the sale of revenue bonds payable solely and only from the future net earnings of said utility, and said repairs and improvements have now been completed, and.

WHEREAS, the town council now proposes to adopt proceedings for the issuance and sale of revenue bonds for all or any part of the cost of said improvements, not to exceed seven thousand two hundred sixty-nine dollars and one cent (\$7,269.01), for the purpose of defraying the cost of said repairs and improvements, which revenue bonds will be payable solely and only out of the future net earnings of said utility, and,

WHEREAS, doubt has arisen concerning the validity and legal sufficiency of said proceedings and contracts, notices given and publications or omissions thereof and concerning the provisions pledging the net revenues of said utility as aforesaid, and it is deemed advisable to put said doubts and all others that might raise* forever at rest; NOW THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the town
2 council of the town of Milo, Iowa, in connection with the repairs and
3 improvements of the municipal electrical transmission system and the
4 contract above referred to in the preamble hereof and the future issu-
5 ance of revenue bonds of said town in such amount as to defray all
6 or any part of the cost of said improvements and repairs as above set
7 out in the preamble hereof, including both principal and interest of
8 said revenue bonds, are hereby legalized, validated and confirmed
9 and said revenue bonds, when issued in the form and manner as pro-
10 vided by law, are hereby declared to be legal and constitute valid and
11 binding obligations of said city according to their tenor, payable
12 solely and only out of the net future revenues of said utility.

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 Milo
3 Motor, a newspaper published at Milo, Iowa, and in the Record-
4 Herald & Indianola Tribune, a newspaper published at Indianola,
5 Iowa, said publications to be without expense to the State.

Approved March 14, 1949.

*According to enrolled Act.

I hereby certify that the foregoing act was published in The Milo Motor, March 31, 1949, and in the Record-Herald & Indianola Tribune, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 269

CITY OF WEBSTER CITY LEGALIZING ACT

S. F. 375

AN ACT to legalize and validate proceedings taken by the city council of the city of Webster City, Iowa, authorizing and providing for the construction of extensions and improvements to its municipal electric light and power plant and the issuance of revenue bonds to defray the cost thereof and pledging the future net revenues of said plant to pay said bonds.

WHEREAS, during the year 1946 and subsequent years the city council of Webster City, Iowa, adopted proceedings from time to time for the making of improvements and extensions to the Municipal Electric Light & Power Plant of said city, to meet the increased needs of the community for

electric current, and entered into contracts therefor, said contracts to be paid only from the cash available from the past earnings of the said utility, and some instances from the proceeds of the sale of revenue bonds payable only out of the future net earnings of said utility, and

WHEREAS, the city council of Webster City, Iowa, on the 18th day of February, 1949, adopted proceedings for the issuance and advertisement for sale of Electric Revenue Bonds in the amount of two hundred thousand dollars (\$200,000.00) for the purpose of defraying the cost to that amount of said extensions and improvements and in said proceedings provided for the pledge of the net future revenues of said utility to pay the principal of and interest on said bonds, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and contracts, notices given and publications or the omissions thereof and concerning the provisions pledging the future net revenues of said utility to the payment of the principal of and interest on said bonds aforesaid and it is deemed advisable to put said doubts and all others that might arise forever at rest; NOW, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the city coun-
2 cil of the city of Webster City, Iowa, in connection with the extensions
3 and improvements of the Municipal Electric Light & Power Plant and
4 contracts therefor referred to in the preamble hereof and authorizing
5 and providing for the issuance and sale of Electric Revenue Bonds of
6 said city in the amount of two hundred thousand dollars (\$200,000.00),
7 and pledging the net future revenues of said utility to pay the principal
8 and interest of said bonds are hereby legalized, validated and con-
9 firmed and said revenue bonds sold, issued and delivered, or to be sold,
10 issued and delivered, pursuant to and in accordance with said proceed-
11 ings are hereby declared to be legal and to constitute valid and binding
12 obligations of said city according to their tenor, payable solely and
13 only out of said net future revenues of said utility.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Daily
3 Freeman-Journal, a newspaper published in Webster City, Iowa, and
4 in The Ellsworth News, a newspaper published in Ellsworth, Iowa.
5 The publication herein provided shall be without cost to the state of
6 Iowa.

Approved March 9, 1949.

I hereby certify that the foregoing act was published in the Daily Freeman-Journal, March 16, 1949, and in The Ellsworth News, March 16, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 270

CITY OF WEST UNION LEGALIZING ACT

S. F. 56

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of municipal hospital bonds by the city of West Union, Iowa, and the provisions made for the levy of taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said city.

WHEREAS, the city council of the city of West Union, in Fayette County, Iowa, did heretofore, by resolutions and in reliance upon an election theretofore held in and for said city, authorize and provide for the issuance, sale and delivery of Municipal Hospital Bonds of said city in the principal amount of Fifty Thousand Dollars (\$50,000.00) for the purpose of purchasing a site and constructing thereon a Municipal Hospital in and for said city and by said resolutions provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all the taxable property in said city, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and bonds and the provisions made for the payment of the same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest;

NOW, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the city council of the city of West Union, Iowa, authorizing and providing for the
2 issuance, sale and delivery of Municipal Hospital Bonds by the city of
3 West Union, Iowa, and providing for the levy and collection of annual
4 taxes to pay the interest on and principal of said bonds are hereby
5 legalized, validated and confirmed and said Municipal Hospital Bonds
6 issued, sold and delivered pursuant to and in accordance with said
7 proceedings are hereby declared to be legal and to constitute valid and
8 binding obligations of said City.
9

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Fayette
3 County Union, a newspaper published in the city of West Union, Iowa,
4 and in the Elgin Echo, a newspaper published in the town of Elgin,
5 Iowa, all without expense to the State.

Approved February 4, 1949.

I hereby certify that the foregoing act was published in the Fayette County Union, February 24, 1949, and the Elgin Echo, February 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 271

TOWN OF WINFIELD LEGALIZING ACT

S. F. 374

AN ACT to legalize and validate proceedings taken by the town council of the town of Winfield, Henry county, Iowa for the construction of extensions and improvements to its municipal water works and to authorize the issuance and exchange of municipal water works revenue bonds to defray the cost thereof and pledging the net future revenues to pay said bonds and the principal and interest thereon and to legalize and validate said bonds and the issuance and exchange thereof.

WHEREAS, During the years 1947 and 1948 the Town Council of the Town of Winfield, Henry County, Iowa, constructed extensions and improvements to the Municipal Water Works of said Town by digging a deep well and providing a new pump for same, to meet increased needs of the community for water and entered into contracts for materials and labor and incidental costs thereof, and has issued warrants in payment thereof, and

WHEREAS, Such extensions and improvements were undertaken and made and said warrants were issued and financed and to be paid out of the future earnings of the Municipal Water Works of said Town, and

WHEREAS, The People's State Bank and the Farmers National Bank, both of Winfield, Iowa, agreed with the Town Council of the Town of Winfield, Iowa, to finance said warrants so issued and to be paid out of the future earnings of the Municipal Water Works of said Town on an interest rate of two (2) per cent, on the misapprehension that all legal requirements incident to the said extensions and improvements of said Municipal Water Works and the issuance of said warrants had been complied with, and

WHEREAS, There are now outstanding warrants so issued in the principal amount of \$20,659.89, and

WHEREAS, The Town Council of the Town of Winfield, Iowa, did not comply with the legal requirements incident to said extensions and improvements of said Municipal Water Works and payment therefor, and

WHEREAS, It is desired and desirable to defray the cost of said extensions and improvements of said Municipal Water Works and to issue water works revenue bonds payable only out of the net earnings of said water works and to exchange said bonds so issued for the outstanding warrants, and

WHEREAS, Doubts have arisen concerning the validity and legal sufficiency of the said Municipal Water Works Bonds to be issued, the proceedings and contracts, notice given and publication or omissions thereof, the warrants issued in payment thereof, and concerning the provisions pledging the net earnings of said utility, and

WHEREAS, It is deemed advisable to put said doubts and all others that might arise forever at rest, now therefore,

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

- 1 SECTION 1. That all proceedings heretofore taken by the Town
- 2 Council of the Town of Winfield, Iowa, in connection with the exten-

3 sions and improvements of the Municipal Water Works and contracts
4 therefor, referred to in the preamble hereof, are hereby legalized,
5 validated and confirmed.

1 SEC. 2. That the Town Council of the Town of Winfield, Iowa, be
2 and it is hereby authorized to issue Municipal Water Works Revenue
3 Bonds of said Town in the amount of not to exceed twenty-one thou-
4 sand dollars (\$21,000.00) pledging the net future earnings of said
5 utility to pay the principal and interest on said bonds, and to ex-
6 change said bonds so issued for the outstanding warrants now held
7 by the People's State Bank of Winfield, Iowa, and by the Farmers Na-
8 tional Bank of Winfield, Iowa, and by the holders by transfer from
9 said named banks, and that said bonds so issued are hereby declared
10 to be authorized and legalized and validated and to be legal and to
11 constitute valid and binding obligations of the Municipal Water
12 Works of said Town according to their tenor.

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 Winfield
3 Beacon, a newspaper published in Winfield, Iowa, and in the Mount
4 Pleasant News, a newspaper published in Mount Pleasant, Iowa, said
5 publications to be without cost to the State of Iowa.

Approved March 16, 1949.

I hereby certify that the foregoing act was published in The Winfield Beacon, March
31, 1949, and in the Mount Pleasant News, March 25, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 272

CLINTON COUNTY LEGALIZING ACT

S. F. 325

AN ACT to legalize the action of the board of supervisors of Clinton county, Iowa for
payment and expenditures made for the erection of a combination corn crib and
granary for said county.

WHEREAS, the board of supervisors of Clinton county, Iowa has here-
tofore, during the year 1947, caused to be erected a combination corn crib
and granary at the county home farm, and,

WHEREAS, said building was erected by various contractors, laborers,
electricians, etc., without a written contract as required by section three
hundred thirty-two point seven (332.7), Code 1946, and,

WHEREAS, the board of supervisors inadvertently did not follow the
provisions of section three hundred thirty-two point eight (332.8), Code
1946 relating to specifications and lowest bidder, and,

WHEREAS, upon the completion of the erection of said combination
corn crib and granary payments and expenditures to contractors, laborers
and other materials furnished were inadvertently made from the poor
fund instead of from the county general fund, and,

WHEREAS, said building is now completed and all payments made to the various claimants in the sum of nine thousand six hundred seventy dollars and ninety-eight cents (\$9670.98), and,

WHEREAS, the action for the erection and payment of all claims for the said combination corn crib and granary was the joint action of the board of supervisors of Clinton county, Iowa, and all matters pertaining thereto were had before the full board of supervisors and approved thereby, and,

WHEREAS, doubts have arisen as to the legality of such proceedings and it is deemed advisable to put such doubts at rest,

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

1 SECTION 1. The action of the board of supervisors of Clinton
2 county, Iowa in the erection and construction of a combination corn
3 crib and granary built at the county home farm during the year 1947,
4 in the sum of nine thousand six hundred seventy dollars and ninety-
5 eight cents (\$9670.98), and paid on poor fund warrants out of the
6 poor fund, without any written contract, is hereby declared to be
7 legal, valid and binding.

1 SEC. 2. Notwithstanding the provisions of section three hundred
2 thirty-two point seven and three hundred thirty-two point eight, Code
3 1946, the action of the board of supervisors of Clinton county, Iowa,
4 in the erection and construction of a combination corn crib and gran-
5 ary at the county home farm during the year 1947, and notwith-
6 standing the fact that payment in the sum of nine thousand six hun-
7 dred seventy dollars and ninety-eight cents (\$9670.98) was inad-
8 vertently made from the poor fund rather than from the county
9 general fund, is hereby declared to be legal, valid and binding.

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 DeWitt Observer, a newspaper published at DeWitt, Iowa, and in the
4 Clinton Herald, a newspaper published at Clinton, Iowa.

Approved March 12, 1949.

I hereby certify that the foregoing act was published in the DeWitt Observer, March 24, 1949, and in the Clinton Herald, March 23, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 273

CRAWFORD COUNTY LEGALIZING ACT

S. F. 57

AN ACT to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of county public hospital bonds by Crawford county, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued and sold pursuant to said election, and proceedings to be valid obligations of said county.

WHEREAS, a special election was held in Crawford County, Iowa, on the 12th day of July, 1948, on the proposition of procuring a site and erect-

ing and equipping and maintaining in the City of Denison, a County Public Hospital, and issuing bonds for such purpose not exceeding two hundred thousand dollars (\$200,000), payable from the County Public Hospital Fund, to be raised by a tax of not to exceed one mill in any one year, and 2,849 votes were cast in favor of said proposition, and 571 votes cast against said proposition, and said proposition was duly carried; and

WHEREAS, the Board of Supervisors of Crawford County, Iowa, did on the 20th day of December, 1948, in reliance upon said special election, pass and approve a resolution authorizing and providing for the issuance, sale and delivery to the purchaser of County Public Hospital Bonds of said County in the principal amount of two hundred thousand dollars (\$200,000) for the purpose aforesaid, said bonds to mature serially in numerical order in the years 1950 to 1959, both inclusive, and by said resolution provided for the levy and collection of annual taxes on all the taxable property in said county sufficient to pay the principal thereof and interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election, proceedings, bonds, and sale thereof, and the provisions made for the payment of the same, and it is deemed advisable to put said doubts, and all others that might arise concerning the same, forever at rest; NOW THEREFORE,

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

1 SECTION 1. That the special election held on July 12, 1948, in said
2 county as referred to in the preamble hereof, and the proceedings
3 heretofore taken by the Board of Supervisors of said county in con-
4 nection therewith, and the resolution and proceedings of the Board of
5 Supervisors adopting the same on the 20th day of December, 1948,
6 authorizing and providing for the issuance, sale and delivery of County
7 Public Hospital Bonds of Crawford County, Iowa, in the sum of two
8 hundred thousand dollars (\$200,000) and providing for the levy and
9 collection of annual taxes on all the taxable property in said county,
10 sufficient to pay the interest on and principal of said bonds, and the
11 sale of said bonds, are hereby legalized, validated and confirmed, and
12 said County Public Hospital Bonds sold, issued and delivered, pursuant
13 to and in accordance with said proceedings, are hereby declared to be
14 legal and to constitute valid and binding obligations of said county.

1 SEC. 2. This Act, being deemed of immediate importance, shall
2 take effect and be in force from and after its publication in the Denison
3 Bulletin, a newspaper published in Denison, Iowa, and in the Manilla
4 Times, a newspaper published in Manilla, Iowa, all without expense to
5 the State.

Approved February 3, 1949.

I hereby certify that the foregoing act was published in the Denison Bulletin, March 18, 1949, and in the Manilla Times, February 17, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 274

GREENE COUNTY LEGALIZING ACT

H. F. 150

AN ACT to legalize the action of the board of supervisors of Greene county, in contracting for the expenditures for the erection of an addition to the maintenance shed for the housing and maintenance of secondary road equipment for said county.

WHEREAS, the board of supervisors of Greene County has heretofore caused notice to be given to the public of Greene County generally of an intention to erect an addition to the county maintenance shed of Greene County, which notice invited the public to appear and show cause, if any existed, why said addition should not be made, and,

WHEREAS, pursuant to said notice, a public hearing was had, and no one appeared, either orally or by writing to object to said proposed improvement, and,

WHEREAS, sufficient moneys are on hand with which to make said improvement, and,

WHEREAS, due notice to contractors of the proposed construction in accordance with plans and specification was given as required by law, and, (This notice was published in all three of the official papers of the county as follows: In the issues of the Jefferson Bee of December 7, 14 and 21, 1948, and in the issues of the Herald of Jefferson, and the Globe-Free-Press of Grand Junction, in the issues of December 9, 16 and 23, 1948),

WHEREAS, the bid of the one to whom the contract was awarded was, upon the opening of all bids, found to be the lowest and best bid for the work, and was for the entire cost of the materials and labor for the construction of said addition and in accordance with the plans and specifications of the engineer then on file, and,

WHEREAS, on January 5, 1949 a contract for the erection of said addition was made, whereby the same is to be erected for a total cost of twenty-five thousand nine hundred and sixty dollars, and the contractor has entered into a proper and sufficient performance bond for the full amount of said bid, and,

WHEREAS, the action for the erection of said addition was the joint action of said board of supervisors, the hearing on said proposed erection was before the full board of supervisors, and the contract for its erection was approved by the full board of supervisors, and,

WHEREAS, doubts have arisen as to the legality of such proceedings, and it is deemed advisable to put such doubts at rest,

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

- 1 SECTION 1. The action of the board of supervisors of Greene
- 2 County, Iowa, in the making of said contract for the construction of
- 3 an addition to the maintenance shed of the county in the sum of
- 4 twenty-five thousand nine hundred and sixty dollars, and to be paid
- 5 out of the secondary road maintenance fund from funds presently
- 6 available is hereby declared to be legal, valid and binding.

1 SEC. 2. This Act being deemed of immediate importance, shall be
 2 in full force and effect from and after its passage and publication in
 3 the Jefferson Bee, a newspaper published at Jefferson, Iowa, and the
 4 Globe-Free-Press, a newspaper published at Grand Junction, Iowa,
 5 such publication to be without expense to the state.

Approved February 14, 1949.

I hereby certify that the foregoing act was published in the Jefferson Bee, March 1, 1949, and in the Globe-Free-Press, March 3, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 275

JEFFERSON COUNTY LEGALIZING ACT

H. F. 313

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of county hospital bonds by Jefferson county, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said county.

WHEREAS, pursuant to elections previously held in said county the board of supervisors of Jefferson County, Iowa, did heretofore, by resolution, authorize and provide for the issuance, sale and delivery of county hospital bonds of said county in the principal amount of two hundred seventy thousand dollars (\$270,000) for the purpose of erecting and equipping an addition to the existing county hospital in said county and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all of the taxable property in said county; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said bonds and proceedings and the provisions made for payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest;

NOW THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the board of
 2 supervisors of Jefferson County, Iowa, authorizing and providing
 3 for the issuance, sale and delivery of county hospital bonds by Jeffer-
 4 son County, Iowa, and providing for the levy and collection of annual
 5 taxes to pay the interest on and principal of said bonds, are hereby
 6 legalized, validated and confirmed and said county hospital bonds
 7 issued, sold and delivered pursuant to and in accordance with said pro-
 8 ceedings are hereby declared to be legal and to constitute valid and
 9 binding obligations of said county.

1 SEC. 2. This Act being deemed of immediate importance shall
 2 take effect from and after its publication in the Fairfield Daily
 3 Ledger, a newspaper published in Fairfield, Iowa, and in the Lock-

4 ridge Times, a newspaper published in Lockridge, Iowa all without
5 expense to the state.

Approved March 9, 1949.

I hereby certify that the foregoing act was published in the Fairfield Daily Ledger, March 25, 1949, and in the Lockridge Times, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 276

MITCHELL COUNTY LEGALIZING ACT

H. F. 324

AN ACT to legalize and validate the election and the proceedings authorizing and providing for the issuance, sale and delivery of county public hospital bonds by Mitchell county, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued, pursuant to said election and proceedings to be valid obligations of said county.

WHEREAS, at the general election held in Mitchell County, Iowa, on the second day of November, 1948, there was submitted to the electors of said County a proposition to borrow money by the issuance and sale of bonds in the sum of One Hundred Thousand Dollars, in addition to those borrowings previously authorized and indebtedness presently outstanding, to pay the cost of establishing, erecting and equipping a County Public Hospital and procuring a site therefor in the City of Osage, and levy a tax on all the taxable property within said County at a rate not to exceed One Mill, including the County Public Hospital Millage levy heretofore authorized, on the dollar of taxable value in addition to all other taxes, year by year, commencing with the current levies, to pay said bonds and the interest thereon, until said bonds and the interest thereon are completely paid, and said proposition was duly carried, the vote in favor of said proposition being equal to more than sixty per cent of the total vote cast for and against said proposition at said election; and

WHEREAS, the Board of Supervisors of Mitchell County, Iowa, did on the second of February, 1949, in reliance upon said election, pass and approve a resolution authorizing and providing for the issuance and delivery of County Public Hospital Bonds of said County in the principal amount of One Hundred Thousand Dollars (\$100,000) for the purpose aforesaid, said bonds to mature serially in numerical order in the years from 1951 to 1962, both inclusive, and by said resolution provided for the levy and collection of annual taxes on all the taxable property in said County, sufficient to pay the principal thereof and interest thereon; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said election, proceedings and bonds, and the provisions made for the payment of the same, and it is deemed advisable to put said doubts, and all others that might arise concerning the same, forever at rest; NOW THEREFORE

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

1 SECTION 1. That the election held on November 2, 1948, in said
2 County, as referred to in the preamble hereof, and the proceedings

3 heretofore taken by the Board of Supervisors of said County in con-
 4 nection therewith, and the resolution and proceedings of the Board of
 5 Supervisors adopting the same on the 2nd day of February, 1949,
 6 authorizing and providing for the issuance, sale and delivery of
 7 County Public Hospital Bonds of Mitchell County, Iowa, in the sum
 8 of One Hundred Thousand Dollars (\$100,000) and providing for the
 9 levy and collection of annual taxes on all the taxable property in said
 10 County, sufficient to pay the interest on and principal of said bonds,
 11 are hereby legalized, validated and confirmed, and said County
 12 Public Hospital Bonds sold, issued and delivered, pursuant to and in
 13 accordance with said proceedings, are hereby declared to be legal, and
 14 to constitute valid and binding obligations of said County.

1 SEC. 2. This Act, being deemed of immediate importance, shall
 2 take effect and be in force from and after its publication in the Mitch-
 3 ell County Press and Osage News, a newspaper published in the
 4 City of Osage, Iowa, and in the Saint Ansgar Enterprise, a newspaper
 5 published in the Town of Saint Ansgar, Iowa, all without expense to
 6 the State.

Approved March 9, 1949.

I hereby certify that the foregoing act was published in the Mitchell County Press and
 Osage News, March 31, 1949, and the Saint Ansgar Enterprise, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 277

MONROE COUNTY LEGALIZING ACT

H. F. 193

AN ACT to make permanent a certain temporary transfer of funds of Monroe county,
 Iowa, made by authority of the state comptroller.

WHEREAS, on application of the board of supervisors of Monroe
 County, Iowa, the state comptroller, on the fifth (5) day of August, 1948,
 authorized and approved a temporary transfer of twenty-five thousand
 dollars from the county bond fund of said county to the county general
 fund of said county; and

WHEREAS, the county bond fund has sufficient funds to meet all de-
 mands thereon and will not require the return of the funds temporarily
 transferred to the county general fund; and

WHEREAS, the county general fund is depleted to such an extent that
 it would be a hardship to transfer the said twenty-five thousand dollars to
 the county bond fund; therefore

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

1 SECTION 1. The temporary transfer of twenty-five thousand dol-
 2 lars from the county bond fund of Monroe County, Iowa, to the
 3 county general fund of said county, approved by the state comptroller
 4 on the fifth (5) day of August, 1948, and duly made, is hereby made
 5 a permanent transfer and the same is hereby legalized and made valid.

1 SEC. 2. This Act, being deemed of immediate importance, shall
 2 take effect and be in full force from and after its passage and publi-
 3 cation in the Lovilia Press, a newspaper published at Lovilia, Iowa,
 4 and in the Monroe County News, a newspaper published at Albia,
 5 Iowa, both of said publications to be without expense to the State
 6 of Iowa.

Approved March 19, 1949.

I hereby certify that the foregoing act was published in the Lovilia Press, March 31, 1949, and in the Monroe County News, April 4, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 278

URBANDALE-WINDSOR HEIGHTS LEGALIZING ACT

H. F. 540

AN ACT to legalize and validate the acts and deeds of the board of trustees of the Urbandale-Windsor Heights Sanitary District, in Polk county, Iowa, and the proceedings of said board in fixing the terms of office of said trustees.

WHEREAS, the Urbandale-Windsor Heights Sanitary District has heretofore been established in Polk County, Iowa, and a board of three trustees was elected by the voters of said District for the government, control and management of the affairs of said District, and

WHEREAS, the terms of office of said Trustees have expired and through inadvertence trustees were not elected for new terms of office at the general election in 1948 but proceedings have been adopted by the Board of Trustees of said Sanitary District fixing the terms of office of said Trustees, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the acts and deeds of said Board of Trustees and the proceedings of said Board in fixing the terms of office of the said Trustees and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all acts and deeds of the Board of Trustees of
 2 the Urbandale-Windsor Heights Sanitary District heretofore done
 3 and performed and the proceedings of said Board in fixing the terms
 4 of office of said Trustees are hereby legalized, validated and confirmed.

1 SEC. 2. This Act being deemed of immediate importance shall
 2 take effect and be in force from and after its publication in the Amer-
 3 ican Citizen, a newspaper published in Des Moines, Iowa, and in the
 4 Lamoni Chronicle, a newspaper published in Lamoni, Iowa, all with-
 5 out expense to the state.

Approved March 18, 1949.

I hereby certify that the foregoing act was published in the American Citizen, March 25, 1949, and in the Lamoni Chronicle, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 279

URBANDALE-WINDSOR HEIGHTS BONDS LEGALIZED

H. F. 541

AN ACT to legalize and validate the proceedings relating to the organization and establishment of the Urbandale-Windsor Heights Sanitary District, in Polk county, Iowa, and proceedings providing for the issuance, sale and delivery of sewer bonds by said district and for the payment of said bonds and interest thereon and declaring bonds issued pursuant to said proceedings to be valid and enforceable obligations of said sanitary district.

WHEREAS, pursuant to notice and hearing and a special election called and held, the Urbandale-Windsor Heights Sanitary District has heretofore been organized and established in Polk County, Iowa, and thereafter the Board of Trustees of said District adopted proceedings for the issuance, sale and delivery of \$126,000 Sewer Bonds of said District and by said proceedings provided for the levy and collection of annual taxes on all the taxable property in said District to pay the principal of and interest on said bonds; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings relating to the organization and establishment of said Sanitary District and the proceedings for the issuance, sale and delivery of said bonds and the levy and collection of taxes to pay the principal thereof and interest thereon and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest: Now therefore,

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

1 SECTION 1. That all proceedings heretofore taken in connection
2 with the organization and establishment of the Urbandale-Windsor
3 Heights Sanitary District, in Polk County, Iowa, and the proceedings
4 of the Board of Trustees of said District in providing for the issuance,
5 sale and delivery of \$126,000 Sewer Bonds of said District and for the
6 levy and collection of annual taxes to pay the principal of and interest
7 on said bonds, are hereby legalized, validated and confirmed and said
8 Sewer Bonds issued, sold and delivered pursuant to and in accordance
9 with said proceedings are hereby declared to be legal and to constitute
10 valid and binding obligations of said Sanitary District.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the New Hamp-
3 ton Tribune, a newspaper published in New Hampton, Iowa, and in
4 the Eagle Grove Eagle, a newspaper published in Eagle Grove, Iowa,
5 all without expense to the state.

Approved March 18, 1949.

I hereby certify that the foregoing act was published in the New Hampton Tribune, March 24, 1949, and in the Eagle Grove Eagle, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 280

RINGGOLD COUNTY LEGALIZING ACT

S. F. 489

AN ACT to make permanent a transfer of funds in Ringgold county from the county general fund to the county hospital fund.

WHEREAS, on March 15, 1949, the Board of Supervisors of Ringgold County, Iowa, for the purpose of providing for indigent persons in the Ringgold County Hospital and to assist in the completion thereof, transferred the sum of \$16,170.00 from the county general fund to the county hospital fund, and

WHEREAS, such transfer of said funds should be approved, legalized and made permanent; now, therefore,

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

1 SECTION 1. The transfer from the general fund of Ringgold County
2 to the county hospital fund of \$16,170.00 for the purpose of providing
3 for indigent persons and to assist in the completion of the Ringgold
4 county hospital is hereby legalized and made permanent.

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 Diagonal
3 Reporter, a newspaper published at Diagonal, Iowa, and in the
4 Kellerton Globe, a newspaper published at Kellerton, Iowa, without
5 expense to the state.

Approved April 6, 1949.

I hereby certify that the foregoing act was published in the Diagonal Reporter, April 21, 1949, and in the Kellerton Globe, April 21, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 281

STORY COUNTY LEGALIZING ACT

S. F. 501

AN ACT to legalize and validate the proceedings of the board of supervisors of Story county, Iowa, in their action of January 15th, 1949, in levying taxes upon the assessed value of the taxable property in Story county, Iowa.

WHEREAS, the Board of Supervisors of Story County, Iowa, did on the 15th day of January, 1949, adopt a resolution as follows: "Be it resolved that the following tax levies be extended and are hereby levied against the taxable value of all taxable property in Story County, Iowa, for the year 1948. Monies and credits (5) mills on the dollar in actual valuation"; and attached to said resolution was attached the State and County levies for 1948; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest, Now, Therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the Board
2 of Supervisors of Story County, Iowa, on January 15th, 1949, in
3 making their annual levy for taxes for Story County, Iowa, for the
4 year 1948, are hereby legalized, validated, and confirmed, and the
5 said proceedings of the Story County Board of Supervisors in levying
6 taxes for the year 1948 are hereby declared to be legal and valid and
7 to constitute the annual levy of taxes upon the assessed value of tax-
8 able property in Story County, Iowa, for the year 1948.

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 Nevada
3 Evening Journal, a newspaper published in Nevada, Iowa, and in the
4 Collins Gazette, a newspaper published in Collins, Iowa, all without
5 expense to the State.

Approved April 20, 1949.

I hereby certify that the foregoing act was published in the Nevada Evening Journal,
May 14, 1949, and in the Collins Gazette, May 19, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 282

WAYNE COUNTY LEGALIZING ACT

H. F. 377

AN ACT to legalize proceedings of the board of supervisors of Wayne county, Iowa, with respect to payment of a claim of Sam Engle in the sum of one hundred and eighty-two one hundredths dollars (\$100.82), arising from damage to Sam Engle's automobile in an accident with a truck owned by Wayne county, Iowa.

WHEREAS, the Board of Supervisors of Wayne County, did pay from their general fund the sum of one hundred and eighty-two one hundredths Dollars (\$100.82) which was the cost of repairing an automobile owned by Sam Engle resulting from an accident with a truck owned by Wayne County, Iowa; and

WHEREAS, doubts have arisen concerning the legality or validity of said proceedings, and it is deemed advisable to put said doubts at rest;

NOW THEREFORE,

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

1 SECTION 1. All proceedings of the Board of Supervisors of Wayne
2 County, Iowa, on October 6th, 1947, with respect to the payment of
3 the claim of Sam Engle in the sum of one hundred and eighty-two
4 one hundredths Dollars (\$100.82), arising from damage to the
5 automobile of said Sam Engle as the result of an accident involving a
6 truck owned by Wayne County, Iowa, are hereby legalized and
7 validated.

Approved March 18, 1949.

CHAPTER 283

BENNETT COMPANY LEGALIZING ACT

S. F. 37

AN ACT to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the amended, substituted and renewal articles of incorporation of The Bennett Company and to provide for the renewal of the charter of the said The Bennett Company.

WHEREAS, the period of the corporate existence of The Bennett Company, a corporation organized under the laws of the State of Iowa, with its principal place of business in the city of Burlington, Iowa, expired on the 17th day of December, 1946, and through inadvertence the same was not renewed within the period prescribed by statute, and

WHEREAS, The Bennett Company has continued thereafter to conduct its business and affairs as a corporation, and

WHEREAS, the stockholders of said corporation within three months of the date of said expiration of the corporate existence, to-wit: on the 15th day of March, 1947, authorized the president and secretary to take such action for renewal of the corporation as was deemed necessary, and

WHEREAS, on the 20th day of August, 1947, a special meeting of the stockholders of said corporation was called for the purpose of renewing and extending the said corporation for a period of twenty (20) years from December 17th, 1946, and adopting the Amended Substituted and Renewal Articles of Incorporation, and

WHEREAS, The Bennett Company has filed the said Amended, Substituted and Renewal 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
2 of the corporate existence of The Bennett Company, a corporation,
3 with its principal place of business in Burlington, Iowa, and all cor-
4 porate acts of said corporation, its officers and directors, since the
5 expiration of the corporate existence of said corporation on the 17th
6 day of December, 1946, are hereby legalized and shall have the same
7 force and effect as though the said proceedings have been adopted pur-
8 suant to law and within the period prescribed by the statute, and shall
9 be held and considered as a renewal and extension of the period of the
10 corporate existence of said corporation, which expired on December
11 17th, 1946, and all corporate acts and proceedings in connection with
12 the renewal and existence of said corporation and the adoption of the
13 Amended, Substituted and Renewal Articles of Incorporation, are
14 hereby declared to be valid and legal.

1 SEC. 2. The secretary of state is hereby authorized and directed
2 to issue a certificate of renewal to The Bennett Company, said renewal

3 to extend the corporate existence of said corporation for a period of
 4 twenty (20) years from December 17th, 1946, which certificate of
 5 renewal shall have the same force and effect as though issued upon
 6 proper and timely application by said corporation.

1 SEC. 3. Nothing in this Act shall be deemed or construed to affect
 2 pending litigation, if any, involving said corporation.

1 SEC. 4. This Act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in the Labor News,
 3 a newspaper published in Burlington, Iowa, and in the Mediapolis
 4 New Era, a newspaper published at Mediapolis, Iowa, without cost to
 5 the state.

Approved March 9, 1949.

I hereby certify that the foregoing act was published in the Labor News, April 1, 1949,
 and in the Mediapolis New Era, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 284

THE COLLIS COMPANY LEGALIZED

S. F. 369

AN ACT legalizing the renewal of the articles of incorporation of The Collis Company.

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

1 SECTION 1. That the renewal of the articles of incorporation of
 2 The Collis Company, a corporation of Clinton, Iowa, and all of its acts
 3 and proceedings, be and the same are hereby legalized and declared
 4 to be as legal, sufficient and binding in all respects as if the notice of
 5 the renewal of the articles of incorporation thereof had been published
 6 within three (3) months after the filing of the certificate showing the
 7 stockholder proceedings resulting in the renewal of the articles of in-
 8 corporation and the renewal amended and substituted articles of
 9 incorporation, both of which were filed in the office of the secretary of
 10 state, of the state of Iowa, on or about the 12th day of April, 1947,
 11 and as if proof of such publication had been filed in the office of the
 12 secretary of state as provided by law, and all other requirements of
 13 law had been fulfilled.

1 SEC. 2. Nothing herein contained shall be construed to effect* pend-
 2 ing litigation.

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 Clinton
 3 Herald, a newspaper published at Clinton, Iowa, and the DeWitt
 4 Observer, a newspaper published at DeWitt, Iowa, which publications
 5 shall be without expense to the state of Iowa.

Approved March 16, 1949.

*According to enrolled Act.

I hereby certify that the foregoing act was published in the Clinton Herald, March
 23, 1949, and in the DeWitt Observer, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 285

FARMERS MUTUAL FIRE AND LIGHTNING INSURANCE ASSOCIATION
LEGALIZING ACT

H. F. 96

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 and renewal articles of incorporation of the Farmers Mutual Fire and Lightning Insurance Association of Story county and to provide for the renewal of the charter of said Farmers Mutual Fire and Lightning Insurance Association of Story county.

WHEREAS the period of the corporate existence of the Farmers Mutual Fire and Lightning Insurance Association of Story County, a Corporation organized under the laws of the State of Iowa with its principal place of business in the Town of Nevada, Story County, Iowa, expired on the first day of July, 1947, and

WHEREAS on the fifth day of February, 1947 the annual meeting of the stockholders of the said Corporation was held for the purpose of renewing and extending said Corporation for a period of twenty years from July 1, 1947 and adopting the amended substituted and renewal Articles of Incorporation and through inadvertance* the same was not filed and renewed within the period prescribed by statute, and

WHEREAS the Farmers Mutual Fire and Lightning Insurance Association of Story County has continued thereafter to conduct its business and affairs as a Corporation, and

WHEREAS the Farmers Mutual Fire and Lightning Insurance Association of Story County has filed the said amended substituted and renewal 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 statute relating to the renewal of corporations.

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 Farmers Mutual Fire and Lightning
3 Insurance Association of Story County, a Corporation with its prin-
4 cipal place of business in Nevada, Story County, Iowa, and all cor-
5 porate acts of said Corporation, its officers and directors since the
6 expiration of the corporate existence of said Corporation on the first
7 day of July, 1947, are hereby legalized and shall have the same force
8 and effect as though the said proceedings had been adopted pursuant
9 to law and within the period prescribed by the statute and shall be
10 held and considered as a renewal and extension of the period of the
11 corporate existence of said Corporation which expired on July 1,
12 1947, and all corporate acts and proceedings of said Corporation in-
13 cluding the proceedings in connection with the renewal and extension
14 of said Corporation and the adoption of the amended, substituted and
15 renewal articles of incorporation are hereby declared to be valid and
16 legal.

1 SEC. 2. The Secretary of State is hereby authorized and directed
2 to acknowledge and file for record the notice of renewal of said Cor-

*According to enrolled Act.

3 poration previously delivered to him by said corporation and to issue
 4 a certificate of renewal to the Farmers Mutual Fire and Lightning
 5 Insurance Association of Story County, said renewal to extend the
 6 corporate existence of said corporation for a period of twenty years
 7 from July 1, 1947 which certificate of renewal shall have the same
 8 force and effect as though issued upon proper and timely application
 9 by said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
 2 pending litigation, if any, involving said corporation.

1 SEC. 4. This act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in the Nevada
 3 Evening Journal, a newspaper published in Nevada, Iowa, and in the
 4 Ames Daily Tribune, a newspaper published in Ames, Iowa without
 5 cost to the state.

Approved March 9, 1949.

I hereby certify that the foregoing act was published in the Nevada Evening Journal,
 April 2, 1949, and in the Ames Daily Tribune, April 1, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 286

LOW MOOR FARMERS' TELEPHONE COMPANY LEGALIZING ACT

S. F. 324

AN ACT to legalize the corporate acts and the renewal of the Low Moor Farmers' Mutual Telephone Company.

WHEREAS, at the expiration of the corporate existence of the Low Moor Farmers' Mutual Telephone Company, a corporation organized under the laws of Iowa, renewal articles were not filed with the secretary of state in full compliance with the statutes relating to renewal, specifically, within the time limitation prescribed for the renewal; and

WHEREAS, the said corporation has now filed such renewal articles and tendered the statutory first* therefore* and otherwise complied with the law except as to the time of filing; now, therefore,

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

1 SECTION 1. The proceedings of the Low Moor Farmers' Mutual
 2 Telephone Company with respect to renewal of said corporation are
 3 hereby legalized and declared of the same force and effect as though
 4 they were had in full compliance with the laws of Iowa relating to
 5 renewal.

1 SEC. 2. The secretary of state is hereby authorized and directed
 2 to issue to the said Low Moor Farmers' Mutual Telephone Company a
 3 certificate of renewal which shall have the same effect as though is-
 4 sued upon proper application by said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to effect*
 2 pending litigation, if any, involving said corporation.

*According to enrolled Act.

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 DeWitt
 3 Observer, a newspaper published at DeWitt, Iowa and The Clinton
 4 Herald, a newspaper published at Clinton, Iowa.

Approved March 14, 1949.

I hereby certify that the foregoing act was published in The DeWitt Observer, April 7, 1949, and in The Clinton Herald, April 4, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 287

MUTUAL TELEPHONE EXCHANGE LEGALIZING ACT

H. F. 423

AN ACT to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the articles of incorporation of the Mutual Telephone Exchange of Mystic and to provide for the renewal of the charter of the said Mutual Telephone Exchange of Mystic.

WHEREAS the period of the corporate existence of the Mutual Telephone Exchange of Mystic, a corporation organized under the laws of the state of Iowa, with its principal place of business in the city of Mystic, Iowa, expired on the twentieth day of July 1945, and through inadvertence the same was not renewed within the period prescribed by statute, and

WHEREAS the Mutual Telephone Exchange of Mystic has continued thereafter to conduct its business and affairs as a corporation, and

WHEREAS on the ninth day of February, 1949, 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 years from July 20, 1945, and adopting the articles of incorporation, and

WHEREAS the Mutual Telephone Exchange of Mystic has filed the said 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
 2 of the corporate existence of the Mutual Telephone Exchange of
 3 Mystic, a corporation, with its principal place of business in Mystic,
 4 Iowa, and all corporate acts of said corporation, its officers and di-
 5 rectors, since the expiration of the corporate existence of said cor-
 6 poration on the twentieth day of July, 1945, are hereby legalized and
 7 shall have the same force and effect as though the said proceedings had
 8 been adopted pursuant to law and within the period prescribed by
 9 the statute, and shall be held and considered as a renewal and exten-
 10 sion of the period of the corporate existence of said corporation,

11 which expired on July 20, 1945, and all corporate acts and proceed-
 12 ings in connection with the renewal and extension of said corporation
 13 are hereby declared to be valid and legal.

1 SEC. 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
 4 issue a certificate of renewal to the Mutual Telephone Exchange of
 5 Mystic said renewal to extend the corporate existence of said cor-
 6 poration for a period of twenty years from July 20, 1945, which cer-
 7 tificate of renewal shall have the same force and effect as though
 8 issued upon proper and timely application by said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
 2 pending litigation, if any, involving said corporation.

1 SEC. 4. This act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in the Mystic
 3 Sentinel, a newspaper published at Mystic, Iowa, and in The Moravia
 4 Union, a newspaper published at Moravia, Iowa, without cost to the
 5 state.

Approved March 31, 1949.

I hereby certify that the foregoing act was published in the Mystic Sentinel, April 21,
 1949, and in The Moravia Union, April 21, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 288

KELLERTON MUTUAL CENTRAL TELEPHONE COMPANY LEGALIZING ACT S. F. 67

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 Kellerton Mutual Central Telephone Company.

WHEREAS, the period of the corporate existence of the Kellerton Mu-
 tual Central Telephone Company, a corporation organized under the laws
 of the state of Iowa, with its principal place of business in the town of
 Kellerton, Iowa, expired on the twenty-first day of July, 1945, and through
 inadvertence the same was not renewed within the period prescribed by
 statute, and

WHEREAS, the Kellerton Mutual Central Telephone Company has
 continued thereafter to conduct its business and affairs as a corporation,
 and

WHEREAS, on the ninth day of December, 1948, a special meeting was
 called by the president for the purpose of renewing and extending the
 said corporation for a period of twenty (20) years from July 21, 1945,
 and adopting the amended and substituted Articles of Incorporation, and

WHEREAS, the Kellerton Mutual Central Telephone 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
2 of the corporate existence of the Kellerton Mutual Central Telephone
3 Company, a corporation, with its principal place of business in Kellerton,
4 Iowa, and all corporate acts of said corporation, its officers and
5 directors, since the expiration of the corporate existence of said corporation
6 on the twenty-first day of July, 1945, are hereby legalized
7 and shall have the same force and effect as though the said proceedings
8 have been adopted pursuant to law and within the period prescribed by the statute,
9 and shall be held and considered as a renewal
10 and extension of the period of the corporate existence of said corporation,
11 which expired on July 21, 1945, and all corporate acts and
12 proceedings in connection with the renewal and extension of said corporation
13 and the adoption of the renewal, amended and substituted
14 Articles of Incorporation, are hereby declared to be valid and legal.

1 SEC. 2. The secretary of state is hereby authorized and directed to
2 acknowledge and file for record the notice of renewal of said corporation
3 previously delivered to him by said corporation, and to issue a
4 Certificate of Renewal to the Kellerton Mutual Central Telephone
5 Company, said renewal to extend the corporate existence of said
6 Corporation for a period of twenty (20) years from July 21, 1945,
7 which Certificate of Renewal shall have the same force and effect as
8 though issued upon proper and timely application by said Corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
2 pending litigation, if any, involving said Corporation.

1 SEC. 4. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Mount Ayr
3 Record News, a newspaper published at Mount Ayr, Iowa, and in the
4 Kellerton Globe, a newspaper published at Kellerton, Iowa, without
5 cost to the state.

Approved March 14, 1949.

I hereby certify that the foregoing act was published in the Mount Ayr Record News,
March 31, 1949, and in the Kellerton Globe, March 31, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 289

PEOPLES' GAS & ELECTRIC COMPANY LEGALIZED

S. F. 39

AN ACT to legalize the corporate acts, and proceedings in connection with the re-qualification in Iowa of Peoples' Gas & Electric Company, a corporation duly organized and existing under and by virtue of the law of the state of Delaware, and to provide for re-qualification of such company as a foreign corporation in the state of Iowa.

WHEREAS, Peoples' Gas & Electric Company is a corporation duly organized and existing under and by virtue of the law of the State of Delaware, having perpetual existence under the terms of its charter; and,

WHEREAS, said Peoples' Gas & Electric Company was heretofore duly qualified and authorized to do business in the State of Iowa as a foreign corporation, such qualification having expired on September 29, 1946; and,

WHEREAS, through inadvertence Peoples' Gas & Electric Company did not file its application to re-qualify as a foreign corporation under the provisions of Chapter 494 of the Code of Iowa, 1946, within the time limitation prescribed therefor; and,

WHEREAS, Peoples' Gas & Electric Company has continued to conduct its business and affairs in the State of Iowa as a corporation; and,

WHEREAS, Peoples' Gas & Electric Company, pursuant to due action of its stockholders and board of directors theretofore taken, on the 9th day of February, A. D. 1948, filed its application for re-qualification as a foreign corporation in the State of Iowa perpetually from and after September 29, 1946, with the secretary of state of the State of Iowa, paid all statutory fees required therefor and otherwise in all respects complied with the provisions of the statutes of the State of Iowa relating to qualification and re-qualification of foreign corporations in the State of Iowa, and the secretary of state, on February 9, 1948, issued a certificate of re-qualification to Peoples' Gas & Electric Company effective perpetually from September 29, 1946, subject however to an appropriate legalizing act of the Fifty-third General Assembly; 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 re-quali-
2 fication of Peoples' Gas & Electric Company, a corporation duly
3 organized and existing under the law of the State of Delaware, with a
4 place of business in the City of Mason City, Iowa, as a foreign corpora-
5 tion authorized to do business in the State of Iowa perpetually from
6 and after September 29, A. D. 1946, and all corporate acts of said cor-
7 poration, its officers and directors, within the State of Iowa, since
8 the expiration of its former re-qualification as a foreign corporation
9 in the State of Iowa on September 29, A. D. 1946, are hereby legalized
10 and declared to be of the same force and effect as though the said
11 proceedings had been adopted and taken pursuant to law and within
12 the time prescribed by the statute, and all corporate acts and pro-
13 ceedings of the said corporation and its officers and directors, including
14 the proceedings in connection with the application for and re-qualifi-
15 cation of Peoples' Gas & Electric Company as a foreign corporation
16 in the State of Iowa, are hereby declared to be valid and legal.

1 SEC. 2. That all acts and doings of the secretary of state in hereto-
 2 fore acknowledging, filing and recording the application for re-
 3 qualification heretofore made and delivered to him by Peoples' Gas
 4 & Electric Company, together with all other documents, instruments
 5 and certificates incident thereto, and all acts done by him relating to
 6 the re-qualification of said corporation as a foreign corporation in
 7 the State of Iowa, are hereby declared to be valid and legal; and the
 8 certificate of re-qualification issued by the secretary of state to
 9 Peoples' Gas & Electric Company under date of February 9, 1948,
 10 authorizing said corporation, as a foreign corporation, to transact
 11 business within the State of Iowa perpetually from and after Sep-
 12 tember 29, A. D. 1946, is hereby declared to be in all respects valid and
 13 legal and shall in all respects have the same force and effect as though
 14 issued upon proper and timely application by said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to effect*
 2 pending litigation, if any, 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 passage and publication in
 3 the Clear Lake Reporter, a newspaper published at Clear Lake, Iowa,
 4 and the Clear Lake Mirror, a newspaper published at Clear Lake,
 5 Iowa, without expense to the State of Iowa.

Approved March 16, 1949.

*According to enrolled Act.

I hereby certify that the foregoing act was published in the Clear Lake Reporter,
 March 24, 1949, and in the Clear Lake Mirror, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 290

STRAND BAKING COMPANY LEGALIZING ACT

S. F. 217

AN ACT to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of amended, substituted and renewed articles of incorporation of Strand Baking Company, and to provide for the renewal of the charter of said company.

WHEREAS, the period of the corporate existence of the Strand Baking Company, a corporation, organized under the laws of the State of Iowa, with its principal place of business in the City of Marshalltown, Iowa, expired on the 31st day of July, 1944, and through inadvertence the same was not renewed within the period prescribed by statute, and

WHEREAS, the Strand Baking Company has continued thereafter to conduct its business and affairs as a corporation, and

WHEREAS, on the 29th day of January, 1949, a special meeting of the stockholders was called and held, with 100% of the corporate stock being represented, for the purpose of extending and renewing the said corporation for a period of twenty years from the 31st day of July, 1944, and adopting the amended, substituted and renewed articles of incorporation, and

WHEREAS, the Strand Baking Company has filed the said amended substituted and renewed articles of incorporation, together with a certificate of renewal of such 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. All proceedings had with respect to the renewal of the
2 corporate existence of Strand Baking Company, a corporation with
3 its principal place of business in Marshalltown, Iowa, and all corpo-
4 rate acts of said corporation, its officers and stockholders, since the
5 expiration of the corporate existence of said corporation on the 31st
6 day of July, 1944, are hereby legalized and shall have the same force
7 and effect as though the said proceedings had been adopted pursuant
8 to law and within the period prescribed by the statute, and shall be
9 held and considered as a renewal and extension of the period of the
10 corporate existence of said corporation, which expired on the 31st
11 day of July, 1944, and all corporate Acts and proceedings of said
12 corporation, including the proceedings in connection with the renewal
13 and extension of said corporation and the adoption of the amended,
14 substituted and renewed articles of incorporation, are hereby de-
15 clared to be valid and legal.

1 SEC. 2. The secretary of state is hereby authorized and directed
2 to acknowledge and file and record the certificate of renewal of said
3 corporation previously delivered to him by said corporation, and to
4 issue a certificate of renewal to the Strand Baking Company, said
5 renewal to extend the corporate existence of said corporation for a
6 period of twenty (20) years from the 31st day of July, 1944, which
7 certificate of renewal shall have the same force and effect as though
8 issued upon proper and timely application of said corporation.

1 SEC. 3. Nothing in this Act shall be deemed or construed to affect
2 pending litigation, if any, involving said corporation, or any claims
3 outstanding against said corporation.

1 SEC. 4. This Act, being deemed of immediate importance, shall be
2 in full force and effect from and after publication in the Marshalltown
3 Times Republican, a newspaper published in Marshalltown, Iowa,
4 and in the Enterprise, a newspaper published in State Center, Iowa,
5 without expense to the state of Iowa.

Approved March 14, 1949.

I hereby certify that the foregoing act was published in the Marshalltown Times Republican, March 23, 1949, and in the Enterprise, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 291

TYLER AND DOWNING COMPANY LEGALIZING ACT

H. F. 370

AN ACT to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of the renewal and substituted articles of incorporation of the Tyler and Downing Company and to provide for the renewal of the charter of the said Tyler and Downing Company.

WHEREAS, the period of the corporate existence of Tyler and Downing, Incorporated, a corporation organized under the laws of the State of Iowa with its principal place of business in the city of Anamosa, Iowa, expired on the seventh day of January, 1946, and through inadvertence the same was not renewed within the period prescribed by statute, and

WHEREAS, Tyler and Downing, Incorporated, has continued thereafter to conduct its business and affairs as a corporation, and

WHEREAS, on the first day of February, 1949, a special meeting of the stockholders of said corporation was called by the board of directors for the purpose of renewing and extending the said corporation for a period of twenty years from January 7, 1946, and adopting the renewal, amended and substituted articles of incorporation, and

WHEREAS, the said Tyler and Downing, Incorporated, 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 renewal of incorporation; 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
2 of the corporate existence of Tyler and Downing, Incorporated, with
3 its principal place of business in Anamosa, Iowa, and all corporate
4 acts of said corporation, its officers and directors, since the expira-
5 tion of the corporate existence of said corporation on the seventh day
6 of January, 1946, are hereby legalized and shall have the same force
7 and effect as though the said proceedings had been adopted pursuant
8 to law and within the period prescribed by the statute, and shall be
9 held and considered as a renewal and extension of the period of the
10 corporate existence of said corporation, which expired on January
11 7, 1946, and all corporate acts and proceedings in connection with
12 the renewal and extension of said corporation and the adoption of
13 the renewal, amended and substituted articles of said corporation are
14 hereby declared valid and legal.

1 SEC. 2. The secretary of state is hereby authorized and directed to
2 acknowledge and file for record the notice of renewal of said corpora-
3 tion, previously delivered to him by said corporation, and to issue
4 a Certificate of Renewal to Tyler and Downing, Incorporated, said
5 renewal to extend the corporate existence of said corporation for a
6 period of twenty years from January 7, 1946, which Certificate of
7 Renewal shall have the same force and effect as though issued upon
8 proper and timely application by said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
2 pending litigation, if any, involving said corporation.

1 SEC. 4. This act, being deemed of immediate importance, shall
2 take effect and be in force from and after its publication in the Ana-
3 mosa Journal, a newspaper published at Anamosa, Iowa, and in the
4 Anamosa Eureka, a newspaper published at Anamosa, Iowa, without
5 cost to the State.

Approved March 18, 1949.

I hereby certify that the foregoing act was published in the Anamosa Journal, April 14, 1949, and in the Anamosa Eureka, April 7, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 292

WILLOW CREEK TELEPHONE COMPANY LEGALIZING ACT

S. F. 452

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 Willow Creek Telephone Company and to provide for the renewal of the charter of the said Willow Creek Telephone Company.

WHEREAS, the period of the corporate existence of the Willow Creek Telephone Company, a corporation organized under the laws of the state of Iowa, with its principal place of business in the city of Clear Lake, Iowa, expired on the 14th day of November, 1946, and through inadvertence the same was not renewed within the period prescribed by statute, and

WHEREAS, the Willow Creek Telephone Company has continued thereafter to conduct its business and affairs as a corporation, and

WHEREAS, on the 16th day of December, 1947, the Willow Creek Telephone Company did pass resolutions for renewal of the charter and extending said corporation for a period of twenty years from November 14, 1946, and adopted, amended and substituted Articles of Incorporation, and

WHEREAS, the Willow Creek Telephone Company has filed the said amended Articles of Incorporation and has paid the proper renewal fees and recording fees and has in all particulars complied with the provisions of the statutes relative to renewals of corporations, except that a notice has not been served, but that a notice will be served of the re-incorporation and renewal and extending of said corporation upon the passage of this act by the 53rd 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 all proceedings had with respect to the renewal
2 of the corporate existence of the Willow Creek Telephone Company, a
3 corporation with its principal place of business at Clear Lake, 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 14th day of November, 1946, are hereby legalized and shall have
7 the same force and effect as though the said proceedings have been
8 adopted pursuant to law and within the period prescribed by the
9 statute, and shall be held and considered as a renewal and extension
10 of the period of the corporate existence of said corporation, which
11 expired on November 14, 1946, and all corporate acts and proceedings
12 in connection with the renewal and extension of said corporation and
13 the adoption of the renewal, amended and substituted Articles of
14 Incorporation, are hereby declared to be valid and legal.

1 SEC. 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 when delivered to him by said corporation and to complete
4 the issuance of a Certificate of Renewal to the Willow Creek Tele-
5 phone Company, said renewal to extend the corporate existence for
6 said corporation for a period of twenty years from November 14,
7 1946, and which certificate shall have the same force and effect as
8 though issued upon proper and timely application of said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
2 pending litigation, if any, involving said corporation.

Approved March 16, 1949.

CHAPTER 293

WITWER GROCER COMPANY LEGALIZING ACT

S. F. 65

AN ACT to legalize the corporate acts and proceedings in connection with the renewal of the corporate existence and the adoption of renewal amended and substituted articles of incorporation of Witwer Grocer Company, and to provide for the renewal of the charter of said company.

WHEREAS, the period of corporate existence of Witwer Grocer Company, a Corporation organized under the laws of the State of Iowa with its principal place of business in the City of Cedar Rapids, Iowa, expired on the 1st day of April, 1946, and through inadvertence the same was not renewed within the period prescribed by statute, AND

WHEREAS, Witwer Grocer Company has continued thereafter to conduct its business and affairs as a Corporation, AND

WHEREAS, on the 15th day of June, 1946, a special meeting of the stockholders was called and held for the purpose of renewing the said corporation for a period of twenty (20) years from April 1st, 1946 and adopting Renewal Amended and Substituted Articles of Incorporation, and at said meeting such proceedings were had, AND

WHEREAS, Witwer Grocer Company on April 29th, 1947, filed said Renewal Amended and Substituted Articles of Incorporation, together with a certificate of Renewal of such corporation with the Secretary of State of the State of Iowa and paid the proper renewal fee and recording fee, and thereafter filed with said Secretary of State, Proof of Publication of the Notice of such Renewal Amended and Substituted Articles of Incorporation

and Certificate of Renewal and has in all other particulars complied with the provisions of the statutes relating to the renewal of corporations, AND

WHEREAS, the Secretary of State of the State of Iowa has recorded said Renewal Amended and Substituted Articles and Certificate of Renewal and on April 29th, 1947, issued a Certificate therefore*, subject to the approval of the Fifty-third General Assembly and to passage and publication of legalizing Act,

NOW THEREFORE,

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

1 SECTION 1. All proceeding had with respect to the renewal of the
2 corporate existence of Witwer Grocer Company, a Corporation with
3 its principal place of business in Cedar Rapids, Iowa, and all corporate
4 acts of said corporation, its officers and stockholders, since the expira-
5 tion of the corporate existence of said corporation on the 1st day of
6 April, 1946, are hereby legalized and shall have the same force and
7 effect as though the said proceedings had been adopted pursuant to law
8 and within the period prescribed by the statute, and shall be held and
9 considered as a renewal and extension of the period of the corporate
10 extension of said corporation, which expired on April 1st, 1946, and
11 all corporate acts and proceedings of said corporation, including the
12 proceedings in connection with the Renewal and extension of said
13 corporation and the adoption of the Renewal Amended and Substituted
14 Articles of Incorporation, are hereby declared to be valid and legal.

1 SEC. 2. The secretary of state is hereby authorized and directed to
2 issue a certificate of renewal to Witwer Grocer Company, said renewal
3 to extend the corporate existence of said corporation for a period of
4 twenty (20) years from April 1st, 1946, which certificate of renewal
5 shall have the same force and effect as though issued upon the proper
6 and timely application of said corporation.

1 SEC. 3. Nothing in this act shall be deemed or construed to affect
2 pending litigation, if any, involving said corporation, or any claims
3 outstanding against said corporation.

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 Cedar Rapids Tribune, a newspaper published in Cedar Rapids,
4 Iowa, and in The Marion Sentinel, a newspaper published in Marion,
5 Iowa, all without expense to the State of Iowa.

Approved March 9, 1949.

*According to enrolled act.

I hereby certify that the foregoing act was published in the Cedar Rapids Tribune, March 24, 1949, and in The Marion Sentinel, March 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 294

GRAND MOUND CO-OPERATIVE TELEPHONE COMPANY LEGALIZING ACT

S. F. 487

AN ACT to legalize the dissolution of the Farmers' Mutual Telephone Company of Clinton county, Iowa, and to legalize the transfer of it's* assets and liabilities to the Grand Mound Co-operative Telephone Company, of Grand Mound, Iowa.

WHEREAS, the stockholders of the Farmers' Mutual Telephone Company of Clinton County, Iowa, held a special meeting March 15th, 1947, and the stockholders thereof voted to transfer all of the assets of said company to the Grand Mound Co-operative Telephone Association of Grand Mound, Iowa, provided that the said Grand Mound Co-operative Telephone Association would accept the liabilities of the said mutual company; and,

WHEREAS, the said Grand Mound Co-operative Telephone Association held a special meeting of it's* stockholders on the 24th day of April 1947 and voted to accept the assets of the Mutual Company and also voted to assume all the liabilities thereof; and,

WHEREAS, in truth and in fact all of the assets of the said Farmers' Mutual Telephone Company were turned over to the said Grand Mound Co-operative Telephone Association and said association did in fact assume all of the liabilities of said company; and,

WHEREAS, since January 1st, 1948, the transfer of all of the assets and liabilities have been completed and that the said Farmers' Mutual Telephone Company has in fact been non-existent since that date and that in fact the said Farmers' Mutual Telephone Company was dissolved on January 1st, 1948, although no official notice was ever given by the officials of said company; and,

WHEREAS, said company and said association are corporations under the laws of Iowa, and all the statutes have been complied with in connection with the organization of the Grand Mound Co-operative Telephone Association, which is an operative going telephone association at this time; and,

WHEREAS, doubt has arisen concerning the validity and legal sufficiency of said proceedings with respect to the transfer of the assets of the Farmers' Mutual Telephone Company, of Grand Mound, Iowa, and it is deemed advisable to put such doubts and all others that might arise concerning same for ever at rest; and Now Therefore

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

1 SECTION 1. All proceedings had with respect to the transfer of the
2 assets of the Farmers' Mutual Telephone Company, of Grand Mound,
3 Iowa, to the Grand Mound Co-operative Telephone Association and
4 also all proceedings had with respect to the transfer of the liabilities
5 of the said Farmers' Mutual Telephone Company to the said Grand
6 Mound Co-operative Telephone Association, of Grand Mound, Iowa,
7 be and the same are hereby legalized and shall have the same force

*According to enrolled Act.

8 and effect as though adopted pursuant to law within the period pre-
9 scribed and in the manner prescribed by statute.

1 SEC. 2. The Farmers' Mutual Telephone Company of Grand
2 Mound, Iowa, was dissolved January 1st, 1948, and said dissolution is
3 hereby legalized as of said date and said dissolution shall have the
4 same force and effect as though all necessary legal proceedings were
5 had for such dissolution on said date, January 1st, 1948.

Approved April 20, 1949.

CHAPTER 295

AMES SCHOOL DISTRICT LEGALIZING ACT

H. F. 142

AN ACT to legalize the proceedings of the boards of directors of the Independent School District of Ames, the North Star School District No. 8 of Franklin township, and the Washington Township School District in transferring certain territory to the Ames Independent School District all within the corporate limits of the city of Ames.

WHEREAS, the City of Ames, Iowa having extended its corporate limits to include two highly developed areas heretofore outside of the Ames Independent School District, and

WHEREAS, since said areas have been included within the corporate limits it becomes almost imperative that additional school facilities be provided for the many school children residing in these areas, and

WHEREAS, in recognition of these needs the boards of directors of the Independent School District of Ames, the North Star School District No. 8 of Franklin Township and the School District of Washington Township having agreed that certain parts of these areas should be transferred to the Independent School District of Ames, and

WHEREAS, in accordance with these agreements by proper resolution the following areas were on the third (3d) and fifth (5th) of January, 1949 transferred to the independent school district of Ames, to wit: the north one-half ($n\frac{1}{2}$) of the southwest one-fourth ($sw\frac{1}{4}$) and the northwest one-fourth ($nw\frac{1}{4}$) of the southeast one-fourth ($se\frac{1}{4}$) of section thirty-five (35), township eighty-four north (84n), range twenty-four west (24w) of the fifth (5th) P. M. and the west fifty-five (55) rods of the southwest one-fourth ($sw\frac{1}{4}$) of the southeast one-fourth ($se\frac{1}{4}$) of section five (5), township eighty-three north (83n), range twenty-four west (24w) and the west fifty-five (w55) rods of the northwest one-fourth ($nw\frac{1}{4}$) of the northeast one-fourth ($ne\frac{1}{4}$) and the west fifty-five (w55) rods of the north one-half ($n\frac{1}{2}$) of the southwest one-fourth ($sw\frac{1}{4}$) of the northeast one-fourth ($ne\frac{1}{4}$) of section eight (8), township eighty-three north (83n), range twenty-four west (24w) of the fifth (5th) P. M., all in Story County, Iowa, and

WHEREAS, since the reorganization of these districts doubts have arisen as to the legality thereof under chapter one hundred fifty (150), Acts of the Fifty-second General Assembly, and in particular section four (4) thereof and it is deemed advisable that said doubts concerning the

reorganization of these districts be forever put at rest so that the needed school building program may proceed; now therefore

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

1 SECTION 1. The acts of the boards of directors of the Independent
2 School District of Ames, the North Star School District No. 8 in
3 Franklin Township, and the Washington Township School District
4 in Story County, Iowa in reorganizing the territory in their districts
5 as defined in the preamble hereof all within the corporate limits of
6 the City of Ames are hereby legalized and said territory shall hence-
7 forth be considered within the limits of the Ames independent school
8 district.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Ames Daily
3 Tribune, a newspaper published at Ames, Iowa, and the Milepost, a
4 newspaper published at Ames, Iowa, without expense to the State of
5 Iowa.

Approved February 8, 1949.

I hereby certify that the foregoing act was published in the Ames Daily Tribune, February 24, 1949, and the Milepost, February 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 296

BELLEVUE SCHOOL DISTRICT LEGALIZING ACT

S. F. 456

AN ACT to legalize and validate the proceedings of the board of directors of the Independent School District of Bellevue, in the county of Jackson, state of Iowa authorizing and providing for the issuance and delivery of school bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, it appears from the records of the board of directors of the Independent School District of Bellevue, in the county of Jackson, State of Iowa, that at a special election in and for said school district on July 24, 1940, the proposition of issuing bonds of said school district in the sum of twenty thousand dollars for the purpose of building and furnishing a new gymnasium was approved by more than the required majority vote cast thereon and also that in reliance upon approval of said proposition at said election of said board of directors thereafter by resolution authorized and provided for the issuance of school funds* of said school district to the total amount of twenty thousand dollars and made provision for the levy of taxes to pay said bonds and interest thereon; and,

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings, election and provisions made for the issuance and payment of said bonds, and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest,

NOW THEREFORE,

*According to enrolled Act.

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

1 SECTION 1. That all proceedings heretofore taken by the board of
2 directors of the Independent School District of Bellevue, in the
3 County of Jackson, State of Iowa, preliminary to and in connection
4 with the special election in said school district on July 24, 1940 and
5 providing for the issuance and delivery of school bonds of said school
6 district to the amount of twenty thousand dollars, pursuant to said
7 elections, and for the levy of taxes to pay said bonds and interest
8 thereon, are hereby legalized, validated and confirmed, and said school
9 bonds issued and delivered pursuant to and in accordance with said
10 proceedings are hereby declared to be legal and constitute valid and
11 binding obligations of said school district.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its passage and publication in
3 the Bellevue Leader, a newspaper published in Bellevue, Iowa, all
4 without expense to the state, and in the Dallas County News, a news-
5 paper published at Adel, Iowa.

Approved March 18, 1949.

I hereby certify that the foregoing act was published in the Bellevue Leader, April 7, 1949, and in the Dallas County News, April 6, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 297

BETTENDORF SCHOOL DISTRICT LEGALIZING ACT

H. F. 582

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the independent school district of Bettendorf, in the county of Scott, state of Iowa, and the provisions made for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, the board of directors of the independent school district of Bettendorf, in the county of Scott, state of Iowa, did heretofore, by resolution and in reliance upon an election theretofore held in and for said school district, authorize and provide for the issuance, sale and delivery of school building bonds of said school district in the principal amount of ninety thousand dollars for the purpose of procuring a site and constructing and equipping an elementary school building thereon, in and for said school district and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all the taxable property in said school district; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said bonds and proceedings and the provisions made for the payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board
2 of directors of the independent school district of Bettendorf, in the
3 county of Scott, state of Iowa, authorizing and providing for the
4 issuance, sale and delivery of school building bonds by the independent
5 school district of Bettendorf, in the county of Scott, state of Iowa,
6 and providing for the levy and collection of annual taxes to pay the
7 interest on and principal of said bonds, are hereby legalized, vali-
8 dated and confirmed, and said school building bonds issued, sold and
9 delivered pursuant to and in accordance with said proceedings are
10 hereby declared to be legal and to constitute valid and binding obliga-
11 tions of said school district.

1 SEC. 2. This Act being deemed of immediate importance shall
2 take effect and be in force from and after its publication in the Farm
3 Bureau News, a newspaper published in the city of Bettendorf, Iowa,
4 and in the Daily Times, a newspaper published in Davenport, Iowa,
5 all without expense to the state.

Approved April 20, 1949.

I hereby certify that the foregoing act was published in the Farm Bureau News,
May 19, 1949, and in the Daily Times, May 13, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 298

FRANKLIN SCHOOL DISTRICT LEGALIZING ACT

H. F. 442

AN ACT to legalize and validate the proceedings of the board of directors of the Consolidated School District of Franklin, in the county of Franklin, state of Iowa, authorizing and providing for the issuance and delivery of school bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS it appears from the records of the Board of Directors of the Consolidated School District of Franklin, in the County of Franklin, State of Iowa, that at a special election in and for said school district on April 21, 1948, the proposition of issuing bonds of said school district in the sum of three hundred thousand dollars for the purpose of building and furnishing a new school house and procuring a site therefor was approved by more than the required majority vote cast thereon and in reliance thereon said board of directors thereafter by resolution authorized and provided for the issuance and sale of said school bonds to the amount and for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and interest thereon; and

WHEREAS doubts have arisen concerning the validity and legal sufficiency of said proceedings, election and provisions made for the issuance and payment of said bonds, and it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest,

Now, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the Board
2 of Directors of the Consolidated School District of Franklin, in the
3 County of Franklin, State of Iowa, preliminary to and in connection
4 with the special election in said school district on April 21, 1948,
5 and providing for the issuance, sale and delivery of school bonds of
6 said school district to the amount of three hundred thousand dollars
7 pursuant to said election, and for the levy of taxes to pay said bonds
8 and interest thereon, are thereby legalized, validated and confirmed,
9 and said school bonds issued and delivered pursuant to and in accord-
10 ance with said proceedings are hereby declared to be legal and to
11 constitute valid and binding obligations of said school district.

1 SEC. 2. This act being deemed of immediate importance shall
2 take effect and be in force from and after its passage and publication
3 in the* THE CHRONICLE, a newspaper published in Hampton, Iowa,
4 and in THE SHEFFIELD PRESS, a newspaper published in Sheffield,
5 Iowa, all without expense to the state.

Approved March 11, 1949.

*According to enrolled Act.

I hereby certify that the foregoing act was published in The Chronicle, March 17, 1949, and in The Sheffield Press, March 17, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 299

GREENE SCHOOL DISTRICT LEGALIZING ACT

S. F. 79

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds by the Independent School District of Greene, in the county of Butler, State of Iowa, and the provisions made for the levy and collection of taxes to pay said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, the board of directors of the independent school district of Greene, in the county of Butler, state of Iowa, did heretofore, by resolution and in reliance upon an election theretofore held in and for said school district, authorize and provide for the issuance, sale and delivery of school building bonds of said school district in the principal amount of fifty thousand dollars (\$50,000) for the purpose of erecting an addition to the present school building and reconstructing the present gymnasium in and for said school district and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all the taxable property in said school district, and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said bonds and proceedings and the provisions made for the payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest; now, therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of
2 directors of the independent school district of Greene, in the county of
3 Butler, state of Iowa, authorizing and providing for the issuance, sale
4 and delivery of school building bonds by the independent school district
5 of Greene, in the county of Butler, state of Iowa, and providing for
6 the levy and collection of annual taxes to pay the interest on and the
7 principal of said bonds are hereby legalized, validated and confirmed
8 and said school building bonds issued, sold and delivered pursuant to
9 and in accordance with said proceedings are hereby declared to be legal
10 and to constitute valid and binding obligations of said school district.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Iowa
3 Recorder, a newspaper published in the city of Greene, Iowa, and in
4 the Allison Tribune, a newspaper published in the city of Allison, Iowa.

Approved February 8, 1949.

I hereby certify that the foregoing act was published in the Allison Tribune, February 23, 1949, and in The Iowa Recorder, March 2, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 300

KNOXVILLE SCHOOL DISTRICT BOUNDARY

H. F. 194

AN ACT to legalize a boundary change between Knoxville independent school district and Fee rural independent school district in Marion county, Iowa.

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

1 SECTION 1. The concurrent action on December 6, 1948, of the
2 directors of the Knoxville Independent School District and the direc-
3 tors of the Fee Rural Independent School District, both in Marion
4 County, Iowa, in changing the boundary line between these two school
5 districts so as to take from the Fee Rural Independent School District
6 all land owned by the U. S. Government and theretofore lying in
7 Fee Rural Independent School District is hereby approved, legalized,
8 and declared to be a valid boundary change.

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 Knoxville
3 Journal, a newspaper published in the City of Knoxville, Iowa, and in
4 the Marion County News, a newspaper published in the town of
5 Pleasantville, Iowa, such publication shall be without expense to the
6 State.

Approved March 19, 1949.

I hereby certify that the foregoing act was published in the Knoxville Journal, April 14, 1949, and in the Marion County News, April 7, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 301

LOW MOOR SCHOOL DISTRICT LEGALIZING ACT

S. F. 498

AN ACT to legalize and validate the proceedings authorized and providing for the issuance, sale and delivery of school building bonds by the Independent School District of Low Moor, in the county of Clinton, state of Iowa; and the provisions made for the levy and collection of taxes to pay said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, the board of directors of the independent school district of Low Moor, in the county of Clinton, state of Iowa, did heretofore, by resolution and in reliance upon an election heretofore held in and for said school district, authorize and provide for the issuance, sale and delivery of school building bonds of said school district in the principal amount of twelve thousand dollars (\$12,000) for the purpose of rebuilding and remodeling the school building in and for said school district and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all the taxable property in said school district; and,

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said bonds and proceedings and the provisions made for the payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest; now therefore,

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

1 SECTION 1. That all proceedings heretofore taken by the board of
2 directors of the independent school district of Low Moor, in the
3 county of Clinton, state of Iowa, authorizing and providing for the
4 issuance, sale and delivery of school building bonds by the independent
5 school district of Low Moor, in the county of Clinton, state of Iowa,
6 and providing for the levy and collection of annual taxes to pay the
7 interest on and the principal of said bonds are hereby legalized, val-
8 idated and confirmed and said school building bonds issued, sold and de-
9 livered pursuant to and in accordance with said proceedings are
10 hereby declared to be legal and to constitute valid and binding obliga-
11 tions of said school district.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Clinton
3 Herald, a newspaper published in Clinton, Iowa, and in the DeWitt
4 Observer, a newspaper published in DeWitt, Iowa, all without ex-
5 pense to the state.

Approved April 20, 1949.

I hereby certify that the foregoing act was published in the Clinton Herald, May 9, 1949, and in the DeWitt Observer, May 12, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 302

MASON CITY SCHOOL DISTRICT LEGALIZING ACT

S. F. 524

AN ACT to legalize and validate the proceedings, of the board of directors of the Independent School District of Mason City in the county of Cerro Gordo, state of Iowa, in calling and holding an election on November 2, 1948, on the proposition of issuing bonds of said school district in the amount of four hundred thousand dollars (\$400,000.00) for the purpose of constructing and equipping additional school facilities, and purchasing additional land therefor.

WHEREAS, at an election on the second day of November, 1948, there was submitted to the qualified electors of the Independent School District of Mason City in the County of Cerro Gordo, State of Iowa, the following proposition:

"Shall the Independent School District of Mason City in the County of Cerro Gordo, State of Iowa, issue bonds to the amount of not exceeding four hundred thousand dollars (\$400,000.00) for the purpose of constructing and equipping an addition to Harding School and for the purpose of purchasing land to add to the site?" and

WHEREAS, said proposition was declared carried at said election by more than sixty per cent of the total votes cast for and against said proposition at said election, there being 5312 votes cast "YES" and 1850 votes cast "NO", and

WHEREAS, doubts have arisen as to the validity and legal sufficiency of said election and the petition for the call thereof and the proceedings had thereon, and as to the authority to issue and sell said bonds on the basis of said election and to levy and collect taxes to pay the principal and interest of said bonds as the same will become due, and it is deemed advisable to put said doubts and all others that may arise concerning same forever at rest; NOW THEREFORE,

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

1 SECTION 1. All proceedings heretofore taken by the Board of
2 Directors of the Independent School District of Mason City, in the
3 County of Cerro Gordo, State of Iowa, relating to the petition for and
4 the calling and holding of an election on November 2, 1948, and all
5 proceedings of said Board of Directors predicated upon said election
6 providing for the issuance, sale and delivery of bonds of said School
7 District in the amount of four hundred thousand dollars (\$400,000.00)
8 and for the levy and collection of annual taxes to pay the interest on
9 and principal of said bonds, are hereby legalized, validated and con-
10 firmed and bonds issued, sold and delivered pursuant to and in ac-
11 cordance with said proceedings are hereby declared to be legal and to
12 constitute valid and binding obligations of said School District.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Mason City
3 Globe Gazette, a newspaper published at Mason City, Iowa, and in the
4 Clear Lake Reporter, a newspaper published at Clear Lake, Iowa, said
5 publications to be without expense to the State.

Approved May 5, 1949.

I hereby certify that the foregoing act was published in the Mason City Globe Gazette, May 10, 1949, and in the Clear Lake Reporter, May 12, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 303

PLEASANT VALLEY SCHOOL DISTRICT LEGALIZING ACT

H. F. 366

AN ACT to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds by Rural Independent School District Number Four (4), township of Pleasant Valley, in the county of Scott, state of Iowa, and the provisions made for the payment of said bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, the board of directors of Rural Independent School District Number Four (4), township of Pleasant Valley, in the county of Scott, state of Iowa, did heretofore, by resolution and in reliance upon an election theretofore held in and for said school district, authorize and provide for the issuance, sale and delivery of school building bonds of said school district in the principal amount of twenty thousand dollars (\$20,000) for the purpose of acquiring a site and improving the present school building by building an addition thereto and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all the taxable property in said school district; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said bonds and proceedings and the provisions made for the payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest: NOW, THEREFORE,

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

1 SECTION 1. That all proceedings heretofore taken by the board of
2 directors of Rural Independent School District Number Four (4),
3 township of Pleasant Valley, in the county of Scott, state of Iowa,
4 authorizing and providing for the issuance, sale and delivery of
5 school building bonds by Rural Independent School District Number
6 Four (4), township of Pleasant Valley, in the county of Scott, state
7 of Iowa, and providing for the levy and collection of annual taxes to
8 pay the interest on and the principal of said bonds, are hereby, legal-
9 ized, validated and confirmed, and said school building bonds issued,
10 sold and delivered pursuant to and in accordance with said proceed-
11 ings are hereby declared to be legal and to constitute valid and binding
12 obligations of said school district.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Farm
3 Bureau News, a newspaper published in the city of Bettendorf, Iowa,
4 and The Daily Times, a newspaper published in the city of Davenport,
5 Iowa, all without expense to the state.

Approved April 2, 1949.

I hereby certify that the foregoing act was published in the Farm Bureau News, April 21, 1949, and in The Daily Times, April 21, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 304

STORM LAKE SCHOOL DISTRICT LEGALIZING ACT

H. F. 371

AN ACT to legalize and validate the special election and the proceedings authorizing and providing for the issuance, sale and delivery of school bonds of the Independent School District of Storm Lake, in the county of Buena Vista, state of Iowa, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, the board of directors of the independent school district of Storm Lake, in the county of Buena Vista, state of Iowa, did heretofore, in reliance upon a special school election held on October 13, 1948, by resolution authorize and provide for the issuance and delivery of school bonds of said school district in the principal amount of one hundred ninety-three thousand dollars (\$193,000.00) for the purpose of building and furnishing additions to existing school houses and to procure an additional school building site, and by said resolution provided for the payment of the interest on and principal of said bonds by the levy and collection of annual taxes on all of the taxable property in said school district; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings, election and bonds and the provisions made for payment of same, and it is deemed advisable to put said doubts and all others that might arise concerning same forever at rest, NOW, THEREFORE:

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

1 SECTION 1. That all proceedings heretofore taken by the board of
2 directors of the independent school district of Storm Lake, in the
3 county of Buena Vista, state of Iowa, and the special school election
4 of October 13, 1948, authorizing and providing for the issuance, sale
5 and delivery of school bonds by said independent school district, and
6 providing for the levy of annual taxes to pay the interest and prin-
7 cipal of said bonds, are hereby legalized, validated, and confirmed and
8 said school bonds issued, sold and delivered pursuant to said proceed-
9 ings are hereby declared to be legal and to constitute valid and
10 binding obligations of said school district.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in Storm Lake
3 Pilot-Tribune, a newspaper published at Storm Lake, Iowa, and in
4 the Storm Lake Register, a newspaper published at Storm Lake, Iowa,
5 all without expense to the state.

Approved March 9, 1949.

I hereby certify that the foregoing act was published in the Storm Lake Pilot-Tribune, March 17, 1949, and in the Storm Lake Register, March 22, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 305

TOLEDO INDEPENDENT SCHOOL DISTRICT LEGALIZING ACT

H. F. 469

AN ACT to legalize the proceedings of the boards of directors of the Toledo Independent School District and the Toledo township district number four (#4) of Tama county, in transferring certain territory in the Toledo township district to the Toledo Independent School District all in the city of Toledo, Iowa.

WHEREAS, the city of Toledo, Iowa has extended its corporate limits to include a highly developed area known as Toledo Heights, heretofore outside the city of Toledo independent school district, and,

WHEREAS, since said areas have been included within the corporate limits, it is imperative that school facilities be consolidated in these areas, and,

WHEREAS, in recognition of these needs the boards of directors of the Toledo independent school district and the Toledo township district No. 4 of Tama County, Iowa, having agreed by concurrent action to change the boundaries of said school districts so that these districts should be transferred to the Toledo independent school district, and,

WHEREAS, since the reorganization of these districts doubts have arisen as to the legality thereof, and it is deemed advisable that said doubts concerning the reorganization of these districts be forever put at rest,

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

1 SECTION 1. The acts of the boards of directors of the Toledo inde-
2 pendent school district and the Toledo township district number four
3 (#4) of Tama County, Iowa in reorganizing the territory in their
4 districts as defined in the preamble hereof, all within the corporate
5 limits of the city of Toledo, are hereby legalized and said area and
6 territory is henceforth to be considered within the limits of the Toledo
7 independent school district.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Toledo
3 Chronicle, a newspaper published at Toledo, Iowa, and in the Traer
4 Star Clipper, a newspaper published at Traer, Iowa.

Approved March 25, 1949.

I hereby certify that the foregoing act was published in the Toledo Chronicle, April 21, 1949, and in the Traer Star Clipper, April 22, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 306

VAN METER SCHOOL LEGALIZING ACT

S. F. 472

AN ACT to legalize and validate the proceedings of the board of education of the Van Meter Consolidated School of Van Meter, Iowa in purchasing certain real estate in Van Meter, Iowa for the purpose of a residence for its teachers.

WHEREAS, the Van Meter Consolidated School of Van Meter, Iowa did not have a residence for its teachers; and,

WHEREAS, the board of education of said Van Meter Consolidated School was unable to employ teachers due to the housing shortage; and,

WHEREAS, on September 7, 1948 a special meeting of the board of education was called for the purpose of obtaining a teachers' residence; and,

WHEREAS, at said meeting George Clearwater, administrator of the estate of F. H. Clearwater, offered property belonging to the estate of F. H. Clearwater for sale. Said property is described as follows: lots five (5) and six (6), block eight (8) of the original town of Van Meter, Iowa; and,

WHEREAS, by unanimous vote of the board of education of the Van Meter Consolidated School of Van Meter, Iowa a contract was entered into by and between said board of education and the said George Clearwater for the purchase of said real estate for twenty nine hundred (\$2900) dollars and that said contract has been complied with, a warranty deed and an abstract showing merchantable title has been delivered to said board of education; and,

WHEREAS, since that time doubt has arisen as to the legality thereof, and it is deemed advisable that said doubt concerning the action of the board of education be forever put 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 education of the Van Meter Consolidated School of Van Meter, Iowa
3 preliminary to and in connection with the special meeting called on
4 September 7, 1948; the contract entered into by and between said
5 board of education and George Clearwater for the purchase of lots
6 five (5) and six (6) block eight (8) of the original town of Van Meter,
7 Iowa, and all acts and proceedings done by said board of education
8 in connection therewith are hereby legalized, validated and confirmed,
9 and said lots five (5) and six (6), block eight (8) of the original town
10 of Van Meter, Iowa are hereby declared to be legally the property of
11 the board of education of the Van Meter Consolidated School of Van
12 Meter, Iowa.

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Perry
3 Daily Chief, a newspaper published at Perry, Iowa and in The
4 Guthrie Center Times, a newspaper published at Guthrie Center,
5 Iowa.

Approved April 7, 1949.

I hereby certify that the foregoing act was published in the Perry Daily Chief, April 29, 1949, and in The Guthrie Center Times, May 5, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 307

WINTHROP SCHOOL DISTRICT LEGALIZING ACT

S. F. 486

AN ACT to legalize and validate the proceedings of the board of directors of the Consolidated School District of Winthrop, in the county of Buchanan, state of Iowa, authorizing and providing for the issuance and delivery of school bonds and for the levy of taxes for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

WHEREAS, it appears from the records of the board of directors of the consolidated school district of Winthrop, in the county of Buchanan, State of Iowa, that at a special election held in and for said school district on January 13, 1949, the proposition of issuing bonds of said school district in the sum of one hundred fifty thousand dollars for the purpose of erecting a high school addition, acquiring additional land and remodeling the existing building was approved by more than the required majority vote cast thereon and in reliance thereon said board of directors thereafter by resolution authorized and provided for the issuance and sale of said school bonds to the amount and for the purpose aforesaid and made provision for the levy of taxes to pay said bonds and interest thereon; and,

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of said proceedings, election and provisions made for the issuance and payment of said bonds, it is deemed advisable to put such doubts and all others that might arise concerning same forever at rest; now therefore,

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

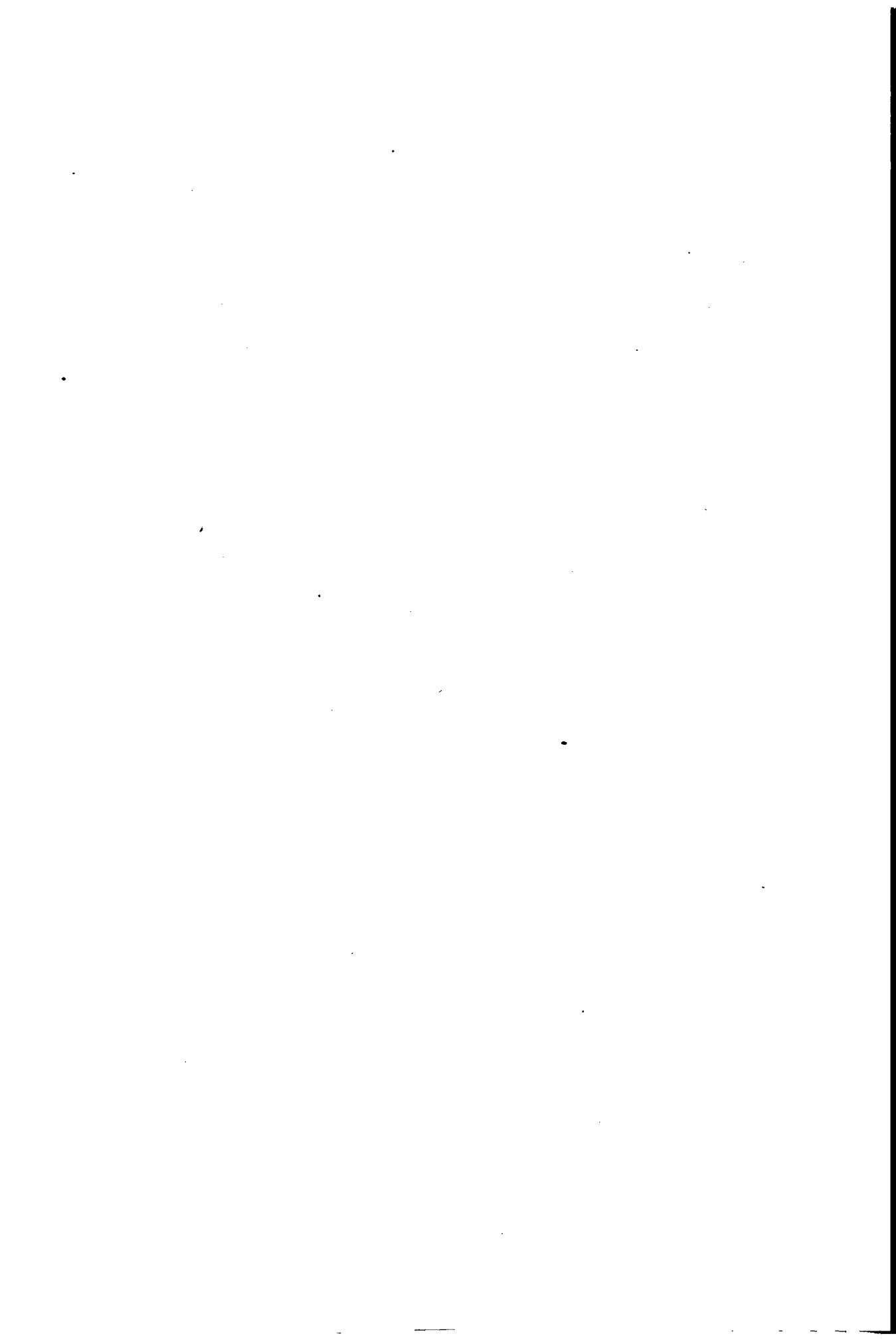
1 SECTION 1. That all proceedings heretofore taken by the board of
2 directors of the consolidated school district of Winthrop, in the county
3 of Buchanan, State of Iowa, preliminary to and in connection with
4 the special election in said school district on January 13, 1949, and
5 providing for the issuance, sale and delivery of school bonds of said
6 school district to the amount of one hundred fifty thousand dollars
7 pursuant to said election, and for the levy of taxes to pay said bonds
8 and interest thereon, are hereby legalized, validated and confirmed,
9 and said school bonds issued and delivered pursuant to and in ac-
10 cordance with said proceedings are hereby declared to be legal and
11 to constitute valid and binding obligations of said school district.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its passage and publication in
3 The Winthrop News, a newspaper published in Winthrop, Iowa, and
4 in the Bulletin-Journal, a newspaper published in Independence, Iowa,
5 all without expense to the state.

Approved April 7, 1949.

I hereby certify that the foregoing act was published in The Winthrop News, May 12, 1949, and in the Bulletin-Journal, May 12, 1949.

MELVIN D. SYNHORST, *Secretary of State.*



JOINT RESOLUTIONS



JOINT RESOLUTIONS

CHAPTER 308

MUNICIPAL STATUTES STUDY COMMITTEE

S. J. R. 1

A JOINT RESOLUTION creating a special committee to review and codify the laws of Iowa relating to the financing and construction of public improvements within incorporated municipalities and the conduct of municipal business and to recommend such changes in municipal laws as are considered necessary to enable municipal officials to perform their various duties more efficiently, defining the powers and duties of said committee, and providing for payment of the expense of said committee.

WHEREAS, the laws of Iowa relating to the financing and construction of public improvements within incorporated municipalities and other laws, relating to the conduct of the business of municipalities are complicated, and in many instances confusing, obscure, and contradictory, and

WHEREAS, municipal officials are handicapped in conducting the business of the municipalities by the highly technical, ambiguous and involved procedure required in connection with the construction of public improvements, and

WHEREAS, the public is penalized through higher costs of public improvements that result from the delays and uncertainties incident to the prescribed method of constructing and financing such improvements,

NOW THEREFORE

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

1 SECTION 1. A special committee of six (6) members is hereby
2 created. Said committee shall consist of two (2) members of the
3 53rd General Assembly to be appointed by the president of the senate,
4 two (2) members of the house of representatives of the 53rd General
5 Assembly to be appointed by the speaker of the house of representa-
6 tives, and two (2) citizens of the state of Iowa to be appointed by
7 the governor. Any vacancy in the membership of the committee shall
8 be filled by appointment in the same manner, by the same official, and
9 from the same group as the original appointment. The committee
10 shall choose a chairman from its members and shall adopt rules for
11 the conduct of its proceedings.

1 SEC. 2. It shall be the duty of the committee to make a compre-
2 hensive study of the laws relating to the construction and financing
3 of public improvements within municipalities, and other laws relating
4 to the conduct of the business of the municipalities, and to make
5 such recommendations as it sees fit as to the codification, simplifi-
6 cation, and modification of such laws to the end that the business of
7 municipalities may be more expeditiously and more efficiently con-
8 ducted.

1 SEC. 3. The committee shall have the cooperation of the attorney
2 general and his staff in the performance of the duties herein imposed,

3 and is authorized to call upon any department of the state govern-
4 ment in obtaining information deemed useful to the committee.

1 SEC. 4. The committee shall confer with municipal officials and
2 with associations of municipal officials to the end that committee
3 members may fully acquaint themselves with the problems of municipi-
4 pal administration under existing laws, and may receive and consid-
5 er the recommendations of such officials as to changes or amend-
6 ments that are considered desirable in such laws.

1 SEC. 5. The committee shall enter into its duties as soon as the
2 membership has been appointed. It shall make a report, including
3 drafts of proposed bills, to the governor on or before November 15,
4 1950. Upon the making of its said report to the governor, the com-
5 mittee shall stand discharged of its duties hereunder. The governor
6 shall cause to be printed the necessary number of copies of said
7 report and shall mail copies of said printed report to the elected
8 members of the 54th General Assembly on or before December
9 15, 1950.

1 SEC. 6. The committee is hereby empowered to employ a secre-
2 tary and such other employees and assistants as are necessary for
3 the proper conduct of the business of the committee, and to fix the
4 compensation of such employees. All members of the committee
5 shall be reimbursed for the actual and necessary expenses incurred
6 by them in the discharge of their duties. Members of the committee
7 appointed by the governor shall receive a compensation of twenty
8 dollars (\$20.00) per day for days actually engaged in work of the
9 committee. Legislative members of the committee shall receive as
10 compensation such amounts as the 54th General Assembly may allow.
11 The executive council shall provide the committee with a suitable
12 office and with necessary office supplies and equipment for the conduct
13 of its business.

1 SEC. 7. The compensation and expense of committee members
2 and employees, the cost of office supplies and other expenses of the
3 committee incurred in the performance of the duties herein imposed,
4 and the cost of printing the committee's report, but not exceeding
5 fifteen thousand dollars (\$15,000.00) in total amount, shall be paid
6 by the State Comptroller out of the General Fund of the State. The
7 sum of fifteen thousand dollars (\$15,000.00) or so much thereof as
8 may be necessary, is hereby appropriated out of the General Fund of
9 the State for the purposes herein contemplated.

10 The chairman of the committee shall certify the expenses of the
11 committee as herein provided to the state comptroller who shall issue
12 warrants for the same from funds heretofore appropriated.

1 SEC. 8. This Joint Resolution being deemed of immediate impor-
2 tance shall be in full force and effect from and after publication in
3 the Sibley Gazette-Tribune, a newspaper published at Sibley, Iowa,
4 and The Northwood Anchor & Index, a newspaper published at
5 Northwood, Iowa.

Approved May 5, 1949.

I hereby certify that the foregoing act was published in the Sibley Gazette-Tribune,
May 19, 1949, and in The Northwood Anchor & Index, May 19, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 309

GUBERNATORIAL SUCCESSION

S. J. R. 2

A JOINT RESOLUTION proposing amendments to the constitution of the state of Iowa relating to the succession of officers to the office of governor in the event of death or disability of the governor or person elected to that office and to amend section four (4) of article IV and to repeal section nineteen (19) of article IV and propose a substitute therefor.

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

1 SECTION 1. That the following amendments to the Constitution
2 of Iowa are hereby proposed:

3 Amendment 1. Section four (4) of Article IV of the Constitution
4 of Iowa is amended by adding thereto the following: "If, upon the
5 completion of the canvass of the votes for Governor and Lieutenant
6 Governor by the General Assembly, it shall appear that the person
7 who received the highest number of votes for Governor has since
8 died, resigned, is unable to qualify, fails to qualify, or for any other
9 reason is unable to assume the duties of the office of Governor for the
10 ensuing term, the powers and duties of the office shall devolve upon
11 the person who received the highest number of votes for Lieutenant
12 Governor until the disability is removed and, upon inauguration, he
13 shall assume the powers and duties of Governor."

14 Amendment 2. Section nineteen (19) of Article IV of the Consti-
15 tution of the State of Iowa is repealed and the following adopted
16 in lieu thereof: "Sec. 19. If there be a vacancy in the office of
17 Governor and the Lieutenant Governor shall by reason of death,
18 impeachment, resignation, removal from office, or other disability
19 become incapable of performing the duties pertaining to the office of
20 Governor, the President pro tempore of the Senate shall act as Gover-
21 nor until the vacancy is filled or the disability removed; and if the
22 President pro tempore of the Senate, for any of the above causes,
23 shall be incapable of performing the duties pertaining to the office of
24 Governor the same shall devolve upon the Speaker of the House of
25 Representatives; and if the Speaker of the House of Representatives,
26 for any of the above causes, shall be incapable of performing the
27 duties of the office of Governor, the Justices of the Supreme Court
28 shall convene the General Assembly by proclamation and the Gen-
29 eral Assembly shall organize by the election of a President pro
30 tempore by the Senate and a Speaker by the House of Representatives.
31 The General Assembly shall thereupon immediately proceed to the
32 election of a Governor and Lieutenant Governor in joint convention."

1 SEC. 2. The foregoing proposed amendments to the Constitution
2 of the State of Iowa are hereby referred to the General Assembly to
3 be chosen at the next general election and the Secretary of State is
4 directed to cause the same to be published as provided by law for
5 three months previous to the time of making such choice.

Approved April 20, 1949.

CHAPTER 310

COMMITTEE ON RETRENCHMENT AND REFORM

S. J. R. 5

A JOINT RESOLUTION relating to the Committee on Retrenchment and Reform.

WHEREAS, section two point forty-one (2.41), Code 1946, provides for the appointment of a Committee on Retrenchment and Reform; and

WHEREAS, said Committee on Retrenchment and Reform has certain duties to perform at the present time; and

WHEREAS, the said Committee on Retrenchment and Reform has not as yet been appointed,

NOW THEREFORE

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

1 SECTION 1. Pending the appointment of the Committee on Re-
2 trenchment and Reform of the 53rd General Assembly, the duties of
3 the Committee on Retrenchment and Reform shall be performed by the
4 members of the Committee on Retrenchment and Reform of the 52nd
5 General Assembly who are members of the 53rd General Assembly.

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

Approved February 17, 1949.

I hereby certify that the foregoing act was published in the Plain Talk, February 24, 1949, and the West Des Moines Express, February 24, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 311

AMES SEWAGE DISPOSAL SYSTEM

S. J. R. 7

A JOINT RESOLUTION to authorize the state board of education to continue to cooperate with the city of Ames in the construction, operation and maintenance of a joint sewage system and disposal plant for the Iowa State College and said city and to make an appropriation therefor.

WHEREAS, the Fifty-second General Assembly by chapter three hundred fifty-four (354) of the Acts thereof empowered the board of education to enter into an agreement with the City of Ames to contribute the sum of Two hundred thousand (\$200,000) dollars toward the cost of the construction, maintenance and operation of a joint sewage system and disposal plant for the Iowa State College and said city, and

WHEREAS, pursuant to said authority the board has so acted and outlet sewers were constructed toward which the board has paid the sum of Forty-seven thousand five hundred (\$47,500) dollars, and

WHEREAS, when bids were received for the construction of the disposal plant it was found that due to increased costs the share for which the college would be liable would be about one hundred seventy-six thousand (\$176,000) dollars more than the balance remaining which the board was authorized to contribute by said Acts of the Fifty-second General Assembly, and

WHEREAS, it will be much less expensive for the board to continue in its co-operative agreement with the City of Ames for joint sewage disposal than to construct a separate plant and the board has by said authority already contributed toward this expense; now therefore

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

1 SECTION 1. The state board of education is authorized to continue
2 in co-operation with the City of Ames to construct, operate and main-
3 tain a sewage system and disposal plant for the joint use of the Iowa
4 State College and said city as provided by chapter 354, Acts of the
5 Fifty-second General Assembly.

1 SEC. 2. There is hereby appropriated from any moneys in the
2 general fund of the state not otherwise appropriated the sum of One
3 hundred seventy-six thousand (\$176,000) dollars to the state board
4 of education for disposal by said board in discharging its agree-
5 ments to bear the proportionate share of the Iowa State College
6 toward the cost of constructing, operating and maintaining said
7 sewage system and disposal plant.

Approved April 6, 1949.

CHAPTER 312

BOARD OF CONTROL APPOINTMENTS

S. J. R. 11

A JOINT RESOLUTION legalizing the appointments to the board of control and directing the comptroller to issue warrants for their salary.

WHEREAS, in the public interest the Governor has made an appointment of a member of the Board of Control, which appointment has been duly confirmed by the Senate of the Fifty-third General Assembly, in Executive Session, and which appointee at the time of his appointment was a resident of the same congressional district as another qualified and acting member of said Board, and

WHEREAS, Section two hundred seventeen point one (217.1) Code 1946, provides specifically with respect to the qualification of the members of the Board of Control, as follows: "The Board of Control of state institutions shall be composed of three electors of the state, not more than two of whom shall belong to the same political party, and no two of whom shall, at the time of appointment, reside in the same congressional district. Each member shall devote his entire time to the duties of his office, and hold office for a period of six years, commencing on July 1 of the year of appointment. The term of office of one member shall expire in each odd-numbered year."

NOW, THEREFORE,

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

1 SECTION 1. Notwithstanding the provisions of the foregoing section two hundred seventeen point one (217.1) Code 1946 and failure
2 to comply therewith in the making of the foregoing appointment, the
3 said appointment is hereby declared to be legal and valid for the office
4 of member of the Board of Control for the term designated in such
5 appointment, and the qualification of the said appointee for the said
6 office of member of Board of Control for the term designated is
7 likewise deemed legal, valid and is hereby confirmed.

1 SEC. 2. The Comptroller is hereby authorized and directed to
2 issue warrants to the foregoing appointees, or any of them, for the
3 statutory salaries to which they are entitled in accordance with law.

1 SEC. 3. This Joint Resolution being deemed of immediate importance shall be in full force and effect from and after publication in
2 the Northwood Anchor & Index, a newspaper published at Northwood, Iowa, and the Plain Talk, a newspaper published at Des Moines,
3 Iowa, and the Plain Talk, a newspaper published at Des Moines,
4 Iowa,
5 Iowa.

Approved May 5, 1949.

I hereby certify that the foregoing act was published in the Northwood Anchor & Index, May 19, 1949, and in the Plain Talk, May 19, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 313

BLUE STAR HIGHWAY

H. J. R. 2

A JOINT RESOLUTION to provide for the designation of a section of U. S. highway No. 75 as a Blue Star Highway.

WHEREAS, The Federation of Garden Clubs of Iowa wishing to cooperate with other State Federations of Garden Clubs in the Blue Star Memorial Program sponsored by the National Council of State Garden Clubs, are desirous of recognizing and commemorating the splendid services and achievements of their sons and daughters who served in the armed Forces of the United States in World War II; and

WHEREAS, it is fitting and appropriate that legislative recognition be accorded the services and sacrifices of citizens so valiantly rendered:

NOW THEREFORE

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

1 SECTION 1. That that section of U. S. Highway No. 75 which
2 crosses the State of Iowa from the Iowa-Minnesota State Line North
3 of Rock Rapids, Iowa, through Sioux City, Iowa, to the Iowa-Nebraska
4 State Line at Council Bluffs, Iowa, is hereby designated as the Blue
5 Star Highway as a memorial in commemoration of the services of the

6 men and women of Iowa who served in the armed forces of the United
7 States in World War II.

1 SEC. 2. That the State Highway Commission shall file with the
2 Secretary of State a description of the particular section of U. S.
3 Highway No. 75 so designated as Blue Star Highway and shall cause
4 to be erected along said Highway suitable tablets and ornamentations
5 to perpetuate this resolution, without expense to the State of Iowa
6 except for the actual labor of placing the tablets and ornamentations.

1 SEC. 3. This Joint Resolution being deemed of immediate im-
2 portance shall be in full force and effective from and after its publica-
3 tion in Anthon Herald, a newspaper published at Anthon, Iowa, and
4 the Correctionville News, a newspaper published at Correctionville,
5 Iowa.

Approved February 23, 1949.

I hereby certify that the foregoing act was published in the Anthon Herald, March
2, 1949, and the Correctionville News, March 3, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 314

EMERGENCY AID TO NEBRASKA

H. J. R. 6

A JOINT RESOLUTION authorizing the governor of the state of Iowa to direct the
Iowa state highway commission to furnish men and equipment to aid the stricken
state of Nebraska and its communities in the existing snow storm emergency.

WHEREAS, there exists in the neighboring state of Nebraska a great
and serious emergency due to the unprecedented snow storms and blizzards
which block all roads and forms of communication to some communities;
and

WHEREAS, the said neighboring Nebraska communities are in great
distress due to the lack of food, fuel and supplies, and unless relief is im-
mediate great suffering and loss of life and property will result,

Therefore,

Be It Resolved and 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 direct the Iowa State Highway Commission and its officers to pro-
3 ceed at once with both men and equipment to the relief of stricken
4 communities in the State of Nebraska, by assisting in the opening of
5 roads and highways to said communities.

1 SEC. 2. All such men and equipment shall be considered as em-
2 ployed by the State of Iowa and all rights and protection under the
3 laws of Iowa shall apply to said men when in such service.

1 SEC. 3. There shall be appropriated from the general fund of the
2 State sufficient funds to reimburse the Iowa State Highway Commis-
3 sion for all moneys so expended from their funds in said service.

- 1 SEC. 4. This resolution being deemed of immediate importance
 2 shall be in full force and effect from and after its publication in the
 3 Anthon Herald, a newspaper published at Anthon, Iowa, and in the
 4 Nonpareil, a newspaper published at Council Bluffs, Iowa.

Approved February 3, 1949.

I hereby certify that the foregoing act was published in the Anthon Herald, February 9, 1949, and the Nonpareil, February 8, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 315

FRANK A. GOTCH STATE PARK

H. J. R. 9

A JOINT RESOLUTION relating to the naming of certain land belonging to the state of Iowa.

WHEREAS, the state of Iowa acquired in 1942, and is in possession of, the following described tract of land; all of Government Lot 8; and all that part of Government Lot 7; and all that part of the northwest quarter of the southwest quarter of section 19, township 91, range 28, west of the fifth P. M. in Humboldt County, Iowa; said tract being more specifically described as located in Beaver township, Humboldt County, Iowa, at the confluence of the east branch of the Des Moines river and the west branch of the Des Moines river, and comprises approximately seventy-six (76) acres, and

WHEREAS, this tract of land is historically known as the Upper Forks of the Des Moines river, and

WHEREAS, in 1825 french* traders were granted a government permit to set up a post known as "Fort Confederation" upon this tract of land for the purpose of trading with the Yanktown Sioux Indians; thus this post or fort was one of the three earliest government trading posts established in Iowa. It was the scene of many indian* battles and is of special state historical significance, and

WHEREAS, this land or park was the favorite summer vacation spot for the late Senator Jonathan P. Dolliver who loved to here relax and fish, and

WHEREAS, at the close of the Civil War, Frederick Gotch established a homestead just across the river from this state land, and there on this farm in 1877 Frank A. Gotch was born, and in 1911 became the champion wrestler of the world; in his boyhood and young manhood this park was his favorite fishing and hunting ground. Gotch's name and fame were not only national but international. His life was one of high ideals, and a worthy example for all of the people of the state of Iowa. He was a true sportsman, fisherman, hunter and conservationist of wild life, and

WHEREAS, he lived in Humboldt county, state of Iowa, all of his life, died there in 1917 and his beautiful mausoleum in Union Cemetery in

*According to the enrolled Act.

Humboldt is annually visited by hundreds of people from every state in the Union, the state of Iowa should be proud to perpetuate his memory by the naming of this park in his honor, and Humboldt county at its own cost will erect a suitable plaque in this park in his memory, and also erect other appropriate historical markers of interest.

NOW THEREFORE

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

1 SECTION 1. That certain land acquired by the state of Iowa in
2 1942 and presently used for state park purposes and described as all
3 of government Lot 8; and that part of lot seven (7) and all that part
4 of the northwest quarter of the southwest quarter of section nineteen
5 (19), township ninety-one (91), range twenty-eight (28) west of the
6 fifth prime meridian in Humboldt County, Iowa, is hereby designated
7 as Frank A. Gotch State Park as a memorial in commemoration of
8 the name, deeds and fame of Frank A. Gotch.

1 SEC. 2. That the said Iowa state conservation commission shall
2 file with the secretary of state a description of the said park property
3 and a plat thereof so designating said park as the Frank A. Gotch
4 State Park.

1 SEC. 3. That the said Iowa state conservation commission shall
2 so record the name of said park, as herein described, upon their rec-
3 ords and said name shall hereafter be the official name and title of
4 the said herein described park.

1 SEC. 4. That the said Humboldt county, Iowa, at its own cost shall
2 erect a suitable plaque in this park in his memory, and other ap-
3 propriate historical markers.

Approved April 15, 1949.

CHAPTER 316

COUNCIL OF STATE GOVERNMENTS

H. J. R. 10

A JOINT RESOLUTION to invite the midwest regional conference of the council of state governments to meet in Iowa during the biennium.

WHEREAS, in the Forty-ninth General Assembly, House Concurrent Resolution Eighteen (18) was adopted providing for a Senate and House committee on interstate government and further provided for by the Fifty-first and Fifty-second General Assemblies; and,

WHEREAS, these committees have been in attendance at various Midwest Regional Conferences of the Council of State Governments made up of committees of interstate cooperation of fourteen (14) midwestern states; and,

WHEREAS, Iowa has never been host to such a conference and because of its strategic central location and its natural beauty and resources, the

great state of Iowa should extend an invitation to this conference to meet in Iowa sometime during the next biennium.

NOW THEREFORE

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

1 SECTION 1. That the joint House and Senate committee on inter-
2 state cooperation be empowered and authorized to extend an invita-
3 tion to the Midwest Conference of the Council of Governments to meet
4 in Iowa in either year of the next biennium and to make the necessary
5 arrangements therefor.

1 SEC. 2. There is hereby appropriated out of the general fund of
2 the State of Iowa not otherwise appropriated the sum of three thou-
3 sand dollars (\$3,000) or so much thereof as may be necessary to
4 carry out the provisions of section one (1).

5 The chairman of the joint committee shall certify the expenses
6 of the committee as herein provided to the state comptroller who shall
7 issue warrants for the same from funds heretofore appropriated.

1 SEC. 3. This joint resolution being deemed of immediate im-
2 portance shall be in full force and effect from and after publication
3 in the Mitchell County Press and Osage News, a newspaper pub-
4 lished at Osage, Iowa and Daily Times Herald, a newspaper published
5 at Carroll, Iowa.

Approved May 2, 1949.

I hereby certify that the foregoing act was published in the Mitchell County Press and Osage News, May 12, 1949, and in the Daily Times Herald, May 9, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

TABLE OF SENATE AND HOUSE FILES AND JOINT RESOLUTIONS

SENATE FILES

No.	Page	No.	Page	No.	Page	No.	Page
9	229	151	294	281	313	406	79
15	151	152	297	292	310	413	87
18	268	156	216	297	259	417	157
24	119	163	152	305	142	427	81
25	333	171	82	306	112	435	207
27	218	172	220	309	75	446	154
28	133	174	205	310	325	449	119
37	366	175	290	311	83	452	377
38	80	179	212	320	262	456	382
39	373	180	212	322	253	465	38
56	353	182	206	324	369	467	192
57	356	184	200	325	355	470	28
58	108	185	82	330	78	471	28
60	152	186	260	337	248	472	392
65	378	188	300	339	121	476	39
67	371	189	295	343	105	477	46
69	347	191	75	344	52	479	36
76	200	199	302	345	50	485	338
79	385	201	262	347	156	486	393
81	309	207	142	348	139	487	380
83	309	210	69	351	259	489	364
86	301	211	336	353	197	490	48
90	74	212	295	358	120	491	244
94	299	216	106	359	297	498	387
102	249	217	374	360	292	500	54
116	42	222	76	361	76	501	364
117	267	223	299	363	334	502	37
118	338	231	210	369	367	503	79
122	315	236	252	371	314	508	337
127	170	238	137	372	222	510	62
130	153	240	296	374	354	511	59
134	299	242	231	375	551	514	29
136	268	243	243	379	215	515	65
137	307	244	220	380	213	516	36
138	298	249	150	382	350	517	36
139	298	256	176	388	83	519	68
140	117	257	291	389	86	520	35
142	39	265	248	390	85	523	32
146	256	269	120	391	85	524	388
147	131	273	224	392	155		
149	252	278	254	396	192		

HOUSE FILES

No.	Page	No.	Page	No.	Page	No.	Page
2	275	29	86	80	104	136	80
4	108	30	73	89	308	142	381
5	288	33	84	95	70	145	254
8	246	34	313	96	368	146	107
9	283	38	315	99	261	149	221
10	285	42	181	102	343	150	358
11	286	43	177	108	250	152	89
12	28	46	191	120	170	153	169
19	227	54	183	121	223	158	308
24	329	55	220	132	324	166	150
25	326	71	219	133	252	168	268

TABLE OF SENATE AND HOUSE FILES—Continued

HOUSE FILES—Continued

No.	Page	No.	Page	No.	Page	No.	Page
169	317	313	359	424	223	556	67
176	340	316	176	426	191	557	328
193	361	324	360	427	42	559	345
194	386	335	134	430	201	560	204
195	229	336	118	432	331	561	202
198	137	337	118	433	317	565	34
200	218	341	107	435	255	567	346
201	139	345	348	441	148	569	181
202	139	357	35	442	384	572	44
218	88	359	141	443	193	573	45
224	167	366	389	448	228	575	47
229	80	370	376	449	306	581	104
237	258	371	390	469	391	582	383
238	250	377	365	471	105	584	136
245	150	379	148	487	256	587	169
247	257	382	314	508	307	593	342
260	251	385	258	521	217	595	341
279	311	386	219	522	23	600	66
281	316	389	349	523	27	601	45
287	81	392	171	524	183	603	1
288	87	394	46	540	362	604	69
294	289	406	117	541	363	606	53
295	73	408	206	544	251	611	42
300	113	413	243	551	41		
306	141	419	260	552	327		
307	332	423	370	555	41		

SENATE JOINT RESOLUTIONS

No.	Page	No.	Page
1	395	7	398
2	397	11	399
5	398		

HOUSE JOINT RESOLUTIONS

No.	Page	No.	Page
2	400	9	402
6	401	10	403

TABLE OF SECTIONS REPEALED OR AMENDED

CONSTITUTION OF THE STATE OF IOWA

	Page
Article IV Section 4	397
Article IV Section 19	397

CODE OF 1946

Section	Page	Section	Page	Section	Page
2.11	73	135.18	108	265.6	150
2.15	73	135.19	108	274.39	151
8.6	137	135.20	108	274.42	151
17.19	74	135.21	108	276.26	167
19.25	75, 149	135.22	108	276.27	167
21.2	76	135.23	108	276.28	167
21.4	82	135.24	108	276.29	167
37.2	78	135.25	108	276.30	167
37.6	79	135.26	108	276.31	167
37.10	78	135.27	108	279.16	166
37.22	78	135.28	108	279.18	155
37.23	79	135.29	108	279.19	152, 167
43.114	79	147.16	113	279.20	167
49.20	80	147.19	114	282.7	166
49.56	80	147.75	112	282.8	166
56.1	80	147.76	112	282.9	167
56.8	80	147.77	112, 117	282.10	167
77.8	81	147.78	112	282.11	167
77.10	81	147.80	113, 114	282.12	153, 167
79.9	81	147.107	114	282.13	167
80.15	82	149.3	113	282.14	167
85.27	82	149.4	113	282.15	167
85.28	83	152.1	114	282.16	167
85.33	84	152.2	114	282.18	166
85.35	84	152.3	115	282.20	155
85.37	84	152.4	116	282.22	166
85.55	85	155.2	117	282.23	167
86.26	85	160.4	288	284.2	156
86.34	85	160.4	289	284.3	156
94.6	86	160.7	282	285.1	157
96.3	87	174.1	119	285.2	159
96.8	87	190.1	120	285.4	160
96.14	86	199.7	120	285.5	161
96.19	86	210.10	133	285.8	162, 163
97.8	88	210.16	134	285.9	163
97.21	88	210.18	134	285.10	163
97.45	88, 89	212.2	134	285.11	164
106.27	104	214.2	136	285.12	165
107.5	22	214.3	136	285.15	165
107.13	22, 105	217.12	138	296.1	169
108.7	282	227.11	140	307.9	170
109.15	282	231.12	141	309.10	175
109.19	107	247.21	142	309.11	176
109.61	107	260.11	149	309.20	81
109.87	108	260.12	149	309.35	176
109.93	108	260.15	148	309.39	177
109.100	105	260.21	149	309.40	177
109.103	106	260.27	149	309.44	179
109.104	106	262.9	150	309.45	178
109.107	106	265.1	150	309.57	177
111.4	282	265.2	150	309.59	178
111.18	282	265.3	150	309.60	178
112.3	282	265.4	150	309.62	179
112.7	282	265.5	150	309.65	180

TABLE OF REPEALED OR AMENDED SECTIONS—Continued

CODE QF 1946—Continued

Section	Page	Section	Page	Section	Page
309.72	180	314.2	191	321.304	206
309.90	180	314.3	191	321.324	199
309.92	177	314.4	191	321.354	207
310.1	173	314.5	191	321.372	207
310.3	173	316.1	191	321.373	208
310.5	174	316.2	191	321.374	209
310.7	174	316.3	191	321.375	209
310.9	181	316.4	191	321.376	209
310.10	181	316.5	191	321.378	210
310.11	182	316.6	191	321.380	210
310.12	182	316.7	191	321.423	199
310.14	177, 182	316.8	191	321.438	199
310.15	177	316.9	191	321.448	199
310.17	178	316.10	191	322.9	213
310.19	182	316.11	191	322.14	212
310.20	174	316.12	191	324.63	174
310.21	178	316.13	191	326.13	174
310.22	182	316.14	191	326.14	175
310.25	179	316.15	191	328.20	213
310.26	182	316.16	191	328.21	213
310.27	182	316.17	191	328.25	214
310.28	182	316.18	191	328.35	215
310.30	182	316.19	191	328.36	215
310.31	174	316.20	191	331.22	81
311.1	183	316.21	191	337.11	81, 82
311.2	183	316.22	191	340.19	82
311.3	183	317.3	193	349.16	218
311.4	183	317.4	194	357.19	218
311.5	183	317.5	194	358.1	219
311.6	183	317.6	194	359.37	219
311.7	183	317.8	195	359.43	220
311.8	183	317.10	195	362.18	220
311.9	183	317.13	195	363.18	220
311.10	183	317.14	195	365.17	222
311.11	183	317.16	195	368.30	223
311.12	183	317.18	196	378.11	224
311.13	183	317.19	196	378.13	224
311.14	183	317.20	196, 197	378.15	227
311.15	183	321.1	197	384.3	227
311.16	183	321.20	200	389.23	228
311.17	183	321.23	197	389.24	228
311.18	183	321.53	200	389.25	228
311.19	183	321.106	198	389.26	228
312.1	191	321.109	198, 201	389.27	228
312.2	191	321.112	201	389.28	228
312.3	191	321.113	201	389.29	228
312.4	191	321.118	204	389.30	228
312.5	191	321.119	202	389.37	229
312.6	191	321.120	202	391.42	243
312.7	191	321.121	202	394.1	244, 245
312.8	191	321.122	202	394.3	245
312.9	191	321.123	204, 205	394.6	245
312.10	191	321.130	200	395.1	246
312.11	191	321.145	174	395.2	246
313.3	173	321.146	174	395.12	246
313.5	192	321.147	174	395.18	246
313.7	173	321.176	198	395.25	247
313.10	177	321.180	198	404.5	
313.11	177	321.197	198	227, 248, 249, 250,	251
313.15	178	321.218	199	407.3	252
313.16	178	321.249	210	408.10	249
313.35	179	321.287	206	409.9	252
314.1	191	321.288	199	409.12	252

TABLE OF REPEALED OR AMENDED SECTIONS—Continued

CODE OF 1946—Continued					
Section	Page	Section	Page	Section	Page
410.10	252	455.69	270	507.4	295
411.3	253	455.72	270	507.18	294
411.6	253, 254	455.74	270	511.8	297
416.12	255	455.81	270	515.49	298, 299
416.41	254, 255	455.87	271	515.82	299
419.11	255	455.110	269	515.105	298
419.12	256	455.128	271	515.108	298
420.297	256	455.130	271	515.130	294
422.5	69	455.135	271	515.145	298
422.12	69	455.136	273	515.146	298
422.13	70	455.137	273	518.36	294
422.21	256	455.138	273	524.6	299
422.42	257, 258	455.139	273	524.7	300
422.45	258	455.140	273	534.19	300
422.62	175	455.141	273	534.39	301
422.70	259	455.142	273	568.10	306
423.1	259	455.146	273	596.3	307
423.24	175	455.147	273	601.131	307
423.25	259	455.153	274	602.5	310
426.1	260	455.156	274	602.43	308
427.1	260	455.167	274	602.46	308
427.3	261	455.168	274	602.49	309
427.5	261	457.22	274	605.1	313
429.4	262	457.23	274	605.2	313
442.3	266	462.15	285	605.11	314
443.6	267	462.19	286	607.5	314
443.7	267	462.27	286	636.32	315
443.8	267	462.31	286	638.27	315
443.11	267	462.32	286	759.1	323
445.40	268	462.33	286	759.2	323
446.12	268	462.35	286	759.3	323
455.7	268	465.1	286	759.4	323
455.8	269	469.1	279	759.5	323
455.9	269, 284	469.2	279	759.6	323
455.12	269	469.3	279	759.7	323
455.18	284	469.9	279	759.8	323
455.20	269	469.10	279	759.9	323
455.34	269	469.15	280	759.10	323
455.35	269	469.26	280	759.11	323
455.38	270	469.28	280	759.12	323
455.40	270, 274	469.29	280	759.13	323
455.47	284	479.98	290	759.14	323
455.51	274, 285	491.25	291	759.15	323
455.56	285	491.28	291	759.16	323
455.68	270	507.2	294	770.21	324

TABLES

TABLE OF CHAPTERS REPEALED OR AMENDED

CODE OF 1946

Chapter	Page	Chapter	Page	Chapter	Page
97	89	223	139	322	212
106	104	227	140	328	214
147	112	244	141	365	223
148	113	265	150	395	247
149	113	274	151	398	223
160	289	311	183	465	286-288
163	118	312	191	749	317
215	134	314	191	759	323
218	136	316	191		

ACTS OF THE FORTY-FIFTH GENERAL ASSEMBLY

Chapter	Page
4. §5(7)	138

ACTS OF THE FIFTY-SECOND GENERAL ASSEMBLY

Chapter	Page	Chapter	Page
65	82	177, § 3	203
65, 1	83	181	216
65, 2	83	181, 2	216
71, 5	83	183, 1	217
74, 4	87	183, 4	217
76, 1	89	183, 7	217
103, 1	119	183, 10	266
114, 1	137	193	227
114, 2	137	193, 2	225
126, 8	148	193, 9	225
132, 1	22	193, 10	225
143	148	193, 13	226
146, 7	170	193, 14	226
147, 6	150	193, 15	226
150, 4	152	206, 3	229
152, 3	167	216, 1	251
152, 4	167, 168	230, 1	175
152, 6	168	230, 4	175
155	169	240, 1	262
158	170	240, 2	262
161	181	240, 3	264
162, 1	174	240, 4	264
162, 2	181	240, 5	264
162, 3	182	240, 6	265
163, 5	183	240, 7	265
167, 1	192	240, 8	265
167, 2	193	240, 10	265
167, 3	193	240, 11	266, 267
168, 3	194	240, 20	266
168, 9	196	240, 29	170
168, 11	195	240, 47	266
170, 1	205	240, §52	267
172, 2	210	255	295
172, 5	211, 212	256, 2	295, 296
172, 6	211	261, 3	298
172, 29	212	282	308
172, 33	211	284	308
172, 34	211	285	309
175	201	286	309
175, 1	199	307, § 2	333
177, 1	200		

TABLES

**TABLE OF SECTIONS REFERRED TO IN ACTS OF THE
FIFTY-THIRD GENERAL ASSEMBLY**

CODE OF 1946

Section	Page	Section	Page	Section	Page
2.41	298	282.33	167	391.68	247
8.6	138	284.1	156	396.22	242
24.2	265	284.2 (1,2)	156	396.23	242
43.17	150	285.12	161	397.16	350
64.2	225	285.13	161	397.17	350
80.15	90	309.8	290	397.18	350
85.27	83	310.4	183	397.19	350
85.32	84	310.9	181	404.17	238
85.33	84	310.10	181	404.22	247
85.35	84	310.20	172	404.23	247
85.64	85	310.31	41	411.1	253
86.26	85	313.12	242	411.8	253
86.34	85	313.13	242	419.8	256
96.7 (3b)	87	313.14	242	422.55	306
96.8	87	313.15	242	423.7	171, 175
96.10	12	313.16	242	455.9	269
97.6	45	313.17	242	455.20	271, 272
97.8	45	313.18	242	455.21	271, 272
109.32	107, 108	313.19	242	455.22	271, 272
109.39	106	313.20	242	455.23	271, 272
111.18	329	313.21	242	455.24	271, 272
111.33	330	313.22	242	455.45	270, 272
123.10	23	313.23	242	455.48	273
147.3	115	317.6	195	455.135	273
147.44	114	317.17	196	455.140	273
147.45	114	317.18	196	455.141	273
147.46	114	317.20	196	455.142	272
147.47	114	321.177 (2)	210	462.20	286
147.48	114	321.372	207, 209, 210	462.28	286
147.49	114	321.373	210	465.9	287
147.50	114	321.377	206	465.10	287
147.51	114	321.448	199	465.11	287
147.52	114	325.26	211	479.93	290
147.53	114	327.15	211	479.94	290
147.54	114	332.7	355	479.95	290
189.9	134	332.8	355	479.96	290
189.10	134	359.30	219	479.97	290
189.11	134	363.46	255	492.6	336
189.12	134	378.1	225	492.7	336
189.13	134	378.11	226	492.9	336
189.14	134	389.22	228	507.8	295
189.15	134	390.2	249	507.9	295
189.16	134	391.34	246	515.48	298
217.1	399, 400	391.35	246	515.80	299
225.28	30	391.36	246	515.81	299
227.11	140	391.37	246	515.99	298
230.24	141	391.58	247	515.102	298
274.42	151	391.60	247	515.103	298
274.43	151	391.61	247	515.104	298
274.44	151	391.62	247	515.107	298
279.18	159, 166	391.63	247	515.143	298
279.19	153	391.64	247	534.32	300, 301
279.20	152	391.65	247	568.1	306
282.17	166	391.66	247	684.17	21
282.20	159, 166	391.67	247		

TABLES

TABLE OF CHAPTERS REFERRED TO IN ACTS OF THE FIFTY-THIRD GENERAL ASSEMBLY

CODE OF 1946

Chapter	Page	Chapter	Page	Chapter	Page
24	265	286	36	458	284, 285
64	134	321	171, 174	459	284, 285
85	38, 41	324	171	460	284, 285
86	38	326	171	461	284, 285
87	38	358	243-245	462	284, 285
123	105, 216	365	223	463	284, 285
147	121	370	348	464	284, 285
148	114	378	226, 227	465	284, 285
150	115	391	243, 244	466	284, 285
160	284, 289	394	244	467	284, 285
166	117	396	248	469	278, 279
198	117	397	344	472	228
225	30	416	254	491	175
255	29	422	171	494	373
263	30	423	171	514	221, 222
281	35	455	284, 285	656	300
284	151	456	284, 285	662	241
285	36, 166	457	284, 285		

ACTS OF THE FORTY-NINTH GENERAL ASSEMBLY

Chapter	Page	Chapter	Page
3	27	16	39, 40

ACTS OF THE FIFTIETH GENERAL ASSEMBLY

Chapter	Page	Chapter	Page
19	40	45, §3	67

ACTS OF THE FIFTY-FIRST GENERAL ASSEMBLY

Chapter	Page	Chapter	Page
3	27	60	66
10	39, 40		

ACTS OF THE FIFTY-SECOND GENERAL ASSEMBLY

Chapter	Page	Chapter	Page
12	27	172, §34	211
59	76-78	183, § 2	266
59, 2	77	206	248
59, 3	45	230	34
59, 6	45	231, § 1	67
59, 7	45	231, §11	67
146	30	240	262, 266, 267
147, 13	290	240, § 3	262-266
150, 4	381	263, § 1	298
172, 4	211	307	39, 40
172, 5	211	354	398, 399
172, §26	211		

ACTS OF THE FIFTY-THIRD GENERAL ASSEMBLY

House File 604	28	House Joint Resolution 6, §3	47
----------------	----	------------------------------	----

TABLES

**TABLE OF ACTS OF CONGRESS REFERRED TO IN ACTS OF
THE FIFTY-THIRD GENERAL ASSEMBLY**

5 Stat. L. 788, 790	(Admission of State to Union)	191
52 Stat. L. 1040 et seq.	(Federal Food, Drug and Cosmetic Act)	123
52 Stat. L. 1052—§505	(Application to sell or give away drugs—Federal Food, Drug and Cosmetic Act)	128
59 Stat. L. 33—Public Law 15	(Business of insurance subject to laws of several states)	292
21 U.S.C. 301 et seq.	(Federal Food, Drug and Cosmetic Act)	123
42 U.S.C. Ch. 4 (1934 Ed.)	(Virus, Serum, and Toxin Act of July 1, 1902)	128

SENATE CONCURRENT RESOLUTIONS

See Journals for text and legislative action.

SCR 1	Governor's Inauguration, SJ 6; HJ 15.
SCR 2	Code of Iowa to members, SJ 7; HJ 16.
SCR 3	Journals and bills to county auditors, SJ 7; HJ 16.
SCR 4	Recess after inauguration, SJ 29; HJ 29.
SCR 5	Legislative employees, SJ 32, 74; HJ 78.
SCR 6	Joint convention to hear Governor read budget message, SJ 111; HJ 130, 132.
SCR 7	Approval of bills for legislative expense, SJ 118, 122; HJ 140, 190.
SCR 8	Honoring Representative Carroll L. Brown for record corn yield; SJ 129; HJ 167.
SCR 9	Departmental reports relating to employees, SJ 285; HJ 349, 422.
SCR 10	Joint convention to hear Perry Brown, SJ 289, 332; HJ 404, 422.
SCR 11	Joint convention to hear Paul Shipman Andrews, SJ 321, 332; HJ 404, 517.
SCR 12	Pioneer Lawmakers, SJ 471; HJ 586, 626.
SCR 13	Approval of bills for legislative expense, SJ 601; HJ 732, 904.
SCR 14	Good Friday Recess, SJ 625, 1101.
SCR 15	Memorializing Congress in re World Federal Government, SJ 728.
SCR 16	Adjournment sine die of General Assembly, SJ 884.
SCR 17	Memorializing Congress in re Fort Des Moines Army Post, SJ 933, 945; HJ 1197, 1224.
SCR 18	Submission of claims, SJ 992, 1041.
SCR 19	Memorializing Congress in re atom bomb, SJ 1005.
SCR 20	Bill recalled from Governor, SJ 1113; HJ 1415.
SCR 21	Memorializing Congress in re World Federal Government, SJ 1118, 1173, 1174.
SCR 22	Memorializing Congress in re socialized medicine, SJ 1169.
SCR 23	Memorializing Congress in re federal aid to education, SJ 1170.

HOUSE CONCURRENT RESOLUTIONS

See Journals for text and legislative action.

- HCR 1 Joint convention to hear Governor Blue, HJ 9; SJ 17.
HCR 2 Joint committee to nominate employees, HJ 13; SJ 19.
HCR 3 Clip sheets of amendments furnished, HJ 13; SJ 19.
HCR 4 Legislative employees, HJ 27; SJ 73.
HCR 5 Memorializing Congress in re Ilse Koch, HJ 30; SJ 34.
HCR 6 Memorializing Congress in re releasing certain areas of taxation, HJ 165, 190; SJ 158.
HCR 7 Memorializing Congress in re severe blizzards, HJ 237, 251; SJ 199.
HCR 8 Recess, HJ 317, 339; SJ 273, 315.
HCR 9 Joint convention on Lincoln's Birthday, HJ 339; SJ 273.
HCR 10 Final date for filing of claims, HJ 382, 409; SJ 351.
HCR 11 Memorializing Congress in re cigarette tax, HJ 481, 588; SJ 479, 519.
HCR 12 Approval of bills for legislative expense, HJ 519, 532; SJ 434, 459.
HCR 13 Committees on interstate co-operation, HJ 622, 779; SJ 643, 926.
HCR 14 Memorializing Congress in re grade crossing accidents, HJ 648, 779; SJ 643.
HCR 15 Invitation to Mrs. Eleanor Roosevelt to address joint session, HJ 780; SJ 650.
HCR 16 Bill recalled from Governor, HJ 780; SJ 644, 645.
HCR 17 Joint session in re Iowa's Flag Song, HJ 855; SJ 706, 721.
HCR 18 Memorializing Congress in re World Federal government, HJ 880, 981; SJ 824.
HCR 19 Invitation to Carl H. Wilken to address joint session, HJ 960, 1248; SJ 991.
HCR 20 Bill recalled from Governor, HJ 960; SJ 789.
HCR 21 Memorializing Congress in re price support of eggs, HJ 1000, 1089; SJ 1121.
HCR 22 Adjournment sine die of General Assembly, HJ 1138, 1438; SJ 1084, 1096, 1120.
HCR 23 Control and elimination of advertising of alcoholic beverages, HJ 1311; SJ 1083, 1121, 1164.
HCR 24 Bill recalled from Governor, HJ 1341; SJ 1066.
HCR 25 Chairs to Speaker and President, HJ 1352, 1381, 1415; SJ 1105, 1106.
HCR 26 Approval of bills for legislative expense, HJ 1398, 1414; SJ 1115, 1119.
HCR 27 Bill recalled from Governor, HJ 1468, 1481; SJ 1150, 1151.
HCR 28 Bill recalled from Governor, HJ 1481; SJ 1150.
HCR 29 Legislative interim employees, HJ 1578; SJ 1233, 1245.
HCR 30 Bill recalled from Governor, HJ 1616; SJ 1248.

INDEX



INDEX

References are to pages

In general the page cited is the beginning of the act or section.

ABSTRACTS OF TITLE

Filing with town or city plats, 252

ADJUTANT GENERAL

Appropriation, 16
Appropriations for inaugural, 42
Salary, 16

AERONAUTICS

Aviation fund, 215
Intoxication penalty, 216
Registration of aircraft, 213
Transfer of ownership, 213

AGRICULTURE

Aid for local fairs, 46, 119
Animals, certificate of health, 118
Animals tested, tags, 118
Blue tag on seed, 120
Brucellosis, 119
Hog-cholera serum, sales, 117
Soybeans, weight per bushel, 133

AGRICULTURE DEPARTMENT

Weights and measures, 134

AGRICULTURE, SECRETARY OF

Antifreeze regulation, 131
Appropriation, 5

ALLERTON, TOWN OF

Sewer construction legalized, 338

ALUMINUM COMPANY OF AMERICA

Scott county land sold, 329

AMES SCHOOL DISTRICT

Legalizing Act, 381

ANIMALS

Certificate of health, 118
Fur-bearing, trapping, 108
Tags on tested animals, 118

ANNIE WITTENMYER HOME

Children's home at Davenport, 141

ANTIFREEZE

Regulations, 131

APPROPRIATIONS

Acoustics in committee room, 42
Adair, Harold, 59
Adams, Ann, 59
Addressograph-Multigraph Corp., 42
Adjutant general, 16
Agricultural land tax credit, 26
Agricultural statistics, 5

APPROPRIATIONS—Continued

Agriculture department, 5
Aid to blind, 34
Aid to dependent children, 34, 35
Alstrope, Ed T., 54
Ambrose, Pearl, 59
American Bottling Works, 59
American Signal Corporation, 42
Ames joint sewage system, 398
Ames school district, 59
Anderson & Son, 54
Angle, Paul, 54
Animal health and veterinary, 5
Ashland, Ole, Jr., 54
Asmus, W. M., 54
Athen, Herman, 54
Attorney general, 1
Auditor of state, 2
Bacteriological laboratory, 29
Baird Estate, 59
Barberry eradication, 5
Barbers' examiners, 7
Bates, Wm. F., 59
Beardsley, William S., 50
Bedell, W. B., 53
Beef producers' association, 5
Bee inspection, 5
Bender, Walter J., 54
Berg, John P., 48
Bergeson, Rollo, 42
Biersborn Furniture Store, 62
Blind commission, 4
Blind school, 29
Blind school capital improvements, 32
Blood bank, 7
Board of control expense, 28
Board of control institutions, 23, 27
Boden, Dr. H. N., 59
Bond Clothiers, 42
Bonus board appropriation, 45
Boothby Funeral Home, 62
Borralls Super Value, 62
Boys Training School, 23
Brady Transfer & Storage Co., 54
Brown, Carroll L., 48
Bruns, Mrs. Fannie, 59
Bryan Funeral Home, 62
Building and loan division, 2
Building code council, 50
Buresh, Wesley, 54
Campbell, Karl, 54
Cancer control, 7
Capitol maintenance, 44
Cargill, Inc., 65
Carroll, William, 54
Casebeer, Kenneth, 54
Central Service Co., 54
Cherokee State Hospital, 23

References are to pages

In general the page cited is the beginning of the act or section.

APPROPRIATIONS—Continued

Chicago, Rock Island & Pacific
R. R. Co., 54
Child welfare, 34
Chiropractic examiners, 7
Chiropractic examiners, 7
Clarinda State Hospital, 23
Clark, Charles W., 59
Clear Lake water survey, 36
Clerk of supreme court, 3
Cline, Ben, 54
Coady, Peggy, 59
Cobb-Warner Funeral Home, 62
Code editor, 19
Collins, H. W., 54
Commerce commission, 4
Committee on House chamber improve-
ments, 42
Comptroller for motor vehicle fuel tax
refunds, 42
Comptroller, state, 20
Concrete Materials and Construction
Company, 65
Conservation commission, 22
Cooley, Melvin, 54
Corn and small grain growers' asso-
ciation, 5
Cosmetology examiners, 7
Council of state government, 5
Crary, S. D., 53
Criminal investigation division, 10
Crop pest control, 5
Custodian, 5
Dairy association, 5
Dairy calf club, 5
Dairy specialist and bacteriologist, 5
Davenport, city of, 59
Davenport, Mrs. Mae R., 59
Deaf school, 29
Deaf school capital improvements, 32
Denman Coal Company, 59
Dental examiners, 7
Dental hygiene, 7
Des Moines, city of, 59
Dhority, D. J., 54
District court judges, 11
Donaldson, J. A., 59
Donohue, D. A., 48
Doyle, Duane, 54
Drainage District No. 7, 59
Dubuque Stone Products Company, 65
Duffield, R. E., 50
Duffy, John A., 54
Dykhouse, J. T., 50
Eads, Charles, 54
Educational examiners, 148
Education, state board of 2, 29, 32
Electric bulletin board, 42
Elevator for House chamber, 42
Elthon, Leo, 50
Embalmer examiners, 7
Emergency relief, 34
Emmet county Drainage District No.
70, 59

APPROPRIATIONS—Continued

Employment security commission, 12
Entomology, 5
Estes Funeral Home, 62
Executive council, 13, 42
Fair board, 21
Fairs, aid from state, 42
Fast, John, 54
Faul, George, 50
Faupel, Wayne, 59
Fialka, J. Ray, 54
Fimmen, W. R., 50
Fire marshal division, 10
Fitcher, Allen E., 54
Flood control committee, 50
Freeman, Robert, 54
Fremont county, 59
Fry, Leonard Lyle, 54
Gamble Robinson Company, 65
General aid to schools, 9, 167
General contingent fund of state, 68
General Mills, Inc., 54
Geological survey, 13
Gertz, Wm. F. Jr., 54
Getz, Edwin, 42
Girls Training School, 23
Glenwood school land purchase, 328
Glenwood State School, 23
Governor, 13
Governor's home maintenance, 44, 75
Governor's home supervising commit-
tee, 48
Graham, Mel, 50
Grand Army of the Republic, 13
Greene & Son Coal Co., 54
Griswold, John, 65
Gustafson, A. C., 42
Hamilton's Funeral Home, 62
Handicapped children, 9, 35
Hansen, J. E., 47, 50
Hardin county, 59
Harper Implement Company, 59
Harris, Louis C., 59
Hart, Stanley L., 52
Harwood, Ervin, 54
Hatchery inspection, 5
Hawkins, L. G., 54
Hayden, L. M., 62
Health department, 7
Hearing tests, 35
Hedin, Philip T., 52
Heege's Funeral Home, 62
Herbert Hoover birthplace society, 14
Hicklin, M. F., 2
Highlife Distributing Company, 54
Highway commission expenditures, 192
Highway investigation committee, 50
Highway patrol, 10
Hiland Potato Chip Company, 54
Hindel, Claude, 54
Hinz, Mrs. John F., 59
Historical society, 14
History and archives department, 9
Horrigan & Son, 62

References are to pages

In general the page cited is the beginning of the act or section.

APPROPRIATIONS—Continued

Horse breeders' association, 5
 Horticultural societies, 5
 Hospital school at Iowa City, 29
 Hospital-school for handicapped, 32
 Hospital survey, 7
 House chamber, lighting, 42
 Hughes, Charles E., 59
 Hultman, O. N., 50
 Hutchinson, Dr. Eleanor, 59
 Inaugural expense, 42
 Independence hospital land exchange, 327
 Independence State Hospital, 23
 Industrial commission, 14
 Insane Hospitals, 23
 Insane persons screened, 136
 Institutional state roads, 28
 Insurance commission, 15
 Iowa City school district, 59
 Iowa development commission, 15
 Iowa Electric Company, 59
 Iowa Mutual Liability Insurance Co., 54
 James, Floyd, 59
 James Funeral Home, 62
 Jepsen, Mrs. Inga, 59
 Johnson, D. D., 59
 Johnson, Mrs. Henry, 54
 Johnston, C. B., 62
 Jones, Bernard, 54
 Jones, Harold, R., 59
 Juvenile home, 23
 Kaprich, Mrs. Joe, 54
 Kearns Garden Chapel, 62
 Keel, Robert, 59
 Kelley, Mrs. Clara, 54
 Kellogg, Mrs. George, 59
 Kirkelie, Bernard & Peek, 62
 Knickerbocker, C. J., 50
 Koch Brothers, 42
 Krabbenhoff, L. F., 62
 Krause, Wilson W., 54
 Labor bureau, 3
 Lampert Lumber Company, 59
 Lands and waters development, 37
 Law library, 15
 Library commission, 15
 Licensure and registration, 7
 Linwood Stone Products Co., 59
 Liquor control commissioners, 22
 Long, Harvey J., 52
 Lovejoy, Gaylen S., 54
 Lundahl, D. J., 54
 Lynes, W. S., 50
 McAuley & Son Funeral Home, 62
 McCann, Mrs. Edith, 54
 McCormick, Lawrence, 53
 McDonnell, Mrs. Eva, 54
 McGinnis Funeral Home, 62
 McKee Funeral Home, 62
 McTigue, John, 59
 Mandt, Lenna, 42
 Market news, 5

APPROPRIATIONS—Continued

Martin, H. J., 59
 Mason Funeral Home, 62
 Maternal and child health, 7
 Mathes, Lloyd, 54
 Mayer, Walter W., 54
 Maysville, town of, 59
 Maytag, Fred, 48
 Medical examiners, 7
 Medical library, 15
 Men's reformatory, 23
 Mental aid fund, 139
 Mercer, Leroy S., 50, 52
 Merchants' Investment Company, 54
 Michael, Glenn, 62
 Midwest Regional Conference, 403
 Midwest Walnut Co., 54
 Miene, William, Jr., 54
 Mine examiners, 16
 Mine inspectors, 16
 Mining camp school emergency, 35
 Mining camp schools state aid, 35
 Morrissey, Edward J., 52
 Mosier, Ralph, 54
 Motor Insurance Corporation, 59
 Motorola Inc., 59
 Motor registration division, 10
 Motors Insurance Corporation, 54
 Motor vehicle accident statistics, 10
 Motor vehicle drivers' license division, 10
 Moulton School District, 59
 Mount Pleasant State Hospital, 23
 Muehle, Louis J., 65
 Municipal code study committee, 395
 Murphy Bros. Chevrolet Co., 59
 Murphy, Tom, 54
 Muscatine county treasurer, 59
 Muscatine Rural Fire District, 59
 Myers, Bert, 54
 Nace, Emmett and Evalyn, 54
 Namtvedt, Paul I., 53
 Nanke, Mrs. Aldine, 59
 National and state guard, 16
 Newton, Mrs. Homer, 59
 Nicholas, E. E., 54
 Noble, Walter F., 47
 Normal institutes, 35
 Oakville Consolidated School District, 65
 Oathout Funeral Home, 62
 O'Brien, Donald, 53
 Office building advisory committee, 52
 Old-age and survivor's insurance division, 12
 Old-age assistance, 34
 Olmsted, Mrs. G. E., 59
 Olson, Allert G., 47, 48
 O'Neal, Dr. H. E., 54
 Optometry examiners, 7
 Osteopathy examiners, 7
 Our Lady of Lourdes Church, 54
 Paden, E. G., 54
 Parole board, 2

References are to pages

In general the page cited is the beginning of the act or section.

APPROPRIATIONS—Continued

Pavelka, Cletus, 54
 Pearson, G. E., 65
 Penitentiary, 23
 Pennsylvania Fire Insurance Co., 59
 Perry, Teresa, 59
 Pharmacy board, 17
 Pioneer lawmakers, 17
 Pocahontas county, 59
 Poinsett, Wm. B., 54
 Pottawattamie county, 59
 Poultry association, 5
 Primary road fund allocation, 41
 Printing board, 18
 Printing for departments, limitation, 18
 Printing for general assembly, 39
 Propeck Distributing Company, 53
 Psychopathic hospital, 29
 Public health engineering, 7
 Public health nursing, 7
 Public instruction department, 9
 Public safety department, 10
 Pursel Funeral Home, 62
 Radio communication division, 10
 Rains, W. E., 59
 Ramsey, Fred P., 54
 Real estate commission, 15
 Reese, Howard P., 54
 Reese, J. H., 54
 Rehabilitation division, 3
 Reilly, Robert C., 50
 Reporter of supreme court, 19
 Reserve fund authorized, 73
 Restaurant and hotel inspection, 5
 Rhoten, Paul, 54
 Rice, L. E., 54
 Ridgley, Herbert, 59
 Rinard, Walter, 54
 Robb, Donald, 59
 Rodda, Leland J., 54
 Rowland, Roy, 54
 Runge, M. L., 62
 Runyan, Merrill, 59
 Russell, Willard P., 59
 Ryan, Emmett F., 54
 Ryder Brothers Beverage Co., 59
 Sacco, Frank, 42
 Safety education division, 10
 Sanatorium capital improvements, 82
 Sanatorium, state, 29
 Scarborough, W. J., 42
 Schlampp, J. W., 54
 Schluter, Edwin C., 48
 School lunch program, 9
 Schools, general aid, 167
 School supplemental aid, 36
 School transportation aid, 9, 36
 Schroeder, Wm., 59
 Schultz, Clarence, 59
 Schwengel, Fred, 47
 Scott county, 59
 Secondary road research, 183
 Secretary of state, 19
 Sharp, Fern E., 52

APPROPRIATIONS—Continued

Sheep association, 5
 Sheets, Mrs. Frank, 59
 Shirk, Paul B., 59
 Shirley, Paul W., 54
 Shuler Coal Company, 59
 Sloan, Selz N., 54
 Smith, Ernest T., 47
 Smith, O. Dale, 62
 Snow removal in Nebraska, 46
 Snyder, Mary, 54
 Social welfare department, 34
 Soil conservation, 5, 289
 Soldiers bonus, 76
 Soldiers' bonus board, 20
 Soldiers' Home, 23
 Soldiers' Orphans Home, 23
 Spanish-American War veterans, 20
 Special reserve fund, 73
 Stafford Estate, 59
 Standard Oil Co., 54
 Stark Estate, 54
 State college, 29
 State college capital improvements, 32
 State office building, 39
 Stoker, Robert, 59
 Storey-Kenworthy Co., 42
 Stroy, Dr. H. E., 59
 Supplementary school aid, 9
 Supreme court, 21
 Swine breeders' association, 5
 Switzer, W. P., 54
 Tax commission, 21
 Taylor, Samuel G., 54
 Teachers college, 29
 Teachers college capital improvements, 32
 Thompson, W. H., 53
 Traveling library, 15
 Treasurer of state, 21
 Tuberculosis control, 7
 Turner & Son, 62
 Turner, Bud, 59
 Tuttle, H. O., 62
 Uniform laws commission, 5
 Union Trailways Co., 54
 University capital improvements, 32
 University hospital, 29
 University of Iowa, 29
 Vegetable growers' association, 5
 Venereal disease control, 7
 Veterans educational program, 10
 Veterinary examiners, 5
 Viers, Ernest, 54
 Vietor, Alberta, 53
 Vital statistics, 7
 Vocational education, 3
 Walch & Sons, 54
 Walker Funeral Home, 62
 War surplus fund to revert, 66
 Watson, DeVere, 50
 Watson, Harry E., 50
 Watts Funeral Home, 62
 Weather bureau, 5

References are to pages

In general the page cited is the beginning of the act or section.

- APPROPRIATIONS—Continued**
 Webster county, 65
 Welton, Mrs. Lottie M., 54
 West, Gerald, 54
 White Funeral Home, 62
 Whiting, H. G., 59
 Willows, Harriett, 59
 Winnebago county Drainage District No. 25, 59
 Women's Reformatory, 23
 Woodward State Hospital & School, 23
 Workmen's compensation of highway employees, 41
 Workmen's compensation to state employees, 38
 World war orphans' education aid, 20
 Zahn, Mrs. Selma, 54
- ART**
 Levy in cities, 249
- ASSESSMENTS, SPECIAL**
 Benefited property, 231
 Benefited water districts, 218
 Flood control, 246
- ASSESSORS**
 County, 262
 Listing handicapped persons, 170
 Omitted property, listing, 267
- ATTORNEY GENERAL**
 Antifreeze regulation enforcement, 131
 Appropriation, 1
 Highway commission assistant, 170
- ATTORNEYS**
 Compensation affidavits, 315
- AUDITOR OF STATE**
 Appropriation, 2
- AUTOMOBILES**
See Motor Vehicles
- BACTERIOLOGICAL LABORATORY**
 Appropriation, 29
- BANKS AND BANKING**
 Demand items protested or paid, 301
 Examiners salaries, 299
 Salary of deputy superintendent, 299
- BEAVER**
 Open season for trapping, 108
- BELLEVUE SCHOOL DISTRICT**
 Bonds legalized, 382
- BELLEVUE, TOWN OF**
 Bonds legalized, 338
- BENNETT COMPANY**
 Legalizing Act, 366
- BETTENDORF, CITY OF**
 Fund transfer legalized, 340
- BETTENDORF SCHOOL DISTRICT**
 Bonds legalized, 383
- BILLS AND NOTES**
 Demand items in banks, 301
- BLIND COMMISSION**
 Appropriation, 4
- BLIND SCHOOL**
 Appropriation, 29, 32
- BLUE GRASS, TOWN OF**
 Waterworks bonds legalized, 341
- BLUE STAR HIGHWAY**
 Designation of, 400
- BOATS AND BOATING**
 Navigation penalties, 104
 Operating while intoxicated, 104
- BONDS**
 Bonus bonds, 76
 County road, 191
 Primary road, 191
- BONDS LEGALIZED**
 Bellevue memorial building, 338
 Bellevue school district, 382
 Bettendorf school district, 383
 Blue Grass waterworks, 341
 Calamus town hall, 342
 Crawford county hospital, 356
 Crystal Lake bonds, 348
 Durant community center, 345
 Franklin school district, 384
 Garrison waterworks, 346
 Glenwood bonds, 347
 Greene school district, 385
 Jefferson county hospital, 359
 LeMars park funds, 348
 Low Moor school building, 387
 Maquoketa swimming pool, 349
 Mason City school district, 388
 Milo electrical transmission, 350
 Mitchell county hospital, 360
 Pleasant Valley School District No. 4, 389
 Storm Lake school district, 390
 Urbandale-Windsor Heights sewer bonds, 363
 Webster City light and power bonds, 351
 West Union hospital, 353
 Winfield waterworks, 354
 Winthrop school district, 393
- BONUS BOARD**
 Administration appropriation, 45

References are to pages

In general the page cited is the beginning of the act or section.

- BOYS TRAINING SCHOOL**
General appropriation, 23
- BRIDGES**
Advertisement for bids, 181
Mississippi river bridges, 192
- BRIDGES AND CULVERTS**
Excluded from surveys, 176
Extensions of primary roads in cities, 248
- BRUCELLOSIS**
Control and eradication of, 119
- BUILDING AND LOAN ASSOCIATIONS**
Loans on real estate contracts, 300
- BUILDING AND LOAN DIVISION**
Appropriation, 2
- BUILDING CODE COUNCIL**
Appropriation, 50
- BUILDINGS**
Upkeep of state buildings, 44
- BUSES**
School, 207
Speed limit, 206
- CALAMUS, TOWN OF**
Town hall bonds legalized, 342
- CAPITAL IMPROVEMENTS**
Institutions under board of control, 27
- CAPITOL**
Office building advisory committee, 333
Office building appropriation, 39
- CAR DISPATCHER**
Purchase of automobiles, 76
- CEMETERIES**
Keokuk national cemetery, 331
Sale of unused land, 219
- CHEROKEE STATE HOSPITAL**
General appropriation, 23
- CHILDREN**
Age of admission to school, 154
Appropriation to aid, 35
Uniform support law, 142
Wanton neglect by parent, 316
- CHIROPODISTS**
Practice regulated, 112
- CHIROPRACTORS**
Statute correction, 117
- CIGARETTES**
Selling price regulated, 302
- CITIES AND TOWNS**
Abandoned towns, 220
Abstracts filed with plats, 252
Allerton sewer legalizing Act, 338
Ames school district legalized, 351
Ames sewer system, 398
Art fund levy, 249
Bellevue memorial building bonds legalized, 338
Bellevue school district, 382
Bettendorf fund transfer authorized, 340
Blue Grass bonds legalized, 341
Bridges and viaducts on primary extensions, 248
Calamus town hall bonds legalized, 342
City hall levy, 251
Civil service residence waivers, 222
Crystal Lake bonds legalized, 343
Damages on street grade change, 228
Durant bonds legalized, 345
Elections, 79
Fire fighting outside limits, 223
Fire fund levy, 250
Fire stations, incurring indebtedness, 252
Flood control, 246
Garrison waterworks bonds legalized, 346
Glenwood waterworks bonds legalized, 347
Greene school district legalized, 385
Group insurance for employees, 221
Housing projects, tax paid to school district, 156
Jails, incurring indebtedness, 252
LeMars park bonds legalized, 348
Levy for libraries, 250
Low Moor school district legalized, 387
Manager plan, 255
Maquoketa swimming pool bonds legalized, 349
Mason City school district bonds legalized, 388
Mayor pro tempore, 220
Milo bonds legalized, 350
Municipal code study committee, 395
Municipal court reporter salaries, 308
Municipal primaries, 79
Off street parking, 248
Parking meter revenues, 229
Police and firemen retirement systems, 252, 254
Police department fund, 251
Police stations, incurring indebtedness, 252
Salaries in commission cities, 254
Sanitary districts incorporation, 219
School district boundaries changes, 152
Sewage treatment plants, 244
Sewer assessments, 243
Sewer systems in annexed cities, 243
Sidewalks, 229

References are to pages

In general the page cited is the beginning of the act or section.

CITIES AND TOWNS—Continued

- Special charter cities utility plants, 256
- Street and sewer improvements, 231
- Street funds from road use tax fund, 171
- Toledo school district legalized, 391
- Urbandale-Windsor Heights bonds legalized, 363
- Urbandale-Windsor Heights sanitary district legalized, 362
- Van Meter school legalizing Act, 392
- Veterans information centers, 70
- Waterfront land acquired, 227
- Waterworks civil service, 223
- Webster City bonds legalized, 351
- West Union bonds legalized, 353
- Winfield waterworks bonds legalized, 354
- Winthrop school bonds legalized, 393

CIVIL SERVICE

- Requirements waived, 222

CLARINDA STATE HOSPITAL

- General appropriation, 23

CLEAR LAKE

- Water survey, 36

CLERK OF SUPREME COURT

- Appropriation, 3

CLINTON COUNTY

- Corn crib legalized, 355

CODE EDITOR AND SUPREME COURT REPORTER

- Appropriation, 19

COLLEGE OF AGRICULTURE AND MECHANIC ARTS

- Appropriation, 29, 32, 398

COMMERCE COMMISSION

- Appropriation, 4

COMMITTEES, INTERIM

- Building code, 50
- Flood control, 50
- Highway investigation, 50
- Legislative advisory, 39, 52, 333
- Retrenchment and Reform, 73, 398
- State government reorganization, 334

COMMON CARRIERS

- Free passes reported, 290

COMPTROLLER, STATE

- Appropriation, 20
- Appropriation for writing motor vehicle fuel tax refunds, 42
- Budget requirements, 68
- Control board claims preaudited, 137
- Funds from United States, 191
- Military service tax credit appropriation revoked, 67
- Monroe county transfer of funds, 361

CONSERVATION COMMISSION

- Appropriation, 22
- Approval of drainage districts, 283
- Clear Lake water survey, 36
- Compensation, 105
- Compensation of commissioners, 22
- Compensation of officers and employees, 22, 105
- Frank A. Gotch park, 402
- Lands and waters development, 37
- Mussels, taking of, 105
- Officers salaries, 22
- Pheasants, sale for food, 107
- Scott county land relinquished, 329
- Water navigation penalty, 104

CONSTABLES

- Fees, 307

CONSTITUTIONAL AMENDMENTS

- Succession to office of governor, 397

CONTROL, BOARD OF

- Accounting system, 137
- Appointment of member legalized, 399
- Appropriation for biennium, 28
- Business managers, statute correction, 137
- Glenwood school land purchase, 328
- Independence hospital land exchange, 327
- Institutional appropriations, 23, 27
- Institutional state roads, 28
- Preaudit of claims, 137
- Screening insane persons, 136
- Transfer of mental patients, 139

CORPORATIONS

- Bennett Company legalized, 366
- Capital stock issues legalized, 336
- Farmers Mutual Fire & Lightning Ins. Assn. corporate renewal, 368.
- Grand Mound Telephone Company legalized, 380
- Kellerton Telephone Company legalized, 371
- Low Moor Farmers' Mutual Telephone Company legalized, 369
- Mutual Telephone Exchange of Mystic legalized, 370
- Peoples' Gas & Electric Co. legalized, 373
- Renewal of charters, 291
- Strand Baking Co. legalized, 374
- The Collis Company legalized, 367
- Tyler and Downing Company legalized, 376
- Willow Creek Telephone Co. legalized, 377
- Witwer Grocer Company legalized, 378

COSMETICS

- Uniform drug act, 121

References are to pages

In general the page cited is the beginning of the act or section.

COSMETOLOGISTS

Statute correction, 117

COUNCIL OF STATE GOVERNMENTS

Appropriation, 5

Invitation to meet in Iowa, 403

COUNTIES

Assessors, 262

Auditors, 262

Board of education candidates, 150

Cash balance published, 218

Clinton county corn crib legalized, 355

Crawford county bonds legalized, 356

Federal tax reimbursement, 289

Franklin county bonds legalized, 384

Grand jury clerks' salaries, 324

Greene county maintenance shed legalized, 358

Jefferson county bonds legalized, 359

Library district established, 224

Mileage allowances of county officers, 81

Mitchell county bonds legalized, 360

Monroe county fund transfer legalized, 361

Notaries Public authority, 81

Penitentiary land sold, 326

Poor fund levy, 148

Ringgold legalizing Act, 364

Road use tax fund allocation, 171

Salaries of officers, 217

Scott county land sold, 329

Secondary road assessment districts, 183

Story county levy legalized, 364

Veterans information centers, 70

Wayne county claim payment legalized, 365

COUNTY ATTORNEY

Wanton neglect of child, investigation, 316

COUNTY SUPERVISORS

Soil conservation districts, 283

Weed control duties, 193

COUNTY TREASURER

Report published, 218

COURTS

Bailiffs of municipal courts, 253

District court judges salaries, 11, 313

District judges expense allowances, 313

Jurors fees, 314

Justice court fees, 307

Juvenile court probation officers, 141

Liens of judgments, 308

Municipal court employees, 309

Municipal court reporters salaries, 308

Municipal judges, number, 310

Municipal judges salaries, 309

Reporters fees, 314

Retirement system for judges, 311

Superior court judges salaries, 309

Wanton neglect of child, juvenile court, 316

CRAWFORD COUNTY

Hospital bonds legalized, 356

CRIMES AND CRIMINALS

Arrests for other states, 317

Extradition from Iowa, 317

Fingerprinting at institutions, 317

CRIMINAL LAW

Wanton neglect of child, 316

CRYSTAL LAKE, TOWN OF

Waterworks bonds legalized, 343

CUSTODIAN

Appropriation, 5

Governor's home service, 75

DEAF SCHOOL

Appropriation, 29, 32

DEFENSE PROJECTS

School districts reorganized, 151

DEPENDENTS

Uniform support law, 142

DISTRICT COURT

Judges expense allowances, 313

Judges salaries 11, 313

Retirement system, 311

DISTRICT COURT CLERK

Premarital test blanks destroyed, 307

DOCK BOARDS

Water-front land acquired, 227

DRAINAGE

Compensation of trustees, 285

Construction, 268

Districts organized, 268

Election of trustees, 285

Individual drains through lands of another, 286

Maintenance and repair of ditches, 268

Mutual drains established, 286

DRAINS AND LEVEES

Soil conservation districts, 283

DRUGS AND DRUGGISTS

Hog-cholera serum excepted from drugs, 117

Uniform drug and cosmetic Act, 121

DURANT, TOWN OF

Bonds legalized, 345

EDUCATION, STATE BOARD OF

Ames joint sewage system, 398

Appropriation, 2

Appropriation to institutions, 29

Disposal of land, 150

Federal grants for capital improvements, 32

INDEX

References are to pages

In general the page cited is the beginning of the act or section.

ELECTIONS

- Ballots, printing of, 80
- Candidates for board of education, 150
- City manager plan, 255
- Election board compensation, 80
- Municipal primaries, 79
- Special elections, expense statements, 80

ELECTRIC LIGHT AND POWER

- Milo bonds legalized, 350
- Peoples' Gas & Electric Company, 373
- Webster City bonds legalized, 351

EMINENT DOMAIN

- Change in grade of street, 228

EMPLOYMENT BUREAU

- Exceptions to limit on fee, 86

EMPLOYMENT SECURITY COMMISSION

- Appropriation, 12
- Contribution by employers, 86
- Terminating employer accounts, 87
- Unemployment benefits, 87

EPILEPTICS

- Discharge from state school, 139

ESTATE OF DECEDENTS

- Distributive share of surviving spouse, 315

EXAMINERS, BOARD OF EDUCATIONAL

- Appropriation, 148

EXECUTIVE COUNCIL

- Appropriation, 13
- Capitol maintenance, 44
- Compensation of state employees, 23
- Flood control duties to resources council, 275
- General assembly expenses, 42
- Penitentiary land sold, 326
- Pipe-line right of way at penitentiary, 332
- Sale of land in Scott county, 329
- State employees salaries approved, 69
- State office building duties, 39
- Supplies to real estate commission, 75

EXECUTORS AND ADMINISTRATORS

- Compensation affidavits, 315

EXEMPTIONS

- Military service, 261

EXPENSE ALLOWANCE

- District court judges, 313

FAIR BOARD, STATE

- Appropriation, 21

FAIRS

- Aid from state, 46, 119

FARMERS MUTUAL FIRE & LIGHTNING INSURANCE ASSOCIATION

- Corporate renewal legalized, 368

FARM MACHINERY

- Registration fee, 204

FEES

- Constables, 307
- Jurors, 314
- Justices of the peace, 307
- Motor vehicle registration, 201
- Securing employment, 86

FEE SCHOOL DISTRICT

- Boundary legalized, 386

FINGERPRINTING

- Criminals in institutions, 317
- Training school inmates, 317

FIREMEN

- Fire fighting outside limits of cities, 223
- Retirement system, 252, 254
- Stations built in cities and towns, 252

FIRE PROTECTION

- Township levy, 220

FISH AND GAME

- Fur-bearing animals, trapping, 108
- Mississippi river commercial fishing, 106
- Mississippi river licenses, 107
- Mussels, taking of, 105
- Pheasants sold for food, 107

FLOOD CONTROL

- Cities and towns, powers, 246
- County districts, 283
- Funds from federal government allocated, 289
- Natural resources council, 275
- School districts reorganized, 151

FLOOD CONTROL COMMITTEE

- Appropriation, 50

FOOD

- Sugar substitutes, 120

FORMS

- Income tax return, 256

FRANK A. GOTCH STATE PARK

- Established in Humboldt county, 402

FRANKLIN SCHOOL DISTRICT

- Building bonds legalized, 384

INDEX

References are to pages

In general the page cited is the beginning of the act or section.

- FUGITIVES FROM JUSTICE**
Extradition, 317
- FUNDS ESTABLISHED**
Secondary road research projects, 183
Special reserve, 73
- FUNDS FROM FEDERAL GOVERNMENT**
Admitting Iowa to Union, 191
Flood control payments, 289
- FUNDS TRANSFERRED**
Aviation fund, 215
Monroe county, 361
Primary roads, 41
"Twenty-third street paving fund", 340
- GARRISON, TOWN OF**
Waterworks bonds legalized, 346
- GENERAL ASSEMBLY**
Compensation, 73
Legalizing Acts, 74
Office building committee, 333
Printing appropriation, 39
Retrenchment and reform committee, 398
Secondary road research report, 183
- GEOLOGICAL SURVEY**
Appropriation, 13
- GIRLS TRAINING SCHOOL**
General appropriation, 23
- GLENWOOD, CITY OF**
Waterworks bonds legalized, 347
- GLENWOOD STATE SCHOOL**
General appropriation, 23
Patients discharged, 139
- GOVERNMENTAL REORGANIZATION COMMISSION**
Duties, 334
- GOVERNOR**
Aid to Nebraska in emergency, 401
Aluminum Company of America, 329
Appointments legalized, 337
Appropriation, 13
Appropriation for Nebraska snow removal, 46
Clear Lake water survey, 36
Extradition of criminals, 317
Inaugural expense, 42
Maintenance of home, 75
Natural resources council appointed, 275
Patent issued, 326
Report of government reorganization, 334
Secondary road research report, 183
Special reserve fund used, 73
Succession to office, 397
- GRAND ARMY OF THE REPUBLIC**
Appropriation, 13
- GRAND JURY**
Clerk's salary, 324
- GRAND MOUND TELEPHONE COMPANY**
Legalized, 380
- GREENE COUNTY**
Road maintenance shed legalized, 358
- GREENE SCHOOL DISTRICT**
Building bonds legalized, 385
- GUARDIANS**
Compensation affidavits, 315
- HANDICAPPED PERSONS**
Listing by assessor, 170
- HEALTH DEPARTMENT, STATE**
Appropriation, 7
Itinerant practitioners, 117
Premarital test blanks destroyed, 307
Stream and lake pollution, 108
- HERBERT HOOVER BIRTHPLACE SOCIETY**
Appropriation, 14
- HIGHWAY COMMISSION**
Aid to Nebraska authorized, 401
Appropriation for Nebraska snow removal, 46
Attorney general assistant, 170
Blue Star highway, 400
Expenditures authorized, 192
Farm-to-market contracts, 177
Farm-to-market roads, 181
Off-center lines in highway, 206
Primary road contracts, 177
Secondary road contracts, 177
Secondary road research report, 183
Workmen's compensation appropriation, 41
- HIGHWAY INVESTIGATION COMMITTEE**
Appropriation, 50
- HIGHWAY PATROL**
Retirement system, 89
- HISTORICAL SOCIETY**
Appropriation, 14
- HISTORY AND ARCHIVES DEPARTMENT**
Appropriation, 9
- HOG-CHOLERA SERUM**
Exception to pharmacy law, 117

References are to pages

In general the page cited is the beginning of the act or section.

HOSPITALS

Crawford county bonds legalized, 356
 Jefferson county bonds legalized, 359
 Mitchell county bonds legalized, 360
 West Union bonds legalized, 353

HOSPITAL-SCHOOL

Appropriation, 29, 32

INAUGURAL CEREMONIES

Appropriation, 42

INCOME TAX

Refunds, 69

INDEPENDENCE STATE HOSPITAL

General appropriation, 23

INDUSTRIAL COMMISSIONER

See also Workmen's Compensation

Appropriation, 14, 38
 Reviews and appeals, 85
 Workmen's compensation of highway employees, 41

INSANE PERSONS

Screening by board of control, 136
 Transferees to counties, 139

INSTITUTIONS, STATE

Accounting systems, 137
 Appropriation, 27
 Bacteriological laboratory, 29
 Blind school, 29
 Boys Training School appropriation, 23
 Business managers, statute correction, 137
 Cherokee Hospital appropriation, 23
 Clarinda Hospital appropriation, 23
 College of Agriculture and Mechanic Arts, 29
 Deaf school, 29
 Exemption from taxation claimed, 260
 Girls Training School appropriation, 23
 Glenwood School appropriation, 23
 Glenwood School land purchase, 328
 Hospital-School, 29
 Independence hospital appropriation, 23
 Independence Hospital land exchange, 327
 Iowa Annie Wittenmyer Home, 141
 Iowa Soldiers' Home appropriation, 23
 Juvenile Home appropriation, 23
 Men's Reformatory appropriation, 23
 Mount Pleasant Hospital appropriation, 23
 Penitentiary and Reformatory appropriation, 23
 Psychopathic Hospital, 29
 Sanatorium, 29
 Soldiers' Orphans' Home appropriation, 23

INSTITUTIONS, STATE—Continued

Teachers College, 29
 Transferees to counties, 139
 University Hospital, 29
 University of Iowa, 29
 Women's Reformatory appropriation, 23
 Woodward Hospital and School appropriation, 23
 Woodward hospital name changed, 139

INSURANCE

City employees group insurance, 221
 Deposits of companies, 297
 Examination of companies, 294
 Examiners compensation, 295
 Fire insurance statute corrections, 298
 Investments taxed as moneys and credits, 297
 Lawyers' group insurance, 296
 Limitation of risks statute correction, 298, 299
 Short rate tables, 299
 Students group insurance, 295
 Teachers group insurance, 295
 Unauthorized insurers process Act, 292

INSURANCE DEPARTMENT

Appropriation, 15
 Examination of insurance companies, 294
 Old age and survivors delinquent tax, 45
 Securities of alien companies, 297

INTOXICATING LIQUORS

Boats operated while intoxicated, 104
 Permits of intoxicated airmen canceled, 216

IOWA ANNIE WITTENMYER HOME

Children's home at Davenport, 141

IOWA DEVELOPMENT COMMISSION

Appropriation, 15

IOWA DRUG AND COSMETIC ACT

Adulterated and misbranded drugs, 121

JEFFERSON COUNTY

Hospital bonds legalized, 359

JOINT RESOLUTIONS

Aid to Nebraska, 401
 Ames joint sewage system, 398
 Blue Star highway, 400
 Frank A. Gotch state park, 402
 Midwest regional conference, 403
 Municipal code committee, 395
 Retrenchment and reform committee, 398
 Succession of governor, 397

References are to pages

In general the page cited is the beginning of the act or section.

JUDGES

- District court daily expense allowance, 313
- District court salaries, 11, 313
- Municipal court salaries, 309
- Municipal, number, 310
- Retirement system, 311
- Superior court salaries, 309
- Supreme court salaries, 21

JUDGMENT

- Lien when transcribed from municipal court, 308

JURY

- Fees, 314

JUSTICES OF THE PEACE

- Fees, 307

JUVENILE HOME

- General appropriation, 23

KELLERTON MUTUAL CENTRAL TELEPHONE COMPANY

- Corporate renewal legalized, 371

KEOKUK NATIONAL CEMETERY

- Land dedicated, 331

KNOXVILLE SCHOOL DISTRICT

- Boundary legalized, 386

LABOR BUREAU

- Appropriation, 3

LABOR COMMISSIONER

- Employment bureau, 86

LAKES

- Pollution by sewers regulated, 108

LANDS

- Drainage district boundaries, 286
- Glenwood school land purchase, 328
- Independence hospital land exchange, 327
- Keokuk National Cemetery dedicated, 331
- Mutual drainage district records established, 286
- Penitentiary land sold, 326
- Scott county land sold, 329
- Uniform method of disposal, 150
- Unused and unnecessary cemeteries, 219
- Water front land acquired, 227

LAWYERS

- Group insurance, 296

LEGALIZING ACTS

- Ames school district, 381
- Bellevue memorial building bonds, 338
- Bellevue school bonds, 382
- Bennett Company Articles, 366
- Bettendorf fund transfer, 340

LEGALIZING ACTS—Continued

- Bettendorf school district, 383
- Blue Grass waterworks bonds, 341
- Calamus town hall bonds, 342
- Capital stock issues, 336
- Clinton county corn crib, 355
- Control board member, appointment, 399
- Crawford county hospital, 356
- Crystal Lake waterworks bonds, 343
- Durant, town bonds legalized, 345
- Farmers Mutual Fire & Lightning Ins. Assn. corporate renewal, 368
- Fee school district boundary, 386
- Franklin school building bonds, 384
- Garrison waterworks bonds, 346
- Glenwood waterworks bonds, 347
- Grand Mound Telephone Company, 380
- Greene county maintenance shed, 358
- Greene school district bonds, 385
- Jefferson county hospital bonds, 359
- Kellerton Telephone Company, 371
- Knoxville school district boundary, 386
- LeMars park bonds, 348
- Low Moor school bonds, 387
- Low Moor Farmers' Telephone Company, 369
- Maquoketa swimming pool bonds, 349
- Mason City school district, 388
- Milo electrical transmission bonds legalized, 350
- Mitchell county hospital bonds, 360
- Monroe county fund transfer, 361
- Mutual Telephone Exchange of Mystic corporate renewal, 370
- Peoples' Gas & Electric Company, 373
- Pleasant Valley bonds, 389
- Printing without expense to state, 74
- Public officials confirmed by governor, 337
- Ringgold county fund transfer, 364
- Sanitary district in Urbandale & Windsor Heights, 362
- Storm Lake school district bonds, 390
- Story county tax levy, 364
- Strand Baking Company, 374
- The Collis Company legalized, 367
- Toledo school district boundaries, 391
- Town of Allerton, 338
- Tyler and Downing corporate renewal, 376
- Urbandale sewer bonds, 363
- Van Meter school real estate purchase, 392
- Wayne county claim payment, 365
- Webster City bonds legalized, 351
- West Union hospital bonds, 353
- Willow Creek Telephone Company, 377
- Windsor Heights sewer bonds, 363
- Winfield waterworks bonds, 354
- Winthrop school bonds legalized, 393
- Witwer Grocer Company, 378

INDEX

References are to pages

In general the page cited is the beginning of the act or section.

- LEGISLATIVE ADVISORY COMMITTEE**
Creation and duties, 39
- LEMARS, CITY OF**
Park bonds legalized, 348
- LEVEES**
Construction of, 268, 286
Establishment of districts, 283
Management of districts, 285
- LIBRARIES**
Contract service, 224
County libraries, 224
Levy in cities, 250
- LIBRARY COMMISSION**
Appropriation, 15
- LICENSES**
Boat operators licenses revoked, 104
Chauffeurs, 197
Cigarettes, 302
Drivers licenses expiration, 205
Fish and game, 107
Nurses and practical nurses, 113
- LIENS**
Judgment transcribed from municipal court, 308
- LIQUOR CONTROL COMMISSION**
Commissioners salary appropriation, 22
Reissuance of permits, 104, 216
- LOW MOOR FARMERS' TELEPHONE COMPANY**
Corporate existence legalized, 369
- LOW MOOR SCHOOL DISTRICT**
Bonds legalized, 387
- MAQUOKETA, CITY OF**
Swimming pool bonds legalized, 349
- MARRIAGE**
Premarital test blanks destroyed, 307
- MASON CITY SCHOOL DISTRICT**
Bonds legalized, 388
- MATERNITY AND INFANCY AID**
Acceptance of federal aid repealed, 150
- MAYOR**
Compensation in commission cities, 254
Powers and duties, 220
- MEMORIAL HALLS**
Bonds issued, 79
Veterans, 78
- MEN'S REFORMATORY**
General appropriation, 23
- MIDWEST REGIONAL CONFERENCE**
Invitation to meet in Iowa, 403
- MILEAGE ALLOWANCES**
State and county officials, 81
- MILO, TOWN OF**
Electrical bonds legalized, 350
- MINES AND MINING**
Mine examining board, appropriation, 16
Mine inspectors, 16
Strip mines regulated, 283
- MISSISSIPPI RIVER**
Commercial fishing, 106
Interstate bridges, 192
- MITCHELL COUNTY**
Hospital bonds legalized, 360
- MONEYS AND CREDITS**
Taxation, 262
- MONROE COUNTY**
Fund transfer made permanent, 361
- MOTOR VEHICLE CARRIERS**
Compensation tax to road use tax fund, 171
- MOTOR VEHICLE FUEL TAX**
Fees to road use tax fund, 171
- MOTOR VEHICLES**
Antifreeze regulation, 131
Boats operated while intoxicated, 104
Bus speed limits, 206
Clear vision requirements, 197
Combination of vehicle, 197
Dealer penalty provisions, 212
Dealers requirements on sale of vehicle, 212
Drivers' licenses expiration, 205
Driving while license suspended, 197
Financial responsibility for accidents, 210
House trailers, registration, 200
Instruction permits, 197
Manufacturers numbers, 200
Mileage allowances of county officers, 81
Mileage allowances of state officers, 81
Nonresident lessees, 200
Off-center lines in highways, 206
Purchase by state, 76
Red flags, 197
Registration fees, 201

References are to pages

In general the page cited is the beginning of the act or section

- MOTOR VEHICLES—Continued**
 Registration fees of shellers, grinders and trailers, 204
 Registration fees to road use tax fund, 171
 Registration requirements, 197
 School buses, 207
 Stopping at through highway, 197
 Tax refunds on fuel, 42
 Truck fees, 202
 Truck speed limit, 202
- MOUNT PLEASANT STATE HOSPITAL**
 General appropriation, 23
- MUNICIPAL CODE STUDY COMMITTEE**
 Appointment and duties, 395
- MUNICIPAL COURT**
 Court reporters salaries, 308
 Deputy bailiffs, 253
 Employees salaries, 309
 Judges salaries, 309
 Number of judges, 310
- MUNICIPALITIES**
 Financing of public improvements, 395
- MUSSELS**
 Taking of, 105
- MUTUAL TELEPHONE EXCHANGE OF MYSTIC**
 Corporate renewal legalized, 370
- NATIONAL AND STATE GUARD**
 Adjutant general's salary, 16
- NATURAL RESOURCES COUNCIL**
 Appointment by governor, 275
 Approval of drainage districts, 283
- NEBRASKA**
 Aid in emergency, 401
 Appropriation for snow removal, 46
- NOTICES**
 Tax sale, 268
- NOTARIES PUBLIC**
 Authority in any county, 81
- NURSES**
 Licenses and qualifications, 113
- OCCUPATIONAL DISEASES**
See Workmen's Compensation
- OLD AGE AND RETIREMENT SYSTEM**
 Insurance department delinquent tax, 45
- OLD AGE AND SURVIVORS INSURANCE**
 Appropriation, 12
 Contributions and benefits, 88
- OPTOMETRISTS**
 Statute correction, 117
- ORDNANCE PLANTS**
 School districts reorganized, 151
- OSTEOPATHS**
 Statute correction, 117
- PARKING METERS**
 General maintenance, 229
- PARKS**
 Frank A. Gotch state park, 402
 LeMars bonds legalized, 348
- PAROLE BOARD, STATE**
 Appropriation, 2
 No supervision of jail parolees, 142
- PATENTS ISSUED**
 Aluminum Company of America, 329
 Land sold to Thomas V. Ogden, 325
 Penitentiary land sold, 326
- PEACE OFFICERS RETIREMENT SYSTEM**
 Public safety department, 89
- PENITENTIARY AND REFORMATORY**
 General appropriation, 23
 Land sold, 326
 Pipe-line right of way authorized, 332
- PEOPLES GAS & ELECTRIC COMPANY**
 Corporate renewal legalized, 373
- PHARMACY BOARD**
See Drugs and Druggists
 Appropriation, 17
- PHEASANTS**
 Sale for food, 107
- PHOTOGRAPHS**
 Criminals in institutions, 317
 Training school inmates, 317
- PHYSICIANS AND SURGEONS**
 Statute correction, 117
- PIONEER LAWMAKERS**
 Appropriation, 17
- PLEASANT VALLEY SCHOOL DISTRICT**
 Bonds legalized, 389

INDEX

References are to pages

In general the page cited is the beginning of the act or section.

PODIATRY

Name changed to chiropody, 112

POLICE

Deputy bailiffs in municipal courts, 253

Maintenance fund, 251

Public safety department retirement system, 89

Retirement systems, 252, 254

Stations built in cities and towns, 252

PRINTING

General election ballots, 80

Legalizing Acts, 74

Tax sale notice, 268

PRINTING DEPARTMENT

Appropriation, 18

Departmental books and pamphlets limited, 23

PROBATE

Distributive share of surviving spouse, 315

PROBATION OFFICERS

Appointment of, 141

PSYCHOPATHIC HOSPITAL

Appropriation, 29

PUBLIC EMPLOYEES RETIREMENT SYSTEM

Contributions and benefits, 88

Insurance department delinquent tax, 45

PUBLIC INSTRUCTION DEPARTMENT

Appropriation, 9, 35, 36

PUBLIC INSTRUCTION SUPERINTENDENT

School transportation buses, 157

Teachers certificates, 148

Tuition rates, maximum, 155

PUBLIC SAFETY DEPARTMENT

Appropriation, 10

Financial responsibility hearings, 210

Fingerprinting at institutions, 317

Peace officers retirement system, 89

Probation period of employees, 82

PUBLIC UTILITIES

Special charter cities, 256

RAILROADS

Free passes reported, 290

REAL ESTATE COMMISSION

Appropriation, 15

Supplies, 75

RECEIVERS

Compensation affidavits, 315

RELATIVES

Uniform support law, 142

REPORTERS, COURT

Fees for transcript, 314

RETIREMENT SYSTEMS

Bailiffs of municipal courts, 253

Firemen, 252, 254

Judges, 311

Policemen, 252, 254

Public safety employees, 89

RETRENCHMENT AND REFORM

Federal grants for educational institutions, 32

General contingent fund, 68

Insane persons, screening, 136

Legislative committee, 398

Special reserve fund used, 73

RIGHT OF WAY

Abandoned river channel sale, 306

RINGGOLD COUNTY

Fund transfer legalized, 364

ROADS AND HIGHWAYS

Advertisement for bids, 181

Appropriation for Nebraska snow removal, 46

Blizzard aid to Nebraska, 401

Blue Star highway, 400

Bridges and culverts excluded from surveys, 176

Construction and improvement, 177

County road bonds, 191

Farm to market road contracts, 177

Farm to market road fund, 171

Farm to market roads, 181

Federal aid to road use tax fund, 171

Federal flood control payments, 289

Inspection by commission, 192

Institutional state roads, 28

Off-center lines, 206

Petition by abutting owners to gravel or surface, 183

Primary bonds, 191

Primary extensions in cities and towns, 248

Primary fund allocation, 41

Primary road contracts, 177

Primary road fund, 171

Road use tax fund, 171

Secondary construction funds from flood control projects, 289

Secondary road assessment districts, 183

Secondary road contracts, 177

Secondary road fund, 171

Secondary road levy, 176

Secondary road research fund, 183

Secondary road surveys, 176

Street grade change, 228

INDEX

References are to pages

In general the page cited is the beginning of the act or section.

SALARIES

Adjutant general, 16
 Agriculture secretary, 5
 Attorney general, 1
 Attorney general assistant, 170
 Auditor of state, 2
 Bank examiners and deputy superintendent, 299
 Blind commission secretary, 4
 Board of control, 28
 Chief of criminal investigation, 10
 Chief of highway patrol, 10
 Clerk of grand jury, 324
 Clerk of supreme court, 3
 Code editor, 19
 Commerce commissioners, 4
 Commerce commission secretary, 4
 Comptroller, state, 20
 Conservation commissioners, 22
 Conservation officers, 22, 105
 Constables, 307
 Councilmen in commission cities, 254
 County officers, 217, 262
 Curator, 9
 Custodian, 5
 District court judges, 11, 313
 Education board secretary, 2
 Executive council approval of state employees, 23
 Executive council secretary, 13
 Fair board secretary, 21
 Fire marshal, 10
 Governor, 13
 Health commissioner, 7
 Historian, state, 14
 Industrial commissioner, 14
 Insurance commissioner, 15
 Insurance examiners, 295
 Justices of the peace, 307
 Labor commissioner, 3
 Law librarian, 15
 Liquor control commissioners, 22
 Medical librarian, 15
 Members of general assembly, 73
 Mine inspectors, 16
 Motor registration superintendent, 10
 Municipal court employees, 309
 Municipal court judges, 309
 Municipal court reporters, 308
 Natural resources council, 275
 Parole board, 2
 Pharmacy secretary, 17
 Probation officers, 141
 Radio communication superintendent, 10
 Real estate division director, 15
 Reporter of supreme court, 19
 Safety commissioner, 10
 Secretary of state, 19
 Social welfare board, 22
 State employees salaries approved, 69
 Superintendent of printing, 18
 Superintendent of public instruction, 9

SALARIES—Continued

Superior court judges, 309
 Supreme court judges, 21
 Tax commissioners, 21
 Traveling library, librarian, 15
 Treasurer of state, 21

SANATORIUM, STATE

Appropriation, 29, 32

SANITARY DISTRICT

Incorporation, 219
 Urbandale-Windsor Heights, 362, 363

SAVING AND LOAN ASSOCIATIONS

Loans on real estate contracts, 300

SCALES

Inspection and regulation, 134

SCHOOLS AND SCHOOL DISTRICTS

Age of admission, 154
 Ames district legalized, 381
 Athletic fields indebtedness, 169
 Bellevue district bonds legalized, 382
 Bettendorf legalizing act, 383
 Boundaries changed by cities, 152
 Buses, 157
 Bus regulations, 207
 County board of education affidavits of candidates, 150
 Educational examiners, 148
 Federal tax reimbursement, 289
 Franklin district bonds legalized, 384
 Garage for bus, indebtedness, 169
 General fund levy, 169
 General state aid, 167
 Greene district bonds legalized, 385
 Group insurance for students and teachers, 295
 Handicapped children aid, 35
 Hearing tests appropriation, 35
 Knoxville district boundary legalized, 386
 Low Moor bonds legalized, 387
 Mason City district bonds legalized, 388
 Meilage allowances of school officers, 81
 Mining camp school aid, 35
 Normal institute aid, 35
 Pleasant Valley bonds legalized, 389
 Reorganization due to flood control, 151
 Sick leave for employees, 153
 Storm Lake district bonds legalized, 390
 Supplemental state aid, 36
 Tax loss reimbursement, 156
 Teachers certificate, 148
 Toledo district boundaries legalized, 391
 Transportation charges, 152
 Transportation of pupils, 157

References are to pages

In general the page cited is the beginning of the act or section.

SCHOOLS AND SCHOOL DISTRICTS

—Continued

- Transportation state aid, 36
- Tuition rates, maximum, 155
- Van Meter legalizing Act, 392
- Winthrop bonds legalized, 393

SECRETARY OF STATE

- Aluminum Company of America, 329
- Appropriation, 19
- Capital stock issues of corporations, 336
- Corporations, notice of charter renewal, 291
- Patent issued, 326

SEED

- Blue tag on certified seed, 120

SEWERS

- Allerton construction legalized, 338
- Ames joint sewage system, 398
- Assessments, 243
- Improvement in cities and towns, 231
- Sanitary districts formed, 244
- Self-liquidating sewage treatment plants, 244
- Stream and lake pollution, 108
- Systems in annexed cities and towns, 243

SHEPPARD-TOWNER ACT

- Acceptance of federal aid repealed, 150

SINCLAIR REFINING COMPANY

- Pipe-line right of way authorized, 332

SOCIAL WELFARE DEPARTMENT

- Appropriation, 34
- Appropriation for aid to children, 35
- Employment security accounts, 87
- Salary, 22

SOIL CONSERVATION

- Appropriation, state, 289
- County districts, 283
- State committee, functions and salary, 288

SOLDIERS' BONUS

- Administration appropriation, 45

SOLDIERS' BONUS BOARD

- World War orphans' education aid, 20

SOLDIERS HOME

- General appropriation, 23

SOLDIERS' ORPHANS HOME

- General appropriation, 23

SOLDIERS, SAILORS, MARINES AND NURSES

- Bonus appropriation and bonds, 76
- Memorial halls, 78
- Monuments, bonds for, 79
- Tax exemptions, 261
- Veterans information centers, 70

SPANISH-AMERICAN WAR VETERANS

- Appropriation, 20

STATE GOVERNMENT

- Reorganization commission, 334

STATE INSTITUTIONS*See Institutions, State***STATE OFFICE BUILDING**

- Advisory committee, 39, 333
- Advisory committee appropriation, 52
- Appropriation, 39

STORY COUNTY

- Legalizing Act, 364

STRAND BAKING COMPANY

- Corporate renewal legalized, 374

STREAMS

- Pollution by sewers regulated, 108

SUPERINTENDENT OF PRINTING

- Legalizing Acts, cost of printing, 74

SUPERIOR COURT

- Judges salaries, 309

SUPREME COURT

- Appropriation, 21
- Retirement system, 311
- Shorthand reporters' fees fixed, 314

SUPREME COURT REPORTER AND CODE EDITOR

- Appropriation, 19

SWIMMING POOLS

- Maquoketa bonds legalized, 349

TAXATION

- Agricultural land credit, 260
- Art fund levy in cities, 249
- City hall levy, 251
- Exemptions to educational institutions, 260
- Fire fund levy, 250
- Fire levy in townships, 220
- General school levy, 169
- Income tax rates, 69
- Income tax, short form, 256
- Library levy in cities, 250
- Listing handicapped persons, 170
- Military service exemptions, 261
- Military service tax credit fund, 67
- Moneys and credits, 262
- Moneys and credits tax on insurance investments, 297
- Notice published of sale, 268
- Off-street parking, 248
- Omitted property, listing, 267

References are to pages

In general the page cited is the beginning of the act or section.

TAXATION—Continued

- Personal tax penalty correction, 268
- Place of business defined for sales tax, 257
- Police maintenance fund, 251
- Poor fund levy, 148
- "Readily obtainable in Iowa" defined, 259
- Sales at retail defined for sales tax, 258
- Sales tax on resale of used property, 258
- Sales tax revenue statute correction, 259
- Sales tax, 10% to road use tax fund, 171
- School districts reimbursed for loss, 156
- Secondary road levy, 176
- Second-hand property, sales tax, 258
- Use tax definition, 259
- Use tax on motor vehicles to road use tax fund, 171

TAX COMMISSION

- Appropriation, 21
- Cigarette sales regulated, 302
- County assessor duties, 262
- Income tax return forms, 256

TEACHERS COLLEGE

- Appropriation, 29, 32

TELEPHONE COMPANIES

- Grand Mound Telephone Company, 380
- Kellerton Telephone Company, 371
- Low Moor Farmers' Telephone Company, 369
- Mutual Telephone Exchange of Mystic, 370
- Willow Creek Telephone Company, 377

THE COLLIS COMPANY

- Corporate renewal legalized, 367

TOLEDO INDEPENDENT SCHOOL DISTRICT

- Boundaries legalized, 391

TOWNSHIPS

- Cemetery land sold, 219
- Fire protection levy, 220
- Justices and constables fees, 307

TREASURER OF STATE

- Appropriation, 21
- Bonus bonds issued, 76
- Road use tax fund allocations, 171

TRUCKS

- See Motor Vehicles*

TRUSTEES

- Compensation affidavits, 315

TUITION RATES, STUDENTS

- Maximum, 155

TYLER AND DOWNING COMPANY

- Corporate renewal legalized, 376

UNAUTHORIZED INSURERS PROCESS ACT

- Purpose, 292

UNEMPLOYMENT COMPENSATION

- See Employment Security*

UNIFORM LAWS COMMISSION

- Appropriation, 5

UNIFORM SUPPORT LAW

- Purpose of Act, 142

UNITED STATES

- Funds from Act admitting state to Union, 191

UNIVERSITY HOSPITAL

- Appropriation, 29

UNIVERSITY OF IOWA

- Appropriation, 29, 32
- Medical college increase in enrollment, 32

URBANDALE, TOWN OF

- Bonds legalized, 363
- Sanitary district legalized, 362

VAN METER SCHOOL DISTRICT

- Real estate purchase legalized, 392

VETERANS EDUCATIONAL PROGRAM

- Appropriation, 10

VETERANS INFORMATION CENTERS

- Appropriation, 70

VETOES

- Construction of statutes, S. F. 173
- Keokuk legalizing Act, S. F. 484
- Licensing insurance agents, S. F. 150
- Registration fees for hearses and house trailers, H. F. 577
- Rock Rapids legalizing Act, S. F. 475
- Sewage treatment plants, H. F. 7

VOCATIONAL EDUCATION BOARD

- Appropriation, 3

WAR SURPLUS BOARD

- Appropriation to revert, 66

WATERS AND WATERCOURSES

- Abandoned channels, rights of way preserved, 306
- Stream and lake pollution, 108
- Waterfront land acquired in cities and towns, 227
- Water navigation regulations, 104

INDEX

References are to pages

In general the page cited is the beginning of the act or section.

WATERWORKS

- Assessment limit in benefited districts, 218
- Blue Grass bonds legalized, 341
- Civil service, 223
- Crystal Lake bond legalized, 343
- Garrison bonds legalized, 346
- Glenwood bonds legalized, 347
- Winfield bonds legalized, 354

WAYNE COUNTY

- Claim payment legalized, 365

WEBSTER CITY

- Bonds legalized, 351

WEEDS

- Control and destruction, 193

WEIGHTS AND MEASURES

- Inspection and regulation, 134
- Soybeans, weight per bushel, 133

WEST UNION, CITY OF

- Hospital bonds legalized, 353

WILLOW CREEK TELEPHONE COMPANY

- Corporate renewal legalized, 377

WINDSOR HEIGHTS, TOWN OF

- Bonds legalized, 363
- Sanitary district legalized, 362

WINFIELD, TOWN OF

- Waterworks bonds legalized, 354

WINTHROP SCHOOL DISTRICT

- Bonds legalized, 393

WITWER GROCER COMPANY

- Corporate renewal legalized, 378

WOMEN'S REFORMATORY

- General appropriation, 23

WOODWARD STATE HOSPITAL AND SCHOOL

- General appropriation, 23
- Name changed, 139
- Patients discharged, 139

WORKMEN'S COMPENSATION

- Burial expense, 83
- Highway commission employees, 41
- Hospital allowances, 82
- Medical allowances, 82
- Occupational disease compensation, 83
- Reviews and appeals, 85
- Schedule of benefits, 83
- State employees, 38
- Surgical allowances, 82
- Waivers by disabled persons, 85
- Weekly benefits, 84